



**CROWS NEST
SHIRE COUNCIL**

lifestyle & opportunity

CROWS NEST SHIRE COUNCIL PLANNING SCHEME

Date of Effect: 23 January 2009



Integrated Planning Act 1997

PLANNING SCHEME FOR CROWS NEST SHIRE COUNCIL

Adoption

The Toowoomba Regional Council adopted this planning scheme on 21st October 2008.

Commencement

This planning scheme took effect on 23rd January 2009.

State planning policies

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

1. 1/92 Development and Conservation of Agricultural Land
2. 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide

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1.0 INTRODUCTION

1.1 Purpose of Planning Scheme

In accordance with the *Integrated Planning Act 1997* (IPA), the local government for Crows Nest Shire Council has prepared this planning scheme for managing development and the use of land in a way that advances the purpose of the IPA by—

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

1.2 Planning scheme functions as part of Integrated Development Assessment System (IDAS)

The planning scheme functions as part of IDAS and must be read together with the IPA. IDAS is detailed in Chapter 3 of IPA for co-ordinating State and local government approval processes for development.

1.3 Strategic Framework Preliminary

- (1) This division summarises the overall effects of Parts 4, 5 and 6 of the planning scheme on the nature and location of development in the Shire.
- (2) This division does not provide a basis for development assessment under the planning scheme.

1.4 Strategic framework

This section summarises the general approach taken to achieve the environmental outcomes of the planning scheme.

(1) Overall Framework of the Scheme

The Planning Scheme seeks to:

- manage orderly growth in urban areas of Blue Mountain Heights, Highfields, Meringandan, Cabarlah, Hampton, Crows Nest and other villages
- maintain the integrity of all residential and rural areas of the Shire by expansion of towns and villages
- facilitate the development of tourism, and
- preserve the arable resources for primary industries.

(2) Summary of Framework

- (a) Highfields and Crows Nest are the principal towns of the Shire, which accommodate a range of residential, commercial, industrial, community and recreational uses.
- (b) Residential and commercial uses within the Shire are predominately located in the Highfields and Crows Nest townships.
- (c) Crows Nest has established industries while low impact industries are proposed in the Highfields industrial area.
- (d) The planning initiatives encourage continuity of the philosophy of a rural atmosphere for the Shire and maintain support for a range of agriculture and animal husbandry uses.

- (e) Villages of Hampton, Cabarlah and Meringandan are planned to continue to develop tourist attractions with further expansion of residential areas. Blue Mountain Heights is maintained as a premier residential locality.
- (f) Good quality agricultural land is protected wherever practical in keeping with the rapid growth of the Shire, particularly Highfields area.
- (g) Important natural features and resources are protected and enhanced.
- (h) New developments are sited, designed and constructed to maximise efficient use of infrastructure.
- (i) The heritage of the Shire is identified and managed to facilitate its conservation.
- (j) Development is located and managed to ensure the threats from natural hazards are minimised.

1.5 Zones

- (1) The planning scheme divides the local government area into eight zones identified on the zoning maps:
 - (a) Rural zone
 - (b) Park Residential zone
 - (c) Rural Residential zone
 - (d) Residential Low Density zone
 - (e) Residential zone
 - (f) Commercial zone
 - (g) Village Commercial zone
 - (h) Tourist zone
 - (i) Industry zone
 - (j) Green Space zone
 - (k) Community Use zone
- (2) The Residential zones of the Shire's towns may include commercial, green space and community uses.

1.6 Roads, Watercourses and Reclaimed Land

- (1) If a road, watercourse or reclaimed land in the local government area is not shown as being covered by a zone on the zoning maps, the following applies—
 - (a) if the road, watercourse or reclaimed land is adjoined on both sides by land in the same zone—the road, watercourse or reclaimed land has the same zoning as the adjoining land;
 - (b) if the road, watercourse or reclaimed land is adjoined on one side by land in a zone and adjoined on the other side by land in another zone—the road, watercourse or reclaimed land has the same zoning as the adjoining land and the centreline of the road, watercourse and reclaimed land is the boundary between the two zones;
 - (c) if the road, watercourse or reclaimed land is adjoined on one side only by land in a zone—the entire road, watercourse or reclaimed land has the same zoning as the adjoining zoned land.

- (2) If a road, watercourse or reclaimed land is not shown as being covered by any zone on the zoning maps, subsection (1) applies.
- (3) Subsections (1) and (2) also apply to a closed road if the road is closed after the commencement of the planning scheme.

1.7 Planning Scheme Overlays

The planning scheme has overlays that apply to—

- (a) natural features and resources are shown on the Biodiversity, Water Catchment & Watercourse Map; Vegetation & Wildlife Corridor Map and Good Quality Agricultural Land Map
- (b) natural hazards are shown on the .Landslide & Flood Hazard Map and Bushfire Zone Map
- (c) natural heritage features listed in Schedule 1

1.8 Assessable And Self-Assessable Development Under Planning Scheme

- (1) Assessable, self assessable and exempt development is identified in the following zone and overlay tables:
 - (a) Rural zone Tables 1 and 2
 - (b) Park Residential zone Tables 3 and 4
 - (c) Rural Residential zone Tables 5 and 6
 - (d) Residential Low Density zone Tables 7 and 8
 - (e) Residential zone Tables 9 and 10
 - (f) Commercial zone Tables 11 and 12
 - (g) Village Commercial zone Tables 13 and 14
 - (h) Tourist zone Tables 15 and 16
 - (i) Industry zone Tables 17 and 18
 - (j) Green Space zone Tables 19 and 20
 - (k) Community Use zone Tables 21 and 22
 - (l) Natural Features and Resources Overlay Tables 23 and 24
 - (m) Natural Hazards Overlay Tables 25 and 26
 - (n) Cultural Heritage Features Overlay Tables 27 and 28
- (2) The assessment tables also identify assessable development under the planning scheme that requires code assessment or impact assessment.
- (3) If development is identified as having a different assessment category under a zone than under an overlay or under different overlays, the higher assessment category applies as follows—
 - (a) self-assessable prevails over exempt;
 - (b) code assessable prevails over self-assessable or exempt;
 - (c) impact assessable prevails over self-assessable, code assessable or exempt.

Zone assessment category	Overlay assessment category			
	Exempt	Self-assessable	Code assessable	Impact assessable
Exempt	Exempt	Self	Code	Impact
Self-assessable	Self	Self	Code	Impact
Code assessable	Code	Code	Code	Impact
Impact assessable	Impact	Impact	Impact	Impact

1.9 Types and Names of Codes

- (1) There are codes for—
 - (a) each zone and type of overlay; and
 - (b) development for a stated purpose or type.
- (2) The codes are the following—
 - (a) Zone Codes:
 - (i) Rural Zone;
 - (ii) Park Residential Zone;
 - (iii) Rural Residential Zone;
 - (iv) Residential Low Density Zone;
 - (v) Residential Zone;
 - (vi) Commercial Zone;
 - (vii) Village Commercial Zone
 - (viii) Tourist Zone
 - (ix) Industry Zone;
 - (x) Green Space Zone;
 - (xi) Community Use Zone.
 - (b) Overlay Codes:
 - (i) Natural Features and Resources Overlay incorporating:
 - Biodiversity conservation area;
 - Good quality agricultural land;
 - Significant wildlife corridors;
 - State Forests and National Parks
 - (ii) Natural Hazards Overlay incorporating
 - Bushfire Risk
 - Landslide Risk
 - Floodable Land
 - (iii) Cultural Heritage Features Overlays
 - (c) Purpose or Type Codes:
 - (i) Agriculture;
 - (ii) Caravan Park;
 - (iii) Caretakers Residence;
 - (iv) Cattery and Kennel;
 - (v) Child Care Centre;
 - (vi) Commercial Facilities;
 - (vii) Community Activities;
 - (viii) Dwelling House (includes Domestic Outbuilding);
 - (ix) Extractive Resources;
 - (x) Filling and Excavation;
 - (xi) Forestry;

- (xii) Stormwater Management;
- (xiii) General Development (includes car parking requirements);
- (xiv) Holiday Cabin Development;
- (xv) Home Business;
- (xvi) Host Premises;
- (xvii) Industrial Uses;
- (xviii) Intensive Rural Use;
- (xix) Landscape and Buffer;
- (xx) Plant Nursery;
- (xxi) Lot Reconfiguration;
- (xxii) Relatives Apartment;
- (xxiii) Residential Premises;
- (xxiv) Rural Industry;
- (xxv) Service Station.

1.10 Codes applicable to ongoing use

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

1.11 Planning Scheme Outcomes

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

- (a) desired environmental outcomes;
- (b) overall outcomes for zones and overlays, or for the purpose of a code;
- (c) specific outcomes for zones, overlays and codes;
- (d) probable solutions for a specific outcome or acceptable solutions for complying with a self-assessable code.

1.12 Probable solutions for Code Assessable Development

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

2.0 DEFINITIONS

2.1 Definitions—the dictionary

The dictionary in Section 2.4 defines particular words used in this planning scheme as follows:

- (a) explanatory definitions,
- (b) use definitions.

2.2 Terms in the Integrated Planning Act (IPA)

Terms defined in the IPA and used in the scheme have the same meaning as in the IPA.

2.3 Explanatory Notes

The footnotes in the Crows Nest Planning Scheme are declared to be extrinsic material under the *Statutory Instruments Act 1992*, section 15, that assist interpretation of provisions of this planning scheme.

2.4 Explanatory definitions

Act

means the *Integrated Planning Act 1997* (IPA).

Assessment Category

means the type of assessment identified for development in accordance with the IPA, including one or other of the following –

- (a) exempt;
- (b) self-assessable;
- (c) assessable requiring code assessment, referred to as code assessable;
- (d) assessable requiring impact assessment, referred to as impact assessable.

Buffer

means an area of land treated with a variety of plants or materials and landscaped to reduce adjacent or nearby impacts.

Building Work

has the same meaning as in the IPA.

Constraint Precinct

means a locality or allotment where the opportunity for development is constrained due to:

- Natural physical constraints;
- Lack of physical infrastructure to meet Council standards; or
- Potential detrimental impacts on or from an adjacent land use.

Council

means Crows Nest Shire Council.

Demolition and/or removal

means development that results in a building, structure or part thereof:

- no longer existing on a lot; or
- being moved to another part of the same lot.

Development

has the same meaning as in the IPA.

Drainage Work

has the same meaning as in the IPA.

Dwelling Unit

means any premises used as a self contained occupancy unit including a bathroom and kitchen facilities, designed or adapted as a permanent residence for one household.

Flood Plain

means an area of land which is inundated periodically by flood waters.

Good Quality Agricultural Land (GQAL)

has the meaning assigned to it under State Planning Policy 1/92 and its associated planning guidelines.

Gross Floor Area

means the total floor area between the external walls of all storeys of buildings and structures and includes the floor area of balconies, garages and any other structures on the site.

Ground Level

means the level of the ground on a lot at the date of registration of the lot's title deed or, where the Ground Level at that date is not known, then the Ground Level at the commencement of this planning scheme.

Habitable Room

has the same meaning as the Building Code of Australia, being a room used for normal domestic activities, and –

- (a) includes a bedroom, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family and sunroom; but
- (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Height

in relation to:

- a building, means the greatest vertical distance measured from any point on the roof or parapet of the building to the Ground Level below that point; or
- any structure other than a building, means the vertical distance between the highest point of the structure and the Ground Level below that point.

Industry

means

- Any manufacturing process whether or not such process results in the production of a finished article; or
- The breaking up or dismantling of any goods or articles for trade, sale or gain, or ancillary to any business;
- The extraction of sand, gravel, clay, soil, rock, stone or similar substances from land; or
- Repairing and servicing of articles,, including vehicles, machinery, buildings or other structures, laundering of articles, but not including on-site work on buildings or other structures; or
- Any operation connected with the installation of equipment and services and the extermination of pests, but not including on-site work on buildings or other structures on land; or
- The dismantling of motor vehicles, whether the dismantling is carried out by one operation or by a series of operations.

and any of the above processes may include:

- The storage of goods on the same site used in connection with or resulting from any industrial operations;
- The provision of amenities and facilities for persons engaged in industrial operations;
- The wholesale sale of goods resulting from such operations;
- Any work of administration or accounting in connection with such operation; and
- Provision of car parking on the same site.

Lot

has the same meaning as in the IPA.

Material Change of Use (of premises)

has the same meaning as in the IPA.

Minor Extension

in relation to an existing lawful building, means any additions or extensions whereby the proposed gross floor area does not exceed the gross floor area of the existing building by more than 10%.

Natural Resources

includes biological, energy, extractive minerals and petroleum, land and water resources and environmental values, that are important to economic development because of their contribution to employment generation, community wellbeing and wealth creation.

Operational Work

has the same meaning as in the IPA.

Overlay

means the secondary layer in the planning scheme for organising the provisions of the planning scheme based on areas, places or sites having special attributes that may –

- make those areas, places or sites sensitive to effects of development, or
- may constrain development due to an environmental hazard or the value of a resource.

Outbuilding

means any premises constructed on an allotment which constitutes the following uses:

- a Class 10 building according with the classification of building under the Australian Building Code or
- any roofed structure (whether fixed or moveable) wholly or partly enclosed by walls which is not classified as Class 1 to 9 inclusive, where a building is erected with or without a valid building approval.

Plumbing Work

has the same meaning as in the IPA.

Premises

has the same meaning as in the IPA.

Public Sector Entity

has the same meaning as in the IPA.

Lot Reconfiguration

has the same meaning as in the IPA.

Removal Building

means any dwelling house and associated outbuildings which are intended to be moved from one allotment of land to another.

Site

means any land on which development or a use is carried out or is proposed to be carried out.

Site Coverage

means the total area of a site covered by buildings or other structures including eaves and expressed as a percentage of the site area. The area of land covered by buildings is to include all verandas, balconies, passageways, staircases, external garages, swimming pools, vehicle parking areas and refuse bin storage areas.

Storey

means that space within a building which is situated between one habitable floor level and the habitable floor level next above, or if there is no floor above, the ceiling or roof above.

Use

has the same meaning as in the IPA.

Zone

means the primary layer for organising the provisions of a planning scheme based on land use allocations.

2.5 Use definitions

2.5.1 Commercial Uses

Adult Entertainment

means premises used for the live performance of acts of a sexual nature to an audience on licensed premises such as Hotels, Licensed Clubs and Entertainment/Function Centres. The phrase 'acts of a sexual nature' has the meaning defined in the Liquor Act 1992.

Brothel

has the meaning given in the Prostitution Act 1999.

Note: In the Prostitution Act 1999, Brothel means 'premises made available for prostitution by 2 or more prostitutes at the premises'.

Bulk Store Warehouse

any premises used or intended for use for the purpose of the bulk storage of goods, where the goods stored or to be stored are not required for use in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership. The term does not include a barn used in conjunction with a rural pursuit.

Caravan Park

means any premises used for the parking of caravans and for providing temporary mobile type accommodation for and rendering services to travellers.

Caretakers Residence

means any premises used only for caretaking purposes in connection with an industry, business or community activities or and constructed on the same parcel of land.

Car Hire Premises

any premises used or intended for use for the hiring of motor vehicles and caravans including when conducted on the same site the storage and cleaning of motor vehicles which are available for hire. The term does not include the use of the site for the mechanical repairs to, or the servicing of, motor vehicles.

Child Care Centre

means any premises used for the care, control or education of infants and includes a crèche, nursery school and kindergarten.

Commercial Facilities

means any premises used for commercial, retail, low impact tourist attractions, personal or entertainment services, or for the sale of goods (wholesale or retail). The use includes service industries of low impact on gross floor areas not more than 300 m² and advertising signs on the same site associated with or ancillary to the main use on the site. The term includes:

- Bulk Store/Warehouse
- Car Hire Premises
- Hotel
- Laundry
- Licensed Club
- Markets
- Medical/Paramedical Centre
- Motor Showroom
- Passenger Terminal
- Reception Rooms
- Shop, Shopping Centre, Supermarket
- Showroom

Hotel

means premises used primarily for:

- the retail sale of liquor which is the subject of a general or tavern licence under the Liquor Act 1992 and may include ancillary activities such as dining facilities, accommodation, gaming machines, a mini-brewery and betting agency; or
- listening and/or dancing to recorded or live music by the public, mainly during night hours, with such premises generally being licensed under the Liquor Act 1992 and commonly known as nightclubs, cabarets, discotheques and the like.

It includes an associated bottle shop on the site.

Indoor Entertainment

means any premises used or intended for use for any indoor activity, purpose or pursuit which affords interest or amusement irrespective of whether or not food and/or refreshments are provided.

Laundry

any premises used or intended for use for the mechanical washing, drying and ironing of clothes and other fabrics. The term includes a laundromat.

Licensed Club

any premises used by persons associated (whether incorporated or not) for social, literary, political, sporting, athletic or other similar purposes to which the general public may also resort and which is, or intends to be, subject to a club licence under the Liquor Act 1992.

Local Store

means any premises not exceeding 100m² in floor space used for the sale by retail of general merchandise. This does not include Commercial Facility as herein defined.

Market

means premises for the sale of home or farm produced products, artefacts and/or general merchandise where:

- the premises comprise a series of individual non-permanent stalls, booths or the like;
- it operates no more than 1 day per week; and

- the majority of goods for sale are not generally available through normal retail outlets.

It includes any dining or other entertainment facilities temporarily provided for the enjoyment of customers.

Medical/Paramedical Centre

Any premises used or intended for use by persons qualified and professionally registered to practice or carry out the business for the provision of medical or paramedical services, including but not limited to:

- Chiropodists
- Chiropractors
- Dental technicians
- Dentists
- Masseurs
- Maternal and Child Welfare clinics
- Medical practitioners
- Naturopaths
- Nursing services
- Occupational therapists
- Opticians and Optometrists
- Pathologists
- Physiotherapists
- Psychologists
- Psychiatrists
- Radiologists
- Speech therapists

Motel

any premises used or intended to be used for the temporary accommodation of the travelling public. The term includes restaurant facilities on the same site for use by persons accommodated in the motel, the seating capacity of which shall not exceed guest capacity of the motel.

Motor Showroom/yard

any premises used or intended for use for the display and/or sale of motor vehicles, machinery, caravans, boats and the like. The term does not include a service station.

Plant Nursery

means any premises used for the propagation, transplanting, growing and sale of plants, trees, shrubs, flowers, herbs and the like, including handling storage and sale of materials for gardening and landscaping.

Professional Office

any premises used or intended to be used for the provision of any professional services or the giving of professional advice. Any profession included in but not limited to the purposes of pursuits listed below:

- Accountant
- Actuary
- Agricultural Consultant
- Architect
- Artist
- Attorney
- Auctioneer
- Auditor
- Barrister
- Building Consultant
- Draftsman

- Engineer
- Geologist
- Photographer
- Quantity Surveyor
- Real Estate Agent
- Solicitor
- Surveyor
- Taxation Consultant
- Town Planner
- Valuer
- Veterinary Surgeon (if catering only for domestic animals and if not retaining animals overnight)

The term does not include *Medical/Paramedical Centre* as herein defined.

Refreshment Premise (Café/Restaurant)

means premises used for preparing and selling food and drink to the public for immediate consumption on or off the premises.

It includes the commonly used terms restaurant, café, coffee shop, bistro, tea room, milk bar, snack bar and kiosk.

To remove any doubt it does not include the separately defined term Food Outlet (Convenience Restaurant).

Refreshment Premise (Convenience Restaurant)

means premises used for preparing and selling food and drink to the public for immediate consumption on or off the premises where:

- the operation is geared for high product and customer turn-over; and
- customers predominantly arrive on-site by vehicle.

Phone ordering and pick-up/delivery, or a drive-through facility, is commonly provided.

It includes the commonly used terms fast food outlet and family restaurant.

Service Station

means any premises used for the retail sale of fuels, oils and other petroleum products including LPG, spare parts, tools and accessories necessarily required by motor vehicles, boats or motor mowers, the washing, cleaning and repair of motor vehicles, trailer hire, local store.

Shop

any premises used or intended for use for the purpose of displaying or offering goods or services for sale to members of the public and includes incidental storage of such goods on the premises. The term includes retail establishments, a TAB branch, travel agency, supermarket or a shopping centre.

Showroom

any premises used or intended to be used as the primary purpose of displaying goods to the general public. The display area must comprise the major proportion of the land or building, and must be at least 200m² in area. Subject to the above the displayed goods may be offered for sale to the general public. The term is limited to goods of a similar type or bulky nature. The term does not include food or clothing items and excludes a shop and motor showroom.

Tourist Attraction

means any premises used for any activity designed to attract tourists by the display and sale of goods, craft items and other items of art or historical interest in association with activities which afford interest amusement or recreation to the public.

These premises are listed, but not limited to those below:

- Aquatic centre
- Fun park
- Outdoor markets
- Sanctuary and animal park
- Theme parks
- Waterslide

Veterinary Premises

means any premises used for the purpose of examination, medical treatment or surgery for any animal.

2.5.2 Residential Uses

Accommodation Unit

any premises used or intended for use as a boarding-house, guest-house, hostel, unlicensed hotel, aged care facility, serviced rooms or residential club. The term does not include a caravan park, caretaker's residence, dwelling-house, hotel, motel or multiple dwelling as herein defined.

Duplex Dwelling

any premises which comprises or is intended to comprise a maximum of two attached dwelling units.

Dwelling House

means any premises used as self contained accommodation for the exclusive use of one household on one lot. The term includes the provision of ancillary domestic outbuildings.

Holiday Cabin Development

means any premises comprising detached cabins for overnight or holiday accommodation for the travelling public.

Home Business

means any occupation, trade or hobby carried on in or under a dwelling house or on the same allotment as a dwelling house.

Host Premises

means a dwelling house or farm buildings used as tourist accommodation on the same site for short duration stay.

Multiple Dwelling

Any premises used or intended for use as flats or home units and which comprises two (2) or more dwelling units.

Relatives Apartments

means any premises used as a dwelling house unit annexed to a dwelling house for accommodation of a relative of the owner of the dwelling house.

Residential Premises

means any premises used for residential type accommodation comprising more than one dwelling unit on one lot excluding a dwelling house. The term includes all manner of residential uses. Residential uses are listed, but not limited to those below:

- Accommodation Unit
- Apartments
- Boarding House
- Duplex Dwelling house
- Hostel
- Multiple Dwelling house
- Residential Club

- Serviced Rooms
- Townhouses

2.5.3 Industrial Uses

Extractive Industry

means the use or intended use of premises for the extraction of sand, gravel, soil, rock or other similar materials from any land and the removal of these materials from the premises.

The term includes but is not limited to, the winning of materials, ripping, blasting, dredging, storage, loading, cartage and treatment of extracted materials that may involve crushing, screening, washing, blending, grading or other treatment processes.

The term includes ancillary activities such as collection and storage of water, environmental management and rehabilitation works in accordance with approved plan.

The term does not include the removal of materials authorised by the Local Government Act 1993 or mining within the meaning of the Mineral Resources Act 1989.

Industry

High Impact Industry

means the use of premises for any industrial activity that has the potential to cause significant off-site environmental effects. The term includes an industrial activity that:

- (a) is likely to present a significant hazard to the general public or the occupiers of other premises; or
- (b) involves on site storage of hazardous or noxious goods, liquids or gases.

The term includes:

- Abattoir
- Acid manufacturing
- Ammonia manufacturing or storage
- Ammunition manufacturing or storage
- Animal by-products manufacturing
- Bacon manufacturing
- Battery smelters
- Boiling down works
- Bone mill
- Bottled gas manufacturing or storage (excluding storage of bottled gas used for domestic purposes in quantities less than one hundred [100] kg)
- Cattle trucking yard
- Cement and lime works
- Chemical works
- Distillery
- Explosives manufacturing or storage
- Fellmonger
- Fertilizer works
- Flammable liquid manufacturing
- Fruit and vegetable spray manufacturing
- Garbage and refuse disposers
- Gasses and products works
- Glue manufacturing
- Junk Yards
- Liquid Fuel Depot
- Major Industrial Works
- Meat preserving works
- Metal screening plants

- Noxious, Offensive or Hazardous Uses
- Paper or paper products manufacture
- Plastic manufacturing
- Poison manufacturing
- Pulp Mill
- Radioactive waste disposal services
- Road Freight Depot
- Sanitary depot
- Small goods factory
- Smelting works
- Soap works
- Stone crusher and screen
- Tannery
- Transport Depot
- White ant and borer exterminator

Medium Impact Industry

means the use of premises for any industrial activity that is not an extractive industry, a high or low impact industry or rural industry that is likely to produce environmental effects that cannot reasonably be expected to be contained wholly on-site but do not create effects likely to result in environmental harm. The term includes:

- Animal food manufacturing
- Asphalt products works
- Bedding manufacturing
- Biscuit manufacturing
- Bitumen preparation (non-manufacturing)
- Brick and/or pottery works
- Bus depot and workshop
- Butter manufacturing
- Cannery (other than noxious, offensive and hazardous)
- Carrier's depot
- Cement products manufacturing
- Cereal food manufacturing
- Cheese manufacturing
- Chemical manufacturing (non-noxious, non-offensive, non-hazardous)
- Cold store
- Concrete products manufacturing
- Confectionery manufacturing
- Copper smithing
- Dairy products factory
- Distilling (non-noxious, non-offensive, non-hazardous)
- Dried fruit manufacturing
- Edible oil processing works
- Electro-plating
- Engineering Works
- Farm implement manufacturing
- Farmers' and graziers supplies manufacturing
- Felt goods manufacturing
- Felt manufacturing
- Floor covering manufacturing
- Flour mills
- Food preserving
- Foundry
- Fruit products manufacturing
- Fruit ripening
- Furniture manufacturing

- Galvanising works
- Glass products manufacturing
- Herb products manufacturing
- Ice-cream manufacturing
- Iron and steel fabricating
- Irrigation equipment manufacturing
- Jam manufacturing
- Machinery assembling and repair
- Machining
- Manufacturing chemist
- Mattress manufacturing
- Mechanical goods manufacturing
- Milk products manufacturing
- Panel beating
- Plumbing supplies manufacturing
- Pottery manufacturing
- Premixed concrete works
- Radiator manufacturing
- Refrigeration manufacturing
- Road transport terminal
- Roofing material manufacturing
- Sand and gravel servicing plants
- Sheet metal manufacturing
- Soap works (non toxic)
- Spray painting
- Stock food manufacturing
- Stone working and dressing
- Textile goods manufacturing
- Tile and roofing manufacture
- Vegetable products manufacturing (non-noxious, non-offensive, non-hazardous)
- Wood depot

Low Impact Industry

means the use of premises for an industrial activity where:

- (a) all environmental effects, including noise, vibration, dust, odour and lighting can reasonably be expected to be contained on-site and the activity does not adversely affect the amenity of the locality; and
- (b) the industrial activity, including the storage of buildings, equipment, plant, primary produce, vehicles or other articles, is conducted only within a building; and
- (c) the activity does not result in an undue load on public utilities, in excess of that normally provided for development in the area.

The term includes:

- Aluminium products assembly works
- Barrel manufacturing
- Blacksmithing
- Bottle depot
- Bottling works
- Builder's yard
- Cabinet making
- Canvas goods manufacturing
- Carpenters' and joiners workshop
- Clothing factories
- Condiment manufacturing
- Contractors' yards
- Cordial and soft drink factory

- Fencing Posts and paling depot
- Fibreglass factory
- Firewood depot
- Funeral Parlour
- Furniture storage
- Furniture repairing
- Honey processing
- Ice works
- Ice cream depot (not manufacturing)
- Iron and steel merchant (not manufacturing)
- Joinery factory
- Leadlight works
- Leather goods manufacturing
- Mechanical repairing
- Metal working
- Milk distributor depots
- Motor vehicle repair (excluding panel beating and spray painting)
- Musical instrument manufacturing
- Newspaper publishing
- Painters depot
- Plaster modelling and moulding
- Plumbers yard and workshop
- Poster advertising workshops
- Radiator repairing
- Service Industries
- Shop fitting
- Small motor repair
- Stationery manufacturing
- Timber yards (not sawmilling)
- Transport depot
- Tyre repair fitting and retreading
- Upholstering
- Welding
- Wholesale depot (storage)
- Woodworking

Service Industry

means the use of premises for an industry which provides services to the public and which does not:

- (a) cause off-site noise or air emissions to the detriment of other uses in the neighbourhood.
- (b) generate traffic requiring access roads of higher standards than residential streets.
- (c) occupy a total floor area for the whole of the use in excess of 300m².

The term includes:

- Auction mart
- Bookbinding
- Boot and shoe repairing
- Bread, cake and pastry manufacturing
- Business machine repairs and computer
- Cleaning contractor's establishment
- Clock manufacturing and repairing
- Computer repairing and maintenance workshop
- Cycle repair

- Dressmaking
- Driving instruction offices
- Dry cleaning
- Duplicating and copying services
- Electrical repairing and maintenance workshop
- Engraving
- Film developing and printing works
- Household appliance servicing and maintenance
- Musical instrument repairing
- Parcel delivery service depot
- Pet shop
- Photographic studios
- Piano tuner's and repairer's establishment
- Printery
- Saddlery
- Sewing machine repairing
- Sign writer's establishment
- Sports goods repairer's establishment
- Tailor's workshop
- Television repairs and servicing establishment
- Tool sharpening

2.5.4 Recreational Uses

Park

means premises used for free outdoor public recreation and enjoyment that is predominantly informal, as well as for any of the following:

- the provision of a visually pleasant landscape;
- the enhancement, conservation or protection of natural processes, environmentally sensitive areas or culturally significant places; and
- educational opportunities associated with the recreation or conservation values of the Park.

It includes the provision of informal sporting facilities, playground equipment, shelters, car parking areas, kiosks, barbecue and picnic facilities, seating, toilets and lighting.

Recreational Use

means any form of sport or recreation, indoor or outdoor, active or passive as defined in the categories below.

Major

Recreation Facility

means premises used for sport, recreation or leisure where:

- there is substantial provision made for spectators, such as a grandstand or tiered seating, and to which spectators are usually charged admission; or
- a large area of land is required to carry out the activity or to separate it from other uses because of potential impacts.

It includes a race track (motor, horse or dog), golf course, showground and sports stadium but does not include a Community Club, Licensed Club or Entertainment/Function Centre.

Outdoor Recreation Area

means premises used for outdoor sport or active recreation that does not involve substantial provision for spectators, such as tiered seating, and which is usually open to non-paying spectators.

It includes most publicly-provided playing fields and courts and the commercial use of Private Sporting Courts

Indoor Recreation Facility means premises used for sport or active recreation conducted wholly or mainly indoors (such as indoor sports and fitness centres, gyms, bowling alleys, squash courts and the like) which does not involve substantial spectator seating.

Recreational Trail

means a corridor, route or pathway used for recreational walking, cycling or horse riding that passes through or connects natural environments and/or human communities. It is a route formally designated by the land manager and may take a variety of forms including fully developed trails, road reserves (formed and unformed) or signed routes through the landscape.

2.5.1 Community Uses

Community Activities

means the provision of an educational, social, cultural, religious, public utility or community service. The term includes any activity undertaken by a public sector entity other than recreational uses in green space areas.

2.5.5 Rural Uses

Agriculture

means the use of any premises or other structures for the growing of crops, fruit, vegetables, and the like including horticulture.

Animal Husbandry

means any premises used for the keeping, depasturing, penning or stabling of animals, birds, insect, reptile or fish.

Cattery

means any premises used for the commercial breeding or boarding of cats.

Forestry

means any premises used or intended for use for the planting, growing, harvesting of trees and limited portable saw milling for log merchandising.

Intensive Rural Use

means any premises used for, keeping animals in open or covered pens, feedlots, stalls or tanks, breeding, or growing animals or fish on an intensive, high density basis and fed with prepared or manufactured fodder; the term includes associated and ancillary uses required for the operations and includes the following:

- a feedlot of any size
- a piggery exceeding 20 standard pig units
- a poultry farm exceeding 25 birds
- a dairy exceeding 10 cattle or goats
- aquaculture where the total pond area exceeds 200m²

Kennel

means any premises used for the commercial boarding or breeding of dogs.

Rural Industry

means any industry handling, treating, processing or packing primary products produced on land on which it is situated. The term includes the servicing on the land of plant or equipment used for the purposes. The term includes, but is not limited to, those listed below:

- Produce store
- Stock and poultry feeds
- Soil additives and mixtures
- Extraction and fermentation of fruit juices
- Wineries (including cellar door sales)

- Secondary processing of forestry products
- Ancillary shop for products produced on the site with a maximum 100m² GFA

Stable

means any premises used for the stabling or keeping of an animal. The term includes a roofed yard.

2.5.6 Special Uses

Low Impact Telecommunications Facility

means any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used by a holder of a carrier's licence under the Telecommunications Act 1997, or for use in, or in connection with, a system or series of systems that carries or is capable of carrying communications by means of guided or unguided electromagnetic energy whether such facility is staffed or remotely controlled, excluding a separately defined Local Utility or Major Utility; and infrastructure ancillary to other approved development for the Site (e.g. for subdivisional development). Such a facility may be Low Impact - A Telecommunications Facility as defined by the Telecommunications (Low Impact Facilities) Determination 1997.

Public Utility

means the use of premises for community or public purposes:

- (a) by a government, government owned corporation, statutory authority or joint public and private venture for:
 - (i) operating works under the Electricity Act 1994; or
 - (ii) railway lines, stations and associated facilities, or
 - (iii) water treatment and storage; or
 - (iv) sewage treatment; or
 - (v) waste disposal.
- (b) for a telecommunications facility, other than a "low impact facility" as defined by the Telecommunications (Low Impact Facilities) Determination 1997, being a network tower, mast, antenna, equipment shelter or cabinet.

3.0 DESIRED ENVIRONMENTAL OUTCOMES

- (1) The desired environmental outcomes are based on the principals of ecological sustainability established by the IPA and are the basis for the strategies of the planning scheme.
- (2) Each desired environmental outcome is sought to be achieved to the extent practicable, having regard to each of the desired environmental outcomes and the scheme content.
- (3) The desired environmental outcomes for the Crows Nest Shire are as follows:

Character and Lifestyle

1. Crows Nest Shire has an identifiable rural amenity and urban character within established areas of development at Crows Nest, Highfields, Hampton, Cabarlah, Blue Mountain Heights and Meringandan.
2. Rural uses and good quality rural agricultural land are protected from urban and rural residential development in accordance with SPP1/92.
3. Cultural heritage features of Crows Nest Shire are protected from significant change.
4. Urban areas provide a high level of service and residential amenity with provision for expansion.
5. Natural features with biodiversity and visual amenity are maintained.
6. The risk of harm to property and human life by natural hazards is minimised.

Green Spaces and Natural Resources

7. Green space is preserved and strategically expanded throughout the Crows Nest Shire.
8. The biodiversity and ecological values of Crows Nest are enhanced and protected from degradation.
9. The semi-rural character of the Shire is maintained.
10. The interurban breaks to the south and west of Highfields are maintained as non-urban areas supporting activities that reinforce their natural and rural character with no further fragmentation of allotments in the area.
11. Sewered residential development is preferred within the Cooby Dam catchment.

Community Facilities and Infrastructure

12. Community facilities and infrastructure including waste management provide for the enhancement of the wellbeing of the community.
13. Adverse impacts of natural hazards on communities are minimised.
14. Open space and recreation uses are strategically expanded and enhanced throughout the shire.
15. The integrity of the operations of a sensitive electronic nature at the Cabarlah base of the Australian Army (Borneo Barracks) is preserved in part by limiting the density of development within the "Army Signal Station Electronic Noise Buffer".

Development and Industry

16. Responsible development of tourism is to be encouraged and facilitated.
17. Tourism based development (excluding small scale tourist activities eg Host Premises) fronting or adjacent to the New England Highway shall be located within or adjacent to existing towns and villages (Highfields, Cabarlah, Hampton, and Crows Nest) or adjacent to existing tourist activities.
18. Industrial development is expanded in localities where all infrastructure can be connected adjacent to the major population centres of the shire.
19. Significant commercial development is located within existing major commercial nodes of Crows Nest and Highfields Towns Centres.
20. Commercial development (except for tourism based activities along the New England Highway and major roads) shall be located within or adjacent to existing town centres (Highfields and Crows Nest) and village areas (Cabarlah, Hampton, Meringandan and Haden).
21. Extractive resources are developed in a sustainable and ecologically sympathetic manner.
22. Conflict of uses in urban and rural areas is minimised.
23. Development proceeds with no net deterioration of downstream water quality.
24. Infrastructure is developed to a high level of quality in areas of access and services to all uses.
25. Infrastructure meets the demands of the expanding urban areas.

4.0 ZONE CODES AND ASSESSMENT TABLES

4.1 Functions of Zones

The zones identified in this section define the desired characteristics and outcomes in the Shire.

The assessment tables and assessment criteria applicable to each of the zones are located in this part of the scheme.

Each division comprises the assessment tables or criteria applicable to a zone.

4.2 Rural Zone

4.2.1 Assessment categories for rural zone

The assessment categories are identified for development in the Rural zone in column 2 of tables 1 and 2 as follows:

- (1) table 1—making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (2) table 2—other development listed in column 1, including—
 - (a) carrying out building work not associated with a material change of use;
 - (b) self assessable or assessable development without material change of use:
 - Outbuildings
 - Removal Building
 - (c) Lot Reconfiguration;
 - (d) carrying out operational work.

4.2.2 Assessment criteria for self-assessable development and code assessable development in the rural zone

- (1) The relevant assessment criteria in the Rural zone are referred to in column 3 of tables 1 and 2.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of a code cannot be met.

TABLE 1

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR RURAL ZONE — MAKING A MATERIAL CHANGE OF USE

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment Criteria Applicable code If development is self assessable or requires code assessment
Agriculture	Exempt	
Animal Husbandry if not associated with aquaculture	Exempt	
Recreational Trails	Self assessable	Rural Zone Code General Development Code
Cattery or Kennel (if not located in areas designated as Constraint Precinct on the Zone maps)	Code assessable	Rural Zone Code Cattery and Kennel Code General Development Code Landscape and Buffer Code
Community Activities	Code assessable	Rural Zone Code Community Activities Code General Development Code Landscape and Buffer Code
Dwelling house	Self assessable, or Code assessable if the acceptable solutions of the Dwelling house Code are not complied with; or located in areas designated as Constraint Precinct on the Zone maps	If self assessable, Dwelling house Code (acceptable solutions) and if code assessable <ul style="list-style-type: none"> • Dwelling House Code • Rural Zone Code • General Development Code
Holiday Cabin Development (if not located in areas designated as Constraint Precinct on the Zone maps)	Code assessable	Rural Zone Code Holiday Cabin Development Code General Development Code Intensive Rural Uses Code Landscape and Buffer Code
Home Business	Self assessable, or code assessable if the acceptable solutions of the Home Business Code are not complied with	If self assessable, Home Business Code (acceptable solutions) and if code assessable <ul style="list-style-type: none"> • Home Business Code • Rural Zone Code • Dwelling House Code • General Development Code

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment Criteria Applicable code If development is self assessable or requires code assessment
Host Premises,(if not located in areas designated as Constraint Precinct on the Zone maps)	Self assessable, or code assessable if the acceptable solutions of the Host Premises Code are not complied with	If self assessable, Host Premises Code (acceptable solutions) and if code assessable <ul style="list-style-type: none"> • Host Premises Code • Rural Zone Code • Dwelling House Code • General Development Code
Plant Nursery	Code assessable	Rural Zone Code Plant Nursery Code General Development Code Landscape and Buffer Code
Forestry	Code assessable	Rural Zone Code Forestry Code General Development Code
Public Utility	Exempt, except Telecommunication Facility(other than low impact facility) Otherwise code assessable	Rural Zone Code General Development Code Landscape and Buffer Code
Park	Exempt	
Rural Industry,(if not located in areas designated as Constraint Precinct on the Zone maps)	Self Assessable if primary products utilised are exclusively produced on site Code assessable if off site primary products and onsite products are utilised.	Rural Zone Code Rural Industry Code General Development Code Landscape and buffer Code
Recreational Use, if Outdoor Recreation Area	Code assessable	Rural Zone Code General Development Code Commercial Facilities Code
Relatives Apartment, (if not located in areas designated as Constraint Precinct on the Zone maps)	Self assessable, or code assessable if the acceptable solutions of the Relatives Apartment Code are not complied with	If self assessable, Relatives Apartment Code (acceptable solutions) and if code assessable <ul style="list-style-type: none"> • Relatives Apartment Code • Rural Zone Code • Dwelling House Code • General Development Code
All other uses, except use for a road	Impact assessable	

TABLE 2

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR RURAL ZONE—OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Assessment Criteria Applicable code If development is self assessable or requires code assessment
<p>Carrying out building work, including minor extensions not associated with a material change of use.</p> <p>Carrying out building work for an Outbuilding ,not associated with a material change of use (if not located in areas designated as Constraint Precinct on the Zone maps)</p> <p>Carrying out building work for a Removal Building ,not associated with material change of use (if not located in areas designated as Constraint Precinct on the Zone maps)</p>	<p>Exempt</p> <p>Self assessable, or code assessable if the acceptable solutions of the Dwelling House Code are not complied with</p> <p>Self assessable, or code assessable if the acceptable solutions of the Dwelling House Code are not complied with</p>	<p>If self assessable, Dwelling House Code (acceptable solutions) and if code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Rural Zone Code • General Development Code <p>If self assessable, Dwelling House Code (acceptable solutions) and if code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Rural Zone Code • General Development Code
<p>Lot Reconfiguration</p>	<p>Code assessable</p>	<p>Lot Reconfiguration Code Rural Zone Code Landscape and Buffer Code</p>
<p>Carrying out operational work associated with Lot Reconfiguration</p> <p>Carrying out operational work not associated with a material change of use or Lot Reconfiguration</p>	<p>Code assessable .</p> <p>Code Assessable</p>	<p>Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code</p> <p>Filling and Excavation Code Landscape and Buffer Code</p>
<p>All other uses</p>	<p>Exempt</p>	

4.2.3 Intent of Constraints Precinct

The intent of the Constraints Precinct is to identify historic subdivisions in which development is constrained due to:

- Lack of appropriate infrastructure (eg reticulated water, reticulated sewerage, power and sealed roads);
- Risk of inundation; or
- Inappropriate location of residential development.

4.2.4 Intent of Inter-Urban Break Precinct

The Inter-Urban Break Precinct identifies a green belt area in which urban and rural residential development is constrained. The intent of the Inter-Urban Break Precinct is to:

- Provide a break with a rural character between the urban and rural residential development of Highfields and Rosalie Shire, Jondaryan Shire, Toowoomba City, and Blue Mountain Heights;
- Prevent an incremental fragmentation and gradual con-urbanisation with adjoining urban and rural residential area; and
- Provide for a limited range of low density commercial and institutional activities (e.g. Tourist Accommodation & Attractions, Community Activities and Outdoor Recreation).

To remove any doubt the following development outcomes are not supported in the Inter-urban Break Precinct:

- the reconfiguration that creates lot(s) with an area less than the minimum allowable in designated zone; or
- a change of zone and/or precinct which allows for the creation of lot(s) with an area of less than 100ha unless the lot is the balance of a subdivision situated outside of the precinct.

4.2.5 Compliance with rural zone code

Development that is consistent with the specific outcomes in section 4.2.7 complies with the Rural Zone code.

4.2.6 Overall outcomes for rural zone

- (1) The overall outcomes sought for the zone are the purpose of this Code:
 - (a) The productivity and viability of GOAL is not compromised.
 - (b) Rural areas are preserved for productive rural uses
 - (c) Eco and Lifestyle Tourism is encouraged where natural features exist and rural development can be made available to the public.
 - (d) Impacts of rural uses on the environment are minimised.
 - (e) The natural character and beauty of the rural areas are identified and protected from the impacts of development.
 - (f) Infrastructure is to a standard to enhance the safety and well being of the public.
 - (h) The heritage and culture of the Shire is identified and preserved.
 - (i) Green Space and recreational uses are provided and developed for public use.
 - (j) Extractive resources are protected to ensure their future availability.
 - (k) The risk to people ,property and the environment from natural hazards is minimised.
 - (l) Ensure that coordinated, orderly and efficient development for future urban purposes and infrastructure is not hindered by the fragmentation of property ownership or inappropriate development in the peri-urban area.

4.2.7 Rural Zone – Specific Outcomes

(1) Consistent Uses

The following defined uses are consistent uses and are located in the Rural Zone:

- Agriculture
- Animal Husbandry(not associated with aquaculture)
- Cattery or Kennel ,(if not located in areas designated as Constraint Precinct on the Zone maps)
- Community Activities
- Dwelling House,(if not located in areas designated as Constraint Precinct on the Zone maps)
- Extractive Industry (if located not within the Urban Water Storage Catchment)
- Holiday Cabin Development,(if not located in areas designated as Constraint Precinct on the Zone maps)
- Home Business ,(if not located in areas designated as Constraint Precinct on the Zone maps)
- Host Premises ,(if not located in areas designated as Constraint Precinct on the Zone maps)
- Park.
- Plant Nursery
- Forestry
- Public Utility
- Rural Industry (if not located in areas designated as Constraint Precinct on the Zone maps)
- Recreational Use (if Outdoor Recreation Area)
- Recreational Trails
- Refreshment Premises (Café/Restaurant) if in conjunction with a Tourist Attraction
- Relatives Apartment ,(if not located in areas designated as Constraint Precinct on the Zone maps)
- Tourist Attraction (low key) in the Inter-Urban Break Precinct

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Rural Zone:¹

- Adult Entertainment
- Brothel
- Commercial Facilities
- Caravan Park (if located within the Inter-Urban Break Precinct on the Zone maps)
- Extractive Industry (if located within the Urban Water Storage Catchment)
- Refreshment Premises if not in conjunction with a Tourist Attraction
- Residential Premises
- Cattery and Kennel (if located: South of Reushle Road, in areas designated as Urban Water Storages catchment or Constraint Precinct on the Zone maps)
- Dwelling house (if located in areas designated as Constraint Precinct on the Zone maps)
- Holiday Cabin Development (if located in areas designated as Constraint Precinct on the Zone maps)
- Home Business (if located in areas designated as Constraint Precinct on the Zone maps)
- Host Premises (if located in areas designated as Constraint Precinct on the Zone maps)

Inconsistent Uses (Rural Zone) contd.

Intensive Rural Use (if located: South of Reushle Road, in areas designated as Urban Water Storages catchment or Constraint Precinct on the Zone maps)
 Relatives Apartment (if located in areas designated as Constraint Precinct on the Zone maps)
 Recreational Uses, (other than Outdoor Recreation Area) (if located in areas designated as Constraint Precinct on the Zone maps)
 Rural Industry (if located in areas designated as Constraint Precinct on the Zone maps)
 Professional Office

¹ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Rural Zone.

4.2.8 Specific Outcomes and Probable Solutions for the Rural Zone

Development of Rural Areas seeks to achieve the following specific outcomes and probable solutions.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
<p>(a) General Values</p> <p>(i) Location of dwelling houses, or other accommodation such as host premises and relatives apartments do not restrict operations of rural uses</p> <p>Separation distances between rural and residential uses (all types) are sufficient to minimise effects of undesirable air emissions and odours</p> <p>(ii) Tourist accommodation establishes in locations which have identified:</p> <ul style="list-style-type: none"> - natural attractions or - natural features or - areas of particular interest <p>Developments are sited in a manner not to threaten the viability of traditional rural uses.</p> <p>(iii) All land uses in rural zones have all weather access to a minimum standard of 6m gravel surface.</p> <p>(iv) Development does not proceed in areas where drainage (surface and subsurface) and, or vehicular access do not meet Councils standards</p>	<p>(a)</p> <p>No probable solution proposed.</p> <p>(ii) Sites for tourist accommodation have the following qualities:</p> <ul style="list-style-type: none"> - accommodate visitors at a density that ensures minimal impact on the environment but not greater density than 40 persons/ha based on 2 persons/habitable room. <p>(iii) No probable solution proposed.</p> <p>(iv) Surface drainage and access to all uses conforms to Council and EDROC Standards Manual Sects 2,3.</p>

² See schedule 1 (Part B) and overlay maps. Also, for development within a National Park the provisions of the Nature Conservation Act 1992 (NCA), will apply directly and also the provisions of any management plan or conservation agreement. The relevant zone provisions of the planning scheme address other matters relevant to assessment of development in such areas.

Column 1 - Specific Outcomes	Column 2-Acceptable Solutions(if self assessable),Probable Solutions(if code assessable)
<p>(b) Natural Resources Values</p> <p>(i) No significant degradation of the natural environment occurs through:</p> <ul style="list-style-type: none"> - loss of natural vegetation - disturbance or destruction of wildlife or wildlife corridors, destruction of important stands of remnant vegetation, and flora and fauna. <p>(ii) Development does not establish in areas subject to inundation or not capable of being permanently drained.</p> <p>(iii) The integrity of the ground water is maintained by systems to prevent degradation from liquid wastes.</p> <p>(iv) The productivity, viability, and use of good quality agricultural land (GQAL) for primary production is maintained and protected. Uses sensitive to spray drift odour, noise dust, smoke and ash potentially associated with agricultural activities are separated or buffered to avoid conflict with such activities and potential activities on rural land.</p>	<p>(b)</p> <p>(i) Development does not:</p> <ul style="list-style-type: none"> - destroy any vegetation, except in a building envelope and its access - involve operational works with a cut or fill depth in excess of 1m - disturb or redirect any natural watercourses <p>(ii) Lot reconfiguration of allotment(s) on which protected remnant vegetation and biodiversity conservation areas are situated, shall:</p> <ul style="list-style-type: none"> - include contiguous remnant vegetation and biodiversity conservation areas within a single allotment of the lot reconfiguration; - provide a minimum of 6000m² of readily accessible contiguous land without remnant vegetation in the same allotment that contains protected remnant vegetation; - ensure that no fences or clearing for fences and access occur in the protected remnant vegetation; and - ensure that clearing for bushfire management is undertaken outside of the protected remnant vegetation area. <p>(ii) Buildings and ancillary structures are constructed with floor levels 300mm above the Q₁₀₀ flood for the locality. Land for a dwelling house is drained, or filled and drained to free drain at all time on minimum surface slope of 1 in 100.</p> <p>(iii) No probable solutions proposed.</p> <p>(iv) Development conforms to the buffer and separation distances specified in Planning Guidelines - Separating Agricultural and Residential Uses.</p>

Column 1 - Specific Outcomes	Column 2-Acceptable Solutions(if self assessable),Probable Solutions(if code assessable)
(v) Steep and inaccessible land and escarpment areas are not developed. (vi) The rural nature and rural appearance of the Shire is maintained.	(v) Land steeper than 1 in 8 on 50% or more of the allotment is not developed for any purpose except forestry. (vi) No probable solution is proposed.
(c) Amenity and Character No significant degrading of the amenity of the locality or its character occurs resulting from: (i) the scale, siting intensity and design of the buildings or any other works associated with development; (ii) the operations of the development including associated external influences minimise contamination of the environment and beyond the property boundaries of the development. (iii) The noise of any operation in the rural zone.	(c) (i) The structures are <ul style="list-style-type: none"> - no higher than existing structures or if remote from other buildings, - no higher than 10 m above the average ground level of the plan area of the building. (ii) No probable solution proposed. (iii) Operations of any use do not degrade the amenity of the area by: Noise in excess of 10dB(A) above the ambient noise levels at the property boundary between 7 am and 6 pm and 5dB(A) between 6 pm and 7 am measured at any time at the property boundary.

Column 1 – Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable), Potable Solutions (if code assessable)
<p>(d) Infrastructure Services</p> <p>(i) All developments are provided with infrastructure services in respect of –</p> <p>(ii) Water supply and sewerage</p> <p>(iii) Road access</p> <p>(iv) Electrical and Telecommunication services</p> <p>(v) Integrity of pipelines carrying flammable combustible products is maintained.</p>	<p>(d)</p> <p>(i) All infrastructure is designed and constructed to relevant standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manual (for acceptable solutions and probable solutions).</p> <p>(ii) In the absence of a reticulated water supply or sewerage system, provide on site storage of a minimum of 40000l of potable water and a waste disposal system which ensures no overflow or seepage to adjoining properties.</p> <p>(iii) Sealed internal and external road access is provided for all developments, other than agriculture, animal husbandry, dwelling house and forestry uses.</p> <p>(iv) Electrical and Telecommunications services are provided to each lot.</p> <p>(v) Pipeline locations are identified and no development is located closer than 200m from the pipeline.</p>
<p>(e) Extractive resources are protected from other uses.</p>	<p>(e) Residential uses are not located:</p> <ul style="list-style-type: none"> - within 200m of extraction of sedimentary deposits, or - within 1000m of hard rock extraction.
<p>(f) Extractive resources are developed in a manner to ensure adjacent natural resources, uses and infrastructure are not impacted by excessive emissions.</p>	<p>(f) No probable solution proposed.</p>

4.3 Park Residential Zone

4.3.1 Assessment categories for park residential zone

The assessment categories are identified for development in the Park residential zone in column 2 of tables 3 and 4 as follows:

- (a) table 3 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 4 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - Outbuilding
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work .

4.3.2 Assessment criteria for self-assessable development and code assessable development in the park residential zone

- (1) The relevant assessment criteria in the Park residential zone are referred to in column 3 of tables 3 and 4.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable when the requirements of a code cannot be met.

TABLE 3

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR PARK RESIDENTIAL ZONE - MAKING A MATERIAL CHANGE OF USE

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Agriculture	Self assessable or Code assessable if the acceptable solutions of the Agriculture Code are not complied with	If self assessable Agriculture Code (acceptable solutions) and if code assessable, <ul style="list-style-type: none"> • Park residential Zone Code • Agriculture Code • General Development Code • Landscape and Buffer Code
Community Activities	Code assessable	Park residential Zone Code Community Activities Code General Development Code Landscape and Buffer Code
Dwelling House	Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Park Residential Zone Code • General Development Code
Home Business	Code assessable	Home Business Code Park residential Zone Code Dwelling House Code General Development Code
Host Premises	Code assessable	Host Premises Code Park residential Zone Code Dwelling House Code General Development Code
Local Store	Code assessable	Park Residential Zone Code Commercial Facilities Code General Development
Plant Nursery	Code assessable	Plant Nursery Code Park Residential Zone Code General Development Code Landscape and Buffer Code

Column 1 Defined use	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Recreational Use (Outdoor Recreation Area)	Code assessable	Park residential Zone Code Community Activities Code General Development Code Landscape and Buffer Code
Relatives Apartment	Code assessable	Park residential Zone Code Relatives Apartment Code General Development Code Dwelling House Code
Rural Industry	Self Assessable if primary products utilised are exclusively produced on site Code assessable if off site primary products and onsite products are utilised.	Park Residential Zone Code Rural Industry Code General Development Code Landscape and buffer Code
Park	Exempt	
Public Utility	Exempt except for telecommunication facility(other than low impact facility) Otherwise code assessable	Park Residential Zone Code General Development Code Landscape and Buffer Code
All other uses, except use for a road	Impact assessable	

TABLE 4

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR PARK RESIDENTIAL ZONE—OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

<p>Column 1</p> <p>Type of development</p>	<p>Column 2</p> <p>Assessment category</p>	<p>Column 3</p> <p>Applicable code If development is self assessable or requires code assessment</p>
<p>Carrying out building work, including minor extensions not associated with a material change of use .</p>	<p>Exempt</p>	
<p>Carrying out building work for an Outbuilding ,not associated with a material change of use</p>	<p>Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with</p>	<p>If self assessable, Dwelling House Code (acceptable solutions). If code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Park residential Zone Code • General Development code • Landscape and Buffer Code
<p>Carrying out building work for a Removal Building, not associated with material change of use</p>	<p>Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with</p>	<p>If self assessable, Dwelling House Code (acceptable solutions). If code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Park residential Zone Code • General Development Code
<p>Lot Reconfiguration</p>	<p>Code assessable</p>	<p>Park residential Zone Code Lot Reconfiguration Code Landscape and Buffer Code</p>
<p>Carrying out operational work associated with Lot Reconfiguration</p> <p>Carrying out operational work, not associated with a material change of use or Lot Reconfiguration</p>	<p>Code assessable</p> <p>Code assessable</p>	<p>Filling and Excavation Code Landscape and Buffer Code Lot Reconfiguration Code</p> <p>Filling and Excavation Code Landscape and Buffer Code</p>
<p>Other</p>	<p>Exempt</p>	

4.3.3 Intent of Inter-Urban Break Precinct

The Inter-Urban Break Precinct identifies a green belt area in which urban and rural residential development is constrained. The intent of the Inter-Urban Break Precinct is to:

- Provide a break with a rural character between the urban and rural residential development of Highfields and Rosalie Shire, Jondaryan Shire, Toowoomba City, and Blue Mountain Heights;
- Prevent an incremental fragmentation and gradual con-urbanisation with adjoining urban and rural residential area; and
- Provide for a limited range of low density commercial and institutional activities (e.g. Tourist Accommodation & Attractions, Community Activities and Outdoor Recreation).

To remove any doubt the following development outcomes are not supported in the Inter-urban Break Precinct:

- the reconfiguration that creates lot(s) with an area less than the minimum allowable in designated zone; or
- a change of zone and/or precinct which allows for the creation of lot(s) with an area of less than 100ha unless the lot is the balance of a subdivision situated outside of the precinct.

4.3.4 Compliance with Park Residential Zone Code

Development that is consistent with the specific outcomes in section 4.3.6 complies with this code.

4.3.5 Overall outcomes for Park Residential Zone

- (1) The overall outcomes sought for the zone are the purpose of this code:
 - (a) A residential locality with high amenity and semi rural atmosphere where natural features are maintained.
 - (b) Good quality agricultural land is protected
 - (c) Park Residential zones enhance the environment by preserving existing vegetation and natural features.
 - (d) Park Residential zones are located in areas with a semi-rural atmosphere and adjacent to similar developments .
 - (e) Each development is provided with a potable water supply, electricity and telecommunication services and does not degrade the ground or surface water quality.
 - (f) The risk to people, property, and the environment from natural hazards is minimised.
 - (g) Green space is provided and developed within each developed area.
 - (h) Essential needs of the community are provided.
 - (i) The Park Residential Zone for the purpose of assessing development under the Vegetation Management Act shall be considered rural in nature,

4.3.6 Park Residential Zone Specific Outcomes

1. Consistent Uses

The following defined uses are consistent uses and are located in the Park residential Zone:

- Agriculture
- Community Activities
- Dwelling House
- Home Business
- Host Premises
- Local Store
- Plant Nursery
- Recreational Use (Outdoor Recreation Area)
- Relatives Apartment
- Park
- Public Utilities

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Park Residential Zone²:

- Adult Entertainment
- Brothel
- Caravan Park
- Cattery and Kennel
- Commercial Facilities
- Extractive Industry
- Industry
- Intensive Rural Use
- Recreational Uses (other than Outdoor Recreation Area)
- Residential Premises
- Rural Industry
(if primary products utilised are exclusively produced off-site)
- Service Station
- Tourist Attraction
- Professional Office

² Uses listed as inconsistent are considered in conflict with the overall outcomes of the Park Residential Zone.

4.3.7 Specific Outcomes and Probable Solutions for Park Residential Zone

Development of Park Residential areas seek to achieve the following outcomes and solutions:

Column 1 - Specific Outcomes	Column 2-Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
<p>(a) General Values</p> <p>(i) Park residential development locates in areas with high scenic values and all weather access</p> <p>(ii) Location of dwelling houses, host homes or other uses not associated with primary production do not restrict operations of traditional rural uses</p> <p>(iii) Accommodation for the travelling public is available in dwelling houses.</p>	<p>(a)</p> <p>(i) Park residential allotments are:</p> <ul style="list-style-type: none"> - accessible by bitumen surface road <p>(ii) No probable solution proposed</p> <p>(iii) Host premises are established for tourist accommodation with:</p> <ul style="list-style-type: none"> - on-site covered parking is available for each guest suite - connection to reticulated water supply - a maximum of 4 guest suites per dwelling house.
<p>(b) Natural Resources</p> <p>(i) No significant degradation of the natural environment occurs as a result of development.</p>	<p>(b)</p> <p>(i) Developments do not:</p> <ul style="list-style-type: none"> - destroy remnant vegetation - destroy non-remnant vegetation apart from clearing the sites for buildings - involve operational works with a cut or fill depth in excess of 1m - disturb or redirect any natural watercourses <p>(ii) Lot reconfiguration of allotment(s) on which protected remnant vegetation and biodiversity conservation areas are situated, shall:</p> <ul style="list-style-type: none"> - include contiguous remnant vegetation and biodiversity conservation areas within a single allotment of the lot reconfiguration; - provide a minimum of 4000m² of readily accessible contiguous land without remnant vegetation in the same allotment that contains protected remnant vegetation; - identify building envelopes in the contiguous land without remnant vegetation;

Column 1 - Specific Outcomes	Column 2-Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
	<ul style="list-style-type: none"> - ensure that no fences or clearing for fences or access occur in the protected remnant vegetation; and - ensure that clearing for bushfire management is undertaken outside of the protected remnant vegetation area.
<p>(ii) Development does not:</p> <ul style="list-style-type: none"> - locate in flood prone areas - degrade natural watercourses and water storages <p>(iii) The integrity of the ground water is maintained.</p> <p>(iv) The productivity, viability and use of good quality agricultural land (GQAL) for primary production is maintained and protected. Uses sensitive to spray drift odour ,noise dust ,smoke and ash potentially associated with agricultural activities are separated or buffered to avoid conflict with such activities and potential activities on GQAL</p> <p>(v) Steep and inaccessible land and escarpment areas are not developed for residential purposes.</p> <p>(vi) The semi rural nature and appearance of the zone is maintained.</p>	<p>(ii) Buildings and ancillary structures are constructed with floor levels 300mm above the Q100 flood for the locality and at least 100 m from the top bank of all water courses and storages</p> <p>(iii) No probable solution proposed.</p> <p>(iv) Development conforms with the buffer and separation distances specified in – Planning Guidelines - Separating Agricultural and Residential Land Uses.</p> <p>(v) Land steeper than 1 in 8 on 50% or more of the allotment is not developed.</p> <p>(vi) Clearing of vegetation is only for building envelopes and access. Vegetation buffers minimum 5 m wide are maintained along allotment frontages to major transport routes.</p>
<p>(c) Amenity and Character Degrading the amenity of the locality or its semi-rural character resulting from the following factors is minimised:</p> <p>(i) the scale, siting intensity and design of the buildings or any other works associated with development;</p> <p>(ii) the operations of residential uses and ancillary facilities.</p>	<p>(c)</p> <p>(i) The structures are-</p> <p>no higher than existing structures or if remote from other buildings-no higher than 8 m above the average ground level of the plan area of the structure or site.</p> <p>(ii) Residential recreational uses do not degrade the ambience of the locality by:</p>

Column 1 - Specific Outcomes	Column 2-Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
	<ul style="list-style-type: none"> - noise in excess of 5 dB above ambient levels at the boundary - artificial light at 1.5m beyond the lot boundary exceeding 8 lux at a height of 6m in either a vertical or horizontal plane without any upward component.
(iii) over development of localities without green space.	(iii) At least 10% of reconfigured land is provided for recreational uses and green space areas
<p>(d) Infrastructure Services</p> <p>(i) All developments are provided with infrastructure services as follows:</p> <ul style="list-style-type: none"> - Water supply and effluent disposal - Road Access and stormwater drainage - electrical and telecommunication services 	<p>(d)</p> <p>(i) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4, and 5 EDROC Standards Manual (for acceptable and probable solutions)</p> <ul style="list-style-type: none"> -Reticulated water services. - If a reticulated sewerage service is not available, on site disposal that avoids overflow or seepage to adjoining properties. - Internal sealed roads for all developments. - External access to the development is a sealed road a minimum 7m wide. -Electrical and telecommunication services are connected.

4.4 Rural Residential Zone

4.4.1 Assessment categories for rural residential zone

The assessment categories are identified for development in the Rural residential zone in column 2 of tables 5 and 6 as follows:

- (a) table 5 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 6 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - Outbuilding
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work .

4.4.2 Assessment criteria for self-assessable development and code assessable development in the rural residential zone

- (1) The relevant assessment criteria in the Rural Residential zone are referred to in column 3 of tables 5 and 6.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable when the requirements of a code cannot be met.

TABLE 5

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR RURAL RESIDENTIAL ZONE - MAKING A MATERIAL CHANGE OF USE

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Agriculture	Self assessable or Code assessable if the acceptable solutions of the Agriculture Code are not complied with	If self assessable Agriculture Code (acceptable solutions) and if code assessable, <ul style="list-style-type: none"> • Rural Residential Zone Code • Agriculture Code • General Development Code • Landscape and Buffer Code
Community Activities	Code assessable	Rural Residential Zone Code Community Activities Code General Development Code Landscape and Buffer Code
Dwelling House	Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Rural Residential Zone Code • General Development Code
Home Business	Code assessable	Home Business Code Rural Residential Zone Code Dwelling House Code General Development Code
Host Premises	Code assessable	Host Premises Code Rural Residential Zone Code Dwelling House Code General Development Code
Local Store	Code assessable	Rural Residential Zone Code Commercial Facilities Code General Development
Plant Nursery	Code assessable	Plant Nursery Code Rural Residential Zone Code General Development Code Landscape and Buffer Code

Column 1 Defined use	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Recreational Use (Outdoor Recreation Area)	Code assessable	Rural Residential Zone Code Community Activities Code General Development Code Landscape and Buffer Code
Relatives Apartment	Code assessable	Rural Residential Zone Code Relatives Apartment Code General Development Code Dwelling House Code
Rural Industry	Self Assessable if primary products utilised are exclusively produced on site Code assessable if off site primary products and onsite products are utilised.	Rural Residential Zone Code Rural Industry Code General Development Code Landscape and buffer Code
Park	Exempt	
Public Utility	Exempt except for telecommunication facility(other than low impact facility) Otherwise code assessable	Rural Residential Zone Code General Development Code Landscape and Buffer Code
All other uses, except use for a road	Impact assessable	

TABLE 6

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR RURAL RESIDENTIAL ZONE—OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Carrying out building work, including minor extensions not associated with a material change of use .	Exempt	
Carrying out building work for an Outbuilding ,not associated with a material change of use	Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Rural Residential Zone Code • General Development code • Landscape and Buffer Code
Carrying out building work for a Removal Building, not associated with material change of use	Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Rural Residential Zone Code • General Development Code
Lot Reconfiguration	Code assessable	Rural Residential Zone Code Lot Reconfiguration Code Landscape and Buffer Code
Carrying out operational work associated with Lot Reconfiguration Carrying out operational work, not associated with a material change of use or Lot Reconfiguration	Code assessable Code assessable	Filling and Excavation Code Landscape and Buffer Code Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code
Other	Exempt	

4.4.3 Compliance with Rural Residential Zone Code

Development that is consistent with the specific outcomes in section 4.4.5 complies with this code.

4.4.4 Overall outcomes for Rural Residential Zone

- (1) The overall outcomes sought for the zone are the purpose of this code:
 - (a) A residential locality with high amenity and semi rural atmosphere where natural features are maintained and in which natural or man-made constraints require larger allotments than those permitted in the Park Residential Zone..
 - (b) Good quality agricultural land is protected
 - (c) Rural Residential zones enhance the environment by preserving existing vegetation and natural features.
 - (d) Rural Residential zones are located in areas with a semi-rural atmosphere and adjacent to similar developments .
 - (e) Each development is provided with a potable water supply, electricity and telecommunication services and does not degrade the ground or surface water quality.
 - (f) The risk to people, property, and the environment from natural hazards is minimised.
 - (j) Green space is provided and developed within each developed area.
 - (k) Essential needs of the community are provided.
 - (l) The Rural Residential Zone for the purpose of assessing development under the Vegetation Management Act shall be considered rural in nature.,

4.4.5 Rural Residential Zone Specific Outcomes

1. Consistent Uses

The following defined uses are consistent uses and are located in the Rural Residential Zone:

Agriculture
Community Activities
Dwelling House
Home Business
Host Premises
Local Store
Plant Nursery
Recreational Use (Outdoor Recreation Area)
Relatives Apartment
Park
Public Utilities

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Rural Residential Zone²:

Adult Entertainment
Brothel
Caravan Park
Cattery and Kennel
Commercial Facilities
Extractive Industry

Rural Residential Code Inconsistent Uses (continued)

Industry
 Intensive Rural Use
 Recreational Uses (other than Outdoor Recreation Area)
 Residential Premises
 Rural Industry
 Service Station
 Tourist Attraction
 Professional Office

² Uses listed as inconsistent are considered in conflict with the overall outcomes of the Rural Residential Zone.

4.4.6 Specific Outcomes and Probable Solutions for Rural Residential Zone

Development of Rural Residential areas seek to achieve the following outcomes and solutions:

Column 1 - Specific Outcomes	Column 2-Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
<p>(a) General Values</p> <p>(i) Rural residential development locates in areas with high scenic values and all weather access</p> <p>(ii) Location of dwelling houses, host homes or other uses not associated with primary production do not restrict operations of traditional rural uses</p> <p>(iii) Accommodation for the travelling public is available in dwelling houses.</p>	<p>(a)</p> <p>(i) Rural residential allotments are: - accessible by bitumen surface road</p> <p>(ii) No probable solution proposed</p> <p>(iii) Host premises are established for tourist accommodation with: - on-site covered parking is available for each guest suite - connection to reticulated water supply - a maximum of 4 guest suites per dwelling house.</p>

Column 1 – Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
<p>(b) Natural Resources</p> <p>(i) No significant degradation of the natural environment occurs as a result of development.</p> <p>(ii) Development does not:</p> <ul style="list-style-type: none"> - locate in flood prone areas - degrade natural watercourses and water storages 	<p>(b)</p> <p>(i) Developments do not:</p> <ul style="list-style-type: none"> - destroy remnant vegetation - destroy non-remnant vegetation apart from clearing the sites for buildings - involve operational works with a cut or fill depth in excess of 1m - disturb or redirect any natural watercourses <p>(ii) Lot reconfiguration of allotment(s) on which protected remnant vegetation and biodiversity conservation areas are situated, shall:</p> <ul style="list-style-type: none"> - include contiguous remnant vegetation and biodiversity conservation areas within a single allotment of the lot reconfiguration; - provide a minimum of 4000m² of readily accessible contiguous land without remnant vegetation in the same allotment that contains protected remnant vegetation; - identify building envelopes in the contiguous land without remnant vegetation; - ensure that no fences or clearing for fences or access occur in the protected remnant vegetation; and - ensure that clearing for bushfire management is undertaken outside of the protected remnant vegetation area. <p>(ii) Buildings and ancillary structures are constructed with floor levels 300mm above the Q100 flood for the locality and at least 100 m from the top bank of all water courses and storages</p>

Column 1 – Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
(iii) The integrity of the ground water is maintained.	(iii) No probable solution proposed.
(iv) The productivity, viability and use of good quality agricultural land (GQAL) for primary production is maintained and protected. Uses sensitive to spray drift odour ,noise dust ,smoke and ash potentially associated with agricultural activities are separated or buffered to avoid conflict with such activities and potential activities on GQAL (v) Steep and inaccessible land and escarpment areas are not developed for residential purposes. (vi) The semi rural nature and appearance of the zone is maintained.	(iv) Development conforms with the buffer and separation distances specified in – Planning Guidelines - Separating Agricultural and Residential Land Uses (v) Land steeper than 1 in 8 on 50% or more of the allotment is not developed. (vi) Clearing of vegetation is only for building envelopes and access. Vegetation buffers minimum 5 m wide are maintained along allotment frontages to major transport routes.
(c) Amenity and Character Degrading the amenity of the locality or its semi-rural character resulting from the following factors is minimised: (i) the scale, siting intensity and design of the buildings or any other works associated with development; (ii) the operations of residential uses and ancillary facilities. (iii) over development of localities without green space.	(c) (i) The structures are- no higher than existing structures or if remote from other buildings-no higher than 8 m above the average ground level of the plan area of the structure or site. (ii) Residential recreational uses do not degrade the ambience of the locality by: - noise in excess of 5 dB above ambient levels at the boundary - artificial light at 1.5m beyond the lot boundary exceeding 8 lux at a height of 6m in either a vertical or horizontal plane without any upward component. (iii) At least 10% of reconfigured land is provided for recreational uses and green space areas

Column 1 – Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
<p>(d) Infrastructure Services</p> <p>(i) All developments are provided with infrastructure services as follows:</p> <ul style="list-style-type: none"> - Water supply and effluent disposal - Road Access and stormwater drainage - electrical and telecommunication services 	<p>(d)</p> <p>(i) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4, and 5 EDROC Standards Manual (for acceptable and probable solutions)</p> <ul style="list-style-type: none"> -Reticulated water services. - If a reticulated sewerage service is not available, on site disposal that avoids overflow or seepage to adjoining properties. - Internal sealed roads for all developments. - External access to the development is a sealed road a minimum 7m wide. - Electrical and telecommunication services are connected.

4.5 Residential Low Density Zone

4.5.1 Assessment categories for residential low density zone

The assessment categories are identified for development in the Residential low density zone in column 2 of tables 7 and 8 as follows:

- (a) table 7 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 8 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - Outbuildings
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work.

4.5.2 Assessment criteria for self-assessable development and code assessable development in the residential low density zone

- (1) The relevant assessment criteria in the Residential low density zone are referred to in column 3 of tables 7 and 8.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of the code cannot be met.

TABLE 7

ASSESSMENT CATEGORIES AND APPLICABLE CODE FOR RESIDENTIAL LOW DENSITY ZONE—MAKING A MATERIAL CHANGE OF USE

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Community Activities	Code assessable	Residential Low Density Zone Code Community Activities Code General Development Code
Dwelling House	Self assessable or code assessable if the acceptable solution of the Dwelling House Code are not complied with	If self assessable Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Residential Low Density Zone Code • General Development Code
Home Business	Self assessable or code assessable if the acceptable solutions of the Home Business Code are not complied with	If self assessable Home Business Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Home Business Code • Residential Low Density Zone Code • General Development Code
Host Premises	Code assessable	Residential Low Density Zone Code Host Premises Code General Development Code
Local Store	Code Assessable	Residential Low Density Code Commercial Facilities Code General Development Code
Park	Exempt	
Public Utility	Exempt, except for Telecommunication Facility(other than low impact facility).Otherwise code assessable	Residential Low Density Code General Development Code Landscape and Buffer Code
Relatives Apartment	Code assessable	Residential Low Density Zone Code Relatives Apartment Code General Development Code
All other uses, except use for a road	Impact assessable	

TABLE 8

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR RESIDENTIAL LOW DENSITY ZONE—OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
<p>Carrying out building work, including minor extensions not associated with a material change of use .</p> <p>Carrying out building work for an Outbuilding, not associated with a material change of use.</p> <p>Carrying out building work for a Removal Building, not associated with material change of use .</p> <p>Lot Reconfiguration</p> <p>Carrying out operational work associated with Lot Reconfiguration</p> <p>Carrying out operational work not associated with a material change of use or Lot Reconfiguration.</p>	<p>Exempt</p> <p>Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with</p> <p>Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with</p> <p>Code assessable</p> <p>Code assessable</p> <p>Code assessable</p>	<p>If self assessable, Dwelling House Code (acceptable solutions). If code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Residential Low Density Zone Code • General Development Code • Landscape and Buffer Code <p>If self assessable, Dwelling House Code (acceptable solutions). If code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Residential Low Density Zone Code • General Development Code <p>Residential Low Density Zone Code Lot Reconfiguration Code Landscape and Buffer Code</p> <p>Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code</p> <p>Filling and Excavation Code Landscape and Buffer Code</p>
<p>Other</p>	<p>Exempt</p>	

4.5.3 Compliance with residential low density zone code

Development that is consistent with the specific outcomes in section 4.5.5 complies with this code.

4.5.4 Overall outcomes for residential low density zone

- (1) The overall outcomes for the Residential Low Density Zone are the purpose for this code:—
- (a) Residential Low Density uses do not degrade the amenity of the locality through unacceptable social or physical impacts created by excessive noise.
 - (b) Residential Low Density uses locate where a high standard of infrastructure is provided..
 - (c) The heritage and culture of the Shire is identified and preserved.
 - (d) Development establishes close to commercial, and industrial facilities with direct safe access.
 - (e) Residential Low Density zones include facilities for open space recreational uses and community and cultural activities.
 - (f) Uses in this Zone locate where impacts of natural hazards are minimal.
 - (g) Residential Low Density zones maintain the rural atmosphere and ambience of the area.
 - (h) Facilities are available in the zone for the day to day domestic needs of residents.

4.5.5 Residential Low Density Zone - Specific Outcomes

1. Consistent Uses

The following defined uses are consistent uses and are located in the Residential Low Density Zone:

Community Activities
Dwelling House
Home Business
Host Premises
Local Store
Park
Public Utility
Relatives Apartment

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Residential Low Density Zone:³

Adult Entertainment
Brothel
Caravan Park
Cattery and Kennel
Commercial Facilities
Extractive Industry
Industry (all impacts)
Intensive Rural Use
Residential Premises
Recreational Use(all categories)
Rural Industry
Service Station
Tourist Attraction
Residential Premises
Professional Office

³ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Residential Low Density Zone.

4.5.6 Specific Outcomes and Probable Solutions for Residential Low Density Zone

Developments in Residential Low Density zone seek to achieve the following specific outcomes:

Column 1 - Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) General Values</p> <p>(i) Facilities for local stores, tourist accommodation, relatives apartments, recreational uses ,community uses and home business are located in residential low density zones</p> <ul style="list-style-type: none"> - Home business operates from dwelling houses. - Relatives apartments attached to existing dwelling houses. - Host premises established in dwelling houses. - Community Activities(religious purposes) are integrated into residential areas without degrading the amenity. <p>ii) Recreational and community facilities are located in areas in or close to residential developments.</p> <p>(iii) Residential uses establish in localities:</p> <ul style="list-style-type: none"> - with high natural amenity - with high standard infrastructure - where impacts of intensive rural uses, or rural industry are minimal - where exposure to natural hazards is minimal - with little or no likelihood of dwelling houses being affected by excessive noise or offensive or noxious odours from other uses 	<p>(i)</p> <ul style="list-style-type: none"> - Local stores are located with a catchment of 500m radius and catchment of the local stores do not overlap. <p>- No probable solution proposed</p> <p>(ii) No probable solution proposed</p> <p>(iii) Residential areas are developed on land which has the following characteristics.</p> <ul style="list-style-type: none"> - Is above the highest available flood level in the locality or the Q₁₀₀ flood whichever is higher - Has all free draining lots - Are not located in areas identified as moderate, high or extreme landslide, flood prone or bush fire hazard identified on the Bushfire Zone Map - Adjacent to established population centres . - Served with infrastructure of reticulated water supply, surfaced roads, with kerb and channel, drainage, electrical and telecommunications and recreational uses and community activities - Provided with at least 10% of land in new developments for green space and recreational uses.
<p>(iv) Uses in the residential zone do not create noise to the detriment of the amenity of the neighbourhood</p>	<p>(iv) Noise produced by any use in a residential zone does not exceed background noise by:</p> <ul style="list-style-type: none"> - 5dB(A) 6am – 10pm or - 3dB(A) 10pm – 6am measured as the adjusted maximum sound pressure

Column 1 - Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	level at the property boundary at any time
(v) Relatives apartment and home business establish in character with the residential nature of the neighbourhood and, -- are in or attached or adjacent to a dwelling house.	(v) No probable solution proposed
<p>(b) Natural Resources</p> <p>(i) No significant degradation of the natural environment occurs through:</p> <ul style="list-style-type: none"> - loss of natural vegetation, - disturbance or destruction of wildlife or wildlife corridors, important stands of remnant vegetation, and flora and fauna are protected. <p>(ii) Development does not degrade natural watercourses and water storages</p> <p>(iii) The productivity, viability and use of good quality agricultural land (GQAL) for primary production is maintained and protected. Uses sensitive to spray drift odour, noise, dust, smoke and ash potentially associated with agricultural activities are separated or buffered to avoid conflict with such activities and potential activities on GQAL.</p> <p>(iv) Steep land and escarpments are not developed.</p> <p>(v) The semi-rural character of the local area is maintained by minimising clearing of vegetation.</p>	<p>(b)</p> <p>(i) Developments in vegetated areas do not:</p> <ul style="list-style-type: none"> - destroy remnant vegetation - involve operational works with a cut or fill depth in excess of 1m - disturb or redirect any natural watercourses <p>except within the plan area of a building or approved works for Lot Reconfiguration.</p> <p>(ii) Developments do not encroach closer than 100m to the top of the banks of any major watercourse.</p> <p>(iii) Development conforms with the buffer and separation distances specified in –Planning Guidelines - Separating Agricultural and Residential Land Uses</p> <p>(iv) Land steeper than 1 in 8 on 50% or more of the allotment is not developed.</p> <p>(v) No probable solution proposed.</p>
<p>(c) Amenity and Character</p> <p>No significant degrading of the amenity of the locality or its character resulting from:</p> <p>(i) The scale, siting intensity and design of the buildings or any other works associated with development or,</p> <p>(ii) The operations of the development and,</p>	<p>(c)</p> <p>(i) Residential premises and dwelling houses conform with the height setbacks, site coverage for dwelling houses and no higher than 8m above the ground level within the plan areas of the building.</p> <p>(ii) No probable solution proposed.</p>

Column 1 - Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(iii) Uses are sited and buildings designed to minimise emissions, air or liquid, from the development beyond the property boundaries of the development.	(iii) No probable solution proposed.
<p>(d) Infrastructure Services</p> <p>(i) All developments are provided with infrastructure services as follows:</p> <ul style="list-style-type: none"> - Reticulated water supply and effluent disposal - Bitumen surface access and internal roads, kerb and channel - Electrical and telecommunication services 	<p>(d)</p> <p>(i) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manual (for acceptable solutions) .</p> <ul style="list-style-type: none"> - Reticulated water services. - If reticulated sewerage services are not available, on site disposal systems are provided to ensure no overflow or seepage to adjacent properties. - External access to the development is a sealed road a minimum 7 m wide. - Electrical and telecommunication services are connected.

4.6 Residential Zone

4.6.1 Assessment categories for residential zone

The assessment categories are identified for development in the Residential zone in column 2 of tables 9 and 10 as follows:

- (a) table 9 -making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 10 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - Outbuildings
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work for Lot Reconfiguration.

4.6.2 Assessment criteria for self-assessable development and code assessable development in the residential zone

- (1) The relevant assessment criteria in the Residential zone are referred to in column 3 of tables 9 and 10.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of the code cannot be met.

TABLE 9

**ASSESSMENT CATEGORIES AND APPLICABLE CODE FOR RESIDENTIAL ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Community Activities	Code assessable	Residential Zone Code Community Activities Code General Development Code
Dwelling House	Self assessable or code assessable if the acceptable solution of the Dwelling House Code are not complied with	If self assessable Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Residential Zone Code • General Development Code
Home Business	Self assessable or code assessable if the acceptable solutions of the Home Business Code are not complied with	If self assessable Home Business Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Home Business Code • Residential Zone Code • General Development Code
Host Premises	Code assessable	Residential Zone Code Host Premises Code General Development Code
Park	Exempt	
Public Utility	Exempt, except for Telecommunication Facility (other than low impact facility). Otherwise code assessable	Residential Zone Code General Development Code Landscape and Buffer Code
Relatives Apartment	Code assessable	Residential Zone Code Relatives Apartment Code General Development Code
Residential Premises (if within areas designated as "Residential Premises Precinct" on zoning maps)	Code assessable	Residential Zone Code Residential Premises Code General Development Code Landscape and Buffer Code
All other uses, except use for a road	Impact assessable	

TABLE 10

**ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR RESIDENTIAL ZONE—
OTHER DEVELOPMENT**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Carrying out building work, including minor extensions not associated with a material change of use . Carrying out building work for an Outbuilding ,not associated with a material change of use . Carrying out building work for a Removal Building ,not associated with material change of use .	Exempt Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Residential Zone Code • General Development Code • Landscape and Buffer Code If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Residential Zone Code • General Development Code
Lot Reconfiguration	Code assessable	Residential Zone Code Lot Reconfiguration Code Landscape and Buffer Code
Carrying out operational work associated with Lot Reconfiguration	Code assessable	Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code
Carrying out operational work not associated with a material change of use or Lot Reconfiguration	Code assessable .	Filling and Excavation Code Landscape and Buffer Code
Other	Exempt	

4.6.3 Intent of Residential Premises Precinct

The intent of the Residential Premises Precinct is to identify areas within the Residential Zone in which development of Residential Premises are preferred.

4.6.4 Compliance with residential zone code

Development that is consistent with the specific outcomes in section 4.6.6 complies with this code.

4.6.5 Overall outcomes for residential zone

- (1) The overall outcomes for the Residential Zone are the purpose for this code:—
 - (a) Residential and associated uses do not degrade the amenity of the locality.
 - (b) Residential uses are established where a high standard of infrastructure is available in consolidated localities.
 - (c) The cultural heritage of the Shire is identified and preserved.
 - (d) Development is located approximate to and associated with commercial, industrial facilities with direct safe access to adjacent centres.
 - (e) Residential localities provide facilities for open space, recreational uses, and community and cultural activities at a scale and intensity that does not impact on the existing amenity of an area.
 - (f) Residential localities are established where the likelihood of impacts of natural hazards are non-existent or minimal.
 - (g) Residential premises are provided in locations designated as Residential Premises Precinct on the Zone maps close to commercial, community and recreational use, with provision for high standard safe access.

4.6.6 Residential Zone - Specific Outcomes

1. Consistent Uses

The following defined uses are consistent uses and are located in the Residential Zone:

Community Activities
Dwelling House
Home Business
Host Premises
Park
Public Utility
Relatives Apartment
Residential Premises (if within areas designated as "Residential Premises Precinct" on zoning maps)

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Residential Zone:⁴

Adult Entertainment
Brothel
Caravan Park
Cattery and Kennel
Commercial Facilities
Extractive Industry
Industry (all impacts)
Intensive Rural Use
Recreational Use (all categories)

Inconsistent Uses – Residential Zone (continued)

Residential Premises (if not within areas designated as “Residential Premises Precinct” on zoning maps)
 Rural Industry
 Service Station
 Tourist Attraction
 Professional Office

⁴ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Residential Zone.

4.6.7 Specific Outcomes and Probable Solutions for Residential Zone

Developments seek to achieve the following specific outcomes:

Column 1 - Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) General Values</p> <p>(i) Facilities for tourist accommodation, recreational use, community uses and home business are located in residential zones</p> <ul style="list-style-type: none"> - Home business operates from dwelling houses. - Relatives apartments establish attached to existing dwelling houses. -- Host premises establish in dwelling houses. <p>(ii) Residential uses are established in localities:</p> <ul style="list-style-type: none"> - where amenity is high and not in danger from natural hazards, or from deteriorating due to inadequate development standards. - with high natural amenity - with high standard, reliable infrastructure - where impacts of intensive rural uses, or rural industry are minimal - with little likelihood of landslide, erosion or bush fire threats, - Adjacent or close to established commercial, community, and recreational uses and 	<p>(a)</p> <p>(i)</p> <ul style="list-style-type: none"> - No probable solution proposed <p>(ii) Residential areas are developed on land which has the following characteristics.</p> <ul style="list-style-type: none"> - Above the highest available flood level in the locality or the Q100 flood whichever is higher and - All lots are free draining and - Provided with all infrastructure of water, sewerage, roads, drainage, electrical and telecommunications and commercial and community activities - Provided with at least 10% of average land in new developments for green space. and recreational use.
<p>(iii) Uses in the residential zone do not create emissions to the detriment of the amenity of the neighbourhood</p>	<p>(iii) Noise produced by any use in a residential zone does not exceed background noise by:</p> <ul style="list-style-type: none"> - 5dB(A) 6am – 10pm or - 3dB(A) 10pm – 6am measured as the adjusted maximum sound pressure level at the property boundary.
<p>(iv) Uses other than dwelling house are built in character with the residential neighbourhood.</p> <p>(v) Residential premises are located close to commercial, community and recreational uses in areas nominated on the Zone maps where:</p>	<p>(iv) No probable solution proposed</p> <p>(v)</p> <ul style="list-style-type: none"> • Residential premises are sited in

Column 1 - Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<ul style="list-style-type: none"> - all infrastructure is available, -access is safe and constructed to cater for the increased density, - developments do not degrade the residential nature of the locality, and -locations are marked as Residential Premises Precinct on the zoning maps 	<p>areas marked as Residential Premises Precinct on the zone maps.</p> <ul style="list-style-type: none"> • No Covenant prohibiting or restricting residential premises is to be applied to development in the Residential Zone.
<p>(b) Natural Resources</p> <p>(i) No significant degradation of the natural environment occurs through:</p> <ul style="list-style-type: none"> - loss of natural vegetation, - disturbance or destruction of wildlife or wildlife corridors, important stands of remnant vegetation, and flora and fauna are protected. <p>(ii) Development does not:</p> <ul style="list-style-type: none"> - Degrade natural watercourses and water storages <p>(iii) The productivity, viability, and use of good quality agricultural land (GQAL) for primary production is maintained and protected .Uses sensitive to spray drift odour ,noise dust ,smoke and ash potentially associated with agricultural activities are separated or buffered to avoid conflict with such activities and potential activities on GQAL</p> <p>(iv) Steep land and escarpments are not developed.</p> <p>(v) The semi-rural character of the local area is maintained by minimising clearing of vegetation.</p>	<p>(b)</p> <p>(i) Developments in vegetated areas do not:</p> <ul style="list-style-type: none"> - destroy remnant vegetation - involve operational works with a cut or fill depth in excess of 1m - disturb or redirect any natural watercourses <p>except within the plan area of a building or approved works for Lot Reconfiguration.</p> <p>(ii) Developments do not encroach closer than 100m to the top of the banks of a major watercourse.</p> <p>(iii) Development conforms with the buffer and separation distances specified in Planning Guidelines Separating Agricultural and Residential Land Uses</p> <p>(iv) Land steeper than 1 in 8 on 50% or more of the allotment is not developed.</p> <p>(v) No probable solution proposed.</p>
<p>(c) Amenity and Character</p> <p>No significant degrading of the amenity of the locality or its character resulting from:</p> <p>(i) The scale, siting intensity and design of the buildings or any other works associated with development</p> <p>(iii) Uses are sited and buildings designed to minimise emissions, air or liquid, from the development beyond the property</p>	<p>(c)</p> <p>(i) Residential premises and dwelling houses conform with the height setbacks, site coverage for dwelling houses and no higher than 8m above the ground level within the plan areas of the building.</p> <p>(ii) No probable solution proposed.</p>

Column 1 - Specific Outcomes	Column 2 – Acceptable Solutions (if self assessable) Probable solution (if code assessable)
boundaries of the development.	
<p>(d) Infrastructure Services</p> <p>(i) All developments are provided with infrastructure services as follows:</p> <p>(ii)</p> <ul style="list-style-type: none"> - Water supply and sewerage services. - Bitumen surface access and internal roads, kerbs and channel and sewerage - Electrical and telecommunication services <p>(iii) All developments in the Highfields Area are provided with reticulated recycled water supply including onsite infrastructure.</p>	<p>(d)</p> <p>(i) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manual (for acceptable and probable solutions)</p> <p>(ii)</p> <ul style="list-style-type: none"> - Reticulated water supply and reticulated sewerage. - External access to the development by a minimum 7 m wide sealed road. - Electrical and telecommunication services are connected. <p>(iii) Acceptable/Probable Solutions for reticulated recycled water supply are being developed by Council.</p>

4.7 Commercial Zone

4.7.1 Assessment categories for commercial zone

The assessment categories are identified for development in the Commercial zone in column 2 of tables 11 and 12 as follows:

- (a) table 11 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 12 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - outbuilding
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work for Lot Reconfiguration.

4.7.2 Assessment criteria for self-assessable development and code assessable development in the commercial zone

- (1) The relevant assessment criteria in the Commercial zone are referred to in column 3 of tables 11 and 12.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of the code cannot be met.

TABLE 11

**ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR COMMERCIAL ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Caretakers Residence	Self assessable or code assessable if the acceptable solutions of the Caretakers Residence Code are not complied with	If self assessable, Caretakers Residence Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Caretakers Residence Code • Dwelling House Code • Commercial Zone Codes • General Development Code
Child Care Centre	Code assessable	Child Care Centre Code Commercial Zone Code General Development Code Landscape and Buffer Code
Commercial Facilities	Self assessable, or code assessable if the acceptable solutions of the Commercial Facilities Code are not complied with	If self assessable, Commercial Facilities Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Commercial Facilities Code • Commercial Zone Code • General Development Code • Landscape and Buffer Code
Community Activities	Self assessable or code assessable if the acceptable solutions of the Community Activities Code are not complied with	If self assessable, Community Activities Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Community Activities Code • Commercial Zone Code • General Development Code • Landscape and Buffer Code
Park	Exempt	
Public Utility	Exempt, except for Telecommunication Facility (other than low impact facility). Otherwise code assessable	Commercial Zone Code General Development Code Landscape and Buffer Code
Refreshment Premises	Code assessable	Commercial Zone Code General Development Code
Recreational Use (Indoor Recreation Facility)	Code Assessable	Commercial Zone Code General Development Code Commercial Facilities Code

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Service Station	Code assessable	Commercial Zone Code Commercial Facilities Code General Development Code Landscape and Buffer Code Service Station Code
Veterinary Premises	Code assessable	Commercial Zone Code Commercial Facilities Code General Development Code
All other uses, except use for a road	Impact assessable	

TABLE 12

**ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR COMMERCIAL ZONE—
OTHER DEVELOPMENT**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Carrying out building work, including minor extensions not associated with a material change of use . Carrying out building work for an Outbuilding ,not associated with a material change of use .	Exempt Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable Dwelling House Code Commercial Zone Code General Development Code Landscape and Buffer Code
Carrying out building work for a Removal Building ,not associated with material change of use .	Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable Dwelling House Code Commercial Zone Code General Development Code
Lot Reconfiguration	Code assessable	Lot Reconfiguration Code Commercial Zone Code Landscape and Buffer Code
Carrying out operational work associated with Lot Reconfiguration	Code Assessable	Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code
Carrying out operational work not associated with a material change of use or Lot Reconfiguration	Code assessable	Filling and Excavation Code Landscape and Buffer Code
Other	Exempt	

4.7.3 Compliance with commercial zone code

Development that is consistent with the specific outcomes in section 4.7.5 complies with this code.

4.7.4 Overall Outcomes for commercial zone

The overall outcomes sought for the zone are the following:

- (a) Commercial, professional and retail services and service industries are consolidated in the existing commercial zones at Crows Nest Town Centre and Highfields Town Centre.
- (b) Existing uses (except for tourist based activities of similar intensity to those existing) along the New England Highway at Highfields are continued but not be expanded or intensified nor increase traffic hazards or densities in the area
- (c) New developments achieve a high standard of design and blend with the existing character of the commercial developments.
- (d) A wide variety of commercial and community activities are supported in locations zoned for those uses.
- (e) Provision is made for community facilities, government agencies and open space areas (other than commercial uses) that do not impede or degrade commercial development..
- (f) Commercial uses make provision on site for access for pedestrians, vehicles handling of goods, car parking for staff and clients, landscaping and shade areas.
- (g) The streetscape is maintained and enhanced by landscaped setbacks, where consistent with existing development.

4.7.5 Commercial Zone - Specific Outcomes

1. Consistent Uses

The following defined uses are consistent uses and are located in the Commercial Zone:

Caretakers Residence
Child Care Centre
Commercial Facilities
Community Activities
Home Business
Park
Public Utility
Refreshment Premises
Recreational Use(Indoor Recreation Facility)
Residential Premises(above ground floor level)
Service Industry
Service Station
Shop
Tourist Attractions(low impact)
Veterinary Premises
Professional Office

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Commercial Zone:⁵

Adult Entertainment
Brothel
Cattery and Kennel
Dwelling House

Inconsistent Uses Commercial Zone (continued)
Extractive Industry Holiday Cabin Development Industry (all impacts, other than service industry) Intensive Rural Uses Major tourist attractions Plant Nursery Recreation Use(other than Indoor Recreation Facility) Residential Premises (excluding multi dwelling) Rural Industry

⁵ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Commercial Zone.

4.7.6 Specific Outcomes and Probable Solutions for Commercial Zone

Developments achieve the following specific outcomes:

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) Scale and Character</p> <p>Development reflects a compatible balance between the provision of commercial, business and community interaction and maintain and enhance:</p> <p>(i) the character of the neighbourhood with designs of buildings that blend in style and size with their surrounds.</p> <p>(ii) cultural heritage of the locality, - developments replicate the intent of the existing character of the streetscape with similar architecture and materials</p> <p>(iii) an open and appealing street landscape</p> <p>(iv) an attractive relationship between buildings, pathways and street landscape through building setbacks. Footpaths, awnings and service roads join with adjacent works at the same levels with similar materials</p> <p>(v) Tourist attractions of minor intensity are provided</p> <p>(vi) The water quality of downstream watercourses</p>	<p>(a)</p> <p>(i) Developments are no higher than two storeys or 8 m above the ground level within the plan area of the building.</p> <p>(ii) No probable solution proposed.</p> <p>(iii) Site cover of buildings does not exceed 40% of the site area, the remainder to be used for landscaping, access and car parking areas.</p> <p>(iv) Buildings are set back at least 10m from the frontage of any road external to the site and the setback area landscaped, except in the Commercial Zone of Crows Nest town where no setback is required.</p> <p>(v) Tourist attractions are provided with - a gross floor area not exceeding 500sqm and - provision for parking of vehicles on site.</p> <p>(vi) No probable solution proposed.</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(b) Infrastructure Services The infrastructure of the development includes safe and convenient access for people and vehicles, on site car parking with landscaped shaded areas, and essential services.</p>	<p>(b)</p> <p>(i) The facilities provide constructed rear access where available to all premises for services, employees and delivery vehicles.</p> <p>(ii) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manuals (for acceptable solutions and probable solutions). The following services are provided:</p> <ul style="list-style-type: none"> - Telecommunications and electricity - Reticulated water supply and sewerage - Sealed road access and footpaths, kerbing and parking bays designed to minimise traffic hazards generated by the development; - On site parking for staff, customers for handling goods, and refuse. <p>(iii) A rainwater storage tank/device is provided which collects water from 65% of the additional roof area and is plumbed to service the toilets and at least one outside tap; and the minimum capacity of the rainwater storage tank/device is 3kL per 100m² of roof area. Note: A water balance report assessing potential stormwater yield and consumption will be required if a lesser capacity is proposed.</p>

4.8 Village Commercial Zone

4.8.1 Assessment categories for commercial zone

The assessment categories are identified for development in the Village Commercial zone in column 2 of tables 13 and 14 as follows:

- (a) table 13 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 14 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - outbuilding
 - Removal Building
 - (v) Lot Reconfiguration;
 - (vi) carrying out operational work for Lot Reconfiguration.

4.8.2 Assessment criteria for self-assessable development and code assessable development in the village commercial zone

- (1) The relevant assessment criteria in the Village Commercial zone are referred to in column 3 of tables 13 and 14.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of the code cannot be met.

TABLE 13

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR VILLAGE COMMERCIAL ZONE—MAKING A MATERIAL CHANGE OF USE

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1	Column 2	Column 3
Type of development	Assessment category	Applicable code If development is self assessable or requires code assessment
Caretakers Residence	Self assessable or code assessable if the acceptable solutions of the Caretakers Residence Code are not complied with	If self assessable, Caretakers Residence Code (acceptable solutions). If code assessable Caretakers Residence Code Dwelling House Code Village Commercial Zone Code General Development Code
Child Care Centre	Code assessable	Child Care Centre Code Village Commercial Zone Code General Development Code Landscape and Buffer Code
Community Activities	Self assessable or code assessable if the acceptable solutions of the Community Activities Code are not complied with	If self assessable, Community Activities Code (acceptable solutions). If code assessable Community Activities Code Village Commercial Zone Code General Development Code Landscape and Buffer Code
Dwelling House	Code assessable	Dwelling House Code Village Commercial Zone Code General Development Code Landscape and Buffer Code
Local Store	Self assessable, or code assessable if the acceptable solutions of the Commercial Facilities Code are not complied with	If self assessable, Commercial Facilities Code (acceptable solutions). If code assessable Commercial Facilities Code Village Commercial Zone Code General Development Code Landscape and Buffer Code
Park	Exempt	
Public Utility	Exempt, except for Telecommunication Facility (other than low impact facility). Otherwise code assessable	Village Commercial Zone Code General Development Code Landscape and Buffer Code
Refreshment Premises (Café/Restaurant)	Code assessable	Village Commercial Zone Code General Development Code
Recreational Use (Indoor Recreation Facility)	Code Assessable	Village Commercial Zone Code General Development Code Commercial Facilities Code
Shop	Self assessable, or code assessable if the acceptable solutions of the Commercial	If self assessable, Commercial Facilities Code (acceptable solutions). If code assessable

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
	Facilities Code are not complied with	Commercial Facilities Code Village Commercial Zone Code General Development Code Landscape and Buffer Code
Veterinary Premises	Code assessable	Village Commercial Zone Code Commercial Facilities Code General Development Code
All other uses, except use for a road	Impact assessable	

TABLE 14

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR VILLAGE COMMERCIAL ZONE—OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Carrying out building work, including minor extensions not associated with a material change of use . Carrying out building work for an Outbuilding ,not associated with a material change of use .	Exempt Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Village Commercial Zone Code • General Development Code • Landscape and Buffer Code
Carrying out building work for a Removal Building ,not associated with material change of use .	Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Village Commercial Zone Code • General Development Code
Lot Reconfiguration Carrying out operational work associated with Lot Reconfiguration	Code assessable Code Assessable	Lot Reconfiguration Code Village Commercial Zone Code Landscape and Buffer Code Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code
Carrying out operational work not associated with a material change of use or Lot Reconfiguration	Code assessable	Filling and Excavation Code Landscape and Buffer Code
Other	Exempt	

4.8.3 Compliance with Village Commercial zone code

Development that is consistent with the specific outcomes in section 4.8.5 complies with this code.

4.8.4 Overall Outcomes for Village Commercial zone

The overall outcomes sought for the zone are the following:

- (a) A wide range of land uses may be permissible in the Village Commercial zone under certain circumstances and conditions. The mix of land uses generally consists of residential uses interspersed with low key commercial, professional and retail services and service industries in Haden, Hampton and Meringandan.
- (b) The Village Commercial Zone is located within the village area and fronts the major roads in the locality (e.g. New England Highway – Hampton, Main Street – Meringandan & Boundary or Kann Street – Haden),
- (c) New developments achieve a high standard of design and blend with the existing character of the area.
- (d) A wide variety of commercial and community activities are supported in locations zoned for those uses.
- (e) Provision is made for community facilities, government agencies and open space areas (other than commercial uses) that do not impede or degrade commercial and residential development.
- (f) Commercial uses make provision on site for access for pedestrians, vehicles handling of goods, car parking for staff and clients, landscaping and shade areas.
- (g) The streetscape is maintained and enhanced by landscaped setbacks, where consistent with existing development.

4.8.5 Village Commercial Zone - Specific Outcomes

1. Consistent Uses

The following defined uses are consistent uses and are located in the Village Commercial Zone:

Caretakers Residence
Child Care Centre
Community Activities
Dwelling House
Home Business
Hotel
Local Store
Market
Medical/Paramedical Centre
Motel
Park
Public Utility
Plant Nursery
Refreshment Premises (Café/Restaurant)
Recreational Use(Indoor Recreation Facility)
Service Industry
Service Station
Shop
Tourist Attractions(low impact)
Veterinary Premises
Professional Office

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Village Commercial Zone:⁵

- Adult Entertainment
- Brothel
- Bulk Store Warehouse
- Caravan Park
- Car Hire Premises (unless in conjunction with a consistent use)
- Cattery and Kennel
- Extractive Industry
- Holiday Cabin Development
- Industry (all impacts, other than service industry)
- Intensive Rural Uses
- Major tourist attractions
- Motor Showroom/yard
- Recreation Use(other than Indoor Recreation Facility)
- Refreshment Premises (Convenience Restaurant)
- Residential Premises
- Rural Industry

⁵ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Village Commercial Zone.

4.8.6 Specific Outcomes and Probable Solutions for Village Commercial Zone

Developments achieve the following specific outcomes:

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) Scale and Character</p> <p>Development reflects a compatible balance between the provision of commercial, business and community interaction and maintain and enhance:</p> <p>(i) the character of the neighbourhood with designs of buildings that blend in style and size with their surrounds.</p> <p>(ii) cultural heritage of the locality, - developments replicate the intent of the existing character of the streetscape with similar architecture and materials</p> <p>(iii) an open and appealing street landscape</p> <p>(iv) an attractive relationship between buildings, pathways and street landscape through building setbacks. Footpaths, awnings and service roads join with adjacent works at the same levels with similar materials</p> <p>(v) tourist attractions of minor intensity are provided</p> <p>(vi) the water quality of downstream watercourses</p>	<p>(a) Scale and Character</p> <p>(i) Developments are no higher than single storey or 5 m above the ground level within the plan area of the building.</p> <p>(ii) No probable solution proposed.</p> <p>(iii) Site cover of buildings does not exceed 40% of the site area, the remainder to be used for landscaping, access and car parking areas.</p> <p>(iv) Buildings are set back 6m from the frontage of any road external to the site and the setback area landscaped.</p> <p>(v) Tourist attractions are provided with - a gross floor area not exceeding 500sqm and - provision for parking of vehicles on site.</p> <p>(vi) No probable solution proposed.</p>
<p>(b) Infrastructure Services</p> <p>The infrastructure of the development includes safe and convenient access for people and vehicles, on site car parking with landscaped shaded areas, and essential services.</p>	<p>(b)</p> <p>(i) The facilities provide constructed rear access where available to all premises for services, employees and delivery vehicles.</p> <p>(ii) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manuals (for acceptable solutions and probable solutions) The following services are provided: - Telecommunications and electricity - Reticulated water supply - Sealed road access and footpaths, kerbing and parking bays designed</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
	<p>to minimise traffic hazards generated by the development;</p> <ul style="list-style-type: none"> - On site parking for staff, customers for handling goods, and refuse; - A rainwater storage tank/device (including pump) is provided which: <ul style="list-style-type: none"> collects water from 65% of the additional roof area and is plumbed to service the toilets and at least one outside tap; and the minimum capacity of the rainwater storage tank/device is: <ul style="list-style-type: none"> ▪ for commercial activities - 3kL per 100m² of total roof area. <p>Note: A water balance report assessing potential stormwater yield and consumption will be required if a lesser capacity is proposed.</p>

SUPERSEDED

4.9 Tourist Zone

4.9.1 Assessment categories for Tourist zone

The assessment categories are identified for development in the Tourist zone in column 2 of tables 15 and 16 as follows:

- (a) table 15 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 16 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - outbuilding
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work for Lot Reconfiguration.

4.9.2 Assessment criteria for self-assessable development and code assessable development in the Tourist zone

- (1) The relevant assessment criteria in the Tourist zone are referred to in column 3 of tables 15 and 16.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of the code cannot be met.

TABLE 15

**ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR TOURIST ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Caretakers Residence	Self assessable or code assessable if the acceptable solutions of the Caretakers Residence Code are not complied with	If self assessable, Caretakers Residence Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Caretakers Residence Code • Dwelling House Code • Tourist Zone Code • General Development Code
Local Store	Code assessable	If self assessable, Commercial Facilities Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Commercial Facilities Code • Tourist Zone Code • General Development Code • Landscape and Buffer Code
Park Public Utility	Exempt Exempt, except for Telecommunication Facility (other than low impact facility). Otherwise code assessable	Tourist Zone Code General Development Code Landscape and Buffer Code
Refreshment Premises (Café/Restaurant)	Code assessable	Tourist Zone Code General Development Code
Recreational Use (Indoor Recreation Facility)	Code Assessable if less than 500m ² of GFA and building height less than 5.5 m	Tourist Zone Code General Development Code Commercial Facilities Code
Shop	Code assessable	Commercial Facilities Code Tourist Zone Code General Development Code Landscape and Buffer Code
All other uses, except use for a road	Impact assessable	

TABLE 16

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR TOURIST ZONE - OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Carrying out building work, including minor extensions not associated with a material change of use .	Exempt	
Carrying out building work for an Outbuilding ,not associated with a material change of use .	Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Tourist Zone Code • General Development Code • Landscape and Buffer Code
Carrying out building work for a Removal Building ,not associated with material change of use .	Self assessable or code assessable if the acceptable solutions of Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Tourist Zone Code • General Development Code
Lot Reconfiguration	Code assessable	Lot Reconfiguration Code Tourist Zone Code Landscape and Buffer Code
Carrying out operational work associated with Lot Reconfiguration	Code Assessable	Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code
Carrying out operational work not associated with a material change of use or Lot Reconfiguration	Code assessable	Filling and Excavation Code Landscape and Buffer Code
Other	Exempt	

4.9.3 Compliance with Tourist zone code

Development that is consistent with the specific outcomes in section 4.9.5 complies with this code.

4.9.4 Overall Outcomes for Tourist zone

The overall outcomes sought for the zone are the following:

- (a) A limited range of tourism based commercial activities and small scale recreational uses are supported in locations zoned for those uses.
- (b) Commercial development within this zone should not service regular local needs of the surrounding population or those of other businesses.
- (c) Commercial, professional and retail services and service industries are consolidated in the commercial zones at Crows Nest Town Centre and Highfields Town Centre.
- (d) Existing uses (except for tourist based activities of similar intensity to those existing) along the New England Highway at Highfields are continued but not be expanded or intensified nor increase traffic hazards or densities in the area.
- (e) New developments achieve a high standard of design and blend with the existing character of the area.
- (f) Commercial uses make provision on site for access for pedestrians, vehicles handling of goods, car parking for staff and clients, landscaping and shade areas.
- (g) The streetscape is maintained and enhanced by landscaped setbacks, where consistent with existing development.

4.9.5 Tourist Zone - Specific Outcomes

1. Consistent Uses

The following defined uses are consistent uses and are located in the Tourist Zone:

- Caretakers Residence
- Dwelling House
- Hotel
- Motel
- Market
- Plant Nursery
- Park
- Public Utility
- Refreshment Premises (Café/Restaurant)
- Recreational Use (Indoor Recreation Facility – small scale)
- Service Station
- Shop (tourism based and should not service regular local needs)
- Tourist Attractions

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Tourist Zone:⁵

- Adult Entertainment
- Brothel
- Bulk Store Warehouse
- Caravan Park
- Car Hire Premise (unless in conjunction with another consistent use)
- Cattery and Kennel
- Child Care Centre
- Commercial Facilities
- Community Activities

Inconsistent Uses Tourist Zone (continued)

Extractive Industry
Holiday Cabin Development
Industry (all impacts)
Intensive Rural Uses
Laundry
Local Store
Major tourist attractions
Medical/Paramedical Centre
Motor Showroom/yard
Recreation Use(other than Indoor Recreation Facility)
Residential Premises
Refreshment Premise (Convenience Restaurant)
Rural Industry
Service Industry
Shop
Showroom
Veterinary Premises
Professional Office

⁵ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Commercial Zone.

4.9.6 Specific Outcomes and Probable Solutions for Tourist Zone

Developments achieve the following specific outcomes:

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) Scale and Character</p> <p>Development reflects a compatible balance between the provision of commercial, business and community interaction and maintain and enhance:</p> <p>(i) the character of the neighbourhood with designs of buildings that blend in style and size with their surrounds.</p> <p>(ii) cultural heritage of the locality, - developments replicate the intent of the existing character of the streetscape with similar architecture and materials</p> <p>(iii) an open and appealing street landscape</p> <p>(iv) an attractive relationship between buildings, pathways and street landscape through building setbacks. Footpaths, awnings and service roads join with adjacent works at the same levels with similar materials</p> <p>(v) Tourist attractions of minor intensity are provided</p> <p>(vi) The water quality of downstream watercourses</p> <p>(v) Vehicular traffic generated by development does not significantly impact on residential amenity.</p>	<p>(a)</p> <p>(i) Developments are no higher than one storeys or 5.5 m above the ground level within the plan area of the building.</p> <p>(ii) No probable solution proposed</p> <p>(iii) Site cover of buildings does not exceed 40% of the site area, the remainder to be used for landscaping, access and car parking areas.</p> <p>(iv) Buildings are set back at least 6m from the frontage of any road external to the site and the setback area landscaped.</p> <p>(v) Tourist attractions are provided with - a gross floor area not exceeding 500sqm and - provision for parking of vehicles on site.</p> <p>(vi) No probable solution proposed.</p> <p>(v) Vehicular access to development is via a road category of local collector street or higher.</p>
<p>(b) Infrastructure Services</p> <p>The infrastructure of the development includes safe and convenient access for people and vehicles, on site car parking with landscaped shaded areas, and essential services.</p>	<p>(i) The facilities provide constructed rear access where available to all premises for services, employees and delivery vehicles.</p> <p>(ii) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manuals (for acceptable solutions and probable solutions) The following services are provided:</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
	<ul style="list-style-type: none"> - Telecommunications and electricity - Reticulated water supply - Sealed road access and footpaths, kerbing and parking bays designed to minimise traffic hazards generated by the development; - On site parking for staff, customers for handling goods, and refuse - A rainwater storage tank/device (including pump) is provided which: <ul style="list-style-type: none"> collects water from 65% of the additional roof area and is plumbed to service the toilets and at least one outside tap; and the minimum capacity of the rainwater storage tank/device is: <ul style="list-style-type: none"> ▪ 3kL per 100m² of total roof area; <p>Note: A water balance report assessing potential stormwater yield and consumption will be required if a lesser capacity is proposed.</p>

4.10 Industry Zone

4.10.1 Assessment categories for industry zone

The assessment categories are identified for development in the Industry zone in column 2 of tables 17 and 18 as follows:

- (a) table 17 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 18 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - Outbuildings
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work for Lot Reconfiguration.

4.10.2 Assessment criteria for self-assessable development and assessable development in the industry zone

- (1) The relevant assessment criteria in the Industry zone are referred to in column 3 of tables 17 and 18.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of a code cannot be met.

TABLE 17

**ASSESSMENT CATEGORIES AND ASSESSMENT CRITERIA FOR INDUSTRY ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Caretakers Residence	Self assessable or code assessable if the acceptable solutions of the Caretakers Residence Code are not complied with	If self assessable Caretakers Residence Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Caretakers Residence Code • Industry Zone Code • General Development Code
Cattery and Kennel	Code assessable	Cattery and Kennel Code Industry Zone Code General Development Code Landscape and Buffer Code
Industry (low, medium impact and service industry)	Code assessable	Industry Zone Code Industrial Use Code General Development Code Landscape and Buffer Code
Plant Nursery	Code assessable	Industry Zone Code Plant Nursery Code General Development Code Landscape and Buffer Code
Park	Exempt	
Public Utility	Exempt, except for Telecommunication Facility (other than low impact facility) otherwise code assessable	Industry Zone Code General Development Code Landscape and Buffer Code
Recreation Use (Indoor Recreation Facility)	Code assessable	Industry Zone Code General Development Code Industrial Uses Code
Rural Industry	Code assessable	Industry Zone Code Rural Industry Code General Development Code
Service Station	Code assessable	Industry Zone Code Service Station Code General Development Code Landscape and Buffer Code
All other uses, except use for a road	Impact assessable	

TABLE 18

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR
INDUSTRY ZONE—OTHER DEVELOPMENT**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Applicable code If development is self assessable or requires code assessment
Carrying out building work, including minor extensions not associated with a material change of use . Carrying out building work for an Outbuilding ,not associated with a material change of use . Carrying out building work for a Removal Building ,not associated with material change of use.	Exempt Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with	If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Industry Zone Code • General Development Code • Landscape and Buffer Code If self assessable, Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Industry Zone Code • General Development Code
Lot Reconfiguration	Code assessable	Lot Reconfiguration Code Industry Zone Code Landscape and Buffer Code
Carrying out operational work associated with Lot Reconfiguration	Code assessable	Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code
Carrying out operational work not associated with a material change of use or Lot Reconfiguration	Code assessable .	Filling and Excavation Code Landscape and Buffer Code
Other	Exempt	

4.10.3 Compliance with industry zone code

Development that, is consistent with the specific outcomes in section 4.10.5 complies with this code.

4.10.4 Outcomes for industry zone

- (1) The overall outcomes sought for the zone are the following—
 - (a) Areas for industry(all impacts) are available where a wide range of industries are established compatible with the scale character and geography of the area.
 - (b) Industries are established in a manner to minimise degradation of the environment
 - (c) Areas for industrial use are provided with on site landscaping in consolidated locations .
 - (d) The industries are serviced with infrastructure with accessible green spaces within or adjacent to the zone.
 - (e) The location of industrial development does not compromise the safety or efficiency of the local and state controlled road system.
 - (f) The productivity and viability of good quality agricultural land is not compromised.

4.10.5 Industry Zone - Specific Outcomes

(1) Consistent Uses

The following defined uses are consistent uses and are located in the Industry Zone:

Caretakers Residence
Cattery or Kennel
Industry, high, medium and low impact.
Plant Nursery
Park
Public utilities
Recreational Use(Indoor Recreation Facility)
Rural Industry
Service Station

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Industry Zone:⁶

Adult Entertainment
Brothel
Caravan Park
Child Care Centre
Dwelling House
Holiday Cabin Development
Host Premises
Intensive Rural Uses
Recreational Use (other than Indoor Recreation Facility)
Refreshment Premises
Residential Premises
Tourist Attraction
Professional Office

⁶ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Industry Zone.

4.10.6 Specific Outcomes and Probable Solutions for Industry Zones

Developments seek to achieve the following specific outcomes:

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) General Values</p> <p>(i) Development occurs in localities with level or gently sloping land with safe public access and,</p> <ul style="list-style-type: none"> - Allotments are free draining at all times without creating pondage on adjoining land. - Little or no likelihood of landslide, erosion or bushfire threats -- Adjacent or close to all services and major transport routes <p>(ii) Land uses minimise air and noise emissions from sites.</p> <p>(iii) Noxious or offensive odour control ensures effects at property boundary are minimised.</p>	<p>(a)</p> <p>(i) Sites for development have the following characteristics:</p> <ul style="list-style-type: none"> - Well drained without flooding by Q100 flood on any part of the land. - Provides side boundary clearance of 4m for rear access and 6 m front and rear setback for landscape treatment and access respectively . <p>(ii) Noise produced by any use does not exceed 5 dB(A) above the background ambient noise measured at the property boundary at any time.</p> <p>(iii) No probable solution proposed</p>
<p>(b) Natural Resources</p> <p>(i) No significant degradation of the natural environment occurs through loss of natural vegetation, disturbance or destruction of wildlife corridors, or important stands of remnant vegetation.</p> <p>(ii) The stormwater drainage system minimises the environmental impact of urban run-off on the water quality of surface receiving waters and on other aspects of the natural environment, such as creek configuration and existing vegetation.</p> <p>(iii) Development does not proceed in flood prone areas</p> <p>(iv) The integrity of the ground water is preserved by provision in unsewered areas of an effluent treatment facility</p> <p>(v) The productivity, viability and use of good quality agricultural land(GQAL) for primary production is maintained and</p>	<p>(b)</p> <p>(i) Developments on allotments do not:</p> <ul style="list-style-type: none"> - destroy any vegetation (except for building envelope) - involve operational works with a cut or fill depth in excess of 1m - Disturb or redirect any natural watercourses <p>(ii) No probable solution proposed</p> <p>(iii) Buildings and associated structures are constructed with floor levels 300 mm above the Q100 flood for the locality .</p> <p>(iv) No probable solution proposed</p> <p>(v) Development conforms with buffer and separation distances specified in Planning Guidelines—Separating</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
protected .Uses sensitive to spray drift odour ,noise dust ,smoke and ash potentially associated with agricultural activities are separated or buffered to avoid conflict with such activities and potential activities on GQAL	Agricultural and Residential Land Uses
<p>(c) Amenity and Character</p> <p>No significant degrading of the amenity of the locality or its character resulting from:</p> <p>(i) The scale, siting intensity and design of the buildings or ancillary structures uses associated with development</p> <p>(ii) Buildings conform with the general industrial character and building style of the area</p> <p>(iii) Uses are sited and buildings designed to avoid undesirable emissions from the development</p> <p>(iv) Operations minimise contamination of the environment beyond property boundaries</p>	<p>(c)</p> <p>(i) Industrial buildings do not:</p> <ul style="list-style-type: none"> - exceed 8m high - occupy more than 50% of the site <p>(ii) No probable solution proposed</p> <p>(iii) No probable solution proposed</p> <p>(iv) No probable solution proposed</p>
<p>(d) Infrastructure Services</p> <p>(i) The development and access routes are supplied with infrastructure to suit the industrial uses. Access is from local or service roads</p>	<p>(d)</p> <p>(i) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manual (for acceptable solutions and for probable solutions). The following essential services are provided</p> <ul style="list-style-type: none"> - Telecommunications and electricity - Reticulated water supply and sewerage services - Sealed road access to and internally on all development. - Direct access to state controlled roads; and - Reticulated recycled water supply in the Glenkerr Development Centre, Highfields. - A rainwater storage tank/device (including pump) is provided which: <p>collects water from 65% of the additional roof area and is</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
	<p>plumbed to service the toilets and at least one outside tap; and</p> <p>the minimum capacity of the rainwater storage tank/device is:</p> <ul style="list-style-type: none"> ▪ for industrial activities - 3kL per 100m² of total roof area; <p>Note: A water balance report assessing potential stormwater yield and consumption will be required if a lesser capacity is proposed.</p>

SUPERSEDED

4.11 Green Space Zone

4.11.1 Assessment categories for green space zone

The assessment categories are identified for development in the Green Space zone in column 2 of tables 19 and 20 as follows:

- (a) table 19 - making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 20 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - Outbuildings
 - Removal Building;
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work for Lot Reconfiguration.

4.11.2 Assessment criteria for self-assessable development and assessable development in the green space zone

- (1) The relevant assessment criteria in the Green Space zone are referred to in column 3 of tables 19 and 20.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of a code cannot be met.

TABLE 19

**ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR GREEN SPACE ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Caretakers Residence	Code assessable	Caretakers Residence Code Green Space Zone Code General Development Code
Community Activities	Code assessable	Green Space Zone Code Community Activities Code Landscape and Buffer Code
Park	Exempt	
Public Utility	Exempt, except for Telecommunication Facility (other than low impact facility) otherwise code assessable	Green Space Zone Code General Development Code Landscape and Buffer Code
Recreational Use(Outdoor Recreation Area or Indoor Recreation Facility)	Code assessable	Green Space Zone Code General Development Code Landscape and Buffer Code Commercial Facilities Code
Recreational Trails	Self assessable	Green Space Zone Code General Development Code
Tourist Attraction	Code assessable	Green Space Zone Code General Development Code Landscape and Buffer Code
All other uses, except use for a road	Impact assessable	

TABLE 20

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR GREEN SPACE ZONE—OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self-assessable or requires code assessment
Carrying out building work, including minor extensions not associated with a material change of use .	Exempt	
Carrying out building work for an Outbuilding ,not associated with a material change of use.	Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with	If self assessable Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Green Space Code • General Development Code • Landscape and Buffer Code
Carrying out building work for a Removal Building ,not associated with material change of use	Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with	If self assessable Dwelling House Code (acceptable solutions). If code assessable <ul style="list-style-type: none"> • Dwelling House Code • Green Space Zone Code • General Development Code
Lot Reconfiguration	Code assessable	Lot Reconfiguration Code Green Space Zone Code Landscape and Buffer Code
Carrying out operational work associated with Lot Reconfiguration	Code Assessable	Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code
Carrying out operational work not associated with a material change of use or Lot Reconfiguration	Code assessable	Filling and Excavation Code Landscape and Buffer Code
Other	Exempt	

4.11.3 Compliance with green space zone code

Development that, is consistent with the specific outcomes in section 4.11.5 complies with this code.

4.11.4 Outcomes for green space zone

The overall outcomes sought for the zone are the following—

- (a) Maintain and increase green space areas to provide for the recreational needs of the community
- (b) Provide areas for active and passive recreational uses and community facilities.
- (c) Tourist accommodation is provided in a manner not to degrade natural features of the locality
- (d) Natural and cultural heritage features are preserved without degradation
- (e) Natural features and resources are protected
- (f) The integrity and quality of the water courses storages and ground water systems is not degraded
- (g) The risk of harm to property, people and the environment from natural hazards is minimised

4.11.5 Green Space Zone - Specific Outcomes

(1) Consistent Uses

The following defined uses are consistent uses and are located in the Green Space Zone:

- Caretakers Residence
- Community Activities
- Park
- Public Utility
- Recreation Use(Outdoor Recreation Area or Indoor Recreation Facility)
- Recreational Trail
- Tourist Attraction

2. Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Green Space Zone⁷

- Adult Entertainment
- Agriculture
- Brothel
- Cattery or Kennel
- Child Care Centre
- Dwelling House
- Extractive Industry
- Industry (all impacts)
- Intensive Rural Use
- Plant Nursery
- Residential Premises
- Rural Industry
- Service Station
- Veterinary Premises
- Professional Office

⁷ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Green Space Zone.

4.11.6 Specific Outcomes and Probable Solutions for Green Space Zones

Development in the Green Space Zone achieves the following specific outcome and probable solutions.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) General Values</p> <p>(i) Developments for tourists are established in locations which have identified:</p> <ul style="list-style-type: none"> - significant natural features or - areas of particular natural interest, in a manner to minimise impacts on the natural resources of the area. 	<p>(a)</p> <p>(i) Sites for development have the following qualities:</p> <ul style="list-style-type: none"> - located no closer than 100m from areas of high environmental value - accommodate visitors at densities no greater than 20 people/ha on developed sites where each bedroom in accommodation units houses 2 people.
<p>(b) Amenity and Character</p> <p>No significant visual or environmental degrading of the amenity of the locality or its character results from:</p> <p>(i) The scale, siting intensity and design of the buildings or any other works associated with development.</p> <p>(ii) The operations of a development minimise noise or waste contamination of the environment beyond property boundaries</p>	<p>(b)</p> <p>(i) The structures are no higher than existing structures or if remote from other buildings no higher than 8m above the average ground level of the site.</p> <p>(ii) No probable solution proposed</p>
<p>(c) Infrastructure Services</p> <p>All developments are provided with infrastructure services in respect of:</p> <ul style="list-style-type: none"> - Water supply and Sewerage - Road access - Electricity Supplies and Telecommunications Services 	<p>(c)</p> <p>All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manual(for acceptable solutions and for probable solutions)</p> <ul style="list-style-type: none"> - A reticulated water supply and sewerage system are provided. If not available, on site storage of 40,000 of potable water for every dwelling house or equivalent is provided. On site wastes disposal system is installed to ensure no flow to adjoining properties. - A sealed access road, minimum width of 7m is connected from an existing sealed road to the development. - All services are connected to all developments.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(d) Natural Resources Values</p> <p>(i) No significant degradation of the natural environment occurs through</p> <ul style="list-style-type: none"> - loss of natural vegetation, - disturbance or destruction of wildlife or wildlife corridors, important stands of remnant vegetation, and flora and fauna are protected. <p>(ii) Development is not sited on flood prone land.</p> <p>(iii) The integrity of the ground water is maintained by systems to prevent degradation from liquid wastes</p>	<p>(d)</p> <p>(i) Developments in areas identified on Biodiversity, Water Catchment and Watercourse Map or Vegetation & Wildlife Corridor Map as having biodiversity values, wildlife corridors and remnant vegetation does not:</p> <ul style="list-style-type: none"> - destroy any vegetation(except within an approved building envelope or access thereto) - carry out any earthworks to a depth or height in excess of 200 mm or to a volume in excess of 50m³ - disturb or redirect any natural watercourses <p>(ii) Buildings and ancillary structures are constructed with floor levels 300mm above the Q₁₀₀ flood for the locality</p> <p>(iii) No probable solution proposed.</p>

4.12 Community Use Zone

4.12.1 Assessment categories for Community Use Zone

The assessment categories are identified for development in the Community Use Zone in column 2 of tables 21 and 22 as follows:

- (a) table 21- making a material change of use for a defined use, or another use in a defined use class, listed in column 1; or
- (b) table 22 - other development listed in column 1, including—
 - (i) carrying out building work not associated with a material change of use;
 - (ii) self assessable or assessable development without material change of use:
 - Outbuildings
 - Removal Building
 - (iii) Lot Reconfiguration;
 - (iv) carrying out operational work for Lot Reconfiguration.

4.12.2 Assessment criteria for self-assessable development and assessable development in the Community Use Zone

- (1) The relevant assessment criteria in the Community Use Zone are referred to in column 3 of tables 21 and 22.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.
- (3) Self assessable development becomes code assessable development when the requirements of a code cannot be met.

TABLE 21

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR COMMUNITY USE ZONE—MAKING A MATERIAL CHANGE OF USE

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Defined use	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Caretakers Residence	Self assessable or code assessable if the acceptable solutions of the Caretakers Residence Code are not complied with	If self assessable Caretakers Residence Code (acceptable solutions). If Code assessable: <ul style="list-style-type: none"> • Caretakers Residence Code • Community Use Zone Code • General Development Code
Community Activities Park	Code assessable Exempt	Community Use Zone Code Community Activities Code General Development Code Landscape and Buffer Code
Public Utilities	Exempt, except for Telecommunication Facility (other than low impact facility) otherwise code assessable	Community Use Zone Code General Development Code Landscape and Buffer Code
Recreational Trails	Self Assessable	Community Use Zone Code General Development Code
Recreational Use (if Indoor Recreation Facility)	Code assessable	Community Use Zone Code General Development Code Landscape and Buffer Code
All other uses, except use for a road	Impact assessable	

TABLE 22

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR COMMUNITY USE ZONE—OTHER DEVELOPMENT

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.8(3) explaining how the higher assessment category prevails.

Column 1 Type of development	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self-assessable or requires code assessment
<p>Carrying out building work, including minor extensions not associated with a material change of use .</p> <p>Carrying out building work for an Outbuilding ,not associated with a material change of use</p> <p>Carrying out building work for a Removal Building ,not associated with material change of use</p>	<p>Exempt</p> <p>Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with</p> <p>Self assessable or code assessable if the acceptable solutions of the Dwelling House Code are not complied with</p>	<p>If self assessable, Dwelling House Code (acceptable solutions). If code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Community Use Zone Code • General Development • Landscape and Buffer Code <p>If self assessable, Dwelling House Code (acceptable solutions). If code assessable</p> <ul style="list-style-type: none"> • Dwelling House Code • Community Use Zone Code • General Development Code
<p>Lot Reconfiguration</p> <p>Carrying out operational work associated with Lot Reconfiguration</p>	<p>Code assessable</p> <p>Code assessable</p>	<p>Lot Reconfiguration Code Community Use Zone Landscape and Buffer Code</p> <p>Lot Reconfiguration Code Filling and Excavation Code Landscape and Buffer Code</p>
<p>Carrying out operational work not associated with a material change of use or Lot Reconfiguration</p>	<p>Code assessable</p>	<p>Filling and Excavation Code Landscape and Buffer Code</p>
<p>Other</p>	<p>Exempt</p>	

4.12.3 Compliance with Community Use Zone code

Development that, is consistent with the specific outcomes in section 4.12.5 complies with this code.

4.12.4 Overall Outcomes for Community Use Zone

- (1) The overall outcomes sought for the zone are the following—
 - (a) The community has a wide variety of activities for entertainment, recreational uses and cultural interest .
 - (b) Community activities and services operate without generating adverse impacts on the amenity of the locality.
 - (c) Uses for major entertainment, cultural and religious purposes are located in or near the town centres in locations in a manner to minimise impacts on other uses.
 - (d) Operations of uses of national importance, such as the Australian Army Signal Station at Cabarlah are protected from the adverse effects of development.

4.12.5 Community Use Zone - Specific Outcomes

(1) Consistent Uses

The following defined uses are consistent uses and are located in the Community Use Zone:

- Caretakers Residence
- Community Activities Park
- Public Utilities
- Recreational Trails
- Recreational Use(Indoor Recreation Facility)

(2) Inconsistent Uses

The following defined uses are inconsistent uses and are not located in the Community Use Zone:⁸

- Adult Entertainment
- Brothel
- Cattery and Kennel
- Extractive Industry
- Holiday Cabin Development
- Host Premises
- Industry
- Intensive Rural Use
- Plant Nursery
- Residential Premises
- Recreational Use(other than Indoor Recreation Facility)
- Rural Industry
- Service Station
- Veterinary Premises
- Professional Use

⁸ Uses listed as inconsistent are considered in conflict with the overall outcomes of the Community Use Zone.

4.12.6 Specific Outcomes and Probable Solutions for Community Use Zones

Developments seek to achieve the following outcomes:

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) Amenity and Character Minimal degradation of the amenity of the locality or its character results from:</p> <p>(i) the scale, siting intensity and design of the buildings or use or any other works associated with development.</p> <p>(ii) the operations of traffic and access including associated external influences and the siting and design of the buildings in relation to excessive noise and air emissions.</p>	<p>(a)</p> <p>(i) The structures are no higher than existing structures or if remote from other buildings no higher than 8m above the average ground level in the plan area of the building.</p> <p>(ii) No probable solutions proposed</p>
<p>(b) Infrastructure Services</p> <p>(i) All developments are supplied with infrastructure services of:</p> <ul style="list-style-type: none"> - reticulated water and sewerage - electrical and telecommunication services - sealed access roads to accommodate the design traffic 	<p>(b)</p> <p>(i) All infrastructure is designed and constructed to standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manual (for acceptable solutions and for probable solution) and include:</p> <ul style="list-style-type: none"> - A reticulated water supply and sewerage service is provided. If none is available, on site storage for uses is included and wastes disposal system shall be provided to ensure no overflow or seepage to adjoining property - Sealed access and internal roads are provided. - Electrical and Telecommunications services are provided in accordance with supplier standards. - Connection to reticulated recycled water supply where available in Highfields. - A rainwater storage tank/device (including pump) is provided which: <ul style="list-style-type: none"> collects water from 65% of the roof area and is plumbed to service the toilets and at least one outside tap; and the minimum capacity of the rainwater storage tank/device is: <ul style="list-style-type: none"> ▪ for industrial activities - 3kL per 100m² of total roof area; <p>Note: A water balance report assessing potential stormwater yield and consumption will be required if a lesser capacity is proposed.</p>

5.0 OVERLAY CODES AND ASSESSMENT TABLES

5.1 Natural Features and Resources Overlay

5.1.1 Assessment categories for Natural Features and Resources Overlay

The assessment categories are identified for development affected by a Natural Features and Resources overlay in column 2 of tables 23 and 24 as follows—

- (a) table 23 — making a material change of use for a defined use, listed in column 1;
- (b) table 24 — other development listed in column 1 including—
 - (i) building work not associated with a material change of use; and
 - (ii) operational work not associated with a material change of use.
 - (iii) Lot Reconfiguration.

5.1.2 Relevant assessment criteria for development affected by a Natural Features or Resources overlay

- (1) The relevant assessment criteria for development affected by a Natural Features or Resources overlay are referred to in column 3 of tables 23 and 24.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are applicable codes.

TABLE 23

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR NATURAL FEATURES AND RESOURCES OVERLAY—MAKING A MATERIAL CHANGE OF USE

Note –

- Zones also affect assessment categories. Refer to zone maps to determine the zone of the land.

Column 1 Defined use or use class	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Biodiversity Conservation Areas and Wildlife Corridors		
Dwelling & Outbuildings	Self assessable (a) Within 100m from an area of State Forest or National Park identified on the Zone Map; OR (b) On or within 100m of that part of premises identified on Biodiversity, Water Catchment and Watercourse Map - biodiversity conservation areas or Vegetation and Wildlife Corridor Map - wildlife corridors of state, regional or local significance; and (c) On lots with an area of 2ha or less.	Natural Features and Resources Overlay Code
All other uses (except Agriculture, Forestry (where carried out on that part of the premises identified on the Zone Map as State Forest or National Park) or Animal Husbandry (not associated with aquaculture))	Code assessable: (a) Within 100m from an area of State Forest or National Park identified on the Zone Map; OR (b) On or within 100m of that part of premises identified on map Biodiversity, Water Catchment and Watercourse Map - biodiversity conservation areas or Vegetation and Wildlife Corridors Map - wildlife corridors of state, regional or local significance.	Natural Features and Resources Overlay Code

Good Quality Agricultural Land		
Dwelling House & Outbuildings	Self Assessable	Natural Features and Resources Overlay Code
Agriculture, Animal Husbandry (if not involving aquaculture)	Exempt	
All other uses	Code Assessable if: In the Rural Zone and on Class A or Class B GQAL identified on Good Quality Agricultural Land and Extractive Resources Map	Natural Features and Resources Overlay Code
Potential Extractive or Mining Resources		
All Uses (except Agriculture, Animal Husbandry, Forestry, Extractive Industry, Home Business)	Code Assessable if: On or within 1000m of a mining lease, or local extractive resource identified on map Good Quality Agricultural Land and Extractive Resources Map.	Natural Features and Resources Overlay Code
Catchment Management		
All Uses (except Agriculture Animal Husbandry, Forestry, Home business)	Code Assessable if: Within 100m of the top bank of major watercourses identified on Biodiversity, Water Catchment and Watercourse Map, or Within the catchment areas of urban water storages shown on Biodiversity, Water Catchment and Watercourse Map.	Natural Features and Resources Overlay Code Catchment Management Code

TABLE 24

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR NATURAL FEATURES OR RESOURCES OVERLAY—OTHER DEVELOPMENT

Column 1 Type of development	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Operational work or building work not associated with a material change of use	<p>Code assessable if –</p> <p>(a) for excavation or otherwise removing more than 50m³ of material, or filling of land involving more than 50m³ of material at greater than an average depth of 0.2m, or clearing of vegetation and–</p> <p>(i) within 100 metres of the top bank of major watercourses identified on Biodiversity, Water Catchment and Watercourse Map: OR</p> <p>(ii) on slopes of 1 in 8 gradient or greater.</p> <p>(b) the site is located in the catchment area of an urban water storage as identified on Biodiversity, Water Catchment and Watercourse Map, and involves,</p> <p>(i) excavation or otherwise removing more than 100m³ of material: OR</p> <p>(ii) filling of land involving more than 50m³ of material at greater than average depth of 0.2m.</p>	<p>Natural Features and Resources Overlay Code.</p> <p>Catchment Management Code</p>
Lot Reconfiguration	<p>Code assessable if</p> <p>(a) located within 100 metres of the top bank of major watercourses shown on Biodiversity, Water Catchment and Watercourse Map; OR</p> <p>(b) within the catchment areas of urban water storages identified on Biodiversity, Water Catchment and Watercourse Map; OR</p> <p>(c) within 100m from an area of State Forest, Forest Reserve, National Park or Conservation Park identified on the Zone Map; OR</p> <p>(d) on or within 100m of that part of premises identified on the Biodiversity, Water Catchment and Watercourse Map as state, regional or local significant habitat; OR</p>	<p>Natural Features and Resources Overlay Code.</p> <p>Catchment Management Code</p>

Column 1 Type of development	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
	(e) In the Rural Zone and on Class A or Class B GQAL identified on Good Quality Agricultural Land & Extractive Resources Map; OR (f) on or within 1000m of a mining lease, or local extractive resource identified on the Good Quality Agricultural Land & Extractive Resources Map.	
Operational work associated with Lot Reconfiguration	Code assessable if, (a) for excavation or otherwise removing more than 50m ³ of material, or filling of land involving more than 50m ³ of material at greater than an average depth of 0.2m, or clearing of vegetation and – (i) within 100 metres of the top bank of major watercourses identified on Biodiversity, Water Catchment and Watercourse Map; OR (ii) on slopes of 1 in 8 gradient or greater (b) the site is located in the catchment area of an urban water storage as identified on Biodiversity, Water Catchment and Watercourse Map, and involves, (i) excavation or otherwise removing more than 100m ³ of material; OR (ii) filling of land involving more than 50m ³ of material at greater than average depth of 0.2m.	Natural Features and Resources Overlay Code. Catchment Management Code
Other Development	Exempt	

5.1.3 Natural Features and Resources overlay code

The provisions in this section comprise the Natural Features and Resources Overlay code.

5.1.4 Compliance with Natural Features and Resources Overlay code

Development that is consistent with the specific outcomes in sections 5.1.6 complies with the Natural Features and Resources Overlay code.

5.1.5 Overall outcomes for Natural Features and Resources Overlay

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Natural Features and Resources overlay are that:
 - (a) places, areas or sites identified as having significant value as natural features or resources and areas of state, regional and local significance are protected from the effects of development that may significantly reduce all or some of the values, as applicable, in terms of -
 - (i) physical change; or
 - (ii) damage or removal; or
 - (iii) visibility; or
 - (iv) accessibility; or
 - (v) visual detracting; or
 - (vi) long term degradation; and
 - (b) places, areas or sites identified as natural features that constrain development due to potential risk to the natural or built environment or human health or safety, are avoided or measures taken with regard to development that reduce the risk to acceptable levels.
 - (c) the productivity and viability of GQAL is not compromised.
 - (d) places, areas or sites identified as containing mining resources, pipelines or marketable quantities of extractive resources are protected for future development of the resource.
 - (e) development does not contribute to the deterioration of water quality throughout the Shire.
 - (f) riparian vegetation is protected from clearing to mitigate adverse effect of development on soil stability and its value for protecting water quality.

5.1.6 Specific Outcomes for Natural Features and Resources Overlay Code

- (1) Significant Habitat

Specific Outcomes -

- (a) Development within 100 metres of an identified State Forest or National Park² has no significant adverse effects on the area, including those related to:
 - (i) management of fire risk, including the use of natural firebreaks; or
 - (ii) changes to natural drainage; or
 - (iii) unmanaged public access; or
 - (iv) effluent disposal; or

- (v) introduction and management of declared³ animal and plant pests; or
 - (vi) changes to natural activities of animals with respect to the location and effects of uses, fencing, lighting and the like.
- (b) Development in areas identified as containing state, regional and locally significant habitat has no adverse impacts on:
- (i) biodiversity values contributing to the significance of the habitat;
 - (ii) long term ecological viability and sustainability of ecosystems and flora and fauna species;
 - (iii) the extent and condition of bushland;
 - (iv) the biological diversity of flora and fauna.
- (c) Development in areas identified as containing state, regional and locally significant habitat has regard for:
- (i) vegetation/ecosystem management; and
 - (ii) rehabilitation;
 - (iii) weed control and management;
 - (iv) bushfire management and control;
 - (v) feral animal management and control.

Probable Solution for Specific Outcome (c) (iv) –

- (a) A distance of at least 50 metres is maintained from buildings and structures to escarpments and at least 100 metres from vegetation within areas identified as state, regional or local significant habitat on Biodiversity, Water Catchment & Watercourse Map and Vegetation & Wildlife Corridor Map.

(2) Good Quality Agricultural Land

Specific outcomes –

- (a) The productivity, viability and use of good quality agricultural land (GQAL) for primary production identified on Good Quality Agricultural Land Map is maintained by achieving the following outcomes:
- (i) only uses that require such land to support economic soil-based production including Agriculture and Animal Husbandry, are located on good agricultural land (GQAL);
 - (ii) uses not related to farming, and farming-related uses that are not dependent on the agricultural quality of the land, including Intensive Rural Use, Rural Industry and those aspects of Animal Husbandry involving structures, are not located on GQAL unless there is an overriding need for the development in terms of public benefit and no other site is suitable for the particular purpose;
 - (iii) uses sensitive to the spray drift, odour, noise, dust, smoke and ash potentially associated with agricultural activities are adequately separated or buffered to avoid significant conflict with such activities and potential activities on GQAL, in accordance with the Planning Guidelines: Separating Agricultural and Residential Land Uses.

³ Refer to the Rural Lands Protection Act and the list of Environmental Weeds of National Significance.

(3) Potential Extractive or Mining Resources

Specific outcomes –

- (a) places, areas or sites identified as containing extractive or mining resources are protected for future development.
- (b) uses and works identified as on or adjacent to an extractive resource, mining lease or haulage route are compatible with existing and future extractive operations and allow for the winning of materials in an efficient and sustainable manner;
- (c) uses and works are located to provide the maximum separation possible to high pressure pipelines including provision of large lot sizes and associated building envelopes to increase separation between the pipeline and building on new lots;
- (d) uses and works are constructed to avoid damaging or adversely affecting the pipeline's operations and the supply of gas;
- (e) uses that –
 - (i) Have the propensity to attract people in large numbers to live, work or congregate (e.g. education establishments, places of worship, retirement village, nursing home); or
 - (ii) involve the storage of flammable, explosive or other hazardous materials;

are avoided within 200 metres of high pressure oil and gas pipelines.

5.2 Natural Hazards Overlay

5.2.1 Assessment categories for Natural Hazards Overlay

The assessment categories are identified for development affected by a Natural Hazards overlay in column 2 of tables 25 and 26 as follows—

- (a) table 25 - making a material change of use for a defined use, listed in column 1;
- (b) table 26 — other development listed in column 1 including—
 - (i) building work not associated with a material change of use; and
 - (ii) operational work not associated with a material change of use.
 - (iii) Lot Reconfiguration.

5.2.2 Relevant assessment criteria for development affected by a Natural Hazards overlay

- (1) The relevant assessment criteria for development affected by a Natural Hazards overlay are referred to in column 3 of tables 25 and 26.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are applicable codes.

Landslide Hazard		
Dwelling House	<p>Self Assessable if:</p> <p>On or within 100m of land identified as Moderate Landslide Hazard Area on Landslide and Flood Hazard Map</p> <p>Code Assessable if:</p> <p>On or within 100m of land with a gradient of 1:8 or greater or identified as high or extreme on Landslide and Flood Hazard Map unless a geotechnical report identifies the area as being low or moderate risk has been undertaken previously.</p>	Natural Hazards Overlay Code
<p>All other Uses</p> <p>(except Agriculture, Animal Husbandry, Extractive Industry, Home Business)</p>	<p>Self Assessable if:</p> <p>On or within 100m of land identified as Moderate Landslide Hazard Area on Landslide and Flood Hazard Map</p> <p>Code Assessable if:</p> <p>On or within 100m of land with a gradient of 1:8 or greater or identified as high or extreme on Landslide and Flood Hazard Map unless a geotechnical report identifies the area as being low or moderate risk has been undertaken previously.</p>	Natural Hazards Overlay Code

TABLE 26

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR NATURAL HAZARDS
OVERLAY—OTHER DEVELOPMENT

Column 1 Type of development	Column 2 Assessment category	Column 3 Assessment criteria Applicable code If development is self assessable or requires code assessment
Floodable Land		
Building Work not associated with a MCU or, Operational Work not associated with a MCU, or ,Lot Reconfiguration	Code Assessable if: On land identified as Moderate to High Flood Prone Land and identified on Landslide and Flood Hazard Map	Natural Hazards Overlay Code
Bushfire Hazard		
Minor Extension Building Work not associated with a MCU or Lot Reconfiguration	Self Assessable Self Assessable if: On or within 50m of land identified as Moderate Bushfire Area Category on the Bushfire Zone Map Code Assessable if: On or within 50m of land identified as High or Extreme Bushfire Area Category on the Bushfire Zone Map	Natural Hazards Overlay Code
Landslide Hazard		
Minor Extension Building Work not associated with a MCU or, Operational Work not associated with a material change of use or Lot Reconfiguration .	Self Assessable Self Assessable if : On or within 100m of land identified as Moderate Landslide Hazard Area on Landslide and Flood Hazard Map Code Assessable if: On or within 100m of land with a gradient of 1:8 or greater or identified as High or Extreme Land Slip Hazard Area on Landslide and Flood Hazard Map.	Natural Hazards Overlay Code
Other Development	Exempt	

5.2.3 Natural Hazards overlay code

The provisions in this section comprise the Natural Hazards Overlay code. They are:

- compliance with the Natural Hazards Overlay Code (5.2.4)
- Overall Outcomes of Natural Hazards Overlay Code (5.2.5)

Specific Outcomes and probable solutions for Natural Hazards Overlay Code (5.2.6)

5.2.4 Compliance with Natural Hazards Overlay code

Development that is consistent with the specific outcomes in section 5.2.6, complies with the Natural Hazards Overlay Code.

5.2.5 Overall outcomes for Natural Hazards Overlay Code

- (1) The overall outcomes are the purpose of the overlay code.
- (2) The overall outcome sought for the Natural Hazards Overlay Code is as follows:
 - (a) development in areas at risk from natural hazards is compatible with the nature of the natural hazard;
 - (b) the risk to people, property and the environment from natural hazards is minimised; and
 - (c) development does not result in a material increase in the extent or severity of natural hazards

5.2.6 Specific Outcomes for Natural Hazards Overlay Code

The specific outcomes sought for the Natural Hazards Overlay code are included in Column 1 and the probable solutions in Column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if Self Assessable) Probable Solutions (if Code Assessable)
Floodable Land²	
(a) Development maintains the safety of people on the development site from all floods up to and including a 1:100 year event.	(a) Development is not sited on land subject to flooding during a 1:100 year flood event .
(b) Development does not result in adverse impacts on people's safety or the capacity to use land within the floodplain.	(b) Works do not involve: (i) any physical alteration to a permanent watercourse or floodway including vegetation clearing; or (ii) net filling exceeding 50 cubic metres.
(c) Public safety and the environment are not adversely affected by the detrimental impacts of floodwater on hazardous materials manufactured or stored in bulk.	(c) The manufacture or storage in bulk of hazardous materials takes place above the level of a 1:100 year flood event .. OR Buildings or structures used for the manufacture or storage of hazardous materials are designed to prevent the intrusion of floodwaters up to the level of a 1:100 year flood event.
(d) Essential public utilities are available	(d) Infrastructure is secured by ;

² Council may request a flood assessment report to assist in the assessment of whether or not the application achieves the relevant specific outcomes and probable solutions. For further details refer to PSP#

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if Self Assessable) Probable Solutions (if Code Assessable)
<p>and maintain their function during flood events up to a 1:100 year flood event.</p> <p>(e) Community Infrastructure³ is able to function effectively during and immediately after flood events .</p>	<p>(i) location above the level of a 1:100 year flood event; or</p> <p>(ii) design and construction to exclude water inundation or infiltration and hydrostatic and hydrodynamic forces as a result of inundation.</p> <p>(e) Community Infrastructure is designed and located in accordance with solutions 1.1 or 1.2 and 1.3 in Appendix 9 of the SPP1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide Guidelines</p>
Bushfire Hazard⁴	
<p>(f) Development maintains the safety of people and property by:</p> <p>(i) avoiding areas of High or Medium bushfire hazard; or</p> <p>(ii) mitigating the risk through:</p> <ul style="list-style-type: none"> - lot design and the siting of buildings; and - including firebreaks that provide adequate: - setbacks between buildings/structures and hazardous vegetation, and - access for fire fighting/other emergency vehicles; <p>(iii) providing adequate road access for fire fighting/other emergency vehicles and safe evacuation; and</p> <p>(iv) providing an adequate and accessible water supply for fire-fighting purposes.</p> <p>(g) Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p> <p>(h) Community Infrastructure is able to function effectively during and immediately after bushfire events.</p>	<p>(f) Uses and works are designed and managed in accordance with solutions 1.1 or 1.2, 1.4, 1.5, 1.6 and 1.7 in Appendix 5B of the SPP1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide Guideline; and</p> <p>For uses involving new or existing buildings each lot has:</p> <p>(i) a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow in 10 litres a second at 200kPa); or</p> <p>(ii) an accessible on site dam or tank with fire fighting fittings, swimming pool of not less than 40,000 litres.</p> <p>(g) Hazardous materials are not manufactured or stored on the site.</p> <p>(h) Community infrastructure is designed and located in accordance with solutions 2.1 or 2.2 or 2.3 or 2.4 in Appendix 9 of the SPP1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide Guideline.</p>

³ The types of Community infrastructure to which the specific outcome applies are set out in A1.2 of Annex 1 of the SPP 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.

⁴ Council may request a site-specific bushfire hazard assessment to assist in the assessment of whether or not the application achieves the relevant specific outcome and probable solutions. The Building Code of Australia(BCA) contains provisions pertaining to building in bushfire prone areas .Lands identified as being high or extreme bushfire hazard on Bushfire Zone Map are “ Designated Bushfire Prone Areas” for the purpose of the Standard Building Regulation 1993(section 55)and the B. For further details refer to PSP#.

Landslide Hazard⁵

(i)	Development maintains the safety of people, property and hazardous materials manufactured or stored in bulk from the risk of landslide.	<p>(i) The development site is not subject to moderate, high or extreme landslide hazard, either internally or from sloping land above the site as identified on Landslide and Flood Hazard Map</p> <p>OR</p> <p>The development does not-</p> <p>(i) involve any new building work other than a minor extension to an existing building; or</p> <p>(ii) involve vegetation clearing; or-</p> <p>(iii) alter ground levels or stormwater conditions.</p> <p>OR</p> <p>The development site if identified on Landslide and Flood Hazard Maps moderate, high or extreme landslide hazard includes measures that ensure development is carried out in accordance with a geo-technical report, prepared by a suitably qualified registered engineer, that includes:</p> <ul style="list-style-type: none">• an assessment of the stability of the Site;• an assessment of the impact that the proposed development (including all proposed buildings, roads, Excavation and/or Filling, access and drainage works) would have on the stability of the Site and adjacent land; and• requirements (including, where relevant, preferred locations, methods of construction and management regimes for buildings, foundations, roads, Excavation and/or Filling, storm and wastewater drainage, landscaping and other works) that are necessary to be incorporated into the development to reduce the level of risk to life and property (whether on the Site or not) to an acceptable level. <p>OR</p> <p>The development site is identified on the Landslide and Flood Hazard Map as a moderate landslide hazard, is in the relevant zone and has a lot size equal or less than the following:</p> <p>Residential Zone - 1200m² Residential Low Density Zone – 4000m² Park Residential Zone - 6000m² Village Commercial Zone - 4000m² Tourist Zone - 4000m²</p>
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⁵ Council may request a site-specific geotechnical analysis prepared by a register professional engineer to assist in the assessment of whether or not the application achieves the relevant specific outcome and probable solutions. For further details refer to PSP.

5.3 Cultural Heritage Features Overlay

5.3.1 Assessment categories for Cultural Heritage Features Overlay

The assessment categories are identified for development affected by a Cultural Heritage Features overlay in column 2 of tables 27 and 28 as follows—

- (a) table 27 — making a material change of use for a defined use, or another use in a defined use class, listed in column 1;
- (b) table 28 —other development listed in column 1 including—
 - (i) carrying out building work not associated with material change of use;
 - (ii) carrying out operational work not associated with material change of use.

5.3.2 Relevant assessment criteria for development affected by a Cultural Heritage Features overlay

- (1) The relevant assessment criteria for development affected by a Cultural Heritage Features Overlay are referred to in column 3 of tables 27 and 28.
- (2) For self-assessable development and code assessable development, the relevant assessment criteria are applicable codes.

TABLE 27

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR CULTURAL HERITAGE FEATURES OVERLAY—MAKING A MATERIAL CHANGE OF USE

Note –

- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected.

Column 1	Column 2	Column 3
Defined use or use class	Assessment category	Assessment criteria Applicable code If development is self assessable or requires code assessment
All uses	Code assessable for any changes to items listed in schedule 1 (Part A) which affects the built form or functioning of any item. Exempt if the criteria for code assessment does not apply.	Cultural Heritage Features Overlay code (Part 5, Division 6)

TABLE 28

ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR CULTURAL HERITAGE FEATURES OVERLAY—OTHER DEVELOPMENT

Column 1	Column 2	Column 3
Type of development	Assessment category	Assessment Criteria Applicable code If development is self assessable or requires code assessment
Building work or operational work not associated with a material change of use	Code assessable if - (a) obscuring or changing the external appearance of an identified cultural heritage building listed in schedule 1 (Part A) (b) the site incorporates or is within 20 m of any other identified cultural heritage place or item listed in schedule 1 (Part A) Exempt if - Any work is of a minor nature involving either: - Removal of additions with a floor area less than 25 m ² that doesn't obscure or significantly change the external appearance of an identified cultural heritage building listed in schedule 1 (Part A), or - removal and replacement with similar materials	Cultural Heritage Features Overlays code
Other Uses	Exempt	

5.3.3 Compliance with cultural heritage features overlays code

Development that is consistent with the specific outcomes in section 5.3.5 complies with the Cultural Heritage Features Overlays code.

5.3.4 Overall outcomes for cultural heritage features overlay

- (1) The overall outcomes are the purpose of the Cultural Heritage Features Overlay code.
- (2) The overall outcomes sought for the Cultural Heritage Features overlay are that identified places or items listed in Schedule 1 (Part A) are not subject to changes that would significantly reduce the public's capacity to appreciate those places or items, their existing character, or the history they represent, in terms of -
 - (a) public perception;
 - (b) visual character and appearance
 - (c) accessibility; or
 - (d) physical change, damage or removal.

5.3.5 Specific outcomes and probable solutions for cultural heritage features

Column 1- Specific Outcomes	Column-2 Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
<p>(a) A Place of Cultural Heritage Significance (listed in Schedule 1 – Identified Cultural Heritage Features) is not to be demolished and/or removed unless:</p> <ul style="list-style-type: none"> - it is of no Cultural Heritage Significance to the Shire and does not make a positive contribution to the appearance and character of the Local Streetscape; or - it is structurally unsound and is not economically repairable. <p>Note: If the Acceptable Solution is not met, demonstration of compliance with this Specific Outcome is likely to require the submission of reports prepared by suitably qualified person/s.</p> <p>(b) Items of cultural significance identified in Schedule 1 (Part A) are retained for their heritage significance</p>	<p>(a) The place of Cultural Heritage significance is retained</p> <p>(b) Recorded buildings ,structures or vegetation are retained in their original condition unless:</p> <ul style="list-style-type: none"> - An assessment demonstrates that part or all of the building has no heritage significance or is structurally unsound and not capable of economic repair or - Any work is of a minor nature involving either, <ul style="list-style-type: none"> - Removal of additions with a floor area less than 25 m² or - removal and replacement with

Column 1- Specific Outcomes	Column-2 Acceptable Solutions (if self assessable), Probable Solutions (if code assessable)
<p>(c) The form and accessibility of places of Cultural Heritage significance are respected such that:</p> <p>(i) there is no significant detraction from its visibility or physical accessibility from vantage points such as public roads and pathways and,</p> <p>(ii) there is no significant detraction from its appreciation as a physical reminder of the history of the local area .</p> <p>(d) For non-recorded premises proposed on the same lot as recorded premises the siting is such that the perception of and visual accessibility to the recorded premises from public areas is not diminished</p>	<p>similar materials - the premises are not removed to another lot or relocated on the original site.</p> <p>(c) No probable solution proposed</p> <p>(d) No probable solution proposed</p>

6.0 CODES⁶

PART A ISSUE CODES⁷

6.1 General Development Code

The provisions in this section comprise the General Development code. They are:

- compliance with General Development code (section 6.1.1)
- purpose of General Development code (section 6.1.2)
- specific outcomes and probable solutions for General Development code (section 6.1.3.)

6.1.1 Compliance with general development code

An application for development that achieves the specific outcomes in section 6.1.3 complies with the General Development code.

6.1.2 Overall outcomes for general development code

- (1) The overall outcomes sought for the General Development code are:
 - (a) Development promotes ecological sustainability and ensures a high standard of public health, safety and amenity.
 - (b) Development complements the environment and provides a high standard of infrastructure and facilities
 - (c) Developments provide facilities that ensure the visual amenity, accessibility and viability are not diminished.
 - (d) Developments do not disrupt the functions of existing legal uses in the area.
 - (e) Air quality and ambience of the locality is not degraded.

6.1.3 Specific outcomes and probable solutions for general development code

The specific outcomes sought for General Development code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) (i) Developments are provided with infrastructure which:</p> <ul style="list-style-type: none">- meets natural standards for quality- are reliable and service failures minimised- are functional and readily augmented	<p>(a) (i) Infrastructure is designed in accordance with standards nominated in sections 2, 3, 4 and 5 of EDROC Standards Manual (for acceptable solutions and for probable solutions).</p>

⁶ Amended 23/01/09 – Amendment No.2

⁷ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(ii) A regular reliable high quality standard of service for all existing, or proposed uses in respect of design and function of:</p> <ul style="list-style-type: none"> - water supply and sewerage systems - life cycle capacities of systems; - water and wastewater quality; - water supply for emergency services; and surcharge provisions for sewerage systems; - impacts of development on watercourses and groundwater. <p>(iii) Access and Drainage All developments ensure access to and drainage are:</p> <ul style="list-style-type: none"> - designed and constructed to the best current practice, and - designed to provide safe travel, and - flood free and with systems that ensure all lots are free draining. <p>(iv) Electrical and Communication Services All developments are supplied with electrical and telecommunication connections.</p>	<p>(ii) No probable solution proposed.</p> <p>(iii) No probable solution proposed.</p> <p>(iv) No probable solution proposed.</p>
<p>(b) Buildings associated with the development are in character with and complement the neighbourhood in design and use of materials.</p> <p>The designs of structures and buildings address:</p> <ul style="list-style-type: none"> (i) Energy efficiency; (ii) The suitability of the structure in fulfilling its purpose; (iii) The effective integration of the building with the built form in the locality including scale and height; (iv) The provision of facilities and services to and within buildings. 	<p>(b) No probable solution proposed.</p>
<p>(c) The site layout of the development is designed to blend with the neighbourhood.</p> <ul style="list-style-type: none"> (i) The site layout complements those structures and buildings already existing or approved in the area. (ii) The layout is such as to allow maximum efficiency of infrastructure design 	<p>(c) No probable solution proposed.</p>

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(d)</p> <p>(i) On site provision is made for movement of vehicles, handling and storage of goods, and parking for on site parking for clients and staff.</p> <p>(ii) On-Site Car parking</p> <p>The provision of on-site car parking spaces is sufficient to supply the needs of a development without detrimentally impacting on the amenity of the locality. Schedule 2⁸ lists the minimum requirement for on site parking spaces. Results of calculations to be rounded up to the nearest whole number</p>	<p>(d)</p> <p>(i) No probable solutions proposed</p> <p>(ii) Specific developments meet the requirements defined in Schedule 2⁹.</p>
<p>(iii) If the number of car parking spaces is not specified, the number required is to be based on industry standards and, the available car parking spaces are located on the same site as the development;</p>	<p>(iii) No probable solution proposed</p>
<p>(e) Vehicle movement and parking areas are:</p> <ul style="list-style-type: none"> - designed for durability and ease of use - to include ample room to manoeuvre vehicles, and - to provide landscaping 	<p>(e) The parking area and spaces have the following requirements:</p> <ul style="list-style-type: none"> (i) level or of a gradient of not more than 5% at any point in the area; (ii) laid out in such manner as to provide direct access to each parking space and to permit free circulation of pedestrians and vehicles entering, leaving and parking; (iii) compacted, sealed, marked and maintained with each parking space dimensions are not less than 5.5m by 2.8m; (iv) readily accessible for vehicular use to enter and exit in a forward direction, and for loading and unloading of goods in bays kept exclusively for that purpose; (v) indicated by means of a sign clearly visible to patrons; (vi) landscaped with a 2.0 metre wide planted and maintained buffer strip along access routes, side, rear boundaries and street frontages; (vii) not closer than 3.0 metres from any structure, if the space is required for pedestrian traffic;

⁸ Amended 23/01/09 – Amendment No.2

⁹ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<p>(viii) located on the allotment upon which the development is to be carried out and includes spaces adjacent to entrances for pick up or set down passengers.</p>
<p>(f) Development ensures the local amenity is not degraded by the following;.</p> <p>(i) The impact of noise on the environment is minimised by the construction of noise attenuating buffers on the boundaries of the land;</p> <ul style="list-style-type: none"> - the redesign of the site, structures, buildings, or site layout; - change to, or restriction of operating hours; <p>(ii) Light The environmental amenity is considered to have been diminished if:</p> <ul style="list-style-type: none"> - at a distance of 1.5 m outside the boundary of the site light exceeds 8 lux. <p>(iii) Electronic transmission structures</p> <ul style="list-style-type: none"> - The visual aspects of the structures includes: - site selection for lowest impact on existing uses - layout, size and shape of structures to blend with the local landscape and landscaped to minimise visual impacts <p>(iv) Any use or facility does not adversely impact on the</p>	<p>(f) No probable solutions proposed.</p>

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>normal operations of any other use in the locality at any time .</p> <p>(g) Facilities do not increase the impact on sensitive electronic operations associated with national security nature in the neighbourhood.</p>	<p>(g)</p> <p>No probable solution proposed</p>

6.2 Landscape And Buffer Code

The provisions in this section comprise the Landscape and Buffer code. They are:

- compliance with Landscape and Buffer code (section 6.2.1)
- overall outcomes of Landscape and Buffer code (section 6.2.2)
- specific outcomes and probable solutions for Landscape and Buffer code (section 6.2.3).

6.2.1 Compliance With Landscape And Buffer Code

An application for development that achieves the specific outcomes in section 6.2.3 complies with the Landscape and Buffer code.

6.2.2 Overall Outcomes Of Landscape And Buffer Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes for the Landscape and Buffer code are as follows:
 - (a) Mitigate the visual impacts of development.
 - (b) Delineate and enhance pedestrian and vehicle routes.
 - (c) Provide for landscape buffers.
 - (d) On site vegetation is retained and protected.
 - (e) Frontages to all major transport routes are landscaped.
 - (f) Land areas are provided on which to establish visual and sound barriers.

6.2.3 Specific Outcomes And Probable Solutions For Landscape And Buffer Code

The specific outcomes sought for Landscape and Buffer code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a)</p> <p>(i) Species are consistent with the established landscape character of the area and accommodate the retention of existing vegetation, including street</p>	<p>(a)</p> <p>(i) No solution specified</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>trees.</p> <p>(ii) Site planning and procedures are undertaken to ensure retention of existing trees by locating new buildings, car park and driveways in order to enable the retention and long term performance of significant on-site vegetation.</p>	<p>(ii) Established vegetation , removed or damaged, is replaced with mature vegetation.</p>
<p>(b) Shade is provided for car parking areas, driveways and internal roadways.</p>	<p>(b)</p> <p>(i) Trees are planted uniformly throughout the car parking area, driveways and internal roadways.</p> <p>(ii) A minimum of one shade tree is provided for every 6 car parking spaces.</p> <p>(iii) Trees within car parking areas are protected by raised kerbs, wheel stops or bollards.</p> <p>(iv) Trees planted within car parking areas are provided with:</p> <ul style="list-style-type: none"> • a minimum planting area of 1.2m², with a minimum topsoil depth of 0.8m (if surrounded by hard surfaces). • permeable surface treatments for all spill over car parking areas.
<p>(c) Plant selection addresses the functional issues of the development but avoids those with the potential to become an environmental weed.</p>	<p>(c) No probable solution proposed.</p>
<p>(d) Buffer zones are provided along the frontages of all major transport routes as visual and acoustic barriers.</p>	<p>(d)</p> <p>(i) Buffer zones of minimum width 5 m and maximum 20 m are ceded to Council for landscaping purposes.</p> <p>(ii) Recessed planting areas, at least 1.2 m deep, are provided at regular intervals along a fence lines, over a minimum of 25% of the length of the fence.</p> <p>(iii) All planting and recessed areas are located within the buffer boundary.</p> <p>(iv) Trees, shrubs and ground covers are planted within the recesses.</p>
<p>(e) The ecology of a site or adjoining land is enhanced by additional adjacent vegetation.</p>	<p>(e)</p> <p>(i) Landscape buffering is provided to the edges of all remnant vegetation on or adjacent to a development.</p>

6.3 Lot Reconfiguration Code

The provisions in this section comprise the Lot Reconfiguration code. They are:

- compliance with the Lot Reconfiguration code (Section 6.3.1)
- purpose of Lot Reconfiguration code (Section 6.3.2)
- specific outcomes and probable solutions for Lot Reconfiguration code (Section 6.3.3).

6.3.1 Compliance With Lot Reconfiguration Code

An application for development that achieves the specific outcomes in sections 6.3.3 complies with the Lot Reconfiguration code.

6.3.2 Overall Outcomes For Lot Reconfiguration Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Lot Reconfiguration code are:
 - (a) Allotment sizes and dimensions within zones are suitable for the intended use.
 - (b) Reconfiguring a lot creates a high level of amenity .
 - (c) Creation of lots provides a high standard of access, a full range of services and where applicable
 - infrastructure services;
 - means to maintain and improve the amenity of the locality;
 - avoids circumstances which may impact on the efficient functioning of the locality.
 - (d) Lot Reconfiguration does not expose people property or the ecology to the risks from natural hazards.
 - (e) Lots of sufficient size are created to sustain the productive capacity of land for rural purposes.
 - (f) Areas with biodiversity values are not adversely impacted by habitat loss, fragmentation or isolation.
 - (g) A range of allotments sizes in areas classified as good quality agricultural land does not compromise the productivity of the land.

6.3.3 Specific Outcomes and Probable Solutions for Lot Reconfiguration Code

The specific outcomes sought for Lot Reconfiguration code are included in column 1 and probable solutions in column 2.

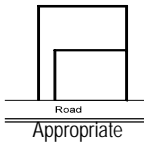
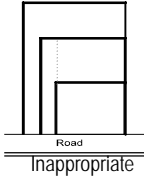
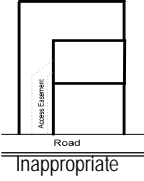
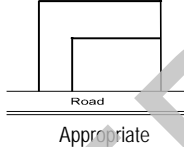
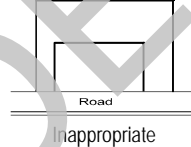
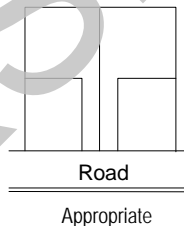
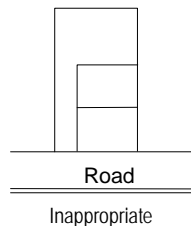
Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a)(i) Allotments are of size and dimensions to meet the outcomes for development in the zones in respect of:	(a)(i) Allotments comply with minimum and maximum dimensions for the particular zone listed in the table below ;

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)		
<ul style="list-style-type: none"> - sustainability of the productive capacity of rural land; - maintaining the ecological quality of an area; - preserving GQAL for agriculture and animal production; - achieving a safe and pleasant residential environment with green space for the well being of the residents; - providing a variety of lot sizes for industry(all impacts) and commerce¹¹ 	Zone	Min Size (m²)-Max Size (m²)-Average Size (m²)Frontage (m)	Min Ratio Frontage/Depth
	Rural	100ha/500m	1:5
	Park Residential	6000* m ² - /45m	1:4
	Rural Residential	2* hectares /80m	1:4
	Residential Low Density	2250-4000* m ² ave 2750 m ² /30m	1:3
	Residential (Highfields)	800-1200* m ² ave 1000 m ² /20m	1:3
	Residential (Crows Nest)	800*m ² /20m	1:3
	Commercial	400 m ² /15m	1:2
	Village Commercial	2250-4000 m ² ave 2750 m ² /30m	1:3
	Tourist	2250-4000 m ² ave 2750 m ² /30m	1:3
	Industry	800 m ² /20m	1:2
	Community Use	1hectare/20m	1:2
	(b) Frontage and access driveways for irregularly shaped allotments provide safe entry and exit.	(b) (i) Irregularly shaped allotments have: <ul style="list-style-type: none"> - an average width not less than the minimum frontage for a rectangular allotment; - the minimum frontage of the allotment is not less than one half the minimum frontage for a rectangular allotment. 	
¹⁰ (c) Allotments have safe, non intrusive access with a practical shape on site suitable for dwelling house construction and associated recreational space.	(c) (i) Allotments are not created on land with a slope exceeding 1 in 8 on more than 50% of the lot . (ii) The maximum length of access for a rear allotment is 50m, the area is included in the lot size. (iii) The maximum grade on an access to a rear allotment is 1:20. (iv) The maximum original surface cross fall on any part of the rear access does not exceed 1:50		
(d) (i) New lots created have well designed convenient access to transport routes. (ii) Associated with access to allotments, new roads are required to safely carry the traffic generated by the development and external sources.. (iii) The local traffic roads are designed and constructed to connect with adjacent roads and roads external to the area.	(d) Partial probable solution proposed. Future Major Road requirements: <ul style="list-style-type: none"> • Dedication of a 30m wide road reserve to provide a Highfields-Woolmer-Franke Road Connection; • Dedication of a 25m wide road reserve to provide a Kleinton – Polzin Road connection and constructed to a Trunk Collector standard 		

¹¹ In demonstrating compliance with SO (a), applicant may need to identify the locality will not be degraded; the topography, soil and climate are suitable for the proposed use; the allotment size is justified for the proposed use, in respect of water availability, access and essential services; areas of environmental significance or permanent watercourses and water storages is not likely to be damaged or destroyed; and there will not be an increase in demand for infrastructure.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(e) Creation of new lots does not expose residents to impacts from natural hazards of</p> <ul style="list-style-type: none"> (i) floods (ii) poor drainage (iii) bushfire risks (iv) excessive slope or landslide 	<p>(e) Allotments are not created:</p> <ul style="list-style-type: none"> (i) Below the highest recorded flood level or Q₁₀₀ flood level for the locality, whichever is higher. (ii) On land with a permanent water table at or within 200mm of the surface at any place is filled and drained. (iii) In areas identified on Bushfire Zone Map and Landslide & Flood Hazard Map as potential bushfire prone or steep and potentially unstable ground. (iv) Where the slope is 1:8 on 50% or more of the lot
<p>(f) Lot Reconfiguration protects areas of high conservation value and natural features including ;,</p> <ul style="list-style-type: none"> (i) identified significant habitat, vegetation and landscape features and (ii) major watercourses and domestic water storages 	<p>(f)</p> <ul style="list-style-type: none"> (i) No probable solution proposed.
<p>(g) Recreational space is provided in all reconfigurations including group title , for all developments, in close proximity and readily accessible to the public</p> <p>Note: Council at its discretion and in accordance with Planning Scheme Policy may not require all of the open space contribution in land but as a pro rata monetary contribution.</p>	<p>(g)</p> <ul style="list-style-type: none"> (i) At least, 10% of the total area of all land to be reconfigured in the Residential, Residential Low Density, Rural Residential and Park Residential is dedicated for recreational use on fair average land within the area being reconfigured; (ii) Open space dedicated for primarily drainage and buffer purposes that contribute towards passive recreation and environmental purposes may be considered as a partial credit towards the 10% contribution for recreational space. The maximum partial credit is 50% of the area utilised for the drainage and buffer purposes (eg a 5 hectare drainage reserve which acts as a pedestrian linkage would provide a maximum 2.5 hectare contribution towards open space). (iii) In the Residential and Residential Low Density Zones: <ul style="list-style-type: none"> • 90% of dwellings are to be within 400m walking distance of open space of minimum 0.5 hectare in size. • A minimum of 75% of the perimeter of open space, drainage and buffer areas is required to have constructed road frontage. • Users do not have to cross a trunk collector road or higher to access the park
<p>(h) Infrastructure services are provided to each allotment which ensure:</p> <ul style="list-style-type: none"> - safe access - high standard reliable services - provision for ensuring the local environment is not degraded. 	<p>(h)</p> <ul style="list-style-type: none"> (i) All infrastructure of water and sewerage, reticulation, roads and drainage and recreational uses and all components and telecommunications, electricity, are designed in accordance with standards nominated in sections 2, 3, 4 and 5 of EDROC

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>All new allotments in the following zones are provided with the following services:</p> <ul style="list-style-type: none"> • Residential, Residential Low Density and Commercial and Industry Zones: <ul style="list-style-type: none"> - Reticulated water and sewerage - Reticulated recycled water supply (Residential Zone only) - Electrical and telecommunications - Bitumen surfaced roads, kerb and channel and underground drainage - Street signs, footpaths and bikeways. • Park Residential Zone <ul style="list-style-type: none"> - Reticulated water supply and on site disposal of liquid wastes - Electrical and telecommunication - Bitumen surface roads, kerb and channel and underground drainage - Street signs • Rural Zone <ul style="list-style-type: none"> - Potable water supply from 40kL on site tank and on site disposal of liquid wastes - Electrical and telecommunication - 6m gravel surface to an 8m formation 	<p>Standards Manual (for acceptable solutions and for probable solutions); and</p> <p>(ii) Pedestrian pathway reserves have a minimum width of 10m.</p>
<p>(i) Public utilities are located and aligned so as to:</p> <ul style="list-style-type: none"> - avoid significant trees and/or other habitat areas. - minimise earthworks - avoid crossing major watercourses. 	<p>(i) No probable solutions proposed</p>
<p>(j) Lot reconfigurations:</p> <ul style="list-style-type: none"> ▪ minimise and discourage Hatchet Lots in Residential (greenfields Sites), commercial and industry Zones; and ▪ do not prejudice the subsequent reconfiguration and development of adjoining or balance lots. 	<p>(j) Lot reconfigurations in the Residential (greenfields Sites), commercial and industry Zones do not include Hatchet Lots.</p>
<p>(k) Where a Hatchet Lot is provided, the</p>	<p>(k)</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>location of the access strip and main body does not compromise:</p> <ul style="list-style-type: none"> ▪ the streetscape qualities of the area; ▪ the Residential amenity of the area; or ▪ the Street System. 	<p>(i) Only 1 Hatchet Lot is created behind any full frontage lot as shown in the diagram immediately below:</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  <p>Appropriate</p> </div> <div style="text-align: center;">  <p>Inappropriate</p> </div> <div style="text-align: center;">  <p>Inappropriate</p> </div> </div> <p>(ii) The access strip to the Hatchet Lot is located on only 1 side of the lot with direct frontage to the street as illustrated in the diagram immediately below:</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  <p>Appropriate</p> </div> <div style="text-align: center;">  <p>Inappropriate</p> </div> </div> <p>(iii) The access strip to the Hatchet Lot is utilised for access to only 1 lot as illustrated in the diagram immediately below:</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  <p>Appropriate</p> </div> <div style="text-align: center;">  <p>Inappropriate</p> </div> </div> <p>(iv) The width of access strip to the Hatchet Lot shall be:</p> <ul style="list-style-type: none"> - 6m for Residential and Residential Low Density Zones; ▪ 10m for Park Residential, Rural Residential, Commercial, Industry(all impacts) Zones; and ▪ 20m for Rural Zone.
<p>(l) Public utilities are located and aligned so as to:</p> <ul style="list-style-type: none"> - avoid significant trees and/or other habitat areas. - minimise earthworks - avoid crossing major watercourses. 	<p>No probable solutions proposed</p>

6.4 Filling And Excavation Code

The provisions in this section comprise the Filling and Excavation code. They are:

- compliance with Filling and Excavation code (section 6.4.1)
- overall outcomes of Filling and Excavation code (section 6.4.2)
- specific outcomes and probable solutions for Filling and Excavation code (section 6.4.3).

6.4.1 Compliance With Filling And Excavation Code

An application for development that achieves the specific outcomes in section 6.4.3 complies with the Filling and Excavation code.

6.4.2 Overall Outcomes Of Filling And Excavation Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Filling and Excavation code are as follows:
 - (a) Filling or excavation does not impact adversely on the visual appearance or amenity of the locality.
 - (b) Filling or excavation does not degrade:
 - the natural features of the area
 - the local watercourses
 - or increase flooding or surface flows
 - or siltation on adjoining property.

6.4.3 Specific Outcomes And Probable Solutions For Filling And Excavation Code

The specific outcomes sought for Filling and Excavation code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) Adverse impacts of operations created by:</p> <ul style="list-style-type: none"> - noise, or - dust, or - silt, or - other noxious emissions <p>on adjoining land and natural features including surface and groundwater, are minimised.</p>	<p>(a) Excavation or filling on all land (except dams on rural zoned land for rural purposes):</p> <ul style="list-style-type: none"> (i) Does not exceed 1m deep or 1m high (except for excavation for building works). (ii) Ensures the fill or excavation line is not closer than 10m from an adjoining property boundary. (iii) Is childproof fenced if excavation is for a water retaining structure. (iv) Ensures no ponding develops on adjacent land at any time. (v) Restores all surfaces exposed or damaged by the operations immediately on conclusion of the works to their original standard. (vi) Ensures the surface area or fill does not create a dust nuisance on the site or access to the site. (vii) Ensures works are a minimum 100m from major watercourses
<p>(b)</p> <ul style="list-style-type: none"> (i) Run-off water is harvested for local use without adverse impacts or interference on local flow patterns. (ii) Fill and/or excavation do not impact on water storages or overland flow. (iii) Excavation and/or filling for domestic water purposes is constructed to ensure: <ul style="list-style-type: none"> - the structure is built to withstand the hydraulic loading. - a spillway for overflow is provided in a position to ensure scour damage or nuisance to adjacent land is minimised. 	<p>(b)</p> <p>No probable solutions proposed.</p>

6.5 Airport Obstacle Limitation Surface Code

The provisions in this section comprise the Airport Obstacle Limitation Surface code. They are:

- compliance with Airport Obstacle Limitation Surface code (section 6.5.1)
- overall outcomes of Airport Obstacle Limitation Surface code (section 6.5.2)

- specific outcomes and probable solutions for Airport Obstacle Limitation Surface code (section 6.5.3).

6.5.1 Compliance With Airport Obstacle Limitation Surface Code

An application for development that achieves the specific outcomes in section 6.5.3 complies with the Filling and Excavation code.

6.5.2 Overall Outcomes Of Airport Obstacle Limitation Surface Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Airport Obstacle Limitation Surface code are to ensure that development in the vicinity of the Toowoomba airport:
 - (a) avoids conflict between the airport and surrounding uses by preventing inappropriate development; and
 - (b) includes suitable measures to mitigate impacts on, and is used in a manner that does not prejudice, airport operations.

6.5.3 Specific Outcomes And Probable Solutions For Airport Obstacle Limitation Surface Code

The specific outcomes sought for Airport Obstacle Limitation Surface code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) The development of premises does not cause an obstruction or other potential hazard to aircraft movement associated with the airport by way of:</p> <ul style="list-style-type: none"> ▪ the physical intrusion of buildings or other structures into the Airport Obstacle Limitation Surfaces shown on the Regulatory Map; ▪ interfering with navigation or communication facilities; ▪ emissions that may effect pilot visibility, or aircraft operations; or ▪ transient intrusions into the airport's operational airspace. 	<p>(a)</p> <ol style="list-style-type: none"> (i) Buildings and other structures do not penetrate the Airport Obstacle Limitation Surfaces shown on the Zone Map. (ii) Development and operational activities do not generate emissions within the Airport Obstacle Limitation Surface shown on the Zone Map that may affect pilot visibility or aircraft operation by way of: <ul style="list-style-type: none"> ▪ gas plumes with peak vertical velocities of more than 4.3 m/sec and/or oxygen content of less than 50% of ambient levels; ▪ particulate emissions (e.g. dust or smoke); and/or ▪ EMF radiations. (iii) Plants used for landscaping are predominantly species that are not particularly attractive to birds and at maturity would not intersect the Airport Obstacle Limitation Surfaces shown on the Zone Map. (iv) Any cranes or other equipment used during the construction of the development do not penetrate the Airport Obstacle Limitation Surfaces shown on the Zone Map.

6.6 Catchment Management Code

The provisions in this section comprise the Catchment Management code. They are:

- compliance with Catchment Management code (section 6.6.1)
- overall outcomes of Catchment Management code (section 6.6.2)
- applicability (section 6.6.3)
- interpretation (section 6.6.4)
- specific outcomes and probable solutions for Catchment Management code (section 6.6.5).

6.6.1 Compliance With Catchment Management Code

An application for development that achieves the specific outcomes in section 6.6.5 complies with the Catchment Management code.

6.6.2 Overall Outcomes Of Catchment Management Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes for the Catchment Management Code are to protect and maintain water quality in all watercourses and urban water storages by:
 - (a) Minimising sediment and nutrient contamination of downstream waters;
 - (b) Controlling erosion;
 - (c) Preventing toxins, pathogens or other major pollutants entering ground and surface water; and
 - (d) Preserving riparian vegetation.

6.6.3 Applicability

- (1) This code applies to development, on land shown on the:
 - Biodiversity, Water Catchment and Watercourse Map as Urban Water Storages Buffers or Dam Catchments, or
 - Zone Map as Residential Zone or Residential Low Density Zonethat is:
 - (a) identified as code or impact assessable in a Zone Assessment Table;
 - (b) Building work that is identified as being self, code or impact assessable in the Building and Operational Works Assessment Table;
 - (c) Excavation and Filling identified as being self, code or impact assessable in the Building and Operational Works Assessment Table; or
 - (d) a lot reconfiguration that creates 1 or more additional lots.
- (2) To remove any doubt, this code does not apply where all of the development is to be carried out on that part of the premises that is not within the
 - (a) Urban Water Storages Buffers and Dam Catchments shown on the Biodiversity, Water Catchment and Watercourse Maps or

6.6.4 Interpretation

- (1) Where there is an inconsistency between the provisions of this code and any referenced document, the provisions of the code prevail to the extent of the inconsistency.
- (2) The SEQWater's "Development Guidelines for Water Quality Management July 2001 - Edition One" was referenced to create this code and may form part of any additional information or management plan preparation.
- (3) The Brisbane City Councils "Water Sensitive Urban Design Engineering Guidelines: Stormwater" 2005 provide a resource for design outcomes in Stormwater Management Plans.

6.6.5 Specific Outcomes and Probable Solutions for Catchment Management Code

The specific outcomes sought for Catchment Management code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
Stormwater Quality Management	
<p>(a) To provide a stormwater drainage and waterways systems that:</p> <ul style="list-style-type: none"> • maintain geomorphologic stability and hydraulic capacity; • adequately protects people and the natural and built environments, in terms of flooding immunity and water quality; • are cost-effective in terms of initial cost and maintenance; • contribute positively to environmental enhancement of catchment areas; • provide stormwater quality management systems which ensure that disturbance to natural stream systems is minimised; and ensure that stormwater discharge to receiving waters during and after construction does not degrade the quality of water in the receiving environments; and • ensure stormwater run-off is treated within the premises to maintain or enhance water quality of the catchment; 	<p>(a)</p> <p>(i) Subdivision is within the:</p> <ul style="list-style-type: none"> ▪ Residential Zone in which the original lot has an area less than 5000m² or would result in five (5) or less allotments; ▪ Residential Low Density Zone in which the original lot has an area less than 1 hectare or would result in three (3) or less allotments; ▪ Park Residential Zone in which the original lot has an area less than 2 hectares or would result in three (3) or less allotments; or ▪ Rural Residential Zone in which the original lot has an area less than 6 hectares or would result in three (3) or less allotments; or ▪ Rural Zone in which any lot created has an area less than 100ha; and ▪ Commercial, Community Use and Industry Zones in which the original lot has an area less than 2000m² or would result in two (2) or less allotments. <p>OR</p> <p>(ii) Preparation of a detailed Stormwater Management Plan (SMP) by a suitably qualified and experienced engineer or scientist.</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<p>NOTE:</p> <p>Stormwater Management Plans should undertake adequate hydraulic, hydrologic and design studies to provide evidence that stormwater quality measures and development design achieve the following:</p> <ul style="list-style-type: none"> • peak discharges do not increase; • flood levels or volumes outside the boundaries of the site do not increase; • there are no adverse impacts on flooding of developed or developable areas; • erosion potential and impacts are minimised; • the quality, velocity and rate of stormwater discharge post-development is not increased over the predevelopment state at the downstream discharge point; • stormwater is utilized for recycling and water conservation; and • preserve natural drainage systems; • minimise erosion impacts; • maximise permeable surfaces; • stormwater is treated within the premises; • stormwater discharge is dispersed naturally to avoid point discharge to a waterbody and minimise erosion impacts; and • drainage corridors are utilised for improved recreational values and open space or landscape areas. <p>Stormwater management systems are designed in accordance with the requirements of the</p> <ul style="list-style-type: none"> • EDROC Regional Standards Manual (2000) • <i>Queensland Urban Drainage Manual (QUDM) 1992;</i> • The Brisbane City Council's Water Sensitive Urban Design Guidelines 2005; and • The <i>Australian Rainfall and Runoff (AR&R) 1987.</i> <p>Potential stormwater quality measures which may be incorporated in the SMP are:</p> <ol style="list-style-type: none"> (i) gross pollutant traps; (ii) swales; (iii) infiltration trenches; (iv) bio-retention systems;

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(b) On-site and off-site erosion and sedimentation is minimised.</p>	<p>(v) wetlands; (vi) stormwater re-use; (vii) road designs; and (viii) landscape design.</p> <p>(b) (i) For self-assessable development, sediment fences, earth berms and temporary drainage are provided and located to prevent sediment being transported to adjoining properties, roads and/or drainage systems.</p> <p>(ii) For code assessable and impact assessable development, erosion and sediment control measures are designed and constructed in accordance with the document <i>Soil Erosion & Sediment Control – Engineering Guidelines for Queensland Construction Sites 1995</i>.</p>
Management of Effluent Disposal	
<p>(c) Effluent is disposed of so there are:</p> <ul style="list-style-type: none"> • no environmental harm or unsustainable impacts to surface and ground waters or soil conditions; • no increase in public health risks; • uptake of final effluent within the property boundaries of the site to ensure no off-site impacts; • that measures for sustainable re-use of treated effluent through irrigation are promoted without creating potential for disease transmission; and • simple, safe and cost effective operation and routine servicing requirements. 	<p>(c) (i) Development connected to reticulated sewerage scheme or common effluent disposal scheme.</p> <p>OR</p> <p>(ii) Effluent treatment and disposal does not occur on lands where contamination may result and within the following limitations:</p> <ul style="list-style-type: none"> • within 100m of the bank of a major watercourses identified on the Biodiversity, Water Catchment and Water Course Map; • 50m of the bank of an intermittent watercourses; • within 250m of a water supply well/bore/dam; • within 30m from the nearest cut, embankment or other point where effluent might surface; • within 400 metres from the upper flood margin level of an urban water supply storage (eg Cooby, Cressbrook or Perseverance Dams); • on slopes greater than 10% unless terraced to ensure a maximum slope of 1 in 10 designed in accordance with an assessment indicating that the application area can be formed without creating risk of erosion, effluent seepage, area collapse or contaminated runoff.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<p>Level, well drained areas are favoured;</p> <ul style="list-style-type: none"> • on land with other than a low capability of becoming unstable or collapsing during construction/operation; • with susceptibility to salinisation; • which do not have good aspect for enhanced exposure to sunlight and prevailing breezes or involving areas in depressions where runoff may pond on the application area; • on soils with permeability greater than 3.5 m/day or less than 1.1m/day; • with rock outcrops, faults, areas underlain by fractured rock, coarse alluvium or similar which may short-circuit wastewater to groundwater; • where the base of the land application field would be less than 2 metres above the seasonal high water table/bedrock; • areas which perform ground water recharge or discharge functions; and • where up to 100% of the area provided for irrigation can be duplicated in accordance with the criteria for reserve irrigation area. <p>AND</p> <p>(iii) Site and soil evaluation is undertaken and treatment system is designed in accordance with the DLGP On-Site Sewerage Code (2003) and the AS/NZS – 1547:2000 On- Site Domestic Waste Water Management and the SEQWC Development Guidelines for Water Quality Management (2001).</p> <p>AND</p> <p>(iv) The effluent disposal system provides for effluent quality prior to land application as set out below based on 90% of samples:</p> <ul style="list-style-type: none"> • Biochemical Oxygen Demand (BOD) less than or equal to 20mg/L with no sample over 30mg/L; • Total Suspended Solids less than 30mg/L - with no sample over 45mg/L; • Faecal coliforms less than

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<p>200cfu/100mL;</p> <ul style="list-style-type: none"> • Total nitrogen less than 50mg/L; • Total phosphorus less than 10mg/L; <p>and</p> <ul style="list-style-type: none"> • disinfection to achieve bacterial quality through chlorination, UV radiation, oxidation or membrane processes. <p>AND</p> <p>(v) The effluent disposal system provides for:</p> <ul style="list-style-type: none"> • emergency storage capacity (1000L) and adequate buffering for shock loading/down time and the like; or • other than a house site, emergency storage capable of holding 3 - 6 hours peak flow of treated effluent in the event of emergencies/overload, with provision for desludging; and • where pumps are needed, ensure back-up pump installation and back-up power to deal with failures.
Management of Riparian Areas & Drainage Links	
<p>(d) Vegetation and riparian land is protected and properly managed by:</p> <ul style="list-style-type: none"> maximising infiltration of polluted runoff ensuring bank stability collecting sediment from overland flows protecting aquatic ecosystems 	<p>(d)</p> <p>(i) Riparian land is maintained and dedicated as reserve in its natural state on each side of the high or outer bank for a width of:</p> <ul style="list-style-type: none"> • 100 metres to a major watercourses identified on the Biodiversity, Water Catchment and Water Course Map, and • 30 metres to any other riparian land (intermittent watercourse eg Drainage Links identified on Zone, Precinct and Feature Map). <p>(ii) Manage identified riparian lands in all zones except for the Rural Zone in accordance with an approved Vegetation Management or Landscaping Plan demonstrating retention of trees and shrubs along the approved width of riparian land with supplementary planting of:</p> <ul style="list-style-type: none"> • uniform, dense and rough ground cover, low maintenance, deep rooted vegetation which increases the density of vegetation, • species appropriate to soils and natural erosion activity as well as flood, drought and bushfire

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<p>characteristics,</p> <ul style="list-style-type: none"> • native species endemic to the area at a density and structure representative of nearby undisturbed areas and reflecting the natural zonation of species, • species which facilitate rehabilitation of degraded areas, and • grassed filter strips should also be provided at the point of flow concentrations. <p>(iii) Riparian reserves may be utilised for:</p> <ul style="list-style-type: none"> • Passive recreation; • Stormwater management; and • Infrastructure provision.

PART B USE CODES¹¹

6.7 Agriculture Code¹²

The provisions in this section comprise the agriculture code. They are:

- compliance with agriculture code (section 6.7.1)
- overall outcomes of agriculture code (section 6.7.2)
- specific outcomes and probable solutions for agriculture code (section 6.7.3)

6.7.1 Compliance With Agriculture Code

An application for development that achieves the specific outcomes in section 6.7.3 complies with the agriculture code.

6.7.2 Overall Outcomes For Agriculture Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the agriculture code are:
 - (a) A range of horticultural products are produced on allotments for public consumption
 - (b) The use is carried on without in a manner to ensure impacts on the local environment are minimised
 - (c) Safe public access is provided to the premises

6.7.3 Specific Outcomes And Probable Solutions For Agriculture Code

The specific outcomes sought for agriculture code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Probable Solutions
(a) The uses are managed to maintain or enhance the amenity of the locality by avoiding excessive air emissions including dust and noise.	(a) The area of land available for horticulture for the use does not exceed 8 ha. The following requirements apply to the uses on site: <ol style="list-style-type: none">(i) A dwelling house is established on the same site.(ii) The total gross floor area of any building(,other than a dwelling house and domestic outbuilding) associated with this purpose does not exceed 180 m²;(iii) Only one sign not exceeding 0.3m² in area is displayed on the premises;(iv) Cultivation is not carried out within 10m of any boundary of the premises; and(v) No frost fans are to be utilised.

¹¹ Amended 23/01/09 – Amendment No.2

¹² Amended 23/01/09 – Amendment No.2

6.8 Caravan Park Code¹³

The provisions in this section comprise the Caravan Park code. They are:

- compliance with Caravan Park code (section 6.8.1)
- overall outcomes of Caravan Park code (section 6.8.2)
- specific outcomes and probable solutions for Caravan Park code (section 6.8.3)

6.8.1 Compliance With Caravan Park Code

An application for development that achieves the outcomes in section 6.8.3 complies with the Caravan Park code.

6.8.2 Overall Outcomes For Caravan Park Code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Caravan Park code are the following;
 - (a) Caravan Parks are sited to minimise impacts on the neighbourhood.
 - (b) Caravan Parks are located in secure positions to ensure high levels of protection from natural hazards.
 - (c) Caravan Parks are established on sites approximate to community services, major roads, and offer facilities and services to the occupants.

6.8.3 Specific Outcomes And Probable Solutions For Caravan Park Code

The specific outcomes sought for Caravan Park code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
(a) Caravan parks are located . ; (i) on land with ample area and flat gradient to ensure minimal potential to landslide and maximum usage and, (ii) on land above flood level	(a) (i) The minimum area of land is 4 ha with slopes not exceeding 2% on 90% of the site and (ii) above the maximum recorded flood level for the area or Q100 whichever is higher.
(b) (i) Caravan parks are sited close to major access routes and communities and (ii) Provide spaces, access parking, services and facilities for the travelling public, without degrading the amenity of the neighbourhood	(b) The parks are designed to the following requirements: (i) At any vehicular access to the land, a driveway has a width of not less than 6.0 metres. (ii) Internal roadways are sealed with a minimum width of approved road pavement of: - 3.6 metres for one-way only traffic flows; and - 6.0 metres for two-way flows. (iii) No caravan, fabric or fixed annex,

¹³ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
	<p>relocatable home, tent, ancillary structure or other associated building is located closer than:</p> <ul style="list-style-type: none"> - 10.0 metres to any external road frontage of the land; and - 6.0 metres to any side or rear boundary of the land. <p>(iv) Buffer strips are provided and maintained: Vegetation:</p> <ul style="list-style-type: none"> - along the full length of the road frontage or frontages of the land to a minimum depth of 6.0 metres and a height of 1.8m; - along any side or rear boundary of the land to a minimum depth of 4.0 metres and a height of 1.8m. <p>Solid Fence:</p> <ul style="list-style-type: none"> - Fencing to 1.8m height along all property boundaries may be used in conjunction with vegetation. <p>(v) Recreation space is provided as an area not less than 10% of the area of the park.</p> <p>(vi) A separate area is provided for each different type of accommodation in the caravan park, such as caravans, relocatable homes and holiday cabins (short term hire only) and tents. Each separate area is defined.</p> <p>(vii) The maximum number of sites within a caravan park is 30 per hectare, based on the total area of the subject land. At least 60% of the total number of sites allocated is for caravans (including short term hire).</p> <p>(viii) Within the caravan park refuse disposal and collection facilities, fire fighting facilities, low profile internal street lighting, clothes drying areas, amenity and recreational uses, paved car washing bays and trailer storage areas is provided and maintained.</p> <p>(ix) Provision is made for an underground electricity supply, stormwater drainage, a reticulated water supply and sewerage facilities access to the site, infrastructure connections and frontage road improvements are designed and constructed to standards nominated</p>

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s																																																
	<p>in sections 2, 3, 4 and 5 of EDROC Standards Manual (for acceptable solutions and for probable solutions).</p> <p>(x) Each caravan site is provided with a concrete annex slab and concrete wheel tracks.</p> <p>(xi) The gross floor area of any relocatable home, together with any attached residential structure or annex, does exceed 80 square metres.</p> <p>(xii) One car park is provided on the land for each site.</p>																																																
	<p>(xiii) Design criteria described in the table below satisfy the minimum standard for development.</p> <table border="1" data-bbox="695 831 1327 1274"> <thead> <tr> <th rowspan="2">Item</th> <th colspan="4">Type of Accommodation</th> </tr> <tr> <th>Caravan</th> <th>Relocatable Home</th> <th>Cabin</th> <th>Tent Site</th> </tr> </thead> <tbody> <tr> <td>Minimum site area (square metres)</td> <td>95</td> <td>250 with a minimum frontage of 15m</td> <td>150 with a minimum frontage of 15m</td> <td>50</td> </tr> <tr> <td>Minimum setback from any internal road frontage of a site to the nearest point of any vehicle or structure</td> <td>1.5m</td> <td>1.5m</td> <td>1.5m</td> <td>-</td> </tr> <tr> <td>Minimum distance to any toilet or ablution building on the land</td> <td>20m</td> <td>20m</td> <td>20m</td> <td>20m</td> </tr> <tr> <td>Maximum distance to any amenity building providing toilet, laundry and ablution facilities</td> <td>100m</td> <td>100m</td> <td>100m</td> <td>100m</td> </tr> <tr> <td>Minimum distance to any bulk storage refuse bin</td> <td>50m</td> <td>50m</td> <td>50m</td> <td>50m</td> </tr> <tr> <td>Minimum recreation space</td> <td colspan="4">10% of total site area</td> </tr> <tr> <td>Area allocation</td> <td>60%</td> <td>5%</td> <td>5%</td> <td>20%</td> </tr> </tbody> </table>					Item	Type of Accommodation				Caravan	Relocatable Home	Cabin	Tent Site	Minimum site area (square metres)	95	250 with a minimum frontage of 15m	150 with a minimum frontage of 15m	50	Minimum setback from any internal road frontage of a site to the nearest point of any vehicle or structure	1.5m	1.5m	1.5m	-	Minimum distance to any toilet or ablution building on the land	20m	20m	20m	20m	Maximum distance to any amenity building providing toilet, laundry and ablution facilities	100m	100m	100m	100m	Minimum distance to any bulk storage refuse bin	50m	50m	50m	50m	Minimum recreation space	10% of total site area				Area allocation	60%	5%	5%	20%
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6.9 Caretakers Residence Code¹⁴

The provisions in this section comprise the Caretakers Residence code. They are:

- compliance with the Caretakers Residence code (section 6.9.1)
- overall outcomes of the Caretakers Residence code (section 6.9.2)
- specific outcomes and probable solutions for the Caretakers Residence code (section 6.9.3).

6.9.1 Compliance With Caretakers Residence Code

An application for development that achieves the specific outcomes in sections 6.9.3 complies with the Caretakers Residence code.

6.9.2 Overall Outcomes For Caretakers Residence Code

- (1) The overall outcome is the purpose of the code.
- (2) The overall outcomes sought for the Caretaker's Residence code are as follows:
 - (a) Caretaker's Residences are established in association with green space, community, industrial or commercial uses on the same allotment to provide on site security of the premises
 - (b) Caretaker's Residences are located on the site in an unobtrusive position as an ancillary use to the major site use.

6.9.3 Specific Outcomes And Probable Solutions For Caretakers Residence Code

The specific outcomes sought for Caretakers Residence code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
(a) The caretaker's residence is part of the main structure.	(a) The residence attaches to the existing structure or is attached by a covered walkway not longer than 4 m.
(b) The structure does not degrade the appearance or amenity of the locality by: <ol style="list-style-type: none"> (i) excessive height or site cover (ii) a development of out of character with the host building and the neighbourhood through: 	(b) The use only applies to premises on land in excess of 2000m ² . <ol style="list-style-type: none"> (i) the residence is <ul style="list-style-type: none"> - no higher than the host building, - no closer to the front, side or rear boundaries than the clearances for the major use on the site, - gross floor area does not exceed 50 m². (ii) no probable solution proposed.

¹⁴ Amended 23/01/09 – Amendment No.2

<ul style="list-style-type: none"> - style - character - construction standards and materials 	
<p>(c) Caretakers residence is provided with infrastructure and safe access</p>	<p>(c) Caretakers Residence is to:</p> <ul style="list-style-type: none"> (i) be connected to a reticulated town water supply (ii) have a bitumen surfaced road frontage and access from the frontage road (iii) be connected to reticulated sewerage system, or failing that, provide an on-site waste disposal system.

6.10 Cattery And Kennel Code¹⁵

The provisions in this section comprise the Cattery and Kennel code. They are:

- compliance with Cattery and Kennel code (section 6.10.1)
- overall outcomes of the Cattery and Kennel code (section 6.10.2)
- specific outcomes and probable solutions for the Cattery and Kennel code (section 6.10.3).

6.10.1 Compliance With The Cattery And Kennel Code

An application for development that achieves the specific outcomes in section 6.10.3 complies with the Cattery and Kennel code.

6.10.2 Overall Outcomes For The Cattery And Kennel Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Cattery and Kennel code are as follows:
 - (a) Catteries and Kennels provide a service and facilities in accessible safe locations.
 - (b) Premises are located and constructed to avoid disturbance to neighbourhoods resulting from any of the site operations.
 - (c) Impacts beyond the site boundaries resulting from the use through noise, animal wastes, excessive traffic, odours are minimised.

6.10.3 Specific Outcomes And Probable Solutions For Cattery And Kennel Code

The specific outcomes sought for Cattery and Kennel code are included in Columns 1 and 2.

¹⁵ Amended 23/01/09 – Amendment No.2

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) Catteries</p> <p>(i) Buildings are located to create minimal impact on the locality.</p>	<p>(a) Catteries</p> <p>(i) The use is not established on areas less than 4000m².</p> <p>Buildings, yards and other structures associated with the use are separated by 10m from all property boundaries of the use.</p>
<p>(ii) -The use does not detract from the visual appearance of the locality:</p> <ul style="list-style-type: none"> - is effectively landscaped and - contains solid and liquid wastes on site. 	<p>(ii) Buildings provide,.</p> <ul style="list-style-type: none"> - A densely planted landscape buffer 2m wide on all boundaries,. - On site waste disposal systems to avoid any overflows or seepage adjoining properties if connection to sewerage is not available.
<p>(b) Kennels</p> <p>(i)-Buildings are located to create minimal impact on the locality</p> <p>Noise levels at the boundaries of the land are minimised by use of sound proofing construction materials</p>	<p>(b) Kennels</p> <p>(i) Kennels do not establish on areas less than 8000m².</p> <ul style="list-style-type: none"> - Buildings, yards and other structures associated with the use are no closer than 20m from all property boundaries. - Noise at the property boundaries of the use do not exceed 45dbA at any time
<p>(ii) The use avoids degradation of the amenity of the locality due to animal wastes, odour noise and other air emissions.</p>	<p>(ii) Buildings are designed to include the following:</p> <ul style="list-style-type: none"> - Individual ventilated and roofed enclosures with concrete floors for each dog. - Floors are graded to drain to disposal systems. - Provision of on site waste disposal systems, if connection to sewerage is not available.

6.11 Child Care Centre Code¹⁶

The provisions in this section comprise the Child Care Centre code. They are:

- compliance with Child Care Centre code (section 6.11.1)
- overall outcomes of Child Care Centre code (section 6.11.2)
- specific outcomes and probable solutions for Child Care Centre code (section 6.11.3).

6.11.1 Compliance with Child Care Centre Code

An application for development that achieves the specific outcomes in sections 6.11.3 complies with the Child Care Centre code.

6.11.2 Overall Outcomes for Child Care Centre Code

- (1) The overall outcome is the purpose of the code.
- (2) The overall outcomes sought for the Child Care Centre code are:
 - (a) The location and design of a child care centre is consistent with the maintenance of residential amenity and traffic safety

6.11.3 Specific outcomes and probable solutions for Child Care Centre Code

The specific outcomes sought for Child Care Centre code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
(a) The development has high accessibility and is co-located with or located close to other community facilities.	(a) Childcare centres, locate adjacent to or within community focal points such as shopping centres, educational institutions, community facilities or open space areas.
(b) The development is located to minimise: <ol style="list-style-type: none"> (i) safety risks from heavy traffic (ii) introduction of non-local traffic into minor residential streets (iii) flood damage or hazard 	(b) The development is not located: <ol style="list-style-type: none"> (i) on roads carrying more than 3,000 vehicles per day or (ii) on major arterial roads or on minor residential streets (iii) on a site subject to flooding. Except if located on the same site as a drive-in shopping centre
(c) Air and noise emissions detrimental to health are minimised.	(c) <ol style="list-style-type: none"> (i) Maximum concentration of air pollutants do not exceed those recommended by the National Health and Medical Research Council. (ii) Noise levels (measured as the maximum L 10 (1 hour) do not exceed: <ul style="list-style-type: none"> - indoors, 48 dB(A) - outdoors, a range of 55-60 dB(A) when measured at 1.5 metres above the ground in the centre of any outdoor

¹⁶ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
	play area.
(d) Vehicular conflicts are minimised, both on-site and off-site without degrading the existing amenity of the locality.	(d) Car parking areas for set down and pick up to be located on the same site and visible from the front access road.
(e) The area of the site satisfies activity and educational needs .	(e) Site areas are a minimum 1,500m ² for less than 50 children and 2,000m ² for 50-75 children.
(f) Play areas are protected from hazards.	(f) Provide child-proof fencing between play areas and driveways, neighbouring properties, outdoor machinery (eg. for cooling systems), service areas, drainage or waste disposal areas.

6.12 Commercial Facilities Code¹⁷

The provisions in this section comprise the Commercial Facilities code. They are:

- compliance with Commercial Facilities code (section 6.12.1)
- overall outcomes of Commercial Facilities code (section 6.12.2)
- specific outcomes and probable solutions for Commercial Facilities code (section 6.12.3).

6.12.1 Compliance with Commercial Facilities Code

An application for development that achieves the specific outcomes in sections 6.12.3 complies with the Commercial Facilities code.

6.12.2 Overall Outcomes for Commercial Facilities Code

- (1) The overall outcome is the purpose of the code.
- (2) The overall outcomes sought for Commercial Facilities are:
 - (a) developed in an orderly progressive manner on sites located close to centres of population, and,
 - (b) consolidated in commercial zones with safe access, and
 - (c) designed to blend with the amenity and character of the locality, and
 - (d) include a wide range of commercial uses in modern and functionally designed surroundings with landscaping.

¹⁷ Amended 23/01/09 – Amendment No.2

6.12.3 Specific outcomes and probable solutions for Commercial Facilities Code

The specific outcomes sought for Commercial Facilities code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) Scale and Character</p> <p>(i) Commercial facilities are built to represent the architecture of the area by incorporation of the local character in the design, and compatible with local designs</p> <p>(ii) Siting of buildings creates an attractive space for public enjoyment.</p>	<p>(a) As a partial solution</p> <p>(i) Development of new buildings include,</p> <ul style="list-style-type: none"> - Provision of awnings 4m wide - Maximum total construction height of 8m <p>(ii) Buildings are set back:</p> <ul style="list-style-type: none"> - to provide visible front car parking and/or service roads - to allow landscaping treatment of 2m wide along major road frontage.
<p>(b) Design of the facilities ensures public convenience with safe access, public transport and vehicle parking</p>	<p>(b) Access, car parking, public transport and services are provided:</p> <ul style="list-style-type: none"> - for delivery vehicles, buses and private cars to standards nominated in sections 2, of EDROC Standards Manual(for acceptable solutions and for probable solutions).
<p>(c) Minor local commercial facilities are established in areas remote from commercial centres for the day to day needs of local residents.</p>	<p>(c) Local stores are established in residential, residential low density and park residential zones at not more than one local store servicing 100 dwelling houses.</p> <ul style="list-style-type: none"> - The frontage access is a bitumen surface road, with kerb and channel and drainage.
<p>(d) Low Impact industries are located with commercial activities where the impact of the use on the general area is no greater than commercial activities.</p>	<p>(d) Low impact industries are established:</p> <p>(i) In association with commercial activities in the same building or in separate areas.</p> <p>(ii) Such that gross floor areas do not exceed 300m².</p> <p>(iii) With rear access.</p>
<p>(e) Commercial facilities do not create environmental nuisance of noise, odour, lighting on adjacent uses and areas.</p>	<p>(e) No probable solution proposed</p>
<p>(f) New Commercial Facilities are designed to ensure the efficient use of water and, where connected to a reticulated supply, to reduce demand</p>	<p>(f)</p> <p>(i) a rainwater storage tank/device is provided which collects water from 65%</p>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>on water supply sources.</p> <p>Note: This Specific Outcome does not apply to extensions or additions to existing Commercial Buildings.</p>	<p>of the roof area and is plumbed to service the toilets and all wash-down and outdoor taps; and</p> <p>(ii) the minimum capacity of the rainwater storage tank/device is 3kL per 100m² of roof area.</p>

6.13 Community Activities Code¹⁸

The provisions in this section comprise the Community Activities code. They are:

- compliance with Community Activities code (section 6.13.1)
- overall outcomes of Community Activities code (section 6.13.2)
- specific outcomes and probable solutions for Community Activities code (section 6.13.3).

6.13.1 Compliance With Community Activities Code

An application for development that achieves the specific outcomes in 6.13.3 complies with the Community Activities code.

6.13.2 Overall Outcomes For Community Activities Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Community activities code are:
 - (a) Facilities for community activities are provided without creating adverse impacts on the locality
 - (b) Community activities are established in central locations to best serve the community through accessibility, safety and integrated uses
 - (c) Community Uses integrate into the community without degrading the amenity of the neighbourhood

6.13.3 Specific Outcomes And Probable Solutions For Community Activities Code

The specific outcomes sought for Community activities code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) All buildings are constructed in a manner to blend with the existing surroundings and be laid out to provide landscaped frontages.</p>	<p>(a) The community buildings are:</p> <ul style="list-style-type: none"> (i) no higher than adjacent buildings (ii) no higher than 8m (iii) set back 4m from the front and 6m from rear boundaries and at least 5m

¹⁸ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	from side boundaries for rear access. (iii) of site cover not exceeding 40%.
(b) Impacts on amenity of adjoining uses are minimised.	(b) All community facilities incorporate landscaping in the setback areas and in addition, a 1.8m fence with 1m wide planted vegetation along side and rear boundaries.
(c) Community facilities provide safe vehicular access and parking areas.	(c) (i) Vehicle parking areas and traffic movements, loading and unloading are designed in accordance with standards nominated in section 2 of EDROC Standards Manual (for acceptable solutions and for probable solutions)
(d) New Community Activities are designed to ensure the efficient use of water and, where connected to a reticulated supply, to reduce demand on water supply sources. Note: This Specific Outcome does not apply to extensions or additions to existing Community Activity Buildings.	.(f) (i) a rainwater storage tank/device is provided which collects water from 65% of the roof area and is plumbed to service the toilets and all wash-down and outdoor taps; and (ii) the minimum capacity of the rainwater storage tank/device is 3kL per 100m ² of roof area.

6.14 Dwelling House Code¹⁹

The provisions in this section comprise the Dwelling house code. They are:

- compliance with the Dwelling house code (section 6.14.1)
- overall outcomes of the Dwelling house code (section 6.14.2)
- specific outcomes and probable solutions for the Dwelling house code (section 6.14.3).

6.14.1 Compliance With The Dwelling House Code

An application for development that achieves the specific outcomes in section 6.14.3 complies with the Dwelling house code.

6.14.2 Overall Outcomes For The Dwelling House Code

- (1) The overall outcome is the purpose of the code.
- (2) The overall outcomes sought for the Dwelling house code are:
 - (a) An aesthetically pleasant, private and practical place of residence
 - (b) Dwelling houses are located in areas where risks from natural hazards are non-existent or minimal.
 - (c) A high standard of infrastructure, access and ambience is established

¹⁹ Amended 23/01/09 – Amendment No.2

- (d) Outbuildings are established if dwelling houses already exist on the lot
- (e) Removal buildings do not lower the visual amenity and character of the locality

6.14.3 Specific Outcomes And Probable Solutions For The Dwelling House Code

The specific outcomes sought for the Dwelling houses and Ancillary Structures code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(a) The scale of dwelling houses, and ancillary structures do not degrade the amenity of the locality and adjoining land by:</p> <p>(i) Excessive height</p> <p>(ii) Excessive noise generated on the site</p> <p>(iii) The style, character and standard of the dwelling house and standard of construction materials are generally in similar character to the neighbourhood dwelling houses.</p>	<p>(a)</p> <p>(i) The height of all dwelling houses and display homes does not exceed two storeys and 8.0m in height, measured from the lowest original ground level within the plan area of the building to the highest point of the roof structure</p> <p>(ii) Any noise generated by the use of the dwelling house and associated facilities does not exceed the background noise level plus 5db(A) (6am-10pm) and 3db(A) (10pm – 6am) (measured as the adjusted maximum sound pressure level at the property boundary)</p> <p>(iii) No probable solution proposed.</p>
<p>(b)</p> <p>(i) Dwelling houses and associated structures are sited with sufficient area for domestic recreational uses, open space, and on site car parking space Note: A second dwelling is allowable on an allotment in the rural zone for the purpose of the continued operation of a farm in primary production where the income source of the household of every dwelling is principally involved in bona fide primary production on that land.</p> <p>(ii) Dwelling houses are located on allotments to take maximum advantage of the geography of the terrain by:</p>	<p>(b)</p> <p>(i)</p> <ul style="list-style-type: none"> - Only one dwelling house is constructed on each allotment. - Each dwelling house or dwelling unit provides a minimum of one covered car parking space. - At least 50% of the site area is permanently available for recreational uses. <p>(ii) No probable solution proposed.</p>

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<ul style="list-style-type: none"> - maintaining maximum clearances - preserving natural features and vegetation 	
<p>(c) Dwelling houses and associated structures are sited, -</p> <ul style="list-style-type: none"> ---to minimise the effects of flood inundation on the structure and its contents and, --to avoid land incapable of permanent drainage. 	<p>(c) (i) Floor levels for habitable living areas are a minimum of 300 mm above the highest recorded flood level on the allotment, or the Q100 flood level whichever is higher.</p> <p>Land areas subject to permanent elevated water tables close to ground surface are filled and drained to a land slope of 1 in 100 or steeper to cause no nuisance to adjoining properties</p>
<p>(d) Each dwelling house has available infrastructure to provide:</p> <ul style="list-style-type: none"> - Potable water supply - Sewerage connection - Safe constructed access - Access to electricity, telecommunication services - Access to the dwelling house - Reduced demand on water supply sources 	<p>(d) (i) New dwelling houses shall be connected to:</p> <ul style="list-style-type: none"> • a reticulated water supply; • a sewerage system; and <p>rainwater storage tank/device (9kL capacity) located behind the building line of the dwelling in relation to the road frontage(s) of the property, which collects water from a minimum of 65% of the roof area, is plumbed (including a pump) to service the toilets, and at least one outdoor tap.</p> <p>Note: The rainwater storage Acceptable/Probable Solution above does not apply to extensions or additions to existing dwelling houses.</p> <p>Unless supplied from the reticulated water supply system, a minimum on site water storage of 40kL is provided</p> <p>(ii) Where a reticulated sewerage system is not available, liquid wastes are disposed on site to avoid overflow or seepage to adjoining properties.</p> <p>(iii) All dwelling house infrastructure including driveways to dwelling houses, are designed in accordance with standards nominated in section 2 of EDROC Standards Manual (for acceptable solutions and for probable solutions)</p> <p>(iv)</p>
<p>(e) Dwelling houses are sited on allotments where:</p>	<p>(e)</p>

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
<p>(i) threats from natural hazards of:</p> <ul style="list-style-type: none"> - landslide - erosion - bushfire are minimised <p>(ii) their establishment does not compromise agricultural land uses in the locality</p>	<p>(i) No probable solution proposed</p> <p>(ii) No probable solution proposed</p>
<p>(f) A tennis court, swimming pool or any other sporting and recreation use, associated with a dwelling house does not create noise or visual impacts on adjoining residential uses</p>	<p>(f)</p> <p>(i) The facility is setback a minimum of 4m from all boundaries of the allotment and the setback area landscaped with plants spaced at 3 metres (maximum) with shrubs or small trees to achieve effective screening height of 2m</p> <p>(ii) Illumination levels parallel to, and at a distance of 1.5 metres outside the site for a height of 10 metres do not exceed 8 lux in either the vertical or the horizontal plane. To limit glare to an acceptable level, no lighting shall include an upward component of light.</p>
<p>(g) Outbuildings are designed and located to ensure undesirable impacts on the neighbourhood are minimised.</p>	<p>(g)</p> <p>(i) The total maximum dimensions of any outbuildings on a lot are:</p> <p>Rural Zone</p> <ul style="list-style-type: none"> - no maximum floor area; and - side wall height 10m except 3.6m in the Inter Urban Break Precinct. <p>Residential Zone</p> <ul style="list-style-type: none"> - floor area, 90m²; and - side wall height 3.6m. <p>Residential Low Density Zone</p> <ul style="list-style-type: none"> - floor area, 120m²; and - side wall height 3.6m. <p>Park Residential & Rural Residential Zones</p> <ul style="list-style-type: none"> - floor area, 180m²; and - side wall height 3.6m <p>(ii) The following separation distances apply:</p> <ul style="list-style-type: none"> - from side and rear boundaries of allotments – 1.5m except a lesser separation distance is allowable for maximum total wall length of 9m in accordance with the

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s
	<p><i>Building Regulations 2006.</i></p> <ul style="list-style-type: none"> - from front boundary of allotments – 6m <p>(iii) The buildings are surrounded by a landscape of shrubs and trees 1m wide adjacent to the building.</p>
(h) Style and character of removal buildings complement the locality with a high standard external appearance,	(h) Height does not exceed 8m and does not cover more than 50% of the site (including all ancillary facilities)

6.15 Extractive Resources Code²⁰

The provisions in this section comprise the Extractive Resources code. They are:

- compliance with Extractive Resources code (section 6.15.1)
- overall outcomes of Extractive Resources code (section 6.15.2)
- specific outcomes and probable solutions for Extractive Resources code (section 6.15.3).

6.15.1 Compliance With Extractive Resources Code

An application for development that achieves the specific outcomes in section 6.15.3 complies with the Extractive Resources code.

6.15.2 Overall Outcomes For Extractive Resources Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought are:
 - (a) Extractive resources operate in a manner to minimise impacts of noise, air emissions, and traffic hazards on the environment.
 - (b) Extractive resources and their haul routes are protected from conflicts with incompatible uses.
 - (c) Waste management procedures are implemented and risk of land contamination is minimised.
 - (d) The visual amenity of the locality is not degraded.

6.15.3 Specific Outcomes And Probable Solutions For Extractive Resources Code

The specific outcomes sought for Extractive Resources code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)s

²⁰ Amended 23/01/09 – Amendment No.2

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) Extractive industries operate in a manner to minimise impacts of noise, air emissions, traffic hazards on the local environment .</p>	<p>(a)</p> <p>(i) The sites are located in rural zones with separation distances around the resource as follows:</p> <ul style="list-style-type: none"> - 200m for sand and gravel extraction - 1000m for hard rock quarries. <p>(ii) Access roads and haulage routes are not through residential or park residential zones.</p>
<p>(b) The uses do not impact on or adversely affect the ecology of the locality.</p>	<p>(b)</p> <p>(i) No vegetation is cleared outside the works areas.</p> <p>(ii) Rehabilitation and revegetation of the site to its former profile and appearance is completed progressively and regularly as the extraction proceeds</p>
<p>(c) The approved access to the site from the closest road is constructed to standards capable of supporting loadings from the operations.</p>	<p>(c)</p> <p>(i) Bridges and roads are reconstructed to standards to accommodate the vehicles generated by the use. The minimum haul road standards are:</p> <ul style="list-style-type: none"> - 7m bitumen surface - cross road drainage - 80 kph design speed with standard signage - Bridges are two lane construction
<p>(d) The amenity in the area of the use is not degraded by:</p> <ul style="list-style-type: none"> - excessive noise from operations. - excessive working hours 	<p>(d)</p> <p>(i) Noise levels are maintained at or below 5 db(A) above the background noise at the property boundary.;</p> <p>(ii) No operations between the hours of 5pm and 7am weekdays and 12 noon Saturday to 7am Monday. No operations on or off-site on public holidays;</p> <p>(iii) A 20m wide buffer of densely planted vegetation along the perimeter of the workings is established in conjunction with earth embankments at least 1m high.</p>
<p>(e) Extraction of resources does not degrade waterways or airways.</p>	<p>(e)</p> <p>(i) Operations shall be managed to minimise impacts as follows:</p> <ul style="list-style-type: none"> - For operations near watercourses, works are: <ul style="list-style-type: none"> • no closer than 50m from the top

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<p>of the bank of a watercourse;</p> <ul style="list-style-type: none"> • not performed in a manner to interfere in any way with the flow, turbidity or quality of the watercourse. • to ensure no residue, silt or washings from the site operations are returned to the watercourse; <p>- Site works provide on-site retention basins.</p> <p>- No dust from site operations is emitted beyond the site boundaries.</p> <p>- Rehabilitation and regeneration of the site to its former profile and appearance is completed progressively and regularly as extraction proceeds.</p> <p>- erosion and sediment control measures are designed and constructed in accordance with the document <i>Soil Erosion & Sediment Control – Engineering Guidelines for Queensland Construction Sites 1995</i>.</p>
(f) The operation of the extractive resources does not compromise public safety.	<p>(f)</p> <p>(i) Safety fencing is provided for the full length of the perimeter of the site and around extractive resources stockpiles and operations.</p> <p>(ii) Blasting does not result in materials being ejected from the site.</p> <p>(iii) Prior to any blasting, notices of warning to those working on the site and to the public is erected and kept clearly exhibited on the approaches to, and not less than 400 metres from the site of the blasting.</p>

6.16 Forestry Code²¹

The provisions in this section comprise the Forestry code. They are:

- compliance with Forestry code (section 6.16.1)
- overall outcomes of the Forestry code (section 6.16.2)
- specific outcomes and probable solutions for Forestry code (section 6.16.3).

²¹ Amended 23/01/09 – Amendment No.2

6.16.1 Compliance With Forestry Code

An application for development that achieves the specific outcome in section 6.16.3 complies with the Forestry code.

6.16.2 Overall Outcomes Of Forestry Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Forestry code are as follows:
 - (a) Forests are established as plantation or native forests.
 - (b) Forests are operated in a sustainable manner in respect of amenity of the area and safety of the general public..

6.16.3 Specific Outcomes And Probable Solutions For Forestry Code

The specific outcomes sought for Forestry code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a) Forests are established: <ul style="list-style-type: none"> - in localities with direct access to all weather roads. - where damage to public road infrastructure is minimised. 	(a) No probable solution proposed.
(b) All site operations do not inconvenience the local communities by: <ul style="list-style-type: none"> - cleaning, felling or hauling operations - disposal of strippings - impact on the amenity of the locality 	(b) <ol style="list-style-type: none"> (i) Site operations and haulage comply with working hours of 7 am to 6 pm Monday to Friday, and 7 am to 1 pm Saturday with no productive operations outside these hours. (ii) Haulage is discontinued on bus routes during school bus operating hours. (iii) Forestry operates with the following minimum separation distances; <ol style="list-style-type: none"> (a) 10 m from adjoining property boundaries (b) 20m from a public road corridor.

6.17 Holiday Cabin Development Code²²

The provisions in this section comprise the Holiday Cabin Development code. They are:

- compliance with Holiday Cabin Development code (section 6.17.1)
- purpose of Holiday Cabin Development code (section 6.17.2)
- specific outcomes and probable solutions for Holiday Cabin Development code (section 6.17.3).

6.17.1 Compliance With Holiday Cabin Development Code

An application for development that achieves the specific outcomes in section 6.17.3 complies with the Holiday Cabin Development code.

6.17.2 Overall Outcomes For Holiday Cabin Development Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Holiday Cabin Development code are:
 - (a) Holiday accommodation is sited in locations with safe reliable access where effects on natural resources are minimal.
 - (b) A high standard of accommodation in areas of natural scenic beauty is provided to ensure preservation of the natural attractions of the locality.

²² Amended 23/01/09 – Amendment No.2

6.17.3 Specific Outcomes And Probable Solutions For Holiday Cabin Development Code

The specific outcomes sought for Holiday Cabin Development code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a) Developments provide areas for visitors to experience natural resources of the area in facilities which are compatible with nature and the ecology of the area..	(a) (i) All developments are single storey of maximum height 5m. (ii) The developments provide self contained cabins. (iii) The sites are flood free and not constructed on land steeper than 1 in 8 nor in locations identified on Landslide and Flood Hazard Map as a moderate, high, or extreme bushfire hazard risk.
(b) <ul style="list-style-type: none"> The amenity, ambience and ecological values are not degraded by provision of safe high standard access and infrastructure 	(b) (i) Access to the site from the nearest major road is by bitumen or a constructed gravel road designed in accordance with standards nominated in sections 2,3,4,5 ,of EDROC Standards(for acceptable solutions and for probable solutions); Services to uses are provided as follows; (ii) Electricity; (iii) In the absence of a reticulated system, an adequate potable water supply for domestic and fire fighting purposes is provided. Minimum on site storage for sites beyond a supply area is 40 kL plus 10, kL per cabin. (iv) All liquid wastes are absorbed on each site, or transported off site to a sewerage treatment plant.. (v) All stormwater run-off from buildings stored on site for reuse. (vi) Cabins are designed to include one covered car space for each cabin. (vii) Cabins are separated by a distance of a minimum of 20m. (viii) Any areas disturbed by construction are restored to the original state.
(c) Development does not compromise existing or potential agricultural land uses in the vicinity.	(c) (i) Development does not establish on or within 100m of good quality agricultural land, or operational agricultural or animal husbandry uses.
(d) Development does not: exceed the environmental capacity of	(d) (i) The density of development does not

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
the site; and is compatible with the character of the area.	(ii) exceed 4 cabins (or 8 bedrooms) per hectare of site area. or The density of development in the Inter-Urban Break Precinct does not exceed 1 cabin (or 2 bedrooms) per hectare of site area.

6.18 Home Business Code²³

The provisions in this section comprise the Home Business code. They are:

- compliance with Home Business code (section 6.18.1)
- overall outcomes of Home Business code (section 6.18.2)
- specific outcomes and probable solutions for Home Business code (section 6.18.3).

6.18.1 Compliance With Home Business Code

An application for development that achieves the specific outcomes in section 6.18.3 complies with the Home Business code.

6.18.2 Overall Outcomes For Home Business Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Home Business code are as follows:
 - (a) Home business is operated without causing annoyance to the neighbourhood or creating undesirable impacts on the amenity of the local residential area.
 - (b) Home business uses do not adversely impact on the visual amenity of the local residential area.

6.18.3 Specific Outcomes And Probable Solutions For Home Business Code

The specific outcomes sought for Home Business code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a) Home business operate , with out a prejudicial effect on the amenity of the locality in which it is carried on due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, waste products or anything whatsoever or constitutes a hazard;	(a) Home business operates from a dwelling house or dwelling unit by the owner or resident provided; and (i) Noise does not exceed 3 dB above the ambient noise level at the property boundary at any time; and (ii) The floor area of the home business use does not exceed 40 square

²³ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<p>metres and be in or attached to a dwelling house; and</p> <p>(iii) A business sign is included not exceeding 0.3m² in area and bearing only the name of the occupier and of the occupation; and</p> <p>(iv) There is no public display of goods on the premises or storage of equipment or materials. Storage external to the dwelling house is in covered sheds of maximum floor area of 40 m²; and</p> <p>(v) Home business only operates between the hours of 7am and 5pm Mon to Fri. and 8am to 12 noon on Sat.; and</p> <p>(vi) no persons are employed on the site.</p>
(b) Home business is compatible with adjacent and nearby land uses.	<p>(b)</p> <p>(i) When located in a residential, residential low density or park residential zone a home business does not:</p> <ul style="list-style-type: none"> - store materials other than under cover not visible to the public. - destroy any existing trees or landscaping. <p>(ii) Provision is made for parking two vehicles on site for the business use.</p>

6.19 Host Premises Code²⁴

The provisions in this section comprise the Host Premises code. They are:

- compliance with Host Premises code (section 6.19.1)
- overall outcomes of Host Premises code (section 6.19.2)
- specific outcomes and probable solutions for Host Premises code (section 6.19.3).

6.19.1 Compliance With Host Premises Code

An application for development that achieves the specific outcomes in section 6.19.3 complies with the Host Premises code.

6.19.2 Overall Outcomes For Host Premises Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Host Premises code are as follows:
 - (a) Host premises do not impact on the existing amenity of the locality.
 - (b) Host premises provide high standard facilities and service for the travelling public.

6.19.3 Specific Outcomes And Probable Solutions For Host Premises Code

The specific outcomes sought for Host Premises code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a)(i) A level of accommodation is provided which is suitable, convenient, and attractive without degrading the amenity and character of the locality	(a) <ul style="list-style-type: none"> -- Accommodation is provided within, or attached to an existing dwelling house or farm building -- No more than four (4) self contained facilities accommodating a maximum of eight (8) people in total is available in each host premise. --- For all residential zones: <ul style="list-style-type: none"> - Total site cover does not exceed 40% of the allotment. - Gross floor area does not exceed 200m² for the total host premises use.
(ii). Additions to existing structures are constructed in a manner to maintain the character of the building or home and the locality	(ii) No probable solution proposed
(b)	(b) <ul style="list-style-type: none"> (i) Host premises are connected to a

²⁴ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
Host premises are provided with high standard infrastructure	<p>reticulated sewerage system.</p> <p>For developments outside sewerage areas, solid and liquid wastes are contained within the site</p> <p>(ii) Provision is made for a permanent supply of potable water. If the use is beyond a reticulated water system, on site storage tanks are 40,000 litre plus an extra 10,000 litre for every host premises suite</p> <p>(iii) Each home provides one (1) car parking space on site for each host home accommodation unit.</p>
(c) Development does not compromise existing or potential agricultural land uses in the vicinity.	(c) (i) Development does not establish on or within 100m of good quality agricultural land or operational agricultural or animal husbandry uses.

6.20 Industrial Uses Code²⁵

The provisions in this section comprise the Industrial Uses code. They are:

- compliance with Industrial Uses code (section 6.20.1)
- purpose of Industrial Uses code (section 6.20.2)
- specific outcomes and probable solutions for Industrial Uses code (section 6.20.3).

6.20.1 Compliance With Industrial Uses Code

An application for development that, achieves the specific outcomes in section 6.20.3 complies with the Industrial Uses code.

6.20.2 Overall Outcomes For Industrial Uses Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Industrial Uses code are:
 - (a) A safe work environment for a wide range of industries is available consistent with the character and amenity of the area
 - (b) Industrial uses establish on land where topography, accessibility, infrastructure and locality suit the use

²⁵ Amended 23/01/09 – Amendment No.2

- (c) Adverse impacts on natural environment (including air and water) are minimised
- (d) Waste management avoids or minimises the risk of land contamination
- (e) Industries operate in energy efficient buildings.

6.20.3 Specific Outcomes And Probable Solutions For Industrial Uses Code

The specific outcomes sought for Industrial Uses code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) Access and Site Design</p> <p>(i) Design of industrial sites and access is safe and accessible for industrial traffic</p>	<p>(a) Access to sites is:</p> <p>(i) From an existing constructed frontage road:</p> <ul style="list-style-type: none"> • a sealed driveway of minimum width of 8m for two-way traffic, or 6m for one-way, provided a distance of 15m separates entry and exist points; <p>(ii) From a constructed road remote from the site:</p> <ul style="list-style-type: none"> • a sealed roadway from the existing bitumen to the further extent of the allotment together with access driveways. <p>(iii) Designed to allow all traffic to enter and leave in a forward direction</p>
<p>(b) Site Operations</p> <p>(i) Operations on site are supplied with potable water supply, sewerred, and drained while reducing demand on water supply resources.</p>	<p>(b)</p> <p>(i) Underground and surface drainage of the site is provided.</p> <p>(ii) All infrastructure to the uses on site water, sewerage, reticulation, telecommunications, electricity, is designed in accordance with standards nominated in section 2,3,4,5, of EDROC Standards(for acceptable solutions and probable solutions)</p> <p>iii) Waste disposal bins for site contaminants are provided on site.</p> <p>iv) New industrial premises shall be connected to a rainwater tank (3kL capacity/100m2 of roof area) and pump that is connected to the to the following appropriately labelled non-potable fixtures:</p>

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<ul style="list-style-type: none"> - toilets; - washing facilities; and - outside taps.
<p>(c) Buildings, Character and Amenity</p> <p>(i) Buildings are designed and sited to complement the neighbourhood minimise visual impacts on existing uses and provide for energy efficiencies.</p>	<p>(c)</p> <p>Building heights do not exceed 8m measured from the lowest original ground level in the plan area of the building to the highest point of the building</p> <p>Buildings are set back at least 6m from the front and rear boundaries, and 4m from one side boundary with provision for vehicular access to the rear.</p> <p>The site cover of all structures does not exceed 50% of the site area;</p>
<p>(ii) Noise at the boundaries of industrial allotments does not exceed the requirements of Environmental Protection Policy (Noise).</p>	<p>(ii) No probable solutions proposed.</p>
<p>(d) Landscape Provisions</p> <p>(i) Landscaping is provided to each lot to ensure the appearance of the locality is not degraded .</p>	<p>(d)</p> <p>(i) A 2m depth of the frontage of the sites is landscaped and maintained with suitable vegetation to 1.5m high; and</p> <p>(ii) 15% of the site additional to the above is provided along the frontage for landscaped open space;</p> <p>(iii) Where residential uses are adjacent, 1m wide x 1.8m high landscaped strips on both the side and rear boundaries are provided, or alternatively solid noise prevention fences 1.8m high are provided.</p>

6.21 Intensive Rural Use Code²⁶

The provisions in this section comprise the Intensive Rural Use code. They are:

- compliance with Intensive Rural Use code (section 6.21.1)
- overall outcomes of Intensive Rural Use code (section 6.21.2)
- specific outcomes and probable solutions for Intensive Rural Use code (section 6.21.3).

²⁶ Amended 23/01/09 – Amendment No.2

6.21.1 Compliance With Intensive Rural Use Code

An application for development that achieves the specific outcomes in section 6.21.3 complies with the Intensive Rural Use code.

6.21.2 Overall Outcomes For Intensive Rural Use Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Intensive Rural Use code are:
 - (a) Intensive rural uses are established *or permitted to expand* in areas where the use does not degrade:
 - (i) the natural visual appearance and amenity of the urban and rural areas;
 - (ii) surface and ground water quality;
 - (iii) air quality; and
 - (iv) *significant ecological values of an area.*

6.21.3 Specific Outcomes And Probable Solutions For Intensive Rural Use Code

The specific outcomes sought for Intensive Rural Use code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable), Probable solution (if code assessable)
<p>(a) The development is located and sited such that:</p> <ul style="list-style-type: none"> - odour and noise levels are acceptable at residential buildings; - the quality of ground and surface water is maintained; - riparian areas are not disturbed; - natural flood and drainage processes and patterns are maintained; - the quality of soil is maintained by ensuring nutrient loads do not exceed the buffering capacity of the soil; - the developments effluent management ensures sustainable disposal to the soil and landscape by demonstrating these activities do not cause: <ul style="list-style-type: none"> - surface retention - salinity - leaching of nutrients or pesticides, into surface water, groundwater or areas off site; - the Development is able to implement and adequate land use buffer as set out in the <i>SPP 1/92 Planning Guidelines: Separating Agricultural and Residential Land Uses.</i> 	<p>(a) No probable solutions proposed.</p>

Column 1 - Specific Outcomes				Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)		
(b) Intensive rural uses incorporate separation distances and buffers to avoid adversely impacting on the amenity of the area and operations of existing sensitive land uses.				(b) (i) The minimum separation distances for Intensive Rural Use uses are those listed in the table below.* Separation Distances (m)		
Use	Range of Animal Numbers	All Residential uses or Residential Zones #	Public Roads	Boundaries of the Land	Top of Bank of Water courses, Wells or Bores	Dwelling Houses Not associated with the Use
Piggery	20-80	800	100	100	100	800
	100-200	800	150	100	100	800
	201-1000	2000	200	100	100	300
	1000-3000	2m/ pig max 5000	200	100	100	800
	>3000	5000	200	100	100	1000
Poultry Farms	20-200	500	20	10	50	400
	200-500	500	50	20	50	500
	>500	1000	100	20	100	1000
Cattle Feedlots	10-400	2km	200	100	100	500
	400-1000	8m/beast	400	100	100	2km
	>1000	5000	400	100	100	2km
Dairy	10-20	200	50	20	50	200
	21-200	500	50	20	50	200
	>200	0.3m/beast	50	50	100	500
				(ii) Intensive Rural Use uses are not located: South of Reushle Road and in areas designated as Urban Water Storages catchment or Constraint Precinct. NOTE: * Greater or lesser distances may apply depending on the locality. The above table only gives indicative separations which may also depend on input from referral agencies A decision support system may be used to facilitate this identification process. An acceptable decision support system may include Eastern Darling Downs Intensive Animal Industry Decision Support Tool (AGWISE). . # Includes Park & Rural Residential.		
(c) (i) Intensive Rural Use uses are located or screened to minimise visual impacts.				(c) (i) Vegetated buffer areas are provided, at least 50 m wide.		

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(ii) The use is located and managed on site to ensure impacts on other uses are minimised in respect of: <ul style="list-style-type: none"> - prevailing winds - topography of the site - access to the site from the Council or State controlled road - surface and ground water movements 	(ii) No probable solution proposed.

6.22 Plant Nursery Code²⁷

The provisions in this section comprise the Plant Nursery code. They are:

- compliance with Plant Nursery code (section 6.22.1)
- overall outcomes of Plant Nursery code (section 6.22.2)
- specific outcomes and probable solutions for Plant Nursery code (section 6.22.3).

6.22.1 Compliance With Plant Nursery Code

An application for development that achieves the specific outcomes in section 6.22.3 complies with the Plant Nursery code.

6.22.2 Overall Outcomes For Plant Nursery Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Plant Nursery code are as follows:
 - (a) Plant nurseries are established in readily accessible locations in or close to urban communities, without causing excessive traffic impact on the existing amenity of the area.
 - (b) Plant nurseries are established on sites of sufficient size to avoid degrading the visual amenity of the locality.
 - (c) Plant nursery operations ensure air emissions from operations are minimised and surface water runoff is retained on site.

6.22.3 Specific Outcomes And Probable Solutions For Plant Nursery Code

The specific outcomes sought for Plant Nursery code are included in column 1 and probable solutions in column 2.

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a) Plant nurseries are established on land areas to accommodate the use.	(a) The minimum size of allotment for the purpose of a nursery is 2 ha for

²⁷ Amended 23/01/09 – Amendment No.2

Column 1 – Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	the principal use and all associated uses including on site vehicular movement and parking.
<p>(b) Nurseries are located to minimise degrading impacts on nearby land uses through:</p> <ul style="list-style-type: none"> - Spray drift - Dust - Surface water runoff 	<p>(b)</p> <p>(i) A buffer zone 10 m wide is provided and planted with shrubs and trees on all boundaries of the land.</p> <p>(ii) Storage sheds, soil, sand and gravel bins and all other landscape products are located clear of the buffer and not closer than 30 m to residential land boundary.</p> <p>(iii) Areas likely to generate dust are sealed to ensure no dust escapes the boundaries of the site. Surface water runoff is collected and stored for reuse.</p>
<p>(c) All buildings, plant shades, storage bins are constructed with non reflective materials to minimise impacts on the neighbourhood.</p>	<p>(c)</p> <p>(i) Buildings are a maximum height of 5 m.</p> <p>(ii) Shades for plants are of non reflective material on structures of maximum height 3m.</p>
<p>(d) All chemicals used are contained within the site to avoid spray drift or flows beyond site boundaries.</p>	<p>(d) Chemicals used on the site are applied in closed sheds, or under closed shade areas in still air conditions.</p>
<p>(e) Access and car parking to the site is:</p> <ul style="list-style-type: none"> - safe, constructed and sealed - car parking is readily accessible - pedestrian movement areas are paved 	<p>(e)</p> <p>(i) Access roads, movement and car parking areas are sealed or paved. Car parking is provided as follows:</p> <ul style="list-style-type: none"> - 1 space for each employee - 1 space for every 50 m² of gross retail sales are dispatch area. <p>(ii) Car parking and movement areas are designed for all vehicles to leave the site in a forward direction.</p>

6.23 Relatives Apartment Code²⁸

The provisions in this section comprise the Relatives Apartment code. They are:

- compliance with the Relatives Apartment code (section 6.23.1)

²⁸ Amended 23/01/09 – Amendment No.2

- overall outcomes of the Relatives Apartment code (section 6.23.2)
- specific outcomes and probable solutions for the Relatives Apartment code (section 6.23.3).

6.23.1 Compliance With The Relatives Apartment Code

An application for development that achieves the specific outcomes in section 6.23.3 complies with the Relatives Apartment code.

6.23.2 Overall Outcomes For The Relatives Apartment Code

- (1) The overall outcome is the purpose of the code.
- (2) The overall outcomes sought for the Relatives Apartment code are:
 - (a) Relatives apartments are established with dwelling houses in a manner not to degrade the character or aesthetics of the dwelling house
 - (b) Occupancy of the relative's apartment does not impact on the amenity of the dwelling house or the neighbourhood through excessive noise or disturbance

6.23.3 Specific Outcomes And Probable Solutions For The Relatives Apartment Code

The specific outcomes sought for the Relatives Apartment code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a) The apartment is integrated with and closely associated with a dwelling house and built to a style similar to the dwelling house	(a) (i) The apartment is integrated into the host dwelling or attached by a covered access walkway not longer than 4 m .
(b) The use does not reduce the amenity of the locality by: (i) Over-development of the site (ii) Noise	(b) (i) The apartment is: <ul style="list-style-type: none"> - no higher than the host dwelling house - no closer to the lot boundaries than allowable clearances for dwelling houses. The gross floor area of the relatives apartment does not exceed 60m ² (excluding garage and verandah areas). (ii) Noise levels do not exceed those for a dwelling house or 5dB above ambient noise levels at the property boundary.
(c) The dimensions of the apartment does not significantly impact on the aesthetics of the host building	(c) The total site coverage of the dwelling house and relative's apartment and all other buildings on

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	site does not exceed 50% of the area of the allotment.
(d) Relatives apartments are provided with infrastructure	(d) Relatives apartments have: <ul style="list-style-type: none"> (i) a reticulated water supply or a minimum additional on site water storage of 9kL is provided (ii) a bitumen surfaced road frontage (iii) a connection to reticulated sewerage system, or failing that, provide disposal of wastes on site (iv) be connected to power and telecommunications.

6.24 Residential Premises Code²⁹

The provisions in this section comprise the Residential Premises code. They are:

- compliance with Residential Premises code (section 6.24.1)
- overall outcomes of Residential Premises code (section 6.24.2)
- specific outcomes and probable solutions for Residential Premises code (section 6.24.3).

6.24.1 Compliance With Residential Premises Code

An application for development that achieves the specific outcomes in section 6.24.3 complies with the Residential Premises code.

6.24.2 Overall Outcomes For Residential Premises Code

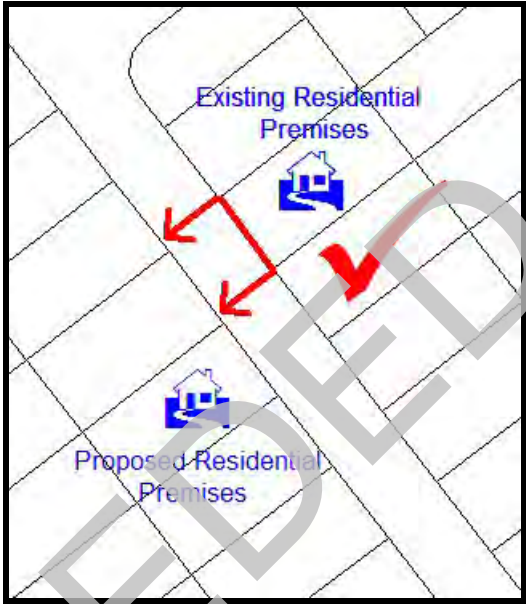
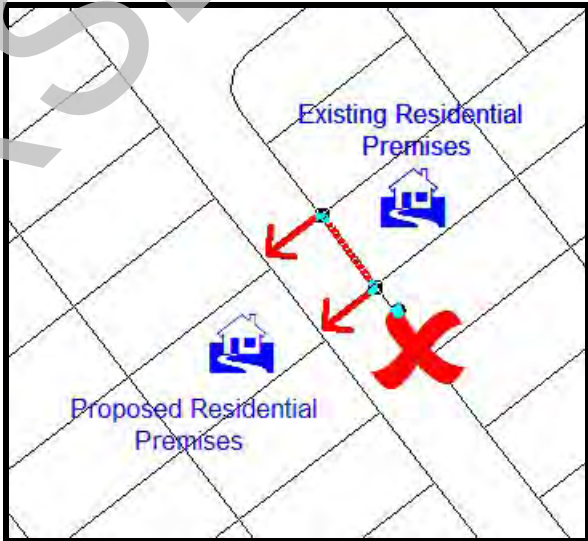
- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Residential Premises code is:
 - (a) Residential accommodation in the form of multiple dwelling houses or dwelling units in **within areas designated as “Residential Premises Precinct” on zoning maps.**
 - (i) creating undue disturbance to the existing uses in the locality
 - (ii) impacting on the neighbourhood environment.
 - (b) A range of residential styles and densities is provided .

6.24.3 Specific Outcomes And Probable Solutions For Residential Premises Code

²⁹ Amended 23/01/09 – Amendment No.2

The specific outcomes sought for Residential Premises code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
<p>(a) Provide residential premises which:</p> <p>(i) Create a high design standard at in keeping with the scale and character of the area.</p> <p>(ii) Provides a range of accommodation which does not detract from the residential amenity or nature of the area.</p>	<p>(a)</p> <p>(i) The design and location of residential premises shall comply with the following requirements:</p> <p>(a) The height of all residential premises does not exceed two storeys or 8.0 m in height, measured from the lowest original ground level within the plan area of the building to the highest point of the roof structure;</p> <p>(b) Allotment(s) on which Residential Premises are constructed or there are current approval are located so that Residential Premises:</p> <ul style="list-style-type: none"> ▪ On the same side of the street are separated by 4 lots or 80m (boundary to boundary); <div data-bbox="783 840 1396 1366" style="border: 1px solid black; padding: 5px;"> </div> <p style="text-align: center;">Residential Premise Separation - Correct</p> <div data-bbox="783 1429 1396 1982" style="border: 1px solid black; padding: 5px;"> </div>

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<ul style="list-style-type: none"> ▪ Are not directly opposite across a road reserve; <div data-bbox="820 371 1347 972" style="border: 1px solid black; padding: 5px; margin: 5px 0;">  </div> <p data-bbox="820 981 1246 1010">Residential Premises Separation - Correct</p> <div data-bbox="783 1032 1374 1570" style="border: 1px solid black; padding: 5px; margin: 5px 0;">  </div> <p data-bbox="863 1585 1310 1615">Residential Premises Separation - Incorrect</p> ▪ Do not share a common rear boundary

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	<div data-bbox="786 248 1396 728"> <p style="text-align: center;">Residential Premises Separation - Correct</p> </div> <div data-bbox="786 790 1396 1270"> <p style="text-align: center;">Residential Premises Separation - Incorrect</p> </div> <ul style="list-style-type: none"> (ii) The minimum allotment size is 1000 m²; (iii) Site population density does not exceed 150 persons/ha calculated by allowing for 1 person/habitable room (iv) A maximum of 5 dwelling units is allowable per multiple dwelling (v) The maximum number of Dwellings attached in 1 building is 3, with separation (for the purposes of cross-block ventilation, articulation and light) between buildings being not less than 4 m.

Column 1 - Specific Outcomes				Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)				
				Development requirements are:				
	No. of Storeys	Boundary Clearances (min)(m)			Site Cover (max.)	Site Density (max.) /ha	Min. Lot Size	Max Height (m)
		Side	Front	Rear				
	1	2.5	6	2.5	40%	150	1000	6
2	3.0	6	3	35%	150	1000	8.0	
<p>(b) The premises are situated close to residential, commercial and community facilities and connected to:</p> <ul style="list-style-type: none"> - reticulated water and sewerage services - electrical and telecommunication services 				<p>(b) (i) Services are connected in accordance with EDROC Standards 2, 3, 4 and 5.</p> <p>and</p> <p>(ii) a rainwater storage tank/device is provided which collects water from 65% of the roof area and is plumbed to service the toilets and at least one outside tap; and</p> <p>(iii) the minimum capacity of the rainwater storage tank/device is:</p> <ul style="list-style-type: none"> ▪ for Multiple Dwelling Units, Duplex Dwellings and self-contained Dwellings in Aged Persons Housing /Care - 4kL per Dwelling; ▪ for other Accommodation Units including hostel units in Aged Persons Housing /Care – 3kL per 100m² of roof area. 				
<p>(c) Residential premises are not constructed in areas where natural hazards threaten stability.</p>				<p>(c)</p> <p>(i) For residential premises in moderate, high or extreme bushfire prone areas, identified on the Bushfire Zone Map, and beyond the water reticulation network, the premises provide --a water supply storage of 40kL per unit with reserve for fire fighting of 10kL per unit in the premise</p>				
<p>(d) Residential premises are readily accessible for pedestrians and vehicles</p>				<p>(d)</p> <ul style="list-style-type: none"> - Residential premises front a sealed road with kerb and channel and a footpath along the full frontage. - Access to the site is via a 6m wide concrete access crossing to the alignment. 				
<p>(e) Residential premises provide on site storage areas and parking for vehicles</p>				<p>(e) Provide:</p> <p>(i) One on site covered car parking space for each dwelling house unit in residential premises; and</p> <p>(ii) One on site car parking space for every two units for visitors; and</p> <p>(iii) Separate visually screened storage spaces for garbage bins and other</p>				

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
	domestic facilities.
<p>(f) Adequate and useable private open space for each Dwelling is provided and located to:</p> <ul style="list-style-type: none"> ▪ be directly accessible from the Dwelling; ▪ be available for maximum year-round use; and ▪ take account of outlook, natural features and surrounding buildings. 	<p>(f)</p> <p>(i) For Ground Level Dwellings, a private open space area of at least 45 m² having a minimum dimension of at least 3 m is provided.</p>
	<p>(ii) For non-Ground Level Dwellings, a private open space area of at least 6.25 m² having a minimum dimension of at least 2.5 m is provided.</p>
	<p>(iii) Private open space is provided that is:</p> <ul style="list-style-type: none"> ▪ directly accessible from the main living area of the Dwelling at the same level or within 0.3 m vertical Height of the floor level of the living area; and ▪ fenced or otherwise screened for privacy and the exclusive use of the Dwelling.
<p>Fencing</p>	
<p>(g) Any front fences and walls provided for privacy or to define the property:</p> <ul style="list-style-type: none"> ▪ allow for casual surveillance of the street; and ▪ are compatible with the building and streetscape 	<p>(g)</p> <p>(i) A minimum 1.8 m high solid timber, brick or masonry fence is provided along the common boundary with any residential premises, except for that part of the common boundary that is within the front setback of the development in which case the maximum Height of the fence shall be tapered to 1.2 m at the front boundary</p>
	<p>(ii) Front fences and walls are no more than:</p> <ul style="list-style-type: none"> ▪ 1.2 m high if solid; or ▪ 1.5 m high if the fence has openings that make it not less than 50% transparent. <p>EXCEPT THAT:</p> <p>Solid front fences and walls up to 1.8 m high may be provided where:</p> <ul style="list-style-type: none"> ▪ the main private open space is in front of the Dwelling and the fence length is limited to 75% of the frontage; or ▪ the Site fronts a Trunk Collector Road or higher in the Road Hierarchy provided that: ▪ some surveillance of the street is maintained from the Dwelling; and ▪ the fence or wall does not exceed 15 m in length without some articulation or detailing to provide visual interest.
	<p>(iii) Front fences and walls use similar or compatible materials to that used in the locality.</p>

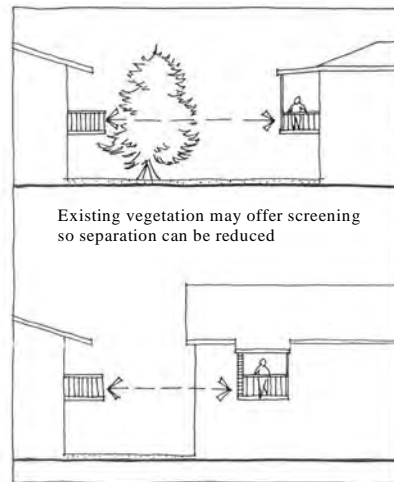
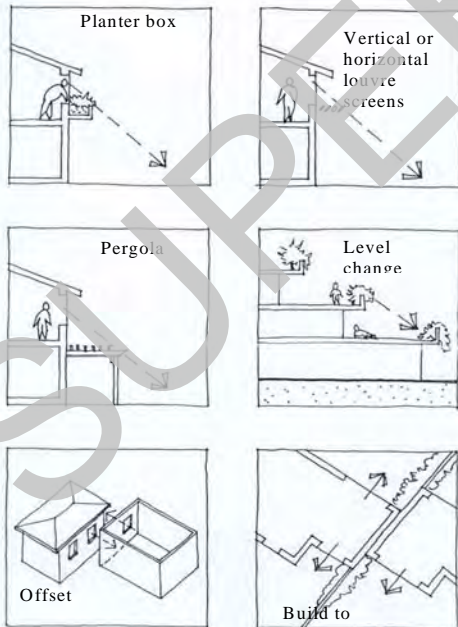
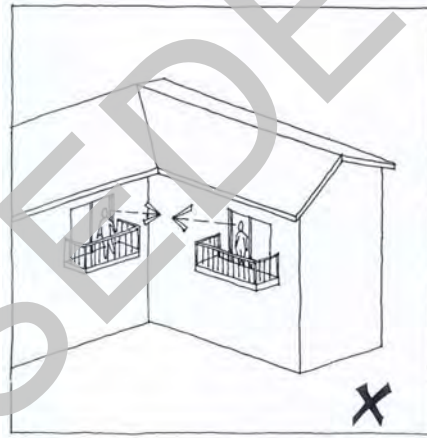
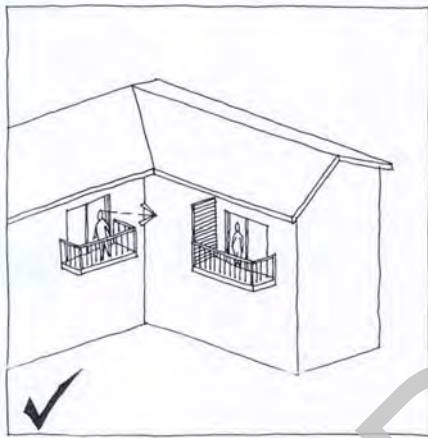
Privacy

(h) The development provides residents of the development and residents of adjacent residential properties with levels of visual and acoustic privacy that would be expected within residential premises in the locality.

(h)

(i) Direct views between Habitable Rooms of adjacent Dwellings or between Habitable Rooms and the private open space of adjacent Dwellings (whether part of the development or adjacent to the development), are obscured by:

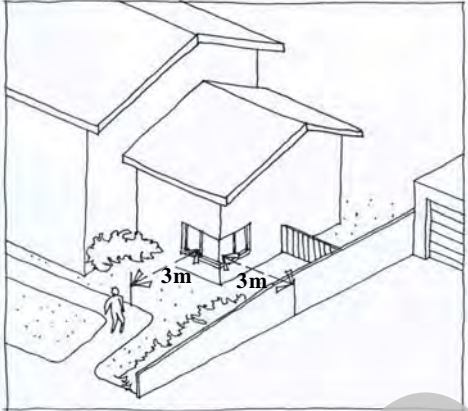
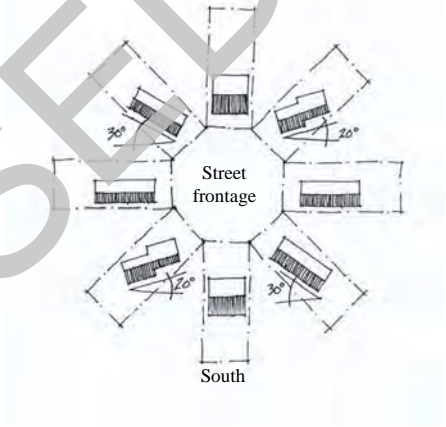
- screening that is durable, permanently fixed and has a maximum of 25% openings; or
- existing dense vegetation or new planting that can achieve a 75% screening within 3 years of planting; or
- any or all of the methods illustrated in the following diagrams.



Existing vegetation may offer screening so separation can be reduced

Careful location and screening of balconies can increase privacy and reduce their separation

(ii) Bedroom windows are located at least 3 m from access ways and parking areas of other Dwellings. Refer to the following diagram.

	
	<p>(iii) Security lighting is provided to pedestrian paths and entrances, driveways and parking areas with lighting designed to ensure that nuisance and annoyance is not caused to complex residents and neighbours.</p>
<p>Design for Climate</p>	
<p>(i) Buildings are oriented and designed to minimise the consumption of energy for heating and cooling.</p>	<p>(i) Buildings are sited within the following preferred orientation range.</p> 
<p>(j) Dwellings are sited and designed to maximise solar access to north facing windows of living areas having regard to slope, views, existing vegetation and overshadowing.</p>	<p>(j)</p> <p>(i) A north-facing room is provided which is capable of use as a living area with windows receiving at least 3 hours of sun over a portion of their surface between 9 a.m. and 5 p.m. on 21 June.</p> <p>(ii) North-facing windows to living areas of neighbouring Dwellings do not have sunlight reduced to less than 3 hours between 9 a.m. and 3 p.m. on 21 June.</p>

6.25 Rural Industry Code³⁰

The provisions in this section comprise the Rural Industry code. They are:

- compliance with Rural Industry code (section 6.25.1)
- overall outcomes of Rural Industry code (section 6.25.2)
- specific outcomes and probable solutions for Rural Industry code (section 6.25.3).

6.25.1 Compliance With Rural Industry Code

An application for development that achieves the specific outcomes in section 6.25.3 complies with the Rural Industry Development code.

6.25.2 Overall Outcomes For Rural Industry Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Rural Industry code are:
 - (a) Rural industries are established to service the rural community.
 - (b) Rural industries are established and operated to ensure minimal degrading impacts on adjoining and nearby uses in the locality.

6.25.3 Specific Outcomes And Probable Solutions For Rural Industry Code

The specific outcomes sought for Rural Industry code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a)(i) Rural industries are established in areas of high concentration of other rural uses. (ii) Rural industries locate in rural zones where, they operate without creating impacts on the locality.	(a) No probable solutions proposed.

³⁰ Amended 23/01/09 – Amendment No.2

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(b) The proposed use is separated from adjoining uses to ensure external impacts of noise and air emissions are minimised.	(b) (i) The minimum separation distances for products and buildings are: <ul style="list-style-type: none"> - 20m from all property boundaries except rural zones. - 4m from side property boundaries for vacant rural zone land, otherwise 20m. - 50m from property boundaries for: <ul style="list-style-type: none"> - bulk stock and poultry feed - bulk soil additives and mixtures - buildings associated with extraction of fruit juices.
	(ii) The uses are established on land where: <ul style="list-style-type: none"> - the area of the allotment is not less than 4,000 m² - each use has a bitumen surfaced access and frontage road. (iii) The use maintains the following standards on site: <ul style="list-style-type: none"> - Noise levels do not exceed 5 dB above ambient levels at the property boundaries at any time; - Buildings have landscaped screen areas 2m wide on all boundaries;. -- Provision is made for industrial access to the site and on-site parking and manoeuvring of all vehicles designed and constructed to standards nominated in Sections 2 and 3 of the EDROC Regional Standards (for acceptable and probable solutions). (iv) Vehicular movement areas are sealed. (v) Bulk Feeds and other loose products are covered in silos or bins.

6.26 Service Station Code³¹

The provisions in this section comprise the Service Station code. They are:

- compliance with Service Station code (section 6.26.1)
- overall outcomes of Service Station code (section 6.26.2)

³¹ Amended 23/01/09 – Amendment No.2

- specific outcomes and probable solutions for Service Station code (section 6.26.3).

6.26.1 Compliance With Service Station Code

An application for development that achieves the specific outcomes in section 6.26.3 complies with the Service Station code.

6.26.2 Overall Outcomes For Service Station Code

- (1) The overall outcome is the purpose of the Code.
- (2) The overall outcomes sought for the Service Station code are as follows:
 - (a) Service stations are designed and sited to be functional and safe for the travelling public.
 - (b) Service stations are developed to ensure the visual and environment impacts on the locality is minimised

6.26.3 Specific Outcomes And Probable Solutions For Service Station Code

The specific outcomes sought for Service Station code are included in column 1 and probable solutions in column 2.

Column 1 - Specific Outcomes	Column 2 - Acceptable Solutions (if self assessable) Probable solution (if code assessable)
(a) Service stations are sited in clearly visible locations for convenient access for the travelling public without exposure to risks.	(a) Sites are: <ul style="list-style-type: none"> - located at the intersections of collector roads or, -- provided with industrial access to the site and on-site parking and manoeuvring of all vehicles designed and constructed to standards nominated in Sections 2 and 3 of the EDROC Regional Standards (for acceptable and probable solutions).
(b) The use is provided without creating a traffic hazard.	(b) Access points, pump locations and road improvements are provided to minimise traffic congestion and hazards.

<p>(c) The amenity of the locality is not degraded by:</p> <ul style="list-style-type: none"> - Unsightly appearance - Over development of the site - Unpleasant air emissions - Vehicular concentration 	<p>(c)</p> <ul style="list-style-type: none"> (i) Landscaping includes provision of a landscape buffer strip 3 metres wide along each frontage and 2 metres wide along all other boundaries of the site; (ii) When the site adjoins land for residential purposes no building is closer than 5 metres from the common boundary of residential land; (iii) Fuel pumps are located on site to allow clear access to and from the site and without creating the need for vehicular queues external to the site. (iv) All buildings and structures including signs are a maximum height of 6m.
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7.0 INFRASTRUCTURE³²

There is no content in this chapter.

SUPERSEDED

³² Amended 23/01/09 – Amendment No.2

8.0 PERFORMANCE INDICATORS³³

There is no content in this chapter.

SUPERSEDED

³³ Amended 23/01/09 – Amendment No.2

SCHEDULE 1

SUPERSEDED

PART A – IDENTIFIED CULTURAL HERITAGE FEATURES³⁴

The table lists the identified natural features or resources for the Natural Features or Resources overlays.

Category	Feature	Location
PUBLIC BUILDINGS	Old Crows Nest Shire Council Chambers	Lot 5 SP131016, Cnr Toowoomba Road and Thallon St, Crows Nest.
	Crows Nest CWA Hall	Lot 1 RP15485, Thallon Street, Crows Nest
	Haden Hall	Lot 52 CP850909, Boundary Street, Haden
	Renown Theatre	Lots 4-6 RP1906, William Street, Crows Nest (formerly Dennis Nissan Motors)
SCHOOLS	St Matthews Catholic School	Lot 2 RP1897, Esk Street, Crows Nest
CHURCHES	Holy Trinity Lutheran Church	Lot 1 RP62352, Church Street, Haden
	St John's Anglican Church	Lot 1 RP22687, Collins Street, Haden
	St Leo's Catholic Church	Lot 36, CSH701, Boundary Street, Haden
	Holy Trinity Anglican Church	Lot 1 RP57098, Pioneer Road, Geham
	Presbyterian Church	Lot 1 RP21629, New England Highway, Geham
	Christ Church Lutheran Church	Lot 44 RP850973, New England Highway, Highfields
	Catholic Church Presbytery	Lot 1 RP1898, William Street, Crows Nest
HOMESTEADS	Argyle Homestead	Lot 2 RP197902, New England Highway, Geham
FARM INFRASTRUCTURE	Paling Fence	Lot 41 or Lot 51 C2001, Dale Street, Crows Nest

³⁴ Amended 23/01/09 – Amendment No.2

Category	Feature	Location
COMMERCIAL SHOPS	Nolan's Block	Lot 2 RP15485, Thallon Street, Crows Nest
	Haden Store	Lot 11 RP22629, Kann Street, Haden
	Kelly's Store	Lot 22 RP62558, Boundary Street, Haden
	Haden Bakery	Lot 2 RP22629, Boundary Street, Haden
	Haden Garage	Lot 10 CSH781, Djuan Road, Haden
ROADS & ROAD HERITAGE	Well	Road Reserve adjacent to L110 DAR6214, New England Highway, Geham
FORESTRY HERITAGE	Pechey Forestry Arboretum	Lot 909 FTY12, New England Highway, Pechey
CEMETERIES & GRAVES	Crows Nest Cemetery	L211 C8162, Pierces Creek Road, Crows Nest
	Unidentified Grave	Lot 325 D3414, Donovans Road, Cabarlah
	Highfields Baptist Church Cemetery	Lot 1 RP910839, Kuhls Road, Highfields
MEMORIALS	Brush Turkey Monument	Lot 71 SP155365, Kann Street, Haden
	Pioneer Monument	Lot 696 AG4281, New England Highway, Cabarlah
	World War One Monument	Lot 1 C20023, William Street, Crows Nest
	Jimmy Crow Memorial	Lot 1 C20023, Toowoomba Road, Crows Nest
	John French VC Memorial & Shelter	Lot 55 SP131016, Toowoomba Road, Crows Nest

Category	Feature	Location
SIGNIFICANT TREES	Avenue of Trees,	Lots 2 & 3 RP49255, Shannon Park Road, Highfields
	Camphor Laurel Tree	Lot 114 DAR6215, New England Highway, Cabarlah
SIGNIFICANT LANDSCAPES	Vista	Looking from Cronin Road, Cabarlah
	Lookout	Looking from Reinke Road Reserve, Haden
SIGNIFICANT LANDSCAPES RECREATIONAL PLACES	Apple Gum Walk from Bullocky's Rest to Hartman Park	Lot 160 CSH1167; Lot 114 SP112462; Lot 2 CP889024, Toowoomba Road, Crows Nest
RECREATIONAL PLACES	Crows Nest Falls National Park	Lot 629 NPW453, Three Mile Road, Crows Nest
	Ravensbourne National Park	Lot 120 NPW584, Ravensbourne
	Perseverance Dam Area	Lot 182 CSH187; Lot 665 AP6304; Lot 629 NPW453; Lot 3 SP140942; Lot 4 RP113385; Lot 1 CSH2369; Lot 1 RP161658; Lot 1 RP197373, Perseverance Dam Road, Crows Nest

SUPERSEDED

SCHEDULE 2 – PARKING STANDARDS³⁵

<i>Requirements:</i>	
Caravan Park	One space per site plus one space for every three sites for visitors.
Child Care Centres	One space for every employee and one space for every 4 attendees.
Commercial Facilities, Local store	- 1 space per 25 m ² of gross floor area.
Community Activities	- 1 space per 25 m ² of gross floor area.
Holiday Cabin Development	- 1 covered space per guestroom or suite, 1 additional space per 30m ² of gross dining area and 1 space per employee.
Host Premises	<ul style="list-style-type: none"> • If in a rural area – 1 space per guestroom or suite. • If in a residential area - 1 space per guestroom or suite.
Industry	1 space per 50 m ² of gross floor area for the first 1000 m ² and 1 additional space per 100 m ² of gross floor area exceeding 1000 m ² .
Residential Premises	- 1 covered space per dwelling unit and 1 on site space for every two units or part thereof for visitors.
Residential Uses Dwelling house, Relatives Apartment	- 1 covered space per dwelling or apartment.
Rural Industry	- 1 space per employee not resident on site. - 1 space per 25 m ² of gross floor area of ancillary shop.
Shops, Shopping Centres.	- 1 space per 25 m ² of gross floor area.
Refreshment Premises	1 per 15m ² of floor area.
Recreational Use	<ul style="list-style-type: none"> • 20 spaces per playing field or 6 spaces per court.
Service Station	<ul style="list-style-type: none"> • 5 spaces for each lubricating bay and • 1 space/25m² for commercial uses.

³⁵ Amended 23/01/09 – Amendment No.2

SCHEDULE 3 – OTHER DEVELOPMENT STANDARDS³⁶

This schedule has no content.

SUPERSEDED

³⁶ Amended 23/01/09 – Amendment No.2

SCHEDULE 4 – OTHER MATERIAL

SUPERSEDED

IDENTIFIED NATURAL FEATURES AND RESOURCES AND NATURAL HAZARDS³⁷

The table lists the identified items or resources for the Natural Features and Resources overlays and Natural Hazards Overlay.

Column 1 Natural features and Resources	Column 2 Property description or location	Column 3 Relevant overlay map (OM)
Major Waterways (see attached map) Bald Hills Creek Buckamara Creek Bum Bum Creek Buaraba Creek Cooby Creek Emu Creek Klein Creek Geham Creek Googa Googa Creek Meringandan Creek Merritts Creek Oaky Gully Pierce Creek Perseverance Creek Spring Creek Waterhole Creek		Biodiversity, Water Catchment and Watercourse Map
Ponded Areas Cooby Dam Perseverance Creek Dam Cressbrook Dam		Biodiversity, Water Catchment and Watercourse Map
State Forests Googa Creek SF 257 Benarkin SF 283 Mt Binga SF 258 Pechey SF 909 Grapetree SF 665 Mt Luke SF 1142		Zone map
Natural Features Great Dividing Range and		Vegetation and Wildlife Corridor Map

³⁷ Amended 23/01/09 – Amendment No.2

Column 1 Natural features and Resources	Column 2 Property description or location	Column 3 Relevant overlay map (OM)
Escarpment Ravensbourne National Park Crows Nest Waterfalls National Park Tahrn Rock Mt Perseverance Wild life corridors		
Good Quality Agricultural Land		Good Quality Agricultural Land Map
Natural Hazards Escarpments and Steep Land Bushfire Prone Lane Wildlife Corridors		Landslide and Flood Hazard Map

SCHEDULE 5 – PLANNING SCHEME POLICIES³⁸

SUPERSEDED

³⁸ Amended 23/01/09 – Amendment No.2

Adopted Infrastructure Charges Resolution No.1 – Crows Nest

1 Introduction

1.1 Short title

The resolution may be cited as the *Adopted Infrastructure Charges Resolution No.1 – Crows Nest*.

1.2 Sustainable Planning Act 2009

The resolution is made pursuant to the Sustainable Planning Act 2009.

- (1) The resolution is to be read in conjunction with the following:
- Sections 648D(1)(e), 649 and 650 of the Sustainable Planning Act 2009;
 - the Crows Nest Planning Scheme; and
 - the Crows Nest Planning Scheme Policies Nos. ADP01, ADP02, ADP03, ADP04 and ADP05 in relation to Infrastructure Contributions for Public Parks and Land for Community Facilities Network, Transport Network, Stormwater Network, Sewerage Network and Water Supply Network
 - The resolution is attached to but does not form part of the Crows Nest Planning Scheme

1.3 Effect

The resolution has effect on the 01 July 2011.

1.4 Purpose of the resolution

The purpose of the resolution is to provide information about trunk infrastructure for water supply, wastewater, stormwater, transport and public parks and land for community purposes, to enable the Council to impose conditions for necessary trunk infrastructure and additional trunk infrastructure costs under sections 649 and 650 of the Sustainable Planning Act 2009.

2 Adopted Infrastructure Charges Resolution No 1 – Crows Nest

This resolution, pursuant to section 648D(1)(e) of the Sustainable Planning Act 2009:

- (i) identifies trunk infrastructure for the Crows Nest Planning Scheme area

- (ii) identifies the trunk infrastructure network for the Crows Nest Planning Scheme area to which the adopted infrastructure charge applies; and
- (iii) states the standard of service for the network mentioned in (ii); and
- (iv) states the establishment cost of the network.

3 Plans for trunk infrastructure

The plans for trunk infrastructure and trunk infrastructure networks identified in the Crows Nest Planning Scheme Policies Nos. ADP01, ADP02, ADP03, ADP04 and ADP05 in relation to Infrastructure Contributions for Public Parks and Land for Community Facilities Network, Transport Network, Stormwater Network, Sewerage Network and Water Supply Network apply in the Crows Nest Planning Scheme area.

4 Schedule of works

The schedule of works identified in the Crows Nest Planning Scheme Policies Nos. ADP01, ADP02, ADP03, ADP04 and ADP05 in relation to Infrastructure Contributions for Public Parks and Land for Community Facilities Network, Transport Network, Stormwater Network, Sewerage Network and Water Supply Network apply in the Crows Nest Planning Scheme area.

5 Desired Standards of Service

The desired standard of service identified in the Crows Nest Planning Scheme Policies ADP01, ADP02, ADP03, ADP04 and ADP05 in relation to Infrastructure Contributions for Public Parks and Land for Community Facilities Network, Transport Network, Stormwater Network, Sewerage Network and Water Supply Network apply in the Crows Nest Planning Scheme area.

6 Establishment cost

The establishment costs identified in the Crows Nest Planning Scheme Policies Nos. ADP01, ADP02, ADP03, ADP04 and ADP05 in relation to Infrastructure Contributions for Public Parks and Land for Community Facilities Network, Transport Network, Stormwater Network, Sewerage Network and Water Supply Network apply in the Crows Nest Planning Scheme area.



**CROWS NEST PLANNING SCHEME
PLANNING SCHEME POLICY
No. ADP01
INFRASTRUCTURE CONTRIBUTIONS
FOR
PUBLIC PARKS AND LAND FOR
COMMUNITY FACILITIES NETWORK**

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1 PRELIMINARY

1.1 INTRODUCTION

This planning scheme policy has been prepared in accordance with the requirements of the *Integrated Planning Act 1997*.

The planning scheme policy applies to the area of the Crows Nest Planning Scheme 2007 (the planning scheme).

This planning scheme policy replaces the previous 'Toowoomba Regional Council Planning Scheme Policy – Infrastructure Contributions for Public Parks Network (Crows Nest) and will take effect as of 31 October 2009.

1.2 PURPOSE

The purpose of this planning scheme policy is to support the planning scheme by assisting with:

- (a) the integration of land use planning and infrastructure planning for the public parks and land for community facilities network;
- (b) the efficient and orderly provision of shared development infrastructure for the public parks and land for community facilities network; and
- (c) the funding of shared development infrastructure for the public parks and land for community facilities network through the fair apportionment of these costs to development.

1.3 STRUCTURE OF PLANNING SCHEME POLICY

This planning scheme policy:

- (a) identifies in section 2 'Application of Planning Scheme Policy' how the planning scheme policy will be applied to development;
- (b) states in section 3 'Planning Assumption' the projections of future urban growth and the assumptions of demand for the public parks and land for community facilities network, which have informed the preparation of the planning scheme policy;
- (c) identifies in section 4 'Timing of Shared Development Infrastructure' when it is anticipated that shared development infrastructure for the public parks and land for community facilities network will be provided;
- (d) states in section 5 'Contribution Rates' how the contribution rates have been calculated through the apportionment of the establishment cost across demand; and
- (e) states in section 6 'Infrastructure Contributions' how to calculate an infrastructure contribution for shared development infrastructure within the public parks and land for community facilities network using the infrastructure contribution rates identified in section 5.

2 APPLICATION OF PLANNING SCHEME POLICY

2.1 APPLYING THE PLANNING SCHEME POLICY TO DEVELOPMENT

This planning scheme policy:

- (a) states the basis for the calculation of infrastructure contributions that may be imposed as a condition of development; and
- (b) states the basis for the imposition of a condition of development requiring:
 - i. the supply of shared development infrastructure; and
 - ii. the payment of additional shared development infrastructure costs.

2.2 INFRASTRUCTURE CONTRIBUTIONS

Infrastructure contributions for the public parks and land for community facilities network applicable to a development will be calculated in accordance with section 6 'Infrastructure Contributions'.

2.3 SUPPLY OF SHARED DEVELOPMENT INFRASTRUCTURE

A condition may be imposed for the supply of shared development infrastructure where:

- (a) existing shared development infrastructure necessary to service the premises is not adequate and shared development infrastructure adequate to service the premises is identified in the planning scheme policy; or
- (b) shared development infrastructure to service the premises is necessary, but is not yet available and is identified in the planning scheme policy; or
- (c) shared development infrastructure identified in the planning scheme policy is located on the premises.

The agreed value of the necessary shared development infrastructure supplied for the public parks and land for community facilities network will be offset against an infrastructure contribution imposed for that network on the development (see section 6.6 'Calculation of Demand Offset').

2.4 PAYMENT OF ADDITIONAL SHARED DEVELOPMENT INFRASTRUCTURE COSTS

A condition may be imposed requiring the payment of additional shared development infrastructure costs where:

- (a) for a properly made development application lodged on or before 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in the policy or policies dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy; or
- (b) for a properly made development application lodged after 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in this policy.

Costs associated with the provision of additional shared development infrastructure will not normally be offset against infrastructure contributions calculated in accordance with section 6.

The Toowoomba Regional Council (TRC) may however allow the additional shared development infrastructure to be offset against infrastructure contributions where it decides the works provide a necessary shared function to other network users.

2.5 CONDITIONS FOR THE SUPPLY OF LOCAL DEVELOPMENT INFRASTRUCTURE

In addition to conditions imposed for shared development infrastructure, conditions may also be imposed on development for the supply of local development infrastructure.

2.6 PLANNING SCHEME POLICY BASED ON EXISTING PLANNING SCHEME

The demand assumptions, future infrastructure and infrastructure contribution rates within this planning scheme policy are based on the anticipated level of development allowed for under the planning scheme at 30 June 2009. Should the planning scheme be amended after 30 June 2009 to allow for more intense forms of development, applications that require additional shared infrastructure will be conditioned to pay for that infrastructure in accordance with section 2.4.

2.7 EFFECTIVE DEVELOPMENT APPROVALS GRANTED AND PROPERLY MADE DEVELOPMENT APPLICATIONS LODGED ON OR BEFORE 30 OCTOBER 2009

If a development approval was granted on or before 30 October 2009 and includes a condition requiring payment of contribution(s) under this policy, so long as the contribution(s) is paid to the TRC by 5pm on 30 June 2010, the applicant / landowner may pay the lesser of the following:

- (a) the amount of contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) the amount of contribution(s) which is payable under this policy.

If a properly made development application is lodged with the TRC on or before 30 October 2009 and the TRC imposes a condition(s) on the development approval requiring the payment of a contribution(s) under this policy, the applicant / landowner may satisfy that condition(s) by either:

- (a) paying within 20 business days of the development approval taking effect, the amount of the contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items as dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) paying the contribution required under this policy in accordance with the condition.

3 PLANNING ASSUMPTIONS

3.1 DEVELOPMENT PROJECTIONS

The Crows Nest planning area is anticipated to experience moderate growth to 2016. At 2006 the estimated population was 13,337 people located within 4,549 households. This is anticipated to reach 21,425 people located within 8,062 households by 2016. Highfields is the principal growth community in this planning area.

Crows Nest is characterised by having its population focussed in four existing communities of Crows Nest township, Highfields, Blue Mountain Heights and Hampton with the balance distributed across other smaller communities and the rural areas.

Whilst this settlement pattern will continue into the future it is characterised by a falling household size. The reduction in household size is anticipated to be generally around 10% over the ten year period to 2106.

The planning assumptions provided in Table 3.1 and Table 3.2 outline the projections of residential and non-residential development for the area to which this planning scheme policy applies.

Table 3.1 Existing and projected population and dwellings

Area	Existing Residential (2006)		Household Size	Future Residential (2016)	
	Dwellings	Population	2006 - 2016	Dwellings	Population
Crows Nest	727	1,661	2.28 – 2.04	1,102	2,257
Highfields	2,199	7,157	3.25 – 2.89	4,421	12,792
Blue Mountain Heights	214	673	3.14 – 2.82	298	840
Hampton	121	345	2.85 – 2.53	168	424
Balance Rural	1,288	3,501		2,073	5,112
Total	4,549	13,337		8,062	21,425

Please Note: Trunk infrastructure networks have not been planned to service development in rural areas.

Table 3.2 Existing and projected employment

Area	Employment	
	2006	2016
Crows Nest	509	646
Highfields	1,365	2,217
Blue Mountain Heights	32	39

Area	Employment	
	2006	2016
Hampton	16	21
Balance Rural	921	1,132
Total	2,843	4,055

Please Note: Trunk infrastructure networks have not been planned to service development in rural areas.

3.2 PROVISION OF FUTURE PARKS

Parks are planned to be provided at the rate of 4 hectares per 1,000 population and 0.5 hectare per 1,000 jobs.

The planned rate of provision of park types is provided in Table 3.3.

Table 3.3 Planned Rate of Provision of Park

Development	Park (ha/1,000 population)		
	Local Informal	District Informal	District Sport
Residential	0.5	1.5	2.0
Non-residential	0.5	0	0

4 TIMING OF SHARED DEVELOPMENT INFRASTRUCTURE

4.1 PURPOSE

This section identifies:

- existing shared development infrastructure for the public parks and land for community facilities network; and
- when it is anticipated that future shared development infrastructure for the public parks and land for community facilities network will be provided.

4.2 SHARED DEVELOPMENT INFRASTRUCTURE

Table 4.1 defines the shared development infrastructure for the public parks network.

Table 4.1 Shared development infrastructure for the public parks network

Network	System	Items
Public Parks	Public parks and land for community facilities	<ul style="list-style-type: none"> Land, works and embellishments for local, district and local government-wide parks for formal and informal recreation and sporting purposes.

4.3 PLANS FOR DEVELOPMENT INFRASTRUCTURE

Plans showing the existing development infrastructure for the public parks network are shown on the following maps:

- Map 4.1 Crows Nest - Existing Parks Infrastructure.

The existing demand for parks infrastructure in the four communities plus the rural balance considered in this PSP are defined in Table 4.2.

Table 4.2 Existing and future parks demand

Area	Existing (2006)		Existing Park Demand	Future (2016)		Future Park Demand
	Population	Jobs		Population	Jobs	
Crows Nest	1,661	509	6.9 ha	2,257	646	9.35 ha
Highfields	7,157	1,365	29.31 ha	12,792	2,217	52.28 ha
Blue Mountain Heights	673	32	2.71 ha	840	39	3.38 ha
Hampton	345	16	1.39 ha	424	21	1.71 ha
Balance Rural	3,501	921	N/A	5,112	1,132	N/A
Total	13,337	2,843		21,425	4,055	

4.4 SCHEDULE OF WORKS

Based on the demand estimates shown in Table 4.2 and the level of existing parks, it is anticipated that an additional 1.5 hectares of parkland will be supplied in Crows Nest, a further 22 hectares in Highfields and 1.0 hectare in Blue Mountain Heights. Table 4.3 identifies when it is anticipated that parks will be provided.

Table 4.3 Schedule of Future Parks - Public Parks Network

Location	Shared Development Infrastructure	Estimated Completion	Establishment Cost (\$)			
			Cost of Works	Design / Supervision	Contingency	Total*
Crows Nest	1.5 ha Local Park	2012	572,500	57,250	62,975	692,725
Highfields	8 ha district informal 11 ha district sporting 3 ha local	2010 - 2014	13,180,000	1,318,000	1,449,800	15,947,800
Blue Mountain Heights	1.0 ha Local Park	2013	282,500	28,250	31,075	341,825

5 CONTRIBUTION RATES

5.1 CONTRIBUTION AREAS

Contribution rates for the public parks network have been stated for that part of the planning scheme area planned to be supplied with public parks infrastructure. The locations of the Crows Nest contribution areas are identified on Map 5.1 Crows Nest Parks Contributions Areas.

5.2 ESTABLISHMENT COSTS AND MARGINAL COSTING

The establishment cost of parks includes the land component, the works required to make the land fit for purpose and the cost of embellishments. In addition on-costs are included for planning, design and supervision. Contingencies of 10% are also included.

Land in the Crows Nest District has been based on the en-globo unserviced land costs as defined as follows:

- Crows Nest - \$8/m²;
- Highfields - \$25/m²;
- Blue Mountain Heights - \$10/m²; and
- Hampton - \$5/m².

The cost of works to bring land for parks to fit for purpose is \$1.50 per m².

The cost for supplying embellishments to a district informal park is \$500,000, assuming a park area of up to 5 ha. The cost of supplying embellishments to a district sporting park is \$1,500,000 for an area up to 10 ha and the cost to embellish a local park of up to 1 ha in size is \$100,000.

These costs translate to the following embellishment rates:

- Informal park (local and district) - \$10/m²; and
- Sporting park - \$15/m²

Using marginal costing, 100% of the marginal establishment cost will be recovered through contributions under this PSP and 0% from grants and subsidies.

- The contribution rates include engineering, planning and design costs equal to 10%, together with a contingency allowance of 10% in accordance with the practice adopted in preparing infrastructure planning reports for approval by Department of Environment and Resource Management as a condition of subsidy funding; and
- An allowance for the costs associated with preparing and administering the planning scheme policy over time. These costs are 1.5% of the establishment cost.

5.3 COST APPORTIONMENT AND PROJECTED DEMAND

Marginal cost apportionment has been used to determine the park contribution rate for future development based on the marginal establishment cost assessment outlined in section 5.2 above and the park provision rates presented in Table 3.3.

A summary of the anticipated new demand on the public parks network is identified in Table 5.1.

Table 5.1 Public parks network - projected demand summary

Contribution Area	Population Growth	Employment Growth	2016 Marginal Park Demand (m ²)
Crows Nest	586	137	24,525
Highfields	5,635	852	229,660
Blue Mountain Heights	167	7	6,715
Hampton	79	5	3,185

5.4 CONTRIBUTION RATES AND COST APPORTIONMENT

Park contribution rates are based on the marginal cost of providing for projected growth in development at a rate of 40m² per new person and 5m² per new job.

The contribution rates for the public parks facilities network are identified in Table 5.2.

Table 5.2 Public parks network - contribution rates per ET

Contribution Area	Land and Works	Embellishment	On Costs	Cost of Works	Contingency	Contribution Rate Including Admin (\$ / ET)
Crows Nest	816	1,020	184	2,020	202	2,222
Highfields	3,063	1,445	451	4,959	496	5,455
Blue Mountain Heights	1,354	1,410	276	3,040	304	3,344
Hampton	658	1,265	192	2,115	212	2,327
Other Areas	As determined by TRC using en-globe land values, works and standard embellishment rates as defined above, including 10% on costs, 10% contingencies and 1.75% administration costs.					

6 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

6.1 INFRASTRUCTURE CONTRIBUTIONS THAT MAY BE IMPOSED

Infrastructure contributions may be imposed for shared development infrastructure within the public parks and land for community facilities network.

6.2 DEVELOPMENT SUBJECT TO INFRASTRUCTURE CONTRIBUTIONS

The types of assessable development that may trigger an infrastructure contribution being imposed are:

- (a) reconfiguration of a lot; and
- (b) a material change of use of premises.

6.3 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution for the public parks and land for community facilities network is to be calculated in accordance with the following formula-

$$IC = [(D - DC - DO) \times CR]$$

Where:

- (a) IC is an infrastructure contribution for the public parks and land for community facilities network;
- (b) D is the amount of demand for public parks and land for community facilities infrastructure expressed as a number of demand units and calculated in accordance with section 6.4. The demand unit for the public parks and land for community facilities network is Equivalent Tenement (ET);

- (c) DC is the demand credit for the public parks and land for community facilities network calculated in accordance with section 6.5;
- (d) DO is the demand offset for the public parks and land for community facilities network calculated in accordance with section 6.6; and
- (e) CR is the contribution rate for the contribution area in which the development is located and will be applied in accordance with section 6.7.

6.4 CALCULATION OF DEMAND (D)

- (a) For the reconfiguration of a lot, the demand for the public parks and land for community facilities network is to be calculated using the demand generation rates identified in Table 6.1.
- (b) For a material change of use, the demand for the public parks and land for community facilities network is to be calculated using the demand generation rates identified in Table 6.2.
- (c) Where a development involves more than one use, the demand is to be determined by adding together the proposed demand for each use calculated in accordance with section 6.4(b).

6.5 CALCULATION OF DEMAND CREDIT (DC)

- (a) The demand credit is to be calculated using the greater of:
 - i. The amount of demand generated by an existing lawful use of the premises, calculated using the demand generation rates identified in Table 6.2; or
 - ii. The demand for which infrastructure contributions for the public parks and land for community facilities network have been previously made.
- (b) Where a contribution referred to in 6.5(a) is not expressed in the same demand units as those used in this planning scheme policy, the contribution is to be converted into a demand credit as follows:
 - i. Where a previous monetary contribution has been made:
 - Convert the previous monetary contribution into its value as at the base date (30 June 2009) by inflating the monetary amount using the movement in the Australian Bureau of Statistics (ABS) Non-Building Construction (412) Qld index.
 - Divide the amount in the dot point above by the contribution rate identified in Table 5.3 to determine the demand credit.
 - ii. Where a previous non monetary contribution has been made:
 - Determine the agreed value of the non monetary contribution at the base date. This is to be derived using the TRC's current cost.
 - Divide the amount in the dot point above by the relevant contribution rate identified in Table 5.3 to determine the demand credit.
- (c) No demand credit will be applied where existing lawful use rights apply to a site but the use has not been established or which does not place a demand on the public parks network. The only exception to this will be in relation to residential lots on which no dwelling has been constructed. In such cases, a demand credit equivalent to one dwelling per lot will be allowed.
- (d) A demand credit arising from 6.5(a) will only be provided to a maximum amount equal to the demand arising from a proposed development.

6.6 CALCULATION OF DEMAND OFFSET (DO)

- (a) The demand offset is to be calculated by converting a contribution for the supply of shared development infrastructure for the public parks and land for community facilities network into an agreed demand offset as follows:
 - i. Determine the establishment cost (less the contingency allowance) of the infrastructure item at the base date identified in this policy.
 - ii. Divide the establishment cost in the dot point above by the contribution rate identified in Table 5.3 to determine the demand offset.
- (b) Where the demand offset (DO) for the public parks network is greater than the demand (D) for that network, the infrastructure provider may enter into an agreement to refund the proportion of the establishment cost of the shared development infrastructure that reasonably can be apportioned to other premises.
- (c) Where the TRC is satisfied that the contingency allowance is required to deliver that infrastructure item, it may agree to include the allowance in 6.6(a)(i).

6.7 APPLYING THE CONTRIBUTION RATE (CR)

The contribution rate for the public parks network has been calculated at the base date of 30 June 2009. The contribution rates for the public parks and land for community facilities network are identified in Table 5.3.

6.7.1 Indexation of contribution rate

The contribution rate identified in Table 5.3 is expressed in 30 June 2009 dollar values and will be indexed quarterly up to the time of payment using the ABS Non-Building Construction (412) Qld Index.

6.8 TIME OF PAYMENT OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution is payable:

- (a) prior to the time specified in the development approval; or
- (b) if no time is specified in the development approval, prior to the time being:
 - i. if the contribution applies to **reconfiguration of a lot**—before the TRC approves the plan of subdivision under Chapter 3, Part 7 of the *Integrated Planning Act 1997*; or
 - ii. if the contribution applies to **material change of use**—before the change of use happens.

6.9 ALTERNATIVES TO PAYING INFRASTRUCTURE CONTRIBUTIONS

- (a) The TRC may require or accept an infrastructure contribution that may be in a form other than a monetary contribution.
- (b) Alternatives to a monetary contribution are:
 - i. a land contribution; or
 - ii. a works contribution.
- (c) The TRC may require or accept an infrastructure contribution that is a combination of monetary, land and works contribution.

6.10 DEMAND GENERATION RATES

The public parks and land for community facilities network demand generation rates are identified as follows:

- (a) Reconfiguration of a lot – Table 6.1; and
- (b) A material change of use – Table 6.2.

Table 6.1 Demand generation rates - lot reconfiguration

Planning Scheme Zone	Demand Generation Rate (ET/lot)
Rural	1 for a house or for other uses as agreed with Council
Park Residential	1
Rural Residential	1
Low Density Residential	1
Residential	1
Commercial	0.28
Village Commercial	1
Tourist	1
Industry	0.23
Green Space	0
Community Use	0.23

Table 6.2 Demand generation rates - material change of use

Development Land Use Type	Demand Generation Rate	
	Demand (ET)	Measure
Agriculture / Forestry	0	100m ² Gross Floor Area (GFA)
Animal Husbandry / Stable	0	100m ² GFA
Caravan Park	0.45	Site
Commercial	0.14	100m ² GFA

Development Land Use Type	Demand Generation Rate	
	Demand (ET)	Measure
Office	0.2	100m ² GFA
Community Purposes	0.05	100m ² GFA
Health Care / Vet	0.14	100m ² GFA
House	1.0	Dwelling
Home Business	0.1	Dwelling
Home Host Accommodation	0	Dwelling
Adult / Indoor Entertainment	0.05	100m ² GFA
Extractive Industry	0	100m ² GFA
Rural Industry	0	100m ² GFA
High Impact Industry	0.05	100m ² GFA
Medium Industry	0.05	100m ² GFA
Low Impact Industry / STA	0.1	100m ² GFA
Kennels	0	100m ² GFA
Motel	0	100m ² GFA
Multiple Dwelling	0.52	units
Service Station	0.1	100m ² GFA
Utility	0.02	100m ² GFA
Warehouse	0.05	100m ² GFA

7 DEFINITIONS

Base date - means the date from which a local government has estimated its projected infrastructure costs and contribution rates. The base date is 30 June 2009.

Contribution area - means the area to which a contribution rate applies.

Contribution rate, CR - means the dollar amount per demand unit for an infrastructure network.

Current cost - in relation to an asset, means its cost measured by reference to the lowest cost at which the gross service potential of that asset could be obtained in the normal course of business. Where service potential, in relation to an asset, means its economic utility to the entity, based on the total benefit expected to be derived by the entity from use (and/or through sale) of the asset. Gross service potential means the total benefit expected to be derived when the asset was first acquired, and also the benefit from any subsequent upgradings. (Source: *CPA Australia and Institute of Chartered Accountants in Australia*)

Demand, D - refer section 6.4.

Demand credit, DC - refer section 6.5.

Demand offset, DO - refer section 6.6.

Demand unit - means the standard unit of demand that applies to each type of infrastructure to express the demand represented by different types of lots or uses.

Gross Floor Area – means the total floor area of a building on a site excluding private balconies and patios, and areas for parking vehicles.

Infrastructure contribution, IC - means a contribution calculated for a premises for a development infrastructure network.

Local development infrastructure - means development infrastructure which provides a lower order function through connections to individuals or small groups of users. It includes infrastructure internal to the site and connections to shared development infrastructure networks.

Net developable area - means the *developable area* of a site, minus land required for development infrastructure and easements, and other areas constrained from development under the planning scheme provisions.

Proposed demand - means the demand proposed for a premises, calculated using the demand generation rates referenced in section 6.10.

Shared development infrastructure - means development infrastructure which provides a higher order function through connections to a number of users. It does not include local development infrastructure which provides connections to individuals or small groups of users.

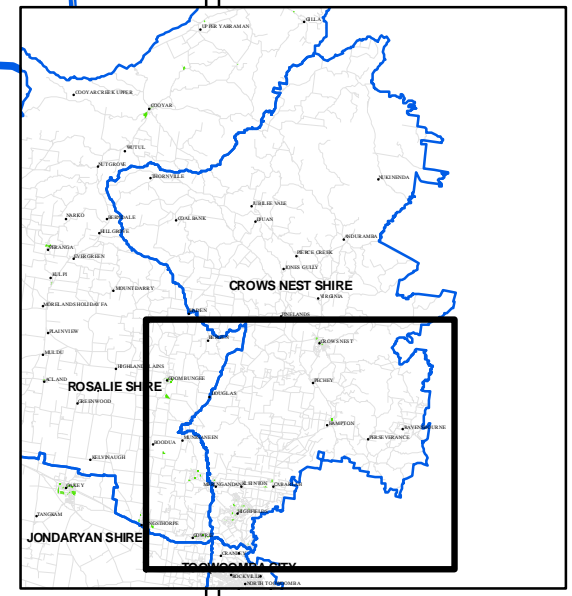
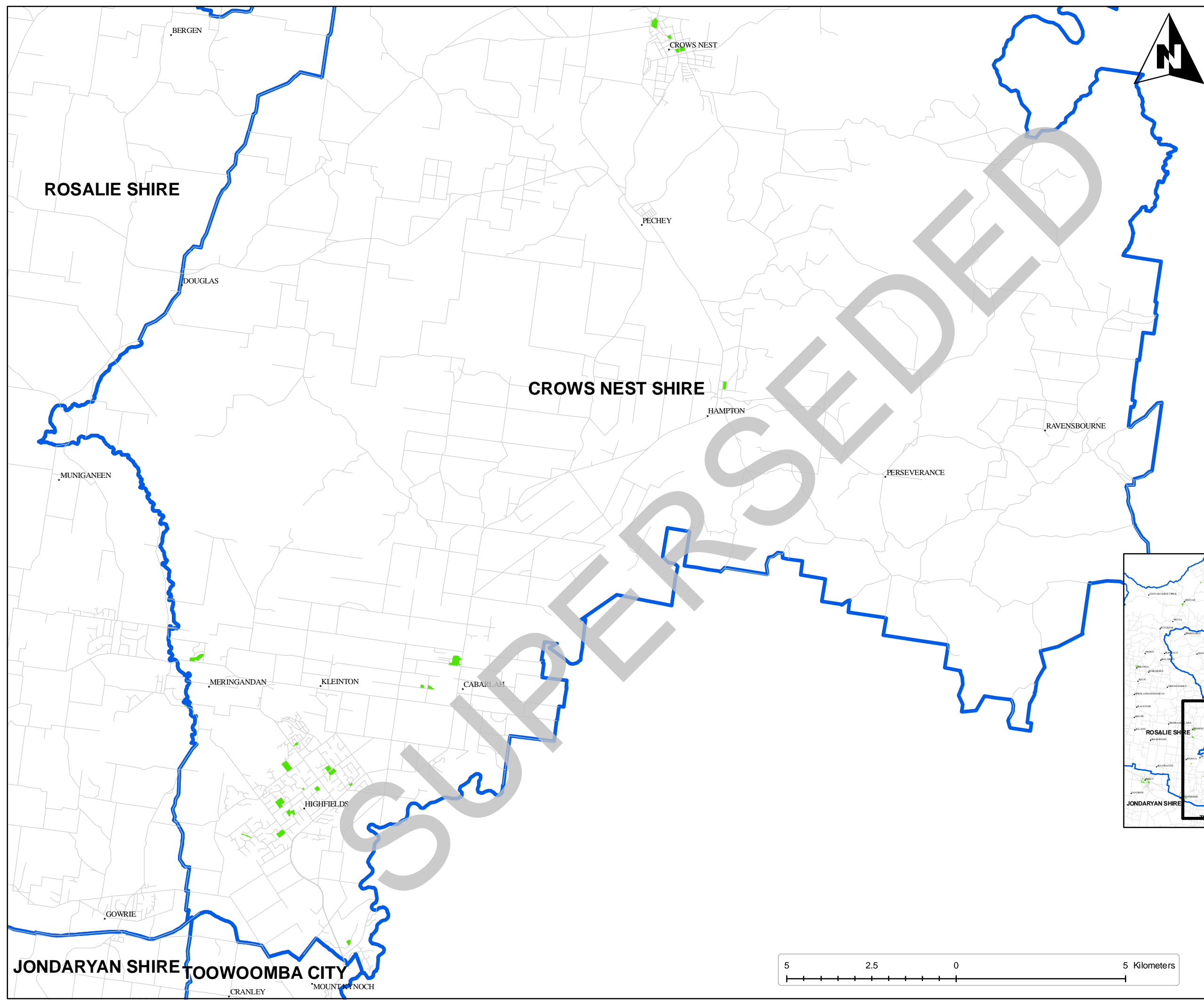
8 EXTRINSIC MATERIAL

The following documents are extrinsic material under the *Statutory Instruments Act 1992* and assist in the interpretation of this policy:

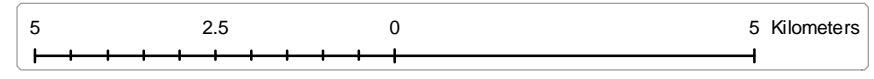
- (a) Current asset register.

Map No.4.1
Existing Parks Infrastructure
Crows Nest

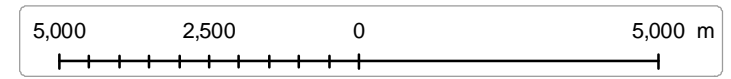
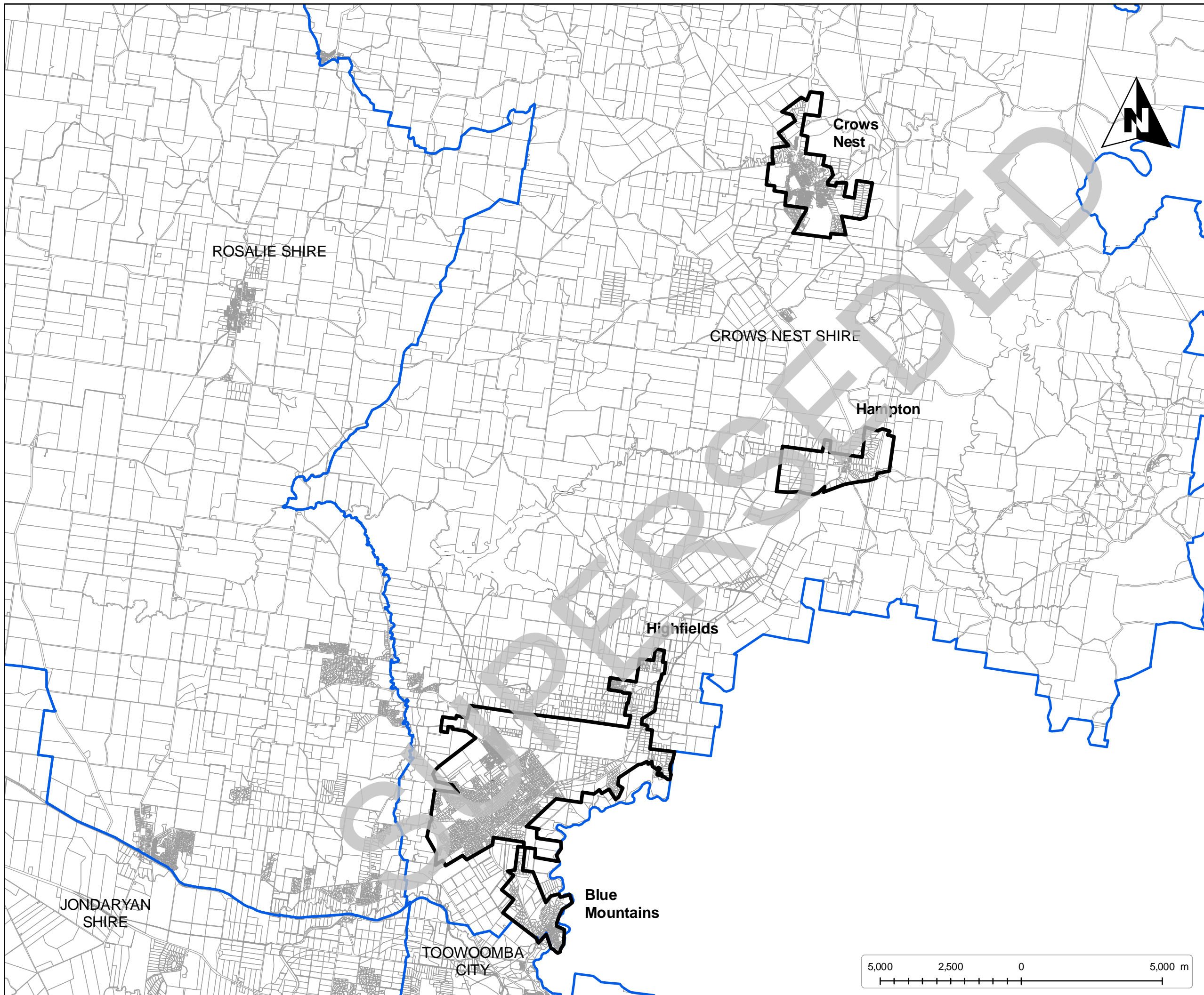
 Existing Parks



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2. Data must not be distributed or supplied to any other party, without the express written permission of Land Use Planning, or other delegated representative of Council.
3. Please notify Toowoomba Regional Council - Land Use Planning on (07) 4688 6787 of any data errors or omissions.



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CROWS NEST PLANNING SCHEME
PLANNING SCHEME POLICY
No. ADP02
INFRASTRUCTURE CONTRIBUTIONS
FOR
TRANSPORT NETWORK

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1 PRELIMINARY

1.1 INTRODUCTION

This planning scheme policy has been prepared in accordance with the requirements of the *Integrated Planning Act 1997* (IPA).

The planning scheme policy applies to the area of the Crows Nest Planning Scheme 2007 (the planning scheme).

The planning scheme policy (PSP) includes contributions towards roads and bus infrastructure.

This PSP replaces the previous 'Toowoomba Regional Council Planning Scheme Policy – Infrastructure Contributions for Transport Network (Crows Nest) and will take effect as of 31 October 2009.

1.2 PURPOSE

The purpose of this PSP is to support the planning scheme by assisting with:

- (a) the integration of land use planning and infrastructure planning for the roads, paths and bus infrastructure (the trunk transport network);
- (b) the efficient and orderly provision of shared development infrastructure for the trunk transport networks; and
- (c) the funding of shared development infrastructure for the trunk transport networks through the fair apportionment of these costs to development.

1.3 STRUCTURE OF PLANNING SCHEME POLICY

This planning scheme policy:

- (a) identifies in section 2 'Application of Planning Scheme Policy' how the PSP will be applied to development;
- (b) states in section 3 'Planning Assumptions' the projections of future growth and the assumptions of demand for the trunk transport network, which have informed the preparation of the PSP; and
- (c) states in section 6 'Infrastructure Contributions' how to calculate an infrastructure contribution for shared development infrastructure within the transport network using the infrastructure contribution rates identified in section 5.

2 APPLICATION OF PLANNING SCHEME POLICY

2.1 APPLYING THE PLANNING SCHEME POLICY TO DEVELOPMENT

This planning scheme policy:

- (a) states the basis for the calculation of infrastructure contributions that may be imposed as a condition of development; and
- (b) states the basis for the imposition of a condition of development requiring:
 - i. the supply of shared development infrastructure; and
 - ii. the payment of additional shared development infrastructure costs.

2.2 SCOPE OF PSP AND INFRASTRUCTURE CONTRIBUTIONS

This PSP includes the following systems:

- (a) Roads – but specific to the use of local government roads only;
- (b) Bus stop and shelter infrastructure; and
- (c) Off road paths.

Infrastructure contributions for the trunk transport network applicable to a development will be calculated in accordance with section 5 'Infrastructure Contributions'.

2.3 SUPPLY OF SHARED DEVELOPMENT INFRASTRUCTURE

A condition may be imposed for the supply of shared development infrastructure where:

- (a) existing shared development infrastructure necessary to service the premises is not adequate and shared development infrastructure adequate to service the premises is identified in the PSP; or
- (b) shared development infrastructure to service the premises is necessary, but is not yet available and is identified in the PSP; or
- (c) shared development infrastructure identified in the PSP is located on the premises.

The agreed value of the necessary shared development infrastructure supplied for the trunk transport networks will be offset against an infrastructure contribution imposed for that network on the development (see section 6.6 'Calculation of Demand Offset').

2.4 PAYMENT OF ADDITIONAL SHARED DEVELOPMENT INFRASTRUCTURE COSTS

A condition may be imposed requiring the payment of additional shared development infrastructure costs where:

- (a) for a properly made development application lodged on or before 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in the policy or policies dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy; or
- (b) for a properly made development application lodged after 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in this policy.

Costs associated with the provision of additional shared development infrastructure will not normally be offset against infrastructure contributions calculated in accordance with section 6.

The TRC may however allow the additional shared development infrastructure to be offset against infrastructure contributions where it decides the works provide a necessary shared function to other network users.

2.5 CONDITIONS FOR THE SUPPLY OF LOCAL DEVELOPMENT INFRASTRUCTURE

In addition to conditions imposed for shared development infrastructure, conditions may also be imposed on development for the supply of local development infrastructure.

2.6 EFFECTIVE DEVELOPMENT APPROVALS GRANTED AND PROPERLY MADE DEVELOPMENT APPLICATIONS LODGED ON OR BEFORE 30 OCTOBER 2009

If a development approval was granted on or before 30 October 2009 and includes a condition requiring payment of contribution(s) under this policy, so long as the contribution(s) is paid to the TRC by 5pm on 30 June 2010, the applicant / landowner may pay the lesser of the following:

- (a) the amount of contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) the amount of contribution(s) which is payable under this policy.

If a properly made development application is lodged with the TRC on or before 30 October 2009 and the TRC imposes a condition(s) on the development approval requiring the payment of a contribution(s) under this policy, the applicant / landowner may satisfy that condition(s) by either:

- (a) paying within 20 business days of the development approval taking effect, the amount of the contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items as dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) paying the contribution required under this policy in accordance with the condition.

3 PLANNING ASSUMPTIONS AND FORECASTING TRAVEL

3.1 PURPOSE

The planning assumptions outline the projections of residential and non-residential development for the area to which this PSP applies. These provide the underlying basis for predicting the demand for travel and the consumption of road capacity. This has been determined using a road network model for the region and is described as *'The Greater Toowoomba Region Transport Model' (GTRTM)* calibrated at 2006 and used in a forecasting mode to 2016.

3.2 OVERALL METHODOLOGY

For the purposes of predicting travel and travel patterns, the area covered by the transport model has been split up into small areas known as traffic zones (*zones*). Whilst zones have been defined across the whole region, the zones adopted for the area covered by this PSP are identified in Map 3.1.

There are 39 zones within this PSP area.

Planning data has been prepared for each traffic zone at 2006 and again at 2016, which is the forecast year for defining future travel needs.

3.2.1 Population and Employment

Projections of residential dwellings, population, employment and school enrolments drive the transport model forecasting. Growth details have been prepared up to the year 2016 for that area to which the PSP applies.

3.2.2 Dwellings and Non-Residential Floor Space

The distribution and timing of future development (residential dwellings and non-residential floor space) to accommodate projected population and employment growth have been estimated based on the following factors:

- (a) existing level of development as at June 2006;
- (b) physical constraints on the land;
- (c) land use planning provisions of the planning scheme;
- (d) current development applications and approvals; and
- (e) current State government Local Government Association projections (by Planning Information and Forecasting Unit (PIFU)).

3.3 PARAMETERS

3.3.1 Time Periods

The base date for which growth projections have been undertaken is June 2006. The planning assumptions have been prepared for the following time periods to align with the Australian Bureau of Statistics (ABS) census years:

- mid 2006 (existing development) - mid 2016

3.3.2 Planning Data Categories

The following planning variables have been used in combination in the transport model:

- (a) Households;
- (b) Population, workers and dependants;
- (c) Cars;
- (d) Jobs in retail;
- (e) Jobs in industry;
- (f) Other jobs; and
- (g) School enrolments.

The relationship between the defined uses in the PSP forecasting categories and the defined uses in the Planning Scheme is identified in Table 3.1.

Table 3.1 Relationship between PSP categories and Planning Scheme defined uses

Planning Scheme Policy Categories	Planning Scheme Defined Uses
Household	House, Multiple Dwelling, Caravan Park, Motel, Aged Care Facilities, Retirement Village, Home Based Business, Home Host Accommodation
Retail	Commercial Premises
Industrial	Extractive Industry, Low Impact Industry, Other Industry
Other	Agriculture, Animal Husbandry, Community Use, Education, Health Care, Indoor Entertainment, Outdoor Entertainment, Kennels, Place of Worship, Public Purpose, Service Station, Transport Depot, Utility, Warehouse

3.4 FACTORS AFFECTING FUTURE DEVELOPMENT

3.4.1 Existing Level of Development

The existing level of residential and non-residential development is shown in Table 3.2.

Table 3.2 Existing Residential and Non-Residential Development

Planning Scheme Policy Categories	Existing Development
Households	4,549
Retail	666 jobs
Industrial	333 jobs
Other	1,850 jobs

3.4.2 Physical Constraints on the Land

The land available for future development, or *developable area*, is that land designated for development under the planning scheme that is not affected by absolute constraints under the Planning Scheme such as regional flooding (Q100 flood inundation), nature conservation and resumption plans etc.

3.4.3 Scale of Future Development

Future growth is driven by the future population projections provided by the PIFU. This then generates employed residents and local jobs by applying the current job self containment rates obtained from ABS.

The 2016 planning data inputs for Crows Nest are provided in Table 3.3.

Table 3.3 Existing and projected dwellings

Area	Dwellings		Household Size	Population	
	2006 (Existing)	2016		2006 (Existing)	2016
Crows Nest	727	1,102	2.3-2.0	1,661	2,257
Highfields	2,199	4,421	3.3-2.9	7,157	12,792
Blue Mountain Heights	214	298	3.1-2.8	673	840
Hampton	121	168	2.9-2.5	345	424
Rural	1,288	2,073	2.7-2.5	3,501	5,112
Total Planning Scheme Area	4,549	8,062	2.9-2.7	13,337	21,425

3.4.4 Floor Space Conversion Rates

The average floor space conversion rates provided in the following table have been used to convert projections of employment into non-residential floor space requirements.

Table 3.4 Average floor space conversion rates

Planning Scheme Policy Categories	Floor Space Conversion Rate (m ² Gross Floor Area (GFA) / employee)
Retail	33
Industrial	200
Other Employment	30

3.5 EXISTING AND PROJECTED NON-RESIDENTIAL FLOOR SPACE

Table 3.5 Existing and projected non-residential floor space

Area	Development Type	Existing and Projected Non-Residential Employment	
		2006 (Existing)	2016
Crows Nest	Retail	116	166
	Industrial	99	118
	Other*	294	362
Highfields	Retail	530	1,155
	Industrial	101	121
	Other*	736	940
Blue Mountain Heights	Retail	0	0
	Industrial	0	0
	Other	32	39

Area	Development Type	Existing and Projected Non-Residential Employment	
		2006 (Existing)	2016
Hampton	Retail	5	7
	Industrial	0	0
	Other	11	14
Rural	Retail	15	23
	Industrial	133	159
	Other*	777	953
Total Planning Scheme Area	Retail	666	1,351
	Industrial	333	398
	Other*	1,850	2,308

* Other includes community purposes and government services.

4 TIMING OF SHARED DEVELOPMENT INFRASTRUCTURE

4.1 PURPOSE

This section identifies:

- existing shared development infrastructure for the trunk transport networks; and
- when it is anticipated that shared development infrastructure for the trunk transport networks will be provided.

4.2 SHARED DEVELOPMENT INFRASTRUCTURE FOR THE TRUNK TRANSPORT NETWORK

The following table defines the shared development infrastructure for the trunk transport network.

Table 4.1 Shared development Infrastructure for the Transport Network

Network	System	Items
Transport	Roads	<ul style="list-style-type: none"> TRC roads, intersections, bridges and culverts
	Bus	<ul style="list-style-type: none"> Bus shelters and stops and information
	Off road paths	<ul style="list-style-type: none"> Paths not located in road reserves

4.3 PLANS FOR DEVELOPMENT INFRASTRUCTURE

Plans showing the existing and future shared development infrastructure for the trunk transport networks are shown on the following maps:

- Map: 4.1 – Crows Nest Existing Road Network

4.4 SCHEDULE OF WORKS

For the costs of the road network refer to section 5.2.

5 CONTRIBUTION RATES

5.1 CONTRIBUTION RATE AREAS

Contribution rates have been defined for the individual traffic zones in Crows Nest. For the purposes of this PSP contribution rate areas have been defined for:

- (a) Crows Nest;
- (b) Highfields;
- (c) Blue Mountain Heights;
- (d) Hampton; and
- (e) The balance rural area of Crows Nest.

These contribution rate areas are defined in Map 5.1.

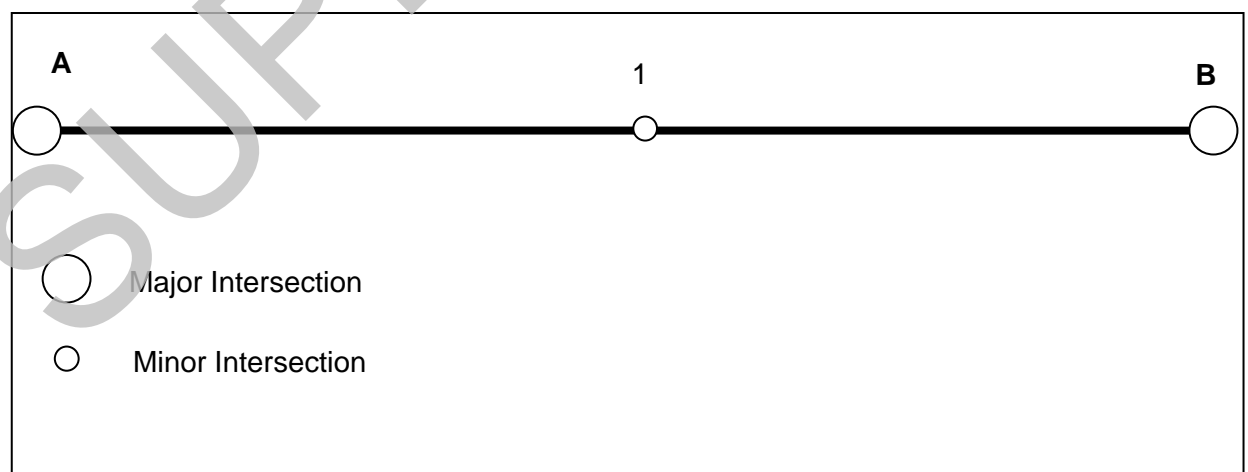
5.2 ESTABLISHMENT COSTS

5.2.1 Local Roads

Roads in TRC have been valued on the basis of the cost of providing road capacity on a per kilometre basis. Intersection costs have been added to the network on the basis of a major intersection per kilometre and one intermediate minor intersection. The cost of intersections have been allocated to a link by apportioning one quarter of the major intersection to each end of the link and half the intermediate intersection to the link. This is shown in Figure 5.1.

Individual road links within the road network model are then valued depending on their length. This is conceptually shown in Figure 5.1.

Figure 5.1 Conceptual representation of one kilometre length of road



The cost of providing road capacity in TRC is summarised in Table 5.1.

Table 5.1 Cost of supplying road capacity in TRC

Area	Cost of Provision (\$ '000s)			Total Cost Per Kilometre	Unit Establishment Cost/Daily Vehicle Kilometre (\$)
	Road Per Kilometre	Intersections			
	2 lanes	Major	Minor		
TSD	800	400	200	1,400	87.50
Balance : Clifton, Cambooya, Crows Nest, Jondaryan, Pittsworth, Rosalie	500	400	200	800	50
Millmerran	350	200	100	500	35

5.2.2 Bus Infrastructure

The establishment cost for a bus stop and shelter is shown in Table 5.2.

Table 5.2 Establishment cost of bus stop and shelter

Item	Cost (\$)				
	Land	Construction	On cost	Contingency	Establishment
Bus Bay	5,000	10,000	1,000	1,000	17,000
Bus Stop and Shelter		10,000	2,000	2,000	14,000
Total	5,000	20,000	3,000	3,000	31,000

5.2.3 Off Road Paths

Off road paths have been valued at \$80/m² and assume a width of 1.8 metres and deliver a practical daily capacity of 600 pedestrian movements per day.

5.3 PROJECTED DEMAND

The projected future demand from Crows Nest has been determined from the transport model to be 97,434 daily trips at 2016.

The model has indicated that there is a need to upgrade a number of links in the network to support growth. These are identified in the future road network.

For the off road path network, the demand is one (1) combined cycle/pedestrian movement per day/ET which represents a mode share of 10%. For Crows Nest PSP area, a total of 4,549 cycle and pedestrian trips per day will be generated by 2016.

5.4 COST APPORTIONMENT

5.4.1 Road Contributions

The road network charge is based upon the consumption of road capacity by a particular location or small area. In the case of Crows Nest, it is represented by five charge areas, in the wider TRC area context.

Consumption of road space is calculated through the use of a transport model (*the model*), in this case the *GTRTM* which has been developed by Department of Transport and Main Roads and TRC. The model is a traditional four step modelling process that replicates the four principle components of travel being trip generation (how much travel), distribution (the pattern of travel), mode split (what form of transport is used such as cycle, public and private vehicle) and assignment (what route is chosen).

The Toowoomba model has been established for different time periods but for the purpose of determining infrastructure charges a model for 2016 that predicts daily traffic flows for that time frame has been used to ensure that individual jurisdiction charges align with other charging regimes across the region.

The model predicts the amount of daily travel produced by and attracted to each of the traffic zones in Crows Nest in addition to every other location in the Toowoomba regional area. This demand for travel to and from an area is based on the type and scale of development in that area. Characteristics of the generation of travel are typically the number of residential dwellings, the household size (numbers of people), structure (the number of employed and unemployed residents) and the scale and type of employment etc.

This planning data has been prepared for each and every area of the region. Planning data for Crows Nest provided in section 3 of this PSP.

The model also predicts how much private vehicle travel occurs between each and every zone and through this process determines the pattern of daily private vehicle travel. The road network provides a broad range and number of route choice opportunities for undertaking this private travel. The assignment process predicts the route and choices of private travellers between all zones which results in it being able to determine the most likely 'average daily' road utilisation at 2016 and the paths or routes that were used.

By examining which routes are taken by traffic moving into and out of each zone on a daily basis and by knowing the (unit) cost characteristics of providing individual road links, the cost or value of road space consumed can be determined. Generally roads that contain bridges and culverts or large embankments cost more per unit of capacity to provide than those without these heavy cost elements.

The cost characteristics of the trunk roads in Crows Nest are provided in Table . The unit cost characteristics of all the other trunk TRC roads in the region lie generally in the range of \$35 - \$87.50 per daily vehicle kilometre.

These costs are expressed in 2008/09 dollar terms.

Half the value of the road space consumed by each trip is allocated to the zone at each end of the trip (origin zone and the destination zone). The total value of road capacity consumed can then be accumulated for each zone and allocated to the total (daily) demand of that zone, expressed as daily trips. Apportioning the total cost to the total daily trips generated by each zone determines the average cost of making each trip. This is expressed in the form of dollars per daily trip and is the basis for calculating the road charge.

Survey evidence in South East Queensland suggests that the trip length for shopping trips is approximately 60% of the mean trip length for all trips. Transport modelling for the Toowoomba Region has shown that the trip length for these sorts of trips tends generally to be approximately 50% lower than the surrounding residential areas. Therefore the local road charge for non-residential uses in embedded centres has been set to 50% of the residential charge rate.

The contribution rate applicable to each development type in Crows Nest (residential, retail, industry, other) can be expressed through the transport demand rates in Table 6.1 or Table 6.2 and the road contribution rate.

5.4.2 Bus Contribution Rates

Bus contribution rates are defined for Highfields and are based on the catchment provided by a bus stop and shelter.

For this settlement a 500 metre walk radius has been adopted for the catchment. This generates a catchment with a net developable area of 59 ha. This could support 906 detached dwellings or 5,889 daily trips. A bus stop could also support 206,100m² retail activity, 235,600m² of commercial activity, 294,500m² of industrial activity and 117,800m² of other activity based on plot ratios of 0.35, 0.4, 0.5 and 0.4 respectively.

The contribution rate is obtained by apportioning the establishment cost of a bus stop and shelter over the trips generated by the catchment.

5.4.3 Off Road Path Rates

The path contribution rates have been determined from an assessment of mean trip lengths for the various charge areas within the PSP area. Each charge area has been categorised in to outer, middle and inner communities, with the outer community having the shortest trip length and the inner communities having the longest. This assessment is based on the inner communities having marginally longer cycle and walk networks and trip making characteristics than the outer communities as follows:

- Inner: 3 kilometres
- Middle: 2.5 kilometres
- Outer: 2 kilometres

The formulation for determining the contribution rate for paths is as follows:

$$CR = (MTL \times PW \times CP)/C$$

Where:

- (a) CR is the calculated contribution rate;
- (b) MTL is the mean trip length as per the values above;
- (c) PW is the path width, assumed to be 1.8 metres;
- (d) CP is the cost of provision, \$80/m²; and
- (e) C is the capacity of a pathway, 600 pedestrians/cyclists per day.

Path charges have been excluded for non-residential purposes when calculating the contribution rate as show in Table 5.4.

5.5 CONTRIBUTION RATES

For the purposes of calculating the road contributions, a 30% discount has been applied to those roads outside of the Toowoomba Statistical Division (TSD).

Therefore, 70% of the road establishment costs have been applied to the roads outside TSD for the purpose of determining the road contribution rates.

In total, the trips generated within the Crows Nest PSP area are likely to accumulate \$50,786,628 worth of road capacity on the TRC road network.

The contribution rates for residential uses are presented in Table 5.3 and non-residential uses in Table 5.4.

Table 5.3 Transport Network – Residential Contribution Rates

Contribution Area	Contribution Rate (\$/daily trip)			
	Local Road	Bus	Path	Total
Crows Nest	97	0	92	189
Highfields	302	5	231	538
Blue Mountain Heights	138	5	231	374
Hampton	161	0	92	253
Balance Crows Nest within TSD	293	0	74	367
Rural 1	376	0	0	376
Rural 2	144	0	0	144
Rural 3	235	0	0	235
Rural 4	234	0	0	234

Table 5.4 Transport Network – Non-Residential Contribution Rates

Contribution Area	Contribution Rate (\$/daily trip)		
	Local Road	Bus	Total
Crows Nest	49	0	49
Highfields	151	5	156
Blue Mountain Heights	69	5	74
Hampton	81	0	81
Balance Crows Nest within TSD	147	0	147
Rural 1	376	0	376

Contribution Area	Contribution Rate (\$/daily trip)		
	Local Road	Bus	Total
Rural 2	144	0	144
Rural 3	235	0	235
Rural 4	234	0	234

6 INFRASTRUCTURE CONTRIBUTIONS

6.1 INFRASTRUCTURE CONTRIBUTIONS THAT MAY BE IMPOSED

Infrastructure contributions may be imposed for shared development infrastructure within the transport network.

6.2 DEVELOPMENT SUBJECT TO INFRASTRUCTURE CONTRIBUTIONS

The types of assessable development that may trigger an infrastructure contribution being imposed are:

- (a) reconfiguration of a lot; and
- (b) a material change of use of premises.

6.3 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution for the trunk transport network is to be calculated in accordance with the following formula-

$$IC = [(D - DC - DO) \times CR]$$

Where:

- (a) IC is an infrastructure contribution for the trunk transport network;
- (b) D is the demand for the trunk transport networks calculated in accordance with section 6.4;
- (c) DC is the demand credit for the trunk transport networks calculated in accordance with section 6.5;
- (d) DO is the demand offset for the trunk transport networks calculated in accordance with section 6.6; and
- (e) CR is the contribution rate for the contribution area in which the development is located and will be applied in accordance with section 6.7.

6.4 CALCULATION OF DEMAND (D)

Demand is calculated by expressing the development yield proposed in standard demand units. In the case of transport demand this is in daily trips. In the case of a mixed development, it is the combined total daily trips from all the proposed uses.

- (a) For the reconfiguration of a lot, the demand for the transport network is to be calculated using the demand generation rates identified in Table 6.1.

- (b) For a material change of use, the demand for the transport network is to be calculated using the demand generation rates identified in Table 6.2.
- (c) Where a development involves more than one use, the demand is to be determined by adding together the proposed demand for each use calculated in accordance with section 6.4(b).

6.5 CALCULATION OF DEMAND CREDIT (DC)

- (a) The demand credit is to be calculated using the greater of:
 - i. The amount of demand generated by an existing lawful use of the premises, calculated using the demand generation rates identified in Table 6.2, or
 - ii. The demand for which infrastructure contributions for the transport network have been previously made.
- (b) Where a contribution referred to in 6.5(a)(ii) is not expressed in the same demand units as those used in this PSP, the contribution is to be converted into a demand credit as follows:
 - i. Where a previous monetary contribution has been made:
 - Convert the previous monetary contribution into its value as at the base date (30 June 2009) by inflating the monetary amount using the movement in the ABS non building construction (412) Qld index.
 - Divide the amount in the dot point above by the contribution rate identified in Table 5.3 or Table 5.4 where the contribution relates to residential or non-residential development respectively to determine the demand credit.
 - ii. Where a previous non monetary contribution has been made:
 - Determine the agreed value of the non monetary contribution at the base date. This is to be derived using the TRC's current cost.
 - Divide the amount in the dot point above by the relevant contribution rate identified in Table 5.3 or Table 5.4 where the contribution relates to residential or non-residential development respectively to determine the demand credit.
- (c) No demand credit will be applied where existing lawful use rights apply to a site but the use has not been established or which does not place a demand on the transport network. The only exception to this will be in relation to detached residential lots on which no dwelling has been constructed. In such cases, a demand credit equivalent to one dwelling per lot will be allowed.
- (d) A demand credit arising from 6.5(a) will only be provided to a maximum amount equal to the demand arising from a proposed new development.

6.6 CALCULATION OF DEMAND OFFSET (DO)

- (a) Demand offsets are only available for shared transport infrastructure referred to in this PSP as follows:
 - i. Road capacity works on roads other than State controlled roads identified in the figures in section 4 of this policy;
 - ii. Bus stops and shelter works; and
 - iii. Works to provide shared off road paths identified by TRC.
- (b) The demand offset is to be calculated by converting a contribution for the supply of shared development infrastructure for the transport network into an agreed demand offset as follows:

- i. Determine the establishment cost (less the contingency allowance) of the infrastructure item at the base date identified in this policy.
 - ii. Divide the establishment cost in (i) by the contribution rate identified in Table 5.3 or Table 5.4 where the works relate to residential or non-residential development respectively. In the case of a mixed use development, the works should be apportioned between residential and non-residential development in proportion to the contributing trips to determine the demand offset.
- (c) Where the demand offset (DO) for the transport network is greater than the demand (D) for that network, the infrastructure provider may enter into an agreement to refund the proportion of the establishment cost of the shared development infrastructure that reasonably can be apportioned to other premises.
- (d) Where the TRC is satisfied that the contingency allowance is required to deliver that infrastructure item, it may agree to include the allowance in 6.6(a).

6.7 APPLYING THE CONTRIBUTION RATE (CR)

The contribution rate for the transport network has been calculated at 30 June 2009. The contribution rates for the transport network are identified in Table 5.3 for residential development and in Table 5.4 for non-residential development.

6.7.1 Indexation of Contribution Rate

The contribution rates identified in Table 5.3 and Table 5.4 are expressed in June 2009 dollar values, and may be indexed quarterly up to the time of payment using the movement in the Australian Bureau of Statistics Non-Building Construction (412) Qld Index.

6.8 TIME OF PAYMENT OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution is payable:

- (a) prior to the time specified in the development approval; or
- (b) if no time is specified in the development approval, prior to the time being:
 - i. if the contribution applies to **reconfiguration of a lot**—before the TRC approves the plan of subdivision under Chapter 3, Part 7 of the *Integrated Planning Act 1997*; or
 - ii. if the contribution applies to **material change of use**—before the change of use happens.

6.9 ALTERNATIVES TO PAYING INFRASTRUCTURE CONTRIBUTIONS

- (c) The TRC may require or accept an infrastructure contribution that may be in a form other than a monetary contribution.
- (d) Alternatives to a monetary contribution are:
 - i. a land contribution, or
 - ii. a works contribution.
- (e) The TRC may require or accept an infrastructure contribution that is a combination of monetary, land and works contribution.

6.10 DEMAND GENERATION RATES

The transport network demand generation rates are identified as follows:

- Reconfiguration of a lot – Table 6.1
- A material change of use – Table 6.2.

Table 6.1 Demand generation rates - lot reconfiguration

Planning Scheme Zone	Demand (daily trips)	Measure
Rural	Depending on activity and as agreed with Council	Per lot
Park Residential	6.5	Per lot
Rural Residential	6.5	Per lot
Low Density Residential	6.5	Per lot
Residential	6.5	Per lot
Commercial	40	Per lot (based on 850m ² lot)
Village Commercial	40	Per lot (based on 850m ² lot)
Tourist	6.5	Per lot (based on 850m ² lot)
Industry	25	Per lot (based on 1,000m ² lot)
Green Space	N/A	N/A
Community Use	7.5	Per lot

Table 6.2 Demand generation rates - material change of use

Development Land Use Type	Demand Generation Rate	
	Demand (Daily Trips)	Measure
Agriculture / Forestry	4	100m ² GFA
Animal Husbandry / Stable	4	100m ² GFA
Bulk Store Warehouse	4	100m ² GFA
Caravan Park / Tourist Cabins	3.1	Sites
Cattery / Kennel / Intensive Rural Use	4	100m ² GFA
Community Activities / Child Care Centre	12	100m ² GFA
Dwelling House	6.5	Dwelling
Extractive Industry	80	100m ² GFA
High Impact Industry	6	100m ² GFA
Home Business	8	100m ² GFA
Host Home Premises	2.5	Dwelling
Hotel / Local Store / Laundry / Refreshment Premises / Shop / Showroom	40	100m ² GFA

Development Land Use Type	Demand Generation Rate	
	Demand (Daily Trips)	Measure
Indoor / Adult Entertainment / Indoor Recreation Facility / Brothel / Licensed Club / Tourist Attraction	31	100m ² GFA
Low Impact / Service Industry / Car Hire Premises/ Market /Motor Showroom/Yard / Plant Nursery	6	100m ² GFA
Medical / Paramedical Centre / Veterinary Premises	46	100m ² GFA
Medium Impact Industry	6.5	100m ² GFA
Motel / Accommodation Unit / Relatives Apartment	3.0	Unit
Multiple / Duplex Dwelling / Caretakers Residence	4.4	Unit
Professional Office	12	100m ² GFA
Public Utility / Low Impact Telecommunications Facility	5	100m ² GFA
Rural Industry	As agreed with Council	100m ² site area
Service Station	8.4	100m ² GFA

7 DEFINITIONS

Base date - means the date from which the TRC has estimated its projected infrastructure demands and costs. The base date is 30 June 2009.

Contribution area - means the area to which a contribution rate applies.

Contribution rate, CR - means the dollar amount per demand unit for an infrastructure network.

Current cost - in relation to an asset, means its cost measured by reference to the lowest cost at which the gross service potential of that asset could be obtained in the normal course of business. Where service potential, in relation to an asset, means its economic utility to the entity, based on the total benefit expected to be derived by the entity from use (and/or through sale) of the asset. Gross service potential means the total benefit expected to be derived when the asset was first acquired, and also the benefit from any subsequent upgrading. (Source: *CPA Australia and Institute of Chartered Accountants in Australia*)

Demand, D - refer section 6.4.

Demand credit, DC - refer section 6.5.

Demand offset, DO - refer section 6.6.

Demand unit - means the standard unit of demand that applies to each type of infrastructure to express the demand represented by different types of lots or uses.

Equivalent impervious hectare - for the stormwater quality system means the combined pollutant load equivalent to that generated by an impervious hectare of detached residential development.

Gross Floor Area – means the total floor area of a building on a site excluding private balconies and patios, and areas for parking vehicles.

Infrastructure contribution, IC - means a contribution calculated for a premises for a development infrastructure network.

Local development infrastructure - means development infrastructure which provides a lower order function through connections to individuals or small groups of users. It includes infrastructure internal to the site and connections to shared development infrastructure networks.

Management lot - means a parcel of land within a development which has been set aside for further reconfiguration at a later date.

Net developable area - means the *developable area* minus land required for all infrastructure and easements.

Planned demand - means the demand assumed to be generated by a premises calculated using the rates identified in Table 3.4.

Planning horizon - means the year up to which an infrastructure network has been planned.

Present value - means the value on a given date of a series of future cash flows, discounted to reflect the time value of money. The present value is calculated as at the base date.

Proposed demand - means the demand proposed for a premise, calculated using the demand generation rates referenced in Table 5.1.

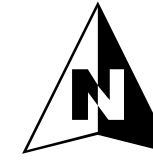
Shared development infrastructure - means development infrastructure which provides a higher order function through connections to a number of users. It does not include local development infrastructure which provides connections to individuals or small groups of users.



8 EXTRINSIC MATERIAL

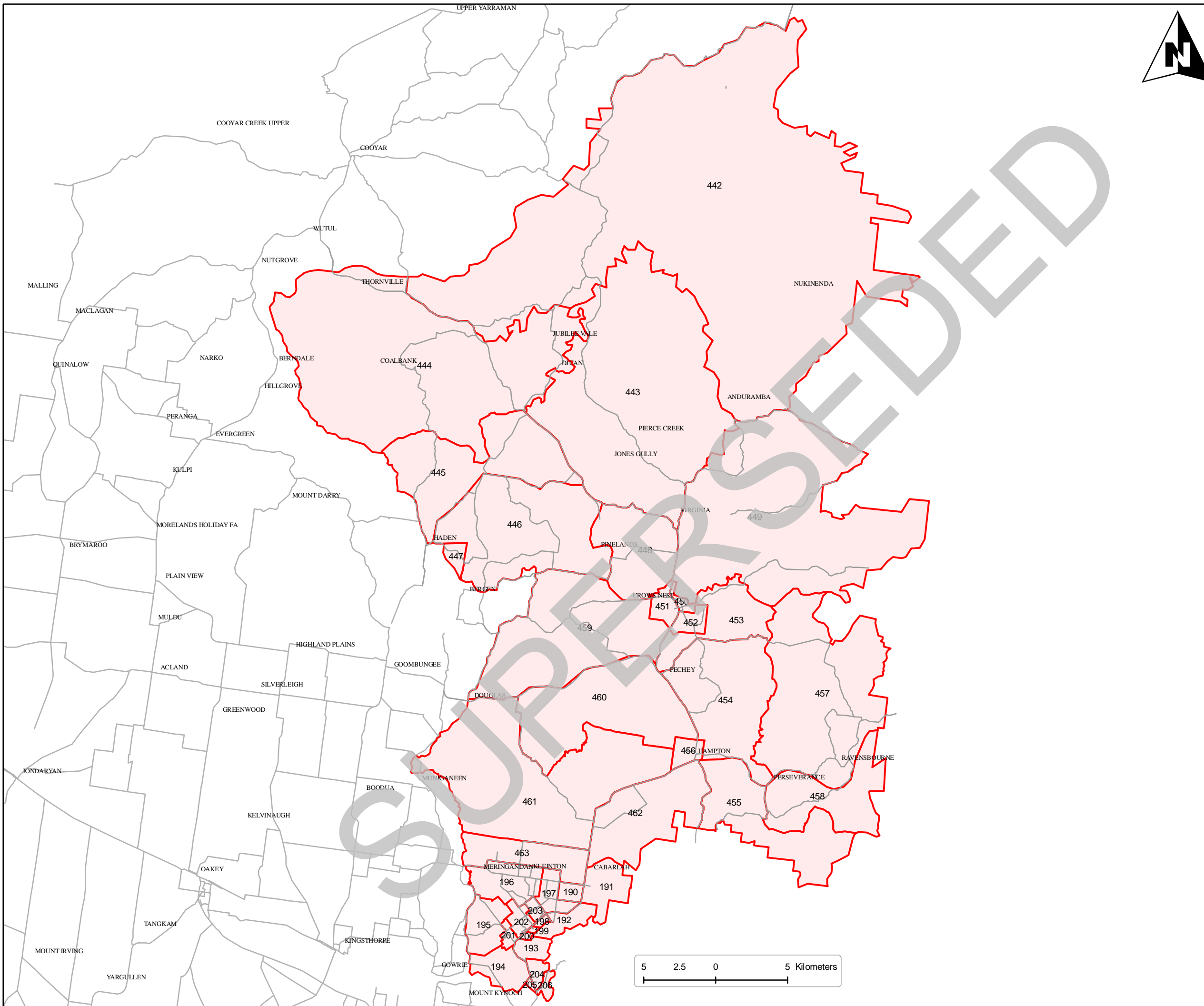
The following documents are extrinsic materials under the *Statutory Instruments Act 1992* which assist in the interpretation of this planning scheme policy:

- Infrastructure Demand Generation Rates

Map No. 3.1 Crows Nest Road Traffic Zones



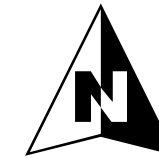
-  Existing Roads
-  Traffic Zone






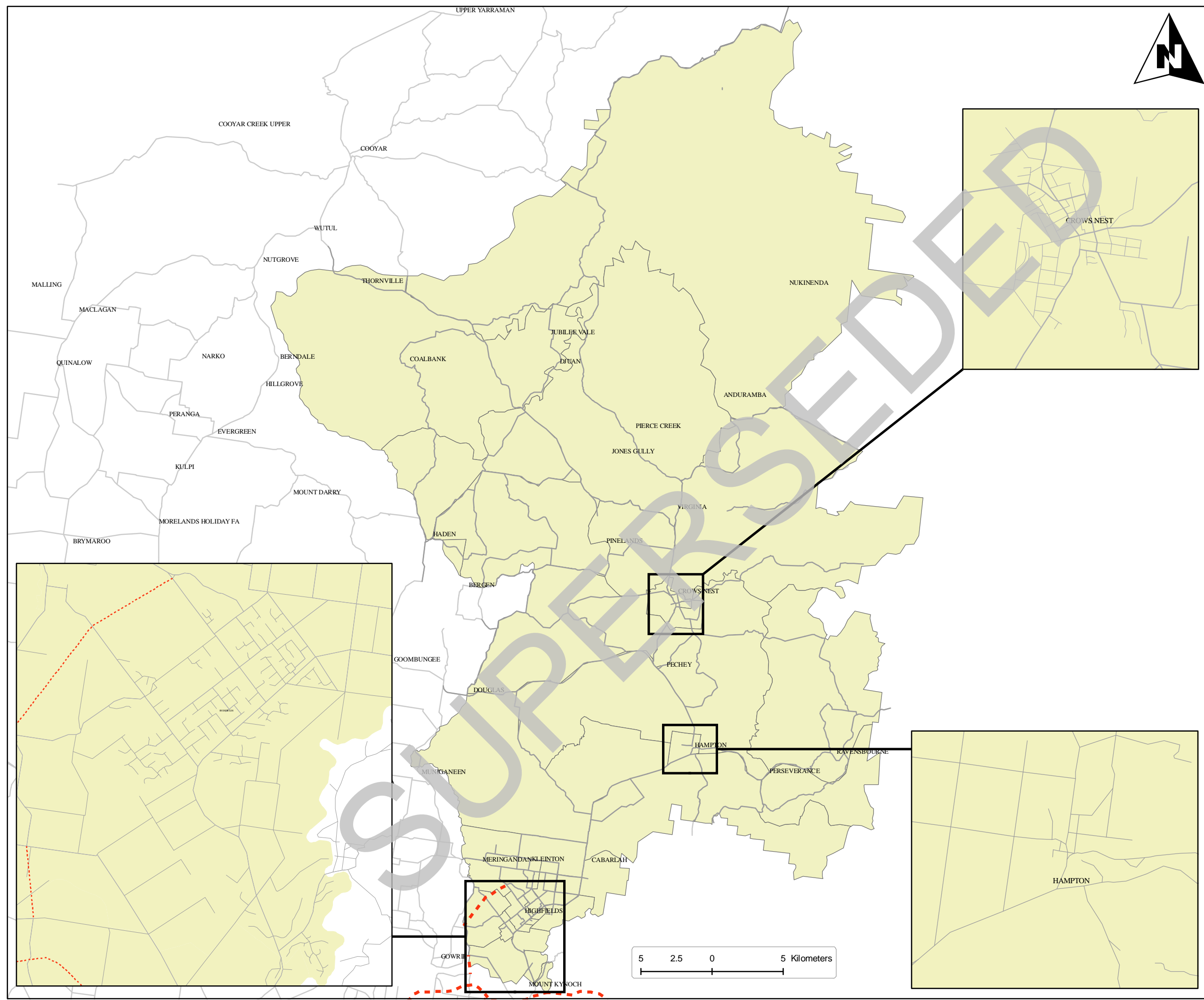
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Map No.4.1 Crows Nest Existing Road Network



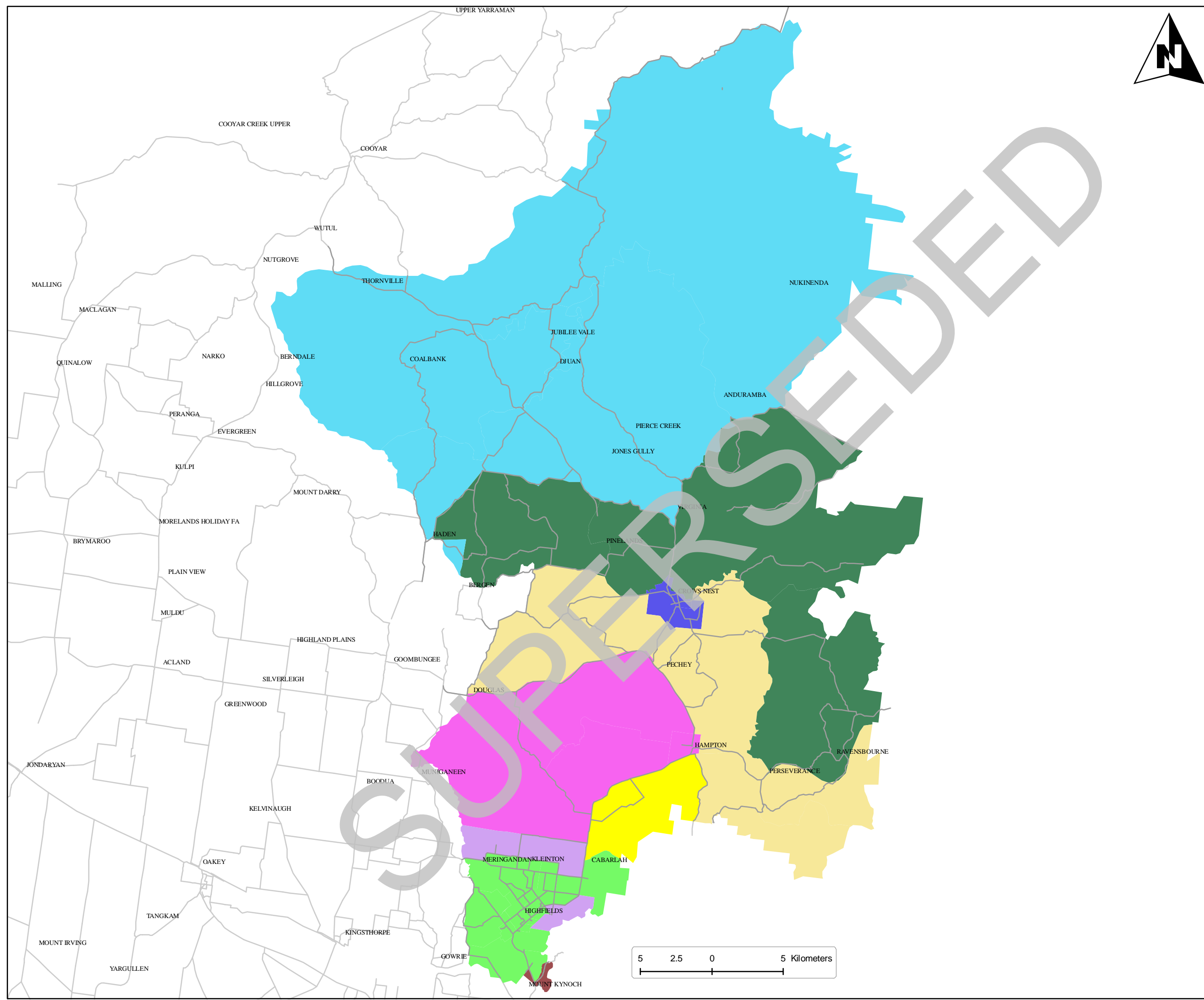
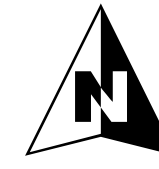
-  Existing Roads
-  Future Roads
-  Network Area













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Map No. 5.1 Crows Nest Road Network Contributions Catchments



-  Existing Roads
-  Crows Nest
-  Highfields
-  Blue Mountain Heights
-  Hampton
-  Balance Crows Nest within TSD
-  Rural1
-  Rural2
-  Rural3
-  Rural4



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**CROWS NEST PLANNING SCHEME
PLANNING SCHEME POLICY
No. ADP03
INFRASTRUCTURE CONTRIBUTIONS
FOR
STORMWATER NETWORK**

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1 PRELIMINARY

1.1 INTRODUCTION

This planning scheme policy has been prepared in accordance with the requirements of the *Integrated Planning Act 1997*.

The planning scheme policy applies to the area of the Crows Nest Planning Scheme 2007 (the planning scheme).

This planning scheme policy replaces the previous 'Toowoomba Regional Council Planning Scheme Policy – Infrastructure Contributions for Stormwater Network (Crows Nest) and will take effect as of 31 October 2009.

1.2 PURPOSE

The purpose of this planning scheme policy is to support the planning scheme by assisting with:

- (a) the integration of land use planning and infrastructure planning for the stormwater network;
- (b) the efficient and orderly provision of shared development infrastructure for the stormwater network; and
- (c) the funding of shared development infrastructure for the stormwater network through the fair apportionment of these costs to development.

1.3 STRUCTURE OF PLANNING SCHEME POLICY

This planning scheme policy:

- (a) identifies in section 2 'Application of Planning Scheme Policy' how the planning scheme policy will be applied to development;
- (b) states in section 3 'Planning Assumptions' the projections of future urban growth and the assumptions of demand for the stormwater network, which have informed the preparation of the planning scheme policy;
- (c) identifies in section 4 'Timing of Shared Development Infrastructure' when it is anticipated that shared development infrastructure for the stormwater network will be provided;
- (d) states in section 5 'Contribution Rates' how the contribution rates have been calculated through the apportionment of the establishment cost across demand; and
- (e) states in section 6 'Infrastructure Contributions' how to calculate an infrastructure contribution for shared development infrastructure within the stormwater network using the infrastructure contribution rates identified in section 5.

2 APPLICATION OF PLANNING SCHEME POLICY

2.1 APPLYING THE PLANNING SCHEME POLICY TO DEVELOPMENT

This planning scheme policy:

- (a) states the basis for the calculation of infrastructure contributions that may be imposed as a condition of development; and

- (b) states the basis for the imposition of a condition of development requiring:
 - i. the supply of shared development infrastructure; and
 - ii. the payment of additional shared development infrastructure costs.

2.2 INFRASTRUCTURE CONTRIBUTIONS

Infrastructure contributions for the stormwater network applicable to a development will be calculated in accordance with section 6 'Infrastructure Contributions'.

2.3 SUPPLY OF SHARED DEVELOPMENT INFRASTRUCTURE

A condition may be imposed for the supply of shared development infrastructure where:

- (a) existing shared development infrastructure necessary to service the premises is not adequate and shared development infrastructure adequate to service the premises is identified in the planning scheme policy; or
- (b) shared development infrastructure to service the premises is necessary, but is not yet available and is identified in the planning scheme policy; or
- (c) shared development infrastructure identified in the planning scheme policy is located on the premises.

The agreed value of the necessary shared development infrastructure supplied for the stormwater network will be offset against an infrastructure contribution imposed for that network on the development (see section 6.6 'Calculation of Demand Offset').

2.4 PAYMENT OF ADDITIONAL SHARED DEVELOPMENT INFRASTRUCTURE COSTS

A condition may be imposed requiring the payment of additional shared development infrastructure costs where:

- (a) for a properly made development application lodged on or before 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in the policy or policies dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy; or
- (b) for a properly made development application lodged after 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in this policy.

Costs associated with the provision of additional shared development infrastructure will not normally be offset against infrastructure contributions calculated in accordance with section 6.

The Toowoomba Regional Council (TRC) may however allow the additional shared development infrastructure to be offset against infrastructure contributions where it decides the works provide a necessary shared function to other network users.

2.5 CONDITIONS FOR THE SUPPLY OF LOCAL DEVELOPMENT INFRASTRUCTURE

In addition to conditions imposed for shared development infrastructure, conditions may also be imposed on development for the supply of local development infrastructure.

2.6 PLANNING SCHEME POLICY BASED ON EXISTING PLANNING SCHEME

The demand assumptions, future infrastructure and infrastructure contribution rates within this planning scheme policy are based on the anticipated level of development allowed for under the planning scheme at 30 June 2009. Should the planning scheme be amended after 30 June 2009 to allow for more intense forms of development, applications that require additional shared infrastructure will be conditioned to pay for that infrastructure in accordance with section 2.4.

2.7 EFFECTIVE DEVELOPMENT APPROVALS GRANTED AND PROPERLY MADE DEVELOPMENT APPLICATIONS LODGED ON OR BEFORE 30 OCTOBER 2009

If a development approval was granted on or before 30 October 2009 and includes a condition requiring payment of contribution(s) under this policy, so long as the contribution(s) is paid to the TRC by 5pm on 30 June 2010, the applicant / landowner may pay the lesser of the following:

- (a) the amount of contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) the amount of contribution(s) which is payable under this policy.

If a properly made development application is lodged with the TRC on or before 30 October 2009 and the TRC imposes a condition(s) on the development approval requiring the payment of a contribution(s) under this policy, the applicant / landowner may satisfy that condition(s) by either:

- (a) paying within 20 business days of the development approval taking effect, the amount of the contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items as dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) paying the contribution required under this policy in accordance with the condition.

3 PLANNING ASSUMPTIONS

The planning assumptions provided in Table 3.1 and Table 3.2 outline the projections of residential and non-residential development for the area to which this planning scheme policy applies.

Further details concerning the planning assumptions are referenced in section 8 'Extrinsic Material'.

Table 3.1 Existing and projected population and dwellings

Area	Existing and Projected Population			Average Occupancy Rate (persons/dwelling)			Existing and Projected Dwellings		
	2006	2011	2016	2006	2011	2016	2006	2011	2016
Crows Nest	1,661	1,959	2,257	2.28	2.17	2.05	727	915	1,102
Highfields	7,157	9,975	12,792	3.25	3.07	2.89	2,199	3,310	4,421
Blue Mountain Heights	673	757	840	3.14	2.98	2.82	214	256	298
Hampton	345	385	424	2.85	2.69	2.52	121	145	168
Balance Rural	3,501	4,307	5,112	2.72	2.59	2.47	1,288	1,681	2,073
Total	13,337	17,381	21,425	2.93	2.79	2.66	4,549	6,306	8,062

Table 3.2 Existing and projected employment and non-residential floor space (m² Gross Floor Area (GFA))

Area	Existing and Projected Employees			Average Floor Space Utilisation Rate (m ² GFA/emp)	Existing and Projected Floor Space (m ² GFA)		
	2006	2011	2016		2006	2011	2016
Crows Nest	509	578	646	30	15,270	17,325	19,380
Highfields	1,365	1,791	2,217	30	40,950	53,730	66,510
Blue Mountain Heights	32	36	39	30	960	1,065	1,170
Hampton	16	19	21	30	480	555	630
Balance Rural	921	1,027	1,132	30	27,630	30,795	33,960
Total	2,843	3,449	4,055	30	85,290	103,470	121,650

4 TIMING OF SHARED DEVELOPMENT INFRASTRUCTURE

4.1 PURPOSE

This section identifies:

- (a) existing shared development infrastructure for the stormwater network; and
- (b) when it is anticipated that future shared development infrastructure for the stormwater network will be provided.

4.2 SHARED DEVELOPMENT INFRASTRUCTURE

Table 4.1 defines the shared development infrastructure for the stormwater network.

Table 4.1 Shared development infrastructure for the stormwater network

Network	System	Items
Stormwater Management	Quantity	<ul style="list-style-type: none"> • Piped drainage (including pipes \geq 900mm, culverts, manholes, inlets and outlets) • Detention and retention facilities

4.3 PLANS FOR DEVELOPMENT INFRASTRUCTURE

Plans showing the existing and future shared development infrastructure for the stormwater network are shown on the following maps:

- Maps 4.1 to 4.8 Crows Nest Shire Existing Stormwater Infrastructure.

4.4 SCHEDULE OF WORKS

Table 4.2 identifies when it is anticipated that shared development infrastructure for the stormwater network will be provided to service growth.

Table 4.2 Schedule of works - Stormwater network

Shared Development Infrastructure	Estimated Completion	Establishment Cost (\$)			
		Cost of Works	Design / Supervision	Contingency	Total*
10 detention storage structures, average 25,000m ³ including land acquisition and connecting trunk pipes	As triggered by development	\$9,503,700	\$209,041	\$318,263	\$10,031,004

Shared Development Infrastructure	Estimated Completion	Establishment Cost (\$)			
		Cost of Works	Design / Supervision	Contingency	Total*
Total Cost		\$9,503,700	\$209,041	\$318,263	\$10,031,004

* The establishment cost has been determined as at the base date in accordance with section 5.2.

5 CONTRIBUTION RATES

5.1 CONTRIBUTION AREAS

Contribution rates for the stormwater network have been stated for that part of the planning scheme area planned to be supplied with stormwater infrastructure. The location of the Crows Nest contribution area is identified on Map 5.1 Crows Nest stormwater contribution areas.

5.2 ESTABLISHMENT COST

- (a) The establishment cost (existing and future) of the stormwater network up to ultimate development to service the contribution area of Crows Nest is \$10,206,547 (as at the base date of 30 June 2009). Of this amount:
 - i. 100% will be funded by infrastructure contributions; and
 - ii. 0% will be funded by grants and subsidies.
- (b) Table 5.1 summarises the establishment cost for the stormwater network and that amount to be funded by infrastructure contributions in each contribution area.

Table 5.1 Stormwater network - establishment costs

Area	Existing and Future Infrastructure Cost*	Admin Cost*	Establishment Cost*	Amount of Establishment Cost* to be Funded by Infrastructure Contributions
Southern	\$10,031,004	\$175,543	\$10,206,547	\$10,206,547

* Costs are expressed at the base date of 30 June 2009.

- (c) All existing shared development infrastructure has been valued at current cost.
- (d) The establishment cost of future shared development infrastructure has been determined using typical current cost for similar works.
- (e) The establishment cost of the stormwater network includes an allowance for the costs associated with preparing and administering the planning scheme policy over time. These costs are equal to 1.75% of the establishment cost of the stormwater network.
- (f) The establishment cost includes a contingency allowance of 10% on construction and land acquisition costs, with an engineering planning, design and supervision allowance of 7%.

5.3 PROJECTED DEMAND

A summary of the projected demand on the stormwater network is identified in Table 5.2.

Table 5.2 Stormwater network - projected demand summary

Contribution Area	Cumulative Demand, (imp ha)			
	2006	2011	2016	PS Holding Capacity
Southern	133.128	198.609	264.089	373.345

5.4 COST APPORTIONMENT

The method used to calculate the contribution rate (CR) is as follows:

$$CR = \frac{\text{Amount of establishment cost to ultimate funded by contributions (see Table 5.1)}}{\text{Cumulative demand to ultimate (see Table 5.2)}}$$

5.5 CONTRIBUTION RATES

The contribution rates for the stormwater network are identified in Table 5.3 and expressed in terms of dollars per impervious hectare or 10,000 impervious square metres.

Table 5.3 Stormwater network – contribution rates

Contribution Area	Contribution Rate (\$/ imp ha)
Southern	\$27,338

6 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

6.1 INFRASTRUCTURE CONTRIBUTIONS THAT MAY BE IMPOSED

Infrastructure contributions may be imposed for shared development infrastructure within the stormwater network.

6.2 DEVELOPMENT SUBJECT TO INFRASTRUCTURE CONTRIBUTIONS

The types of assessable development that may trigger an infrastructure contribution being imposed are:

- (a) reconfiguration of a lot; and
- (b) a material change of use of premises.

6.3 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution for the stormwater network is to be calculated in accordance with the following formula-

$$IC = [(D - DC - DO) \times CR]$$

Where:

- (a) IC is an infrastructure contribution for the stormwater network;
- (b) D is the amount of demand for stormwater infrastructure expressed as a number of demand units and calculated in accordance with section 6.4. The demand unit for the stormwater network is impervious ha or impervious m²;
- (c) DC is the demand credit for the stormwater network calculated in accordance with section 6.5;
- (d) DO is the demand offset for the stormwater network calculated in accordance with section 6.6; and
- (e) CR is the contribution rate for the contribution area in which the development is located and will be applied in accordance with section 6.7.

6.4 CALCULATION OF DEMAND (D)

- (a) For the reconfiguration of a lot, the demand for the stormwater network is to be calculated using the demand generation rates identified in Table 6.1.
- (b) For a material change of use, the demand for the stormwater network is to be calculated using the greater of the impervious area proposed for the development, including the area provided for local infrastructure or the impervious area calculated by using the demand generation rates identified in Table 6.2. In the case of a staged development, Council may at its discretion assess the contributions at each stage.
- (c) In the case of mixed use developments, the impervious area associated with the highest rate of demand will be used.

6.5 CALCULATION OF DEMAND CREDIT (DC)

In the case of reconfiguring a vacant lot in a zone that permits a detached residential dwelling that is connected to the stormwater network, a credit will be given for a detached dwelling for each existing lot.

In the case of reconfiguring a lot that contains an existing lawful use that places a demand on the existing stormwater network, the credit will be taken to be the greater of the existing impervious area including the areas provided for local infrastructure or the impervious area calculated by using the demand generation rates in Table 6.2.

For a material change of use:

- (a) The demand credit is to be calculated using the greater of:
 - i. The amount of demand generated by an existing lawful use of the premises, calculated using the demand generation rates identified in Table 6.2, or
 - ii. The demand for which infrastructure contributions for the stormwater network have been previously made.
- (b) Where a contribution referred to in 6.5(a)(ii) is not expressed in the same demand units as those used in this planning scheme policy, the contribution is to be converted into a demand credit as follows:
 - i. Where a previous monetary contribution has been made:

- Convert the previous monetary contribution into its value as at the base date.
 - Divide the amount in the dot point above by the contribution rate identified in Table 5.3 to determine the demand credit.
- ii. Where a previous non monetary contribution has been made:
- Determine the agreed value of the non monetary contribution at the base date. This is to be derived using the TRC's current cost.
 - Divide the amount in the dot point above by the relevant contribution rate identified in Table 5.3 to determine the demand credit.
- (c) No demand credit will be applied where existing lawful use rights apply to a site but the use has not been established or which does not place a demand on the stormwater network. The only exception to this will be in relation to detached residential lots that are connected to the existing stormwater network, on which no dwelling has been constructed. In such cases, a demand credit equivalent to one dwelling per lot will be allowed.
- (d) A demand credit arising from 6.5(a)(i) will only be provided to a maximum amount equal to the demand arising from a proposed development.

6.6 CALCULATION OF DEMAND OFFSET (DO)

- (a) The demand offset is to be calculated by converting a contribution for the supply of shared development infrastructure for the stormwater network and has been conditioned for its supply by Council, into an agreed demand offset as follows:
- i. Determine the establishment cost (less the contingency allowance) of the infrastructure item at the base date identified in this policy.
 - ii. Divide the establishment cost in the dot point above by the contribution rate identified in Table 5.3 to determine the demand offset.
- (b) Where the demand offset (DO) for the stormwater network is greater than the demand (D) for that network, the infrastructure provider may enter into an agreement to refund the proportion of the establishment cost of the shared development infrastructure that reasonably can be apportioned to other premises.
- (c) Where the TRC is satisfied that the contingency allowance is required to deliver that infrastructure item, it may agree to include the allowance in 6.6(a)(i).

6.7 APPLYING THE CONTRIBUTION RATE (CR)

The contribution rate for the stormwater network has been calculated at the base date of 30 June 2009. The contribution rates for the stormwater network are identified in Table 5.3.

6.7.1 Indexation of contribution rate

The contribution rate identified in Table 5.3 is expressed in 30 June 2009 dollar values and will be indexed quarterly up to the time of payment using the Australian Bureau of Statistics Non-Building Construction (412) Qld Index.

6.8 TIME OF PAYMENT OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution is payable:

- (a) prior to the time specified in the development approval; or

- (b) if no time is specified in the development approval, prior to the time being -
 - i. if the contribution applies to **reconfiguration of a lot**—before the TRC approves the plan of subdivision under Chapter 3, Part 7 of the *Integrated Planning Act 1997*; or
 - ii. if the contribution applies to **material change of use**—before the change of use happens.

6.9 ALTERNATIVES TO PAYING INFRASTRUCTURE CONTRIBUTIONS

- (a) The TRC may require or accept an infrastructure contribution that may be in a form other than a monetary contribution.
- (b) Alternatives to a monetary contribution are:
 - i. a land contribution; or
 - ii. a works contribution.
- (c) The TRC may require or accept an infrastructure contribution that is a combination of monetary, land and works contribution.

6.10 DEMAND GENERATION RATES

The stormwater network demand generation rates are identified as follows:

- (a) Reconfiguration of a lot – Table 6.1.
- (b) A material change of use – Table 6.2.

Table 6.1 Demand generation rates - lot reconfiguration

Planning Scheme Zone	Basis of the Demand Rate	
	Assumed Nominal Lot Size for All Reconfiguring (m ²)	Demand Generation Rate (impervious m ² / lot)
Rural	As Agreed with council	Proposed Impervious Area or As Agreed with Council
Park Residential	2,500	450
Rural Residential	2,500	450
Low Density Residential	800	400
Residential	650	400
Commercial	800	600
Village Commercial	800	400
Tourist	1,000	500
Industry	1,000	500

Planning Scheme Zone	Basis of the Demand Rate	
	Assumed Nominal Lot Size for All Reconfiguring (m ²)	Demand Generation Rate (impervious m ² / lot)
Green Space	N/A	N/A
Community Use	1,000	500

Table 6.2 Demand generation rates - material change of use

Development Land Use Type	Demand Generation Rate (impervious ha / net developable ha)
Agriculture / Forestry	0.1
Animal Husbandry / Stable	0.1
Bulk Store Warehouse	0.9
Caravan Park / Tourist Cabins	0.9
Cattery / Kennel / Intensive Rural Use	0.1
Community Activities / Child Care Centre	0.5
Dwelling House	0.65
Extractive Industry	N/A
High Impact Industry	0.86
Home Business	0.9
Host Premises	0.9
Hotel / Local Store / Laundry / Refreshment Premises / Shop / Showroom	0.9
Indoor / Adult Entertainment / Indoor Recreation Facility / Brothel / Licensed Club / Tourist Attraction	0.9

Development Land Use Type	Demand Generation Rate (impervious ha / net developable ha)
Low Impact / Service Industry / Car Hire Premises / Market / Motor Showroom/Yard / Plant Nursery	0.9
Medical / Paramedical Centre / Veterinary Premises	0.75
Medium Impact Industry	0.9
Motel / Accommodation Unit / Relatives Apartment	0.9
Multiple / Duplex Dwelling / Caretakers Residence	0.9
Professional Office	0.9
Public Utility / Low Impact Telecommunications Facility	0.9
Rural Industry	0.444
Service Station	0.9

7 DEFINITIONS

Base date - means the date from which a local government has estimated its projected infrastructure costs and contribution rates. The base date is 30 June 2009.

Contribution area - means the area to which a contribution rate applies.

Contribution rate, CR - means the dollar amount per demand unit for an infrastructure network.

Current cost - in relation to an asset, means its cost measured by reference to the lowest cost at which the gross service potential of that asset could be obtained in the normal course of business. Where service potential, in relation to an asset, means its economic utility to the entity, based on the total benefit expected to be derived by the entity from use (and/or through sale) of the asset. Gross service potential means the total benefit expected to be derived when the asset was first acquired, and also the benefit from any subsequent upgrading. (Source: *CPA Australia and Institute of Chartered Accountants in Australia*)

Demand, D - refer section 6.4.

Demand credit, DC - refer section 6.5.

Demand offset, DO - refer section 6.6.

Demand unit - means the standard unit of demand that applies to each type of infrastructure to express the demand represented by different types of lots or uses.

Developed area (or developed hectares) – is used in the context of assessing stormwater demand for infrastructure and means the total area of a site but excluding only any absolute planning scheme constraints on development.

Gross Floor Area – means the total floor area of a building on a site excluding private balconies and patios, and areas for parking vehicles.

Imp ha - Impervious hectares.

Infrastructure contribution, IC - means a contribution calculated for a premise for a development infrastructure network.

Local development infrastructure - means development infrastructure which provides a lower order function through connections to individuals or small groups of users. It includes infrastructure internal to the site and connections to shared development infrastructure networks.

Net developable area - means the *developable area* of a site, minus land required for development infrastructure and easements, and other areas constrained from development under the planning scheme provisions.

Proposed demand - means the demand proposed for a premises, calculated using the demand generation rates referenced in section 6.10.

Shared development infrastructure - means development infrastructure which provides a higher order function through connections to a number of users. It does not include local development infrastructure which provides connections to individuals or small groups of users.

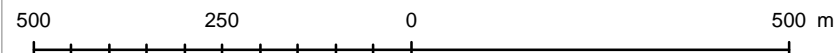
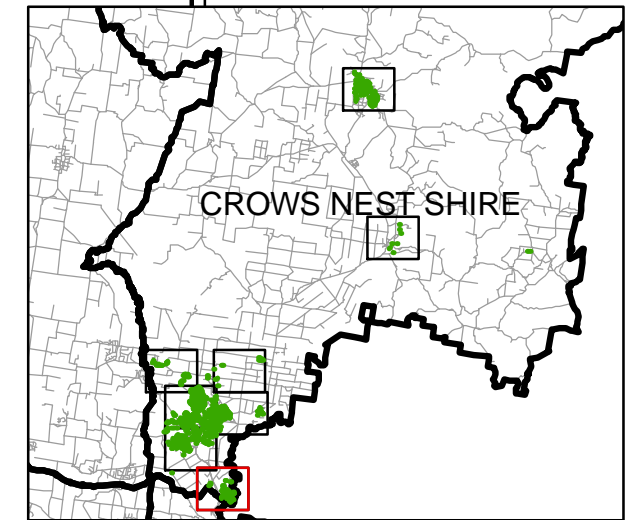
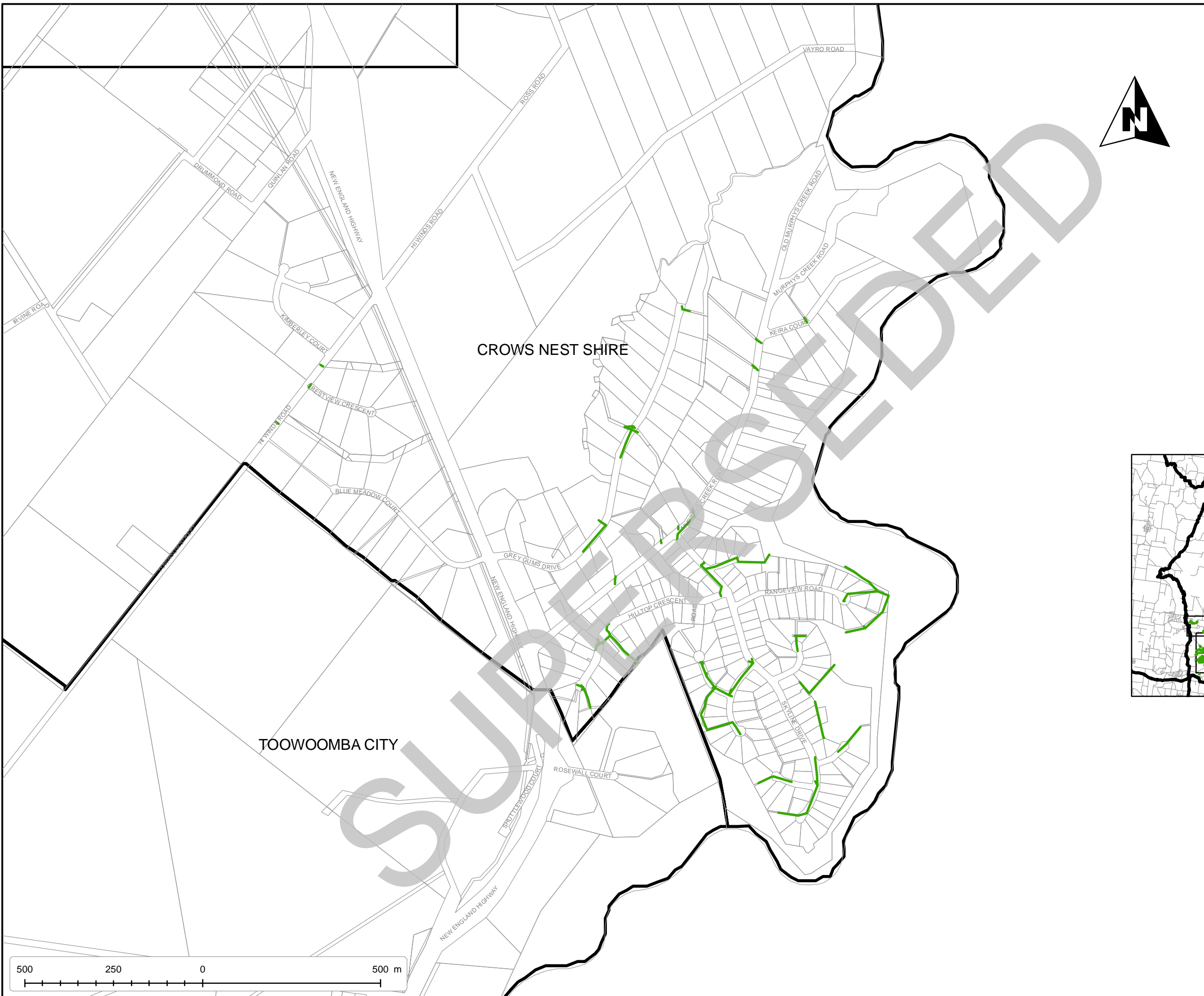
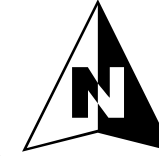
8 EXTRINSIC MATERIAL

The following documents are extrinsic material under the *Statutory Instruments Act 1992* and assist in the interpretation of this policy:

- (a) Crows Nest Planning Assumptions Report; and
- (b) Highfields Drainage Master Plan.

Map No.4.1 Crows Nest
Existing Stormwater
Infrastructure

Existing Shared
Stormwater

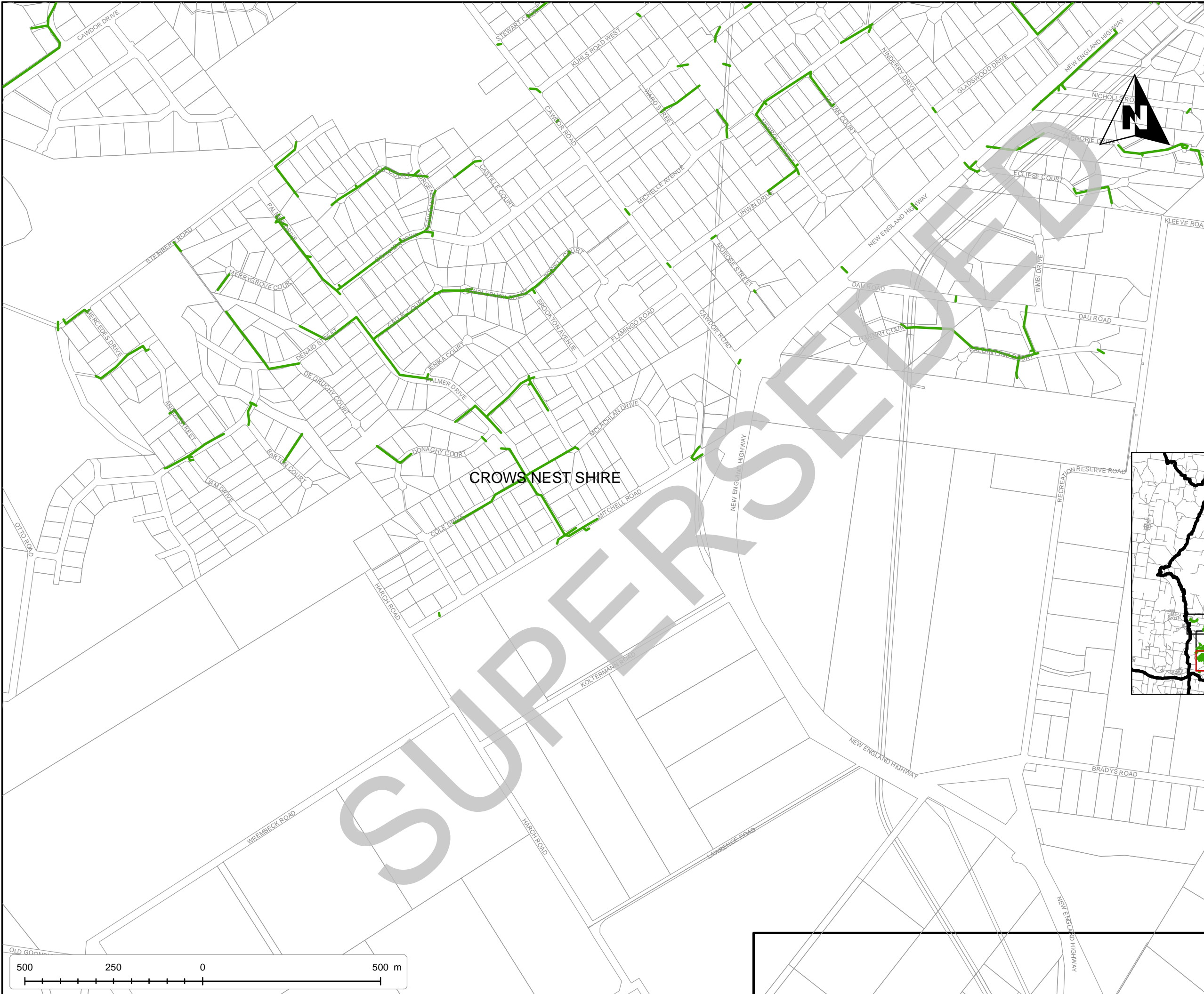
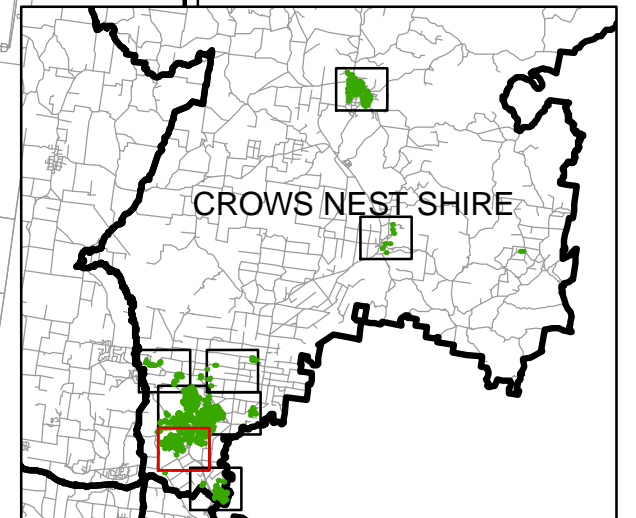


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Map No.4.2 Crows Nest
Existing Stormwater
Infrastructure

Existing Shared
Stormwater

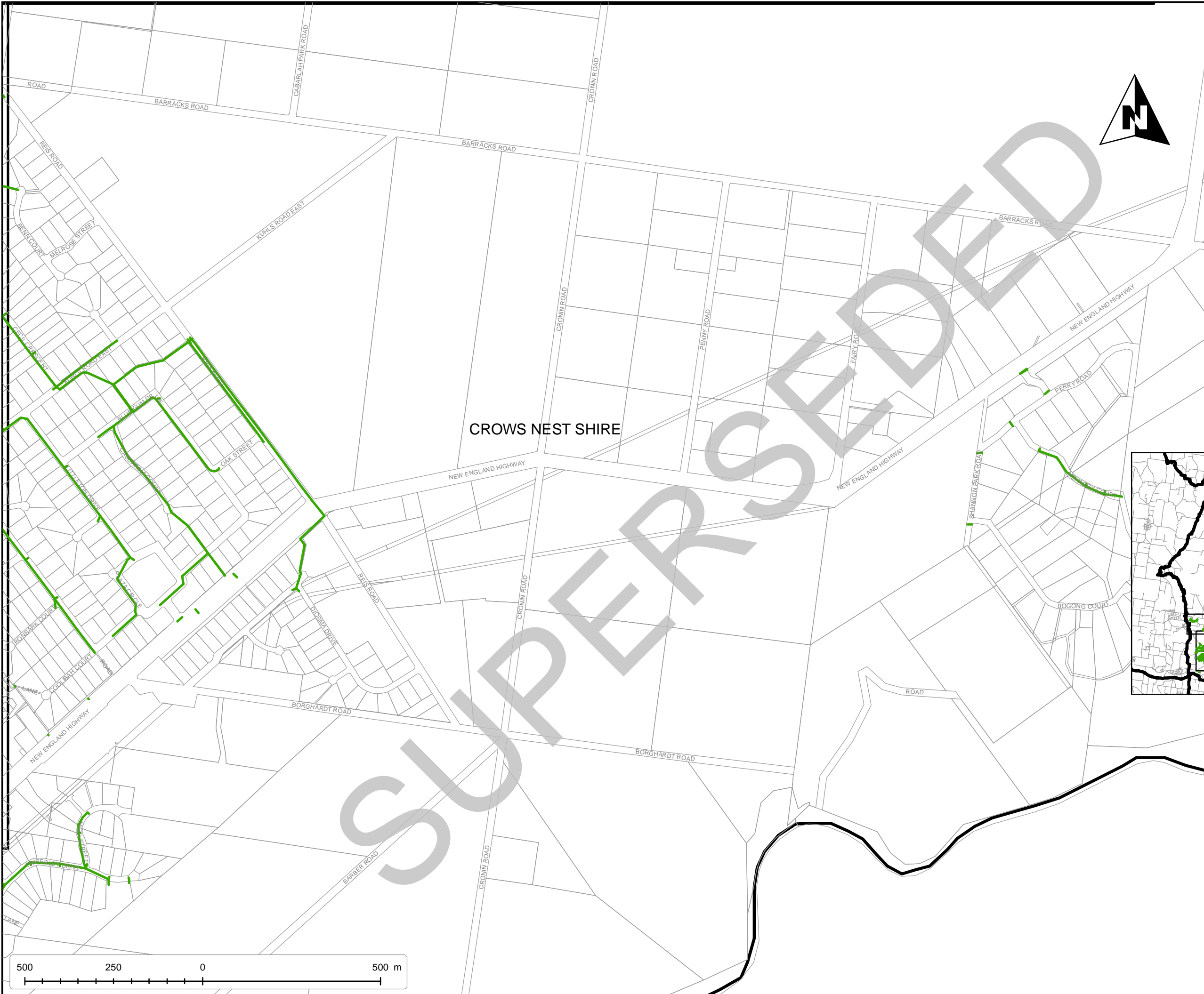


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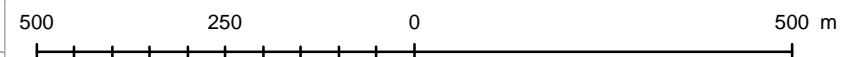
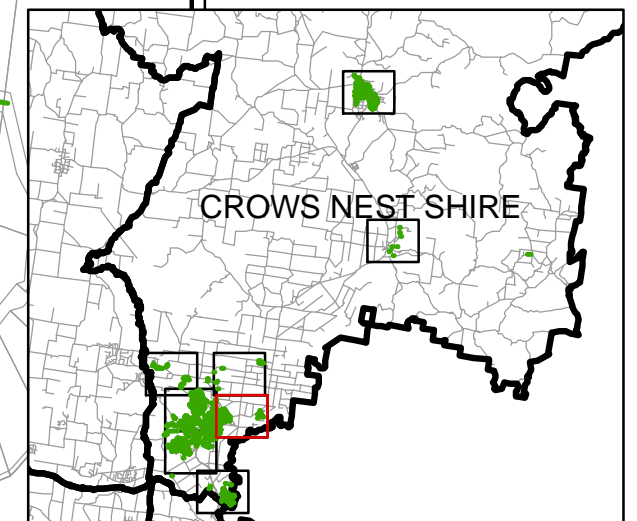


Map No.4.3 Crows Nest
Existing Stormwater
Infrastructure

Existing Shared
Stormwater



CROWS NEST SHIRE

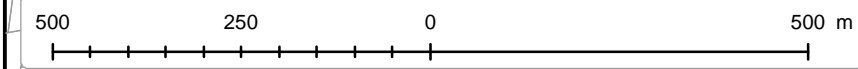
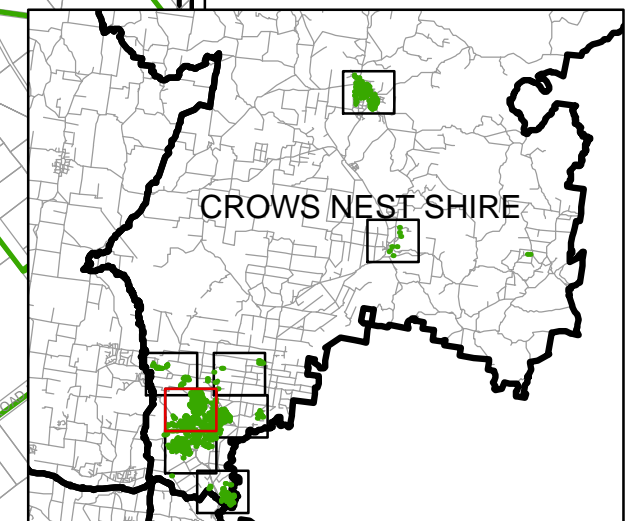
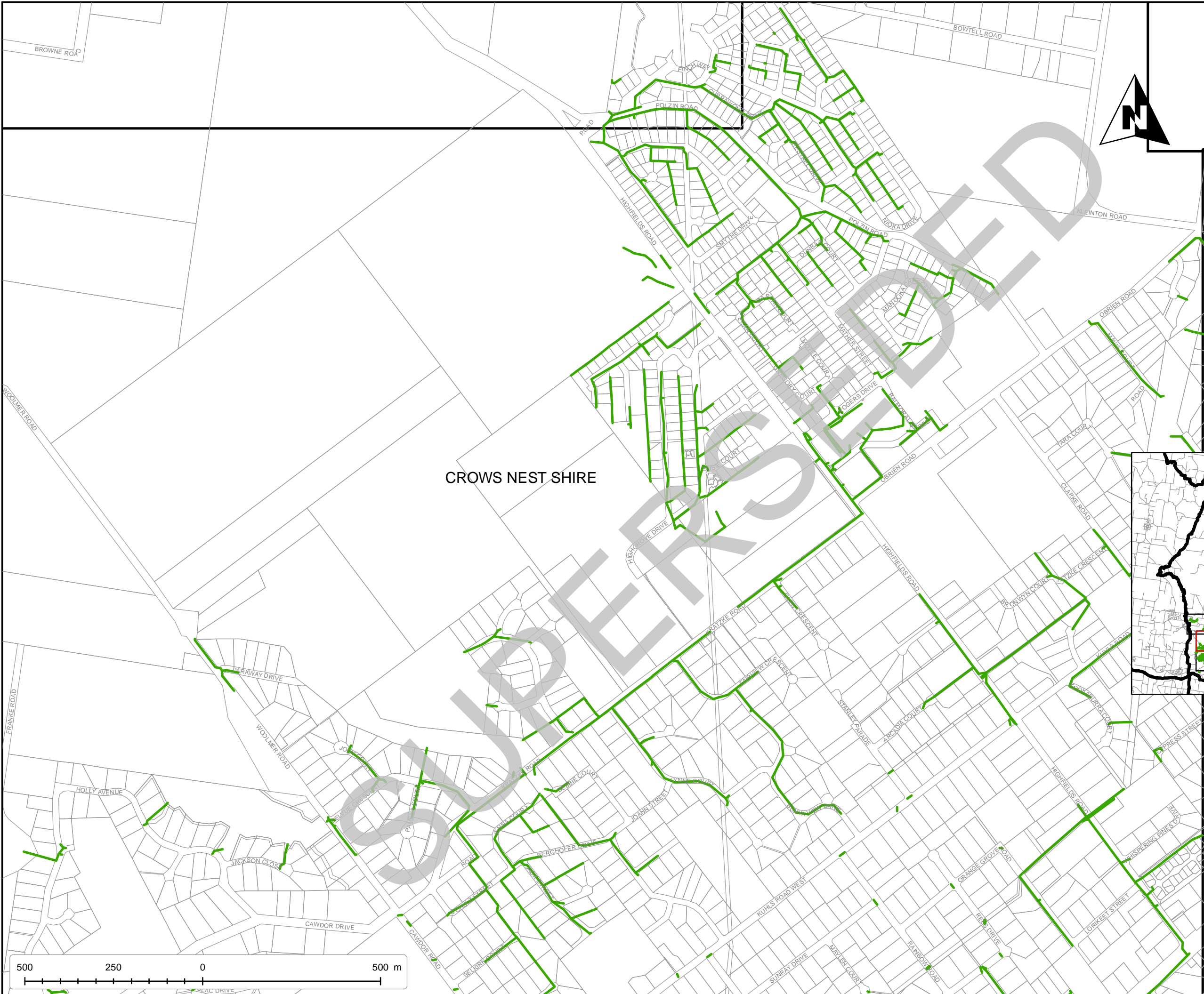
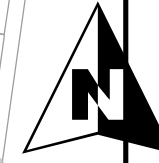


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Map No.4.4 Crows Nest
Existing Stormwater
Infrastructure

Existing Shared
Stormwater

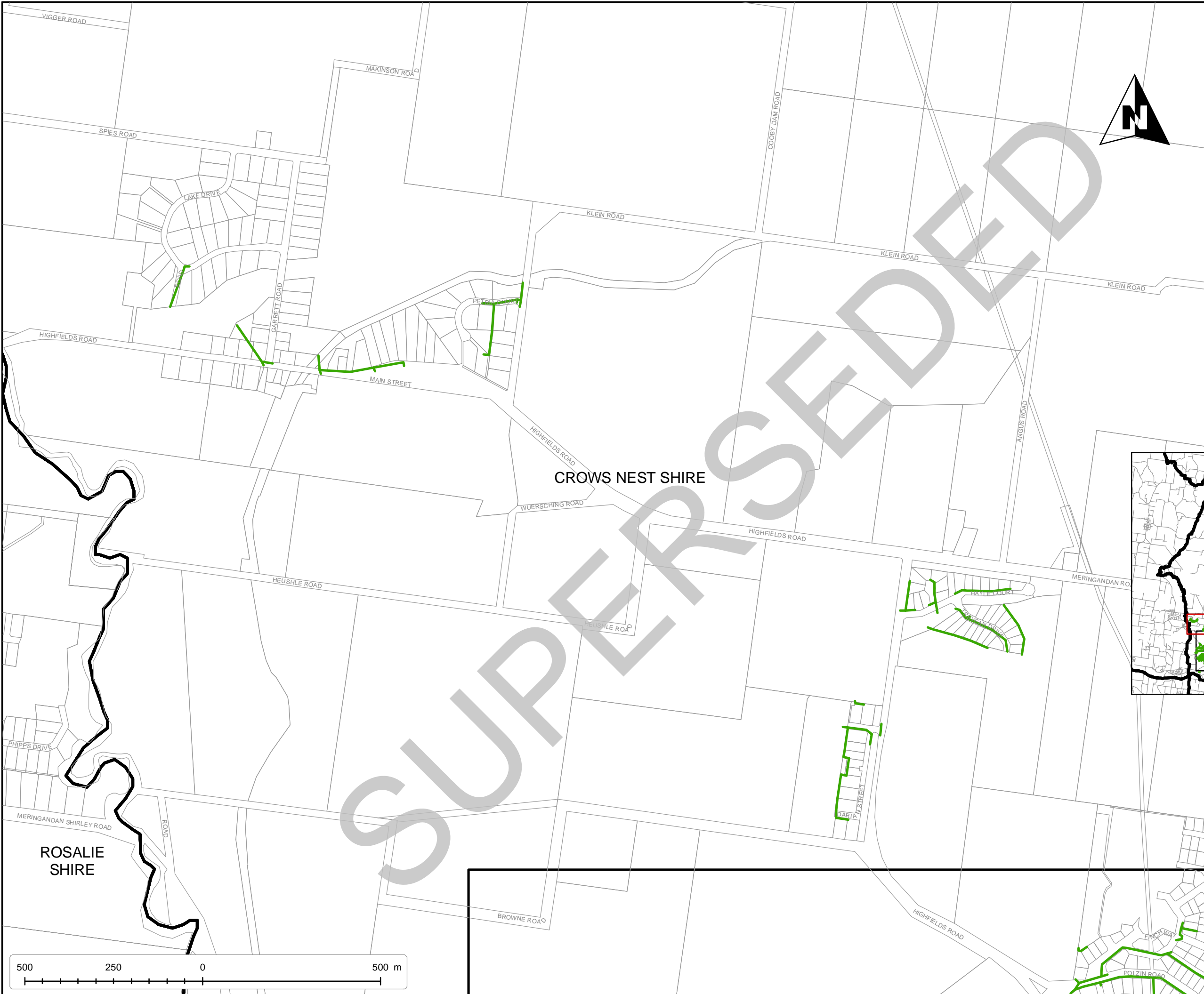


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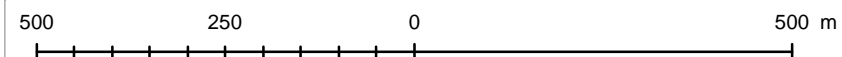
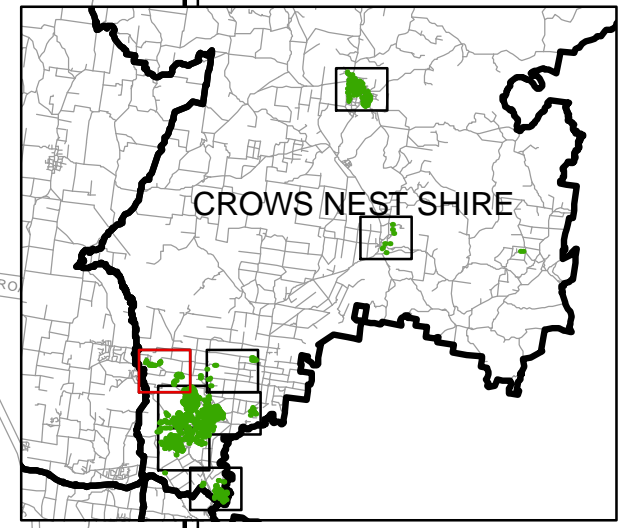
Map No.4.5 Crows Nest
Existing Stormwater
Infrastructure

Existing Shared
Stormwater



CROWS NEST SHIRE

ROSALIE
SHIRE

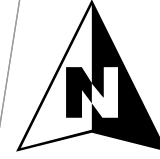


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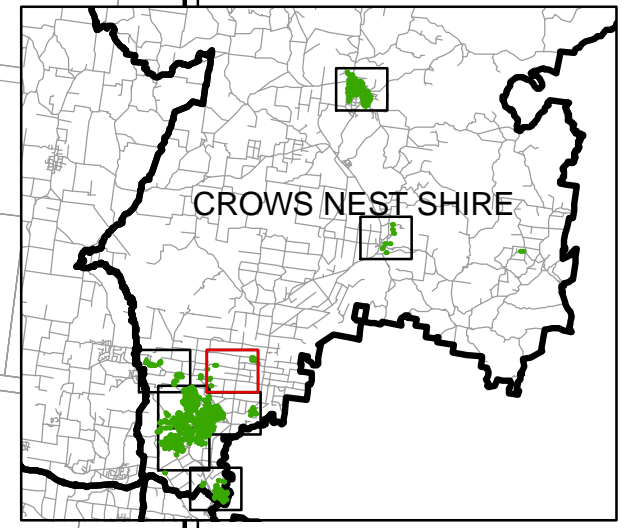


Map No.4.6 Crows Nest
Existing Stormwater
Infrastructure

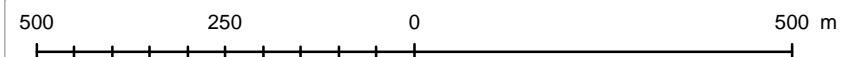
Existing Shared
Stormwater



CROWS NEST SHIRE



CROWS NEST SHIRE



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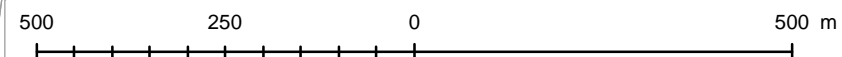
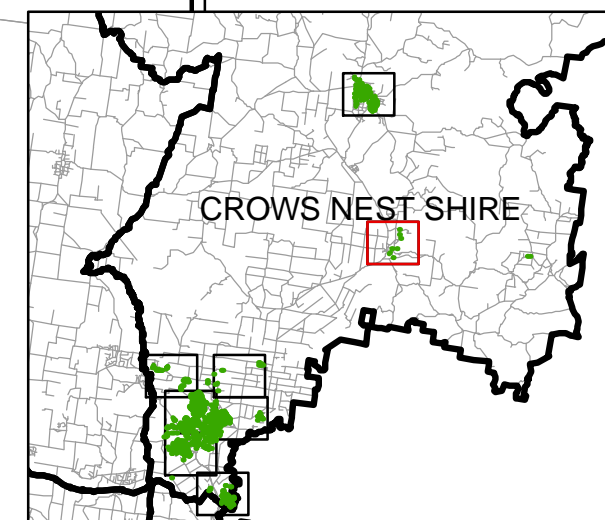


Map No.4.7 Crows Nest
Existing Stormwater
Infrastructure

Existing Shared
Stormwater




CROWS NEST SHIRE

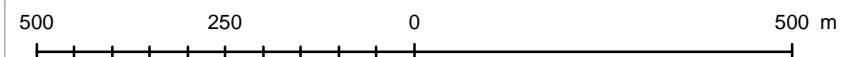
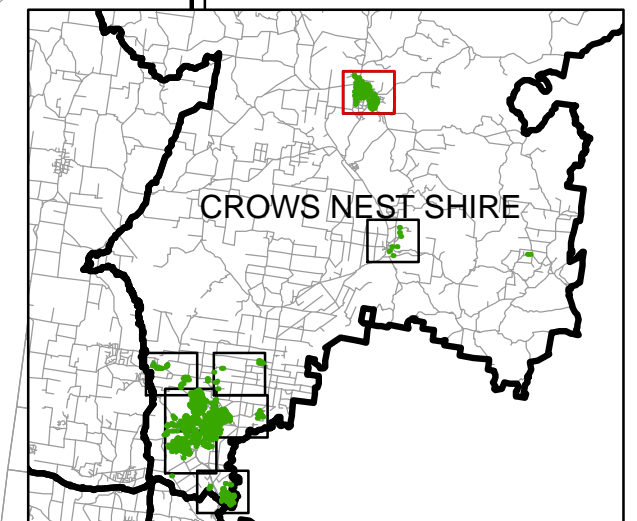
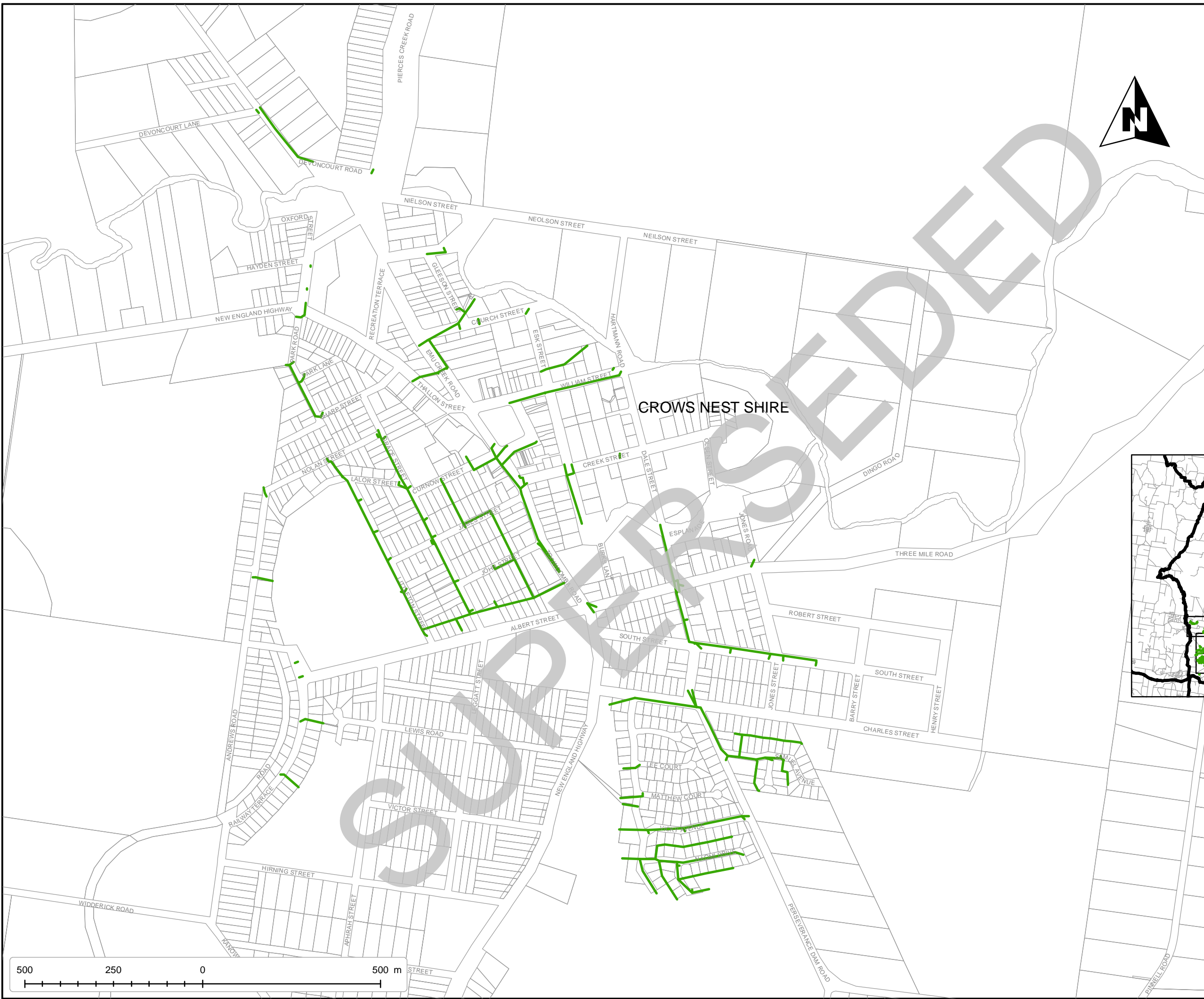
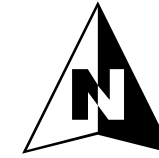


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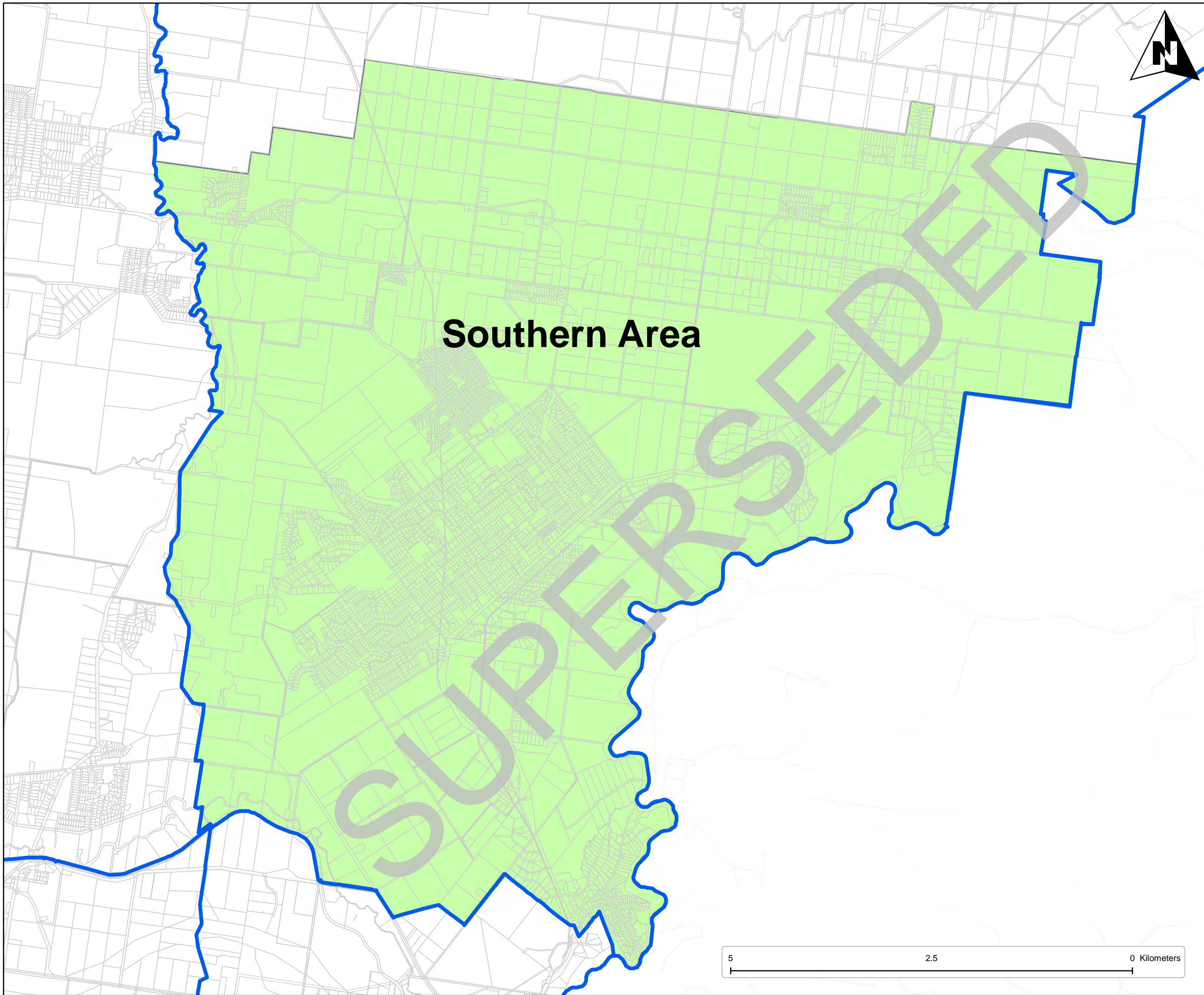
Map No.4.8 Crows Nest
Existing Stormwater
Infrastructure

 Existing Shared
Stormwater




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Map No.5.1 Crows Nest Stormwater Contribution Area

 Southern Area

Southern Area

SUPERSEDED



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CROWS NEST PLANNING SCHEME
PLANNING SCHEME POLICY
No. ADP04

INFRASTRUCTURE CONTRIBUTIONS
FOR
SEWERAGE NETWORK

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1 PRELIMINARY

1.1 INTRODUCTION

This planning scheme policy has been prepared in accordance with the requirements of the *Integrated Planning Act 1997*.

The planning scheme policy applies to the area of the Crows Nest Planning Scheme 2007 (the planning scheme).

This planning scheme policy replaces the previous 'Toowoomba Regional Council Planning Scheme Policy – Infrastructure Contributions for Sewerage Network (Crows Nest)' and will take effect as of 31 October 2009.

1.2 PURPOSE

The purpose of this planning scheme policy is to support the planning scheme by assisting with:

- (a) the integration of land use planning and infrastructure planning for the sewerage network;
- (b) the efficient and orderly provision of shared development infrastructure for the sewerage network; and
- (c) the funding of shared development infrastructure for the sewerage network through the fair apportionment of these costs to development.

1.3 STRUCTURE OF PLANNING SCHEME POLICY

This planning scheme policy:

- (a) identifies in section 2 'Application of Planning Scheme Policy' how the planning scheme policy will be applied to development;
- (b) states in section 3 'Planning Assumptions' the projections of future urban growth and the assumptions of demand for the sewerage network, which have informed the preparation of the planning scheme policy;
- (c) identifies in section 4 'Timing of Shared Development Infrastructure' when it is anticipated that shared development infrastructure for the sewerage network will be provided;
- (d) states in section 5 'Contribution Rates' how the contribution rates have been calculated through the apportionment of the establishment cost across demand; and
- (e) states in section 6 'Infrastructure Contributions' how to calculate an infrastructure contribution for shared development infrastructure within the sewerage network using the infrastructure contribution rates identified in section 5.

2 APPLICATION OF PLANNING SCHEME POLICY

2.1 APPLYING THE PLANNING SCHEME POLICY TO DEVELOPMENT

This planning scheme policy:

- (a) states the basis for the calculation of infrastructure contributions that may be imposed as a condition of development; and

- (b) states the basis for the imposition of a condition of development requiring:
 - i. the supply of shared development infrastructure; and
 - ii. the payment of additional shared development infrastructure costs.

2.2 INFRASTRUCTURE CONTRIBUTIONS

Infrastructure contributions for the sewerage network applicable to a development will be calculated in accordance with section 6 'Infrastructure Contributions'.

2.3 SUPPLY OF SHARED DEVELOPMENT INFRASTRUCTURE

A condition may be imposed for the supply of shared development infrastructure where:

- (a) existing shared development infrastructure necessary to service the premises is not adequate and shared development infrastructure adequate to service the premises is identified in the planning scheme policy; or
- (b) shared development infrastructure to service the premises is necessary, but is not yet available and is identified in the planning scheme policy; or
- (c) shared development infrastructure identified in the planning scheme policy is located on the premises.

The agreed value of the necessary shared development infrastructure supplied for the sewerage network will be offset against an infrastructure contribution imposed for that network on the development (see section 6.6 'Calculation of Demand Offset').

2.4 PAYMENT OF ADDITIONAL SHARED DEVELOPMENT INFRASTRUCTURE COSTS

A condition may be imposed requiring the payment of additional shared development infrastructure costs where:

- (a) for a properly made development application lodged on or before 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in the policy or policies dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy; or
- (b) for a properly made development application lodged after 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in this policy.

Costs associated with the provision of additional shared development infrastructure will not normally be offset against infrastructure contributions calculated in accordance with section 6.

The Toowoomba Regional Council (TRC) may however allow the additional shared development infrastructure to be offset against infrastructure contributions where it decides the works provide a necessary shared function to other network users.

2.5 CONDITIONS FOR THE SUPPLY OF LOCAL DEVELOPMENT INFRASTRUCTURE

In addition to conditions imposed for shared development infrastructure, conditions may also be imposed on development for the supply of local development infrastructure.

2.6 PLANNING SCHEME POLICY BASED ON EXISTING PLANNING SCHEME

The demand assumptions, future infrastructure and infrastructure contribution rates within this planning scheme policy are based on the anticipated level of development allowed for under the planning scheme at 30 June 2009. Should the planning scheme be amended after 30 June 2009 to allow for more intense forms of development, applications that require additional shared infrastructure will be conditioned to pay for that infrastructure in accordance with section 2.4.

2.7 EFFECTIVE DEVELOPMENT APPROVALS GRANTED AND PROPERLY MADE DEVELOPMENT APPLICATIONS LODGED ON OR BEFORE 30 OCTOBER 2009

If a development approval was granted on or before 30 October 2009 and includes a condition requiring payment of contribution(s) under this policy, so long as the contribution(s) is paid to the TRC by 5pm on 30 June 2010, the applicant / landowner may pay the lesser of the following:

- (a) the amount of contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) the amount of contribution(s) which is payable under this policy.

If a properly made development application is lodged with the TRC on or before 30 October 2009 and the TRC imposes a condition(s) on the development approval requiring the payment of a contribution(s) under this policy, the applicant / landowner may satisfy that condition(s) by either:

- (a) paying within 20 business days of the development approval taking effect, the amount of the contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items as dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) paying the contribution required under this policy in accordance with the condition.

3 PLANNING ASSUMPTIONS

The planning assumptions provided in Table 3.1 and Table 3.2 outline the projections of residential and non-residential development for the area to which this planning scheme policy applies.

Further details concerning the planning assumptions are referenced in section 8 'Extrinsic Material'.

Table 3.1 Existing and projected population and dwellings

Area	Existing and Projected Population			Average Occupancy Rate (persons/dwelling)			Existing and Projected Dwellings		
	2006	2011	2016	2006	2011	2016	2006	2011	2016
Crows Nest	1,661	1,959	2,257	2.28	2.17	2.05	727	915	1,102
Highfields	7,157	9,975	12,792	3.25	3.07	2.89	2,199	3,310	4,421
Blue Mountain Heights	673	757	840	3.14	2.98	2.82	214	256	298
Hampton	345	385	424	2.85	2.69	2.52	121	145	168
Balance Rural	3,501	4,307	5,112	2.72	2.59	2.47	1,288	1,681	2,073
Total	13,337	17,381	21,425	2.93	2.79	2.66	4,549	6,306	8,062

Table 3.2 Existing and projected employment and non-residential floor space (m² Gross Floor Area (GFA))

Area	Existing and Projected Employees			Average Floor Space Utilisation Rate (m ² GFA/emp)	Existing and Projected Floor Space (m ² GFA)		
	2006	2011	2016		2006	2011	2016
Crows Nest	509	578	646	30	15,270	17,325	19,380
Highfields	1,365	1,791	2,217	30	40,950	53,730	66,510
Blue Mountain Heights	32	36	39	30	960	1,065	1,170
Hampton	16	19	21	30	480	555	630
Balance Rural	921	1,027	1,132	30	27,630	30,795	33,960
Total	2,843	3,449	4,055	30	85,290	103,470	121,650

4 TIMING OF SHARED DEVELOPMENT INFRASTRUCTURE

4.1 PURPOSE

This section identifies:

- (a) existing shared development infrastructure for the sewerage network; and
- (b) when it is anticipated that future shared development infrastructure for the sewerage network will be provided.

4.2 SHARED DEVELOPMENT INFRASTRUCTURE

Table 4.1 defines the shared development infrastructure for the sewerage network.

Table 4.1 Shared development infrastructure for the sewerage network

Network	System	Items
Sewerage	Reticulation	<ul style="list-style-type: none"> • Rising mains • Gravity sewers • Associated pump stations, manholes and fittings • Odour and corrosion control systems • Associated monitoring systems
	Sewerage treatment	<ul style="list-style-type: none"> • Sewerage treatment plants • Effluent reuse facilities and systems • Storage facilities • Release systems • Associated monitoring systems

4.3 PLANS FOR DEVELOPMENT INFRASTRUCTURE

Plans showing the existing shared development infrastructure for the sewerage network are shown on the following maps:

- Map 4.1 Crows Nest Existing Sewerage Infrastructure.

4.4 SCHEDULE OF WORKS

Table 4.2 identifies when it is anticipated that shared development infrastructure for the sewerage network will be provided to service growth.

Table 4.2 Schedule of works - Sewerage network

Shared Development Infrastructure	Estimated Completion	Establishment Cost (\$)			
		Cost of Works	Design / Supervision	Contingency	Total*
Highfields Pump Station - Town Centre	2010	\$121,325	\$9,342	\$12,133	\$142,800
Highfields Pump Station - Franke Road	2015	\$121,325	\$9,342	\$12,133	\$142,800
Highfields Pump Station - Parkway Dr	2011	\$121,325	\$9,342	\$12,133	\$142,800
Highfields Rising Main - Meringandan Rd	2013	\$54,621	\$4,206	\$5,462	\$64,289
Highfields Rising Main - Town Centre	2010	\$35,700	\$2,749	\$3,570	\$42,019
Highfields Rising Main - Franke Road	2015	\$87,822	\$6,762	\$8,782	\$103,366
Highfields Rising Main - Parkway Dr	2011	\$18,564	\$1,429	\$1,856	\$21,850
Highfields WWTP - inlet works	2008	\$170,801	\$13,152	\$17,080	\$120,620
Stage 2 - Highfields WWTP	2008	\$1,464,415	\$112,760	\$146,441	\$1,034,170
CED Mains (\geq dia 150mm)	2010	\$80,000	\$6,160	\$8,000	\$94,160
Crows Nest CED lagoons - land acquisition	2012	\$250,000	\$0	\$0	\$250,000
Crows Nest CED lagoons duplication	2012	\$240,000	\$18,480	\$24,000	\$282,480
Install pump station - Cnr Wirraglen Rd and Meringandan Rd	2013	\$121,325	\$9,342	\$12,133	\$142,800

Shared Development Infrastructure	Estimated Completion	Establishment Cost (\$)			
		Cost of Works	Design / Supervision	Contingency	Total*
Stage 3 - Highfields WWTP	2014	\$5,360,950	\$412,793	\$536,095	\$6,309,838
Highfields trunk Mains 225mm	2010-2016	\$1,844,976	\$142,063	\$184,498	\$2,171,537
Highfields trunk Mains 300mm	2010-2016	\$365,092	\$28,112	\$36,509	\$429,713
Highfields trunk Mains 375mm	2010-2016	\$324,394	\$24,978	\$32,439	\$381,812
Total Cost		\$11,059,128	\$832,302	\$1,080,912	\$12,972,342

* The establishment cost has been determined as at the base date in accordance with section 5.2.

5 CONTRIBUTION RATES

5.1 CONTRIBUTION AREAS

Contribution rates for the sewerage network have been stated for that part of the planning scheme area planned to be supplied with sewerage infrastructure. The location of the contribution areas are identified on Map 5.1 Crows Nest Sewerage Contribution Areas.

5.2 ESTABLISHMENT COST

- (a) The establishment cost (existing and future) of the sewerage network to service the Crows Nest contribution areas up to 2021 is \$19,681,073 (as at the base date of 30 June 2009). Of this amount:
- 78.16% will be funded by infrastructure contributions; and
 - 21.84% will be funded by grants and subsidies
- (b) Table 5.1 summarises the establishment cost for the sewerage network and that amount to be funded by infrastructure contributions in the Crows Nest contribution areas.

Table 5.1 Sewerage network - establishment costs

Area	Existing and Future Infrastructure Cost (\$)	Admin Cost (\$)	Establishment Cost (\$)*	Amount of Establishment Cost (\$) to be Funded by Infrastructure Contributions
Crows Nest	2,317,602	162,232	2,479,834	2,046,516

Area	Existing and Future Infrastructure Cost (\$)	Admin Cost (\$)	Establishment Cost (\$)*	Amount of Establishment Cost (\$) to be Funded by Infrastructure Contributions
Highfields	15,704,611	1,099,323	16,803,934	12,820,693

* Costs are expressed at the base date.

- (c) All existing shared development infrastructure has been valued at current cost.
- (d) The establishment cost of future shared development infrastructure has been determined using typical current cost for similar works.
- (e) The establishment cost of the sewerage network includes an allowance for the costs associated with preparing and administering the planning scheme policy over time. These costs are equal to 1.75% of the establishment cost of the sewerage network.
- (f) The establishment cost includes engineering planning and design costs equal to 7%, together with a contingency allowance of 10%.

5.3 PROJECTED DEMAND

A summary of the projected demand on the sewerage network is identified in Table 5.2.

Table 5.2 Sewerage network - projected demand summary

Contribution Area	Cumulative Demand, (ET)				System Capacity (ET)
	2006	2011	2016	2021	
Crows Nest	580	656	742	840	2,500
Highfields	185	1,224	2,463	4,131	25,000

5.4 COST APPORTIONMENT

The method used to calculate the contribution rate (CR) is as follows:

$$CR = \frac{\text{Amount of establishment cost to 2021 funded by contributions (see Table 5.1)}}{\text{System Capacity, ET (see Table 5.2)}}$$

5.5 CONTRIBUTION RATES

The contribution rate for the sewerage network in the Crows Nest contribution areas is identified in Table 5.3.

Table 5.3 Sewerage network - contribution rates

Contribution Area	Contribution Rate (\$ / ET)
Crows Nest	2,456
Highfields	1,538

6 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

6.1 INFRASTRUCTURE CONTRIBUTIONS THAT MAY BE IMPOSED

Infrastructure contributions may be imposed for shared development infrastructure within the sewerage network.

6.2 DEVELOPMENT SUBJECT TO INFRASTRUCTURE CONTRIBUTIONS

The types of assessable development that may trigger an infrastructure contribution being imposed are:

- (a) reconfiguration of a lot; and
- (b) a material change of use of premises.

6.3 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution for the sewerage network is to be calculated in accordance with the following formula-

$$IC = [(D - DC - DO) \times CR]$$

Where:

- (a) IC is an infrastructure contribution for the sewerage network;
- (b) D is the amount of demand for sewerage infrastructure expressed as a number of demand units and calculated in accordance with section 6.4. The demand unit for the sewerage network is Equivalent Tenement (ET);
- (c) DC is the demand credit for the sewerage network calculated in accordance with section 6.5;
- (d) DO is the demand offset for the sewerage network calculated in accordance with section 6.6; and
- (e) CR is the contribution rate for the contribution area in which the development is located and will be applied in accordance with section 6.7.

6.4 CALCULATION OF DEMAND (D)

- (a) For the reconfiguration of a lot, the demand for the sewerage network is to be calculated using the demand generation rates identified in table 6.1.
- (b) For a material change of use, the demand for the sewerage network is to be calculated using the demand generation rates identified in Table 6.2.
- (c) Where a development involves more than one use, the demand is to be determined by adding together the proposed demand for each use calculated in accordance with section 6.4(b).

6.5 CALCULATION OF DEMAND CREDIT (DC)

- (a) The demand credit is to be calculated using the greater of:
- i. The amount of demand generated by an existing lawful use of the premises, calculated using the demand generation rates identified in Table 6.2; or
 - ii. The demand for which infrastructure contributions for the sewerage network have been previously made.
- (b) Where a contribution referred to in 6.5(a)(ii) is not expressed in the same demand units as those used in this planning scheme policy, the contribution is to be converted into a demand credit as follows:
- i. Where a previous monetary contribution has been made:
 - Convert the previous monetary contribution into its value as at the base date (30 June 2009) by inflating the monetary amount using the movement in the ABS non building construction (412) Qld index.
 - Divide the amount in the dot point above by the contribution rate identified in Table 5.3 to determine the demand credit.
 - ii. Where a previous non monetary contribution has been made:
 - Determine the agreed value of the non monetary contribution at the base date. This is to be derived using the TRC's current cost.
 - Divide the amount in the dot point above by the relevant contribution rate identified in Table 5.3 to determine the demand credit.
- (c) No demand credit will be applied where existing lawful use rights apply to a site but the use has not been established or which does not place a demand on the sewerage network. The only exception to this will be in relation to detached residential lots on which no dwelling has been constructed. In such cases, a demand credit equivalent to one dwelling per lot will be allowed.
- (d) A demand credit arising from 6.5(a)(i) will only be provided to a maximum amount equal to the demand arising from a proposed development.

6.6 CALCULATION OF DEMAND OFFSET (DO)

- (a) The demand offset is to be calculated by converting a contribution for the supply of shared development infrastructure for the sewerage network into an agreed demand offset as follows:
- i. Determine the establishment cost (less the contingency allowance) of the infrastructure item at the base date identified in this policy.
 - ii. Divide the establishment cost in (i) by the contribution rate identified in Table 5.3 to determine the demand offset.
- (b) Where the demand offset (DO) for the sewerage network is greater than the demand (D) for that network, the infrastructure provider may enter into an agreement to refund the proportion of the establishment cost of the shared development infrastructure that reasonably can be apportioned to other premises.
- (c) Where the TRC is satisfied that the contingency allowance is required to deliver that infrastructure item, it may agree to include the allowance in 6.6(a)(i).

6.7 APPLYING THE CONTRIBUTION RATE (CR)

The contribution rate for the sewerage network has been calculated at the base date of 30 June 2009. The contribution rates for the sewerage network are identified in Table 5.3.

6.7.1 Indexation of contribution rate

The contribution rate identified in Table 5.3 is expressed in 30 June 2009 dollar values and will be indexed quarterly up to the time of payment using the Australian Bureau of Statistics Non-Building Construction (412) Qld Index.

6.8 TIME OF PAYMENT OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution is payable:

- (a) prior to the time specified in the development approval; or
- (b) if no time is specified in the development approval, prior to the time being:
 - i. if the contribution applies to **reconfiguration a lot**—before the TRC approves the plan of subdivision under Chapter 3, Part 7 of the *Integrated Planning Act 1997*; or
 - ii. if the contribution applies to **material change of use**—before the change of use happens.

6.9 ALTERNATIVES TO PAYING INFRASTRUCTURE CONTRIBUTIONS

- (a) The TRC may require or accept an infrastructure contribution that may be in a form other than a monetary contribution.
- (b) Alternatives to a monetary contribution are:
 - i. a land contribution; or
 - ii. a works contribution.
- (c) The TRC may require or accept an infrastructure contribution that is a combination of monetary, land and works contribution.

6.10 DEMAND GENERATION RATES

The sewerage network demand generation rates are identified as follows:

- (a) reconfiguration of a lot – Table 6.1; and
- (b) a material change of use – Table 6.2.

Table 6.1 Demand generation rates - lot reconfiguration

Planning Scheme Zone	Demand Generation Rate (ET/lot)
Rural	N/A
Park Residential	1
Rural Residential	1
Low Density Residential	1

Planning Scheme Zone	Demand Generation Rate (ET/lot)
Residential	1
Commercial	1 (1.05 Motel)
Village Commercial	1
Tourist	1
Industry	1
Green Space	N/A
Community Use	1

Table 6.2 Demand generation rates - material change of use

Development Land Use Type	Demand Generation Rate	
	Demand (ET)	Measure
Agriculture / Forestry	0.1	100m ² GFA
Animal Husbandry / Stable	0.1	100m ² GFA
Bulk Store Warehouse	0.2	100m ² GFA
Caravan Park / Tourist Cabins	0.5	sites
Cattery / Kennel / Intensive Rural Use	0.1	100m ² GFA
Community Activities / Child Care Centre	1.59	100m ² GFA
Dwelling House	1	dwelling
Extractive Industry	0	100m ² GFA
High Impact Industry	0.37	100m ² GFA
Home Business	0.8	100m ² GFA
Host Premises	0.7	dwelling

Development Land Use Type	Demand Generation Rate	
	Demand (ET)	Measure
Hotel / Local Store / Laundry / Refreshment Premises / Shop / Showroom	0.72	100m ² GFA
Indoor / Adult Entertainment / Indoor Recreation Facility / Brothel / Licensed Club / Tourist Attraction	0.24	100m ² GFA
Low Impact / Service Industry / Car Hire Premises / Market / Motor Showroom/Yard / Plant Nursery	0.42	100m ² GFA
Medical / Paramedical Centre / Veterinary Premises	0.8	100m ² GFA
Medium Impact Industry	0.45	100m ² GFA
Motel / Accommodation Unit/ Relatives Apartment	0.3	100m ² GFA
Multiple / Duplex Dwelling / Caretakers Residence	0.67	unit
Professional Office	0.8	100m ² GFA
Public Utility / Low Impact Telecommunications Facility	0.16	100m ² GFA
Rural Industry	0.2	100m ² GFA
Service Station	0.32	100m ² GFA

7 DEFINITIONS

Base date - means the date from which a local government has estimated its projected infrastructure costs and contribution rates. The base date is 30 June 2009.

Contribution area - means the area to which a contribution rate applies.

Contribution rate, CR - means the dollar amount per demand unit for an infrastructure network.

Current cost - in relation to an asset, means its cost measured by reference to the lowest cost at which the gross service potential of that asset could be obtained in the normal course of business. Where service potential, in relation to an asset, means its economic utility to the entity, based on the total benefit expected to be derived by the entity from use (and/or through sale) of the asset. Gross service potential means the total benefit expected to be derived when the asset was first acquired, and also the benefit from any subsequent upgrading. (Source: *CPA Australia and Institute of Chartered Accountants in Australia*)

Demand, D - refer section 6.4.

Demand credit, DC - refer section 6.5.

Demand offset, DO - refer section 6.6.

Demand unit - means the standard unit of demand that applies to each type of infrastructure to express the demand represented by different types of lots or uses.

Gross Floor Area – means the total floor area of a building on a site excluding private balconies and patios, and areas for parking vehicles.

Infrastructure contribution, IC - means a contribution calculated for a premises for a development infrastructure network.

Local development infrastructure - means development infrastructure which provides a lower order function through connections to individuals or small groups of users. It includes infrastructure internal to the site and connections to shared development infrastructure networks.

Net developable area - means the *developable area* of a site, minus land required for development infrastructure and easements, and other areas constrained from development under the planning scheme provisions.

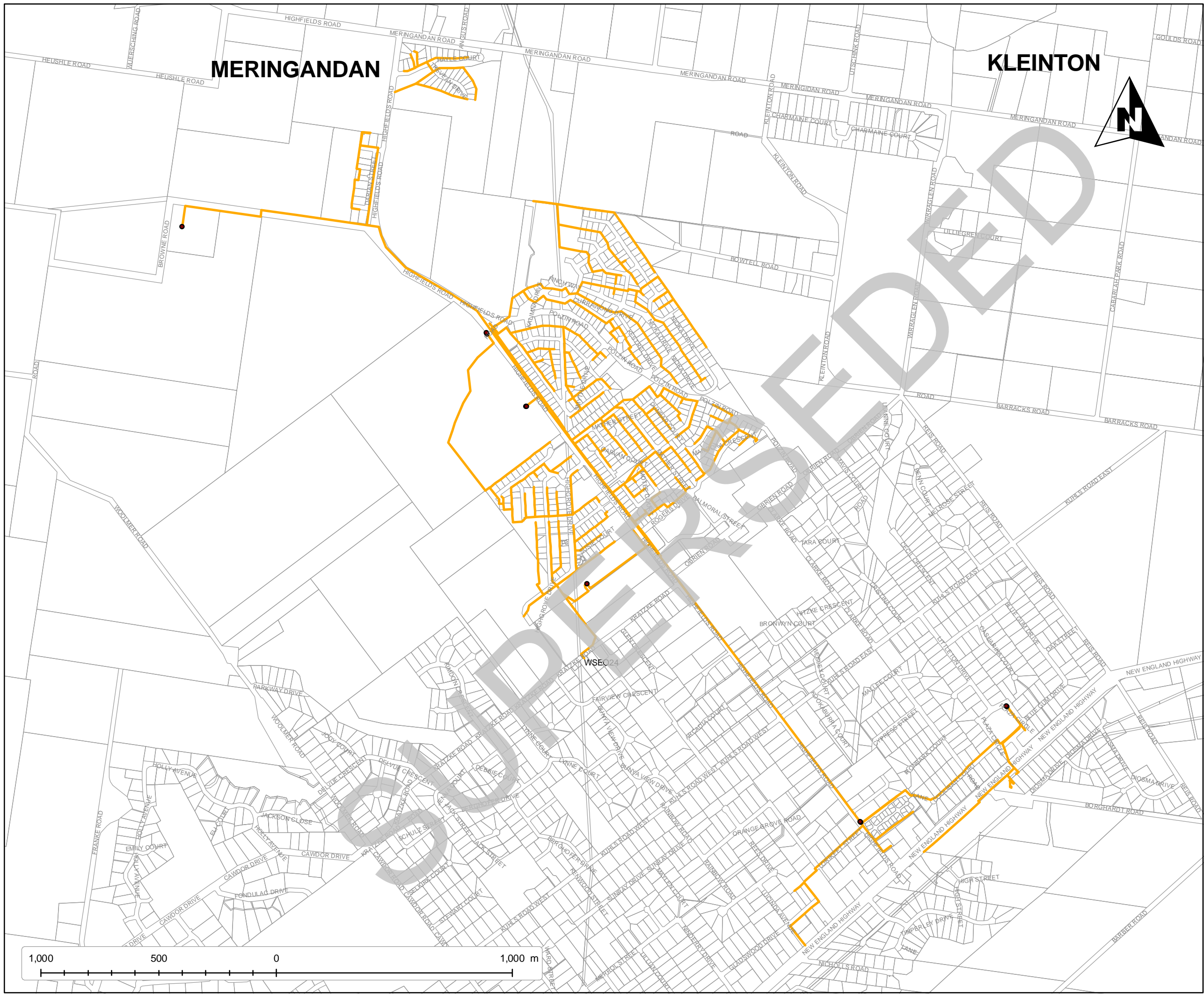
Proposed demand - means the demand proposed for a premises, calculated using the demand generation rates referenced in section 6.10.

Shared development infrastructure - means development infrastructure which provides a higher order function through connections to a number of users. It does not include local development infrastructure which provides connections to individuals or small groups of users.

8 EXTRINSIC MATERIAL

The following documents are extrinsic material under the *Statutory Instruments Act 1992* and assist in the interpretation of this policy:

- (a) Crows Nest Planning Assumptions Report;
- (b) Planning Report - Highfields Sewerage 2007 Revision, December 2007; and
- (c) Current asset register.



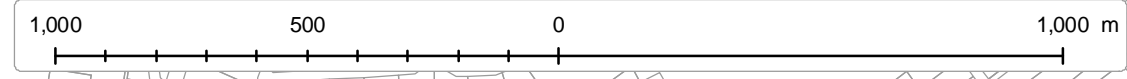
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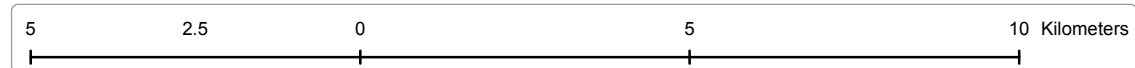
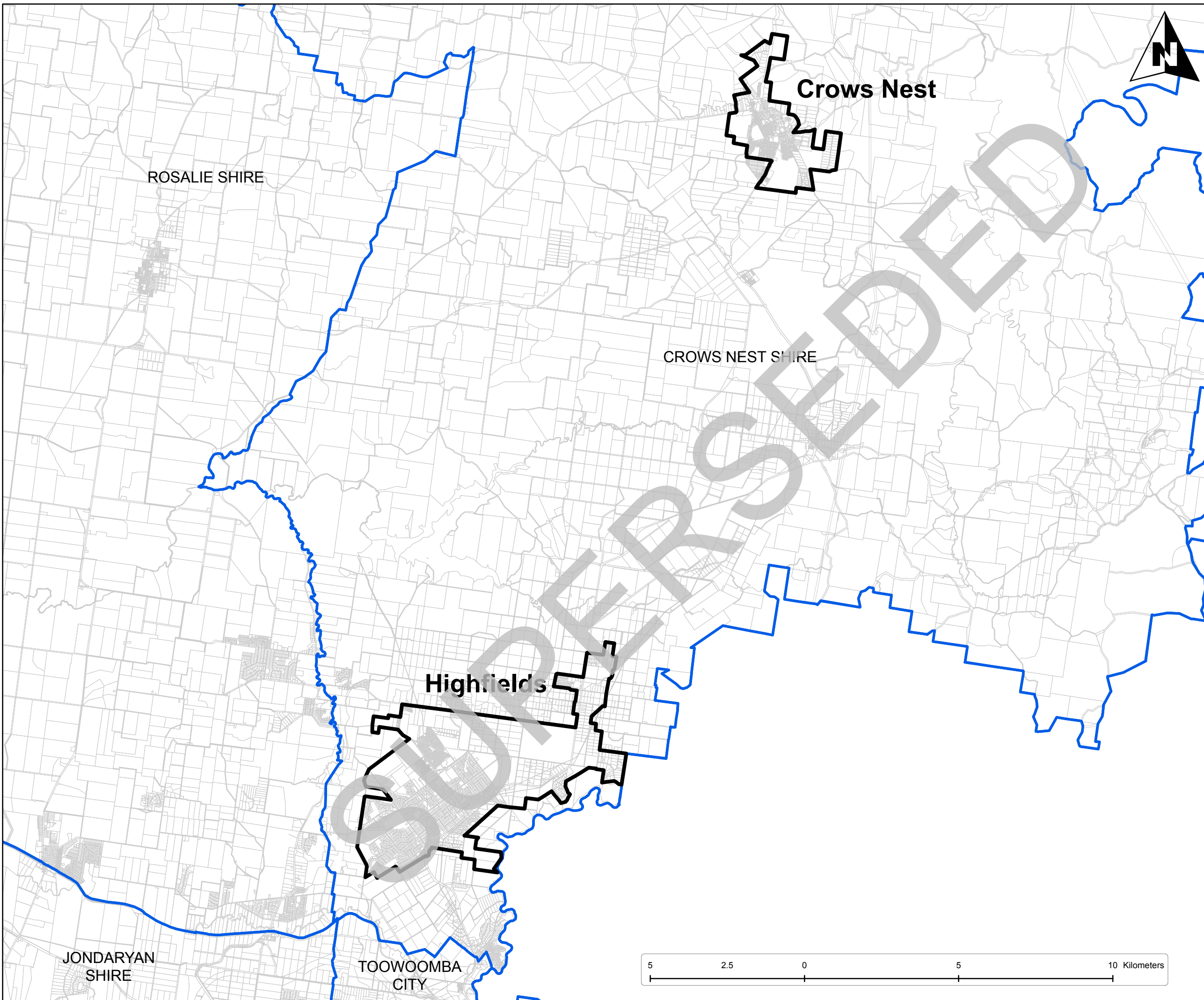
Map No.4.1 Crows Nest Existing Sewer Infrastructure

— Existing Shared Sewer

1. Toowoomba Regional Council has taken all due care in the data represented, but cannot be held responsible for any inaccuracies in the data.
2. Data must not be distributed or supplied to any other party, without the express written permission of Land Use Planning, or other delegated representative of Council.
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 CONTRIBUTION AREA



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**CROWS NEST PLANNING SCHEME
PLANNING SCHEME POLICY
No. ADP05
INFRASTRUCTURE CONTRIBUTIONS
FOR
WATER SUPPLY NETWORK**

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1 PRELIMINARY

1.1 INTRODUCTION

This planning scheme policy has been prepared in accordance with the requirements of the *Integrated Planning Act 1997*.

The planning scheme policy applies to the area of the Crows Nest Planning Scheme 2007 (the planning scheme).

This planning scheme policy replaces the previous 'Toowoomba Regional Council Planning Scheme Policy – Infrastructure Contributions for Water Supply Network (Crows Nest)' and will take effect as of 31 October 2009.

1.2 PURPOSE

The purpose of this planning scheme policy is to support the planning scheme by assisting with:

- (a) the integration of land use planning and infrastructure planning for the water supply network;
- (b) the efficient and orderly provision of shared development infrastructure for the water supply network; and
- (c) the funding of shared development infrastructure for the water supply network through the fair apportionment of these costs to development.

1.3 STRUCTURE OF PLANNING SCHEME POLICY

This planning scheme policy:

- (a) identifies in section 2 'Application of Planning Scheme Policy' how the planning scheme policy will be applied to development;
- (b) states in section 3 'Planning Assumptions' the projections of future urban growth and the assumptions of demand for the water supply network, which have informed the preparation of the planning scheme policy;
- (c) identifies in section 4 'Timing of Shared Development Infrastructure' when it is anticipated that shared development infrastructure for the water supply network will be provided;
- (d) states in section 5 'Contribution Rates' how the contribution rates have been calculated through the apportionment of the establishment cost across demand.
- (e) states in section 6 'Infrastructure Contributions' how to calculate an infrastructure contribution for shared development infrastructure within the water supply network using the infrastructure contribution rates identified in section 5.

2 APPLICATION OF PLANNING SCHEME POLICY

2.1 APPLYING THE PLANNING SCHEME POLICY TO DEVELOPMENT

This planning scheme policy:

- (a) states the basis for the calculation of infrastructure contributions that may be imposed as a condition of development; and
- (b) states the basis for the imposition of a condition of development requiring:
 - i. the supply of shared development infrastructure; and
 - ii. the payment of additional shared development infrastructure costs.

2.2 INFRASTRUCTURE CONTRIBUTIONS

Infrastructure contributions for the water supply network applicable to a development will be calculated in accordance with section 6 Infrastructure Contributions.

2.3 SUPPLY OF SHARED DEVELOPMENT INFRASTRUCTURE

A condition may be imposed for the supply of shared development infrastructure where:

- (a) existing shared development infrastructure necessary to service the premises is not adequate and shared development infrastructure adequate to service the premises is identified in the planning scheme policy; or
- (b) shared development infrastructure to service the premises is necessary, but is not yet available and is identified in the planning scheme policy; or
- (c) shared development infrastructure identified in the planning scheme policy is located on the premises.

The agreed value of the necessary shared development infrastructure supplied for the water supply network will be offset against an infrastructure contribution imposed for that network on the development (see section 6.6 'Calculation of Demand Offset').

2.4 PAYMENT OF ADDITIONAL SHARED DEVELOPMENT INFRASTRUCTURE COSTS

A condition may be imposed requiring the payment of additional shared development infrastructure costs where:

- (a) for a properly made development application lodged on or before 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in the policy or policies dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy; or
- (b) for a properly made development application lodged after 30 October 2009, the application is inconsistent with the planning assumptions or creates a need for infrastructure not identified in this policy.

Costs associated with the provision of additional shared development infrastructure will not normally be offset against infrastructure contributions calculated in accordance with section 6.

The Toowoomba Regional Council (TRC) may however allow the additional shared development infrastructure to be offset against infrastructure contributions where it decides the works provide a necessary shared function to other network users.

2.5 CONDITIONS FOR THE SUPPLY OF LOCAL DEVELOPMENT INFRASTRUCTURE

In addition to conditions imposed for shared development infrastructure, conditions may also be imposed on development for the supply of local development infrastructure.

2.6 PLANNING SCHEME POLICY BASED ON EXISTING PLANNING SCHEME

The demand assumptions, future infrastructure and infrastructure contribution rates within this planning scheme policy are based on the anticipated level of development allowed for under the planning scheme at 30 June 2009. Should the planning scheme be amended after 30 June 2009 to allow for more intense forms of development, applications that require additional shared infrastructure will be conditioned to pay for that infrastructure in accordance with section 2.4.

2.7 EFFECTIVE DEVELOPMENT APPROVALS GRANTED AND PROPERLY MADE DEVELOPMENT APPLICATIONS LODGED ON OR BEFORE 30 OCTOBER 2009

If a development approval was granted on or before 30 October 2009 and includes a condition requiring payment of contribution(s) under this policy, so long as the contribution(s) is paid to the TRC by 5pm on 30 June 2010, the applicant / landowner may pay the lesser of the following:

- (a) the amount of contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) the amount of contribution(s) which is payable under this policy.

If a properly made development application is lodged with the TRC on or before 30 October 2009 and the TRC imposes a condition(s) on the development approval requiring the payment of a contribution(s) under this policy, the applicant / landowner may satisfy that condition(s) by either:

- (a) paying within 20 business days of the development approval taking effect, the amount of the contribution(s) which would have been payable under the PSP(s) dealing with the same infrastructure items as dealt with by this policy in effect immediately before the commencement of this policy, with such amount being increased by the Consumer Price Index to the date of payment; or
- (b) paying the contribution required under this policy in accordance with the condition.

3 PLANNING ASSUMPTIONS

The planning assumptions provided in Table 3.1 and Table 3.2 outline the projections of residential and non-residential development for the area to which this planning scheme policy applies.

Table 3.1 Existing and projected population and dwellings

Area	Existing and Projected Population			Average Occupancy Rate (persons/dwelling)			Existing and Projected Dwellings		
	2006	2011	2016	2006	2011	2016	2006	2011	2016
Crows Nest	1,661	1,959	2,257	2.28	2.17	2.05	727	915	1,102
Highfields	7,157	9,975	12,792	3.25	3.07	2.89	2,199	3,310	4,421
Blue Mountain Heights	673	757	840	3.14	2.98	2.82	214	256	298
Hampton	345	385	424	2.85	2.69	2.52	121	145	168
Balance Rural	3,501	4,307	5,112	2.72	2.59	2.47	1,288	1,681	2,073
Total	13,337	17,381	21,425	2.93	2.79	2.66	4,549	6,306	8,062

Table 3.2 Existing and projected employment and non-residential floor space (m² Gross Floor Area (GFA))

Area	Existing and Projected Employees			Average Floor Space Utilisation rate (m ² GFA/emp)	Existing and Projected Floor Space (m ² GFA)		
	2006	2011	2016		2006	2011	2016
Crows Nest	509	578	646	30	15,270	17,325	19,380
Highfields	1,365	1,791	2,217	30	40,950	53,730	66,510
Blue Mountain Heights	32	36	39	30	960	1,065	1,170
Hampton	16	19	21	30	480	555	630
Balance Rural	921	1,027	1,132	30	27,630	30,795	33,960
Total	2,843	3,449	4,055	30	85,290	103,470	121,650

4 TIMING OF SHARED DEVELOPMENT INFRASTRUCTURE

4.1 PURPOSE

This section identifies:

- (a) existing shared development infrastructure for the water supply network; and
- (b) when it is anticipated that future shared development infrastructure for the water supply network will be provided.

4.2 SHARED DEVELOPMENT INFRASTRUCTURE FOR THE WATER SUPPLY NETWORK

Bulk water is provided to the communities of Blue Mountain Heights, Crows Nest, Hampton and Highfields (and Southern) from the TRC bulk water supply network.

Shared water supply infrastructure for this planning scheme policy is therefore a combination of bulk supply from TRC and Crows Nest District's own water supply infrastructure.

For details of the bulk supply asset providing water to Crows Nest District, refer to section 8 'Extrinsic Material'.

Table 4.1 defines the shared development infrastructure for the water supply network.

Table 4.1 Shared development infrastructure for the water supply network

Network	System	Items
Water	Bulk supply	<ul style="list-style-type: none"> • Water treatment facilities • Associated monitoring systems
	Distribution	<ul style="list-style-type: none"> • Reservoirs and storage facilities • Re-chlorination facilities • Distribution mains \geq 150 mm diameter • Associated pump stations and fittings • Associated monitoring systems • Fire fighting devices

4.3 PLANS FOR DEVELOPMENT INFRASTRUCTURE

Plans showing the existing shared development infrastructure for the water supply network are shown on the following maps:

- Map 4.1 to Map 4.9 Crows Nest – Existing Water Supply Infrastructure

4.4 SCHEDULE OF WORKS

Table 4.2 identifies when it is anticipated that shared development infrastructure for the water supply network will be provided to service growth.

Table 4.2 Schedule of works - Crows Nest water supply network

Shared Development Infrastructure	Estimated Completion	Establishment Cost (\$)			
		Cost of Works	Design / Supervision	Contingency	Total*
Highfields WTP Stage 4 (Polzin Rd Res)	2009	\$793,730	\$61,117	\$79,373	\$651,995
Bore No 5 Highfields - 100m	2009	\$57,716	\$4,444	\$5,772	\$67,931
Highfields WTP Stage 5 (Borghardt Rd Res 2)	2009	\$826,245	\$63,621	\$82,625	\$972,491
Highfields WTP Stage 6 (.4 MI Res Meringandan)	2009	\$238,000	\$18,326	\$23,800	\$164,201
Reis Road Trunk Main Upgrade 0.31km 150 dia	2009	\$41,590	\$3,202	\$4,159	\$48,952
New Eng Hwy Cawdor Rd to Brady Sawmill Rd 1.65 Klms 200 dia	2009	\$172,550	\$13,286	\$17,255	\$203,091
Highfields WTP PAC Dosing Unit	2010	\$508,726	\$39,172	\$50,873	\$598,770
Highfields WTP Stage 7 (3ml Reservoir 2 Polzin Road)	2010	\$887,146	\$68,310	\$88,715	\$1,044,170
Bore No 6 Highfields - 600m Deep Water Bore	2010	\$728,280	\$56,078	\$72,828	\$857,186
Dedicated Main to Vayro Road Pipeline	2010	\$118,285	\$9,108	\$11,829	\$139,222

Shared Development Infrastructure	Estimated Completion	Establishment Cost (\$)			
		Cost of Works	Design / Supervision	Contingency	Total*
Highfields WTP Stage 8 (3ml Res Donovan Rd)	2014	\$1,137,676	\$87,601	\$113,768	\$1,339,045
Highfields WTP Stage 9 (3ML Res Polzin Rd)	2018	\$913,920	\$70,372	\$91,392	\$1,075,684
Highfields WTP Stage 10 (3ML Res, WTP - Donovan Rd)	2020	\$2,145,569	\$165,209	\$214,557	\$2,525,335
Highfields WTP Stage 3 (BMH)	2009	\$825,266	\$63,545	\$82,527	\$569,367
Crows Nest WTP Stage 2 (Ozonation/Reservoir)	2009	\$148,156	\$11,408	\$14,816	\$102,215
Crows Nest Trunk Main from TCC Offtake 1.3km 200mm diameter	2009	\$215,986	\$16,631	\$21,599	\$254,215
Crows Nest Treatment Plant Stage 3 1.5MI Reservoir	2012	\$578,340	\$44,532	\$57,834	\$680,706
Crows Nest WTP Stage 4 - 30 L/S Ozone	2019	\$151,657	\$11,678	\$15,166	\$178,500
Hampton Boost Pump	2011	\$424,050	\$32,652	\$42,405	\$499,107
Hampton WTP Stage 2	2018	\$62,118	\$4,783	\$6,212	\$73,112
Total		\$10,990,955	\$846,304	\$1,099,096	\$12,064,070

* The establishment cost has been determined as at the base date in accordance with section 5.2.

5 CONTRIBUTION RATES

5.1 CONTRIBUTION AREAS

Contribution rates for the water supply network have been stated for that part of the planning scheme area planned to be supplied with a reticulated water supply. The location of the contribution rate areas are identified on Map 5.1 Crows Nest Water Supply Contribution Areas.

5.2 ESTABLISHMENT COST

- (a) The establishment cost (existing and future) of the Crows Nest water supply network is \$31,187,304 (as at the base date of 30 June 2009). Of this amount:
 - i. 87.57% will be funded by infrastructure contributions; and
 - ii. 12.43% will be funded by grants and subsidies
- (b) Table 5.1 summarises the establishment cost for the water supply network and that amount to be funded by infrastructure contributions in each contribution area.

Table 5.1 Water supply network - establishment costs

Area	Existing and Future Infrastructure Cost	Admin Cost	Establishment Cost*	Amount of Establishment Cost* to be Funded by Infrastructure Contributions
Blue Mountain Heights	\$2,461,075	\$43,069	\$2,504,144	\$2,102,174
Crows Nest	\$2,921,102	\$51,119	\$2,972,221	\$2,761,923
Hampton	\$1,268,353	\$22,196	\$1,290,549	\$1,135,598
Southern	\$19,981,545	\$349,677	\$20,331,232	\$19,084,918
TOTAL	\$26,632,075	\$466,061	\$27,098,146	\$25,084,613

* Costs are expressed at June 2009.

- (c) All existing shared development infrastructure has been valued at current cost.
- (d) The establishment cost of future shared development infrastructure has been determined using typical current cost for similar works.
- (e) The establishment cost of the water supply network includes an allowance for the costs associated with preparing and administering the planning scheme policy over time. These costs are equal to 1.75% of the establishment cost of the water supply network.
- (f) The establishment cost includes engineering planning and design costs equal to 7%, with a contingency allowance of 10%.

5.3 PROJECTED DEMAND

A summary of the projected demand on the water supply network is identified in Table 5.2.

Table 5.2 Water supply network - projected demand summary

Contribution Area	Cumulative Demand, (ET)				System Capacity (ET)
	2006	2011	2016	2021	
Blue Mountain Heights	309	363	419	485	525
Crows Nest	820	904	998	1,102	937
Hampton	131	142	153	165	362
Southern	2,570	3,752	5,164	7,109	7,668

5.4 COST APPORTIONMENT

The method used to calculate the contribution rate (CR) is as follows:

$$CR = \frac{\text{Amount of establishment cost to 2021 funded by contributions (see Table 5.1)}}{\text{System Capacity, ET (see Table 5.2)}}$$

5.5 CONTRIBUTION RATES

The contribution rates for the water supply network are identified in Table 5.3.

Table 5.3 Water supply network - contribution rates

Contribution Area	Crows Nest Water Contribution Rate (\$ / ET)	Bulk Water Contribution Rate (\$/ET)	Total Contribution Rate (\$/ET)
Blue Mountain Heights	4,004	4,066	8,070
Crows Nest	2,948	3,524	6,472
Hampton	3,146	3,630	6,776
Southern	2,489	4,066	6,555

6 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

6.1 INFRASTRUCTURE CONTRIBUTIONS THAT MAY BE IMPOSED

Infrastructure contributions may be imposed for shared development infrastructure within the water supply network.

6.2 DEVELOPMENT SUBJECT TO INFRASTRUCTURE CONTRIBUTIONS

The types of assessable development that may trigger an infrastructure contribution being imposed are:

- (a) reconfiguration of a lot; and
- (b) a material change of use of premises.

6.3 CALCULATION OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution for the water supply network is to be calculated in accordance with the following formula-

$$IC = [(D - DC - DO) \times CR]$$

Where:

- (a) IC is an infrastructure contribution for the water supply network
- (b) D is the amount of demand for water supply infrastructure expressed as a number of demand units and calculated in accordance with section 6.4. The demand unit for the water supply network is Equivalent Tenement (ET).
- (c) DC is the demand credit for the water supply network calculated in accordance with section 6.5.
- (d) DO is the demand offset for the water supply network calculated in accordance with section 6.6.
- (e) CR is the contribution rate for the contribution area in which the development is located and will be applied in accordance with section 6.7.

6.4 CALCULATION OF DEMAND (D)

- (a) For the reconfiguration of a lot, the demand for the water supply network is to be calculated using the demand generation rates identified in Table 6.1.
- (b) For a material change of use, the demand for the water supply network is to be calculated using the demand generation rates identified in Table 6.2.
- (c) Where a development involves more than one use, the demand is to be determined by adding together the proposed demand for each use calculated in accordance with section 6.4(b).

6.5 CALCULATION OF DEMAND CREDIT (DC)

- (a) The demand credit is to be calculated using the greater of:
 - i. The amount of demand generated by an existing lawful use of the premises, calculated using the demand generation rates identified in Table 6.2; or
 - ii. The demand for which infrastructure contributions for the water supply network have been previously made.
- (b) Where a contribution referred to in 6.5(a)(ii) is not expressed in the same demand units as those used in this planning scheme policy, the contribution is to be converted into a demand credit as follows:
 - i. Where a previous monetary contribution has been made:
 - Convert the previous monetary contribution into its value as at the base date (30 June 2009) by inflating the monetary amount using the movement in the ABS non-building construction (412) Qld index.

- Divide the amount in the dot point above by the contribution rate identified in Table 5.3 to determine the demand credit.
- ii. Where a previous non monetary contribution has been made:
 - Determine the agreed value of the non monetary contribution at the base date. This is to be derived using the TRC's current cost.
 - Divide the amount in the dot point above by the relevant contribution rate identified in Table 5.3 to determine the demand credit.
- (c) No demand credit will be applied where existing lawful use rights apply to a site but the use has not been established or which does not place a demand on the water supply network. The only exception to this will be in relation to detached residential lots on which no dwelling has been constructed. In such cases, a demand credit equivalent to one dwelling per lot will be allowed.
- (d) A demand credit arising from 6.5(a)(i) will only be provided to a maximum amount equal to the demand arising from a proposed development.

6.6 CALCULATION OF DEMAND OFFSET (DO)

- (a) The demand offset is to be calculated by converting a contribution for the supply of shared development infrastructure for the water supply network into an agreed demand offset as follows:
 - i. Determine the establishment cost (less the contingency allowance) of the infrastructure item at the base date identified in this policy.
 - ii. Divide the establishment cost in (i) by the contribution rate identified in Table to determine the demand offset.
- (b) Where the demand offset (DO) for the water supply network is greater than the demand (D) for that network, the infrastructure provider may enter into an agreement to refund the proportion of the establishment cost of the shared development infrastructure that reasonably can be apportioned to other premises.
- (c) Where the TRC is satisfied that the contingency allowance is required to deliver that infrastructure item, it may agree to include the allowance in 6.6(a)(i).

6.7 APPLYING THE CONTRIBUTION RATE (CR)

The contribution rate for the water supply network has been calculated at the base date of 30 June 2009. The contribution rates for the water supply network are identified in Table 5.3.

6.7.1 Indexation of contribution rate

The contribution rate identified in Table 5.3 is expressed in base year dollar values and will be indexed quarterly up to the time of payment using the Australian Bureau of Statistics Non-Building Construction (412) Qld Index.

6.8 TIME OF PAYMENT OF INFRASTRUCTURE CONTRIBUTIONS

An infrastructure contribution is payable:

- (a) prior to the time specified in the development approval; or
- (b) if no time is specified in the development approval, prior to the time being:
 - i. if the contribution applies to **reconfiguration a lot**—before the TRC approves the plan of subdivision under Chapter 3, Part 7 of the *Integrated Planning Act 1997*; or

- ii. if the contribution applies to **material change of use**—before the change of use happens.

6.9 ALTERNATIVES TO PAYING INFRASTRUCTURE CONTRIBUTIONS

- (a) The TRC may require or accept an infrastructure contribution that may be in a form other than a monetary contribution.
- (b) Alternatives to a monetary contribution are:
 - i. a land contribution; or
 - ii. a works contribution.
- (c) The TRC may require or accept an infrastructure contribution that is a combination of monetary, land and works contribution.

6.10 DEMAND GENERATION RATES

The water supply network demand generation rates are identified as follows:

- (a) reconfiguration of a lot – Table 6.1; and
- (b) a material change of use – Table 6.2.

Table 6.1 Demand generation rates - lot reconfiguration

Planning Scheme Zone	Demand Generation Rate (ET/lot)
Rural	N/A
Park Residential	1
Rural Residential	1
Low Density Residential	1
Residential	1
Commercial	1 (1.05 Motel)
Village Commercial	1
Tourist	1
Industry	1
Green Space	N/A
Community Use	1 (0.96 adult/indoor entertainment)

Table 6.2 Demand generation rates - material change of use

Development Land Use Type	Demand Generation Rate	
	Demand (ET)	Measure
Agriculture / Forestry	0.1	100m ² GFA
Animal Husbandry / Stable	0.1	100m ² GFA
Bulk Store Warehouse	0.2	100m ² GFA
Caravan Park / Tourist Cabins	0.5	Per sites
Cattery/ Kennel / Intensive Rural Use	0.1	100m ² GFA
Community Activities / Child Care Centre	1.59	100m ² GFA
Dwelling House	1	Per dwelling
Extractive Industry	0	100m ² GFA
High Impact Industry	0.37	100m ² GFA
Home Business	0.8	100m ² GFA
Host Premises	0.7	Per dwelling
Hotel / Local Store / Laundry / Refreshment Premises / Shop / Showroom	0.72	100m ² GFA
Indoor / Adult Entertainment / Indoor Recreation Facility / Brothel / Licensed Club / Tourist Attraction	0.24	100m ² GFA
Low Impact / Service Industry / Car Hire Premises / Market / Motor Showroom/Yard / Plant Nursery	0.42	100m ² GFA
Medical / Paramedical Centre / Veterinary Premises	0.8	100m ² GFA
Medium Impact Industry	0.45	100m ² GFA
Motel / Accommodation Unit / Relatives Apartment	0.3	100m ²
Multiple / Duplex Dwelling / Caretakers Residence	0.67	Per unit
Professional Office	0.8	100m ² GFA

Development Land Use Type	Demand Generation Rate	
	Demand (ET)	Measure
Public Utility / Low Impact Telecommunications Facility	0.16	100m ² GFA
Rural Industry	0.2	100m ² GFA
Service Station	0.32	100m ² GFA

7 DEFINITIONS

Base date - means the date from which a local government has estimated its projected infrastructure costs and contribution rates. The base date is 30 June 2009.

Contribution area - means the area to which a contribution rate applies.

Contribution rate, CR - means the dollar amount per demand unit for an infrastructure network.

Current cost - in relation to an asset, means its cost measured by reference to the lowest cost at which the gross service potential of that asset could be obtained in the normal course of business. Where service potential, in relation to an asset, means its economic utility to the entity, based on the total benefit expected to be derived by the entity from use (and/or through sale) of the asset. Gross service potential means the total benefit expected to be derived when the asset was first acquired, and also the benefit from any subsequent upgrading. (Source: *CPA Australia and Institute of Chartered Accountants in Australia*)

Demand, D - refer section 6.4.

Demand credit, DC - refer section 6.5.

Demand offset, DO - refer section 6.6.

Demand unit - means the standard unit of demand that applies to each type of infrastructure to express the demand represented by different types of lots or uses.

Gross Floor Area – means the total floor area of a building on a site excluding private balconies and patios, and areas for parking vehicles.

Infrastructure contribution, IC - means a contribution calculated for a premises for a development infrastructure network.

Local development infrastructure - means development infrastructure which provides a lower order function through connections to individuals or small groups of users. It includes infrastructure internal to the site and connections to shared development infrastructure networks.

Net developable area - means the *developable area* of a site, minus land required for development infrastructure and easements, and other areas constrained from development under the planning scheme provisions.

Proposed demand - means the demand proposed for a premises, calculated using the demand generation rates referenced in section 6.10.

Shared development infrastructure - means development infrastructure which provides a higher order function through connections to a number of users. It does not include local development infrastructure which provides connections to individuals or small groups of users.

8 EXTRINSIC MATERIAL

The following documents are extrinsic material under the *Statutory Instruments Act 1992* and assist in the interpretation of this policy:

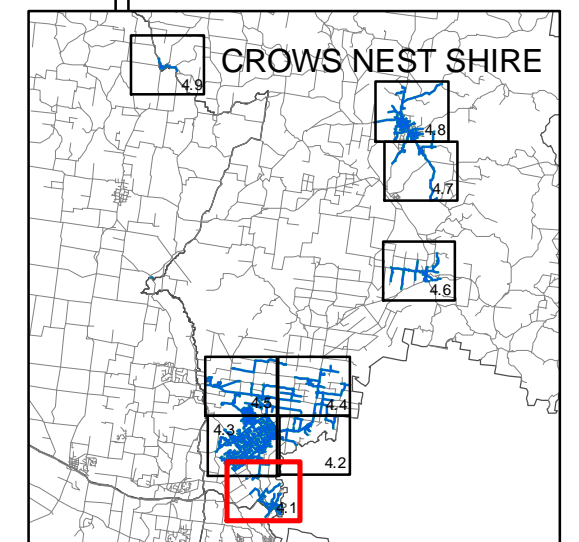
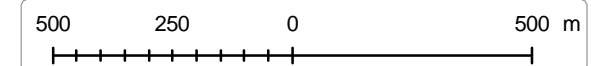
- (a) Crows Nest Planning Assumptions Report;
- (b) Water Treatment Investigations 2007 Revision – Planning Report, January 2007;
- (c) Current asset register; and
- (d) Toowoomba Regional Council Bulk Water Supply Assets and Charges.

Map No.4.1 Crows Nest
Existing Water Supply
Infrastructure

— Existing Shared Water



MOUNT KYNOCH

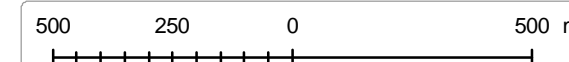
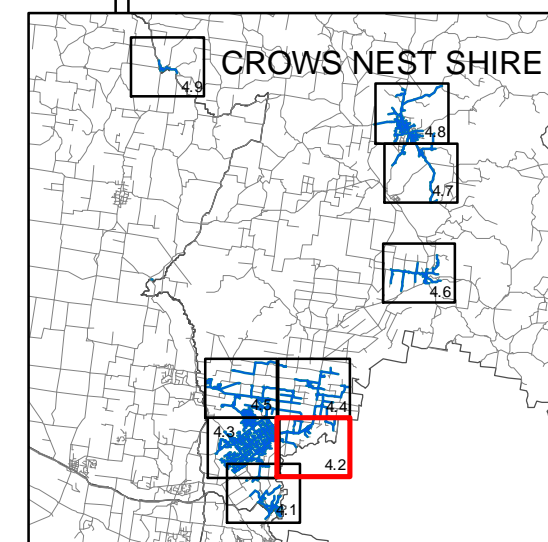


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Map No.4.2 Crows Nest
Existing Water Supply
Infrastructure

— Existing Shared Water

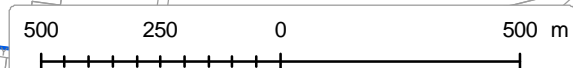
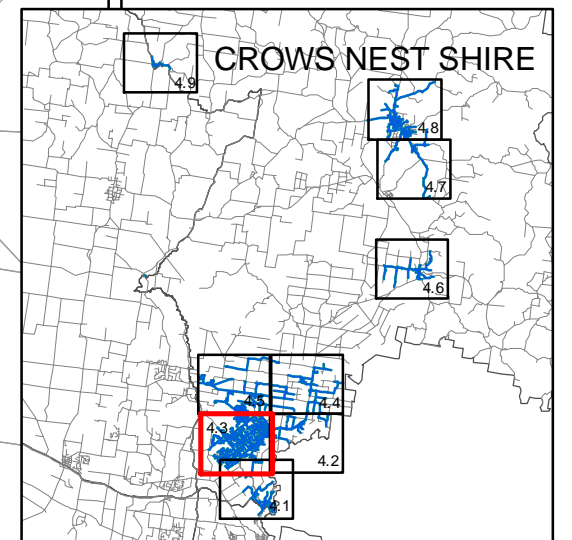
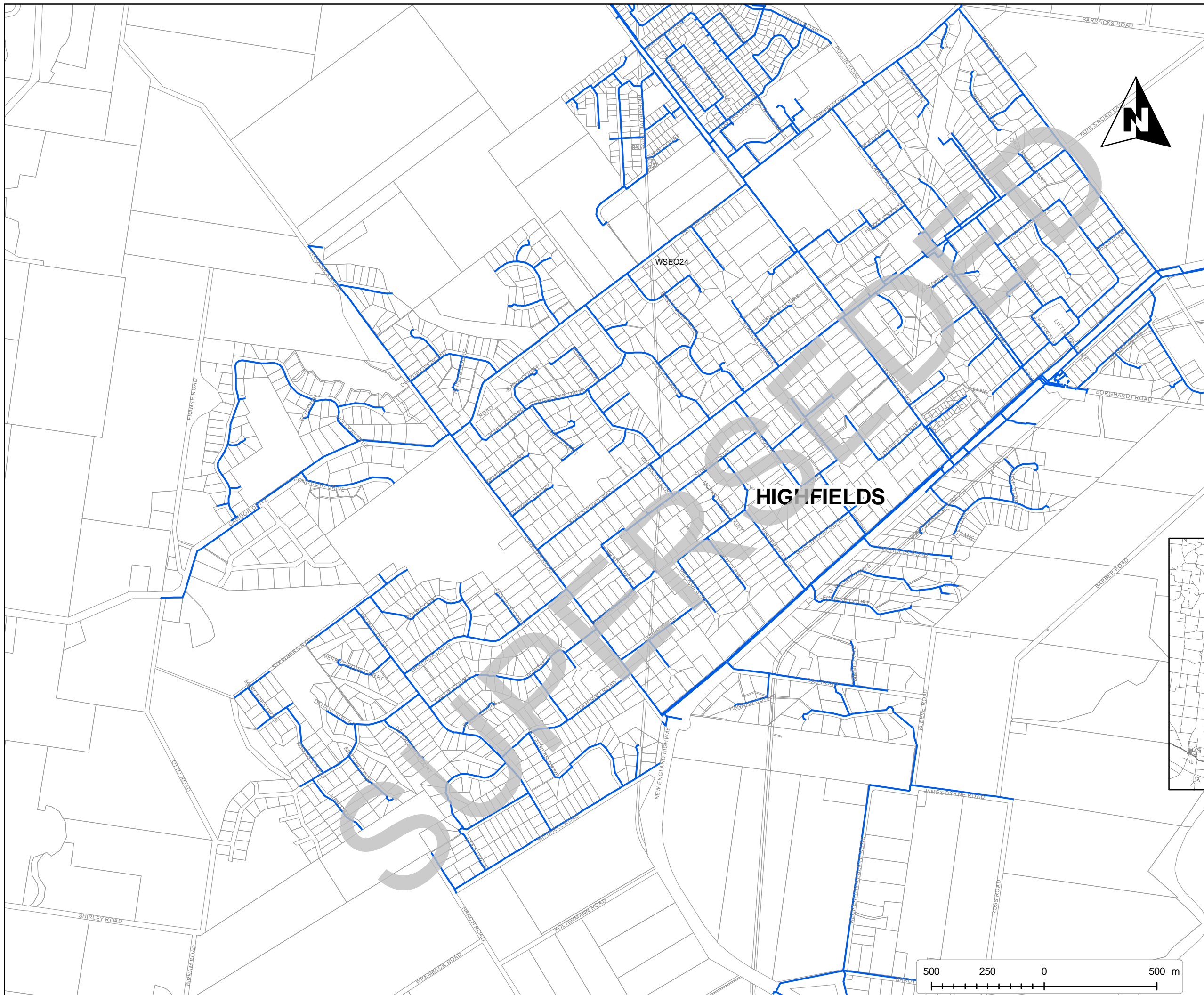


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Map No.4.3 Crows Nest
Existing Water Supply
Infrastructure

— Existing Shared Water

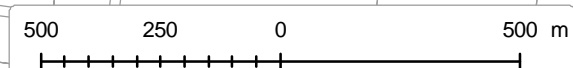
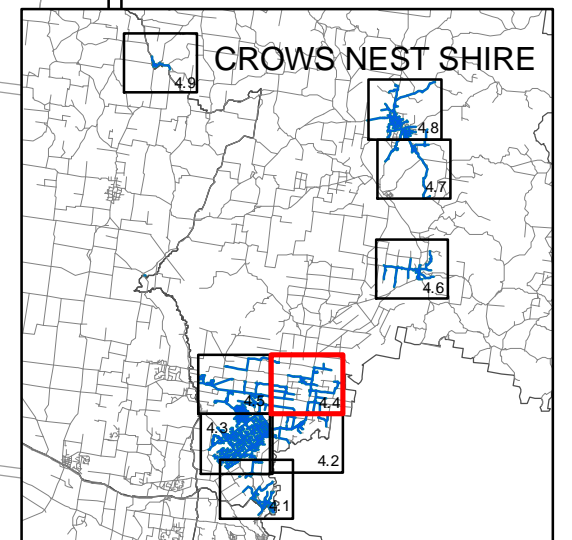
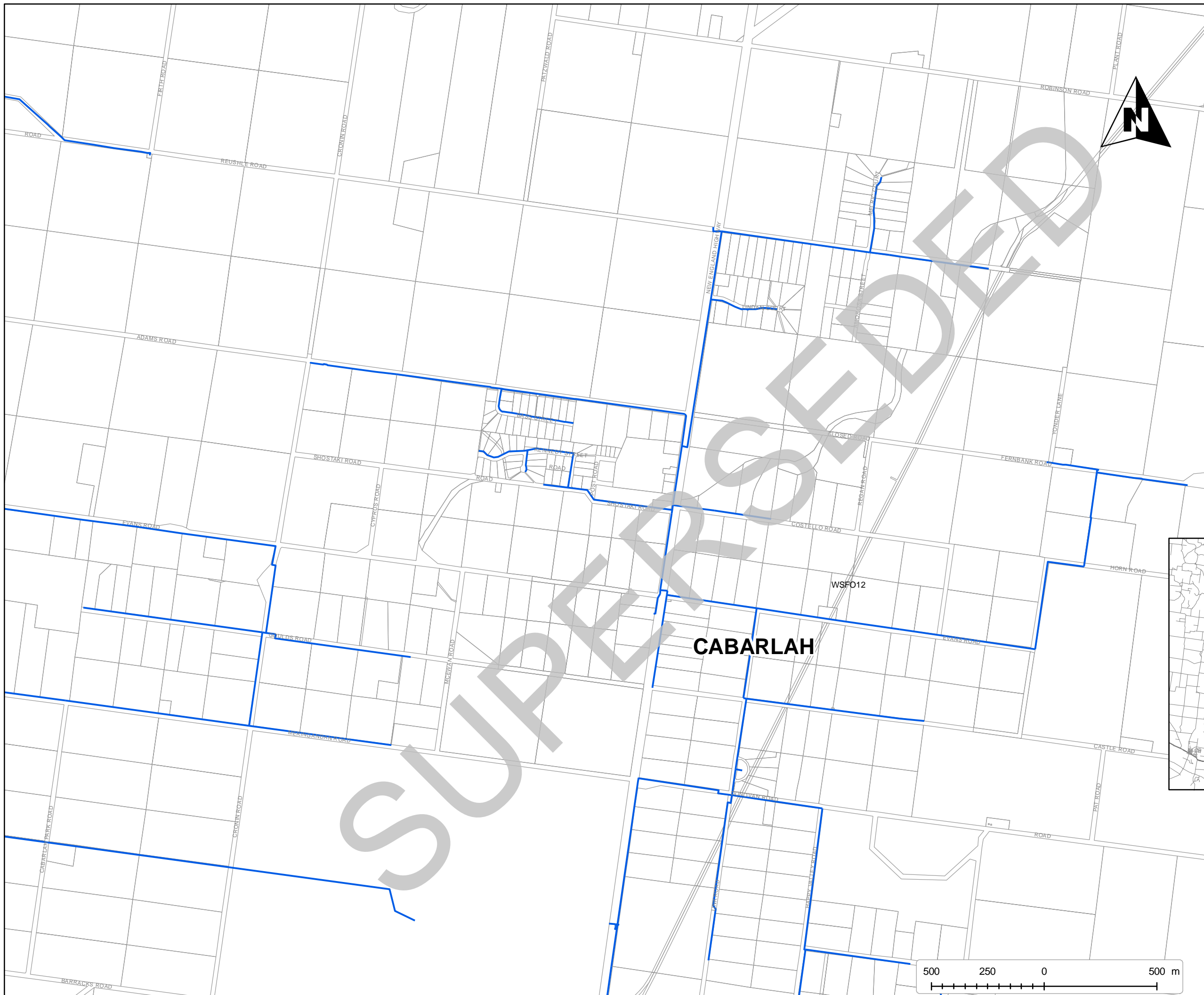


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Map No.4.4 Crows Nest
Existing Water Supply
Infrastructure

— Existing Shared Water

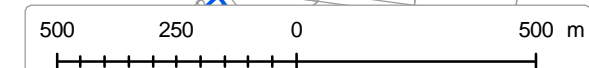
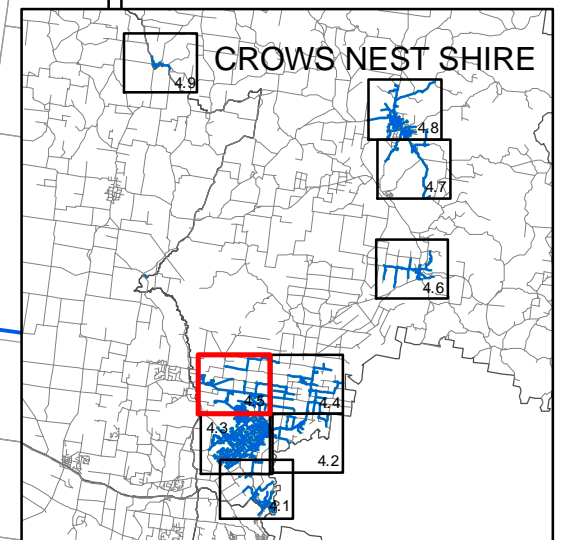
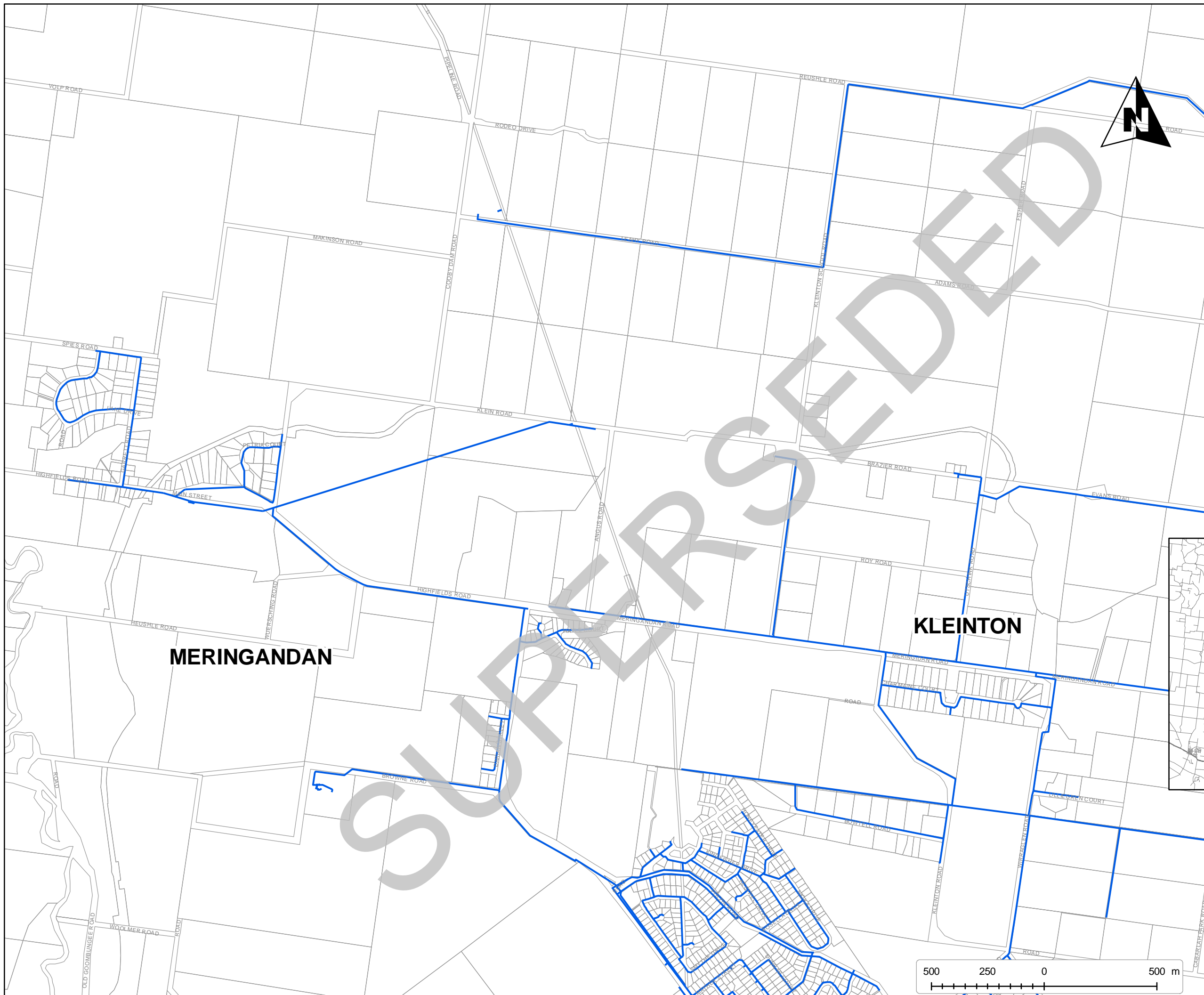
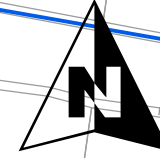


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Map No.4.5 Crows Nest
Existing Water Supply
Infrastructure

— Existing Shared Water

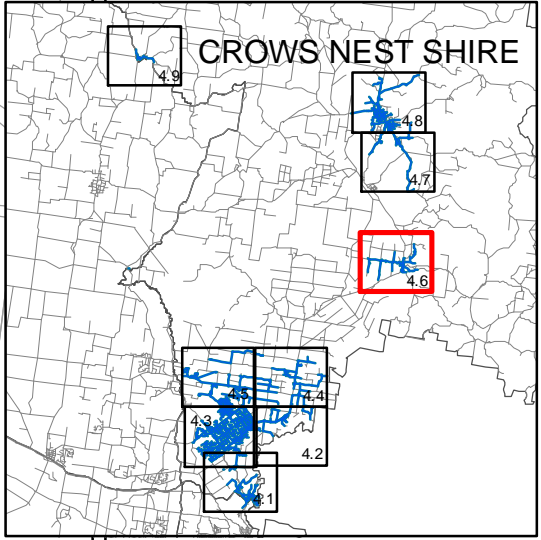


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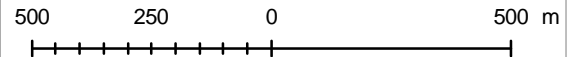


Map No.4.6 Crows Nest
Existing Water Supply
Infrastructure

— Existing Shared Water

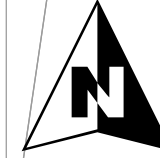


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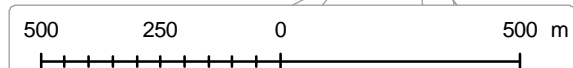
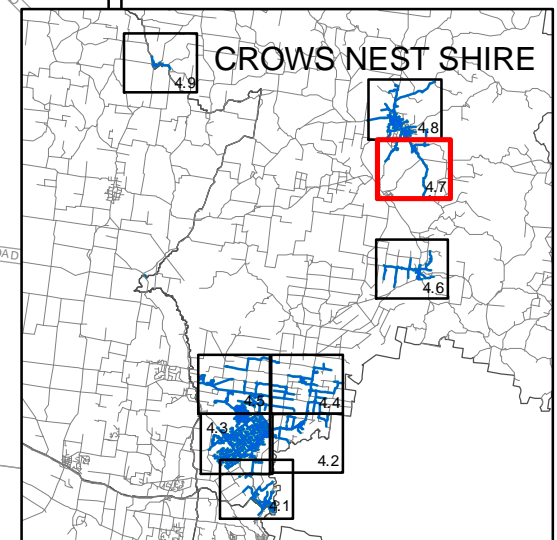


Map No.4.7 Crows Nest
Existing Water Supply
Infrastructure

— Existing Shared Water



PECHEY

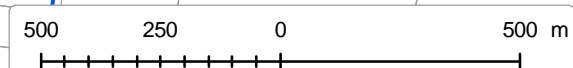
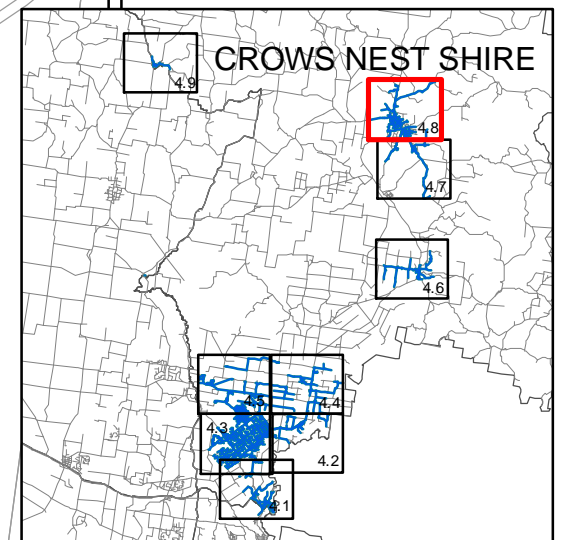


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Map No.4.8 Crows Nest
Existing Water Supply
Infrastructure

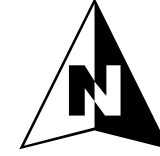
— Existing Shared Water



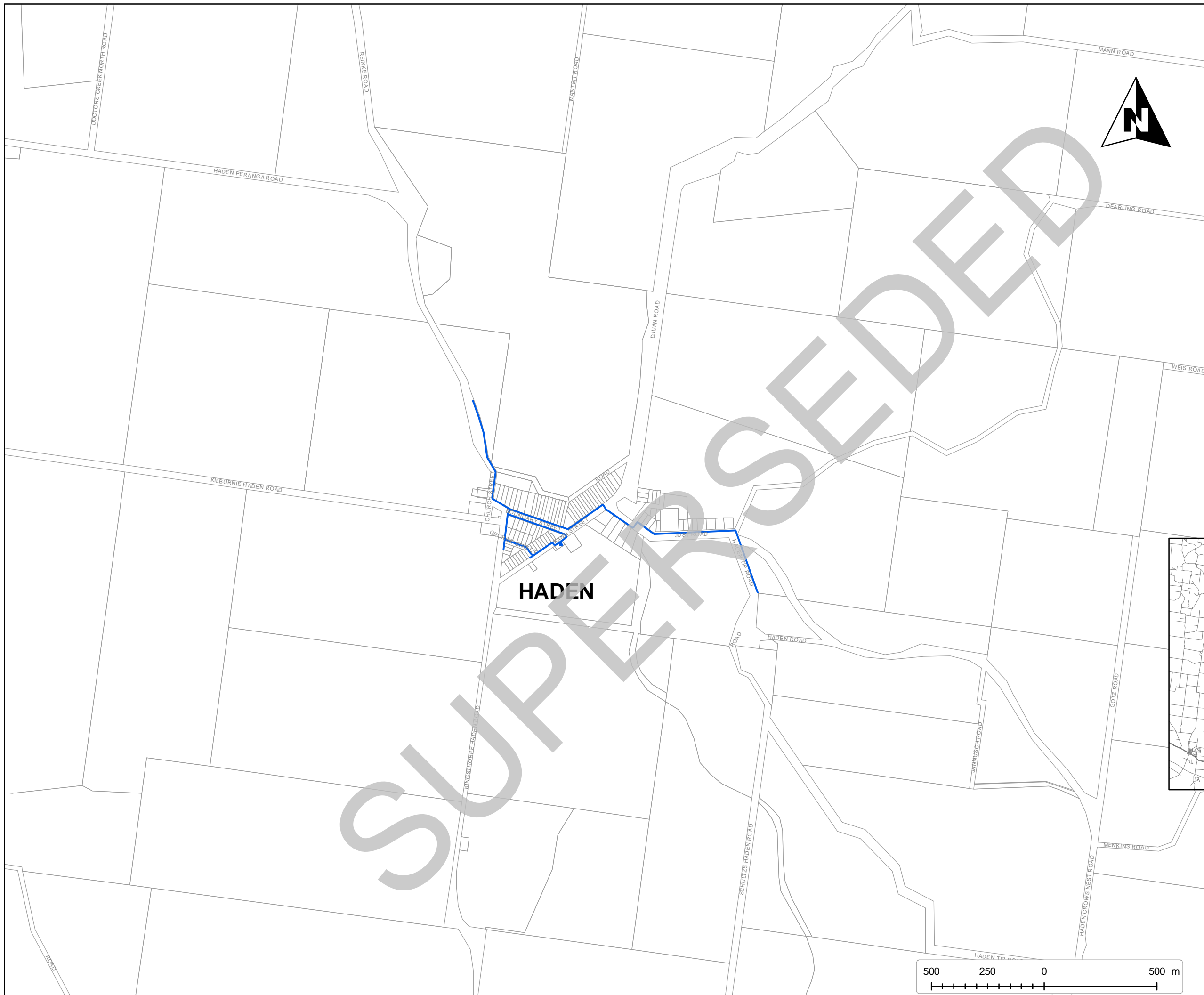
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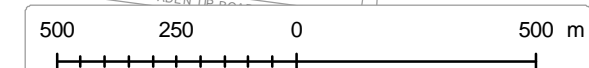
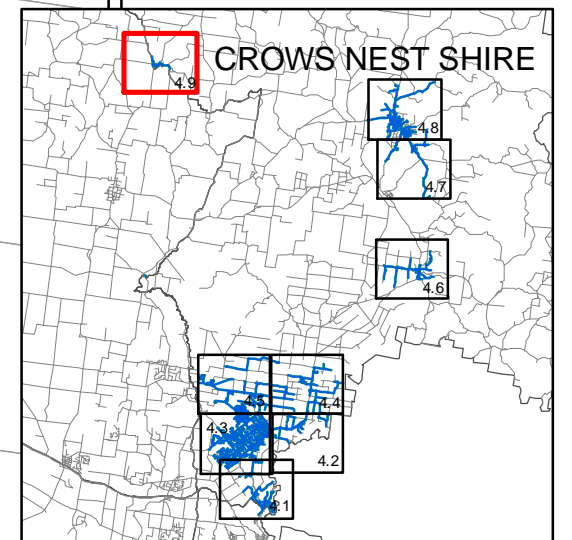
Map No.4.9 Crows Nest
Existing Water Supply
Infrastructure



— Existing Shared Water



SUPERSEDED

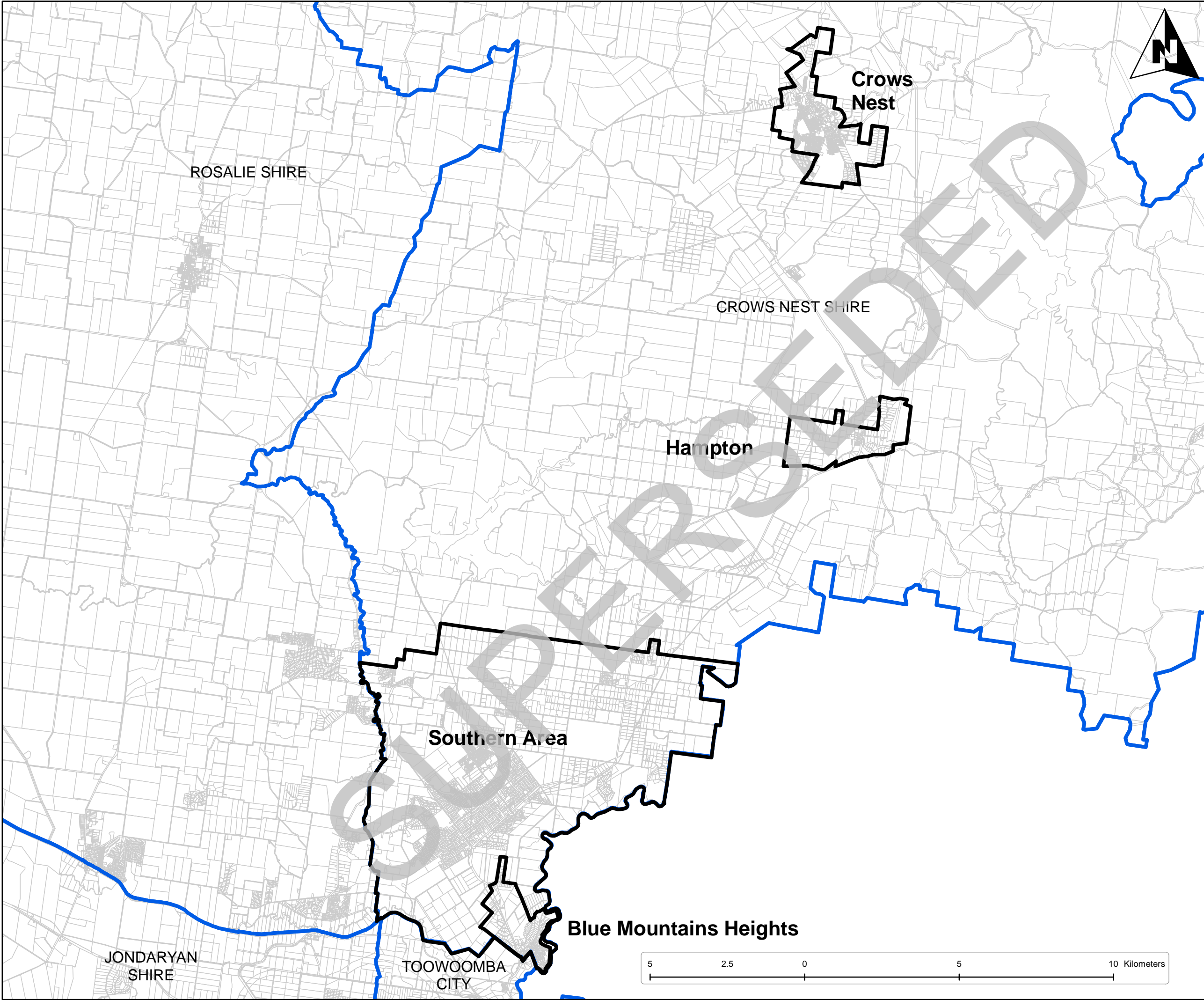


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Map No.5.1 Crows Nest
Water Supply Contribution
Area

 CONTRIBUTION AREA



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