

PART 9 - OVERLAY CODES.....	1
DIVISION 1 - AIRPORT FACILITIES OVERLAY CODE.....	2
9.1 <i>Application</i>	2
9.2 <i>Assessment Categories for Airport Facilities Overlay Code</i>	2
9.3 <i>Relevant Assessment Criteria for Development Affected by an Airport Facilities Overlay Code</i>	2
9.4 <i>Assessment Criteria</i>	6
9.5 <i>Compliance with Airport Facilities Overlay Code</i>	6
9.6 <i>Overall Outcomes for Airport Facilities Overlay Code</i>	6
9.7 <i>Specific Outcomes and Probable and Acceptable Solutions for the Airport Facilities Overlay Code as follows:</i>	6
DIVISION 2 - BUSHFIRE MANAGEMENT OVERLAY CODE.....	11
9.8 <i>Application</i>	11
9.9 <i>Assessment Categories for Bushfire Management Overlay Code</i>	11
9.10 <i>Relevant Assessment Criteria for Development Affected by Bushfire Management Overlay Code</i>	11
9.11 <i>Assessment Criteria</i>	13
9.12 <i>Compliance with Bushfire Management Overlay Code</i>	13
9.13 <i>Overall Outcomes for Bushfire Management Overlay Code</i>	13
9.14 <i>Specific Outcomes and Probable and Acceptable Solutions for the Bushfire Management Overlay Code as follows:</i>	13
DIVISION 3 - ASSESSMENT TABLES FOR COASTAL MANAGEMENT & BIODIVERSITY OVERLAY CODE	17
9.15 <i>Application</i>	17
9.16 <i>Assessment Categories for Coastal Management & Biodiversity Overlay Code</i>	17
9.17 <i>Relevant Assessment Criteria for Development Affected by Coastal Management & Biodiversity Overlay Code</i>	17
9.18 <i>Assessment Criteria</i>	21
9.19 <i>Compliance with Coastal Management & Biodiversity Overlay Code</i>	21
9.20 <i>Overall Outcomes for Coastal Management & Biodiversity Overlay Code</i>	21
9.21 <i>Specific Outcomes and Probable and Acceptable Solutions for the Coastal Management and Biodiversity Overlay Code as follows:</i>	23
DIVISION 4 - CULTURAL HERITAGE PROTECTION OVERLAY CODE.....	31
9.22 <i>Application</i>	31
9.23 <i>Assessment Categories for Cultural Heritage Protection Overlay Code</i>	31
9.24 <i>Relevant Assessment Criteria for Development Affected by a Cultural Heritage Protection Overlay Code</i>	31
9.25 <i>Assessment Criteria Cultural Heritage Protection Overlay Code</i>	36
9.26 <i>Compliance with Cultural Heritage Protection Overlay Code</i>	36
9.27 <i>Overall Outcomes for Cultural Heritage Protection Overlay</i>	36

9.28	<i>Specific Outcomes and Probable and Acceptable Solutions for the Cultural Heritage Protection Overlay Code as follows:</i>	36
DIVISION 5 - EXTRACTIVE AND MINERAL RESOURCES OVERLAY CODE		41
9.29	<i>Application</i>	41
9.30	<i>Assessment Categories for Extractive and Mineral Resources Overlay Code</i>	41
9.31	<i>Relevant Assessment Criteria for Development Affected by Extractive and Mineral Resources Overlay Code</i>	41
9.32	<i>Assessment Criteria</i>	44
9.33	<i>Compliance with Extractive and Mineral Resources Overlay Code</i>	44
9.34	<i>Overall Outcomes for Extractive and Mineral Resources Overlay Code</i>	44
9.35	<i>Specific Outcomes and Probable and Acceptable Solutions for Extractive and Mineral Resources Overlay Code as follows:</i>	44
DIVISION 6 - LAKE AWOONGA CATCHMENT OVERLAY CODE		46
9.36	<i>Application</i>	46
9.37	<i>Assessment Categories for Lake Awoonga Catchment Overlay Code</i>	46
9.38	<i>Relevant Assessment Criteria for Development Affected by a Lake Awoonga Catchment Overlay Code</i>	46
9.39	<i>Assessment Criteria Lake Awoonga Catchment Overlay Code</i>	49
9.40	<i>Compliance with Lake Awoonga Catchment Overlay Code</i>	49
9.41	<i>Overall Outcomes for Lake Awoonga Catchment Overlay Code</i>	49
9.42	<i>Meaning of terms used in the Lake Awoonga Catchment Overlay Code</i>	49
9.43	<i>Specific Outcomes and Probable and Acceptable Aolutions for the Lake Awoonga Catchment Overlay Code as follows:</i>	51
DIVISION 7 - FLOOD AND INUNDATION MANAGEMENT OVERLAY CODE		54
9.44	<i>Application</i>	54
9.45	<i>Assessment Categories for the Flood and Inundation Management Overlay Code</i>	54
9.46	<i>Relevant Assessment Criteria for Development Affected by the Flood and Inundation Management Overlay Code</i>	54
9.47	<i>Assessment Criteria</i>	57
9.48	<i>Compliance with the Flood and Inundation Management Overlay Code</i>	57
9.49	<i>Overall outcomes for the Flood and Inundation Management Overlay Code</i>	57
9.50	<i>Specific Outcomes and Probable and Acceptable Solutions for the Flood and Inundation Overlay Code as follows:</i>	57
DIVISION 8 - ACID SULFATE SOILS OVERLAY CODE		62
9.51	<i>Application</i>	62
9.52	<i>Assessment Categories for Acid Sulfate Soils Overlay Code</i>	62
9.53	<i>Relevant Assessment Criteria for Development Affected by the Acid Sulfate Soils Overlay Code</i>	62
9.54	<i>Assessment Criteria</i>	67
9.55	<i>Compliance with Acid Sulfate Soils Overlay Code</i>	67

9.56	<i>Overall Outcomes for Acid Sulfate Soils Overlay Code.....</i>	67
9.57	<i>Specific Outcomes and Probable and Acceptable Solutions for the Acid Sulfate Soils Overlay Code as follows:.....</i>	67
DIVISION 9 - DEVELOPMENT ON STEEP LAND OVERLAY CODE.....		69
9.58	<i>Application</i>	69
9.59	<i>Assessment Categories for the Development on Steep Land Overlay Code.....</i>	69
9.60	<i>Relevant Assessment Criteria for Development Affected by the Development on Steep Land Overlay Code</i>	69
9.61	<i>Assessment Criteria.....</i>	73
9.62	<i>Compliance with the Development on Steep Land Overlay Code</i>	73
9.63	<i>Overall Outcomes for the Development on Steep Land Overlay Code.....</i>	73
9.64	<i>Specific Outcomes and Probable and Acceptable Solutions for the Development on Steep Land Overlay Code as follows:.....</i>	73

PART 9 - OVERLAY CODES

The provisions in this Part comprise the following:

- (a) Assessment tables and assessment criteria for each type of Overlay Code as follows:
 - (i) Airport Facilities Overlay Code (**Division 1**);
 - (ii) Bushfire Management Overlay Code (**Division 2**);
 - (iii) Coastal Management & Biodiversity Overlay Code (**Division 3**);
 - (iv) Cultural Heritage Protection Overlay Code (**Division 4**);
 - (v) Extractive and Mineral Resources Overlay Code (**Division 5**);
 - (vi) Lake Awoonga Catchment Overlay Code (**Division 6**);
 - (vii) Flood and Inundation Management Overlay Code (**Division 7**);
 - (viii) Acid Sulfate Soils Overlay Code (**Division 8**);
 - (ix) Development on Steep Land Overlay Code (**Division 9**)

Division 1 - Airport Facilities Overlay Code

9.1 Application

The Airport Facilities Overlay Code applies to the whole of the Calliope Shire Local Government Area and overlay maps are represented by Map Series 02A and 02B for each Map Sheet.

9.2 Assessment Categories for Airport Facilities Overlay Code

- (1) The assessment categories are identified for development affected by an Airport Facilities Overlay Code in column 2 of **Table 9-1** and **Table 9-2** as follows:
 - (a) **Table 9-1** making a material change of use¹ for a defined use, or another use in a defined use class, listed in column 1.
 - (b) **Table 9-2** other development listed in column 1 including:
 - (i) building work not associated with a material change of use;
 - (ii) operational work not associated with a material change of use;
 - (iii) advertising signs not associated with a material change of use;
 - (iv) reconfiguration of a lot involving subdivision; and
 - (v) other.

9.3 Relevant Assessment Criteria for Development Affected by an Airport Facilities Overlay Code

- (1) The relevant assessment criteria for development affected by the Airport Facilities Overlay Code is referred to in column 3 of **Table 9-1** and **Table 9-2**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are the applicable codes.

¹ Works associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-1 Assessment Categories and Relevant Assessment Criteria for Airport Facilities Overlay Code —Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Defined use or use class ²	Column 2 Assessment category (All Zones)	Column 3 Relevant assessment criteria ³ —applicable code if development is self-assessable or requires code assessment
All except Airport	<p>Impact assessable where located on land included within the following areas:</p> <ul style="list-style-type: none"> ▪ The 25 ANEF contour. <p>Code assessable where located on land included within the following areas:</p> <ul style="list-style-type: none"> ▪ the 20-25 ANEF contour; or ▪ an Airport Safety Zone on the Airport Safety Plan. <p>Self assessable where:</p> <ul style="list-style-type: none"> ▪ Agriculture; or ▪ located on land outside of the 164.5m OLS; or ▪ beyond the 4km buffer area of a Radar facility. <p>Exempt if the criteria for self assessable, code assessable or impact assessable do not apply.</p>	Airport Overlay Code

² See Schedule 1 (Dictionary), Division 1 (Defined Uses and Use Classes).

³ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

**Table 9-2 Assessment Categories and Relevant Assessment Criteria for Airport Overlay Code—
Other Development**

Note— Zones also affect assessment categories. See zone plans to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category (All Zones)	Column 3 Relevant assessment criteria ⁴ — applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	<p><i>Code assessable where located on land included within the following areas:</i></p> <ul style="list-style-type: none"> ▪ The 20 ANEF contour or greater; or ▪ The Airport Safety Zone on the Airport Safety plan; and ▪ for Class 1,2,3,4,5,6 and 9 buildings except where the building does not exceed 2 storeys in height or the building works involves extensions or additions to an existing building without increasing the height. <p>Self assessable where:</p> <ul style="list-style-type: none"> ▪ located on land outside of the 164.5m OLS; or ▪ beyond the 4km buffer area of a Radar facility . <p>Exempt if the criteria for code assessable or self assessable do not apply.</p>	Airport Overlay Code
Operational work not associated with a material change of use	<p>Self Assessable where located on land included within the Airport Safety Zone on the Airport Safety plan.</p> <p>Self assessable where:</p> <ul style="list-style-type: none"> ▪ located on land outside of the 164.5m OLS; or ▪ beyond the 4km buffer area of a Radar facility . 	Airport Overlay Code

⁴ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Type of development	Column 2 Assessment category (All Zones)	Column 3 Relevant assessment criteria ⁴ — applicable code if development is self-assessable or requires code assessment
Advertising signs not associated with a material change of use	<p>Self Assessable where located on land included within the Airport Safety Zone on the Airport Safety plan and where external illumination is proposed.</p> <p>Self assessable where:</p> <ul style="list-style-type: none"> ■ located on land outside of the 164.5m OLS; or ■ beyond the 4km buffer area of a radar facility . <p>Exempt if the criteria for code assessable or self assessable do not apply.</p>	Airport Overlay Code
Reconfiguration of a lot involving subdivision	Code Assessable	Airport Overlay Code
Other	Exempt	

9.4 Assessment Criteria

- (1) The assessment criteria for the Airport Facilities overlay code comprises the following:
 - (a) Compliance with Airport Facilities Overlay Code (**Section 9.5**).
 - (b) Overall Outcomes for Airport Facilities Overlay Code (**Section 9.6**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.7**).

9.5 Compliance with Airport Facilities Overlay Code

- (1) Compliance with the Airport Facilities Overlay Code is achieved when assessable development is consistent with the specific outcomes in **Section 9.7**.
- (2) Compliance with the Airport Facilities Overlay Code is achieved when self assessable development is consistent with the acceptable solutions in **Section 9.7**.

9.6 Overall Outcomes for Airport Facilities Overlay Code

- (1) The overall outcomes are the purpose of the Airport Facilities Overlay Code.
- (2) The overall outcomes sought for the Airport Facilities Overlay Code are the following:
 - (a) land uses within the surrounds of the airport are compatible with the airport operations, specifically from the impact of aviation noise;
 - (b) the safe and efficient operation of the Gladstone Airport and the planned Kangaroo Island airport site as a major transport facility for the Gladstone Region is maintained by:
 - (i) preventing intrusion of buildings, structures or any other objects into the airport's obstacle limitation surface area;
 - (ii) excluding uses from the vicinity of the airport that generate stack emissions that have an impact on air operations within the Obstacle Limitation Surface Area by way of high velocity, depleted oxygen content, high temperature, high particulate content or visibility impact;
 - (iii) avoiding lighting and illumination near an airport that may cause air traffic confusion, distraction or glare because of its colour, pattern or intensity of light emission;
 - (iv) excluding any broadcasting or telecommunications facility which may interfere with air traffic communications or navigation; and
 - (v) avoiding development which could attracts birds or bats.

9.7 Specific Outcomes and Probable and Acceptable Solutions for the Airport Facilities Overlay Code as follows:

- (a) Managing Development Within Vicinity of Airport Operations (**Table 9-3**)
- (b) Managing Effects of Airport Operations on Development (**Table 9-4**)
- (c) Restricting Activities which Attract Birds or Bats (**Table 9-5**)
- (d) Protection of Aviation Facilities (**Table 9-6**)

Table 9-3 Managing Development within Vicinity of Airport Operations

Note: 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.

Specific Outcomes	Probable and Acceptable Solutions
Self Assessable and Assessable Development	
Height Limitations	
<p>O1 The height of any building or structure or trees that can reach a significant height located in the Obstacle Surface Limitation area of the airport is below the corresponding limit set for the site such that the safe and efficient operations of the airport is protected.</p> <p>Note: Where development would, by reason of the height of any building or other structure, penetrate the Obstacle Limitation Surface, such development is carried out only after advice from the Civil Aviation Safety Authority (CASA) has been sought and where approval of the Airport Operator has been obtained.</p>	<p>S1.1 Where for a residential building, the maximum height of the building and associated structures and landscaping in the Obstacle Limitation Surface area is no more than 2 storeys (9 m) in height from natural ground level; otherwise</p> <p>S1.2 The maximum height of any building or structure and the expected height of mature trees associated with landscaping in the Obstacle Limitation Surface area is less than the height specified for the site as shown in the Gladstone Airport Environs Obstacle Limitation Surface (OLS) Plan</p>
<p>O2 Development does not cause the operation of transient activities that can reach a significant height, such as hot air ballooning.</p>	<p>S2 No solution specified.</p>
Intrusive Lighting	
Assessable Development	
<p>O3 The fixing, operation, strength and direction of any lighting, including any external lighting fixed to a building or other structure does not interfere with air navigation aids essential for the safe movement of aircraft at night at night or create glare or be a distraction.</p>	<p>S3.1 The fixing of any external lighting (excluding residential lighting), other bright light sources or straight parallel lines of lighting 500 m to 1000 m long, within 6 km of an airport runway are avoided; or</p> <p>S3.2 External lighting is designed so that it does not increase the risk of an aircraft incident and comply with the CASA guideline 'Lighting in the vicinity of aerodromes: Advice to lighting designers'</p>
Gaseous Plumes	
<p>O4 Development does not cause the emission into the OLS of any potentially hazardous gaseous plumes.</p>	<p>S4 Development does not cause the emission into the OLS of any gaseous plumes at a velocity exceeding 4.3m per second.</p>

Table 9-4 Managing Effects of Airport Operations on Development

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Self Assessable and Assessable Development			
O1	<p>The effective and safe use of the development is not unduly affected by aircraft noise and the continued operation of the airport is not limited by the encroachment of uses which are sensitive to the effects of aircraft noise.</p> <p>Note: Development involving the construction of buildings above the 20 ANEF contour complies with <i>AS2021 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction</i>.</p>	S1	<p>Land uses proposed on premises avoid the following:</p> <ul style="list-style-type: none"> (i) residential other than a detached dwelling or community use where located on land within the 20 ANEF contour; (ii) long term residential or community use (more than 4 months per year) where located on land within the 25 ANEF contour; (iii) short term (occupation 4 months or less in calendar year) residential use where located on land within the 25 - 30 ANEF contour; and (iv) commercial uses where located on land within the 25 - 35 ANEF contour.

Table 9-5 Restricting Activities which Attract Birds or Bats

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Self Assessable and Assessable Development			
O1	Premises within the OLS envelope do not cause a potential hazard to aircraft movement associated with the airport by avoiding activities which attract birds or bats to the area.	S1.1	Development that generates uses requiring the disposal of putrescible waste is not located within 13km of airport runways.
		S1.2	The following uses are: <ul style="list-style-type: none"> (i) not located within 3 km of an airport runway and; (ii) if located between 3 km and 8 km of an airport runway, manage waste/food sources and include wildlife deterrence measures: <ul style="list-style-type: none"> • aquaculture; • food handling; • stock handling facilities • piggeries; • fruit tree farming; • turf farming; and • wildlife sanctuaries.
		S1.3	(i) The use of premises within 3 km of the centre of the airport site represent activities which do not attract birds or bats and these activities include the following. <ul style="list-style-type: none"> • aquaculture; • fruit tree farming; • turf farming; • piggeries; • wildlife sanctuaries; • horse riding centres; • race tracks; • fair grounds; • outdoor theatres; • food processing plants, including commercial fish processing; and • rubbish tips.

Table 9-6 Protection of Aviation Facilities

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Self Assessable and Assessable Development			
O1	<p>Development does not impair the function of aviation facilities (ASA No. 534 as identified on the Aviation Facilities Overlay Code Plan) by creating:</p> <ul style="list-style-type: none"> (i) 'physical' line of sight obstructions; (ii) electrical or electro-magnetic interference; <p>or</p> <ul style="list-style-type: none"> (iii) deflection of signals. 	S1	<p>Development is not located within the sensitive area of the radar site if they involve, by their nature:</p> <ul style="list-style-type: none"> (i) electrical or electromagnetic interference (e.g. arc welding); or (ii) buildings, structures or other works (including landscaping) where; <ul style="list-style-type: none"> (a) within 1000m of the facility and exceeds 4m in height; (b) between 1000m and 1500m of the facility and exceeds 9m in height; (c) between 1500m and 2500m of the facility and exceeds 13m in height; or (d) between 2500m and 4000m and exceeds 21m in height.

Division 2 - Bushfire Management Overlay Code

9.8 Application

The Bushfire Management Code applies to the whole of the Calliope Shire Local Government Area

9.9 Assessment Categories for Bushfire Management Overlay Code

- (1) The assessment categories are identified for development affected by the Bushfire Management Overlay Code in column 2 of **Table 9-7** and **Table 9-8**, as follows:
 - (a) **Table 9-7** making a material change of use⁵ for a defined use, listed in column 1;
 - (b) **Table 9-8** other development listed in column 1 including:
 - (i) building work not associated with a material change of use;
 - (ii) reconfiguring a lot; and
 - (iii) other.

9.10 Relevant Assessment Criteria for Development Affected by Bushfire Management Overlay Code

- (1) The relevant assessment criteria for development affected by the Bushfire Management Overlay Code is referred to in column 3 of **Table 9-7** and **Table 9-8**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are the applicable codes.

⁵ Development associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-7 Assessment Categories and Relevant Assessment Criteria for Bushfire Management Overlay Code – Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see Section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Defined use or Use Class	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁶ —applicable code if development is self-assessable or requires code assessment
All except Agriculture Animal Husbandry Cemetery Park	Self assessable where located on land: (i) in a bushfire hazard area ⁷ , as defined in this code: or Exempt where the criteria for Self Assessable do not apply.	Bushfire Management Overlay Code

Table 9-8 Assessment Categories and Relevant Assessment Criteria for Bushfire Management Overlay Code—Other Development

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see Section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	Self Assessable where located on land: (i) in a bushfire hazard area, as defined in this code: or Exempt where the criteria for Self Assessable do not apply.	Bushfire Management Overlay Code
Reconfiguring a Lot	Code Assessable where located on land: (i) in a bushfire hazard area, as defined in this code; or Exempt where the criteria for Code assessable do not apply.	Bushfire Management Overlay Code
Other	Exempt	

⁶ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

⁷ "Bushfire Hazard Area" is the area indicated on the Bushfire Management Overlay Code Maps, as being a bushfire hazard area and includes 'medium risk bushfire hazard area' and 'high risk bushfire hazard area'.

9.11 Assessment Criteria

- (1) The assessment criteria for the Bushfire Management Overlay Code comprises the following:
 - (a) Compliance with Bushfire Management Overlay Code (**Section 9.12**).
 - (b) Overall Outcomes for Bushfire Management Overlay Code (**Section 9.13**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.14**).

9.12 Compliance with Bushfire Management Overlay Code

- (1) Compliance with the code is achieved when assessable development is consistent with the specific outcomes in **Section 9.14**.
- (2) Compliance with the Bushfire Management Overlay Code is achieved when self-assessable development is consistent with the acceptable solutions in **Section 9.14**.

“Bushfire Hazard Area ” is the area indicated on the Bushfire Management Overlay Code Maps, as being a bushfire hazard area and includes ‘medium risk bushfire hazard area’ and ‘high risk bushfire hazard area’.

9.13 Overall Outcomes for Bushfire Management Overlay Code

- (1) The overall outcomes are the purpose of the Bushfire Management Overlay Code.
- (2) The overall outcomes sought for the Bushfire Management Overlay Code are to ensure:
 - (a) the safety of people and property is protected from unreasonable risk from bushfire hazard;
 - (b) development is designed and located to minimise hazard from bushfire;
 - (c) costs to the community arising from bushfire are minimised; and
 - (d) infrastructure necessary for the mitigation of bushfire hazard is readily available for development occurring in bushfire hazard areas.

9.14 Specific Outcomes and Probable and Acceptable Solutions for the Bushfire Management Overlay Code as follows:

- (a) Development in Bushfire Hazard Area (**Table 9-9**)

Table 9-9 Development in Bushfire Hazard Area

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Self Assessable and Assessable development			
Safety of People and Property			
<p>O1 Development maintains the safety of people and property by:</p> <p>(i) avoiding areas of High or Medium bushfire hazard; or</p> <p>(ii) mitigating the risk through:</p> <p>(a) appropriate lot design and siting of buildings;</p> <p>(b) include firebreaks that provide adequate:</p> <p style="padding-left: 40px;">(A) setback between buildings / structure and hazardous vegetation; and</p> <p style="padding-left: 40px;">(B) access for firefighting and other emergency vehicles;</p> <p style="padding-left: 40px;">(C) providing adequate road access for fire fighting and other emergency vehicles and safety evacuation; and</p> <p style="padding-left: 40px;">(D) providing an adequate and accessible water supply for fire fighting purposes.</p>	<p>S1.1 Development is located on land that is not subject to High or Medium bushfire hazard; or</p> <p>S1.2 For all development:</p> <p>(i) buildings and structures:</p> <p style="padding-left: 40px;">(a) achieve setbacks from vegetation of 1.5 times the predominant mature canopy tree height or 10 m, whichever is the greater;</p> <p style="padding-left: 40px;">(b) 10 m from any retained vegetation strips or small areas of vegetation;</p> <p>(ii) for uses involving new or existing buildings with a GFA of 50 m² or greater, the following is provided:</p> <p style="padding-left: 40px;">(a) a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure flow is 10 litres a second at 200 kPa); or</p> <p style="padding-left: 40px;">(b) an on-site storage of not less than 5,000 litres (e.g. accessible dam or tank with fire brigade fittings, swimming pool).</p> <p>S1.3 The following uses (expressed as Use Classes) are not located within a High or Medium Bushfire Hazard area:</p> <ul style="list-style-type: none"> • Residential Other • Residential Secondary • Residential Business • Residential Temporary • Tourist Facility • Produce Store • Service Station • Veterinary Hospital • Transport and Storage • Community Purpose • Business • Industry (High Impact) • Industry (Low Impact) 		

Specific Outcomes	Acceptable & Probable Solutions
Assessable Development	
	<p>S1.4 For development that will result in multiple buildings or lots or concentrations of people (other than a Dwelling House):</p> <p>(i) sites are designed so that their size and shape allow for:</p> <p style="padding-left: 40px;">(a) efficient emergency access to buildings for fire fighting appliances (e.g. by avoiding long narrow lots with long access drive to buildings);</p> <p style="padding-left: 40px;">(b) setbacks and building siting in accordance with 1.2 above; and</p> <p>S1.5 Firebreaks are provided by:</p> <p>(i) a perimeter road that separates lots from areas of bushfire hazard and that road has:</p> <p style="padding-left: 40px;">(a) a minimum cleared width of 20 m; and</p> <p style="padding-left: 40px;">(b) a constructed road width and weather standard complying with Council's Engineering Design and Infrastructure Standards planning Scheme Policy; or</p> <p style="padding-left: 40px;">(c) where unable to comply with the above, 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> <p style="padding-left: 80px;">(A) have a minimum cleared width of 6 metres;</p> <p style="padding-left: 80px;">(B) have vehicular access at each end;</p> <p style="padding-left: 80px;">(C) provide passing bays and turning areas for fire fighting appliances;</p> <p style="padding-left: 80px;">(D) are either located on public land, or within an access easement that is granted in favour of Council and QFRS; and</p> <p>(ii) 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; and</p>

Specific Outcomes	Acceptable & Probable Solutions
	<p>S1.6 Roads have:</p> <ul style="list-style-type: none"> (i) a maximum gradient of 12.5%; and (ii) exclude cul de sacs, except where a perimeter road isolates the development from hazardous vegetation or the cul de sacs are provided with an alternative access linking the cul de sacs to other through roads.
Assessable Development	
Hazardous Materials	
<p>O2 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>S2 No solution specified.</p>

Division 3 - Assessment Tables for Coastal Management & Biodiversity Overlay Code

9.15 Application

- (1) The Coastal Management & Biodiversity Overlay Code applies to premises included in Map Series O4, Sheet No.s 14, 16, 19, 20, 23, 24, 25, 27, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

9.16 Assessment Categories for Coastal Management & Biodiversity Overlay Code

- (1) The assessment categories are identified for development affected by the Coastal Management & Biodiversity Overlay Code in column 2 of **Table 9-10** and **Table 9-11**:
 - (a) **Table 9-10** making a material change of use⁸ for a defined use, listed in column 1;
 - (b) **Table 9-11** other development listed in column 1 including:
 - (i) building work not associated with a material change of use;
 - (ii) reconfiguring a lot; and
 - (iii) carrying out operational work for reconfiguring a lot;
 - (iv) carrying out operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation;
 - (v) other.

9.17 Relevant Assessment Criteria for Development Affected by Coastal Management & Biodiversity Overlay Code

- (1) The relevant assessment criteria for development affected by the Coastal Management & Biodiversity Overlay Code is referred to in column 3 of **Table 9-10** and **Table 9-11**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are the applicable codes.

⁸ Development associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-10 Assessment Categories and Relevant Assessment Criteria for Coastal Management & Biodiversity Overlay Code —Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Defined use or Use Class	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁹ —applicable code if development is self-assessable or requires code assessment
All	<p>Code assessable where located on land within a:</p> <ul style="list-style-type: none"> (i) Coastal Wetland Area; (ii) Erosion prone Area; (iii) 100m Buffer Area; or (iv) within 500m of a turtle nesting beach <p>Exempt where for:</p> <ul style="list-style-type: none"> (i) a Dwelling House or extension to an existing building where the extension constitutes an increase of less than 30% GFA; or. (ii) where the criteria for Code Assessable do not apply. 	Coastal Management & Biodiversity Overlay Code.

⁹ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Table 9-11 Assessment Categories and Relevant Assessment Criteria for Coastal Management & Biodiversity Overlay Code – Other Development

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13 (3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹⁰ —applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	<p>Code assessable (except where associated with and ancillary to an existing dwelling house which is Self Assessable) where located on land within a:</p> <ul style="list-style-type: none"> (i) Coastal Wetland Area; (ii) Erosion prone Area; (iii) 100m Buffer Area; or (iv) within 500m of a turtle nesting beach; and <p>involves other than the demolition, repair or alteration to any existing buildings which does not increase the GFA by more than 30%</p> <p>Exempt where the criteria for Self Assessable and Code Assessable do not apply.</p>	Coastal Management & Biodiversity Overlay Code
Reconfiguring a lot	<p>Code assessable where located on land within a:</p> <ul style="list-style-type: none"> (i) Coastal Wetland Area; (ii) Erosion prone Area; (iii) 100m Buffer Area; or (iv) within 500m of a turtle nesting beach; <p>and involves other than:</p> <ul style="list-style-type: none"> (i) Amalgamating 2 or more lots; or (ii) Rearranging boundaries of a lot by registering a plan of subdivision; and (iii) Creating an easement giving access to a lot from a constructed road. <p>Exempt where the criteria for Code Assessable do not apply.</p>	Coastal Management & Biodiversity Overlay Code

¹⁰ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹⁰ —applicable code if development is self-assessable or requires code assessment
Carrying out operational work for reconfiguring a lot	Code assessable where located on land within a: <ul style="list-style-type: none"> (i) Coastal Wetland Area; (ii) Erosion prone Area; (iii) 100m Buffer Area; or (iv) within 500m of a turtle nesting beach; and involving earthworks of 100m ³ or more. Exempt where the criteria for Code Assessable do not apply.	Coastal Management & Biodiversity Overlay Code
Carrying out operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation	Code assessable where located on land within a: <ul style="list-style-type: none"> (i) Coastal Wetland Area; (ii) Erosion prone Area; (iii) 100m Buffer Area; or (iv) within 500m of a turtle nesting beach; and involving earthworks of 100m ³ or more. Exempt where the criteria for Code Assessable do not apply.	Coastal Management & Biodiversity Overlay Code
Other	Exempt	

9.18 Assessment Criteria

- (a) The assessment criteria for the coastal management and biodiversity overlay code comprises the following:
- (a) Compliance with Coastal Management & Biodiversity Overlay Code (**Section 9.19**).
 - (b) Overall Outcomes for Coastal Management & Biodiversity Overlay Code (**Section 9.20**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.21**).

9.19 Compliance with Coastal Management & Biodiversity Overlay Code

- (1) Compliance with the Coastal Management & Biodiversity Overlay Code is achieved when assessable development is consistent with the specific outcomes in **Section 9.21**.
- (2) Compliance with the Coastal Management & Biodiversity Overlay Code is achieved when self assessable development is consistent with the acceptable solutions in **Section 9.21**.

Definitions

“Coastal Dependent Development” is development which requires a waterfront location or physical access to water to be able to function.

“Coastal Hazards” include events such as erosion, storm tide inundation and cyclone effects.

“Erosion Prone Area” is the area indicated on the Coastal Management & Biodiversity Overlay Map - Erosion Prone Area for the relevant Locality as being an Erosion Prone Area.

9.20 Overall Outcomes for Coastal Management & Biodiversity Overlay Code

- (1) The overall outcomes are the purpose of the Coastal Management & Biodiversity Overlay Code.
- (2) The overall outcomes sought for the Coastal Management & Biodiversity Overlay Code are as follows.
- (a) biodiversity is safeguarded for future generations through:
 - (i) the conservation and management of a range of habitats (both aquatic and terrestrial) including coastal habitats, riparian areas and World Heritage Areas; and
 - (ii) the protection of species (including rare and threatened species) and wildlife nesting and breeding areas (turtles and shorebirds) by retaining the coast in its natural or non-urban state outside of existing urban areas.
 - (b) loss of vegetation, including riparian vegetation, is minimised in sensitive coastal environments.
 - (c) fauna is protected by ensuring connectivity of ecosystems is maintained and re-established.
 - (d) Significant coastal wetland communities, remain largely undeveloped and are provided with suitable buffers to adjoining development in order to maintain:
 - (i) the values and function of salt flats to retain estuarine viability;
 - (ii) habitat for rare, threatened and migratory species;
 - (iii) fishery habitats;

- (iv) the role of wetlands in providing protection to coastal hazards; and
 - (v) natural characteristics of wetlands including topography, groundwater, and plant and animal species.
- (e) Significant biodiversity and habitat areas, remain largely undeveloped and are provided with suitable buffers to adjoining development in order to maintain:
- (i) the values and functions of these areas;
 - (ii) habitat for rare, threatened and migratory species; and
 - (iii) natural characteristics of these areas including topography, groundwater, and plant and animal species.
- (f) Erosion prone areas are protected from incompatible development to maintain natural coastal processes and tidal regimes including the long-term stability of dunes and other types of coastal land forms.
- (g) Significant adverse effects of development on fisheries, fishing grounds, spawning and nursery areas are minimised.
- (h) Reconfiguration of lots in the coastal zone minimises impacts on sensitive environments and provides for public access;
- (i) Development reflects water sensitive urban design principles to maintain natural water infiltration and flows and protect water quality.
- (j) Public access to and along the coast meets the public expectations for access to the coast, without detrimentally affecting the environmental values of the coast.
- (k) Extractive industry is minimised in the sensitive coastal environments to prevent adverse impacts on coastal resources, processes, and habitats.
- (l) Risks to life and property resulting from hazards, including natural hazards, in coastal locations are minimised.

9.21 Specific Outcomes and Probable and Acceptable Solutions for the Coastal Management and Biodiversity Overlay Code as follows:

- (a) Development within Coastal Areas and Erosion Prone Areas (**Table 9-12**)
- (b) Coastal Wetland Communities (**Table 9-13**)
- (c) Erosion Prone Areas (**Table 9-14**)
- (d) Public Access (**Table 9-15**)
- (e) Infrastructure (**Table 9-16**)
- (f) Coastal Landscapes (**Table 9-17**)

Table 9-12 Development within Coastal Areas and Erosion Prone Areas

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Assessable Development			
Habitats of rare, threatened or endangered species			
O1	Where land is abutting shorebird habitat areas development is consistent with protection of use of the habitat by shorebirds. In particular: <ul style="list-style-type: none"> (i) a vegetated buffer is maintained to prevent conflict; (ii) public access is managed; (iii) operational or building works are avoided during September to April; and (iv) only native endemic species are planted. 	S1	No solution specified.

Specific Outcomes		Acceptable & Probable Solutions	
Assessable Development			
O2	<p>Premises within 500 metres of Turtle nesting beaches are of a scale and design that protects the value of the rookery to turtle breeding. In particular:</p> <p>(i) maintain a vegetated area adjacent to the beach free of any development;</p> <p>(ii) ensure lighting does not spill into beach areas;</p> <p>(iii) maintain a buffer of a minimum of 200 metres adjacent to high density turtle nesting areas;</p> <p>(iv) manage public access; and</p> <p>(v) lighting including street lighting is no higher than the buffering vegetation and is turned away from the beach or lighting with characteristic wavelengths that do not affect turtles.</p>	S2	No solution specified.

Table 9-13 Coastal Wetland Communities

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Self Assessable and Assessable Development			
Coastal Wetland Communities			
O1	Coastal wetland communities are protected from the effects of development.	S1	Development does not occur within coastal wetland communities (as identified on the Coastal Management Overlay Code plans)

Specific Outcomes		Acceptable & Probable Solutions	
Self Assessable and Assessable Development			
Assessable Development			
O2	<p>Development within 100 metres of coastal wetland communities:</p> <p>(i) maintains an area between the wetland and development of a width and with characteristics that will safeguard the functions of the wetland and allow for natural fluctuations of location;</p> <p>(ii) has no significant impact on the natural characteristics of the wetland, including the topography, groundwater hydrology, water quality, and plant and animal species;</p> <p>(iii) provides open space areas on the site for conservation purposes;</p> <p>(iv) provides open space within the site as well as linking corridors of open space between the site and adjoining conservation significant areas; and</p> <p>(v) Stormwater runoff from development within 100 m of coastal wetlands is subject to quality improvement and flow velocity reduction to ensure that the water quality in the wetlands is maintained and considers the cumulative effect of runoff.</p>	S2	<p>Partial Solution: Development for Reconfiguration of a lot provides for the retention of land as open space where it is located within 100 metres of a coastal wetlands area.</p>
Assessable Development			
Watercourses			
O3	<p>Premises adjoining watercourses provide buffer areas to minimise adverse impacts of development on the adjacent watercourse.</p>	S3	<p>Premises adjacent to a watercourse provides a vegetated buffer along the natural watercourse:</p> <p>(i) to a minimum width of 40 metres along tidal watercourses and 20 metres along non-tidal watercourses.¹¹</p>
O4	<p>Rehabilitation or re-establishment of coastal wetlands (refer Coastal Management Overlay Code Plan) or natural watercourses do not result in the loss or detriment to other naturally occurring coastal wetlands.</p>	S4	<p>No solution specified.</p>

¹¹ If the vegetated buffer along the natural watercourse is remnant vegetation, then buffer widths will need to comply with the Coastal Wide Bay Region Vegetation Management Code or the Capricorn-Dawson Regional Vegetation Management Code, whichever is applicable to the particular site.

Assessable Development	
Landscaping	
O5 Landscaping within 100 metres of coastal wetlands or adjacent to watercourses: (i) consists of entirely local native species; and (ii) enhances the ecological value and habitat significance of the particular area.	S5 No solution specified

Table 9-14 Erosion Prone Areas

Note: 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.

Specific Outcomes	Acceptable & Probable Solutions
Assessable Development	
Constraints for Development	
O1 Erosion prone areas remain undeveloped apart from acceptable temporary or relocatable structures for safety and recreation purposes.	S1 Relocatable structures such as picnic tables, barbecues, coastal trails, bikeways, demountable structures, equipment sheds, lookouts, elevated decks, shelter sheds etc only are located within erosion prone areas.
O2 Within an erosion prone area future uses are of no greater intensity than the existing uses on the site or adjoining land.	S2 No solution specified.

Specific Outcomes	Acceptable & Probable Solutions
<p>O3 Buildings, structures and infrastructure do not extend into an erosion prone area further than the existing building alignment of neighbouring properties;</p>	<p>S3.1 All development, other than that listed in S1 above is;</p> <ul style="list-style-type: none"> (i) located outside of the erosion prone area; or (ii) as far landward as practical within the lot ; <p>S3.2 All building works (excluding demolition), including extension to existing buildings, on lots wholly or partly within the erosion prone area:</p> <ul style="list-style-type: none"> (i) where for rural areas and undeveloped urban areas, are located landward of the erosion prone area; (ii) where for developed urban areas, are located wholly landward of the alignment of existing neighbouring buildings; and (iii) allow for natural drainage and link open space areas;
<p>O4 Redevelopment of existing developed areas or an increase in intensity may only occur in circumstances where it can be clearly demonstrated that it would not compromise coastal management outcomes and principles.</p>	<p>S4 No solution specified.</p>
<p>O5 Reconfiguration of a lot (subdivision) within an erosion prone area incorporates erosion prone land as undeveloped open space.</p>	<p>S5 No solution specified</p>
<p>O6 The release of stormwater into partially or fully enclosed systems with low water exchange rates such as coastal wetlands, lagoons or coastal estuaries is avoided by utilising:</p> <ul style="list-style-type: none"> (i) recycling of waters; (ii) re-use after treatment; or (iii) alternate discharge points. 	<p>S6 No solution specified.</p>

Table 9-15 Public Access

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Assessable Development			
Buildings and Other Structures			
O1	Structures (building and works) do not impede public access to and along the foreshore except where restriction of access is the objective.	S1	Reconfiguration of a lot (subdivision) within an erosion prone area incorporates erosion prone land as undeveloped open space.
Assessable Development			
Reconfiguring a Lot			
O2	Development involving reconfiguration of a lot (subdivision) provides an area of land of sufficient width adjacent to the coast and watercourses for safe public access.	S2	No solution specified.
Public Access Areas			
O3	Public access and infrastructure provides for: <ul style="list-style-type: none"> (i) retention of the natural and cultural resources including coastal wetlands or infrastructure of state economic significance including maritime transport facilities; (ii) public safety; (iii) protection of dunes and banks; (iv) nil impact on tidal regimes and coastal processes; (v) the protection of significant aquatic or terrestrial habitats; (vi) the natural movement of sand and sediment; (vii) ensuring protection against surface or geological instability or erosion of the foreshore; (viii) single access points wherever possible; (ix) preventing access to sensitive ecological areas; and (x) compatibility with the scenic coastal landscape and topographic conditions. (xi) paths which are located away from sensitive habitats and areas; (xii) footpath and walkways which are fenced and provided with signage to minimise physical impacts on the local environment. 	S3	No solution specified

Table 9-16 Infrastructure

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Assessable Development			
O1	<p>Infrastructure is designed, located and constructed to:</p> <p>(i) minimise adverse impacts on coastal wetlands, particularly in relation to hydrology, disturbance of habitat and surface water flow, through appropriate engineering (ie. Culverts, exclusion fencing, bridges and pylons); and</p> <p>(ii) rural infrastructure such as dams are located, constructed and maintained to ensure no adverse impacts on coastal resources.</p>	S1	No solution specified.
O2	<p>Development involving reconfiguration of a lot (subdivision) where located in the coastal zone, provides for access that:</p> <p>(i) avoids roads running parallel to the coast or watercourse;</p> <p>(ii) sites spur roads in locations that minimise impacts on coastal resources by:</p> <p>(a) utilising areas of low environmental sensitivity; and</p> <p>(b) avoiding areas that increase storm tide hazard.</p>	S2	No solution specified.

Table 9-17 Coastal Landscapes

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Assessable Development			
Scenic Coastal Amenity			
O1	<p>Development provides for protection of landscape values of coastal wetlands, estuaries and inlets, riverine corridors, dunes and shorelines. In particular:</p> <p>(i) the edges of vegetation areas such as mangroves, of high scenic quality retain their visual continuity;</p> <p>(ii) views of riverine corridors and shorelines from significant viewpoints are retained;</p> <p>(iii) along the edges of vegetation minimise visual breaks in areas of continuous vegetation; and</p> <p>(iv) along shorelines, provide visual screening in the form of a landscaped buffer to any urban development.</p>	S1	<p>Development will: ¹²</p> <p>(i) maintain existing vegetation along watercourses to form a natural landscaped edge and screen;</p> <p>(ii) rehabilitate degraded or fragmented watercourse corridors to form a continuous corridor of vegetation; and</p> <p>(iii) ensure the erection of any new buildings or structures, have a maximum height no greater than the existing mature trees on the site or generally in the locality.</p>

¹² Where native vegetation is present, clearing setbacks adjacent to watercourses must comply with Coastal Wide Bay Region Vegetation Management Codes Code or the Capricorn-Dawson Regional Vegetation Management Code, whichever is applicable to the particular site.

Division 4 - Cultural Heritage Protection Overlay Code

9.22 Application

The Cultural Heritage Protection Overlay Code applies to the whole of the Calliope Shire Local Government Area.

9.23 Assessment Categories for Cultural Heritage Protection Overlay Code

- (1) The assessment categories are identified for development affected by a Cultural Heritage Protection Overlay Code in column 2 of **Table 9-18** and **Table 9-19** as follows:
 - (a) **Table 9-18** making a material change of use¹³ for a defined use, or another use in a defined use class, listed in column 1.
 - (b) **Table 9-19** other development listed in column 1 including:
 - (i) building work or operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation of land;
 - (ii) reconfiguration of a lot involving subdivision; and
 - (iii) other.

9.24 Relevant Assessment Criteria for Development Affected by a Cultural Heritage Protection Overlay Code

- (1) The relevant assessment criteria for development affected by the Cultural Heritage Protection Overlay Code is referred to in column 3 of **Table 9-18** and **Table 9-19**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are the applicable codes.

¹³ Works associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-18 Assessment Categories and Relevant Assessment Criteria for Cultural Heritage Protection Overlay Code — Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Defined use or use class	Column 2 Assessment category (All Zones)	Column 3 Relevant assessment criteria ¹⁴ — applicable code if development is self-assessable or requires code assessment
All	<p>Impact Assessable where located on premises listed on the Local Heritage List (Schedule 3):</p> <p>Code Assessable where located on premises listed on the Local Heritage List (Schedule 3) or identified on the Department of Natural Resources and Water and Aboriginal & Torres Strait Islander Cultural Heritage Registers and Databases as containing indigenous cultural heritage values and involves:</p> <ul style="list-style-type: none"> (i) alterations, additions or extensions where the floor area including balconies is less than 5% of the building; (ii) internal fit out (unless the internal area has been listed as of heritage value); or (iii) any minor or inconsequential building work in the nature of a pergola, carport, sunhood, roofing or an outdoor recreation area, toilet or outbuilding where the covered area does not exceed 5% of the building. <p>Code assessable where located on premises adjoining land listed on the Local Heritage List (Schedule 3) or identified on the Department of Natural Resources and Water and Aboriginal & Torres Strait Islander Cultural Heritage Registers and Databases and involves:</p> <ul style="list-style-type: none"> (i) building work comprising additions, extensions or alterations – except for a dwelling house; or 	Cultural Heritage Protection Overlay Code.

¹⁴ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Defined use or use class	Column 2 Assessment category (All Zones)	Column 3 Relevant assessment criteria ¹⁴ — applicable code if development is self-assessable or requires code assessment
	<p>(ii) operational work involving a change to landscaping, fencing or natural features of land referred to in the citation for the heritage place – except for a dwelling house;</p> <p>Exempt if:</p> <p>(i) on premises comprising predominantly industrial activities; or</p> <p>(ii) the criteria for Impact or Code Assessable do not apply.</p>	

Table 9-19 Assessment Categories and Relevant Assessment Criteria for Cultural Heritage Protection Overlay Code—Other Development

Note: Zones also affect assessment categories. See zone plans to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category (All Zones)	Column 3 Relevant assessment criteria ¹⁵ — applicable code if development is self-assessable or requires code assessment
Building work or operational work not associated with a material change of use	<p>Impact Assessable where located on premises listed on the Local Heritage List and involves:</p> <ul style="list-style-type: none"> (i) partial or total demolition or removal of a heritage place; (ii) building work or operational work comprising alterations to a heritage place; (iii) a change to landscaping, fencing or natural features of land referred to as a heritage place; (iv) additions or extensions to a heritage place; (v) erecting a new or separate building on a heritage place site. <p>Code Assessable where located on premises listed on the Local Heritage List or identified on the Department of Natural Resources and Water and Aboriginal & Torres Strait Islander Cultural Heritage Registers and Databases as containing indigenous cultural heritage values and involves:</p> <ul style="list-style-type: none"> (i) alterations, additions or extensions where the floor area including balconies is less than 5% of the building; (ii) internal fitouts (unless the internal area has been listed as of heritage value); (iii) any minor or inconsequential building work in the nature of a pergola, carport, sunhood, roofing or an outdoor recreation area, toilet or outbuilding where the covered area does not exceed 5% of the building; 	Cultural Heritage Protection Overlay Code.

¹⁵ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Type of development	Column 2 Assessment category (All Zones)	Column 3 Relevant assessment criteria ¹⁵ — applicable code if development is self-assessable or requires code assessment
	Exempt if the criteria for impact assessable and code assessable do not apply.	
Reconfiguration of a lot involving subdivision	Impact Assessable where located on premises listed on the Local Heritage List (Schedule 3). Code assessable if the criteria for Impact assessable do not apply.	Cultural Heritage Protection Overlay Code
Other	Exempt	

9.25 Assessment Criteria Cultural Heritage Protection Overlay Code

- (1) The assessment criteria for the Cultural Heritage Protection Overlay Code comprises the following:
 - (a) Compliance with Cultural Heritage Protection Overlay Code (**Section 9.26**).
 - (b) Overall Outcomes for Cultural Heritage Protection Overlay Code (**Section 9.27**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.28**).

9.26 Compliance with Cultural Heritage Protection Overlay Code

- (1) Compliance with the Cultural Heritage Protection Overlay Code is achieved when development is consistent with the specific outcomes in **Section 9.28** .
- (2) Compliance with the Cultural Heritage Protection Overlay Code is achieved when self assessable development is consistent with the acceptable solutions in **Section 29**.

9.27 Overall Outcomes for Cultural Heritage Protection Overlay

- (1) The overall outcomes are the purpose of the Cultural Heritage Protection Overlay Code.
- (2) The overall outcomes sought for the Cultural Heritage Protection Overlay Code are the following:
 - (a) respect and incorporate relevant aspects of indigenous cultural interests and values in the place.
 - (b) recognise, conserve and maintain places possessing of cultural heritage values.
 - (c) conserve and maintain cultural heritage values within development sites.
 - (d) incorporate items or places of cultural heritage significance into new development where appropriate.
- (3) In particular, development should seek the following:
 - (a) respect and incorporate relevant aspects of indigenous cultural interests and values in the place;
 - (b) encourage retention of buildings and places which have cultural heritage significance;
 - (c) locate and design premises to be sympathetic to the identified cultural heritage values and incorporate building elements and spatial patterns relevant to a particular locality;
 - (d) make complementary and respectful use of the fabric, setting and associations of Listed Places
 - (e) incorporate appropriate streetscape elements such as planting, signage and lighting; and
 - (f) provide reconfiguring of lots to generally accord with the traditional pattern of subdivision.

9.28 Specific Outcomes and Probable and Acceptable Solutions for the Cultural Heritage Protection Overlay Code as follows:

- (a) Local Heritage Place (**Table 9-20**)
- (b) Development on Premises Adjoining a Local Heritage Place (**Table 9-21(a)**)
- (c) Development on Land of Special Cultural Significance to Indigenous People (**Table 9-21(b)**)

Table 9-20 Local Heritage Place

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
Conservation			
O1	<p>All listed places are to be conserved consistent with the Burra Charter having regard to:</p> <ul style="list-style-type: none"> (i) adaptation and reuse of the building; (ii) the setting of the building and its contents and material finishes; and (iii) the continued care and protection of the building or place. <p>Note: Assessable development on a site having significant value should be supported by a heritage and/or cultural study. As a guide, the Cultural Heritage Protection Planning Scheme Policy provides details of information that should be provided to allow Council to determine any significant values which should be sensitively incorporated in the development in ways that allow the values to be conserved.</p>	S1	No solution specified.
O2	The fabric (including buildings) of the place is conserved and sensitively reused as part of the site development.	S2	No solution specified.
O3	Significant trees, where noted on the Local Heritage List (Schedule 3) are protected from damage	S3	The pruning of a Significant Tree complies with Australian Standard 4373/1996 pruning of Amenity Trees
Alterations and Additions			
O4	<p>Alterations or additions made to any building, other items or places of cultural significance are undertaken in a way that respects the heritage significance through the new work being designed and carried out to:</p> <ul style="list-style-type: none"> (i) be sympathetic with and respectful of the character and appearance of the building, other item or place; (ii) provide a sensitive visual distinction between the original building and new work; (iii) maintain the visual prominence of the original fabric; and (iv) ensure mechanical plant and other new services have minimal impact on the appearance and integrity of the building. 	S4	No solution specified.

Specific Outcomes	Probable and Acceptable Solutions
Assessable Development	
New Development	
<p>O5 New buildings or structures on any listed place, are designed and carried out so as:</p> <p>(i) not to obscure the appearance or prominence of an existing significant building, other item or place when viewed from adjacent public or semi-public streets or open spaces, nor intrude into important vistas to an existing significant building, other item or place;</p> <p>(ii) not to be sited between a significant building, other item or place and its relevant street frontage such that the view of the building, other item or place is detracted from or significantly obscured,</p> <p>(iii) to ensure that new buildings are set back from the relevant street frontage and are of a height such that the prominence of the significant building, other item or place is not compromised; and</p> <p>(iv) to ensure that new development occurs with minimal disturbance to the original fabric of significant buildings, other items or places wherever reasonably practicable.</p>	<p>S5 No solution specified.</p>
Demolition and Removal	
<p>O6 Work involving partial or total demolition or removal on a listed place, is undertaken such that there is no loss of cultural significance.</p> <p>Note: Where conservation proves not to be a prudent or feasible alternative, the building or other item removed to another site where the value of the item can be maintained, and the new development incorporating some commemorative element (eg. a design element in the new premises, a plaque, a sign, some vegetation planting or other landscaping feature).</p>	<p>S6 No solution specified.</p>

Table 9-21(a) Development on Premises Adjoining a Local Heritage Place

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
Building Design			
O1	Where premises adjoin a listed place, it is designed and sited so as to respect and complement the identified cultural heritage values of the place including its fabric, setting, associations and meanings having regards to: (i) the importance, condition and location of the adjoining place of cultural heritage value; and (ii) the likely impact the development will have on the identified cultural heritage values of the adjoining place.	S1	No solution specified.
Operational Work or Changes to Buildings			
O2	No aspect of the development, including landscape and building elements, impairs views of the place.	S2	No solution specified.
O3	New fencing, landscaping or advertising devices are designed and sited so as not to detract from or significantly impact on the view of a listed building, other item or place, but will enhance the overall appearance of the streetscape and be in character with the site or area having regard to materials used, colour, scale and placement.	S3	No solution specified.
Reconfiguration of a Lot			
O4	The siting of buildings, or the opening or closing of roads as a result of the reconfiguration does not impair visible attributes of the views, landscape or street pattern.	S4	No solution specified.
O5	Any reconfiguration of a lot appropriately express the pattern or 'grain' of the original subdivision or former development on the site or area.	S5	No solution specified.

Table 9-21(b) Development on Land of Special Cultural Significance to Indigenous People

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O1	Where premises are identified as having indigenous cultural heritage significance, the development does not impair the cultural significance of the place by exercising a cultural heritage duty of care.	S1	No solution specified.
O2	The premises are designed to avoid any impact, and respect the values of indigenous cultural heritage such that: (i) any building is no located within an area of sensitivity; (ii) vegetation removal ¹⁶ is limited; (iii) there are no significant alterations to the site's topography or extensive changes to ground level; (iv) lot layout is designed to avoid indigenous cultural heritage sites.	S2	No solution specified.
O3	The indigenous cultural heritage site is preserved and maintained with landscaping and buffering provided between built structures having regards to the: (i) physical nature of the site; and (ii) nature of the proposed land use.	S3	No solution specified
O4	The indigenous cultural heritage site is protected during construction activity to avoid any detrimental impacts to the site. Note: The premises is designed, constructed and operated in accordance with a Cultural Heritage Management Plan for the site, which has been prepared in consultation with the aboriginal party for the area.	S4	No solution specified

¹⁶ Under the Vegetation Management Act 1999, clearing of native vegetation needs to comply with the Coastal Wide Bay Region Vegetation Management Codes and Schedule 8 of the IPA.

Division 5 - Extractive and Mineral Resources Overlay Code

9.29 Application

The Extractive and Mineral Resources Overlay Code applies to the whole of the Calliope Shire Local Government Area.

9.30 Assessment Categories for Extractive and Mineral Resources Overlay Code

- (1) The assessment categories are identified for development affected by a Extractive and Mineral Resources Overlay Code in column 2 of **Table 9-22** and **Table 9-23** as follows—
 - (a) **Table 9-22** making a material change of use¹⁷ for a defined use, or another use in a defined use class, listed in column 1;
 - (b) **Table 9-23** other development listed in column 1 including:
 - (i) building work not associated with a material change of use;
 - (ii) operational work not associated with a material change of use; and
 - (iii) reconfiguration of a lot.

9.31 Relevant Assessment Criteria for Development Affected by Extractive and Mineral Resources Overlay Code

- (1) The relevant assessment criteria for development affected by the Extractive and Mineral Resources Overlay Code is referred to in column 3 of **Table 9-22** and **Table 9-23**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are applicable codes.

¹⁷ Works associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-22 Assessment Categories and Relevant Assessment Criteria for Extractive and Mineral Resources Overlay Code —Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Defined use or use class ¹⁸	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹⁹ —applicable code if development is self-assessable or requires code assessment
All except Agriculture Advertising Signs	Code assessable where: Located on land identified as within 500 metres of the boundaries of a haul route, mining lease, key resource area, or potential key resource area (as indicated in the Extractive and Mineral Resources Overlay Code Map). Exempt if the criteria for Code assessable do not apply.	Extractive and Mineral Resources Overlay Code

¹⁸ See Part 12 Schedule 1 (Defined Uses and Use Classes).

¹⁹ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Table 9-23 Assessment Categories and Relevant Assessment Criteria for Extractive and Mineral Resources Overlay Code—Other Development

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁰ —applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	<p>Code assessable where:</p> <p>Located on land identified as within 500 m of a haul route, mining lease, key resource area, or potential key resource area (as indicated in the Extractive and Mineral Resources Overlay Code Map), except where:</p> <p>For a Class 10A or 10B (i.e. non-commercial / domestic building such as a garage or carport/small shed).</p> <p>Exempt if the criteria for code assessable do not apply.</p>	Extractive and Mineral Resources Overlay Code
Reconfiguration of a lot involving subdivision	<p>Code Assessable where:</p> <p>Located on land identified as within 500 m of a haul route, mining lease, key resource area, or potential key resource area (as indicated in the Extractive and Mineral Resources Overlay Code Map).</p> <p>Otherwise Exempt</p>	Extractive and Mineral Resources Overlay Code
Other	Exempt	

²⁰ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

9.32 Assessment Criteria

- (1) The assessment criteria for the Extractive and Mineral Resources Overlay Code comprises the following:
 - (a) Compliance with Extractive and Mineral Resources Overlay Code (**Section 9.33**).
 - (b) Overall Outcomes for Extractive and Mineral Resources Overlay Code (**Section 9.34**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.35**).

9.33 Compliance with Extractive and Mineral Resources Overlay Code

- (1) Compliance with the Extractive and Mineral Resources Overlay Code is achieved when assessable development is consistent with the specific outcomes in **Section 9.35**.
- (2) Compliance with the Extractive and Mineral Resources Overlay Code is achieved when self assessable development is consistent with the acceptable solutions in **Section 9.35**.

9.34 Overall Outcomes for Extractive and Mineral Resources Overlay Code

- (1) The overall outcomes are the purpose of the Extractive and Mineral Resources Overlay Code.
- (2) The overall outcomes sought for the Extractive and Mineral Resources Overlay Code are the following:
 - (a) protect the known extractive and mineral resources by avoiding development in proximity which is incompatible with the recovery of extractive and mineral resources.
 - (b) protect the known resources of extractive and mineral resources by ensuring accessibility to such resources is maintained, including along haul routes; and
 - (d) ensure the recovery of extractive and mineral resources in a safe, efficient and environmentally sensitive manner.

9.35 Specific Outcomes and Probable and Acceptable Solutions for Extractive and Mineral Resources Overlay Code as follows:

- (a) Protection of Key Resources (Table 9-24)

Table 9-24 Protection of Key Resources

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O1	Where development for material change of use or reconfiguration of a lot is located within 100 m of an existing operation recovering extractive or mineral resources, the introduction of the use or any intensification of land use activity that results from the development does not pose any constraint on the operations of recovering the extractive of mineral resource.	S1	No solution specified.
O2	Premises will result in the achievement of acceptable levels of amenity having regards to the existing levels of noise dust, traffic and vibration generated by the nearby operational extractive industry or mine.	S2	No solution specified.
O3	Development does not result in the alienation of the extractive or mineral resource or constrain the future recovery of that extractive or mineral resource by preventing access to the resource or locating incompatible land uses in proximity to the resource.	S3	No solution specified.
O4	Development does not result in the intensification of land use which may cause restriction to the recovery of an adjoining extractive or mineral resource.	S4	No solution specified.
O5	Development in the vicinity of a haul route will ensure: <ul style="list-style-type: none"> (i) development does not generate reverse amenity impact on existing or future haul routes; (ii) potentially hazardous situations through inappropriate access onto haul routes is avoided; and (iii) haul trucks are able to operate free of potentially hazardous users of the haul route (e.g. animals, bikes, agricultural machinery, etc.). 	S5	No solution specified.

Division 6 - Lake Awoonga Catchment Overlay Code

9.36 Application

The Lake Awoonga Catchment Overlay Code applies to premises within the Lake Awoonga Catchment Area as indicated on the Overlay Code Plans.

9.37 Assessment Categories for Lake Awoonga Catchment Overlay Code

- (1) The assessment categories are identified for development affected by a Lake Awoonga Catchment Overlay Code in column 2 of **Table 9-25** and **Table 9-26** as follows—
 - (a) **Table 9-25** making a material change of use²¹ for a defined use, or another use in a defined use class, listed in column 1;
 - (b) **Table 9-26** other development listed in column 1 including—
 - (i) building work not associated with a material change of use;
 - (ii) operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation of land;
 - (iii) reconfiguration of a lot; and
 - (iv) Other

9.38 Relevant Assessment Criteria for Development Affected by a Lake Awoonga Catchment Overlay Code

- (1) The relevant assessment criteria for development affected by the Lake Awoonga Catchment Overlay Code is referred to in column 3 of **Table 9-25** and **Table 9-26**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are applicable codes.

²¹ Works associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-25 Assessment Categories and Relevant Assessment Criteria for Lake Awoonga Catchment Overlay Code —Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Defined use or use class ²²	Column 2 Assessment category	Column 3 Relevant assessment criteria ²³ —applicable code if development is self-assessable or requires code assessment
All	<p>Code assessable where located on land included within the catchment area of Lake Awoonga except where:</p> <ul style="list-style-type: none"> (i) For a dwelling house located on a lot of more than 1 hectare; or (ii) Involving minor building work; or (iii) Not involving any operational work or plumbing and drainage work. <p>Self assessable if for a Dwelling House on land included in the Village Zone.</p> <p>Exempt if the criteria for code assessable or self assessable do not apply.</p>	Lake Awoonga Catchment Overlay Code

²² See Schedule 1 (Dictionary), Division 1 (Defined Uses and Use Classes).

²³ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Table 9-26 Assessment Categories and Relevant Assessment Criteria for Lake Awoonga Catchment Overlay Code — Other Development

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁴ —applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	Self Assessable where; Located on land included within the catchment area of Lake Awoonga except where involving buildings or structures having a total floor area of equal to or less than 200 m ² per hectare of site area. Exempt if the criteria for self assessable do not apply.	Lake Awoonga Catchment Overlay Code
Operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation	Code Assessable where; Located on land included within the catchment area of Lake Awoonga and involving earthworks 100m ³ or more. Exempt if the criteria for Code Assessable do not apply.	Lake Awoonga Catchment Overlay Code
Reconfiguration of a lot involving subdivision	Code Assessable	Lake Awoonga Catchment Overlay Code
Other	Exempt	

²⁴ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

9.39 Assessment Criteria Lake Awoonga Catchment Overlay Code

- (1) The assessment criteria for the Lake Awoonga Catchment Overlay Code comprises the following:
 - (a) Compliance with Lake Awoonga Catchment Overlay Code (**Section 9.40**).
 - (b) Overall Outcomes for Lake Awoonga Catchment Overlay Code (**Section 9.41**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.43**);

9.40 Compliance with Lake Awoonga Catchment Overlay Code

- (1) Compliance with the Lake Awoonga Catchment Overlay Code is achieved when assessable development is consistent with the specific outcomes in **Section 9.43**.
- (2) Compliance with the Lake Awoonga Catchment Overlay Code is achieved when self assessable development is consistent with the acceptable solutions in **Section 9.43**.

9.41 Overall Outcomes for Lake Awoonga Catchment Overlay Code

- (1) The overall outcomes are the purpose of the Lake Awoonga Catchment Overlay Code.
- (2) The overall outcomes sought for the Lake Awoonga Catchment Overlay Code are the following:
 - (a) The protection of water quality of Lake Awoonga by ensuring:
 - (i) land areas of adequate size and dimension to provide for on-site wastewater treatment and disposal systems which protect groundwater quality and avoid contaminants being released into watercourses;
 - (ii) adequate setbacks from buildings, other structures and operational works to Lake Awoonga and its watercourses;
 - (iii) a suitable method of effluent disposal which protects groundwater quality and avoids contaminants being released into watercourses;
 - (iv) control of stormwater runoff to protect groundwater quality and avoid contaminants being released into watercourses; and
 - (v) public access to the foreshore of Lake Awoonga through suitable open space buffers adjacent to Lake Awoonga and its watercourses.

9.42 Meaning of terms used in the Lake Awoonga Catchment Overlay Code

For the purposes of this Code the following terms have the following meanings.

'Intensive Development' means any of the following:

- (a) Any proposal for reconfiguring a lot, involving the creation of lots with areas less than 16 hectares;
- (b) Any residential use (including caravan parks or camping grounds) that involves the erection of dwellings or other accommodation units at a density greater than 1 dwelling unit per 1 hectare of site area; or
- (c) Any building at a density greater than 200 m² of total floor area per 1 hectare of site area.

'Setback' means the distance measured along the path that overland flow would take measured from the activity to either the flood margin boundary of Lake Awoonga or the high bank of a watercourse.

'Watercourse' means a river, creek or stream confining or containing water (including the bed and banks) within the defined Lake Awoonga Catchment Area.

'Flood Margin Boundary' means the reservoir perimeter defined by the 47 m AHD contour which includes a buffer of 2 m increment linear above the proposed Stage 2 raising of the Dam to FSL 45 m AHD. The 47 m contour also corresponds to the extent of flooding during a flood event of .2% AEP for Stage 1 raising to 40 m and .5% AEP for Stage 2 raising to 45 m.

9.43 Specific Outcomes and Probable and Acceptable Solutions for the Lake Awoonga Catchment Overlay Code as follows:

- (a) Development in the Lake Awoonga Catchment (Table 9-27)

Table 9-27 Development in the Lake Awoonga Catchment

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Self Assessable and Assessable Development			
O1	Land within the Flood Margin between 40 m and 47 m AHD and between 47 m and 62 m AHD is protected from inappropriate development and activities.	S1	Other than in the Village Zone or the Local Industry Zone, development within the Flood Margin between 40 m AHD and 47 m AHD is restricted to long term grazing, temporary occupancy (4 to 6 weeks) or for special purposes including fishing and canoe clubs.
Lot Size and Land Characteristics			
Assessable Development			
O2	The water quality of Lake Awoonga is protected.	S2	Other than in the Village Zone or the Local Industry Zone, activities such as Intensive Development, intensive agriculture, irrigation, or any other development which represents an intensification of Industrial (High Impact), residential, rural residential or small lot rural settlement does not occur.
O3	The proposed method of waste disposal and treatment is suited to each new lot having regard to the capacity in terms of soil absorption characteristics and area available for effluent disposal. Note: As a guide, each new lot should contain within its boundaries a discrete area for on site effluent disposal which will be adequate to prevent contamination of surface and ground water or water courses supported by a technical report undertaken in accordance with the Lake Awoonga Catchment Planning Scheme Policy.	S3	No solution specified.
O4	Ensure the performance of any waste treatment system will not be adversely affected by shallow ground water tables.	S4	No solution specified.

Specific Outcomes		Probable and Acceptable Solutions	
Setbacks to Building and Works			
Self Assessable and Assessable Development			
<p>O5 All buildings, other structures, operational work, waste disposal systems and activities are to be setback from Lake Awoonga and its watercourses to provide opportunity for vegetation and soils to capture any contaminants in overland flow and prevent contaminants entering the water in the storage.</p> <p>Note: For Assessable Development, where the setback of 400m cannot be achieved in the case of existing allotments, buildings, structure, operational works and plumbing and drainage works and other activities are setback from watercourses and the flood margin boundary to the maximum extent possible having regard to the required setbacks from other boundaries, the topography of the site, access availability and any other relevant factor.</p>	<p>S5 All buildings, other structures, operational works and plumbing and drainage works are to be setback from Lake Awoonga and its watercourses to provide for opportunity for vegetation and soil to capture contaminants in overland flow and prevent contaminants entering the water in the storage.</p>		
Open Space Buffers			
Assessable Development			
<p>O6 An open space buffer is provided between activities or uses and Lake Awoonga and watercourses of sufficient width to protect water quality and allow for public access.</p>	<p>S6.1 Where a lot has a frontage to Lake Awoonga or to a watercourse, an open space buffer having a minimum width of 50 m is provided adjacent to the flood margin boundary or high bank of the watercourse.</p> <p>S6.2 Where the open space buffer area provided is less than 10% of the site area, public open space is provided in accordance with the Development Contributions – Parks and Recreational Facilities Planning Scheme Planning Scheme Policy (include, where possible, all areas of remnant native vegetation).</p>		
Stormwater Management			
Assessable Development			
<p>O7 The stormwater management system is designed, constructed and operated to ensure that the water quality of Lake Awoonga and its watercourses are protected by:</p> <p>(a) avoiding concentration of stormwater flows that significantly increases erosion and transport of sediment and other contaminants to the lake or its watercourses;</p> <p>(b) providing gross pollutant traps, wet retention ponds or detention basins to intercept litter and debris without creating any barrier to fish and aquatic fauna passage;</p>	<p>S7.1 A 5,000 litre rain water tank is supplied for premises which have a greater density than 200 m² of roof area per hectare.</p> <p>S7.2 Roads and other infrastructure being constructed so the final pavement level follows the original ground level.</p> <p>S7.3 Development provides a system of gross pollutant traps and wet retention ponds constructed on drainage lines leading to creeks and not within existing watercourses.</p>		

Specific Outcomes	Probable and Acceptable Solutions
<p>(c) providing catch drains and other measures such as detention basins on allotments adjoining Lake Awoonga that retain stormwater on the allotment or settle our suspended contaminants; and</p> <p>(d) undertaking soil conservation and erosion control measures which will minimise the movement of sediment and residues by stormwater during construction.</p>	<p>S7.4 Gross pollutant traps which intercept litter and debris based on sub catchments of 5-10 hectares and located upstream of wet retention ponds and designed in accordance with the rainfall event which can accommodate an equivalent amount of runoff from a 1% AEP event critical duration storm over a period equal to the time of concentration plus 5 minutes.</p> <p>S7.5 Catch drains are designed to accommodate an equivalent amount of runoff from a 1 in 1 year 1% AEP flood event over a period equal to the time of concentration plus 5 minutes.</p> <p>S7.6 Wet retention ponds:</p> <p>(a) are designed as permanent ponds to allow particulate matter to settle out;</p> <p>(b) are located “off line” from drainage paths for effective capture and treatment of first flushes;</p> <p>(c) provide a permanent retention component for “first flush capture” equivalent to the amount of runoff occurring during the 1%AEP critical duration storm over a period equal to the time of concentration plus five minutes;</p> <p>(d) have pond depths of approximately 1 m during “dry weather” and approximately 2.5 m following first flush capture;</p> <p>(e) have a length to width ratio of greater than 2:1;</p> <p>(f) have a 24 hour retention period to facilitate settlement of particulate material; and</p> <p>(g) accommodate flows from a sub-catchment of 5-10 hectares in area; and such works are transferred at no cost to public ownership.</p> <p>(h) Erosion control measures during construction comply with “Engineering Guidelines for Queensland Construction Sites”, IEA, 1996.</p>

Division 7 - Flood and Inundation Management Overlay Code

9.44 Application

- (1) The Development on Flood and Inundation Management Overlay Code applies to premises below the Flood Risk Line²⁵ as identified on the Flood and Inundation Management Overlay Code Plan.

9.45 Assessment Categories for the Flood and Inundation Management Overlay Code

- (1) The assessment categories are identified for development affected by Overlay Code in column 2 of **Table 9.28** and **Table 9.29**:
 - (a) **Table 9-28** making a material change of use²⁶ for a defined use listed in column 1;
 - (b) **Table 9-29** other development listed in column 1 including—
 - (i) building work not associated with a material change of use;
 - (ii) operational work not associated with a material change of use and not associated with reconfiguring a lot and involving earthworks including filling or excavation;
 - (iii) advertising signs not associated with a material change of use;
 - (iv) reconfiguring a lot;
 - (v) operational work for reconfiguring a lot;
 - (vi) other.

9.46 Relevant Assessment Criteria for Development Affected by the Flood and Inundation Management Overlay Code

- (1) The relevant assessment criteria for development affected by the Flood and Inundation Management Overlay Code is referred to in column 3 of **Table 9-28** and **Table 9-29**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are applicable codes.

²⁵ "flood risk line" means a line denoting the limit of inundation from a 1% AEP flood or storm surge event, and includes a margin of 1 metre for uncertainty in the estimation of flood discharges, wind set up, wave set up, afflux, data and statistical sensitivity, greenhouse and climate change influences.

²⁶ Works associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-28 Assessment Categories and Relevant Assessment Criteria for the Flood and Inundation Management Overlay Code —Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see Section 1.13(3).explaining how the higher assessment category prevails.

Column 1 Defined use or Use Class	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁷ —applicable code if development is self-assessable or requires code assessment
All except Agriculture, Animal Husbandry, Cemetery, Forestry and Park which are not affected by this Overlay Code	Self Assessable where: Located on land below the Flood Risk Line. Exempt where the criteria for Self Assessable do not apply.	Flood and Inundation Management Overlay Code.

²⁷ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Table 9-29 Assessment Categories and Relevant Assessment Criteria for the Flood and Inundation Management Overlay Code—Other Development

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria—applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	Code assessable (except where associated with and ancillary to an existing dwelling house which is Self Assessable) where: Located on land below the Flood Risk Line. Exempt where the criteria for Code Assessable do not apply.	Flood and Inundation Management Overlay Code
Operational work not associated with a material change of use or not associated with reconfiguring a lot and including earthworks involving filling or excavation	Code Assessable where: Located on land below the Flood Risk Line and where comprising net filling of more than 50 m ³ . Exempt where the criteria for Code Assessable do not apply.	Flood and Inundation Management Overlay Code
Advertising signs not associated with a material change of use	Code Assessable where: Located on land below the Flood Risk Line and where comprising net filling of more than 50 m ³ . Exempt where the criteria for Code Assessable do not apply.	Flood and Inundation Management Overlay Code
Reconfiguring a lot	Code Assessable	Flood and Inundation Management Overlay Code
Operational Work for reconfiguring a lot.	Code Assessable where: Located on land below the Flood Risk Line and where comprising net filling of more than 50 m ³ . Exempt where the criteria for Code Assessable do not apply.	Flood and Inundation Management Overlay Code
Other	Exempt	

9.47 Assessment Criteria

- (1) The assessment criteria for the Flood and Inundation Overlay Code comprises the following:
 - (a) Compliance with the Flood and Inundation Management Overlay Code (**Section 9.48**).
 - (b) Overall Outcomes for the Flood and Inundation Management Overlay Code (**Section 9.49**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.50**).

9.48 Compliance with the Flood and Inundation Management Overlay Code

- (1) Compliance with the Flood and Inundation Management Overlay Code is achieved when assessable development is consistent with the specific outcomes in **Section 9.50**.
- (2) Compliance with the Overlay Code is achieved when assessable development complies with the acceptable solutions in **Section 9.50**.

9.49 Overall Outcomes for the Flood and Inundation Management Overlay Code

- (1) The overall outcomes are the purpose of the Flood and Inundation Management Overlay Code.
- (2) The overall outcomes sought for the Flood and Inundation Management Overlay Code are to:
 - (a) protect the safety of people and property from unreasonable risk from flooding and inundation hazard;
 - (b) minimise damage and loss of property due to flooding and inundation;
 - (c) restrict development encroaching into the flood plain;
 - (d) provide a clear corridor for the conveyance of floodwaters;
 - (e) provide for the safe storage of hazardous substances; and
 - (f) protect the ecological functions of watercourses in the Shire.

9.50 Specific Outcomes and Probable and Acceptable Solutions for the Flood and Inundation Management Overlay Code as follows:

- (a) Flooding and Inundation (**Table 9-30**)
- (b) Protecting Flood Conveyance, Community Values and Environmental Values (**Table 9-31**)
- (c) Hazardous Substances and Materials Storage (**Table 9-32**)
- (d) Stormwater Management (**Table 9-33**)

Table 9-30 Flooding and Inundation

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Land, Building and Works Flood and Storm Surge Immunity Levels			
Self Assessable and Assessable Development			
O1	<p>Property, persons and other works are not placed at unreasonable risk against injury or damage caused by flood and storm surge providing that:</p> <p>(i) land developed for reconfiguration of a lot and material change of use of premises have reasonable immunity to surface waters;</p> <p>(ii) floors of buildings, including for both habitable and non-habitable rooms, have floor levels with reasonable immunity to surface waters; and</p> <p>(iii) new lots created have a sufficient useable land area.</p>	S1.1	All land is immune to surface water levels in accordance with the levels specified in Table 13.4-1 of the Flooding and Inundation Planning Scheme Policy;
		S1.2	All floors of buildings, including for both habitable and non-habitable rooms, have the minimum floor levels specified in Table 13.4-1 of the Flooding and Inundation Planning Scheme Policy;
		S1.3	For Assessable Development, all new lots created have a useable land area in accordance with Table 13.4-2 of the Flooding & Inundation Planning Scheme Policy
Works Flood and Storm Surge Immunity Levels			
Assessable Development			
O2	<p>All Operational Works are constructed with flood and storm surge immunity .</p> <p>Note: The Flooding and Inundation Planning Scheme Policy provides guidelines in regards to appropriate immunity levels.</p>	S2	No solution specified.

Table 9-31 Protecting Flood Conveyance, Community Values and Environmental Values

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Flood Conveyance			
Self Assessable and Assessable Development			
O1	<p>Flood conveyance is maintained and the adverse effect of flooding are not increased by:</p> <p>(i) keeping buildings, structures and other works clear of water courses, creeks, and overland flow paths;</p> <p>(ii) securing flood corridors in a tenure that preserves flood carrying capacity; and</p>	S1.1	For residential, commercial and industrial development (of less than 1,000 m ² of impermeable area), land subject to inundation by the 1% AEP flood is transferred to Council tenure;
		S1.2	For rural, rural residential and industrial development (of 1,000 m ² or more of impermeable area):
			(i) useable land area is provided in accordance with Table 13.3 of the Flooding & Inundation Planning Scheme Policy;

Specific Outcomes	Probable and Acceptable Solutions
	<p>(ii) land subject to the requirements of the Developer Contributions Parks and Recreational Facilities Planning Scheme Policy transferred to Council tenure; and</p> <p>(iii) easements are provided over inlets and outlets.</p> <p>S1.3 Avoiding development, as listed below, on land below the 1% AEP flood that will result in increased flooding or adversely affect the value, safety or use of any land either now or in the future²⁸:</p> <p>(i) multi-unit or commercial development with an impermeable area larger than 2,500 m²;</p> <p>(ii) reconfiguration of more than five allotments;</p> <p>(iii) industrial activities with over 1,000 m² of impermeable area;</p> <p>(vi) open carpark with more than 100 car spaces.</p>
Community Values	
Assessable Development	
<p>O2 The values to the community of water courses, creeks, streams and foreshore areas are maintained by providing public access to foreshores for maintenance and public recreation purposes.</p>	<p>S2 No solution specified.</p>
Environmental Values	
Assessable Development	
<p>O3 Environmental values of rivers, creeks and water courses are preserved and maintained where practical by securing flood corridors in a tenure that provides for the protection of riparian vegetation.</p>	<p>S3 No solution specified.</p>

²⁸ Note that a technical report is to be provided to the Council in accordance with Flooding & Inundation Planning Scheme Policy.

Table 9-32 Hazardous Substances and Material Storage

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Material Storage and Hazardous Substances (including Intensive Animal Husbandry)			
Assessable Development			
O1	Inundation of the facilities, equipment, stock or materials do not: (i) cause harm to the environment or other persons; or (ii) cause significant economic loss; or (iii) cause blockage or damage to structures or vegetation; or (iv) create debris or refuse in rivers or waterways.	S1	Any hazardous substance is stored above or securely isolated from the 1% AEP event rainfall or storm surge event including appropriate freeboard as required for habitable rooms in buildings as set out in Table 13.2 of the Flooding & Inundation Planning Scheme Policy.
O2	Storage and handling of substances do not create a hazard to the environment or human safety by the risk of contamination due to flooding or inundation: Note: Development is undertaken in accordance with a risk analysis report outlining substances involved, toxicity to the environment and the risk of contamination due to flooding and mitigation measures to prevent hazard.	S2.1	Equipment, goods or materials of significant value or goodwill are housed in buildings above the 1% AEP event including appropriate freeboard as required for habitable rooms in buildings as set out in Table 13.2 of the Flooding & Inundation Planning Scheme Policy.
		S2.2	Material, equipment, stock or goods that are transient in water are stored securely to the level of the 1% AEP event including appropriate freeboard as required for habitable rooms in buildings as set out in Table 13.2 of the Flooding & Inundation Planning Scheme Policy.

Table 9-33 Stormwater Management

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Stormwater Network Design			
Self Assessable and Assessable Development			
O1	The design and construction of stormwater management systems: (i) avoids reduction of on site flood storage capacity; (ii) does not adversely impact on flooding of upstream and downstream properties and roads by providing an acceptable level of flood immunity;	S1	The design and construction of stormwater management systems complies with the requirements of the Engineering Design and Infrastructure Standards Planning Scheme Policy

Specific Outcomes	Probable and Acceptable Solutions
<p>(iii) makes best use of the use of natural waterway corridors by retaining natural waterway corridors wherever practical;</p> <p>(iv) utilises existing stormwater management infrastructure by providing for an underground or open drain / overland flow path network (for major and minor systems) whilst maximising use of natural channel design;</p> <p>(v) protects and enhances environmental values within the receiving waters;</p> <p>(vi) provides for detention / retention storage basins where applicable;</p> <p>(vii) provides for erosion and sediment controls; and</p> <p>(viii) considers public safety factors and risk.</p>	

Division 8 - Acid Sulfate Soils Overlay Code

9.51 Application

The Acid Sulfate Soils Overlay Code applies to premises seaward from the 20m AHD contour line as indicated on the Acid Sulfate Soils Overlay Code Plans.

9.52 Assessment Categories for Acid Sulfate Soils Overlay Code

- (1) The assessment categories are identified for development affected by a Acid Sulfate Soils Overlay Code in column 2 of **Table 9-34** and **Table 9-35** as follows—
 - (a) **Table 9-34** making a material change of use²⁹ for a defined use, or another use in a defined use class, listed in column 1;
 - (b) **Table 9-35** other development listed in column 1 including—
 - (i) building work not associated with a material change of use;
 - (ii) operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation;
 - (iii) advertising signs involving excavation or filling not associated with a material change of use ;
 - (iv) operational work for reconfiguring a lot;
 - (v) plumbing & drainage work not associated with a material change of use;
 - (vi) reconfiguring a lot; and
 - (vii) other.

9.53 Relevant Assessment Criteria for Development Affected by the Acid Sulfate Soils Overlay Code

- (1) The relevant assessment criteria for development affected by the Acid Sulfate Soils Overlay Code is referred to in column 3 of **Table 9-34** and **Table 9-35**.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are applicable codes.

²⁹ Works associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-34 Assessment Categories and Relevant Assessment Criteria for Acid Sulfate Soils Overlay Code — Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Defined use or use class ³⁰	Column 2 Assessment category	Column 3 Relevant assessment criteria ³¹ —applicable code if development is self-assessable or requires code assessment
All	<p>Code assessable where:</p> <p>(i) Excavating or otherwise removing 100 m³ or more of soil or sediment at or below 5 m AHD where the natural ground level is less than 20m AHD;</p> <p>(ii) Filling with 500 m³ or more of material with an average depth of 0.5 m or greater where the natural ground level is at or below 5 m AHD; or</p> <p>(iii) . Excavation for the purposes of drainage where the natural ground level is at or below 5m AHD.</p> <p>Self Assessable³² where the criteria for Code Assessable do not apply.</p> <p>Exempt if being undertaken within an existing building and involving no external works.</p>	Acid Sulfate Soils Overlay Code

³⁰ See Schedule 1 (Dictionary), Division 1 (Defined Uses and Use Classes).

³¹ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

³² The Environmental Protection Act 1994 binds all persons to a duty of care to ensure activities engaged in do not cause environmental harm. In areas where there is clear evidence of the presence of acid sulfate soil requiring high levels of treatment if disturbed by excavating or otherwise removing less than 100 cubic metres of acid sulfate soil will require appropriate treatment to avoid environmental harm

Table 9-35 Assessment Categories and Relevant Assessment Criteria for Acid Sulfate Soils Overlay Code — Other Development

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see section 1.13(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ³³ —applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	<p>Code assessable³⁴ where:</p> <p>(i) Excavating or otherwise removing 100 m³ or more of soil or sediment at or below 5 m AHD where the natural ground level is less than 20m AHD;</p> <p>(ii) Filling with 500 m³ or more of material with an average depth of 0.5 m or greater where the natural ground level is at or below 5 m AHD; or</p> <p>(iii) Excavation for the purposes of drainage where the natural ground level is at or below 5m AHD.</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	Acid Sulfate Soils Overlay Code
Operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving excavation or filling work	<p>Code Assessable where:</p> <p>(i) Excavating or otherwise removing 100 m³ or more of soil or sediment at or below 5 m AHD where the natural ground level is less than 20m AHD;</p> <p>(ii) Filling with 500 m³ or more of material with an average depth of 0.5 m or greater where the natural ground level is at or below 5 m AHD; or</p> <p>(iii) Excavation for the purposes of drainage where the natural ground level is at or below 5m AHD.</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	Acid Sulfate Soils Overlay Code

³³ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

³⁴ The Environmental Protection Act 1994 binds all persons to a duty of care to ensure activities engaged in do not cause environmental harm. In areas where there is clear evidence of the presence of acid sulfate soil requiring high levels of treatment if disturbed by excavating or otherwise removing less than 100 cubic metres of acid sulfate soil will require appropriate treatment to avoid environmental harm

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ³³ —applicable code if development is self-assessable or requires code assessment
Advertising signs involving excavation or filling not associated with a material change of use	<p>Code Assessable where:</p> <p>(i) Excavating or otherwise removing 100 m³ or more of soil or sediment at or below 5 m AHD where the natural ground level is less than 20m AHD;</p> <p>(ii) Filling with 500 m³ or more of material with an average depth of 0.5 m or greater where the natural ground level is at or below 5 m AHD; or</p> <p>(iii) Excavation for the purposes of drainage where the natural ground level is at or below 5m AHD.</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	Acid Sulfate Soils Overlay Code
Operational Work for reconfiguration of a lot.	<p>Code assessable³⁵ where:</p> <p>(i) Excavating or otherwise removing 100 m³ or more of soil or sediment at or below 5 m AHD where the natural ground level is less than 20m AHD;</p> <p>(ii) Filling with 500 m³ or more of material with an average depth of 0.5 m or greater where the natural ground level is at or below 5 m AHD; or</p> <p>(iii) Excavation for the purposes of drainage where the natural ground level is at or below 5m AHD.</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	Acid Sulfate Soils Overlay Code
Plumbing & drainage work not associated with a material change of use	<p>Code assessable where:</p> <p>(i) Excavating or otherwise removing 100 m³ or more of soil or sediment at or below 5 m AHD where the natural ground level is less than 20m AHD;</p> <p>(ii) Filling with 500 m³ or more of material with an average depth of 0.5 m or greater where the natural ground level is at or below 5 m AHD; or</p>	Acid Sulfate Soils Overlay Code

³⁵ The Environmental Protection Act 1994 binds all persons to a duty of care to ensure activities engaged in do not cause environmental harm. In areas where there is clear evidence of the presence of acid sulfate soil requiring high levels of treatment if disturbed by excavating or otherwise removing less than 100 cubic metres of acid sulfate soil will require appropriate treatment to avoid environmental harm

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ³³ —applicable code if development is self-assessable or requires code assessment
	(iii) Excavation for the purposes of drainage where the natural ground level is at or below 5m AHD. Exempt where the criteria for Code Assessable do not apply.	
Reconfiguring a Lot	Code Assessable	Acid Sulfate Soils Overlay Code
Other	Exempt	

9.54 Assessment Criteria

- (1) The assessment criteria for the Acid Sulfate Soils Overlay Code comprises the following:
 - (a) Compliance with Acid Sulfate Soils Overlay Code (**Section 9.55**).
 - (b) Overall Outcomes for Acid Sulfate Soils Overlay Code (**Section 9.56**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.57**).

9.55 Compliance with Acid Sulfate Soils Overlay Code

- (1) Compliance with the Acid Sulfate Soils Overlay Code is achieved when assessable development is consistent with the specific outcomes in **Section 9.57**.
- (2) Compliance with the Acid Sulfate Soils Overlay Code is achieved when self assessable development is consistent with the acceptable solutions in **Section 9.57**.

9.56 Overall Outcomes for Acid Sulfate Soils Overlay Code

- (1) The overall outcomes are the purpose of the Acid Sulfate Soils Overlay Code.
- (2) The overall outcomes sought for the Acid Sulfate Soils Overlay Code are the following:
 - (a) The potential for environmental harm resulting from the disturbance of coastal land known to host acid sulfate soils is minimised through the adoption of appropriate management practices.
 - (b) Corrodible assets are protected from acid sulfate soils.
 - (c) Clear management direction is provided where acid sulfate soils are likely to be disturbed by excavation or filling works that lower the water table.

9.57 Specific Outcomes and Probable and Acceptable Solutions for the Acid Sulfate Soils Overlay Code as follows:

- (a) Management of Acid Sulfate Soils (**Table 9-36**)

Table 9-36 Management of Acid Sulfate Soils

Note: 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.

Specific Outcomes		Acceptable & Probable Solutions	
Self Assessable and Assessable Development			
O1	<p>Where excavation or filling is to be undertaken in areas of acid sulfate soils³⁶, a comprehensive approach to acid sulfate soil management is undertaken to:</p> <p>(i) maintain the water quality and ecological health of the receiving environment;</p> <p>(ii) avoid adverse effects on environmentally sensitive areas; and</p> <p>(iii) avoid accelerated corrosion of assets such as buildings, structures, roads and other infrastructure.</p>	S1	<p>(i) no acid sulfate soil will be disturbed; or</p> <p>(ii) less than 100 m3 of acid sulfate soil, defined as having less than 0.7 % peroxide oxidisable sulfur and/or less than 400 moles H+/tonne net acidity, will be disturbed.</p> <p>Note: The potential to disturb Acid Sulfate Soils, by excavating or filling areas containing Acid Sulfate Soils or lower the water table in and adjacent to the land defined in 9.55 is to be determined based on the results of an Acid Sulfate Soil Investigation Report prepared in accordance with Sections 6,7 and 8 of the State Planning Policy 2/02 , Guideline for Planning and Managing Development involving Acid Sulfate Soils and submitted with the development application.</p> <p>When an Acid Sulfate Soil Investigation Report identifies that the criteria for Code Assessment in Column 2 of Tables 9-15 and 9-16 do apply, an Acid Sulfate Soil Management Plan is prepared in accordance with Sections 9 and 10 of the State Planning Policy 2/02 Guideline for Planning and Managing Development involving Acid Sulfate Soils and submitted with the development application.</p>

³⁶ The Environmental Protection Act 1994 binds all persons to a duty of care to ensure activities engaged in do not cause environmental harm. In areas where there is clear evidence of the presence of acid sulphate soils requiring high levels of treatment if disturbed (ag. High hazard acid sulphate soil defined as having more than 0.7% peroxide oxidisable sulphur and/or 400mol H+/tonne net acidity), by excavating or otherwise removing less than 100 cubic metres of acid sulphate soil will require appropriate treatment to avoid environmental harm. To ensure measures are effective, treatment should be consistent with NR&Ms Soil management Guidelines (Dear, S.E., Moore, N.G.,Dobos, S.K.,Whatling, K.M. and Ahern, C.R., 2002, Soil management Guidelines, in Queensland Acid Sulfate Soil Technical Manual, DNR&M, Indooroopilly).

Division 9 - Development on Steep Land Overlay Code

9.58 Application

The Development on Steep Land Overlay Code applies to the whole of the Calliope Shire Local Government Area

9.59 Assessment Categories for the Development on Steep Land Overlay Code

- (1) The assessment categories are identified for development affected by the Development on Steep Land Overlay Code in column 2 of **Table 9-37** and **Table 9-38**:
 - (a) **Table 9-37** making a material change of use³⁷ for a defined use listed in column 1;
 - (b) **Table 9-38** other development listed in column 1 including—
 - (i) building work not associated with a material change of use;
 - (ii) carrying out operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation;
 - (iii) carrying out operational work for the erection of advertising devices not associated with a material change of use ;
 - (iv) reconfiguring a lot;
 - (v) carrying out operational work for reconfiguring a lot;
 - (vi) carrying out plumbing and drainage work not associated with a material change of use; or
 - (vii) other.

9.60 Relevant Assessment Criteria for Development Affected by the Development on Steep Land Overlay Code

- (1) The relevant assessment criteria for development affected by the Development on Steep Land Overlay Code is referred to in column 3 of **Table 9-37** and **Table 9-38**
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are the applicable codes.

³⁷ Works associated with an application for a material change of use may be assessed together with the material change of use.

Table 9-37 Assessment Categories and Relevant Assessment Criteria for the Development On Steep Land Overlay Code – Making a Material Change of Use

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see Section 1.13(3).explaining how the higher assessment category prevails.

Column 1 Defined use or Use Class	Column 2 Assessment category	Column 3 Relevant assessment criteria ³⁸ —applicable code if development is self-assessable or requires code assessment
All except: Agriculture Animal Husbandry Cemetery Forestry Park	Code assessable where: Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map. Exempt where the criteria for Code Assessable do not apply or where within an existing building.	Development on Steep Land Overlay Code

³⁸ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Table 9-38 Assessment Categories and Relevant Assessment Criteria for the Development On Steep Land Overlay Code – Other Development

Note— Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see Section 1.13(3).explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ³⁹ —applicable code if development is self-assessable or requires code assessment
Building work not associated with a material change of use	Code assessable where: Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map and involving earthworks exceeding 100 m ³ (other than the placement of topsoil at a depth greater than 200mm) Exempt where the criteria for Code Assessable do not apply.	Development on Steep Land Overlay Code
Carrying out operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation	Code assessable where: Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map and involving earthworks exceeding 100 m ³ (other than the placement of topsoil at a depth greater than 200 mm); Exempt where the criteria for Code Assessable do not apply.	Development on Steep Land Overlay Code
Carrying out operational work for the erection of advertising devices not associated with a material change of use	Code Assessable where: Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map and involving earthworks exceeding 100 m ³ (other than the placement of topsoil at a depth greater than 200 mm); Exempt where the criteria for Code Assessable do not apply.	Development on Steep Land Overlay Code
Reconfiguring a lot	Code assessable where: Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map, except where involving: (a) Amalgamating 2 lots; or (b) Rearranging boundaries of a lot by registering a plan of subdivision; or	Development on Steep Land Overlay Code

³⁹ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ³⁹ —applicable code if development is self-assessable or requires code assessment
	<p>(c) Creating an easement giving access to a lot from a constructed road.</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	
Carrying out operational work for reconfiguring a lot.	<p>Code assessable where:</p> <p>Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map and involving earthworks exceeding 100 m³ (other than the placement of topsoil at a depth greater than 200mm);</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	Development on Steep Land Overlay Code
Carrying out plumbing and drainage work not associated with a material change of use	<p>Code assessable where:</p> <p>Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map and involving earthworks exceeding 100 m³ (other than the placement of topsoil greater than 200mm in depth);</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	Development on Steep Land Overlay Code
Carrying out operational work for driveways and property access	<p>Self assessable where:</p> <p>Located on land having a slope of 15% or greater as identified in the Steep Land Overlay Code Map and involving earthworks exceeding 100 m³ (other than the placement of topsoil greater than 200mm in depth);</p> <p>Exempt where the criteria for Code Assessable do not apply.</p>	Development on Steep Land Overlay Code
Other	Exempt	

9.61 Assessment Criteria

- (1) The assessment criteria for Development on Steep Land Overlay Code comprises the following:
 - (a) Compliance with the Development on Steep Land Overlay Code (**Section 9.62**).
 - (b) Overall Outcomes for the Development on Steep Land Overlay Code (**Section 9.63**).
 - (c) Specific Outcomes and Probable and Acceptable Solutions (**Section 9.64**).

9.62 Compliance with the Development on Steep Land Overlay Code

- (1) Compliance with the Development on Steep Land Overlay Code is achieved when assessable development is consistent with the specific outcomes in **Section 9.64**.
- (2) Compliance with the Overlay Code is achieved when self-assessable development complies with the acceptable solutions in **Section 9.64**.

9.63 Overall Outcomes for the Development on Steep Land Overlay Code

The overall outcomes are the purpose of the Development on Steep Land Overlay Code.

- (2) The overall outcomes sought for the Development on Steep Land Overlay Code are to ensure:
 - (a) the safety of people and property is protected from unreasonable risk from landslide hazard;
 - (b) the potential for environmental degradation is minimised; and
 - (c) adverse impacts on the landscape character is avoided.

Definitions

“Steep Land” for the purposes of this code is land with slopes of 15% or greater.

“AHD” means Australian Height Datum⁴⁰

9.64 Specific Outcomes and Probable and Acceptable Solutions for the Development on Steep Land Overlay Code as follows:

- (a) Development on Steep Land (**Table 9-39**)

⁴⁰ See www.agso.gov.au/nmd/geodesy/ahd.jsp

Table 9-39 Development on Steep Land

Note: 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.

Specific Outcomes		Probable and Acceptable Solutions	
Self-Assessable and Assessable Development			
O1	<p>Development and activity does not occur in areas of steep land, as identified in the Steep Land Overlay Code Map to ensure:</p> <p>(i) erosion risk is minimised; and</p> <p>(ii) timbered and scenic ridgelines are maintained in their natural state.</p>	S1.1	Development is not located on land with a slope greater than 15%.
		S1.2	Internal accessways are designed to run parallel to the natural contours of the land to ensure minimum cut and fill is required.
O2	<p>The risk on the site and to surrounding premises due to land instability is minimised. More specifically:</p> <p>(i) the long term stability of the development site is retained; and</p> <p>(ii) the development site will not be adversely affected for landslide activity originating on sloping land above the development site.</p> <p>Note: Where a site has a gradient of more than 15%, an application should be accompanied by a site specific geotechnical report to determine whether the site is subject to landslide, and if so, the measures proposed to be adopted to ensure its long term stability.</p>	S2	Where premises are to be located on steep land, the development does not involve any new building work other than a minor extension of (up to 20 m ² GFA) to an existing building.
Reconfiguring a lot			
Assessable Development			
O3	Development on steep land, as identified in the Steep Land Overlay Code Map for reconfiguring a lot does not cause erosion and integrates visually with the landscape.	S3	<p>New lots have the following site planning and lot design characteristics:</p> <p>(i) roads are arranged to follow natural contour lines with a maximum cut of 2 m in depth;</p> <p>(ii) all roads are designed as local streets;</p> <p>(iii) each lot has only one access driveway and its gradient is no greater than 1 in 4;</p> <p>(iv) each lot has a building platform which has a slope of no greater than 1 in 6.</p>

Specific Outcomes		Probable and Acceptable Solutions	
Building and Structures			
Self-Assessable and Assessable Development			
O4	Any building or structure located on steep land, as identified in the Steep Land Overlay Code Map, is designed, sited and erected to respect and be visually integrated with the landscape by maximising the retention of the natural landforms, surface and underground drainage patterns and vegetation and is: (i) of a height less than the height of the existing mature vegetation; and (ii) designed and sited to minimise disturbance to natural surface and underground drainage patterns, landforms and vegetation.	S4.1	Buildings or structures on the site are: (i) constructed of split level or pole construction or located on that part of the site having a slope of no greater than 1 in 6; (ii) designed to be parallel to natural drainage flows; and (iii) involve a change in ground level no more than 1 m relative to natural ground level at any point. S4.2 Retaining walls are less than 2 m in height on a continuous vertical plane.
Development			
Self Assessable and Assessable Development			
O5	Development undertaken on steep land, as identified in the Steep Land Overlay Code Map, respects and is visually integrated with the landscape by minimising disturbance to the retention of the natural landforms, surface and underground drainage patterns and vegetation.	S5	All development on the site: (i) where involving the construction of roads, follow natural contour lines with a maximum cut of 2 m in depth; (ii) involve a change in ground level no more than 1 m relative to natural ground level at any point.