Part 8 Overlays

8.1 Preliminary

(1) Overlays identify areas within the planning scheme that reflect state and local level interests and that have one or more of the following characteristics:-

(a) there is a particular sensitivity to the effects of development;
(b) there is a constraint on land use or development outcomes;
(c) there is the presence of valuable resources;
(d) there are particular opportunities for development.

(2) Overlays are mapped and included in **Schedule 2 (Mapping)** or the SPP interactive mapping system[1].

(3) The changed category of development or assessment, if applicable, for development affected by an overlay are in **Part 5 (Tables of assessment)**.

(4) Some overlays may be included for information purposes only. This should not result in a change to the category of development or assessment or any additional assessment benchmarks.

(5) Assessment benchmarks for an overlay may be contained in one or more of the following:-

(a) a map for an overlay;
(b) a code for an overlay;
(c) a zone code;
(d) a local plan code;
(e) a development code.

(6) Where development is proposed on premises partly affected by an overlay, the assessment benchmarks for the overlay only relate to the part of the premises affected by the overlay.

(7) The overlays for the planning scheme are:-

(a) Acid sulfate soils overlay;
(b) Agricultural land overlay;
(c) Airport and aviation facilities overlay;
(d) Biodiversity areas overlay;
(e) Bushfire hazard overlay;
(f) Coastal protection overlay;
(g) Extractive resources overlay;
(h) Flood hazard overlay
(i) Heritage and neighbourhood character areas overlay;
(j) Infrastructure overlay;
(k) Sea turtle sensitive area overlay;
(l) Steep land (slopes >15%) overlay;
(m) Water resource catchments overlay.

[1] Note—**Section 5.10 (Categories of development and assessment – Overlays)** and each code in **Part 8 (Overlays)** identifies where the elements for each overlay are mapped.

8.2 Overlay codes

8.2.1 Acid sulfate soils overlay code[2]

8.2.1.1 Application

This code applies to development:-

(a) subject to the Acid sulfate soils overlay shown on the overlay maps contained within **Schedule 2 (Mapping)**; and

(b) identified as requiring assessment against the Acid sulfate soils overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.1.2 Purpose and overall outcomes

(1) The purpose of the Acid sulfate soils overlay code is to ensure that the generation or release of acid and associated metal contaminants from acid sulfate soils (ASS) does not have significant adverse effects on the natural environment, built environment, infrastructure or human health.

(2) The purpose of the code will be achieved through the following overall outcome:-

(a) development ensures that the release of acid and associated metal contaminants into the environment is avoided by either:-

(i) not disturbing acid sulfate soils (ASS) when excavating or otherwise removing soil or sediment, extracting groundwater or filling land; or

(ii) treating and, if required, undertaking ongoing management of any disturbed ASS and drainage waters.

8.2.1.3 Specific benchmarks for assessment

Table 8.2.1.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Avoidance or management of ASS	
PO1 Works:- (a) do not disturb ASS; or (b) are managed to avoid or minimise the release of acid and metal contaminants, where disturbance of ASS is unavoidable.	**AO1.1** ASS are identified and the disturbance of ASS is avoided by:- (a) undertaking an ASS investigation conforming to the *Queensland Sampling Guidelines*[3] and soil analyses according to the *Laboratory Methods Guidelines*[4] or Australian Standard 4969; (b) not excavating or otherwise removing soil or sediment identified as containing ASS; (c) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated ASS; and (d) not undertaking filling on land at or below 5 metres AHD that results in:- (i) actual ASS being moved below the water table; or (ii) previously saturated ASS being aerated. **OR** The disturbance of ASS avoids the release of acid and metal contaminants by:- (a) undertaking an acid sulfate soils investigation conforming to the *Queensland Sampling*

[2] Editor's note—the Acid sulfate soils overlay maps in **Schedule 2 (Mapping)** identify the following areas potentially subject to acid sulfate soils:-
(a) Area 1 (land at or below 5 metres AHD);
(b) Area 2 (land above 5 metres AHD and below 20m AHD).

[3] Footnote—Ahern CR, Ahern MR and Powell B (1998). Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils (ASS) in Queensland. Department of Natural Resources, Indooroopilly.

[4] Footnote—Ahern CR, McElnea AE and Sullivan LA (2004). Acid Sulfate Soils Laboratory Methods Guidelines. Department of Natural Resources and Mines, Indooroopilly.

Performance outcomes	Acceptable outcomes
	Guidelines and soil analyses according to the *Laboratory Methods Guidelines* or Australian Standard 4969; (b) neutralising existing acidity and preventing the generation of acid and metal contaminants using strategies documented in the *Soil Management Guidelines*[5]; and (c) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment. **AO1.2** Where potential or actual ASS are identified, they are managed in accordance with an ASS management plan. Editor's note—the **Planning scheme policy for information Council may request, and preparing well made applications and technical reports** provides guidance for the preparation of an ASS management plan.

[5] Footnote—Dear SE, Moore NG, Dobos SK, Watling KM and Ahern CR (2002). Soil Management Guidelines. Queensland Acid Sulfate Soils Technical Manual. Department of Natural Resources and Mines, Indooroopilly.

8.2.2 Agricultural land overlay code[6]

8.2.2.1 Application

This code applies to development:-

(a) subject to Agricultural Land Classification (ALC) Class A and Class B land identified in the SPP interactive mapping system; and

(b) identified as requiring assessment against the Agricultural land overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.2.2 Purpose and overall outcomes

(1) The purpose of the Agricultural land overlay code is to ensure that agricultural land is protected from development that leads to its alienation, fragmentation or diminished productivity.

(2) The purpose of the code will be achieved through the following overall outcome:-

(a) the ongoing productive use of Agricultural Land Classification (ALC) Class A and Class B land for agricultural purposes is maintained and protected by ensuring that:-

(i) ALC Class A and Class B land is protected and remains available for productive and sustainable agricultural and rural pursuits, unless:-
A. there is an overriding need in terms of public benefit; and
B. there is no alternative site suitable for the particular purpose; and
C. the impact on productive agricultural land has been avoided and minimised;
(ii) conflict between farming activities and sensitive land uses is avoided by establishing effective separation distances and buffers;
(iii) further fragmentation of ALC Class A and Class B land as a result of reconfiguring a lot is avoided; and
(iv) development avoids adverse impacts on ALC Class A and Class B land from land degradation and stormwater run-off.

8.2.2.3 Specific benchmarks for assessment

Table 8.2.2.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Conservation of Agricultural Land Classification (ALC) Class A and Class B land	
PO1 Development on ALC Class A and Class B land is limited to:- (a) rural uses that make use of and rely upon the quality of the agricultural land resource; (b) complementary uses that are essential to on-site farming practice.	**AO1.1** Development on ALC Class A and Class B land is limited to the following:- (a) uses in the Rural activities activity group, excluding permanent plantation; (b) complementary uses in the form of caretaker's accommodation, dwelling house, home-based business, landing and nature based tourism. **AO1.2** Development ensures that for any site, the total area of ALC Class A and Class B land covered by all of the following does not exceed 1,000m² or 10% of the site, whichever is the lesser:- (a) buildings and structures except for buildings and structures associated with the primary use and used for a productive purpose; (b) on-site car and truck parking, access and manoeuvring areas; (c) on-site waste water treatment systems and sub-surface irrigation areas. Note—other uses or development will only be permitted to occur on ALC Class A and Class B land where:- (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; and

[6] Editor's note—Agricultural Land Classification (ALC) Class A and Class B land is identified in the SPP interactive mapping system under the 'Economic Growth' theme, subsection 'Agriculture'.

Performance outcomes	Acceptable outcomes
	(c) loss or fragmentation of ALC Class A and Class B land is minimised to the extent possible.
Avoidance or mitigation of land use conflicts	
PO2 Development for residential activities and other sensitive land uses does not adversely impact on the ongoing operational efficiency and productive agricultural use of ALC Class A and Class B land. Note—to demonstrate compliance with this performance outcome, an assessment of appropriate separation distances and buffers between the proposed development and areas of ALC Class A and Class B land may need to be undertaken in accordance with the *State Planning Policy Guideline: State Interest—Agriculture.*	**AO2** No acceptable outcome provided.
Reconfiguring a lot and rearrangement of lot boundaries	
PO3 Reconfiguring a lot involving ALC Class A and Class B land does not result in lot sizes or lot configurations that lead to:- (a) fragmentation of rural land and loss of land to viable rural production; (b) the potential for conflict between existing or potential agricultural production and proposed lots intended for residential or rural residential use; (c) loss of flexibility in the way landholdings are used for agricultural production.	**AO3** Development ensures that the minimum lot size of all created lots complies with **Table 9.4.3.3.2 (Minimum lot size and dimensions)** of the Reconfiguring a lot code.
PO4 The boundaries of existing lots containing ALC Class A and Class B land are not rearranged, unless it can be demonstrated that a rearrangement of lot boundaries would:- (a) aggregate ALC Class A and Class B land resources and maximise the utility of the land for agricultural purposes; (b) provide for better land management; and (c) not give rise to, or worsen, land use conflicts between agricultural and residential land uses.	**AO4** No acceptable outcome provided.
Sediment and stormwater run-off	
PO5 Development for non-agricultural purposes is located, designed and constructed to minimise the impact of sediment and stormwater run-off on ALC Class A and Class B land.	**AO5** No acceptable outcome provided.

8.2.3 Airport and aviation facilities overlay code[7]

8.2.3.1 Application

This code applies to development:-

(a) subject to the airport and aviation facilities identified in the SPP interactive mapping system; and

(b) identified as requiring assessment against the Airport environs overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.3.2 Purpose and overall outcomes

(1) The purpose of the Airport environs overlay code is to protect and maintain the operational efficiency and safety of the Bundaberg Airport and aviation facilities and avoid land use conflicts.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) the safety of aircraft operating within the airport's operational airspace is maintained and enhanced;

Note—operational airspace includes the areas and vertical dimensions of an airport's obstacle limitation surface (OLS).

(b) sensitive land uses and other incompatible activities are appropriately located and designed to ensure that these uses and activities do not adversely impact on airport operations;

(c) the risk of public safety being compromised by incidents in the take-off and landing phases of aircraft operations is minimised;

(d) development protects aviation facilities including navigation, communication and surveillance facilities from incompatible land uses, buildings, structures and works.

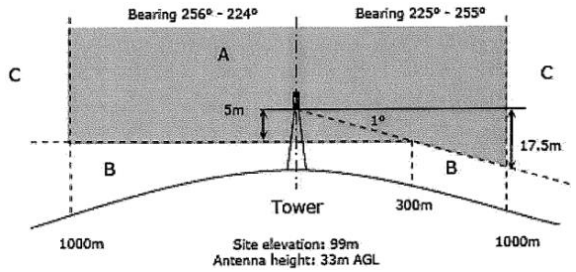
8.2.3.3 Specific benchmarks for assessment

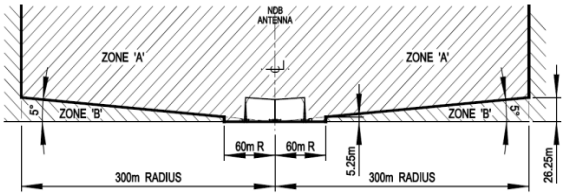
Table 8.2.3.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Obstructions and hazards	
PO1 Development does not cause an obstruction or hazard to the safe movement of aircraft through the temporary or permanent intrusion of physical structures into the airport's operational airspace, particularly take-off and approach flight paths.	**AO1** Buildings, structures (both freestanding and attached to buildings, including signs, masts or antennae) and vegetation at its mature height do not intrude into the obstacle limitation surface (OLS) of the airport. Editor's note—where proposed development is likely to intrude into the OLS of the airport, it is highly recommended that CASA and Airservices Australia be consulted prior to the lodgement of any development application to determine how compliance with performance outcome PO1 can be achieved.
PO2 Development does not cause an obstruction or hazard to the safe movement of aircraft within the airport's operational airspace through the attracting of wildlife, in particular flying vertebrates such as birds or bats, in significant numbers.	**AO2.1** Uses involving the bulk handling or disposal of putrescible waste, such as landfill and waste transfer facilities, are not located within a wildlife hazard buffer zone (i.e. within 13km of an airport's runway). **OR** Where increasing the intensity or scale of an existing use involving the bulk handling or disposal of putrescible waste within a wildlife hazard buffer zone (i.e. within 13km of an airport's runway), development includes measures to reduce the potential to attract birds and bats.

[7] Editor's note—the following elements referred to in this code are identified in the SPP interactive mapping system under the 'Infrastructure' theme, subsection 'Strategic airports and aviation facilities':-
(a) obstacle limitation surfaces (OLS);
(b) Australian noise exposure forecast (ANEF) contours;
(c) airport public safety areas;
(d) lighting area buffer and wildlife hazard buffer zones; and
(e) aviation facilities and associated building restricted areas.

Performance outcomes	Acceptable outcomes
	AO2.2 Uses involving the following activities are not located within the 3km wildlife hazard buffer zone:- (a) aquaculture, except where using a recirculating aquaculture system contained within sheds; (b) intensive animal industry; (c) animal keeping, where involving a wildlife or bird sanctuary; and (d) industrial uses, where involving food processing plants or stock handling or slaughtering. **AO2.3** Where uses or activities listed in AO2.2 (above) are located between the 3km and 8km wildlife hazard buffer zones:- (a) potential food and waste sources are covered or otherwise secured so they do not present a food source for domestic or other wildlife; and (b) development includes measures to reduce the potential to attract birds and bats. **AO2.4** Where recreation and entertainment facilities involving fair grounds, show grounds, outdoor theatres or outdoor cinemas are located within the 3km wildlife hazard buffer zone, potential food and waste sources are covered or otherwise secured so they are not accessible to wildlife. **AO2.5** Landscaping and drainage works (including artificial waterbodies) for development located within the 3km wildlife hazard buffer zone, are designed and installed to minimise bird and bat attracting potential (such as avoidance of fruiting and/or flowering plant species).
PO3 Development does not cause an obstruction or hazard to the safe movement of aircraft within the airport's operational airspace through the installation of external lighting that could distract or interfere with a pilot's vision, or confuse the visual identification of runway, approach or navigational lighting from the air.	**AO3** Outdoor lighting (including street lighting and security lighting) located within a lighting area buffer zone does not involve:- (a) lighting that shines, projects or reflects above a horizontal plane; (b) coloured, flashing or sodium lighting; (c) flare plumes; and (d) configurations of lights in straight parallel lines 500m to 1,000m in length.
PO4 Development does not cause an obstruction or hazard to the safe movement of aircraft within an airport's operational airspace through the emission of particulates, gases or other materials that may cause air turbulence, reduce visibility or affect aircraft engine performance.	**AO4** Development does not release the following emissions into operational airspace:- (a) gaseous plumes with a velocity exceeding 4.3m/second; (b) smoke, dust, ash or steam; or (c) emissions with depleted oxygen content.
Aircraft noise	
PO5 Development and land uses that are sensitive to noise interference or noise nuisance:- (a) avoid noise affected areas surrounding the airport; or (b) are sited, designed and constructed to mitigate noise nuisance to acceptable levels.	**AO5** The following uses, or the creation of additional lots to accommodate these uses, are not located on land subject to the nominated Australian noise exposure forecast (ANEF) contour:- (a) permanent forms of residential accommodation within the 20 ANEF contour (or greater); (b) visitor or temporary accommodation uses including hotel, short-term accommodation and tourist park within the 25 ANEF contour (or greater);

Performance outcomes	Acceptable outcomes
	(c) community uses including child care centre, community care centre, community use, educational establishment, health care services and place of worship within the 20 ANEF contour (or greater); (d) business or entertainment uses including food and drink outlet, function facility, service industry, shop, shopping centre, showroom and tourist attraction within the 25 ANEF contour (or greater); (e) industry uses including low impact industry and research and technology industry within the 30 ANEF contour (or greater). **OR** Development located within the ANEF contours mentioned above is designed and constructed to attenuate aircraft noise in accordance with *Australian Standard AS 2021: Acoustics—Aircraft noise intrusion—Building siting and construction*. Note—AS2021 considers aircraft noise impacts on indoor spaces only. Noise impacts on outdoor use areas will require separate assessment to determine whether noise levels can be mitigated to be within acceptable limits.
Public safety areas	
PO6 Development within the public safety areas located at the end of airport runways avoids:- (a) a significant increase in the number of people living, working or congregating in those areas; and (b) the use or storage of hazardous materials.	**AO6** Development within a public safety area does not introduce or intensify:- (a) residential, business, entertainment, industrial, community or recreation activities; or (b) any uses involving the production, manufacture or bulk storage of flammable or hazardous goods or materials.
Aviation facilities	
PO7 Development ensures that temporary or permanent physical structures located within an aviation facility's building restricted area do not interfere with the safe and continued functioning of the aviation facility.	**AO7.1** Buildings, structures, trees, fences or any other physical obstructions (including overhead power and telecommunications cables) located in the building restricted area of the Sloping Hummock VHF facility:- (a) do not penetrate into Area A as identified on **Figure 8.2.3A (Sloping Hummock VHF facility building restricted area)**; and (b) are wholly contained within Area B as identified on **Figure 8.2.3A**. Note—there are no constraints to development located in Area C as identified on **Figure 8.2.3A**. **Figure 8.2.3A Sloping Hummock VHF facility building restricted area**  Notes— 1. The Sloping Hummock VHF facility provides air/ground radio communications between air traffic controllers and aircraft in the Bundaberg region and on the ground at Bundaberg Airport. To provide this service the facility

Performance outcomes	Acceptable outcomes
	requires unobstructed line of sight to the horizon in all directions and to the airport. 2. The building restricted area marked in the diagram is defined with respect to the base of the Airservices Australia VHF antenna mounted on Telstra's tower. Special consideration is to be given for the area towards Bundaberg Airport (225° to 255°). **AO7.2** Buildings, structures, trees, fences or any other physical obstructions (including overhead power and telecommunications cables) located in the building restricted area of the Bundaberg Airport non-directional beacon (NDB) facility:- (a) do not penetrate into 'Zone A' as identified on **Figure 8.2.3B (Bundaberg Airport NDB facility building restricted area)**; and (b) are wholly contained within 'Zone B' as identified on **Figure 8.2.3B**. **Figure 8.2.3B Bundaberg Airport NDB facility building restricted area**  **AO7.3** For all other aviation facilities—no acceptable outcome provided.

8.2.4 Biodiversity areas overlay code[8] [9]

8.2.4.1 Application

This code applies to development:-

(a) subject to biodiversity areas identified in the SPP interactive mapping system or on premises otherwise determined to contain areas of environmental significance; and

(b) identified as requiring assessment against the Biodiversity areas overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.4.2 Purpose and overall outcomes

(1) The purpose of the Biodiversity areas overlay code is to ensure that:-

(a) areas of environmental significance are protected;

(b) ecological connectivity is maintained or improved, habitat extent is maintained or enhanced and degraded areas are rehabilitated;

(c) wetlands and watercourses are protected, maintained, rehabilitated and enhanced;

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) development conserves and enhances the Bundaberg region's biodiversity values and associated ecosystem services;

(b) development is not located in an ecologically important area, unless:-
(i) there is an overriding need for the development in the public interest;
(ii) there is no feasible alternative; and
(iii) any adverse impacts incurred are minimised and, where appropriate to the circumstances, compensated by ecological improvements elsewhere that result in a net gain and enhancement to the overall habitat values of the Bundaberg Region.

(c) development protects and establishes appropriate buffers to native vegetation and significant fauna habitat;

(d) development protects known populations and supporting habitat of:-

(i) endangered, vulnerable and near threatened flora and fauna species, as listed in the (State) *Nature Conservation Act 1992*, *Nature Conservation (Wildlife) Regulation 2006;*
(ii) threatened species and ecological communities as listed in the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*;

(e) development protects environmental values and achieves the prescribed water quality objectives for waterways and wetlands in accordance with the *Environmental Protection Policy (Water) 2009*;

(f) development protects and enhances the ecological values and processes, physical extent and buffering of watercourses and wetlands.

8.2.4.3 Specific benchmarks for assessment

Table 8.2.4.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Protection of matters of environmental significance	
PO1 Development avoids significant impacts on, areas of environmental significance, unless there is an overriding need for the development	**AO1** Development is located outside of areas of environmental significance and will not result in a

[8] Editor's note—biodiversity areas are identified as Matters of State Environmental Significance (MSES) in the SPP interactive mapping system under the 'Environment and heritage' theme, subsection 'Biodiversity', and include protected areas, wildlife habitat, regulated vegetation, marine parks, declared fish habitat areas, wetlands, watercourses and associated buffer areas.

[9] Editor's note—buffer areas for Matters of State Environmental Significance (MSES) are not identified in the SPP interactive mapping system, but are identified as areas within a specified distance from a mapped wetland or watercourse.

Performance outcomes	Acceptable outcomes
in the public interest and there is no feasible alternative.	significant impact on the relevant environmental values. **OR** The development site does not contain any matters of environmental significance. Editor's note—a report certified by an appropriately qualified person may be required to demonstrate:- (a) that the development will not result in significant impacts on relevant environmental values; (b) that a site does not contain any matters of environmental significance, or that the extent of the area of environmental significance is different to that mapped; (c) how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.
PO2 Development is located, designed and operated to mitigate significant impacts on the relevant environmental values.	**AO2** No acceptable outcome provided.
PO3 Development avoids the introduction of non-native pest species (plant or animal) that pose a risk to ecological integrity, and manages existing pest species. Editor's note—Pest species may need to be controlled by adopting pest management practices that provide for long-term ecological integrity.	**AO3** No acceptable outcome provided.
Development adjacent to a wetland	
PO4 An adequate buffer to a wetland is provided and maintained to assist in the maintenance of water quality, existing hydrological characteristics, habitat and visual amenity values.	**AO4.1** A wetland buffer is provided and maintained which has a minimum width of:- (a) 50m where the wetland is located within an urban or rural residential zoned area; or (b) 200m where the wetland is located outside an urban or rural residential zoned area. Editor's note – Where an alternative wetland buffer is proposed, an evaluation of the environmental values, functioning and threats to matters of environmental significance may be required to justify the proposed width of the buffer. **AO4.2** Development involving vegetation clearing or high impact earthworks does not occur in a wetland buffer. Editor's note—high impact earthworks has the meaning given in the *Planning Regulation 2017*.
Improving ecological corridors and expanding habitat extent of ecological corridors	
PO5 Existing ecological corridors are protected, and where possible enhanced, and have dimensions and characteristics that will:- (a) effectively link habitats on and/or adjacent to the development site; (b) facilitate the effective movement of terrestrial and aquatic fauna accessing and/or using the development site as habitat. Editor's note—ecological corridors are identified conceptually on **Strategic Framework Map SFM-004 (Natural environment and landscape character elements)**,	**AO5** Development retains, regenerates and rehabilitates native vegetation within a corridor. Editor's note—where an ecological corridor is required to facilitate fauna movement, access or use of on-site habitat, the dimensions and characteristics of the ecological corridor will need to be determined by a site-specific ecological assessment.

Performance outcomes	Acceptable outcomes
PO6 Development near an ecological corridor mitigates adverse impacts on native fauna feeding, nesting, breeding and roosting sites and native fauna movements, including (but not limited to):- (a) ensuring that development (e.g. roads, pedestrian access, in-stream structures) during both the construction and operation phases does not create barriers to the movement of fauna into, along or within ecological corridors; (b) providing wildlife movement infrastructure where necessary and directing fauna to locations where wildlife movement infrastructure has been provided to enable fauna to safely negotiate a development area; and (c) separating fauna from potential hazards (e.g. through appropriate fencing).	**AO6** No acceptable outcome provided.
Impact on habitat of threatened species	
PO7 Development protects the habitat of endangered, vulnerable and near threatened species and local species of significance, including by incorporating siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site.	**AO7** No acceptable outcome provided.
PO8 Human disturbance, such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts, are avoided or adverse impacts sufficiently mitigated to retain critical life stage ecological processes (such as feeding, breeding or roosting).	**AO8** No acceptable outcome provided.
Buffering and protection of watercourses	
PO9 Development:- (a) retains, enhances and maintains the environmental values and functioning of watercourses; (b) provides and maintains adequate vegetated buffers and setbacks to watercourses; (c) maintains and restores connectivity between aquatic habitats and access for fish along watercourses/waterways and into key habitats.	**AO9.1** Development is not located within a watercourse buffer. Editor's note—watercourse buffer distances on either side of a mapped watercourse are 50m in an urban or rural residential zoned area or for a stream order 1 or 2 and 100m elsewhere. **AO9.2** Development does not involve the removal of native vegetation from a watercourse or watercourse buffer. **AO9.3** Cleared, degraded or disturbed watercourses and watercourse buffer areas within the site are rehabilitated along their full length in accordance with a detailed rehabilitation plan, approved by the Council. Note—a rehabilitation plan should include:- (a) appropriate rehabilitation and restoration methods for bed/banks and in-stream and watercourse vegetation for watercourses; (b) management measures of weed species; (c) consideration of fauna habitat (including relevant international agreements such as CAMBA, JAMBA and Ramsar);

Performance outcomes	Acceptable outcomes
	(d) provision of buffers in the form of riparian vegetation and separation by way of distance between the development and the vegetated buffers; (e) proposed planting regimes (utilising species appropriate to the area); (f) proposed measures for the protection of vegetation and habitat whilst rehabilitation works are being undertaken. **AO9.4** Development is undertaken in accordance with an approved environmental management plan that protects the watercourse.
PO10 All in-stream development works ensures that movement of fish across watercourse/ waterway barriers is catered for and that lateral and longitudinal migrations can be maintained within the whole of the system.	**AO10** No acceptable outcome provided.
PO11 Bank stability, channel integrity and in-stream habitat is protected from degradation and maintained or improved at a standard commensurate with pre-development environmental conditions.	**AO11** No direct interference or modification of watercourse channels, banks or riparian and in-stream habitat occurs.
PO12 Development ensures that the natural surface water and groundwater hydrologic regimes of watercourses and associated buffers are maintained to the greatest extent possible.	**AO12** Existing natural flows of surface and groundwater are not altered through channelization, redirection of interruption of flows.
PO13 Development on land adjacent to a watercourse maintains an appropriate extent of public access to watercourses and minimises edge effects.	**AO13** Development adjacent to a watercourse provides that:- (a) no new lots directly back onto the riparian area; and (b) any new roads are located between the watercourse buffer and the proposed development areas.

8.2.5 Bushfire hazard overlay code[10]

8.2.5.1 Application

This code applies to development:-

(a) subject to bushfire hazard areas identified in the SPP interactive mapping system; and

(b) identified as requiring assessment against the Bushfire hazard overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

Note—the Building Code of Australia (BCA) and the Queensland Development Code (QDC) contain provisions applying to Class 1, 2, 3 and associated Class 10a buildings in bushfire prone areas. "Designated bushfire prone areas" for the purposes of the *Building Regulation 2006* (section 12), the BCA and QDC are identified as medium hazard, high hazard or very high hazard areas in the SPP interactive mapping system.

8.2.5.2 Purpose and overall outcomes

(1) The purpose of the Bushfire hazard overlay code is to ensure that development avoids or mitigates the potential adverse impacts of bushfire on people, property, economic activity and the environment.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) development in areas at risk from bushfire hazard is compatible with the nature of the hazard;

(b) the risk to people, property and the natural environment from bushfire hazard is minimised;

(c) wherever practical, community infrastructure essential to the health, safety and wellbeing of the community is located and designed to function effectively during and immediately after a bushfire event;

(d) development does not result in a material increase in the extent or severity of bushfire hazard;

(e) the loss of vegetation through inappropriately located development is minimised;

(f) development is sited and designed to assist emergency services in responding to any bushfire threat.

8.2.5.3 Specific benchmarks for assessment

Table 8.2.5.3.1 Requirements for development accepted subject to requirements and benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Dual occupancy and dwelling house	
PO1 The dual occupancy or dwelling house is provided with an adequate water supply for fire fighting purposes which is reliable, safely located and freely accessible.	**AO1.1** Premises are connected to a reticulated water supply infrastructure network. **OR** Where there is no reticulated water supply:- (a) each dwelling is provided with a minimum water supply capacity of 5,000L dedicated for fire fighting purposes; and (b) the water supply dedicated for fire fighting purposes is:- (i) sourced from a separate tank; or where sourced from the main water supply tank for the dwelling, the building's take off connection from the tank is at a level that

[10] Editor's note—medium, high and very high bushfire hazard areas are identified as 'medium, high and very high potential bushfire intensity areas' in the SPP interactive mapping system under the 'Safety and resilience to hazards' theme, subsection 'Natural hazards risk and resilience'.

Performance outcomes	Acceptable outcomes
	allows 5,000L to be dedicated for firefighting purposes; (ii) provided with a hardstand area allowing heavy rigid fire appliance access within 6m of the tank. **AO1.2** The water supply outlet for fire fighting purposes is:- (a) located remote from any potential fire hazards such as venting gas bottles; and (b) provided with an outlet pipe 50mm in diameter and fitted with a 50mm male camlock (standard rural fire brigade fitting).

Table 8.2.5.3.2 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Bushfire hazard assessment and management	
PO2 Bushfire mitigation measures are adequate for the potential bushfire hazard level of the site, having regard to the following:- (a) vegetation type; (b) slope; (c) aspect; (d) on-site and off-site bushfire hazard implications of the particular development; (e) bushfire history; (f) conservation values of the site; (g) ongoing maintenance. Note—where a bushfire hazard assessment and management plan has previously been approved for the development proposed on the site (e.g. as part of a prior approval), design of the proposed development in accordance with that plan shall be taken as achieving compliance with this performance outcome of the code.	**AO2.1** The level of bushfire hazard shown on the SPP interactive mapping system is confirmed via the preparation of a site-specific bushfire hazard assessment and management plan, prepared in accordance with the **Planning scheme policy for information Council may request, and preparing well made applications and technical reports**. **AO2.2** Development is located, designed and operated in accordance with a Council-approved bushfire hazard assessment and management plan prepared in accordance with the **Planning scheme policy for information Council may request, and preparing well made applications and technical reports**.
Safety of people and property	
PO3 Development maintains the safety of people and property from the adverse impacts of bushfire by avoiding a higher concentration of people living or congregating in bushfire hazard areas.	**AO3** Development which will materially increase the number of people living or congregating on premises, including reconfiguring a lot, avoids confirmed medium, high or very high bushfire hazard areas. This includes, but is not limited to, the following uses:- (a) child care centre; (b) community care centre; (c) community residence; (d) community use; (e) correctional facility; (f) educational establishment; (g) emergency services; (h) hospital; (i) indoor sport, recreation and entertainment; (j) outdoor sport, recreation and entertainment; (k) relocatable home park; (l) residential care facility; (m) retirement facility; (n) tourist attraction; and (o) tourist park. Note—the level of bushfire hazard shown on the SPP interactive mapping system is to be confirmed via the preparation of a site-specific bushfire hazard assessment and management plan, prepared in accordance with the **Planning scheme policy for information Council may request, and preparing well made applications and technical reports.**

Performance outcomes	Acceptable outcomes
Community infrastructure	
PO4 Community infrastructure is able to function effectively during and immediately after bushfire events.	**AO4** Community infrastructure is not located within a confirmed medium, high or very high bushfire hazard area. **OR** Where located in a confirmed medium, high or very high bushfire hazard area, development involving community infrastructure is designed to function effectively during and immediately after bushfire events in accordance with a bushfire hazard assessment and management plan prepared in accordance with the **Planning scheme policy for information Council may request, and preparing well made applications and technical reports**.
Hazardous materials	
PO5 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	**AO5** Development involving the manufacture or storage of hazardous materials in bulk is not located within a confirmed medium or high bushfire hazard area.
Access and evacuation routes	
PO6 Where development involves provision of a new public or private road, the layout, design and construction of the road:- (a) allows easy and safe movement away from any encroaching fire; (b) allows easy and safe access for fire fighting and other emergency vehicles; and (c) provides for alternative safe access and evacuation routes should access in one direction be blocked in the event of a fire.	**AO6.1** The road layout provides for "through roads" and avoids culs-de-sac and "dead end" roads (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-sac to other through roads). **AO6.2** Roads have a maximum gradient of 12.5%.
Fire breaking trails	
PO7 Fire breaking trails are located, designed and constructed to mitigate against bushfire hazard by:- (a) ensuring adequate access for fire fighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; (c) providing for the separation of developed areas and adjacent bushland.	**AO7** Where development involves the creation of a new road, fire breaking trails are:- (a) provided along and within a cleared road reserve having a minimum width of 20m; (b) a maximum gradient of 12.5%; (c) located between the development site and hazardous vegetation. **OR** Where development does not involve the creation of a new road, fire breaking trails are provided between the development site and hazardous vegetation. Such fire breaking trails:- (a) have a cleared minimum width of 6m; (b) have a maximum gradient of 12.5%; (c) provide continuous access for fire fighting vehicles; (d) allow for vehicle access every 200m; (e) provide passing bays and turning areas for fire fighting appliances at frequent intervals (e.g. typically every 200m); (f) have a minimum cleared height of 4m; (g) have a formed width, gradient and erosion control devices, and are provided to all-weather standard; and

Performance outcomes	Acceptable outcomes
	(h) are located within an access easement that is granted in favour of the Council and the Queensland Fire and Rescue Service.
Lot layout	
PO8 The lot layout of new development is designed to:- (a) mitigate any potential bushfire hazard; (b) provide safe building sites.	**AO8.1** Residential lots are designed so their size and shape allow for efficient emergency access to buildings for fire fighting appliances (e.g. by avoiding battle-axe/hatchet lots and long narrow lots with long access drives to buildings). **AO8.2** Residential lots are designed to provide building envelopes in locations of lowest hazard within the lot.
Water supply for fire fighting purposes	
PO9 Development provides an adequate water supply for fire fighting purposes which is reliable, safely located and freely accessible.	**AO9.1** Premises are connected to a reticulated water supply with a minimum pressure and flow of 10 litres a second at 200kPA at all times. **OR** Where there is no reticulated water supply:- (a) the premises has a minimum water supply capacity of 5,000L dedicated for fire fighting purposes; and (b) the water supply dedicated for fire fighting purposes is sourced from:- (i) a separate tank; or (ii) a reserve section in the bottom part of the main water supply tank; or (iii) a swimming pool; or (iv) a dam. **AO9.2** The water supply outlet for fire fighting purposes is:- (a) located remote from any potential fire hazards such as venting gas bottles; (b) provided with an outlet pipe 50mm in diameter and fitted with a 50mm male camlock (standard rural fire brigade fitting); and (c) provided with an appropriate area stabilised for all-weather use by fire vehicles and which is located within 6m of the outlet or, where applicable, a swimming pool or dam.

8.2.6 Coastal protection overlay code[11]

8.2.6.1 Application

This code applies to development:-

(a) subject to a coastal setback line in the Coastal protection overlay shown on the overlay maps contained within **Schedule 2 (Mapping)** or a coastal management district or erosion prone area identified on the SPP interactive mapping system; and

(b) identified as requiring assessment against the coastal protection overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.6.2 Purpose and overall outcomes

(1) The purpose of the Coastal protection overlay code is to:-

(a) protect people and property from coastal hazards;

Editor's note—'coastal hazard' is defined in the *Coastal Protection and Management Act 1995* and means erosion of the foreshore or tidal inundation. Storm tide inundation is addressed in the Flood hazard overlay code.

(b) protect coastal resources and their values to the greatest extent practicable;

(c) ensure that decisions about coastal development take appropriate account of the predicted effects of climate change, including sea level rise;

(d) maintain or enhance public access to the coast;

(e) support opportunities for coastal-dependent development and maritime development in appropriate locations along the coast.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) development allows for natural fluctuations of the coast as far as practicable, including appropriate allowance for climate change and sea level rise;

(b) unless explicitly anticipated by the planning scheme through the allocation of zones, development within an erosion prone area avoids:-

(i) intensification of existing uses;
(ii) new permanent built structures; or
(iii) seaward extensions to existing built structures;

(c) development avoids adverse impacts to coastal landforms and alterations to physical coastal processes and, as far as practicable, avoids the need for coastal protection works;

(d) development preserves the integrity of the coastal setback line as the defined seaward boundary for building work and other development adjacent to the beachfront;

(e) development maintains public access to the coast consistent with maintaining public safety and conserving coastal resources;

(f) development preserves opportunities for locating coastal-dependant land uses in areas adjoining tidal waters.

[11] Editor's note—coastal protection areas referred to in this code include:-
(a) the coastal management district identified in the SPP interactive mapping system under the 'Environment and heritage' theme, subsection 'Coastal environment'; and
(b) the erosion prone area identified in the SPP interactive mapping system under the theme 'Hazards and safety', subsection 'Natural hazards risk and resilience'; and
(c) coastal setback lines shown on the overlay maps contained within **Schedule 2 (Mapping)**.

8.2.6.3 Specific benchmarks for assessment

Table 8.2.6.3.1 Requirements for development accepted subject to requirements and benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Dual occupancy and dwelling house	
PO1 The dual occupancy or dwelling house is sited and designed to protect people and property from coastal hazards and avoid the need for additional coastal protection works. Note—PO1 is alternative provisions to QDC MP1.1, P2 and QDC MP1.2, P2 where it relates to a rear boundary only.	**AO1** All buildings and other permanent structures are setback at least 6m landward of the coastal setback line for the site. **OR** Where there is no coastal setback line for the site, and the site adjoins the beachfront or a beachfront reserve, all buildings and permanent structures are located:- (a) landward or equal to the seaward alignment of any buildings on neighbouring properties; or (b) where there are no neighbouring properties, at least 6m from the seaward property boundary of the site. Note—'permanent structures' includes swimming pools and retaining walls. Note—AO1 is alternative provisions to QDC MP1.1, A2 and QDC MP1.2, A2 where it relates to a rear boundary only.

Table 8.2.6.3.2 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Development in the erosion prone area	
PO2 Except in limited circumstances, erosion prone areas in a coastal management district are:- (a) maintained as development-free buffers; or (b) where permanent buildings or structures exist, coastal erosion risks are avoided or mitigated.	**AO2** Development is situated wholly outside of an erosion prone area in a coastal management district, except where:- (a) essential community infrastructure; (b) temporary and/or relocatable development; (c) redevelopment; or (d) coastal-dependent development.
PO3 Development for essential community infrastructure or temporary and/or relocatable development:- (a) demonstrates that it is not feasible to locate the development outside the erosion prone area; and (b) provides for built structures to be located landward of the alignment of adjacent habitable buildings; or (c) where the achievement of (b) (above) is not reasonably practicable, provides for built structures to be located as far landward as practicable. Editor's note—'essential community service infrastructure' and 'temporary and/or relocatable development' are defined in **Schedule 1 (Definitions)**.	**AO3** No acceptable outcome provided.
PO4 Redevelopment:- (a) relocates built structures outside the erosion prone area; or (b) relocates built structures landward of the alignment of adjacent habitable buildings; and	**AO4** No acceptable outcome provided.

Performance outcomes	Acceptable outcomes
(c) provides sufficient space seaward of the development within the premises to allow for the construction of erosion control structures, such as a sea wall.	
PO5 Redevelopment that intensifies the use of a site in an urban area mitigates any increase in risk to people and property from adverse coastal erosion impacts.	**AO5** Redevelopment that intensifies the use of a site in an urban area:- (a) incorporates a layout that minimises the footprint of the development within the erosion prone area and locates the development as far landward as possible; (b) utilises appropriate foundations for the building or structure; (c) installs and maintains on-site erosion control structures. Note—mitigation measures should take account of the practicable design life of the development in the context of the future erosion threat.
PO6 Coastal-dependent development mitigates any increase in risk to people and property from adverse coastal erosion impacts. Editor's note—'Coastal-dependent development' is defined in **Schedule 1 (Definitions)**.	**AO6** Coastal-dependent development:- (a) installs and maintains coastal protection works to mitigate adverse impacts to people and property from coastal erosion at the location; or (b) locates, designs and constructs relevant buildings or structures to withstand coastal erosion impacts. Note—a development application may be required to provide the following information to demonstrate compliance with the performance outcome:- (a) assessment of the erosion hazard at a property scale; (b) plans showing the intended location, materials and method of construction for any structures; (c) a report certified by a registered professional engineer that demonstrates the performance outcome will be achieved.
Coastal setback lines	
PO7 New development or the intensification of existing development on a site subject to a coastal setback line is located and designed to protect people and property from coastal hazards and avoid the need for additional coastal protection works.	**AO7** All buildings and other permanent structures are setback at least 6m landward of the coastal setback line for the site. Note—'permanent structures' includes swimming pools and retaining walls.
Reconfiguring a lot within the coastal management district	
PO8 Subject to the provisions of the *Coastal Protection and Management Act 1995*, where land within the coastal management district is proposed to be reconfigured to create additional lots, the erosion prone area is to be maintained as a development free buffer zone, unless there is substantial development seaward of the development site.	**AO8.1** Where reconfiguration of a lot is proposed within the coastal management district, the erosion prone area within the lot, or land within 40m of the foreshore (whichever is the greater), is surrendered to the State for public use. **AO8.2** The surrendered land within the coastal management district is:- (a) placed in a State land reserve for beach protection and coastal management purposes under the *Land Act 1994* with Council as trustee; or (b) managed for beach protection and coastal management purposes under another management regime to the satisfaction of the chief executive administering the *Coastal Protection and Management Act 1995* and *Land Act 1994*.

Performance outcomes	Acceptable outcomes
Public access to coastal land	
PO9 Development:- (a) does not result in a net loss of public access to State coastal land (including the foreshore) and tidal waters; and (b) where practicable, provides enhanced opportunities for public access in a manner consistent with conserving coastal resources.	**AO9** Development is located, designed and operated in a manner that retains or enhances existing public access to State coastal land. **OR** Where loss of public access cannot practicably be avoided, development provides the same or a greater amount of new public access opportunities within, or in close proximity to, the site.

8.2.7 Extractive resources overlay code[12]

8.2.7.1 Application

This code applies to development:-

(a) subject to extractive resources identified in the SPP interactive mapping system; and

(b) identified as requiring assessment against the Extractive resources overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.7.2 Purpose and overall outcomes

(1) The purpose of the Extractive resources overlay code is to protect and maintain the sustainable and viable use of extractive resources by preventing incompatible development and land uses from encroaching on extractive resource/processing areas and associated separation areas and transport routes.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) development occurring within or adjacent to extractive resource areas does not adversely affect or impair the ability of existing or future extractive industries to viably win the resource;

(b) development occurring within or adjacent to transport routes for extractive resources does not constrain or otherwise conflict with the ongoing safe and efficient transportation of the extractive resource;

(c) the potential negative impacts of extractive industries on sensitive land uses within or adjacent to extractive resource areas and associated transport routes is mitigated to maintain high levels of safety and amenity.

8.2.7.3 Specific benchmarks for assessment

Table 8.2.7.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Development within resource/processing area	
PO1 Development within a resource processing area does not constrain, prevent or otherwise interfere with the current or future viability of the winning or processing of extractive resources.	**AO1** Development within the resource/processing area is limited to:- (a) extractive industry uses; (b) uses that are directly associated with an extractive industry; or (c) temporary or non-intensive uses that are compatible with future extractive industry operations.
Development within extractive resource separation area	
PO2 Development does not materially increase the number of people living within an extractive resource separation area.	**AO2.1** Development does not result in an increase in the scale or density of residential uses within an extractive resource separation area. **AO2.2** Reconfiguring a lot within an extractive resource separation area:- (a) does not result in the creation of additional lots used or capable of being used for residential purposes; and (b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available house sites and the resource or processing area.

[12] Editor's note— the following elements referred to in this code are identified in the SPP interactive mapping system under the 'Economic growth' theme, subsection 'Mining and extractive resources':-
(a) resource/ processing areas;
(b) resource separation areas; and
(c) transport route separation areas.

Performance outcomes	Acceptable outcomes
PO3 Development minimises the potential adverse impacts (e.g. noise, dust, vibration and blasting) arising from existing or future extractive industry operations upon people working or congregating within the extractive resource separation area.	**AO3** The number of people working or congregating in the extractive resource separation area is not increased. **OR** Development within the extractive resource separation area is compatible with the potential adverse impacts arising from existing or future extractive industry operations. **OR** Development within the extractive resource separation area incorporates design, orientation and construction measures that mitigate the potential adverse effects from existing or future extractive industry operations to acceptable levels. **OR** Development within the extractive resource separation area operates outside the normal hours of operation for existing or future extractive industry activities.
PO4 Extractive industry development maintains the function and integrity of the extractive resource separation area as an efficient and effective buffer between extractive/processing operations and incompatible uses beyond the separation area.	**AO4** Development for an extractive industry use is not located within the extractive resource separation area, unless it is demonstrated that extractive industry within the separation area will not impact on people or on the use of land outside the separation area.
Development within transport route separation areas	
PO5 Development does not materially increase the number of people living within the transport route separation area, and does not materially increase the number or intensity of sensitive and other incompatible land uses within the transport route separation area, unless it can be demonstrated that the impacts can be adequately mitigated.	**AO5.1** Development does not result in an increase in the scale or density of sensitive land uses (including residential uses), and other incompatible land uses, within the transport route separation area. **AO5.2** Reconfiguring a lot within a transport route separation area:- (a) does not result in the creation of additional lots used or capable of being used for residential purposes; (b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available house sites and the transport route.
PO6 Development involving a sensitive land use within a transport route separation area maintains an acceptable level of amenity.	**AO6** Development involving a sensitive land use within a transport route separation area ensures an acceptable level of amenity by:- (a) maintaining adequate separation distances; and (b) incorporating mitigation measures such as landscape buffer strips, mounding and screening.
PO7 Development does not adversely affect the safe and efficient movement and operation of vehicles transporting extractive materials along a transport route.	**AO7** The number of premises with access points to an identified transport route is not increased. **OR** Access points are designed to avoid adversely affecting the safe and efficient operation of vehicles transporting extractive materials along a transport route.

8.2.8 Flood hazard overlay code[13] [14]

8.2.8.1 Application

This code applies to development:-

(a) subject to the flood hazard shown on the Flood hazard maps adopted by Council; and

(b) identified as requiring assessment against the Flood hazard overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.8.2 Purpose and overall outcomes

(1) The purpose of the Flood hazard overlay code is to ensure that development protects people and avoids or mitigates the potential adverse impacts of flood and storm tide inundation on property, economic activity and the environment, taking into account the predicted effects of climate change.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) floodplains and the flood conveyance capacity of watercourses are protected;

(b) development in areas at risk from flood or storm tide inundation is compatible with the nature of the flood or storm tide hazard;

(c) the safety of people is protected and the risk of harm to property and the natural environment from flood and storm tide inundation is minimised;

(d) wherever practical, infrastructure essential to the health, safety and wellbeing of the community is located and designed to function effectively during and immediately after a flood or storm tide event;

(e) development does not result in a material increase in the extent or severity of flood or storm tide inundation.

8.2.8.3 Specific benchmarks for assessment

Table 8.2.8.3.1 Requirements for development accepted subject to requirements and benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Assessment benchmarks for dwelling houses	
PO1 Dwelling houses are resilient to flooding and storm tide inundation by ensuring that:- (a) they are sited and located to avoid or minimise risk to people and damage to property; and (b) essential infrastructure effectively maintains its function during and immediately after flood and storm tide events.	**AO1.1** The finished floor level of all habitable rooms of the dwelling house is at or above the flood hazard level (FHL). **OR** Where involving an extension to an existing dwelling house that is situated below the DFL and the extension constitutes less than 50% of the gross floor area of the existing building:- (a) the extension has a gross floor area not exceeding 50m²; and (b) the finished floor level of habitable rooms is not less than the floor level of existing habitable rooms. **OR**

[13] Editor's note—to demonstrate compliance with the relevant performance outcomes of this code, a site-based flood study that investigates the impact of the development on the floodplain may be required. The **Planning scheme policy for information Council may request, and preparing well made applications and technical reports** provides guidance for preparing a site-based flood study.

[14] Editor's note—the Flood hazard maps adopted by Council identify flood hazard areas (including storm tide inundation areas) for the Bundaberg Region declared by Council resolution under section 13 of the Building Regulation 2006, as referenced at **Section 1.7.4 (Other documents incorporated in the planning scheme)**.

Performance outcomes	Acceptable outcomes
	Where DFL data is not available, flood resilience is optimised by ensuring that the dwelling house (including extensions to an existing dwelling house):- (a) is elevated; and (b) located on the highest part of the site. Note—the highset 'Queenslander' style house is a resilient housing form in flood hazard areas. Editor's note—dwelling houses utilising slab on ground construction are generally inappropriate within flood hazard areas. **AO1.2** Infrastructure necessary to service the dwelling house is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFL. Notes— (a) The relevant building assessment provisions under the *Building Act 1975*, including QDC MP3.5 – Construction of Buildings in Flood Hazard Areas, apply to building work within a flood hazard area. (b) The Queensland Government Fact Sheet 'Repairing your house after a flood' provides information about water resilient products and building techniques. Editor's note—it is recommended that building materials and surface treatments used under the DFL are resistant to water damage and do not include wall cavities that may be susceptible to the intrusion of water and sediment. Council guidelines for building within a flood hazard area provide information and recommendations for improving resilience against scour and the forces of flood waters.
PO2 Dwelling houses do not directly, indirectly or cumulatively change flood characteristics which may cause adverse impacts external to the development site.	**AO2** Building work does not involve filling within a flood hazard area as identified on a Flood hazard map adopted by Council.
PO3 The height of dwelling houses does not negatively impact on the visual amenity and streetscape of the surrounding area as a result of the raising of floor levels for flood immunity purposes. Note—alternative provision to QDC MP1.1, P4 and MP1.2, P4.	**AO3** Where required to increase flood resilience of a dwelling house (or part of the dwelling) by raising the habitable floor height, the height of the building, when measured from ground level to the highest point of the building roof, is not greater than 9.5m. Note—alternative provision to QDC MP1.1, A4 and MP1.2, A4.

Table 8.2.8.3.2 Benchmarks for assessable development only

Performance outcomes	Acceptable outcomes
Development siting and design	
PO4 Development is sited and designed such that potential risk to people and damage to property on the site from flooding or storm tide inundation is avoided or minimised.	**AO4.1** There is no intensification of residential uses on premises situated below the DFL, including the development of dual occupancy and multiple residential uses. **AO4.2** No additional residential lots are created below the DFL. **AO4.3** Development that increases the number of people living or working in a flood or storm tide hazard area has an emergency evacuation plan for people to evacuate to a gathering point above the DFL in the face of advancing flood waters.

Performance outcomes	Acceptable outcomes
	AO4.4 Buildings and other structures are sited on the highest part of the site, or in the area of least hazard, to increase flood resilience. Notes— (a) The relevant building assessment provisions under the *Building Act 1975*, including QDC MP3.5 – Construction of Buildings in Flood Hazard Areas, apply to building work within a flood hazard area. (b) The Queensland Government Fact Sheet 'Repairing your house after a flood' provides information about water resilient products and building techniques.
Building design and built form	
PO5 Building design and built form:- (a) is resilient to flood and storm tide events by appropriately responding to the potential risks of flooding and inundation; and (b) maintains a functional and attractive street front address appropriate to the intended use.	**AO5.1** The design and layout of buildings used for residential purposes minimises risks from flooding and inundation by providing:- (a) non-habitable uses at ground level such as parking and other low intensity uses (e.g. temporary storage of readily removable items); and (b) the finished floor level of all habitable rooms is at or above the flood hazard level (FHL). **AO5.2** Buildings incorporate appropriate screening to ensure that the under-storey is not visible from the street, where such screening does not impede flood water flows. ***Additional requirements for non-residential uses*** **AO5.3** Where possible, the design and layout of building used for non-residential purposes provides for:- (a) parking or other low intensity uses at ground level; (b) retail, commercial and work areas are located above parking areas to increase resilience to flooding and inundation. Note—business owners/applicants should undertake their own risk assessment to determine the floor level that maximises flood resilience for mechanical plant, equipment and stock. Editor's note—Council guidelines for building within a flood hazard area provide information and recommendations for improving resilience against scour and the forces of flood waters.
Essential services infrastructure	
PO6 Essential services infrastructure within a site (including electricity, gas, water supply, wastewater and telecommunications) maintains effective functioning during and immediately after flood and storm tide events.	**AO6** Infrastructure necessary to service the development is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFL.
Utility installations, telecommunications facilities and emergency services	
PO7 Utility installations, telecommunications facilities and emergency services are able to function effectively during and immediately after flood events.	**AO7** No acceptable outcome provided.
Hazardous and other materials	
PO8 Public safety and the environment are not adversely affected by the detrimental impacts of floodwater on materials, including hazardous materials, manufactured or stored on site.	**AO8** Materials stored on-site:- (a) are those that are readily able to be moved in a flood or storm tide event; (b) are not hazardous or noxious, or comprise materials that may cause a detrimental impact on

Performance outcomes	Acceptable outcomes
	the environment if discharged in a flood or storm tide event; and (c) where at risk of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood or inundation. Note—businesses should ensure that the necessary continuity plans are in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upper-storey of a building or off-site).
Flood impacts	
PO9 Development does not directly, indirectly or cumulatively change flood characteristics which may cause adverse impacts external to the development site.	**AO9.1** Development within the flood hazard area does not result in a reduction in flood storage capacity. **AO9.2** Development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for premises external to the development site. **AO9.3** No earthworks (including filling of land or reduction of flood storage capacity) occurs on land below the DFL, unless – (a) such earthworks result in the rehabilitation and repair of the hydrological network and the riparian ecology of the watercourse; and (b) an assessment, undertaken by a suitably qualified consultant, demonstrates that the reforming of the land does not negatively impact on the overall hydrology, hydraulics and flood capacity of the watercourse and does not in any way result in the reduction of flood storage capacity on the site. Note—the Council may consider acceptable tolerances for changes to flood behaviour compared to existing conditions where included in an approved floodplain management plan.

8.2.9 Heritage and neighbourhood character overlay code[15] [16] [17]

8.2.9.1 Application

This code applies to development:-

(a) subject to the Heritage and neighbourhood character overlay shown on the overlay maps contained within **Schedule 2 (Mapping)**, a cultural heritage place identified in the Queensland Heritage Register or the National Heritage Database, or on premises otherwise determined to have cultural heritage significance; and

(b) identified as requiring assessment against the Heritage and neighbourhood character overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.9.2 Purpose and overall outcomes

(1) The purpose of the Heritage and neighbourhood character overlay code is to:-

(a) ensure that development on or adjoining a heritage place is compatible with the cultural heritage significance of the place;

(b) the significance of neighbourhood character areas is conserved and enhanced.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) the cultural heritage significance of individual sites and places is conserved;

(b) development on a local heritage place is compatible with the cultural heritage significance of the place by:-

(i) preventing the demolition or removal of the local heritage place, unless there is no prudent and feasible alternative to the demolition or removal;

Note—in considering whether there is no prudent and feasible alternative to the demolition or removal of a local heritage place, the Council will have regard to:-
(a) safety, health and economic considerations;
(b) any other matters the Council considers relevant.

(ii) maintaining or encouraging, as far as practicable, the appropriate use (including adaptive reuse) of the local heritage place whilst protecting the amenity of adjacent uses;
(iii) protecting, as far as practicable, the materials and setting of the local heritage place;
(iv) ensuring that any exposed archaeological artefact/s and/or features are identified and managed prior to the redevelopment of a site[18];
(v) ensuring, as far as practicable, development on the local heritage place is compatible with the cultural heritage significance of the place;

(c) development adjoining a local or Queensland heritage place[19] or a national heritage place is sympathetic to the cultural heritage significance of that place;

(d) development in a commercial or residential neighbourhood character area:-

---

15 Editor's note—the elements referred to in this code include:-
(a) Queensland heritage places and national heritage places listed in the Queensland Heritage Register or National Heritage Database;
(b) local heritage places and neighbourhood character areas identified on the Heritage and neighbourhood character overlay maps in **Schedule 2 (Mapping)**;
(c) premises adjoining a national, Queensland or local heritage place.
Statements of significance for the identified local heritage places and key character elements and preferred character statements for neighbourhood character areas are contained in the **Planning scheme policy for the heritage and neighbourhood character overlay code**.

16 Editor's note—the *Aboriginal Cultural Heritage Act 2003* (ACHA) and *Torres Strait Islander Cultural Heritage Act 2003* (TSICHA) provide for the recognition, protection and conservation of Aboriginal and Torres Strait Islander cultural heritage and impose a duty of care in relation to the carrying out of activities. The requirements of the ACHA and TSICHA apply separately and in addition to the planning scheme.

17 Editor's note—the **Planning scheme policy for the heritage and neighbourhood character overlay code** provides guidance for satisfying certain outcomes of this code.

18 Editor's note—under the *Queensland Heritage Act 1992*, a person must report to the Department of Environment and Heritage Protection if they discover an archaeological artefact that is an important source of information about an aspect of Queensland's history. Under the *Queensland Heritage Act 1992*, archaeological artefacts include any relic or other remains located above, on or below the present land surface, or found in State waters, that relate to past human behaviour.

19 Editor's note—Development on Queensland heritage places is regulated by the *Queensland Heritage Act 1992*.

(i) is sympathetic and complementary to the key character elements and preferred character of the applicable area[20];
(ii) retains buildings and structures that contribute to the preferred character of the area through their age, form, style, siting and character; and
(iii) complements, rather than mimics or replicates, the predominant building styles in the street.

8.2.9.3 Specific benchmarks for assessment

Table 8.2.9.3.1 Benchmarks for assessable development – on a local heritage place or adjoining a national, Queensland or local heritage place

Performance outcomes	Acceptable outcomes
Material change of use involving a local heritage place	
PO1 The material change of use is compatible with the conservation and/or management of the cultural significance of the local heritage place.	**AO1** Development is undertaken in accordance with the Australian ICOMOS[21] Charter for Places of Cultural Significance (Burra Charter).
Reconfiguring a lot involving a local heritage place	
PO2 Reconfiguring a lot does not:- (a) reduce public access to the local heritage place; (b) result in the local heritage place being severed or obscured from public view; or (c) obscure or destroy any of the following elements relating to the local heritage place:- (i) pattern of historic subdivision; (ii) the landscape setting; or (iii) the scale and consistency of the urban fabric.	**AO2** Development is undertaken in accordance with the Australian ICOMOS Charter for Places of Cultural Significance (Burra Charter).
Building work or operational work involving a local heritage place	
PO3 Development conserves and is subservient to the features and values of the local heritage place that contribute to its cultural heritage significance.	**AO3** Development:- (a) does not alter, remove or conceal significant features of the local heritage place; or (b) is minor and necessary to maintain a significant use for the local heritage place.
PO4 Changes to a local heritage place are appropriately managed and documented.	**AO4.1** Development is compatible with a conservation management plan prepared in accordance with the Australian ICOMOS Charter for Places of Cultural Significance (Burra Charter). **AO4.2** An archival quality photographic record is made of the features of the place that are destroyed because of the development that meets the standards outlined in the *Guideline: Archival Recording of Heritage Registered Places* (Department of Environment and Heritage Protection).
PO5 Development does not adversely affect the character, setting or appearance of the local heritage place, including removal of vegetation that contributes to the cultural heritage significance of the place.	**AO5.1** The scale, location and design of the development are compatible with the character, setting and appearance of the local heritage place. **AO5.2** The development is unobtrusive and cannot readily be seen from surrounding streets or other public places.

[20] Editor's note—key character elements and preferred character statements for each neighbourhood character area are contained in the **Planning scheme policy for the heritage and neighbourhood character overlay code**.
[21] Editor's note—Australia ICOMOS Inc. is the national chapter of ICOMOS (International Council of Monuments and Sites), a non-government international organisation primarily concerned with the philosophy, terminology, methodology and techniques of cultural heritage conservation.

Performance outcomes	Acceptable outcomes
	AO5.3 Existing vegetation that forms part of the local heritage place is retained and incorporated into the design and layout of development.
PO6 Excavation or other earthworks on a local heritage place do not have a detrimental impact on archaeological values.	**AO6.1** The impact on excavation is minor and limited to parts of the local heritage place that have been disturbed by previous excavation. **AO6.2** An archaeological investigation is carried out for development on a local heritage place involving a high level of surface or sub-surface disturbance.
Development adjoining a national, Queensland or local heritage place	
PO7 Where on a lot or premises adjoining a national, Queensland or local heritage place, development is designed and constructed in a manner that does not adversely affect the cultural heritage significance of the heritage place, including its context, setting, appearance and archaeology.	**AO7.1** The scale, location and design of the development is compatible with the cultural heritage significance of the adjoining heritage place, including its context, setting and appearance. **AO7.2** Where the site adjoins a heritage place that has been identified as an archaeological place, an archaeological investigation is carried out for development involving a high level of surface or sub-surface disturbance.
Advertising devices (all heritage places)	
PO8 Advertising devices located on a local heritage place or adjoining a national, Queensland or local heritage place are sited and designed in a manner that:- (a) is compatible with the cultural heritage significance of the place; (b) does not obscure the appearance or prominence of the heritage place when viewed from the street or other public places.	**AO8** No acceptable outcome provided.

Table 8.2.9.3.2 Benchmarks for assessable development – within a neighbourhood character area

Performance outcomes	Acceptable outcomes
Infill development	
PO9 Infill development within a neighbourhood character area, including development on vacant sites, is compatible with the key character elements for the area, having regard to:- (a) scale and form; (b) materials; (c) landscaping.	**AO9** No acceptable outcome provided.
PO10 The existing streetscape is maintained in terms of:- (a) building orientation; (b) side and front boundary setbacks; (c) significant landscaping.	**AO10** No acceptable outcome provided.
PO11 Development provides front boundary setbacks that ensure new additions and building works are consistent in alignment with adjoining lots.	**AO11** No acceptable outcome provided.

Performance outcomes	Acceptable outcomes
PO12 New buildings respect the architectural style of surrounding development and complement, rather than replicate, period building styles.	**AO12** No acceptable outcome provided.
Demolition of character buildings	
PO13 Existing buildings or structures are not wholly or partially demolished or removed, unless one of more of the following circumstances apply:- (a) the building or structure is not from the Victorian, Federation or Interwar period; (b) the building or structure is not capable of structural repair; (c) repair is not feasible having regard to economic, safety and health considerations; or (d) the building or structure does not contribute to the historical or architectural character of the area.	**AO13** No acceptable outcome provided.
Modifications to character buildings	
PO14 Modifications to buildings, including associated landscaping and fencing:- (a) do not interfere with the integrity of the façade and continuity of the streetscape; (b) utilise traditional materials and design elements consistent with other character buildings in the area and the period or characteristics of significance; (c) complement the form and proportions of the existing building; and (d) where located in a commercial neighbourhood character area, complement the features of the existing building, including:- (i) ornamentation on the existing façade; (ii) windows; (iii) verandahs; (iv) awnings.	**AO14.1** Where located in a commercial neighbourhood character area:- (a) development retains, reuses and refurbishes existing facades; (b) any repair or restoration of buildings constructed of masonry is undertaken using materials, mortar composition and colours that closely match the original; (c) windows and doors are of similar style to those of existing buildings with heritage character; (d) finials, where missing on gable ends, are reinstated to re-establish original building skylines; (e) new shopfronts are designed and constructed in compatible heritage style to existing examples in the streetscape; (f) shopfronts and windows comprise materials with similar profiles and incorporate splayed recessed entrance and timber framed windows; (g) renovations of buildings which exhibit a heritage character are designed with appropriate detailing for the period of the building; (h) building facades are compatible in height to existing adjacent buildings and incorporate any repetitive architectural accent common both along the streetscape and the horizontal or vertical accents. **AO14.2** Where located in a residential neighbourhood character area, no acceptable outcome provided.
Reconfiguring a lot in a residential neighbourhood character area	
PO15 Reconfiguring a lot in a residential neighbourhood character area does not obscure or adversely impact upon any of the following elements relating to neighbourhood character:- (a) the pattern of historic subdivision; (b) the landscape setting; or (c) the scale and consistency of the urban fabric.	**AO15** No acceptable outcome provided.

8.2.10 Infrastructure overlay code[22] [23]

8.2.10.1 Application

This code applies to development:-

(a) subject to the Infrastructure overlay shown on the overlay maps contained within **Schedule 2 (Mapping)** or infrastructure identified in the SPP interactive mapping system; and

(b) identified as requiring assessment against the Infrastructure overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.10.2 Purpose and overall outcomes

(1) The purpose of the Infrastructure overlay code is to ensure that development is compatible with, and does not adversely affect the viability, integrity, operation and maintenance of, the following existing and planned infrastructure and facilities within the region:-

(a) gas pipelines;

(b) major electricity infrastructure and electricity substations;

(c) wastewater treatment plants;

(d) waste management facilities;

(e) State controlled roads;

(f) railways (including cane railways);

(g) stock routes.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) existing and planned infrastructure facilities, networks and corridors are protected from incompatible development;

(b) development in proximity to existing and planned infrastructure facilities, networks and corridors is appropriately located, designed, constructed and operated to:-

(i) avoid compromising the integrity, operational efficiency and maintenance of infrastructure and facilities;
(ii) protect the amenity, health and safety of people and property;

(c) the number of people exposed to the potential adverse impacts emanating from existing and planned infrastructure facilities, networks and corridors is minimised.

8.2.10.3 Specific benchmarks for assessment

Table 8.2.10.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Gas pipelines	
PO1 Development provides and maintains adequate separation between buildings and structures and a gas pipeline corridor so as to minimise risk of harm to people and property.	**AO1** Buildings and structures are setback a minimum of 40m from a gas pipeline as identified on an Infrastructure overlay map. Editor's note—should a lesser setback distance be proposed, it is recommended that applicants consult with the relevant

[22] Editor's note—infrastructure elements referred to in this code include:-
(a) major electricity infrastructure and electricity substations identified in the SPP interactive mapping system under the 'Infrastructure' theme, subsection 'Energy and water supply – major electricity infrastructure';
(b) State controlled road and railway corridors identified in the SPP interactive mapping system under the 'Infrastructure' theme, subsection 'Transport infrastructure';
(c) stock routes identified in the SPP interactive mapping system under the 'Economic growth' theme, subsection 'Agriculture';
(d) cane railway corridors, gas pipeline corridors, wastewater treatment plants, waste management facilities and associated buffers identified on the Infrastructure overlay maps in **Schedule 2 (Mapping)**.

[23] Editor's note—buffer areas for major electricity infrastructure, electricity substations, state controlled roads and railways are not identified in the SPP interactive mapping system, but are identified as areas within a specified distance from mapped infrastructure.

Performance outcomes	Acceptable outcomes
	gas pipeline manager prior to the lodgement of any development application to help determine how compliance with the performance outcome can be achieved.
PO2 Development, including uses and works, is constructed and operated to avoid:- (a) compromising the viability of the gas pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of major gas pipelines and the supply of gas.	**AO2** No acceptable outcome provided. Editor's note—it is recommended that applicants consult with the relevant gas pipeline manager prior to the lodgement of any development application in the vicinity of a gas pipeline corridor.
Major electricity infrastructure and electricity substations	
PO3 Development does not adversely impact on existing and planned major electricity infrastructure and electricity substations.	**AO3.1** Urban residential lots and buildings and structures are not located within the area of major electricity infrastructure. **AO3.2** Development does not intensify development within an easement for electricity infrastructure and does not restrict access to and along electricity infrastructure having regard to (among other things):- (a) property boundaries; (b) likely gates and fences; (c) landscaping or earthworks; or (d) stormwater or other infrastructure. **AO3.3** Earthworks ensure stability of the land on or adjoining substations and major electricity infrastructure and maintain statutory clearances required under the *Electrical Safety Regulations 2002*.
PO4 Sensitive land uses are not located in close proximity to major electricity infrastructure or electricity substations.	**AO4** Buildings and outdoor use areas associated with a sensitive land use are setback from the boundary of a substation or from major electricity infrastructure identified in the SPP interactive mapping system in accordance with the following:- (a) 20m for major electricity infrastructure up to 132kV and electricity substations; (b) 30m for major electricity infrastructure between133kV and 275kV; and (c) 40m for major electricity infrastructure exceeding 275kV.
PO5 Development avoids noise nuisance from substations.	**AO5.1** Noise emissions do not exceed 5dB(A) above background noise level at the facia of a building measured in accordance with *AS 1055*. **AO5.2** For reconfiguring a lot, lots are of a sufficient size and depth to ensure buildings likely to be established on the site are not exposed to noise emissions greater than 5dB(A) above background noise level at the facia of a building measured in accordance with *AS 1055*, without the use of acoustic fences or other screening devices.
PO6 There is no worsening of flooding, drainage, erosion or sediment conditions affecting electricity infrastructure.	**AO6** No acceptable outcome provided.
Wastewater treatment plants	
PO7 Residential activities and other sensitive land uses are not adversely affected by odour emissions from existing or planned wastewater treatment plants.	**AO7.1** A sensitive land use involving a residential activity is not located or intensified within a wastewater treatment plant buffer as identified on an Infrastructure overlay map.

Performance outcomes	Acceptable outcomes
	AO7.2 A sensitive land use (other than a residential activity) located within a wastewater treatment plant buffer as identified on an Infrastructure overlay map demonstrates that occupants and users will not be adversely affected by odour emissions from activities associated with the wastewater treatment plant. **AO7.3** Reconfiguring a lot within a wastewater treatment plant buffer as identified on an Infrastructure overlay map:- (a) does not result in the creation of additional lots used or capable of being used for residential purposes; (b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available house sites and the wastewater treatment plant.
Waste management facilities	
PO8 Residential activities and other sensitive land uses are not adversely affected by noise emissions from existing or planned waste management facilities.	**AO8.1** A sensitive land use involving a residential activity is not located or intensified within a waste management facility buffer as identified on an Infrastructure overlay map. **AO8.2** A sensitive land use (other than a residential activity) located within a waste management facility buffer as identified on a Infrastructure overlay map:- (a) incorporates appropriate measures to minimise noise impacts; and (b) demonstrates that occupants and users will not be adversely affected by noise emissions from activities associated with the waste management facility. **AO8.3** Reconfiguring a lot within a waste management facility buffer as identified on an Infrastructure overlay map:- (a) does not result in the creation of additional lots used or capable of being used for residential purposes; (b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available house sites and the waste management facility.
State controlled road, railway and cane railway corridors	
PO9 Sensitive land uses are located, designed and constructed to ensure that noise emissions from State controlled roads, railway corridors and cane railway corridors do not adversely affect:- (a) the development's primary function; (b) the wellbeing of occupants including their ability to sleep, work or otherwise undertake quiet enjoyment without unreasonable interference from road traffic and railway noise.	**AO9** No acceptable outcome provided. Editor's note—Council may require an impact assessment report prepared by a suitably qualified consultant to demonstrate compliance with performance outcome PO9. Notes— (a) The Department of Transport and Main Roads' *Policy for Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure* may be used to provide guidance on acceptable levels of amenity for different sensitive land uses. (b) Part 4.4 of the Queensland Development Code provides requirements for residential buildings in designated transport corridors.

Performance outcomes	Acceptable outcomes
PO10 Development within a State controlled road, railway or cane railway corridor buffer maintains and, where practicable, enhances the safety, efficiency and effectiveness of the corridor.	**AO10** No acceptable outcome provided.
Stock routes	
PO11 The stock route network is protected from development (both on the stock route and adjacent) that would compromise the network's primary use or capacity for stock movement and other values, including conservation and recreational.	**AO11** Where possible, avoid locating development that may compromise the use of the stock route by travelling stock, particularly if the stock route has a record of frequent use. **OR** Where development or land use impacts on a stock route cannot be avoided:- (a) alternate watered stock route access is provided; (b) where railways, haul roads or other transport infrastructure crosses the stock route, ensure that grade separation is provided; and (c) consider revocation of the stock route declaration if a suitable alternative stock route exists.

8.2.11 Sea turtle sensitive area overlay code

8.2.11.1 Application

This code applies to development:-

(a) subject to the Sea turtle sensitive area in the Coastal protection overlay shown on the overlay maps contained within **Schedule 2 (Mapping)**; and

(b) identified as requiring assessment against the Sea turtle sensitive area overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.11.2 Purpose and overall outcomes

(1) The purpose of the Sea turtle sensitive area overlay code is to ensure that development does not create harm to sea turtle nesting and sea turtle activity by avoiding adverse impacts generated from development, including from artificial lighting.

(2) The purpose of the code will be achieved through the following overall outcomes:-

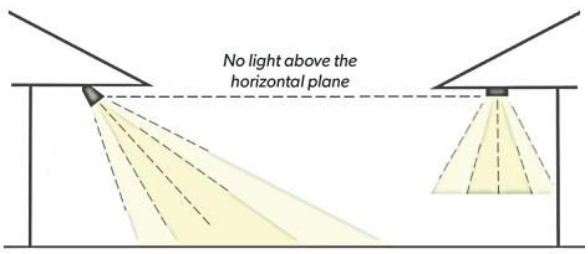
(a) development avoids artificial lighting that is directly visible from the beach or the ocean;

(b) development avoids artificial lighting that contributes to sky glow within the Sea turtle sensitive area; and

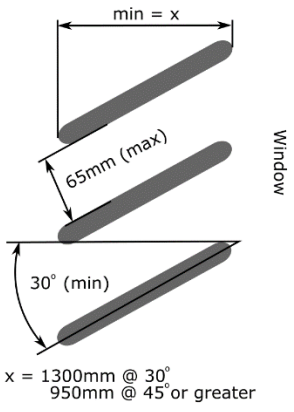
(c) development is compatible with the existing and intended scale, density and character of the zone and immediate surrounds, to ensure the impacts of artificial lighting from development in the Sea turtle sensitive area avoids adverse impacts on sea turtle nesting and sea turtle activity.

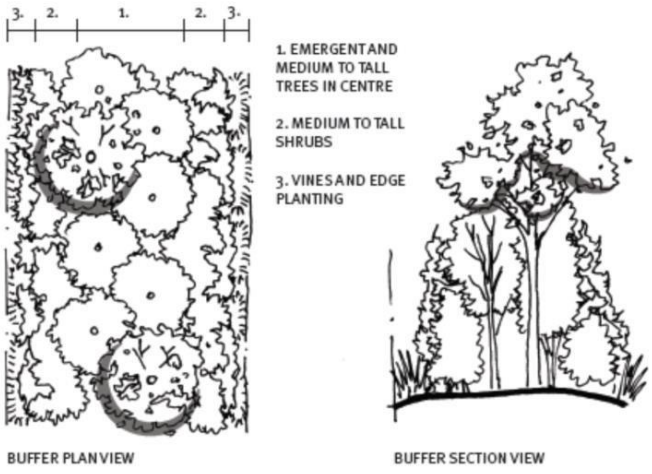
8.2.11.3 Specific benchmarks for assessment

Table 8.2.11.3.1 Requirements for assessable development

Performance outcomes	Acceptable outcomes
Management of impacts of development in a Sea turtle sensitive area[24]	
PO1 All outside lighting provided as part of the development avoids direct illumination of the beach, ocean, and sky at night.	**AO1.1** Use outside lighting (inclusive of public and private) that is:- (a) shielded by 25cm shields; (b) mounted down low to avoid direct horizontal light or downwards glare onto the beach or ocean; and (c) directed downwards and away from the coast. Note—**Figure 8.2.11A (Shielded outside light fittings)** demonstrates how outside lighting associated with a building is to be shielded and directed to avoid light spill. **Figure 8.2.11A Shielded outside light fittings**  **AO1.2** All outside lights are fitted with light motion detection sensors and/or timers to ensure lighting is turned off when not required.

[24] Editor's note—Sea turtle sensitive areas are identified on the Coastal Protection Overlay Maps in **Schedule 2 (Mapping)**.

Performance outcomes	Acceptable outcomes
PO2 Development minimises the use and intensity (brightness/luminance) of outside lighting required to achieve the light's purpose to avoid reflection from the ground, buildings, and other surfaces.	**AO2** No acceptable outcome provided
PO3 Development minimises reflective glare that contributes to sky glow.	**AO3.1** External building materials, colours, and finishes have low reflectivity. **AO3.2** Impervious areas use coloured (non-reflective) concrete or other pavement materials. **AO3.3** Building design, architectural elements or landscaping treatments block or reduce excessive reflective glare.
PO4 All interior lighting provided as part of the development avoids direct illumination of the beach, ocean and sky at night.	**AO4.1** All windows and glass doors visible from the coast are:- (a) tinted with non-reflective tinting, or utilise smart glass technology, to block a minimum of 50% of light to reduce light transmission or spill from indoor lighting (i.e. allows a maximum of 50% of light to pass through); or (b) shielded by external screens to reduce light spill from indoor lighting. **AO4.2** All windows are shielded with external fixed louvres, and are to be:- (a) solid (i.e. no holes); (b) directed downward from the window at a minimum angle of 30°; (c) in accordance with the dimensions identified within **Figure 8.2.11B (Fixed louvres detail)**. **Figure 8.2.11B Fixed louvres detail** 

Performance outcomes	Acceptable outcomes
Building height and built form	
PO5 Development has a building height, built form and density that:- (a) is consistent with the maximum building height for the development nominated in the applicable zone code; and (b) avoids adverse impacts on sea turtle nesting and sea turtle activity. Editor's Note—the Council may require submission of a visual impact assessment and/or artificial light impact assessment and management plan, prepared by a suitably qualified consultant (e.g. landscape architect or environmental scientist) to demonstrate compliance with this performance outcome.	**AO5** No acceptable outcome provided.
Where development is visible to the beach or ocean	
PO6 Development provides for landscape buffers that:- (a) protect the edges of existing native vegetation or any other areas of environmental significance; and (b) screen the development (including associated artificial light) to a level where it is not visible from the beach or ocean.	**AO6** Landscape buffers are required to be designed, constructed, and maintained in accordance with the following:- (a) plant species selected are appropriate for the location, drainage and soil type, and require minimal ongoing maintenance; (b) plant selection includes a range of species to provide variation in form, colour and texture to contribute to the natural appearance of the buffer; (c) planting density results in the creation of upper, mid and understorey strata with:- (i) large trees planted at 6m centres; (ii) small trees planted at 2m centres; (iii) shrubs planted at 1m centres; (d) tufting plants, vines and groundcovers are planted at 0.5m to 1m centres; and (e) where adjoining the edge of native vegetation or watercourse understorey, shrubs and vines are used to bind the buffer edges against degradation and weed infestation. Note—planting density is such that is maximises the blocking of light spillage between development and the beach or ocean. Note—**Figure 8.2.11C (Design of landscape buffers)** demonstrates the preferred form and structure of landscape buffers. **Figure 8.2.11C Design of landscape buffers** 

Performance outcomes	Acceptable outcomes
PO7 Development involving sport and recreation activities avoids floodlighting.	**AO7** No acceptable outcome provided
PO8 No new beach access points are established unless the beach access is designed to reduce interference on turtle nesting areas, and:- (a) is required to enhance public access to the beach; or (b) there is no increase in the number of beach access points, with any replaced beach accesses fenced off and revegetated.	**AO8** No acceptable outcome provided
Additional criteria for building and operational work	
PO9 Effective measures are implemented during the construction and operation of development to avoid impacts from lighting, noise and vibration on sea turtle activity and sea turtle nesting beaches.	**AO9** No acceptable outcome provided

8.2.12 Steep land (slopes >15%) overlay code[25]

8.2.12.1 Application

This code applies to development:-

(a) subject to the steep land (slopes >15%) overlay shown on the overlay maps contained within **Schedule 2 (Mapping)**; and

(b) identified as requiring assessment against the Steep land (slopes >15%) overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.12.2 Purpose and overall outcomes

(1) The purpose of the Steep land (slopes >15%) overlay code is to ensure that development avoids or mitigates the potential adverse impacts of landslide hazard on people, property, economic activity and the environment.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) development in areas at risk from landslide hazard is compatible with the nature of the hazard;

(b) development does not result in a material increase in the extent or severity of landslide hazard.

(c) the risk to people, property and the natural environment from landslide hazard is minimised; and

(d) wherever practical, community infrastructure essential to the health, safety and wellbeing of the community is located and designed to function effectively during and immediately after a landslide event.

8.2.12.3 Specific benchmarks for assessment

Table 8.2.12.3.1 Requirements for development accepted subject to requirements and benchmarks for assessable development

Performance outcomes	Acceptable outcomes
Risk of harm to people and property	
PO1 Development does not increase the risk of harm to people and property as a result of landslide, by:- (a) avoiding development in a landslide hazard area; or (b) undertaking development in a landslide hazard area only where strictly in accordance with best practice geotechnical principles.	**AO1** Development, including associated access, is not located on steep land as identified on a Steep land (slopes >15%) overlay map. **OR** Development, including associated access, is located in a low or very low landslide hazard area as determined by a site-specific geotechnical assessment prepared by a competent person. Note—a site-specific geotechnical assessment may be used to demonstrate that although the proposed development is shown as steep land on a Steep land (slopes >15%) overlay map, the landslide hazard risk is in fact very low. **OR** Where development is located on steep land (slopes >15%), a site-specific geotechnical assessment prepared by a competent person certifies that:- (a) the stability of the site, including associated buildings and infrastructure, will be maintained during both the construction and operational life of the development;

[25] Editor's note—**steep land (slopes >15%)** is identified on the Steep land (slopes >15%) overlay maps in **Schedule 2 (Mapping)**.

Performance outcomes	Acceptable outcomes
	(b) the site is not subject to risk of landslide activity originating from other land, including land above the site; (c) the development will not increase the risk of landslide on other land.

Table 8.2.12.3.2 Benchmarks for assessable development only

Performance outcomes	Acceptable outcomes
Community infrastructure	
PO2 Community infrastructure is able to function effectively during and immediately after landslide events.	**AO2** Development involving community infrastructure is not located steep land as identified on a Steep land (slopes >15%) overlay map. **OR** Development involving community infrastructure is located in a low or very low landslide hazard area as determined by a site-specific geotechnical assessment prepared by a competent person. **OR** Development involving community infrastructure:- (a) does not involve any new building work (other than minor building work); (b) does not involve vegetation clearing; (c) does not alter ground levels or stormwater conditions. **OR** Development involving community infrastructure includes measures that ensure:- (a) the long term stability of the site, including associated buildings and infrastructure; (b) access to the site will not be impeded by a landslide event; (c) the community infrastructure will not be adversely affected by landslides originating on sloping land above the site.
Hazardous materials	
PO3 Public safety and the environment are not adversely affected by the detrimental impact of landslide on hazardous materials manufactured or stored in bulk.	**AO3** Development involving the manufacture or storage of hazardous materials in bulk is not located on steep land as identified on a Steep land (slopes >15%) overlay map. **OR** Development involving the manufacture or storage of hazardous materials in bulk is located in a low or very low landslide hazard area as determined by a site-specific geotechnical assessment prepared by a competent person. **OR** Where located steep land (slopes >15%), a site-specific geotechnical investigation prepared by a competent person certifies that:- (a) the stability of the site, including associated buildings and infrastructure, will be maintained during both the construction and operational phases of the development; and (b) the site is not subject to risk of landslide activity originating from other land.

8.2.13 Water resource catchments overlay code[26] [27]

8.2.13.1 Application

This code applies to development:-

(a) subject to the water resource catchments overlay shown on the overlay maps contained within **Schedule 2 (Mapping)**; and

(b) identified as requiring assessment against the Water resource catchments overlay code by the tables of assessment in **Part 5 (Tables of assessment)**.

8.2.13.2 Purpose and overall outcomes

(1) The purpose of the Water resource catchments overlay code is to ensure that development preserves and, where possible, enhances water quality and quantity entering the following declared water catchment areas:-

(a) Burnett Barrage;
(b) Kolan River Barrage;
(c) Lake Monduran.

(2) The purpose of the code will be achieved through the following overall outcomes:-

(a) development is located, designed and managed to avoid adverse impacts on the quality of surface water and groundwater in water resource catchments;

(b) development maintains and, where possible, improves the quantity of surface water and groundwater entering water resource catchments;

(c) development promotes sustainable land use practices within water resource catchments;

(d) development protects and, where possible, enhances land resources, natural systems and vegetation within water resource catchments.

8.2.13.3 Specific benchmarks for assessment

Table 8.2.13.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
High risk land use activities	
PO1 High risk development and land use activities which have the potential to adversely affect water quality are not located or intensified within a water resource catchment.	**AO1** High risk land uses, including but not limited to the following uses are not located or intensified within a water resource catchment area as identified on a Water resource catchment overlay map:- (a) animal keeping; (b) aquaculture (other than minor aquaculture); (c) cemetery; (d) intensive animal industry; (e) motor sport facility; (f) service station; (g) uses in the industry activity group; (h) utility installation (where a landfill or refuse transfer station).

[26] Editor's note—water supply storages and declared water resource catchment areas are identified on the Water resource catchments overlay maps in **Schedule 2 (Mapping)**.

[27] Editor's note—in addition to the assessment benchmarks contained in this code, the Council will have regard to any catchment management plan prepared by the responsible management entity.

Performance outcomes	Acceptable outcomes
Water quality, waste water disposal and stormwater management	
PO2 Development does not have adverse effects on the quality or quantity of surface water or groundwater entering water resource catchments, including effects on:- (a) nutrient or other chemical levels; (b) sediment loads; (c) turbidity; (d) volumes and velocities.	**AO2.1** Development is connected to the reticulated sewerage infrastructure network or installs a proprietary on-site waste water treatment system which releases only Class A reclaimed water. **AO2.2** All on-site waste water treatment facilities are maintained and managed in a manner which ensures their ongoing efficient operation in accordance with the manufacturer's specifications. **AO2.3** Development is designed and constructed so that it:- (a) does not increase stormwater quantity or flow velocity from the subject site; (b) releases stormwater of a quality that will not adversely impact on receiving waters; (c) releases stormwater of a high quality and which will require minimum treatment before supply; (d) minimises the potential for erosion; (e) minimises disturbance to natural or artificial drainage systems (including the bed and banks of receiving waters) and riparian areas). **AO2.4** Development, including effluent disposal facilities are a set-back at least:- (a) 200m from the full supply level or planned full supply level of a water supply storage; (b) for that section of a watercourse within 1km of the full supply level of a water supply storage, 100m from the top of the high bank of the watercourse.
PO3 The storage and/or use of chemicals or other potential contaminants does not adversely impact on water quality within a water resource catchment.	**AO3** No acceptable outcome provided.
Protection and maintenance of natural systems	
PO4 Development which adjoins or incorporates watercourses or wetlands:- (a) does not alter their physical form; (b) provides for the retention and enhancement of their natural environmental values.	**AO4** No acceptable outcome provided.
PO5 Development maintains and, where possible, enhances riparian vegetation along watercourses so as to:- (a) maintain their natural drainage function; (b) minimise erosion of stream banks and verges; (c) reduce sediment and nutrient loads reaching watercourses within the water resource catchment.	**AO5** No acceptable outcome provided.
PO6 Development does not create or increase weed or pest management problems within a water resource catchment area.	**AO6** No acceptable outcome provided.