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Part 8 Overlays

8.1 Preliminary

(1) Overlays identify areas in the Planning Scheme that reflect state and local level interests and that have one or more of the following characteristics:

(a) there is a particular sensitivity to the effects of development; or

(b) there is a constraint on land use or development outcomes; or

(c) there is the presence of valuable resources; or

(d) there are particular opportunities for development.

(2) Overlays are mapped and included in Schedule 2 (Mapping).

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

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

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

(a) a map for an overlay; or

(b) a code for an overlay; or

(c) a zone code; or

(d) a local plan code; or

(e) a development code.

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

(7) The overlays for the Planning Scheme are:

(a) Acid sulfate soils;

(b) Agricultural land;

(c) Airport environs;

(d) Biodiversity, waterways and wetlands;

(e) Building heights;

(f) Bushfire hazard;

(g) Coastal hazard;

(h) Extractive resources;

(i) Flood hazard;

(j) Heritage;

(k) Infrastructure; and

(l) Landslide hazard.

8.2 Overlay codes

8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

This code applies to accepted and assessable development:

(a) subject to the Acid sulfate soils overlay map contained within Schedule 2 (Mapping); and

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

8.2.1.2 Purpose and overall outcomes

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

(2) The purpose of the Acid sulfate soils overlay code will be achieved through the following overall outcomes:

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

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

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

8.2.1.3 Assessment benchmarks

Table 8.2.1.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
Avoidance or mitigation of acid sulfate soils			
PO1	Where acid sulfate soils are identified, development: (a) does not disturb acid sulfate soils; or (b) is managed to avoid or minimise the release of acid and metal contaminants, where disturbance of acid sulfate soils is unavoidable.	**AO1.1**	Acid sulfate soils are: (a) not identified on site; or (b) avoided or managed in accordance with the Queensland Acid Sulfate Soils Technical manual (Queensland Government, 2014). Note – This may be demonstrated by undertaking an Acid sulfate soils assessment report in accordance with PSP SC6.2 (Environmental features).

8.2.2 Agricultural land overlay code

8.2.2.1 Application

This code applies to accepted and assessable development:

(a) subject to the Agricultural land overlay map contained within Schedule 2 (Mapping); and

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

8.2.2.2 Purpose and overall outcomes

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

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

(a) agricultural land is used for Rural activities;

(b) conflict between Rural activities and sensitive uses is avoided;

(c) development avoids adverse impacts on agricultural land from land degradation and stormwater runoff; and

(d) the stock route network is protected.

8.2.2.3 Assessment benchmarks

Table 8.2.2.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
Conservation of agricultural land			
PO1	Development ensures that agricultural land is conserved to ensure its long-term availability and productive use for agriculture.	**AO1.1**	Development: (a) is for Rural activities; or (b) will not permanently alienate the ability for land to be used for Rural activities.
		AO1.2	Development that will result in the permanent alienation of land for future Rural activities is not located on agricultural land unless a site investigation confirms that the land is not suitable for that purpose. Note – This may be demonstrated by undertaking an evaluation in accordance with the Guidelines for Agricultural Land Evaluation in Queensland, 2nd edition, prepared by Queensland Government, 2015.
Avoidance or mitigation of land use conflict			

Performance Outcomes		Acceptable Outcomes	
PO2	Development for Accommodation activities and other sensitive uses does not adversely impact on the ongoing operational efficiency and productive use of agricultural land.	**AO2.1**	Any new Accommodation activities or sensitive uses are to be separated and/or buffered appropriately. Note – This may be demonstrated by undertaking a site specific Landscaped separation buffer plan in accordance with PSP SC6.4 (Landscaping).
Realignment of lot boundaries			
PO3	The boundaries of existing lots containing agricultural lands are not realigned, unless it can be demonstrated that a realignment of lot boundaries would: (a) result in a more productive use and management of Agricultural land classification class A or class B land and water for Rural activities; or (b) does not lead to increased fragmentation of Agricultural land classification class A or class B land; or (c) does not increase the potential conflict between Rural and Non-rural activities.	**AO3.1**	The number of new lots, including the balance of the area is equal to or less than the total number of original lots.
		AO3.2	Provision of adequate separation areas between small lots and nearby Rural activities is provided to ensure nearby agricultural land is protected. Note – This may be demonstrated by undertaking a site specific Landscaped separation buffer plan in accordance with PSP SC6.4 (Landscaping).
Sediment and stormwater run-off			
PO4	Development is located, designed and constructed to minimise the impact of sediment and stormwater run-off on agricultural lands.	**AO4.1**	Development is undertaken in accordance with PSP SC6.8 (WRC development manual).
Protection of stock route networks			
PO5	Development does not impact the integrity or connectivity of the stock route network.	**AO5.1**	Development provides for an adequate separation area where adjacent to the stock route network.
		AO5.2	Development ensures the connectivity and capacity of the stock route network.

8.2.3 Airport environs overlay code

8.2.3.1 Application

This code applies to accepted and assessable development:

(a) subject to the Airport environs overlay map contained within Schedule 2 (Mapping); and

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

8.2.3.2 Purpose and overall outcomes

(1) The purpose of the Airport environs overlay code is to protect the safety, efficiency and operational integrity of the Region's airports and associated aviation facilities.

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

(a) development does not create incompatible intrusions, or compromise aircraft safety in operational airspace;

(b) development does not adversely affect the functioning of aviation facilities;

(c) development avoids increasing risk to public safety in public safety areas;

(d) development is compatible with forecast levels of aircraft noise within the 20 ANEF contour and greater (as defined by Australian Standard 2021-2000 Acoustics – aircraft Noise intrusion – Building siting and construction (AS 2021) as adopted 7 July 2000); and

(e) sensitive land uses and other incompatible activities are appropriately located and designed, to not impact on airport operations.

8.2.3.3 Assessment benchmarks

Table 8.2.3.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
Operational airspace			
PO1	Development does not create a permanent or temporary physical or transient obstruction in an airport's operational airspace.	**AO1.1**	Buildings, structures or temporary equipment, such as cranes, do not encroach into an airport's operational airspace.
		AO1.2	Landscaping does not include vegetation that at maturity will encroach into the airport's operational airspace.
		AO1.3	Transient activities associated with development, such as parachuting, hot air ballooning and hang-gliding, will not occur within an airport's operational airspace. Note – where development intrudes into the airport's operational airspace, the application will be referred to the airport manager for assessment.
Lighting and reflective surfaces			

Performance Outcomes		Acceptable Outcomes	
PO2	Development within the lighting buffer zone does not include external lighting or reflective surfaces that could distract or confuse pilots.	**AO2.1**	Development identified within the lighting buffer zone does not: (a) emit light that will exceed the maximum light intensity specified for the area; or (b) include any of the following types of outdoor lighting: (i) straight parallel lines of lighting 500m to 1000m long; (ii) flare plumes; (iii) upward shining lights; (iv) flashing lights; (v) laser lights; (vi) sodium lights; or (vii) reflective surfaces. Note – *Development which does include type(s) of lighting as listed above will be referred to the airport manager.* Note – *Civil Aviation Safety Authority (CASA) can provide advice to both Council and applicants at pre-lodgement or development assessment stage of development. They also have legislative powers to make directives to modify lighting after it has been installed – this should be avoided.*
Emissions			
PO3	Emissions within an airport's operational airspace do not significantly: (a) increase air turbulence; (b) reduce visibility; or (c) compromise the operation of aircraft engines.	**AO3.1**	Within an airport's operational airspace, development: (a) does not emit: (i) smoke, dust, ash or steam; or (ii) a gaseous plume at a velocity exceeding 4.3m/sec; or (b) where emitting smoke, dust ash, steam or a gaseous plume exceeding 4.3m/sec, is designed and constructed to mitigate adverse impacts of emissions upon operation airspace.
Wildlife hazard			
PO4	Development does not cause wildlife to create a safety hazard within an airport's operational airspace	**AO4.1**	Development located within 3km of an airport's runway: (a) does not involve uses listed in column 1 of Table 8.2.3.3.2 (Land uses associated with increases in wildlife strikes and hazards); and (b) where involving a use listed in column 2 of Table 8.2.3.3.2 (Land uses associated with increases in wildlife strikes and hazards), includes measures to reduce

Performance Outcomes		Acceptable Outcomes	
			the potential to attract birds and bats.
		AO4.2	Development located between 3km and 8km of an airport's runway, involving a use listed in column 1 or column 2 of Table 8.2.3.3.2 (Land uses associated with increases in wildlife strikes and hazards), includes measures to reduce the potential to attract birds and bats
		AO4.3	Development located between 8 km and 13 km of a strategic airport's runway, involving a use listed in column 1 or column 2 of Table 8.2.3.3.2 (Land uses associated with increases in wildlife strikes and hazards), does not increase the potential to attract birds and bats.
Protection of aviation facilities			
PO5	Development within the building restricted area does not interfere with the function of aviation facilities Note—Development complies with this performance outcome where written confirmation from Air Services Australia confirms that the development will not impair the functioning of the aviation facility.	**AO5.1**	Development located within the building restricted area for an aviation facility: (a) does not create: (i) permanent or temporary physical obstructions in the line of sight between antennas; (ii) an electrical or electromagnetic field that will interfere with signals transmitted by the facility; or (iii) reflective surfaces that could deflect or interfere with signals transmitted by the facility; and (b) is designed and constructed to mitigate adverse impacts on the function of the facility. Note—Advice from Air Services Australia should be sought when proposing development within the Aviation facility sub-category. Appendix 2 contained in the SPP Guideline, State interest—infrastructure, Guidance on strategic airports and aviation facilities identifies development likely to impact certain aviation facilities.
Public safety areas			
PO6	Development within an airport's public safety area does not increase the risk to public safety.	**AO6.1**	Development within an airport's public safety area does not: (a) propose greater dwelling density than a dwelling house;

Performance Outcomes		Acceptable Outcomes	
			(b) introduce or intensify Business, Entertainment, Community or Recreational activities; or (c) involve the manufacture, use or storage of flammable, explosive, hazardous or noxious materials.
Aircraft noise			
PO7	Development is appropriately located and designed to prevent adverse impacts from aircraft noise.	**AO7.1**	Development within the 20–40 ANEF contour is: (a) consistent with Table 8.2.3.3.3 (Compatible and incompatible land uses within ANEF contours of the SPP guideline: Strategic airports and aviation facilities); and (b) is designed and constructed to attenuate aircraft noise by achieving the indoor design sound levels specified in Table 8.2.3.3.4 (Desirable indoor sound levels for sensitive land uses of the SPP guideline: Strategic airports and aviation facilities).

Table 8.2.3.3.2 Land uses associated with increases in wildlife strikes and hazards

Column 1: High risk	Column 2: Moderate risk
<u>Areas of environmental significance</u> Conservation estate (wetland) <u>Rural activities</u> Cropping (turf farm) Cropping (fruit tree farm) Intensive animal industry (piggery) Aquaculture (fish processing/packing plant) <u>Recreation activities</u> Major sport, recreation and entertainment facility (showground) <u>Industry activities</u> Low-impact industry (food processing plant) Medium-impact industry (food processing plant) High-impact industry (food processing plant) <u>Other activities</u> Food/organic waste facility Putrescible waste facility (e.g. landfill, transfer station)	<u>Areas of environmental significance</u> Conservation estate (all other) <u>Rural activities</u> Animal husbandry (cattle/dairy farm) Intensive animal industry (poultry farm) <u>Recreation activities</u> Major sport, recreation and entertainment facility (all other) Outdoor sport and recreation Park <u>Other activities</u> Non-putrescible waste facility (e.g. landfill, transfer station) Sewage/wastewater treatment facility

Table 8.2.3.3.3 Compatible and incompatible land uses within ANEF contours

Sensitive land uses	Compatibility of use within ANEF contour of site		
	Compatible	Compatible subject to conditions	Incompatible
Accommodation activity (except Short-term accommodation and Hostel)	Less than 20 ANEF	20–25 ANEF	25–40 ANEF
Short-term accommodation Hotel Hostel	Less than 25 ANEF	25–30 ANEF	30–40 ANEF
Educational establishment Child care centre	Less than 20 ANEF	20–25 ANEF	25–40 ANEF
Hospital Health care service	Less than 20 ANEF	20–25 ANEF	25–40 ANEF
Community use Places of worship	Less than 20 ANEF	20–30 ANEF	30–40 ANEF
Office	Less than 25 ANEF	25–35 ANEF	35–40 ANEF
Low impact industry	Less than 30 ANEF	30–40 ANEF	Greater than 40 ANEF

Note - only considers aircraft noise impacts on indoor spaces specifically, for additional background information refer to AS 2021.

Table 8.2.3.3.4 Desirable indoor design sound levels for sensitive land uses

Land use	Location within development	Indoor design sound level dB(A)
Accommodation activities (except Short-term accommodation)	Sleeping areas	50
	Other habitable	55
Short-term accommodation Hotels	Sleeping areas	55
Educational establishments Child care centres	Libraries Classrooms, study areas Sleeping areas	50
	Teaching area, assembly areas	55
Hospitals Health care services	Wards, theatres, treatment and consulting rooms	50
	Laboratories	65
Community uses Places of worship		50
Offices	Private offices, conference rooms	55
	Open offices	65
Low impact industry	Inspection, analysis, precision work	75
	Light machinery, assembly, bench work	80

Note - only considers aircraft noise impacts on indoor spaces specifically, for additional background information refer to AS 2021.

8.2.4 Biodiversity, waterways and wetlands overlay code

8.2.4.1 Application

This code applies to accepted and assessable development:

(a) subject to the Biodiversity, waterways and wetlands maps contained within Schedule 2 (Mapping); and

(b) identified as requiring assessment against the Biodiversity, waterways and wetlands overlay code by the tables of assessment in Part 5 (Tables of assessment).

8.2.4.2 Purpose and overall outcomes

(1) The purpose of the Biodiversity, waterways and wetlands overlay code is to ensure that:

(a) matters of National and State environmental significance including vegetation, wetlands and waterways are protected, maintained, enhanced or rehabilitated;

(b) development in, or adjacent to, wetlands is planned, designed, constructed and operated to prevent the loss, or degradation of, the wetlands and their environmental values; and

(c) ecological connectivity and habitat extent are maintained or enhanced.

(2) The purpose of the Biodiversity, waterways and wetlands overlay code will be achieved through the following overall outcomes:

(a) matters of environmental significance are maintained, protected or rehabilitated;

(b) development protects known populations and supporting habitat of:

(i) matters of National environmental significance, as listed in the *Environment Protection and Biodiversity Conservation Act 1999*;

(ii) endangered, vulnerable and near threatened flora and fauna species, as listed in the *Nature Conservation Act 1992*; and

(iii) regulated vegetation protected under the *Vegetation Management Act 1999*;

(c) development is avoided within areas of environmental significance;

(d) where development cannot be avoided, development:

(i) protects and establishes appropriate buffers to areas of environmental significance;

(ii) ensures that adverse impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;

(iii) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including declared fish habitat areas and the Great Barrier Reef World Heritage Area;

(iv) protects and maintains ecological and hydrological functions of waterways, wetlands, waterway corridors and declared fish habitat areas;

(v) the health and resilience of biodiversity is maintained or enhanced to support ecological integrity and biodiversity values of the Whitsunday Region;

(vi) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent; and

(vii) protects areas of environmental significance from weeds, pests and invasive species;

(e) development is located, designed and managed to avoid or mitigate adverse impacts on ecological systems and processes;

(f) ecological restoration enhances degraded sites where appropriate; and

(g) development ensures that connectivity is maintained or enhanced between flora and fauna identified as matters of environmental significance.

Editor's note—PSP SC6.2 Environmental Features Planning Scheme Policy provides advice and guidance for achieving certain outcomes of this code, including guidance for the preparation of an Ecological assessment report and a Vegetation management plan.

8.2.4.3 Assessment benchmarks

Table 8.2.4.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
All development			
PO1	Development protects, maintains or does not cause adverse impacts on the biodiversity values of ecosystems or, where adverse impacts cannot be reasonably avoided, they are minimised.	**AO1.1**	Development: (a) occurs outside the part of the lot affected by the Biodiversity, waterways and wetlands overlay; (b) occurring on part of the lot affected by the Biodiversity, waterways and wetlands overlay provides a report certified by an appropriately qualified person demonstrating that the development site does not contain any matters of environmental significance; (c) on existing lots, where new dwelling houses cannot be sited outside the overlay, adverse impacts on matters of environmental significance are limited to the building footprints, access and necessary bushfire buffers; or (d) avoids locating infrastructure where it may sever or isolate ecological connections and allows for safe movement of fauna through the site.

Performance Outcomes		Acceptable Outcomes	
			Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features). Note - Matters of National Environmental Significance are to consider the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* and matters of State significance are to consider the requirements of the *Nature Conservation Act 1992, Marine Parks Act 2004, Fisheries Act 1994, Vegetation Management Act 1999* and the *Environmental Protection Act 1994*. Note – Matters of State Environmental Significance, where it is demonstrated that adverse impacts cannot be avoided or minimised, significant residual impacts on matters may require an offset in accordance with the *Environmental Offsets Act 2014.* Note - Matters of National Environmental Significance, where it is demonstrated that adverse impacts cannot be avoided or minimised, significant residual impacts on matters may require an offset in accordance with the *Environmental and Biodiversity Protection Act 1999*. Note: AO1.1(c) may be demonstrated through site plans and photographic evidence to the satisfaction of Council.
PO2	Development avoids significant impacts on areas designated as Protected Areas or Legally secured offset areas.	**AO2.1**	Development is wholly situated outside of an area designated as Protected Area or Legally secured offset areas. Editor's Note – For guidance on offset areas refer to the *Environmental Offsets Act 2014*.
PO3	A buffer to waterways, wetlands is provided and maintained for dwelling houses and associated structures.	**AO3.1**	Development provides for buffer(s) from waterways and wetlands in accordance with Table 8.2.4.3.3.

Table 8.2.4.3.2 Benchmarks for assessable development

Performance Outcomes		Acceptable Outcomes	
All development			
PO1	Development protects and enhances ecological connectivity and/or habitat extent.	**AO1.1**	Development retains regulated vegetation and riparian corridors through appropriate land tenure, such as easements, covenants or reserves for environmental purposes, in areas large enough to maintain ecological values, functions and processes of ecosystems. Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).
PO2	An adequate buffer to areas of environmental significance,	**AO2.1**	Development provides for buffer(s):

Performance Outcomes		Acceptable Outcomes	
	including waterways, wetlands, Regulated vegetated areas and wildlife habitat, is provided and maintained.		(a) from waterways, wetlands and wildlife habitat in accordance with Table 8.2.4.3.3; or (b) that are of appropriate dimensions and characteristics to protect the long-term viability of matters of environmental significance located on and/or adjacent to the site. Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).
		AO2.2	The buffer area is protected through appropriate land tenure, such as easements, covenants or reserves for environmental purposes with the following requirements: (a) cleared, degraded or disturbed waterway or wetland buffer areas within the site are rehabilitated; (b) any regulated vegetation is to be maintained and regenerated with indigenous species; and (c) development does not result in the degradation of environmental values of wetlands and riparian corridors due to edge effects. Note – The appropriate land tenure and extent of the rehabilitation may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).
Water quality and environmental value			
PO3	Development does not cause adverse impacts on the quality and integrity of water in upstream or down-stream properties and catchments, including the Great Barrier Reef Marine Park.	**AO3.1**	Development ensures adverse impacts on declared fish habitat area values are avoided by designing, siting, operating and managing development to: (a) contribute to the protection of fish habitat values; and (b) maintain the quality and integrity of declared fish habitat areas and water entering them.
PO4	The development is planned and designed considering the land use constraints of the site, including regulated vegetation, for achieving stormwater design objectives.	**AO4.1**	Except for a Dwelling house, a SQMP is prepared ensuring it: (a) is consistent with any local area stormwater management planning; (b) provides for achievable stormwater quality treatment

Performance Outcomes		Acceptable Outcomes	
			measures, meeting design objectives listed in the PSP 6.2.7 (Stormwater management) and WRC Stormwater Quality Guidelines; and (c) meets current best practice environmental management, reflecting land use constraints, such as: (i) erosive, dispersive and/or saline soil types; (ii) landscape features (including landform); (iii) acid sulfate soil and management of nutrients of concern; and (iv) rainfall erosivity. Editor's Note – Local area stormwater management planning may include Urban stormwater quality management plans, Catchment or waterway management plans, Healthy waters management plans, Water quality improvement plans or Natural resource management plans.
		AO4.2	Stormwater treatment devices are located entirely outside of waterways, waterway buffers, wetland areas and avoid vegetation removal.
PO5	Coastal catchments maintain their ecological and hydrological integrity.	**AO5.1**	Development in coastal catchments avoids or minimises soil disturbance that alters natural hydrology. Note – Compliance with this outcome may be demonstrated by following the management advice in the guideline: Implementing policies and plans for managing nutrients of concern for coastal algal blooms in Queensland by the Department of Environment and Heritage Protection.
PO6	The existing surface water hydrological regime is enhanced or maintained.	**AO6.1**	Development must: (a) provide a net ecological benefit and improvement to the environmental values and functioning of a wetland area; (b) rehabilitate the existing hydrological regime; or (c) restore the natural hydrological regime of the wetland area to enhance the ecological functions and biodiversity values of the wetland.
		AO6.2	Development ensures the: (a) existing surface water hydrological regime of a wetland area does not change, including through

Performance Outcomes		Acceptable Outcomes	
			channelisation, redirection or interruption of flows; (b) extent of any change to the existing surface water hydrological regime is minimised to ensure wetland values and functioning are protected, the change is minimised if: (i) there is no change to the reference duration high-flow and low-flow duration frequency curves, low-flow spells frequency curve and mean annual flow to and from the wetland; or (ii) any relevant stream flows into the wetland comply with the relevant flow objectives of the applicable water resource plan for the area; or (c) for development resulting in an increase to the velocity or volume of stormwater flows into the wetland, the collection and re-use of stormwater occurs in accordance with (a) or (b). Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).
Non-tidal waterways environmental values			
PO7	The establishment of non-tidal artificial waterways must provide a deed of agreement for the management and operation of the waterway.	**AO7.1**	Any non-tidal artificial waterway is managed and operated by a responsible entity for the life of the waterway by deed of agreement that: (a) identifies the waterway; (b) states a period of responsibility for all entities; (c) states a process for any transfer of responsibility for the waterway; (d) states required actions under the agreement for monitoring the water quality of the waterway and all receiving waters; (e) states required actions under the agreement for maintaining the waterway, including any relevant conditions of a development approval; and

Performance Outcomes		Acceptable Outcomes	
			(f) identifies funding sources for the above, such as bonds or levies.
PO8	Non-tidal artificial waterways are managed and operated by suitably qualified persons to achieve water quality objectives in natural waterways.	**AO8.1**	Any non-tidal artificial waterway is designed, constructed and managed by a suitably qualified Registered Professional Engineer Queensland (RPEQ) with experience in establishing and managing artificial waterways to achieve relevant water-quality objectives, including: (a) aquatic weeds are managed in any non-tidal artificial waterway to achieve a low percentage of coverage of the water surface area (less than 10%); and (b) pests and vectors, such as mosquitoes, are managed through avoiding stagnant water areas, establishing native fish predators or any other best practices for monitoring and treatment.
		AO8.2	Wastewater and stormwater discharge in waterways is managed to avoid, or minimise, the release of nutrients of concern to minimise the occurrence, frequency and intensity of coastal algal blooms. Note – nutrients of concern are included in the PSP 6.2.7 (Stormwater Management) and WRC Stormwater Quality Guidelines.
PO9	Non-tidal artificial waterways are designed to protect biodiversity and environmental values.	**AO9.1**	Any non-tidal artificial waterway must be designed and managed for all of the following functions: (a) aesthetic landscaping and recreation; (b) flood management; (c) stormwater harvesting as part of an integrated water cycle management plan; or (d) aquatic habitat.
		AO9.2	The quality and integrity of declared fish habitat areas and water entering them is maintained.
PO10	Non-tidal artificial waterways are located in a way that is compatible with the land use constraints of the site and do not cause adverse impacts on the quality and integrity of water upstream or	**AO10.1**	If the proposed development involves a non-tidal artificial waterway: (a) environmental values in existing downstream

Performance Outcomes		Acceptable Outcomes	
	downstream properties and catchments, including the Great Barrier Reef Marine Park.		waterways and associated habitats are protected; (b) there are no adverse impacts on the long-term stability of the new bed and banks of the waterway; (c) groundwater recharge areas are not affected; (d) the location of the waterway incorporates low lying areas of a catchment connected to an existing waterway; (e) existing areas of ponded water are included; and (f) non-tidal artificial waterways are located: (i) outside natural wetlands and any associated buffer areas; (ii) to minimise disturbing soils or sediments; and (iii) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazard areas.
PO11	Non-tidal artificial waterways are located in a way that is compatible with existing tidal waterways.	**AO11.1**	Where a non-tidal artificial waterway is located adjacent to, or is connected to, a tidal waterway by means of a weir, lock, pumping system or similar: (a) there is sufficient flushing or a tidal range of >0.3m; (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.
Management of impacts on matters of environmental significance			
PO12	Development of premises adjoining or containing MSES - Regulated vegetation intersecting a watercourse must not adversely affect the integrity of the riparian buffer.	**AO12.1**	Proposed roads and vehicle crossings must not be located within areas designated as Regulated vegetation intersecting a watercourse.
		AO12.2	Development: (a) maintains hydrological processes and the physical integrity of water bodies at a standard commensurate with pre-development environmental conditions; (b) ensures that impacts from works on the long-term sustainable use of the waterbody are avoided; and

Performance Outcomes		Acceptable Outcomes	
			(c) the stability and function of waterbodies beds and banks is maintained.
PO13	Development on land adjacent to a waterway provides safe public access to waterways and minimises edge effects.	**AO13.1**	Where development is adjacent to a waterway with a stream order of 2 or higher and within the PIA or Emerging community zone, a pedestrian pathway is provided: (a) outside the riparian buffer; (b) between the riparian buffer and the development; (c) in accordance with CPTED principles; and (d) to offer a safe and legible access every 100m from the nearest public space or road.
		AO13.2	Where development is adjacent to a waterway with a stream order of 3 or higher and within the PIA or Emerging community zone, a road and pedestrian pathway is located outside the riparian buffer, between the riparian buffer and the proposed development.

Table 8.2.4.3.3 - Minimum riparian buffers and setbacks for biodiversity, waterways and wetlands

Classification	Riparian buffers and setbacks
Waterways	
Stream order 1 and 2	10m, measured perpendicular from the top of the high bank
Stream order between 3 and 4	25m, measured perpendicular from the top of the high bank
Stream order 5 or above	50m, measured perpendicular from the top of the high bank
Wetlands	
Urban wetland	20m from the edge of the wetland
Non-urban wetland	50m from the edge of the wetland
Biodiversity	
Regulated vegetated areas or wildlife habitat (mapped in MSES – Wildlife Habitat – Special Least Concern MSES – Wildlife Habitat – Endangered or vulnerable MSES – Regulated Vegetation – Essential Habitat)	25m

Note - Stream Orders are available on Council's online mapping under Biodiversity, Waterways and Wetlands Overlay - MSES-Regulated Vegetation - intersecting a watercourse – Stream Order

8.2.5 Building heights overlay code

8.2.5.1 Application

This code applies to accepted and assessable development:

(a) subject to the Building heights overlay map contained within Schedule 2 (Mapping); and

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

8.2.5.2 Purpose and overall outcomes

(1) The purpose of the Building heights overlay code is to ensure that development within the Region meets the expectations of amenity and building height limits for each zone and use type; and

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

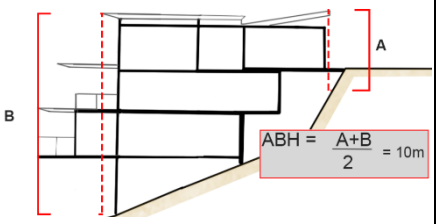
(a) development is generally in accordance with the maximum building heights identified for specific local plan codes, zone codes and building classes; and

(b) development on steep slopes is sited and designed to closely follow the natural contours of the land and utilises landscaping and screening to minimise the visibility of the underside of the building, mechanical equipment, support poles and air conditioning components.

8.2.5.3 Assessment benchmarks

Table 8.2.5.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
Building heights			
PO1	The height of a building does not unduly: (a) overshadow adjoining dwellings; or (b) dominate the intended streetscape character.	**AO1.1**	Development on a premises with slope less than 25% and within a Bowen, Hamilton Island or Airlie Beach Precinct does not exceed the applicable precinct building height specified in Table 8.2.5.3.2. Note – Where a conflict occurs between QDC MP1.1; MP1.2; or MP1.3 and the Building heights overlay code, this code prevails. Note – See Schedule 1.2.2 Administrative definitions for definition of building height.
		AO1.2	Development on a premises with slope less than 25% that is not within a Bowen, Hamilton Island or Airlie Beach Precinct does not exceed the applicable zone building height specified in Table 8.2.5.3.3. Note – Where a conflict occurs between QDC MP1.1; MP1.2; or MP1.3 and the Building heights overlay code, this code prevails.

Performance Outcomes		Acceptable Outcomes	
			Note – See Schedule 1.2.2 Administrative definitions for definition of building height.
Building heights on excessive slope			
PO2	Development on sites with excessive slope does not: (a) overshadow adjoining dwellings; (b) dominate the intended streetscape character; or (c) visually dominate the hillside on which they are located.	**AO2.1**	The average building height (ABH) of development on a premises with slope greater than 25% does not exceed 10m, as per the figure below:  Note – Slope is measured using ground level at points A and B expressed as a percentage. Note – Where a conflict occurs between QDC MP1.1; MP1.2; or MP1.3 and the Building heights overlay code, this code prevails. Note – Council will favourably consider setback relaxations on sites with excessive slope.
		AO2.2	Development on a premises with slope greater than 25% is designed to integrate with the hillside and reduce the visibility of the underside of the building, mechanical equipment, support poles and air conditioning components through: (a) decorative features that cast shadows, such as timber battens or lattice screens; (b) retention of mature vegetation where possible; (c) establishing additional landscaping; and (d) building materials and finishes composed of muted earth/environmental tones that blend with the hillside environment. Note – Appropriate colours will depend on the existing native vegetation and backdrop. A colour palette may be requested by Council to ensure built form integration.

Non-habitable building heights			
PO3	The height of a non-habitable building does not unduly: (a) dominate the streetscape; (b) impact on adjoining dwellings; or (c) diminish the scale of any associated dwelling.	**AO3.1**	Where located within the PIA, a Class 10a building does not exceed 5.5m building height. Note – Where a conflict occurs between QDC MP1.1; MP1.2; or MP1.3 and the Building heights overlay code, this code prevails.

Table 8.2.5.3.2 Local Plan building heights

Local Plan area	Local Plan building heights
Airlie Beach local plan area and surrounds	Maximum building height of: (a) Airlie Beach Precinct A - 14m above ground level; (b) Airlie Beach Precinct B - 18m above ground level; (c) Airlie Beach Precinct C - 21m above ground level; (d) Airlie Beach Precinct D - 18m above ground level; (e) Airlie Beach Precinct E - 14m above ground level; (f) Airlie Beach Precinct F - 14m above ground level; or (g) Airlie Beach Precinct G - 14m above ground level.
Bowen local plan area	Maximum building height of: (a) Bowen Precinct A -18m above ground level; (b) Bowen Precinct B - 12m above ground level; or (c) Bowen Precinct C - 20m above ground level, if associated with manufacturing or repair of vessels, otherwise 12.5m.
Hamilton Island local plan area	Maximum building height of: (a) Hamilton Island Precinct A –14m above ground level; (b) Hamilton Island Precinct B - 12m above ground level; or (c) Hamilton Island Precinct C - 8.5m, or 10m above ground level, where premises slopes between 15% and 25%.

Table 8.2.5.3.3 Building heights for zones outside of a Local Plan area

Zone	Zone building heights
Residential zones category	
Low density residential zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Low-medium residential density zone	Maximum building height of 12m above ground level.
Tourist accommodation zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Centre zones category	
Major centre zone	Maximum building height of 12m above ground level.
District centre zone	Maximum building height of 12m above ground level.
Local centre zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Neighbourhood centre zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Industry zones category	
Low impact industry zone	Maximum building height of 10m above ground level.

Medium impact industry zone	Maximum building height of 15m above ground level.
High impact industry zone	Maximum building height of 20m above ground level.
Special industry zone	Maximum building height of 20m above ground level.
Waterfront industry zone	Maximum building height of 20m above ground level for buildings and structures used for the manufacturing, servicing or repair of vessels, otherwise 12.5m.
Industry investigation zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Recreation zones category	
Recreation and open space zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Environmental zones category	
Environmental management and conservation zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Other zones category	
Community facilities zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Emerging community zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.
Mixed use zone	Maximum building height of 12m above ground level.
Rural residential zone	Maximum building height of: (a) 8.5m above ground level; or (b) 10m above ground level, where premises slopes between 15% and 25%.

8.2.6 Bushfire hazard overlay code

8.2.6.1 Application

This code applies to accepted and assessable development:

(a) subject to the Bushfire hazard overlay map contained within Schedule 2 (Mapping); and

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

8.2.6.2 Purpose and overall outcomes

(1) The purpose of the Bushfire hazard overlay code is to:

(a) ensure that risk to life, property, community, and the environment as a result of bushfire is mitigated to an acceptable or tolerable level.

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

(a) development is laid out and located to minimise the exposure and vulnerability of people and property at risk from bushfires;
(b) development contributes to the effective and efficient emergency response and recovery capabilities;
(c) rehabilitation, revegetation, and landscaping does not increase the risk to people or property;
(d) development only establishes or intensifies vulnerable uses within the bushfire prone area where no other option exists to provide the necessary level of service;
(e) development only establishes or intensifies community infrastructure providing essential services within the bushfire prone area where necessary to provide an adequate level of service to the existing and projected population; and
(f) development avoids or mitigates the risk from the manufacture or storage of materials that are hazardous in the context of bushfire.

8.2.6.3 Assessment benchmarks

Table 8.2.6.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
Reconfiguring a Lot – where creating lots of more than 2,000 square metres			
PO1	The subdivision layout: (a) enables future buildings to be located away from slopes and landforms that expose people or property to an intolerable risk to life or property; and (b) facilitates emergency access and operational space for firefighters in a reduced fuel area between future buildings and structures and hazardous vegetation, that reduce risk to	**AO1.1**	A development footprint plan is identified for each lot that avoids ridgelines, saddles, and crests where slopes exceed 28 per cent.
		AO1.2	A development footprint plan is identified for each lot that is separated from the closest edge to the adjacentmapped medium, high or very high potential bushfire intensity area by: (a) a distance that is no closer than the distances specified in

Performance Outcomes		Acceptable Outcomes	
	an acceptable or tolerable level. Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where an applicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment in accordance with the methodology in the QFES *Bushfire resilient communities* document. The outcomes of this assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.		Table 8.2.6.3.2 at all development footprintplan boundaries; or (b) a distance that achieves a radiant heat flux level of 29kW/m^2 or less at all development footprint plan boundaries. Note – This separation area is often termed an asset protection zone. Note – The radiant heat flux levels can be established by undertakinga bushfire hazard assessment in accordance with the methodology inthe QFES *Bushfire resilient communities* document.
PO2	The subdivision layout enables: (a) future buildings to be located as close as possible to property entrances to facilitate safe evacuation during a bushfire event; and (b) future site access to be located and designed to allow safe evacuation of the site by occupants and maintain access by emergency services under critical event conditions.	**AO2.1**	A development footprint plan is identified for each lot that: (a) is located within 60 metres of the street frontage; and (b) sited to enable a route between the development footprint plan and the street frontage with a gradient that does not exceed of 12.5 per cent.
Reconfiguring a Lot – where creating lots of 2,000 square metres or less.			
PO3	The subdivision layout: (a) avoids creating lots on slopes and landforms that expose people or property to an intolerable risk to life or property; and (b) facilitates emergency access and operational space for firefighters in a reduced fuel area between future buildings and structures and hazardous vegetation, that reduce risk to an acceptable or tolerable level. Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where an applicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment, in accordance with the methodology in the QFES *Bushfire resilient communities* document. The outcomes of this	**AO3.1**	The subdivision layout results in lots that are sited so that they are separated from the closest edge to the adjacent mapped medium, high or very high potential bushfire intensity area by: (a) a distance that is no closer than the distances specified in Table 8.2.6.3.2 at all lot boundaries; or (b) a distance that achieves a radiant heat flux level of 29 kW/m² or less: (i) at the building envelope, if identified at reconfiguration of a lot stage; or (ii) where a building envelope is not identified, at all lot boundaries. Note – This separation area is often termed an asset protection zone. Note – The radiant heat flux levels can be established by undertakinga bushfire hazard assessment in accordance with the methodology inthe QFES *Bushfire resilient*

Performance Outcomes		Acceptable Outcomes	
	assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.		*communities* document. Note – For staged developments, temporary separation areas maybe absorbed as part of subsequent stages. Note – Existing cleared areas external to the site may only be used in calculating necessary separation where tenure ensures that the land will remain cleared of hazardous vegetation (for example the land is a road, watercourse, or highly managed park in public ownership).
		AO3.2	The subdivision layout does not create lots that are within bushfire prone areas and on ridgelines, saddles and crests where slopes exceed 28 per cent (roads and parks may be located in these areas). Note – Roads and parks located in these areas must still comply with the PSP SC6.8 (WRC Development Manual)
Reconfiguring a Lot – where creating more than 20 lots			
PO4	The subdivision layout is designed to minimise the length of the development perimeter and number of lots exposed to hazardous vegetation. Note – For example, avoid finger-like subdivision patterns or substantive vegetated corridors between lots.	**AO4.1**	No acceptable outcome.
PO5	The subdivision layout provides for adequate access and egress and safe evacuation routes, to achieve an acceptable or tolerable risk to people.	**AO5.1**	The subdivision layout: (a) avoids the creation of bottle-neck points in the movement network within the development (for example, avoids hourglass patterns); and (b) ensures the road network has sufficient capacity for the evacuating population.
		AO5.2	The subdivision layout ensures evacuation routes: (a) direct occupants away from rather than towards or through areas with a greater potential bushfire intensity; and (b) minimise the length of route through bushfire prone areas. Note - Refer Figure 1 for subdivision layout and evacuation routes

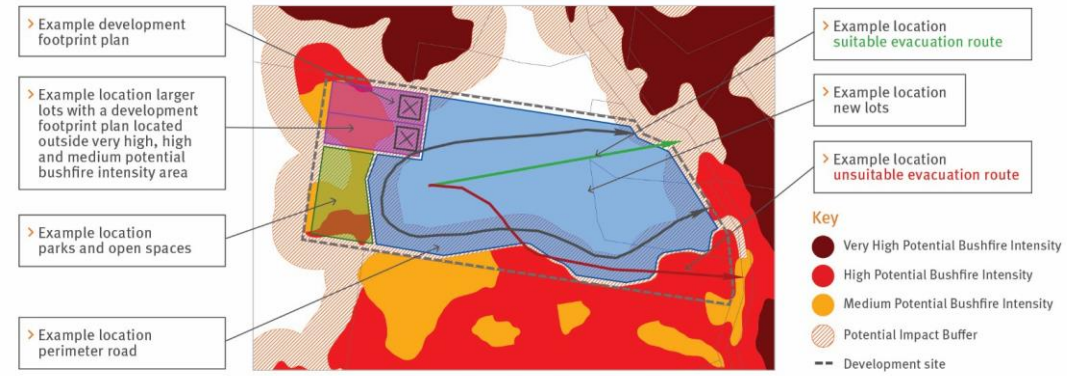
<table>
<tr><th colspan="2">Performance Outcomes</th><th colspan="2">Acceptable Outcomes</th></tr>
<tr><td colspan="4"> 

Figure 1 – subdivision layout and evacuation routes</td></tr>
<tr><td>PO6</td><td>The subdivision layout provides adequate buffers between hazardous vegetation and development.

Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where an applicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment, in accordance with the methodology in the QFES Bushfire resilient communities document. The outcomes of this assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.</td><td>AO6.1</td><td>The subdivision layout results in an asset protection zone being located to create a separation area from adjacent mapped medium, high or very high potential bushfire intensity areas.</td></tr>
<tr><td></td><td></td><td>AO6.2</td><td>The asset protection zone is comprised of:
(a) parks and open spaces; and/or
(b) lots greater than 2000 square metres; and/or
(c) public roads (termed perimeter roads).

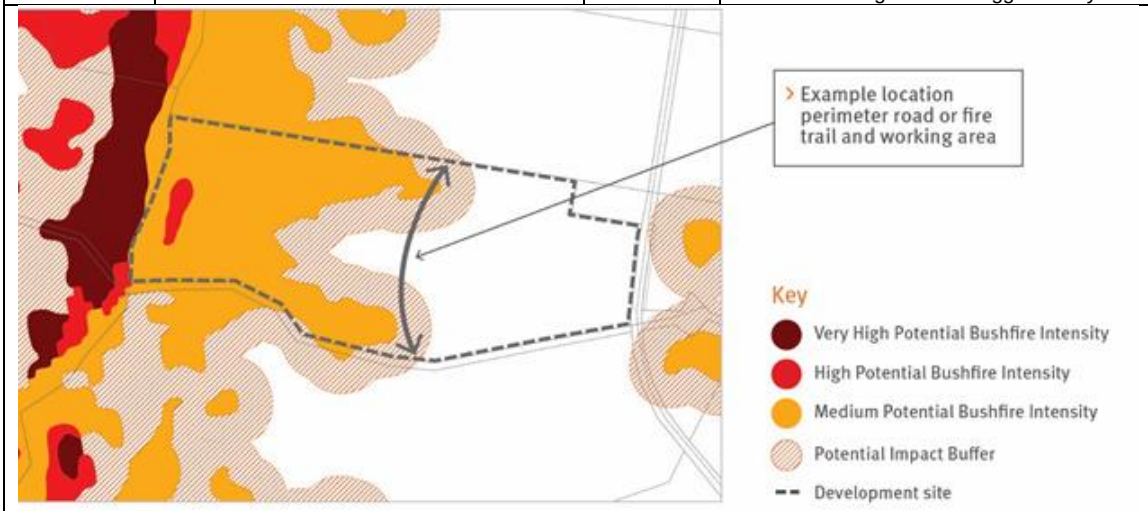
Note – Parks and open space may be located within the mapped medium, high and very high potential bushfire intensity areas to create a separation between the development and the balance of the bushfire prone area.

Note – Portions of lots greater than 2000 square metres may be located within the mapped medium, high and very high potential bushfire intensity areas.

Note – Roads and parks located in these areas must still comply with the PSP SC6.8 (WRC Development Manual)</td></tr>
<tr><td></td><td></td><td>AO6.3</td><td>Where the asset protection zone includes lots greater than 2000 square metres a development footprint plan is identified for each lot that is located in accordance with AO1.2.</td></tr>
<tr><td>PO7</td><td>Parks or open space provided as part of the asset protection zone do not create additional bushfire prone areas.

Note –The undertaking of a bushfire hazard assessment, in accordance with the methodology in the QFES Bushfire resilient communities document may assist in demonstrating compliance with this performance outcome.</td><td>AO7.1</td><td>Where the asset protection zone includes parks or open spaces, they:
(a) comprise only low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, cultivated gardens and nature strips; or
(b) are designed to ensure a potential available fuel load is</td></tr>
</table>

Performance Outcomes		Acceptable Outcomes	
			maintained at less than eight tonnes/hectare in aggregate and with a fuel structure that remains discontinuous. Note – Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack, for example short-cropped grass to a nominal height of 10 centimetres.
PO8	Perimeter roads are accessible for fire-fighting vehicles, to facilitate emergency access and operational space for fire-fighting, maintenance works and hazard reduction activities.	**AO8.1**	Where the asset protection zone includes a perimeter road it: (a) has a two-lane sealed carriageway clear of hazardous vegetation; (b) is connected to the wider public road network at both ends and at intervals of no more than 200 metres; and (c) does not include design elements that may impede access for fire-fighting and maintenance for fire- fighting purposes (for example traffic calming involving chicanes).
		AO8.2	Where the subdivision contains a reticulated water supply, the road network and fire hydrants are designed and installed in accordance with: (a) *Fire Hydrant and Vehicle Access Guidelines for residential, commercial and industrial lots*, Queensland Fire and Emergency Services, 2015,unless otherwise specified by the relevant water entity; and (b) the *Road Planning and Design Manual 2nd edition*, Department of Transport and Main Roads, 2013.
Reconfiguring a lot – where creating additional lots for the purpose of residential development and a reticulated water supply is not provided			
PO9	The subdivision layout provides for perimeter roads or firetrail and working areas that are accessible by the type of fire-fighting vehicles servicing the area, to facilitate emergency access and operational space for fire-fighting, maintenance works and hazard reduction activities.	**AO9.1**	The subdivision layout includes: (a) a fire trail and working area designed and constructed in accordance with the design parameters in Table 8.2.6.3.3 **Fire trail and working area design parameters** that separates the residential lot or development footprint plan from adjacent mapped medium, high or very high

Performance Outcomes		Acceptable Outcomes	
			potential bushfire intensity areas; or (b) a perimeter road designed and constructed inaccordance with AO8.1. Note - Refer Figure 2 for suggested layout.
	 **Figure 2 – Siting of fire trail and working area**		
Material Change of Use			
PO10	Site layout achieves an acceptable or tolerable risk to people. Landscape or open space provided as part of the development: (a) acts as a buffer between hazardous vegetation and development; and (b) does not create additional bushfire prone areas. Note – An applicant may seek to undertake a site-level verification of the location and nature of hazardous vegetation and resulting potential bushfire intensity levels, for example where changes in foliage have occurred (e.g. as a consequence of adjoining permanent urban development) or where anapplicant seeks to verify the regional ecosystem map inputs. This verification should form part of a bushfire hazard assessment in accordancewith the methodology in the QFES *Bushfire resilient communities* document. The outcomes of this assessment can demonstrate how an alternate solution to the acceptable outcome can deliver an acceptable or tolerable level of risk.	**AO10.1**	Site layout places the landscape and open spaces within the site between premises and adjacent mapped medium, high or very high potential bushfire intensity areas. Note - refer to Figure 3 for protective landscape treatments.
		AO10.2	This landscaping and open space comprises protective landscape treatments that: (a) comprise only low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses and cultivated gardens; or (b) are designed to ensure a potential available fuel load is maintained at less than 8 tonnes/hectare inaggregate and that fuel structure remains discontinuous. Note – Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack, for example short-cropped grass to a nominal height of 10 centimetres.

Performance Outcomes		Acceptable Outcomes	

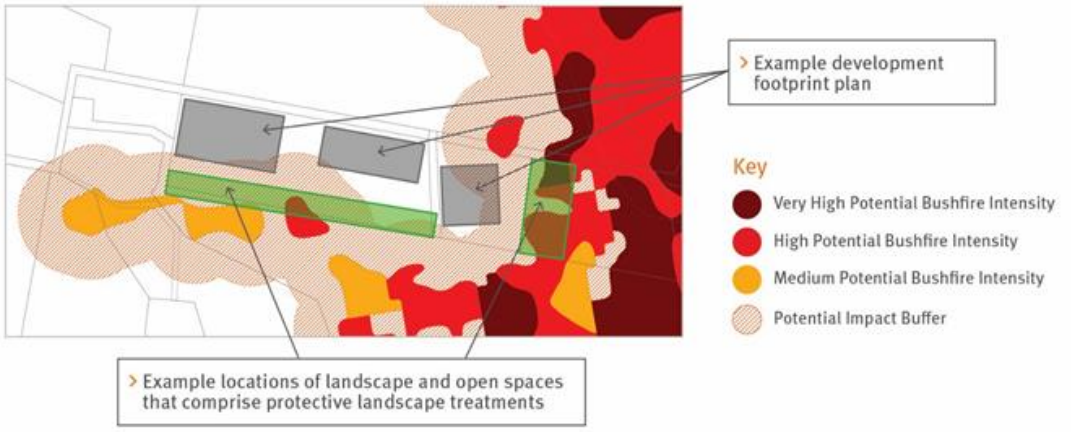



Figure 3 – Siting of protective landscape treatments			
PO11	The development establishes evacuation areas, to achieve an acceptable or tolerable risk to people.	**AO11.1**	If in an isolated location, development establishes direct access to a safe assembly/evacuation area. Note – Guidance on identifying safe evacuation areas is contained in the QFES *Bushfire resilient communities* document.
PO12	If on a lot of over 2000m², where involving a new premisesor an existing premises with an increase in development footprint, development: (a) locates occupied areas as close as possible to property entrances to facilitate safe evacuation during a bushfire event; and (b) ensures vehicular access is located and designed to allow safe evacuation of the site by occupants and maintain access by emergency services under critical event conditions.	**AO12.1**	No acceptable outcome.
PO13	Development is located within a reticulated water supply area or includes a dedicated static water supply that is available solely for fire-fighting purposes, can be clearly identified and can be accessed by fire-fighting vehicles. Note – Swimming pools, farm ponds and dams are not considered reliable sources of static water supply in Queensland due to regular drought events.	**AO13.1**	Development ensures that: (a) all lots are within 70m of a hydrant with reticulated water supply, installed in accordance with AS2419.1-2005 (Fire hydrant installations); or (b) where a reticulated water supply is not available, one tank that is below ground or of non-combustible construction is located within 10m of each building, excluding a Class 10 building or structure, and includes the following: (i) for residential buildings (Class 1, 2, 3, 4, 9a & 9c), a take- off connection at a

Performance Outcomes		Acceptable Outcomes	
			level that allows static water supply of 10,000L; or (ii) for all other buildings, a volume specified in AS 2304-2011 (Water storage tanks for fire protection). Note – Guidance on static water supply is contained in the QFES *Bushfire resilient communities* document.
		AO13.2	The location of water supplies for firefighting is readily identified from the street frontage with clear identification directing fire fighters to its access point.
PO14	Vulnerable uses listed in Table **8.2.6.3.4** are not established orintensified within a bushfire prone area unless: (a) there is an overriding need in the public interest for the new or expanded service the development provides; and (b) there are no other suitable alternative locations within the required catchment; and (c) site planning can appropriately mitigate the risk (for example, siting ovals for an educational establishment between the hazardous vegetation and structures). Note – The preparation of a bushfire management plan in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this performance outcome Note – See definitions for Vulnerable Uses	**AO14.1**	No acceptable outcome.
PO15	Community infrastructure providing essential services listed in Table **8.2.6.3.4** are not established within a bushfire prone area unless: (a) there is an overriding need in the public interest for the new or expanded service the development provides (for example, there are no other suitable alternative locations that can deliver the required	**AO15.1**	No acceptable outcome.

Performance Outcomes		Acceptable Outcomes	
	level of service or meet emergency service response times during and immediately after a bushfire event); and (b) the infrastructure can function effectively during and immediately after a bushfire event. Note – The preparation of a bushfire management plan in accordance with the methodology in the QFES Bushfire resilient communities document may assist in demonstrating compliance with this performance outcome Note – Community Infrastructure for essential services includes the uses of Educational Establishment, Emergency Service and Hospital.		

Performance Outcomes		Acceptable Outcomes	
PO16	Development avoids or mitigates the risks to public safety and the environment from the manufacture or storage of materials listed in Table **8.2.6.3.4** that are hazardous in the context of bushfire to an acceptable or tolerable level. Note – The preparation of a bushfire management plan in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this acceptable outcome. Editor's note – In addition to the requirements of this code the *Work Healthand Safety Act 2011* and associated Regulation and Guidelines, the *Environmental Protection Act 1994* and the relevant building assessment provisions under the *Building Act 1975* contain requirements for the manufacture and storage of hazardous substances. Information is providedby Business Queensland on the requirements for storing and transporting hazardous chemicals, available at: www.business.qld.gov.au/running-business/protecting-business/risk-management/hazardous-chemicals/storing-transporting**.**	**AO16.1**	No acceptable outcome.
Where involving an asset protection zone			

Performance Outcomes		Acceptable Outcomes	
PO17	Asset protection zones are designed and managed to ensure they do not increase the potential for bushfire hazard. Note – The preparation of a landscape management plan undertaken in accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this performance outcome.	**AO17.1**	Landscaping management within any asset protectionzone maintains a (a) only low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivatedgardens, commercial nurseries, nature strips and windbreaks; or (b) potential available fuel load/structure which is (i) less than eight tonnes/hectare in aggregate; and (ii) fuel structure which is discontinuous. Note – Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack, for example short-cropped grass to a nominal height of 10 centimetres. Note – The preparation of a landscape management plan undertakenin accordance with the methodology in the QFES *Bushfire resilient communities* document may assist in demonstrating compliance with this acceptable outcome.

Table 8.2.6.3.2 Default Separation Distances

Mapped hazard category (predominant potential fireline intensity of hazardous vegetation adjacent to development)	Position on slope of the hazardous vegetation relative to lot boundary or development footprint plan	FDI 58 Acceptable asset protection zone width between hazardous vegetation and the lot boundary or development footprint plan	FDI 76 Acceptable asset protection zone width between hazardous vegetation and the lot boundary or development footprint plan
Medium potential bushfire intensity: 4,000 – 20,000 kW/m²	Upslope	15 metres	18 metres
	Downslope – Flat	19 metres	23 metres
	Downslope – Moderate	24 metres	29 metres
	Downslope – Steep	38 metres	45 metres
High potential bushfire intensity: 20,000–40,000 kW/m²	Upslope	22 metres	27 metres
	Downslope – Flat	28 metres	33 metres
	Downslope – Moderate	34 metres	41 metres
	Downslope – Steep	52 metres	62 metres
Very high potential bushfire intensity:	Upslope	23 metres	28 metres
	Downslope – Flat	29 metres	35 metres

+ 40,000 kW/m²	Downslope – Moderate	36 metres	43 metres
	Downslope – Steep	54 metres	65 metres

Upslope: Hazardous vegetation is upslope from building envelope.
Downslope: Hazardous vegetation is downslope from building envelope.
Flat: 0.0–4.9 deg. Moderate slope: 5.0–9.9 deg. Steep 10+ deg.

Table 8.2.6.3.3 Fire trail and working area design parameters

Parameter	Provisions
Width	Contains a width of at least 20 metres including: 1. A **trafficable area** (cleared and formed): (a) with a minimum width of 4 metres that can accommodate a rural firefighting vehicle (b) with no less than 4.8 metres vertical clearance from canopy vegetation (c) with no adjacent inhibiting embankments or retaining walls 2. A **working area** each side of the trafficable area: (a) with a minimum width of 3 metres each side (b) cleared of all flammable vegetation greater than 10 centimetres in height 3. The **balance** (i.e. 10 metre width) managed vegetation area: (a) sited to separate the trafficable area from adjacent mapped medium, high or very highpotential bushfire intensity areas managed vegetation (b) comprising managed vegetation clear of major surface hazards.
Access	Access is granted in favour of the local government and Queensland Fire and EmergencyServices Note – This access is commonly granted in the form of an easement that is to be maintained by the grantor.
Egress	Contains trafficable vehicle routes into low hazard areas, every 200 metres

Table 8.2.6.3.4 Vulnerable uses, community infrastructure for essential services and materials that are hazardous in the context of bushfire hazard

Group	Uses
Vulnerable uses	childcare centre, community care centre, detention facility, educational establishment, hospital, nature-based tourism, relocatable home park, rooming accommodation, residential care facility, resort complex, retirement facility, tourist park
Community infrastructure for essential services	educational establishment, emergency services, hospital
Hazardous materials in the context of bushfire hazard	Hazardous chemicals that are present at the levels or in the quantities that would constitute the use being a hazardous chemical facility. Hazardous materials that are present in the quantities identified in the Work Health and Safety Regulation, Schedule 15.

8.2.7 Coastal hazard overlay code

8.2.7.1 Application

This code applies to accepted and assessable development:

(a) subject to the Coastal hazard overlay map contained within Schedule 2 (Mapping); and

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

Note – The State Code for assessment of Prescribed Tidal works is under Schedule 3 of *Coastal Protection and Management Regulation Act 1997.*

Note - Please see Schedule 10 of the *Planning Regulation 2017* regarding works within a Coastal Management District.

8.2.7.2 Purpose and overall outcomes

(1) The purpose of the Coastal hazard overlay code is to ensure that development is designed, constructed and operated to:

(a) protect, conserve, rehabilitate and manage the coast, including its resources and biological diversity;

(b) avoid the social, financial and environmental costs arising from the adverse impacts of coastal hazards, taking into account the predicted effects of climate change;

(c) preferentially use land on the coast for coastal-dependent development; and

(d) ensure development maintains the safety of people and property.

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

(a) wherever possible, development within a Coastal hazard area avoids:

(i) intensification of existing uses;

(ii) new permanent built structures; and

(iii) seaward extensions to existing built structures;

(b) development maintains and enhances natural processes, including those below tidal waters;

(c) development location, siting and design responds to the risk of storm tide and tidal inundation and minimises risk to personal safety and property;

(d) development supports, and does not compromise, the ability of the disaster management response or recovery capacity and capabilities;

(e) development provides for

(i) efficient evacuation and emergency services access during coastal hazard events; or

(ii) plans for the prospect and impact of isolation or hindered evacuation due to flooding from storm-tide and tidal inundation;

(f) development ensures that urban services are designed, located and operated to minimise damage to property, disruption to building function and the recovery time after a storm-tide or tidal inundation event;

(g) development does not cause or increase adverse impacts on other premises within the coastal environment from flooding and does not impede the ability of neighbouring sites to implement future coastal hazard mitigation measures;

(h) development in areas subject to coastal hazards protects biodiversity, the loss of environmental networks and the scenic amenity of important coastal areas, landscapes and views;

(i) development minimises the private use of land prone to permanent inundation;

(j) development maintains public access to the coast;

(k) development preserves opportunities for locating coastal-dependent land uses in areas adjoining tidal waters; and

(l) development and infrastructure avoids or mitigates the impacts of predictable future coastal hazard due to increase in sea-level rise and cyclonic activity.

8.2.7.3 Assessment Criteria

Table 8.2.7.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
PO1	Development involving a building is: (a) located and designed to ensure the safety of all persons and buildings from coastal hazards; and (b) located to minimise amenity impacts, disruptions to residents, recovery time, rebuilding and restoration costs after a coastal hazard event.	**AO1.1**	Development of a habitable building: (a) is not located on land identified in a Coastal hazard area; (b) ensures the finished floor level of a new building is located at a minimum 500mm above the defined storm tide event (DSTE), if within the storm tide inundation – inundation area, or 1m above DSTE, if within the storm tide inundation - wave run-up area; or (c) where involving an extension no greater than 75m² to an existing building, habitable room(s) are not less than the floor level of existing habitable rooms and non-habitable rooms at ground level below the DSTE allow for the flow through of water. Note – Where a premise is mapped by both flood and coastal hazards, the assessment benchmark that provides the highest level of protection from any source of inundation applies. Editor's Note – Refer to Council's detailed Coastal hazard overlay map for

Performance Outcomes		Acceptable Outcomes	
			further detail. Contact Council for information regarding DSTE and freeboard heights.
		AO1.2	Structures are only located within a Coastal hazard – storm tide inundation area, if a Registered Professional Engineer Queensland (RPEQ) certifies that the development is structurally designed to be able to resist hydrostatic and hydrodynamic loads associated with flooding up to and including the DSTE. Editor's Note – if part of the site is outside the Coastal hazard overlay, this is the preferred location for all buildings. Contact Council for information regarding DSTE and freeboard heights.
		AO1.3	Development on land identified within a Coastal hazard area ensures storage of hazardous materials is located above the DSTE. Editor's Note - Contact Council for information regarding DSTE and freeboard heights.
PO2	Marina development provides facilities for the handling and disposal of ship-sourced pollutants.	**AO2.1**	Marina development involving six or more berths provides common user facilities for the handling and disposal of ship-sourced pollutants, including oil, garbage and sewage and: (a) is provided at a suitable location at the marina; (b) is designed and operated to ensure the risk of spillage from operations is minimised; (c) provides appropriate equipment to contain and remove spillages, stored in a convenient location near the facility and available for immediate use; and (d) is able to be used by boats visiting the marina. Editor's note: Refer to Australian and New Zealand Environment and Conservation Council (ANZECC), 1997, Best Practice Guidelines for Waste Reception Facilities at Ports, Marinas and Boat Harbours in Australia and New Zealand.

Performance Outcomes		Acceptable Outcomes	
		AO2.2	Where practical, the ship-sourced pollutant reception facility is connected to sewerage or other waste reception infrastructure. Editor's note: Reception facilities require compliance assessment under the *Plumbing and Drainage Act 2018*. The plumbing compliance assessment process will ensure that the proposed facilities address 'peak load'.
Coastal Hazard - Erosion prone areas and Coastal Hazard - permanent inundation			
PO3	Except in limited circumstances, development is located outside of a Coastal hazard - Erosion prone or Coastal hazard - Permanent inundation area.	**AO3.1**	Unless for Recreation activities or building extensions, development is situated wholly outside of Coastal hazard - Erosion prone and Coastal Hazard - Permanent inundation areas, except where it is demonstrated that buildings or structures are: (a) located within a Maritime development area; and/or (b) able to be decommissioned, disassembled and relocated either on the site or to another site. Note – Coastal building lines identified by State DA mapping may also apply to some development in Queens Beach and Brisk Bay triggering referral for State Assessment. Note: See *National Emergency Risk Assessment Guidelines (NERAG), and ISO 31000:2009 Risk Management – Principles and Guidelines* for acceptable or tolerable levels of Risk Management.
		AO3.2	Unless for Recreation activities or building extensions, development is situated wholly outside of Coastal hazard - Erosion prone and Coastal Hazard - Permanent inundation areas, except where it is demonstrated that buildings or structures are: (a) part of redevelopment that intensifies the use of a site in an urban area, if the development mitigates any increase in risk to people and property from coastal erosion impacts to an acceptable or tolerable level; (b) Dwelling houses in an urban area where: (i) landward of or equal to the seaward alignment of any

Performance Outcomes		Acceptable Outcomes	
			buildings on neighbouring properties; or (ii) if there are no neighbouring properties, the dwelling house is at least 12m from the seaward property boundary of the site. Note – Coastal building lines identified by State DA mapping may also apply to some development in Queens Beach and Brisk Bay triggering referral for State Assessment. Note: See *National Emergency Risk Assessment Guidelines (NERAG), and ISO 31000:2009 Risk Management – Principles and Guidelines* for acceptable or tolerable levels of Risk Management.

Table 8.2.7.3.2 Benchmarks for assessable development

Performance Outcomes		Acceptable Outcomes	
All development in Coastal hazard areas and the Coastal Management District			
PO1	Development within a coastal management district: (a) avoids adverse impacts on coastal processes; (b) maintains coastal dune height; or (c) where a reduction in coastal dune height cannot be avoided, mitigates risk to development from wave overtopping and storm-tide inundation.	**AO1.1**	Development avoids, or where this is not feasible, minimises reductions in coastal dune height. Note: Please see Schedule 10 of the *Planning Regulation 2017* regarding works within a Coastal Management District.
PO2	Development does not involve reclamation of land below tidal water, other than for the purpose of: (a) coastal-dependent development, public marine development or community infrastructure, where there is no reasonable alternative; or (b) strategic ports, priority ports, boat harbors or strategic airports and aviation facilities in accordance with a statutory land use plan, or statutory master plan; or (c) coastal protection works or work necessary to protect coastal resources or coastal processes.	**AO2.1**	No acceptable outcome.
PO3	Development maintains or enhances coastal ecosystems and natural features, such as mangroves and coastal wetlands, between development and tidal boulders, where they protect or buffer communities and infrastructure from sea level rise and coastal inundation impacts.	**AO3.1**	Development ensures that: (a) existing natural environmental features, such as mangroves and wetlands; or (b) where changes to these natural features cannot be avoided, alternate methods are used to mitigate risks to development from coastal hazards. Note – Removal of vegetation within a Coastal hazard area may trigger referral to the State Assessment and Referral Agency (SARA).
PO4	Development maintains or enhances the scenic amenity and natural character of the coastal landscape, views and vistas from the foreshore or significant viewpoints.	**AO4.1**	Development is located, scaled and designed to be sympathetic to the coastal scenic amenity: (a) maintaining or restoring vegetation buffers between development and coastal waters; or (b) where impacts on the coastal scenic amenity cannot be avoided, alternative methods are used to maintain the

Performance Outcomes		Acceptable Outcomes	
			natural character of the coastal landscape.
PO5	Development avoids the release of hazardous materials into floodwaters.	**AO5.1**	Buildings used for the manufacture or storage of hazardous materials in bulk, as defined by the *Health and Safety Regulation 2011* ensures: (a) design prevents the intrusion of waters from a DSTE; and (b) emergency planning and contingency measures are appropriately developed and managed.
PO6	Development maintains the safety of people living and working on the premises from a DSTE.	**AO6.1**	Development ensures: (a) a safe refuge is available for people within the development site during a DSTE; or (b) that at least one evacuation route remains passable for emergency evacuations during a DSTE. Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).
PO7	Development does not negatively impact the flood characteristics of the DSTE outside of the subject site.	**AO7.1**	Unless within a Maritime development area, development is only located within the Coastal hazard area, if a Registered Professional Engineer Queensland (RPEQ) certifies that the development does not change the flood characteristics of the DSTE outside the subject site. Editor's note - Contact Council for information regarding DSTE and freeboard heights.
PO8	Development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	**AO8.1**	Development does not: (a) increase the number of people calculated to be at risk from the coastal hazard event; (b) increase the number of people likely to need evacuation; (c) impact on the ability of traffic to use evacuation routes; or (d) unreasonably increase traffic volumes on evacuation routes. Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).

Performance Outcomes		Acceptable Outcomes	
PO9	Except in limited circumstances, development is located outside a storm tide inundation - wave run-up area.	**AO9.1**	Development is situated wholly outside of a storm tide inundation - wave run-up area except where the development is: (a) located within a Maritime development area or future Maritime development area; (b) coastal dependent development in an Urban area; (c) temporary or relocatable development; (d) does not result in an increase of development intensity on the site; or (e) for tourist attractions or tourist accommodation, and a Coastal hazard assessment report demonstrates that the development avoids any increase in risk to people, infrastructure or property from coastal hazard impacts. Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).
PO10	Development that is within a coastal hazard – storm tide inundation area is located, designed, constructed and operated to avoid adverse coastal hazard impacts, including impacts on the development's ongoing operation.	**AO10.1**	Development is located outside a coastal hazard -storm tide inundation area unless: (a) it does not result in an increase in the intensity of development on the site; (b) involving redevelopment that intensifies the use of a site, if the development mitigates any increase in risk to people and property from inundation impacts; or (c) a Coastal hazard assessment report demonstrates that the development avoids any increase in risk to people or property from coastal hazard impacts. Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).
Community infrastructure			
PO11	Development involving community infrastructure remains functional to serve community needs during and	**AO11.1**	Community infrastructure: (a) is designed, sited and operated to avoid adverse impacts on the community

Performance Outcomes		Acceptable Outcomes	
	immediately after a coastal hazard event.		facilities, access and egress routes and the environment; (b) retains essential site access during a coastal hazard event; and (c) is able to remain functional, even when other infrastructure or services may be compromised in a coastal hazard event. Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).
Public access to the coast			
PO12	Development ensures that there is no net loss of public access to the foreshore and, where practicable, provides enhanced opportunities for safe public access to the foreshore in a manner consistent with conserving coastal resources.	**AO12.1**	Development is located, designed and operated: (a) in a manner that retains or enhances existing public access to and along the foreshore; or (b) where loss of public access to the foreshore cannot practicably be avoided, development provides the same or a greater amount of new public access opportunities in an alternative location.
Coastal dependent development and Maritime development areas			
PO13	Except in limited circumstances, coastal dependent development is located within a Maritime development area. Note – 'limited circumstances' are listed in AO13(c).	**AO13.1**	Coastal dependent development: (a) is located within an identified Maritime development area; (b) demonstrates that the site is suitable for identification as a Maritime development area; or (c) is located outside a Maritime development area, if it is: (i) a minor marine development; (ii) dredging for navigation channels; or (iii) development in a port.
PO14	Development in a Maritime development area: (a) supports some area for coastal dependent development; and (b) ensures ancillary and subsidiary development is sited and designed to avoid reverse amenity impacts from Industrial or Commercial coastal dependent development.	**AO14.1**	Within the Maritime development area: (a) adequate space is provided within the non-tidal component of the development site for coastal dependent development; (b) Port services and Industrial activities are suitably buffered from sensitive uses; and (c) sensitive uses are sited and designed to minimise amenity conflicts with

Performance Outcomes		Acceptable Outcomes	
			existing or future areas identified for coastal dependent development.
PO15	Coastal dependent development or development within a Maritime development area mitigates any increase in risk to people and property from the impacts of Storm tide inundation, Erosion prone and Permanent inundation areas.	**AO15.1**	Development within Maritime development area and coastal dependent development: (a) is located outside a Coastal hazard - Erosion prone or Coastal hazard - Permanent inundation area; or (a) installs and maintains coastal environment works to mitigate adverse impacts to people and property from coastal erosion or permanent inundation.

8.2.8 Extractive resources overlay code

8.2.8.1 Application

This code applies to accepted and assessable development:

(a) subject to the Extractive resources overlay map contained within Schedule 2 (Mapping); and

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

8.2.8.2 Purpose and overall outcomes

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

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

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

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

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

8.2.8.3 Assessment benchmarks

Table 8.2.8.3.1 Benchmarks for accepted and assessable development

Performance Outcome		Acceptable Outcome	
Development within a Local resource or Key resource area (KRA) resource/processing area			
PO1	Development does not constrain, prevent or otherwise interfere with the current or future viability of the winning, or processing of, extractive resources.	**AO1.1**	Development is limited to: (a) extractive industry uses; (b) uses that are directly associated with an extractive industry; or (c) temporary or non-intensive development that is compatible with future extractive industry operations, for example forestry for wood production.
Development within a KRA separation area			
PO2	Development does not materially increase the number of people living within a KRA separation area.	**AO2.1**	Development does not result in an increase in residential density.
		AO2.2	Reconfiguring a lot: (a) does not result in the creation of additional lots used, or capable of being

Performance Outcome		Acceptable Outcome	
			used, for Accommodation activities; and (b) where realigning boundaries, does not worsen the existing situation with respect to the distance between available house sites and the resource processing area.
PO3	Development minimises the potential adverse impacts, including noise, dust, vibration and blasting, from existing or future extractive industry operations upon people working or congregating within a KRA separation area, given the proposed development's location.	**AO3.1**	Development ensures that: (a) the number of people working or congregating is not increased; (b) it is compatible with the potential adverse impacts arising from existing or future extractive industry operations; or (c) incorporates design, orientation and construction measures that mitigate the potential adverse effects from existing or future extractive industry operations to acceptable levels. Note — In order to demonstrate compliance with AO3 applicant should demonstrate the regulations of Environmental Protection Act and relevant policies (i.e. EPP Noise) can be achieved.
PO4	Extractive industry development maintains the function and integrity of a KRA separation area as an efficient and effective buffer between extractive/processing operations and incompatible uses beyond the separation area.	**AO4.1**	Development for an extractive industry use is not located within a KRA separation area.
Development within a Transport route or Transport route separation area			
PO5	Development does not materially increase the number of people living within a Transport route separation area.	**AO5.1**	Development does not result in an increase in residential density.
PO6	Development involving a sensitive use, other than for an Accommodation activity, maintains an acceptable level of amenity.	**AO6.1**	Development involving a sensitive use, other than an Accommodation activity, ensures an acceptable level of amenity by incorporating mitigation measures, such as landscape buffer strips and maintaining adequate separation distances.
PO7	Development does not adversely affect the safe and efficient movement and operation of vehicles transporting extractive materials along a Transport route.	**AO7.1**	Development ensures that: (a) the number of premises with access points to an identified Transport route is not increased; or (b) access points are designed to avoid adversely affecting

Performance Outcome		Acceptable Outcome	
			the safe and efficient operation of vehicles transporting extractive materials along a Transport route.

8.2.9 Flood hazard overlay code

8.2.9.1 Application

This code applies to accepted and assessable development that is:

(a) subject to the Flood hazard overlay maps contained within Schedule 2 (Mapping); and

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

Editor's Note - Council will make available (where flood modelling has been received by Council) the height of the defined flood level for any particular location upon request. Applicants should be aware that coastal hazards, such as storm tide inundation, may also affect the land. Where affected by multiple overlays, the overlay that provides the highest level (in AHD) from any source of inundation applies.

Council may not have detailed flood modelling for areas within the Planning Scheme that are be affected by local flooding. In this instance, applicants are required to undertake their own investigations prior to undertaking development through the preparation of a Flood Hazard Assessment Report in accordance with PSP SC6.5 (Natural hazards).

Editor's note – The flood hazard area defined by this planning scheme is taken to be the flood hazard area pursuant to section 13 of the Building Regulation 2006. Building work in a designated flood hazard area must meet the requirements of the relevant building assessment provisions under the Building Act 1975.

8.2.9.2 Purpose and overall outcomes

(1) The purpose of the Flood hazard overlay code is to:

(a) provide for the assessment of the suitability of development in the Flood hazard overlay area, to ensure that risk to life, property, community, economic activity and the environment during flood events is minimised; and

(b) ensure that development does not increase the potential for flood damage on-site or to other property, both upstream and downstream.

(2) The purpose of the Flood hazard overlay code will be achieved by the following outcomes:

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

(b) development does not require complex engineering solutions, such as floodgates or extensive earthworks to mitigate adverse impacts;

(c) incompatible uses are not located in areas susceptible to flood hazard;

(d) development location, siting, layout, and access is designed to minimise the risk of the flooding and risk to personal safety and property;

(e) development does not compromise the ability of the disaster management response or recovery capacity and capabilities;

(f) development provides for:

i. efficient evacuation and emergency services access during flooding events; or

ii. otherwise plans for the prospect and impact of isolation or hindered evacuation during flooding;

(g) development directly, indirectly and cumulatively avoids an increase in severity of the flood event and does not materially increase the extent or impact of the flood event on the site or to other properties;

(h) development ensures that urban services are designed, located and operated to minimise damage to the environment, infrastructure, property, disruption to building function and recovery time after a flood event;

(i) natural processes and the protective function of landforms and/or vegetation are maintained where possible in Flood hazard areas;

(j) where practical, community infrastructure is located and designed to function effectively during, and immediately after, flood events; and

(k) development mitigates the impacts of predictable future increases in flood hazards.

8.2.9.3 Assessment benchmarks

Table 8.2.9.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
All Flood hazard areas			
PO1	Development is located and designed to: (a) to ensure the safety of persons and property from flood depths up to the defined flood level (DFL); (b) permit the conveyance of flood water without increasing flood velocities off-site; and (c) located to minimise, disruptions to residents, recovery time, rebuilding and restoration costs after a flood event.	**AO1.1**	Where development is located in a Low risk flood hazard area or Identified flood hazard area: (a) For residential buildings (Class 1, 2, 3, 4, 9a & 9c) the finished floor level is a minimum of 300mm above the DFL; (b) Where Class 10a or Class 7 are not enclosed and do not build to the DFL, the structure allows for the unimpeded flow-through of water; (c) Where a Class 10a is enclosed, the finished floor level is a minimum of 300mm above the DFL; and (d) underground parking is designed to prevent the intrusion of flood waters by the incorporation of a bund or similar barrier with a minimum height of 300mm above the DFL. Editor's note - Flood gates with pumps are not desired in underground parking due to noise issues. Editor's note – Information on potential flood levels is available from Council for certain properties where within Local Study areas as shown by the Flood hazard overlay mapping. Where no further information is provided by Council the applicant must source the information independently from a qualified professional. Note - The above requirements can be demonstrated through the development of a Flood Hazard Assessment Report in accordance with PSP SC6.5 (Natural hazards).
PO2	Development is limited to particular uses in Medium or High risk flood hazard areas to ensure no increased risk to life or property.	**AO2.1**	Development does not occur in High or Medium risk flood hazard areas except for the uses of animal husbandry, cropping, environment facility, extractive industry, landing, outdoor sports and recreation, park, parking station, substation, utility installation and major electricity infrastructure.

Performance Outcomes		Acceptable Outcomes	
		AO2.2	Development: (a) prevents potential debris from blocking natural drainage flow; and (b) does not affect the natural functions of the catchment.
Infrastructure			
PO3	Essential network infrastructure (on-site electricity, water supply, reticulated and on-site sewerage systems and telecommunications) functions effectively during and after flood events.	**AO3.1**	Essential network infrastructure is: (a) located above the DFL; or (b) designed, constructed and certified by an RPEQ to avoid floodwater intrusion and resist hydrostatic and hydrodynamic forces as a result of inundation below the DFL; and (c) does not impact on the hydrology of the surrounding area.
Hazardous materials			
PO4	Development avoids the release of hazardous materials into floodwaters.	**AO4.1**	The manufacturing or storage of hazardous materials: (a) are not located in the flood hazard area; or (b) the structure is: (i) located 300mm above the DFL level; or (ii) designed to prevent the intrusion of floodwaters. Note - Refer to the *Work Health and Safety Act 2011* and associated Regulation and Guidelines, the *Environmental Protection Act 1994* and the relevant building assessment provisions under the *Building Act 1975* for requirements related to the manufacture and storage of hazardous substances. Note - The above requirements can be demonstrated through the development of a Flood hazard assessment report in accordance with PSP SC6.5 (Natural hazards).
Design Outcomes			
PO5	Appropriate solutions are provided to: (a) mitigate cumulative worsening of flood impacts offsite; (b) development maintains drainage paths and avoids any direct, indirect or cumulative increase in water flow velocity or flood level; and (c) does not increase the potential for flood damage	**AO5.1**	Development for a residential use in Low and Identified flood hazard areas ensure: (a) fences within drainage paths up to the DFL are at least 50% penetrable to not impede overland flow; (b) where requiring raised finished habitable floor levels, pier and pole construction is used to allow the flow through of flood water; or (c) meets AO5.2.

Performance Outcomes		Acceptable Outcomes	
	either on-site or on other properties.		Editor's Note – Berms/mounds are considered to be an undesirable built form outcome and are not supported.
		AO5.2	Development within any Flood hazard area involving more than 100m³ of material that is imported to or removed from the site, only occurs where a Registered Professional Engineer Queensland (RPEQ) certifies that the works will not result in: (a) a direct, indirect or cumulative increase in water flow velocity or level; (b) existing overland flow paths not being maintained; (c) increased flood inundation of surrounding properties. Note— This may be demonstrated by preparing a Flood hazard assessment report in accordance with PSP SC6.5 (Natural hazards).
Waterways			
PO6	Development maintains the ecological functions of waterways.	**AO6.1**	Buildings and infrastructure in all areas are set back as per Table 8.2.4.3.3 Minimum riparian buffers and setbacks for biodiversity, waterways and wetlands.
Community infrastructure			
PO7	The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, including disruptions to residents, recovery time, rebuilding and restoration costs after a flood event.	**AO7.1**	Essential community uses outlined within Table 8.2.9.3.3 meet the desired level of flood immunity within the Table, ensuring: (a) it is designed, sited and operated to avoid adverse impacts on the community or the environment due to the impacts of flooding on infrastructure, facilities or access and egress routes; (b) it retains essential site access during a flood event; and (c) it is able to remain functional even when other infrastructure or services may be compromised in a flood event. Note – This may be demonstrated by preparing a Flood hazard assessment report in accordance with PSP SC6.5 (Natural hazards). Editor's note – Information on potential flood levels is available from Council for certain properties. Where no further information is provided by Council the applicant must source the information

Performance Outcomes		Acceptable Outcomes	
			independently from a Registered Professional Engineer Queensland (RPEQ).
Vulnerable Uses			
PO8	Development siting and layout responds to flood hazards and maintains personal safety at all times.	**AO8.1**	Vulnerable uses or community infrastructure that must operate during and immediately after a flood event have direct access to evacuation routes.
		AO8.2	Developments that involves vulnerable uses, are not located in an isolated area or flood island area on the Flood hazard overlay map.

Table 8.2.9.3.2 Benchmarks for assessable development

Performance Outcomes		Acceptable Outcomes	
ROL Requirements			
PO1	Development does not materially increase the number of people at risk of flood hazard through the subdivision of unsuitable flood affected land.	**AO1.1**	For Reconfiguring a lot, additional lots, if within a Low risk flood hazard area or Identified flood hazard area: (a) provide building envelopes outside the Flood hazard area for residential buildings (Class 1, 2, 3, 4, 9 and 9c); (b) provide finished ground levels a minimum of 300mm above the DFL for residential buildings (Class 1, 2, 3, 4, 9 and 9c); or (c) within Rural and Rural Residential zones, lots have a minimum building envelope, above the DFL, with a usable area of 2000m². Note – This may be demonstrated by preparing a Flood hazard assessment report in accordance with PSP SC6.5 (Natural hazards). Editor's note – Information on potential flood levels is available from Council for certain properties. Where no further information is provided by Council the applicant must source the information independently from a Registered Professional Engineer Queensland (RPEQ).
PO2	The development of additional lot(s) with new roads appropriately mitigates flood risks by: (a) appropriately locating roads, infrastructure and house pads; and (b) providing a safe evacuation route.	**AO2.1**	Development of additional lots with new roads affected by any Flood hazard area have: (a) adequate evacuation routes provided to safe ground, being land outside the Flood hazard area or an evacuation centre is able to be reached in a timely manner; (b) entry points to the reconfiguration are above the

Performance Outcomes		Acceptable Outcomes	
			DFL and avoid cul-de-sacs or non-permeable layouts; (c) safety of people and property is prioritised; and (d) natural hydrological processes are maintained. Note – This may be demonstrated by preparing a Flood hazard assessment report in accordance with PSP SC6.5 (Natural hazards)
PO3	Appropriate road signage for flood depths is installed.	**AO3.1**	The creation of new roads provides signage and depth indicators at each key hazard point, e.g. waterway crossing.
Additional requirements for Medium or High risk flood hazard areas			
PO4	Reconfiguration of a lot does not create additional lots within a flood affected area, except for the uses of animal husbandry, cropping, environment facility, extractive industry, landing, outdoor sports and recreation, park, parking station, substation, utility installation and major electricity infrastructure.	**AO4.1**	Land partially affected by Medium or High risk flood hazard area must demonstrate that each additional lot has an appropriately sized building footprint and flood free access for residential buildings (Class 1, 2, 3, 4, 9 and 9c) outside of the Medium and High risk flood hazard area. Note – A covenant or reserve may be required to ensure that no development occurs in the flood affected area.
		AO4.2	Land entirely affected by Medium or High risk flood hazard area does not create additional lots within the flood affected area, except for the uses of animal husbandry, cropping, environment facility, extractive industry, landing, outdoor sports and recreation, park, parking station, substation, utility installation and major electricity infrastructure.

Table 8.2.9.3.3 Flood immunity for community infrastructure and services

Development	Level of immunity Annual exceedance probability (AEP)
Development involving: (a) emergency services; (b) hospitals and associated facilities; (c) retirement facilities and residential care facilities; (d) educational establishment; (e) facilities utilised as an evacuation or recovery facility in addition to their normal function (e.g. sporting facility, community centre, meeting hall); and (f) major electricity infrastructure.	0.2% AEP flood event

Development	Level of immunity Annual exceedance probability (AEP)
Development involving: (a) emergency/evacuation shelters; (b) the storage of valuable records or items of historic/cultural significance (e.g. libraries, galleries); (c) telecommunication facilities; (d) substations; (e) water treatment plants; (f) regional fuel storage; and (g) food storage warehouses.	0.5% AEP flood event
Development involving: (a) Sewerage treatment plants (requiring licensing as an environmentally relevant activity). (b) cemetery and crematorium (c) waste management facilities (d) sporting facility, community centre, meeting hall (where not used as an evacuation or recovery facility) (e) storage and works depots and similar facilities, including administrative facilities associated with the provision or maintenance of the community infrastructure mentioned in this part	1% AEP flood event

8.2.10 Heritage overlay code

Editor's note – This code does not apply to indigenous cultural heritage which is protected under the *Aboriginal Cultural Heritage Act 2003*. In accordance with this legislation, a person who carries out an activity must take all reasonable and practical measures to ensure the activity does not harm Aboriginal cultural heritage ("the cultural heritage duty of care").

Editor's note - Sites included in the Heritage overlay include Queensland and Commonwealth Heritage places. These are governed by their own relevant heritage legislation.

8.2.10.1 Application

This code applies to accepted and assessable development:

(a) subject to the Heritage overlay map contained within Schedule 2 (Mapping); and

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

8.2.10.2 Purpose and overall outcomes

(1) The purpose of the Heritage overlay code is to ensure development on a Heritage place is compatible with the cultural heritage significance of the place outlined in the place card.

Editor's Note – Heritage place cards are identified and explained on the Whitsunday Regional Council website under the Local Heritage Register.

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

(a) the cultural heritage significance of the Heritage place is conserved;

(b) development of the Heritage place is compatible with the cultural heritage significance of the place by:

(i) preventing the demolition or removal of Heritage places, unless there is no prudent and feasible alternative to its demolition or removal; and

(ii) maintaining or encouraging, as far as practical, the appropriate use, or adaptive re-use of Heritage places;

(iii) protecting, as far as practical, the materials and setting of the Heritage place;

(iv) ensuring, as far as practical, development on a Heritage place is compatible with the cultural heritage significance of the place; and

(c) development is compatible with the conservation and management of the cultural heritage significance of the Heritage place.

8.2.10.3 Assessment benchmarks

Table 8.2.10.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
PO1	Development of the Heritage place: (a) is compatible with the conservation and management of the cultural heritage significance of the Heritage place; and (b) protects the fabric and setting of the heritage place.	**AO1.1**	Development: (a) conserves and does not alter, damage, remove or conceal significant features, fabric or contents as described in the physical or historical significance description of the local heritage place or area, as written in the statements on each Heritage Placecard; or (b) protects, the fabric and setting of a local heritage place or area; or (c) only results in minor impacts on the cultural heritage significance of a place if it is necessary to maintain an economic use of the heritage place. Editor's note - Fabric means all the physical material of the place including elements, fixtures, contents and objects (the *Burra Charter 2013*).
PO2	The identified archaeological significance or potential archaeological significance of the Heritage place is conserved.	**AO2.1**	Where a ground breaking activity is required within the boundary of the Heritage place that has been identified as an archaeological place: (a) an archaeological investigation is undertaken by a suitably qualified and experienced archaeologist; and (b) if there is potential for archaeological artefacts and if required by Council, an archaeological management plan is prepared and implemented by the archaeologist, overseen by Council, so that impacts on the archaeological significance and potential of the place are appropriately managed. Note – the archaeological investigation and any necessary archaeological management plan must be carried out in accordance with PSP SC6.3 (Heritage).
Alteration of a Heritage Place or Area			
PO3	The Heritage place or part of the Heritage place may not be demolished unless it can be demonstrated:	**AO3.1**	No acceptable outcome. Note - This may be demonstrated by undertaking a Heritage impact

Performance Outcomes		Acceptable Outcomes	
	(a) it is not capable of structural repair as certified by a suitability qualified professional; or (b) repair is not feasible having regard to economic or health and safety considerations.		assessment report in accordance with PSP SC6.3 (Heritage).

8.2.11 Infrastructure overlay code

8.2.11.1 Application

This code applies to accepted and assessable development:

(a) subject to the Infrastructure overlay shown on the overlay maps contained within Schedule 2 (Mapping); and

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

8.2.11.2 Purpose and overall outcomes

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

(a) major roads (State controlled roads);

(b) railways;

(c) major electricity infrastructure;

(d) substations;

(e) bulk water supply infrastructure;

(f) gas pipelines;

(g) strategic ports;

(h) public passenger transport facilities;

(i) wastewater treatment facilities; and

(j) waste management facilities.

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

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

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

(i) avoid compromising the integrity, operational efficiency and maintenance of infrastructure and facilities; and

(ii) protect the amenity, health and safety of people and property.

8.2.11.3 Assessment benchmarks

Table 8.2.11.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
Infrastructure Map – Transport infrastructure			
Road noise corridor and Railway buffers			
PO1	Sensitive uses are located, designed and constructed to ensure that noise emissions from major road corridors and railway corridors do not adversely affect: (a) the development's primary function; or (b) the wellbeing of occupants including their ability to sleep, work or otherwise undertake quiet enjoyment without unreasonable interference from road traffic or railway noise.	**AO1.1**	Development of sensitive uses: (a) does not occur within a Railway buffer; or (b) where within a Railway buffer complies with the acoustic noise quality objectives specified in Environmental Protection (Noise) Policy 2008.
		AO1.2	Development of sensitive uses located within a Road noise corridor, are sited and designed to comply with the QDC MP4.4 (Buildings in a transport noise corridor).
PO2	Development within a Road noise corridor or Railway buffer does not adversely impact on the associated infrastructure.	**AO2.1**	Development within a Road noise corridor or Railway buffer maintains and, where practicable, enhances the safety, efficiency and effectiveness of the infrastructure.
Strategic port areas and buffers			
PO3	Development within a Strategic port area or buffer does not interfere with an aid to navigation or associated signals.	**AO3.1**	Development does not result in significant electrical or electro-magnetic emissions which may impede the operation of aids to navigation.
		AO3.2	All lights on or above the development site: (a) are shielded to prevent glare or reflection; (b) do not include flood lights; (c) do not involve flashing or flickering lights which may be confused with aids to navigation; and (d) are not coloured lights such as green, blue or red lights which may be confused with aids to navigation.
		AO3.3	Lighting complies with AS 4282-1997(Control of the obtrusive effects of outdoor lighting).
Public passenger transport facilities and buffers			
PO4	Development supports a road hierarchy which facilitates efficient, safe and accessible bus services connecting to existing and future Public passenger transport facilities.	**AO4.1**	Roads catering for buses are major collector, arterial or sub-arterial roads or their equivalent.
		AO4.2	Roads catering for buses provide convenient connections to existing and future Public passenger transport facilities.

Performance Outcomes		Acceptable Outcomes	
		AO4.3	Development on bus routes does not impact bus stop infrastructure or the efficient running of bus services.
		AO4.4	Roads catering for buses are designed and constructed in accordance with PSP SC6.8 (WRC development manual).
PO5	Development enhances connectivity between existing and future Public passenger transport facilities and other transport modes.	**AO5.1**	The road network supports modal interchange by integrating with existing and future Public passenger transport facilities.
		AO5.2	Development provides direct linkages for passengers between existing and future Public passenger transport facilities and other transport modes.
		AO5.3	Development provides way-finding information for existing Public passenger transport facilities and interconnecting transport modes.
PO6	Development optimises the walkable catchment to existing and future Public passenger transport facilities.	**AO6.1**	Development connects to an existing or planned pedestrian/cycle network that links to existing and future Public passenger transport facilities.
		AO6.2	Development provides convenient through-site connections for pedestrians and cyclists to existing and future Public passenger transport facilities.
PO7	Development provides direct and safe access to and use of Public passenger transport facilities.	**AO7.1**	Through-site pathway connections to Public passenger transport facilities are provided in accordance with Part 6A of Austroads guide to road design (Pedestrian and cyclist paths).
		AO7.2	Pathway connections are available at all times.
		AO7.3	Direct and legible pedestrian and cycle paths and crossings provide connections to existing and future Public passenger transport facilities.
		AO7.4	Development incorporates landscaping, boundary treatments and lighting that enhances the safety of pedestrians and cyclists accessing Public passenger transport facilities by providing for casual surveillance.

Performance Outcomes		Acceptable Outcomes	
		AO7.5	Development of Business activities provides active frontages oriented towards Public passenger transport facilities.
		AO7.6	Accommodation activities address street frontages and provide casual surveillance of Public passenger transport facilities.
Infrastructure Map – Utility infrastructure			
Major electricity infrastructure and substation buffers			
PO8	Development involving a sensitive use is sufficiently separated from major electricity infrastructure or substations to minimise the likelihood of nuisance or complaint.	**AO8.1**	Sensitive uses maintain the following separation distances from the substation or easement for major electricity infrastructure: (a) 20m for transmission lines up to 132kV; (b) 30m for transmission lines between133kV and 275kV; and (c) 40m for transmission lines exceeding 275kV.
PO9	Major electricity infrastructure on private land is included in an easement.	**AO9.1**	Existing infrastructure easements are maintained and where none currently exist, new easements are created which are sufficient for electricity provider's requirements.
Bulk water supply pipelines and buffers			
PO10	Development within a water supply infrastructure buffer: (a) is located, designed and constructed to protect the integrity of the water supply pipeline; and (b) maintains adequate access for any required maintenance or upgrading work to the water supply pipeline.	**AO10.1**	Buildings and structures are setback from water supply pipelines a minimum of: (a) 20m; or (b) 10m if for a dwelling house; i. where habitable rooms are out of the drainage path of immediately adjoining water supply pipeline if it burst; or ii. building footprint cannot be sited elsewhere on the premises. Editor's note – Habitable rooms in a dwelling house should be located outside or above the drainage path of an immediately adjoining water supply pipeline, such that if it burst, the lay of the land, stormwater drainage or roads direct water elsewhere.
PO11	Development is located and designed to maintain required access to water supply infrastructure.	**AO11.1**	Development does not restrict access to bulk water supply infrastructure of any type or size, having regard to: (a) buildings or structures; (b) gates and fences; (c) storage of equipment or materials; and

Performance Outcomes		Acceptable Outcomes	
			(d) landscaping, earthworks, stormwater or other infrastructure.
Petroleum pipeline buffers			
PO12	Development within a Petroleum pipeline buffer reduces the risk of harm to sensitive uses, people and property.	**AO12.1**	Development within a Petroleum pipeline buffer provides and maintains adequate separation between the use or works and a Petroleum pipeline corridor so as to minimise risk of harm to sensitive uses, people and property.
PO13	Development and works within a Petroleum pipeline buffer does not adversely impact on associated infrastructure.	**AO13.1**	Uses and works within a Petroleum pipeline buffer are constructed and operated to avoid: (a) compromising the viability of the Petroleum pipeline corridor; or (b) damaging or adversely affecting the existing or future operation of major petroleum pipelines and the supply of petroleum.
Waste water treatment facilities and buffers			
PO14	Accommodation activities and other sensitive uses are not adversely affected by odour emissions from existing or planned Waste water treatment facilities.	**AO14.1**	A sensitive use involving an Accommodation activity is not located or intensified within a Waste water treatment facility buffer.
		AO14.2	Any sensitive use (other than an accommodation activity) located within a Waste water treatment facility buffer: (a) incorporates appropriate measures to minimise odour impacts; or (b) demonstrates that occupants and users will not be adversely affected by odour emissions from activities associated with the Waste water treatment facility.
		AO14.3	Reconfiguring a lot within a Waste water treatment facility buffer: (a) does not result in the creation of additional lots used or capable of being used for Accommodation activities; and (b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available

Performance Outcomes		Acceptable Outcomes	
			residential sites and the Waste water treatment facility.
Waste management facility buffer			
PO15	Accommodation activities and other sensitive uses are not adversely affected by noise emissions from existing or planned Waste management facilities.	**AO15.1**	A sensitive use involving an Accommodation activity is: (a) not located or intensified within a Waste management facility buffer; or (b) where located within a Waste management facility buffer complies with the following the acoustic quality design objectives specified in *Environmental Protection (Noise) Policy 2008.*
		AO15.2	Any sensitive use (other than an Accommodation activity) located within a Waste management facility buffer complies with the acoustic quality design objectives specified in *Environmental Protection (Noise) Policy 2008*.

8.2.12 Landslide hazard overlay code

8.2.12.1 Application

This code applies to accepted and assessable development:

(a) subject to the Landslide overlay maps contained within Schedule 2 (Mapping); or

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

8.2.12.2 Purpose and overall outcomes

(1) The purpose of the Landslide overlay code is to:

(a) provide for the assessment of the suitability of development, in an area subject to landslide hazard, to ensure that risk to life, property, community, economic activity and the environment is minimised; and

(b) ensure that development does not increase the potential damage from landslide events on site or to other property.

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

(a) development is compatible with the level of risk associated with the landslide hazard;

(b) development siting, design, layout and access responds to the risk of the landslide hazard and minimises risk to personal safety and property;

(c) development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities;

(d) development avoids an unacceptable increase in severity of the landslide hazard and does not significantly increase the potential for damage on the site or to other properties;

(e) where practical, community infrastructure is located and designed to function effectively during and immediately after a landslide event;

(f) development avoids the release of hazardous materials, as a result of the landslide hazard; and

(g) natural processes and the protective function of landforms and/or vegetation are maintained in Landslide hazard areas.

8.2.12.3 Assessment benchmarks

Table 8.2.12.3.1 Benchmarks for accepted and assessable development

Performance Outcomes		Acceptable Outcomes	
PO1	Development maintains the safety of people, property and hazardous materials, manufactured or stored in bulk,	**AO1.1**	Development: (a) is not located on land identified in a Landslide hazard area or on land with a slope of 15% or greater; or

Performance Outcomes		Acceptable Outcomes	
	from the risk of a landslide hazard.		(b) if identified within a Landslide hazard area ensures: (i) the long-term stability of the site is a Low or Very low risk in accordance *AGS 2007* as determined by a geotechnical investigation prepared by a suitability qualified person; (ii) that the site will not be adversely affected by landslide activity originating from other land, including land above the site; and (iii) that landscaping, drainage, filling and excavation does not redirect the flow of, or concentrate surface water or groundwater on, the site or neighbouring sites. Note – This may be demonstrated by undertaking a site-specific Landslide hazard (geotechnical) assessment report in accordance with PSP SC6.5 (Natural hazards). The building assessment provisions must address the stability of buildings and structures in relation to landslide hazard. Editor's note – *AGS 2007* means *Australian Geomechanics Society 2007 Practice note guidelines for landslide risk management 2007.*
		AO1.2	The manufacture or storage of hazardous materials in bulk does not occur within a landslide hazard area.
		AO1.3	Reconfiguration of a lot or operational works do not have a detrimental impact on slope stability or erosion potential on-site, adjoining premises or road reserves. Note – This may be demonstrated by undertaking a site-specific Landslide hazard (geotechnical) assessment report in accordance with PSP SC6.5 (Natural hazards).
PO2	Safe passage to evacuation centres or medical facilities is not at risk from being permanently impeded by a landslide event.	**AO2.1**	Reconfiguring of a lot ensures that new roads utilise appropriate retaining, slope setbacks and drainage measures to ensure the safety and long-term stability of the

Performance Outcomes		Acceptable Outcomes	
			road for emergency evacuation, including a detailed Management plan completed by a Registered Professional Engineer of Queensland (RPEQ) for engineering solutions likely to become Council assets. Note – This may be demonstrated by undertaking a site-specific Landslide hazard (geotechnical) assessment report in accordance with PSP SC6.5 (Natural hazards).
PO3	Community infrastructure maintains the safety of people and property and is not adversely affected by a landslide hazard.	**AO3.1**	Community facilities with a role in emergency management are not located on land within the landslide hazard area and are not at risk of impacts from potential landslide run-out areas.
		AO3.2	Development of community infrastructure within an identified Landslide hazard area or on land with a slope of 15% or greater ensures: (a) the long-term stability of the site, including associated building and infrastructure; (b) that access to the site will not be impeded by a landslide event; (c) that the site will not be adversely affected by landslides originating from other land, including land above the site; and (d) the primary function of the community infrastructure is maintained during a landslide event. Note – A site-specific landslide hazard (geotechnical) report is required to demonstrate compliance with PO3. The Landslide hazard (geotechnical) assessment report is to be prepared in accordance with PSP SC6.5 (Natural hazards). The building assessment provisions must address the stability of buildings and structures in relation to landslide hazard.