

## Contents of Part 8

### Part 8 Overlays

<b>8.1</b>	<b>Preliminary .....</b>	<b>8:4</b>
<b>8.2</b>	<b>Overlay codes .....</b>	<b>8:6</b>
8.2.1	Acid sulfate soils overlay code .....	8:6
8.2.1.1	Application .....	8:6
8.2.1.2	Purpose and overall outcomes .....	8:6
8.2.1.3	Assessment criteria .....	8:6
8.2.2	Agricultural land overlay code .....	8:7
8.2.2.1	Application .....	8:7
8.2.2.2	Purpose and overall outcomes .....	8:7
8.2.2.3	Assessment Criteria .....	8:7
8.2.3	Airport environs overlay code .....	8:9
8.2.3.1	Application .....	8:9
8.2.3.2	Purpose and overall outcomes .....	8:9
8.2.3.3	Assessment criteria .....	8:9
8.2.4	Bushfire hazard overlay code .....	8:14
8.2.4.1	Application .....	8:14
8.2.4.2	Purpose and overall outcomes .....	8:14
8.2.4.3	Assessment criteria .....	8:14
8.2.5	Coastal environment overlay code .....	8:18
8.2.5.1	Application .....	8:18
8.2.5.2	Purpose and overall outcomes .....	8:18
8.2.5.3	Assessment Criteria .....	8:19
8.2.6	Environmental significance overlay code .....	8:27
8.2.6.1	Application .....	8:27
8.2.6.2	Purpose and overall outcomes .....	8:27
8.2.6.3	Assessment criteria .....	8:27
8.2.7	Extractive resources overlay code .....	8:30
8.2.7.1	Application .....	8:30
8.2.7.2	Purpose and overall outcomes .....	8:30
8.2.7.3	Assessment Criteria .....	8:30
8.2.8	Flood hazard overlay code .....	8:33
8.2.8.1	Application .....	8:33
8.2.8.2	Purpose and overall outcomes .....	8:33
8.2.8.3	Assessment criteria .....	8:34
8.2.9	Heritage overlay code .....	8:38
8.2.9.1	Application .....	8:38
8.2.9.2	Purpose and overall outcomes .....	8:38
8.2.9.3	Assessment criteria .....	8:38

8.2.10	Infrastructure overlay code.....	8:41
8.2.10.1	Application .....	8:41
8.2.10.2	Purpose and overall outcomes .....	8:41
8.2.10.3	Assessment Criteria.....	8:42
8.2.11	Landslide hazard overlay code .....	8:47
8.2.11.1	Application .....	8:47
8.2.11.2	Purpose and overall outcomes .....	8:47
8.2.11.3	Assessment criteria .....	8:47
8.2.12	Waterways and wetlands overlay code.....	8:49
8.2.12.1	Application .....	8:49
8.2.12.2	Purpose and overall outcomes .....	8:49
8.2.12.3	Assessment criteria .....	8:50

## Tables in Part 8

Table 8.2.1.3.1	Benchmarks for accepted and assessable development
Table 8.2.2.3.1	Benchmarks for accepted and assessable development
Table 8.2.3.3.1	Benchmarks for assessable development
Table 8.2.3.3.2	Land uses associated with increases in wildlife strikes and hazards
Table 8.2.3.3.3	Compatible and incompatible land uses within ANEF contours
Table 8.2.3.3.4	Desirable indoor design sound levels for sensitive land uses
Table 8.2.4.3.1	Benchmarks for accepted and assessable development
Table 8.2.4.3.2	Benchmarks for assessable development
Table 8.2.5.3.1	Benchmarks for accepted and assessable development
Table 8.2.5.3.2	Benchmarks for assessable development
Table 8.2.6.3.1	Benchmarks for assessable development
Table 8.2.6.3.2	Waterway stream protection zone buffers (Ref: SDAP Module 8, Version 1.3, 9 May 2013)
Table 8.2.7.3.1	Benchmarks for accepted and assessable development
Table 8.2.8.3.1	Benchmarks for accepted and assessable development
Table 8.2.8.3.2	Benchmarks for assessable development
Table 8.2.9.3.1	Benchmarks for accepted and assessable development
Table 8.2.10.3.1	Benchmarks for accepted and assessable development
Table 8.2.11.3.1	Benchmarks for accepted and assessable development
Table 8.2.12.3.1	Benchmarks for accepted and assessable development
Table 8.2.12.3.2	Stormwater management design objectives – Construction phase (Ref: SPP Appendix 3)
Table 8.2.12.3.3	Stormwater Management Design Objectives - Post construction phase (Ref: SPP Appendix 3)
Table 8.2.12.3.4	Waterway stream protection zone buffers (Ref: SDAP Module 8, Version 1.3, 9 May 2013)

## Maps in Part 8


Overlay map - ASS - 01:14	(Acid sulphate soils overlay)
Overlay map - AL - 01:29	(Agricultural land overlay)
Overlay map - AE - 01:02	(Airport environs overlay)
Overlay map - BH - 01:29	(Bushfire hazard overlay)

Overlay map - CP1 - 01:14	(Coastal environment overlay: Storm tide inundation)
Overlay map - CP2 - 01:14	(Coastal environment overlay: Erosion prone areas and permanent inundation)
Overlay map - ER - 01:29	(Extractive resources overlay)
Overlay map - ES - 01:29	(Environmental significance overlay)
Overlay map - FH - 01:29	(Flood hazard overlay)
Overlay map - HER - 01:29	(Heritage overlay)
Overlay map - INF1 - 01:29	(Infrastructure overlay: Transport infrastructure)
Overlay map - INF2 - 01:29	(Infrastructure overlay: Utility infrastructure)
Overlay map - LH - 01:29	(Landslide hazard overlay)
Overlay map - WW1 - 01:29	(Waterways and wetlands overlay)
Overlay map - WW2 - 01:29	(Waterways and wetlands overlay: Climatic region)

## 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) Bushfire hazard;
  - (e) Coastal environment;
  - (f) Environmental significance;
  - (g) Extractive resources;
  - (h) Flood hazard;

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- (i) Heritage;
  - (j) Infrastructure;
  - (k) Landslide hazard; and
  - (l) Waterways and wetlands.

## 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			
<b>PO1</b>	Where acid sulfate soils are identified, development: <ul style="list-style-type: none"> <li>(a) does not disturb ASS; or</li> <li>(b) is managed to avoid or minimise the release of acid and metal contaminants, where disturbance of ASS is unavoidable.</li> </ul>	<b>AO1.1</b>	Acid sulfate soils are: <ul style="list-style-type: none"> <li>(a) not identified on site; or</li> <li>(b) avoided or managed in accordance with the Queensland Acid Sulfate Soils Technical manual (Queensland Government, 2014).</li> </ul> <p>Note – This may be demonstrated by undertaking an Acid sulfate soils assessment report in accordance with PSP SC6.2 (Environmental features).</p>

## 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	
<b>Conservation of Agricultural land</b>			
<b>PO1</b>	Development ensures that agricultural land is conserved to ensure its long-term availability and productive use for agriculture.	<b>AO1.1</b>	Development: (a) is for Rural activities; or (b) will not permanently alienate the ability for land to be used for Rural activities.
		<b>AO1.2</b>	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 Draft guidelines for agricultural land evaluation in Queensland 2013.
<b>Avoidance or mitigation of land use conflict</b>			

Performance Outcomes		Acceptable Outcomes	
<b>PO2</b>	Development for Accommodation activities and other sensitive uses does not adversely impact on the ongoing operational efficiency and productive use of agricultural lands.	<b>AO2.1</b>	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).
<b>Rearrangement of lot boundaries</b>			
<b>PO3</b>	The boundaries of existing lots containing agricultural lands are not rearranged, unless it can be demonstrated that a rearrangement 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.	<b>AO3.1</b>	The number of new lots, including the balance of the area is equal to or less than the total number of original lots.
		<b>AO3.2</b>	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).
<b>Sediment and stormwater run-off</b>			
<b>PO4</b>	Development is located, designed and constructed to minimise the impact of sediment and stormwater run-off on agricultural lands.	<b>AO4.1</b>	Development is undertaken in accordance with PSP SC6.8 (WRC development manual).
<b>Protection of stock route networks</b>			
<b>PO5</b>	Development does not impact the integrity or connectivity of the stock route network.	<b>AO5.1</b>	Development provides for an adequate separation area where adjacent to the stock route network.
		<b>AO5.2</b>	Development ensures the connectivity and capacity of the stock route network for its primary use of stock movement.



## 8.2.3 Airport environs overlay code

### 8.2.3.1 Application

This code applies to 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 regions 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 so as they do not impact on airport operations.

### 8.2.3.3 Assessment benchmarks

**Table 8.2.3.3.1 Benchmarks for assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Operational airspace</b>			
<b>PO1</b>	Development does not create a permanent or temporary physical or transient obstruction in an airport's operational airspace.	<b>AO1.1</b>	Buildings, structures, or temporary equipment such as cranes do not encroach into an airport's operational airspace.
		<b>AO1.2</b>	Landscaping does not include vegetation that at maturity will encroach into the airport's operational airspace.
		<b>AO1.3</b>	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.

Performance Outcomes		Acceptable Outcomes	
<b>Lighting and reflective surfaces</b>			
<b>PO2</b>	Development within the lighting buffer zone does not include external lighting or reflective surfaces that could distract or confuse pilots.	<b>AO2.1</b>	<p>Development identified within the lighting buffer zone does not :</p> <p>(a) emit light that will exceed the maximum light intensity specified for the area; or</p> <p>(b) include any of the following types of outdoor lighting:</p> <p>(i) straight parallel lines of lighting 500 m to 1000 m long;</p> <p>(ii) flare plumes; or</p> <p>(iii) upward shining lights; or</p> <p>(iv) flashing lights; or</p> <p>(v) laser lights; or</p> <p>(vi) sodium lights; or</p> <p>(vii) reflective surfaces.</p> <p><i>Note – Development which does include type(s) of lighting as listed above will be referred to the airport manager.</i></p> <p><i>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.</i></p>
<b>Emissions</b>			
<b>PO3</b>	Emissions within an airports operation airspace do not significantly:	<b>AO3.1</b>	<p>Within an airports operational airspace, development:</p> <p>(a) does not emit:</p> <p>(i) smoke, dust, ash or steam; or</p> <p>(ii) a gaseous plume at a velocity exceeding 4.3m/sec; or</p> <p>(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.</p>
<b>Wildlife hazard</b>			
<b>PO4</b>	Development does not cause wildlife to create a safety hazard within an airport's operational airspace	<b>AO4.1</b>	<p>Development located within 3km of an airport's runway:</p> <p>(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</p> <p>(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 the potential to attract birds and</p>

Performance Outcomes		Acceptable Outcomes	
			bats.
		<b>AO4.2</b>	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
		<b>AO4.3</b>	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.
<b>Protection of aviation facilities</b>			
<b>PO5</b>	<p>Development within the building restricted area does not interfere with the function of aviation facilities</p> <p>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.</p>	<b>AO5.1</b>	<p>Development located within the building restricted area for an aviation facility:</p> <p>(a) does not create:</p> <ul style="list-style-type: none"> <li>(i) permanent or temporary physical obstructions in the line of sight between antennas; or</li> <li>(ii) an electrical or electromagnetic field that will interfere with signals transmitted by the facility; or</li> <li>(iii) reflective surfaces that could deflect or interfere with signals transmitted by the facility; and</li> </ul> <p>(b) is designed and constructed to mitigate adverse impacts on the function of the facility.</p> <p>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.</p>
<b>Public safety areas</b>			
<b>PO6</b>	Development with an airport's public safety area does not increase the risk to public safety.	<b>AO6.1</b>	<p>Development within an airport's public safety area does not:</p> <p>(a) propose greater dwelling density than a dwelling house; or</p> <p>(b) introduce or intensify business, entertainment, community or recreational activities; or</p>

Performance Outcomes		Acceptable Outcomes	
			(c) involve the manufacture, use or storage of flammable, explosive, hazardous or noxious materials.
<b>Aircraft noise</b>			
<b>PO7</b>	Development involving a sensitive land use is appropriately located and designed to prevent adverse impacts from aircraft noise.	<b>AO7.1</b>	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 (e.g. wetland)	<u>Areas of environmental significance</u> Conservation estate (all other)
<u>Rural activities</u> Cropping (turf farm) Cropping (fruit tree farm) Intensive animal industry (piggery) Aquaculture (fish processing/packing plant)	<u>Rural activities</u> Animal husbandry (cattle/dairy farm) Intensive animal industry (poultry farm)
<u>Recreation activities</u> Major sport, recreation and entertainment facility (showground)	<u>Recreation activities</u> Major sport, recreation and entertainment facility (all other) Outdoor sport and recreation Park
<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> Non-putrescible waste facility (e.g. landfill, transfer station) Sewage/wastewater treatment facility
<u>Other activities</u> Food/organic waste facility Putrescible waste facility (e.g. landfill, transfer station)	

**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, hostel), residential care facility	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

**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	Sleeping areas	50
Residential care facilities	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

## 8.2.4 Bushfire hazard overlay code

### 8.2.4.1 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).

### 8.2.4.2 Purpose and overall outcomes

- (1) The purpose of the Bushfire hazard overlay code is to:
  - (a) provide for the assessment of the suitability of development in Bushfire hazard areas to ensure that risk to life, property, community, economic activity and the environment during bushfire events is minimised; and
  - (b) provide for the assessment of development that maintains the safety of people and property by not exposing them to an unacceptable risk from bushfire events.
- (2) The purpose of the Bushfire hazard overlay code will be achieved through the following overall outcomes:
  - (a) development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the bushfire hazard and does not significantly increase the potential for damage on the site or to other properties;
  - (b) development is compatible with the level of risk associated with the bushfire hazard;
  - (c) development location, siting and design responds to the risk of the bushfire hazard 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 and provides efficient access for evacuation of people and emergency services and access to water supplies during bushfire events;
  - (e) where practical, community infrastructure is located and designed to function effectively during and immediately after a bushfire event; and
  - (f) natural processes and the protective function of landforms and vegetation are maintained where possible in potential Bushfire hazard areas.

### 8.2.4.3 Assessment benchmarks

**Table 8.2.4.3.1 Benchmarks for accepted and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>PO1</b>	Development is compatible with the level of risk associated with the bushfire hazard.	<b>AO1.1</b>	Development: <ul style="list-style-type: none"><li>(a) is not located on land identified in a Bushfire hazard area: or</li><li>(b) if identified within a Bushfire hazard area, must ensure that</li></ul>


Performance Outcomes		Acceptable Outcomes	
			<p>people, property and the community are not exposed to an unacceptable or increased level of risk from a bushfire event.</p> <p>Note – This may be demonstrated by undertaking a site specific Bushfire hazard assessment report and Bushfire hazard management plan in accordance with PSP SC6.5 (Natural hazards).</p>
<b>PO2</b>	Development supports and does not unduly burden disaster management response or recovery capacity and capabilities by providing evacuation routes and access for emergency services.	<b>AO2.1</b>	<p>Access to the development is provided in the form of:</p> <ul style="list-style-type: none"> <li>(a) a public road network or alternate emergency access that separates the development from hazardous vegetation; or</li> <li>(b) a fire access trail which is contained wholly on the subject site; or</li> <li>(c) an evacuation route (with a potential exposure no greater than 2 kw/m<sup>2</sup> fire intensity that does not cross the fire access trail) to a: <ul style="list-style-type: none"> <li>(i) safe assembly zone (if by foot); or</li> <li>(ii) road which can provide escape from the area (if by car – the preferred method).</li> </ul> </li> </ul> <p>Note – This may be demonstrated by undertaking a site specific Bushfire hazard assessment report in accordance with PSP SC6.5 (Natural hazards).</p>
<b>PO3</b>	Development provides for firefighting requirements including: <ul style="list-style-type: none"> <li>(a) ready access to water supplies and safety considerations for other utilities including electricity and gas supplies; and</li> <li>(b) avoidance of the release of or exposure to hazardous materials as a result of a bushfire event.</li> </ul>	<b>AO3.1</b>	<p>Development ensures that:</p> <ul style="list-style-type: none"> <li>(a) all lots are within 70m of a hydrant with reticulated water supply fully installed in accordance with AS2419.1-2005 (Fire hydrant installations); or</li> <li>(b) where a reticulated water supply is not available, one tank within 100m of each class 1, 2, 3 or 4 building has: <ul style="list-style-type: none"> <li>(i) take off connection from the tank that is at a level that allows 20,000 litres to be dedicated for firefighting purposes;</li> <li>(ii) a hardstand area allowing heavy rigid fire appliance access within 6m of tank;</li> <li>(iii) fire brigade tank fittings (50mm ball valve &amp; male camlock coupling) and above ground water</li> </ul> </li> </ul>

Performance Outcomes		Acceptable Outcomes	
			<p>pipes where fittings are metal; and</p> <p>(iv) if underground, the tank has an access hole of 200mm (minimum) to allow access for suction lines.</p> <p>Editor's Note - Plastic tanks are not recommended, however if they are submerged, they may be acceptable.</p>
		<b>AO3.2</b>	The location of water supplies is readily identified from the street frontage with clear identification directing fire fighters to its access point.
		<b>AO3.3</b>	Mains gas supplies are protected in accordance with AS1596-2002 (The storage and handling of LP gas) and the requirements of relevant authorities, and metal piping is exclusively used.
		<b>AO3.4</b>	Bulk storage of hazardous materials as defined in the <i>Work Health and Safety Act 2011</i> does not occur in an identified Bushfire hazard area.
<b>PO4</b>	<p>Development for community infrastructure is located, designed and sited to:</p> <p>(a) function efficiently to protect the safety of people during and immediately after a bushfire event;</p> <p>(b) reduce the exposure of people and vulnerable populations at risk from a bushfire event; and</p> <p>(c) mitigate the impacts of a bushfire on the community and environment.</p>	<b>AO4.1</b>	Development of community infrastructure does not occur in a Bushfire hazard area.

**Table 8.2.4.3.2 Benchmarks for assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>PO1</b>	People residing or working within the development area have relevant emergency management plans in place and ensure the safety of emergency management personal.	<b>AO1.1</b>	<p>Development allows for the safe operation of firefighting personal, by providing:</p> <p>(a) an area which is not exposed to radiant heat of more than 7kW/m<sup>2</sup> during the passing of a fire front; or</p> <p>(b) a Bushfire management plan is prepared in accordance with PSP SC6.5 (Natural hazards).</p>
<b>PO2</b>	Development provides for firefighting requirements including safety considerations for other utilities including electricity and	<b>AO2.1</b>	Electricity supplies and transmission poles in the area are protected and not vulnerable to bushfire events or associated





Performance Outcomes		Acceptable Outcomes	
	gas supplies.		activities (e.g. Falling trees).

## **8.2.5 Coastal environment overlay code**

### **8.2.5.1 Application**

This code applies to accepted and assessable development:

- (a) subject to the Coastal environment overlay map contained within Schedule 2 (Mapping); and
- (b) identified as requiring assessment against the Coastal environment 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 Coastal environment 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 environment 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 the 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 and provides for efficient evacuation and emergency services access during coastal hazard events or otherwise plans for the prospect and impact of isolation or hindered evacuation due to flooding from storm-tide and tidal inundation;
  - (e) development ensures that urban services are designed, located and operated to minimise damage to property, disruption to building function and the re-establishment time after a storm-tide or tidal inundation event;
  - (f) 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;

- (g) 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;
- (h) development minimises the private use of land prone to permanent inundation;
- (i) development maintains public access to the coast;
- (j) development preserves opportunities for locating coastal-dependent land uses in areas adjoining tidal waters; and
- (k) development and infrastructure avoids or mitigates the impacts of predictable future coastal hazard due to increase in sea-level rise and cyclonic activity.

### 8.2.5.3 Assessment Criteria

**Table 8.2.5.3.1 Benchmarks for accepted and assessable development**

Performance Outcomes		Acceptable Outcomes	
PO1	Development involving any habitable and non-habitable part of the 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; or (b) ensures the finished floor level of a new building is located at a minimum 300mm above the defined storm tide event (DSTE) for all habitable rooms; or (c) is not less than the floor level of existing habitable room(s) where involving an extension for no greater than 75m <sup>2</sup> to an existing building.  Editor's Note – Refer to Council's detailed Coastal environment map on the website for further detail. Where no further information is provided by Council the applicant must source the information independently.
		AO1.2	Buildings are only located within a Coastal hazard 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.
		AO1.3	Development on land identified within a Coastal hazard area ensures storage of hazardous materials is located above the DSTE.

Performance Outcomes		Acceptable Outcomes	
<b>PO2</b>	Buildings are sited and designed to protect people and property from coastal hazards and avoid the need for additional coastal environment works.	<b>AO2.1</b>	Where adjacent to or fronting the coastline, all buildings are located: (a) landward or equal to the seaward alignment of any buildings on neighbouring properties; or (b) where there are no neighbouring properties, at least 6m from the seaward property boundary of the site.
<b>PO3</b>	Marina development provides facilities for the handling and disposal of ship-sourced pollutants.	<b>AO3.1</b>	Common user facilities for the handling and disposal of ship-sourced pollutants including oil, garbage and sewage are provided at a suitable location at the marina; and (a) Facilities shall be designed and operated to ensure the risk of spillage from operations is minimised; and (b) Appropriate equipment to contain and remove spillages is stored in a convenient position near the facility and is available for immediate use; and (c) Boats visiting the marina are able to use the ship-sourced pollutants reception facilities.  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.
		<b>AO3.2</b>	Where practical, the marina 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 2002. The plumbing compliance assessment process will ensure that the proposed facilities address 'peak load'.

**Table 8.2.5.3.2 Benchmarks for assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>All development in Coastal hazard areas</b>			
<b>PO1</b>	Development: (a) maintains dune crest height; or (b) where a reduction in dune crest heights cannot be avoided, mitigate risks to development from wave overtopping and storm-tide	<b>AO1.1</b>	Development avoids, or where this is not feasible, minimises reductions in dune crest height.

Performance Outcomes		Acceptable Outcomes	
	inundation.		
<b>PO2</b>	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.	<b>AO2.1</b>	Development ensures that: (a) existing natural environmental features such as mangroves and wetlands as maintained as much as possible; or (b) where changes to these natural features cannot be avoided alternate methods are used to mitigate risks to development from coastal hazards.
<b>PO3</b>	Development maintains or enhances the scenic amenity and natural character of the coastal landscape, views and vistas from the foreshore or significant viewpoints.	<b>AO3.1</b>	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 natural character of the coastal landscape.
<b>PO4</b>	Development avoids the release of hazardous materials into floodwaters.	<b>AO4.1</b>	Development ensures: (a) buildings used for the manufacture or storage of hazardous materials are designed to prevent the intrusion of waters from a DSTE; and (b) exposure to hazardous materials and emergency planning and contingency measures are appropriately developed and managed.
<b>PO5</b>	Development maintains the safety of people living and working on the premises from a DSTE.	<b>AO5.1</b>	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).
<b>PO6</b>	Development does not negatively impact the flood characteristics of the DSTE outside of the subject site.	<b>AO6.1</b>	Buildings are 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

Performance Outcomes		Acceptable Outcomes	
			DSTE outside the subject site.
<b>PO7</b>	Development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	<b>AO7.1</b>	<p>Development does not:</p> <ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk from the coastal hazard event; or</li> <li>(b) increase the number of people likely to need evacuation; or</li> <li>(c) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</li> </ul> <p>Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).</p>
<b>Community infrastructure</b>			
<b>PO8</b>	Development involving community infrastructure remains functional to serve community needs during and immediately after a coastal hazard event.	<b>AO8.1</b>	<p>Community infrastructure is:</p> <ul style="list-style-type: none"> <li>(a) designed, sited and operated to avoid adverse impacts on the community or the environment due to the impacts of a coastal hazard event on infrastructure, facilities or access and egress routes;</li> <li>(b) retains essential site access during a coastal hazard event; and</li> <li>(c) able to remain functional even when other infrastructure or services may be compromised in a coastal hazard event.</li> </ul> <p>Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).</p>
<b>Public access to the coast</b>			
<b>PO9</b>	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.	<b>AO9.1</b>	<p>Development is located, designed and operated:</p> <ul style="list-style-type: none"> <li>(a) in a manner that retains or enhances existing public access to and along the foreshore; or</li> <li>(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.</li> </ul>

Performance Outcomes		Acceptable Outcomes	
<b>Maritime development and Maritime development areas</b>			
<b>PO10</b>	Except in limited circumstances, maritime development is located within a Maritime development area.	<b>AO10.1</b>	Maritime development: (a) is located within an identified Maritime development area; or (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; or (ii) dredging for navigation channels; or (iii) development in a port.
<b>PO11</b>	Development in a Maritime development area: (a) is predominantly for maritime development; and (b) ensures ancillary and subsidiary development is predominantly of a commercial or public nature.	<b>AO11.1</b>	Within the Maritime development area: (a) less than half of the non-tidal component of the development site is allocated for non-maritime development (not including Accommodation activities); and (b) less than a quarter of the non-tidal component of the development site is allocated for Accommodation activities.
<b>Coastal Environment Map 1 – Storm tide inundation (Overlay map - CP1 - 01:14)</b>			
<b>Where development is in an urban area</b>			
<b>PO12</b>	Except in limited circumstances, development is located outside a high hazard storm tide area.	<b>AO12.1</b>	Development is situated wholly outside of a high hazard storm tide area except where the development is: (a) temporary and /or relocatable development; or (b) coastal-dependent development; or (c) located within a Maritime development area; or (d) does not result in an increase of development intensity on the site.
<b>PO13</b>	Development that is subject to a medium hazard storm tide area is located, designed, constructed and operated to avoid adverse coastal hazard impacts (including impacts on the development's ongoing operation) as demonstrated by a Coastal hazard assessment report prepared in accordance with PSP SC6.5 (Natural hazards) to support the development proposal.	<b>AO13.1</b>	Development within an urban area is located outside a medium hazard storm tide area unless: (a) it does not result in an increase in the intensity of development on the site; or (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 Flood risk assessment report demonstrates that the development avoids any increase in risk to people or

Performance Outcomes		Acceptable Outcomes	
			<p>property from coastal hazard impacts.</p> <p>Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).</p>
<b>Where development is in a non-urban area</b>			
<b>PO14</b>	Except in limited circumstances, development does not occur within a non-urban area that is subject to storm tide hazard.	<b>AO14.1</b>	<p>Development within a non-urban area that is subject to storm tide hazard is:</p> <p>(a) located within a Maritime development area; or</p> <p>(b) for tourist attractions and tourist accommodation, and the development:</p> <p>(i) locates Accommodation activities outside the high hazard storm tide area; or</p> <p>(ii) is located, designed, constructed and operated to avoid adverse storm tide hazard impacts (including impacts on the development's ongoing operation) as demonstrated by a Flood risk assessment report prepared to support the development proposal.</p> <p>Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).</p>
<b>Coastal Environment Map 2 – Erosion prone areas and permanent inundation (Overlay map - CP2 - 01:14)</b>			
<b>PO15</b>	Except in limited circumstances, development is located outside of an Erosion prone or Permanent inundation area.	<b>AO15.1</b>	<p>Development is situated wholly outside of an Erosion prone or Permanent inundation area except where the development is:</p> <p>(a) temporary and /or relocatable development; or</p> <p>(b) located within a Maritime development area; or</p> <p>(c) 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 adverse coastal erosion impacts.</p>
		<b>AO15.2</b>	<p>Development is situated wholly outside of an Erosion prone or Permanent inundation area except where:</p> <p>(a) community infrastructure; or</p> <p>(b) able to be abandoned; and</p>



Performance Outcomes		Acceptable Outcomes	
			<p>(c) demonstrates that:</p> <ul style="list-style-type: none"> <li>(i) it is not feasible to locate the development outside an Erosion prone or Permanent inundation area; or</li> <li>(ii) buildings and structures are located landward of alignment of adjacent habitable buildings; or</li> <li>(iii) where it is demonstrated that item (ii) is not reasonable, buildings and structures are located as far landward as practicable.</li> </ul>
<b>PO16</b>	Redevelopment occurring within an Erosion prone or Permanent inundation area mitigates any increase in risk to people and property from adverse coastal erosion or permanent inundation impacts.	<b>AO16.1</b>	<p>Redevelopment relocates buildings and structures:</p> <ul style="list-style-type: none"> <li>(a) outside of an Erosion prone or Permanent inundation area; or</li> <li>(b) relocates buildings and structures landward of the alignment of adjacent habitable buildings; or</li> <li>(c) where it is demonstrated that item (b) is not reasonable, buildings and structures are located as far landward as practicable; and</li> <li>(d) provides sufficient space seaward of the development within the premises to allow for the construction of erosion control structures, such as a sea wall.</li> </ul>
		<b>AO16.2</b>	<p>Redevelopment in an Erosion prone or Permanent inundation area that results in an intensification of a use mitigates the coastal erosion or permanent inundation threat to the development, having regard to the:</p> <ul style="list-style-type: none"> <li>(a) layout of the development so as to minimise the footprint of the development within the Erosion prone or Permanent inundation area and locates the development as far landward as possible;</li> <li>(b) ability of buildings or structures to be decommissioned, disassembled or relocated either on the site or to another site;</li> <li>(c) use of appropriate foundations for the building or</li> </ul>

Performance Outcomes		Acceptable Outcomes	
			<p>structure; and</p> <p>(d) installation and maintenance of site erosion control structures.</p> <p>Note – This may be demonstrated by undertaking a Coastal hazard assessment report in accordance with PSP SC6.5 (Natural hazards).</p>
<b>PO17</b>	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.	<b>AO17.1</b>	<p>Coastal-dependent development:</p> <p>(a) installs and maintains coastal environment works to mitigate adverse impacts to people and property from coastal erosion or permanent inundation; or</p> <p>(b) locates, designs and constructs buildings or structures to withstand coastal erosion or permanent inundation impacts.</p>
		<b>AO17.2</b>	<p>Development within Maritime development area that is not coastal-dependent development:</p> <p>(a) is located outside an Erosion prone or Permanent inundation area; or</p> <p>(b) installs and maintains coastal environment works to mitigate adverse impacts to people and property from coastal erosion or permanent inundation at the location.</p>

## 8.2.6 Environmental significance overlay code

### 8.2.6.1 Application

This code applies to assessable development:

- (a) subject to the Environmental significance overlay map contained within Schedule 2 (Mapping); and
- (b) identified as requiring assessment against the Environmental significance 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 Environmental significance overlay code is to ensure that:
  - (a) matters of environmental significance are protected; and
  - (b) ecological connectivity and habitat extent are maintained or enhanced.
- (2) The purpose of the Environmental significance overlay code will be achieved through the following overall outcomes:
  - (a) matters of environmental significance are valued and protected;
  - (b) the health and resilience of biodiversity is maintained or enhanced to support ecological integrity;
  - (c) development conserves and enhances biodiversity values and associated ecosystem services in the Whitsunday region;
  - (d) development protects and establishes appropriate buffers to native vegetation and significant fauna habitat;
  - (e) 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;
  - (f) development is located, designed and managed to avoid or mitigate adverse direct or indirect impacts on ecological systems and processes; and
  - (g) development ensures that viable connectivity is maintained or enhanced between matters of environmental significance and biodiversity values.

### 8.2.6.3 Assessment benchmarks

**Table 8.2.6.3.1 Benchmarks for assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>All development</b>			
<b>PO1</b>	Development avoids significant impacts on matters of	<b>AO1.1</b>	Development: (a) does not result in a significant

Performance Outcomes		Acceptable Outcomes	
	environmental significance.		<p>impact on identified environmental values; or (b) is located, designed and operated to avoid or mitigate significant impacts on the identified environmental values.</p> <p>Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).</p>
<b>PO2</b>	Development avoids significant impacts on areas designated as a Protected or Legally secured offset areas.	<b>AO2.1</b>	<p>Development is wholly situated outside of an area designated as a Protected or Legally secured offset areas.</p> <p>Editor's Note – For guidance of offset areas refer to the <i>Environmental Offsets Act 2014</i>.</p>
<b>PO3</b>	Development does not result in the short or long-term degradation of ecological values of Protected areas due to edge effects.	<b>AO3.1</b>	<p>Development provides for buffer(s) of:</p> <p>(a) not less than 25m width, between the development and Protected areas; or (b) dimensions and characteristics that protect the long term viability of matters of environmental significance located on and/or adjacent to the site.</p> <p>Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).</p>
<b>PO4</b>	Development protects and enhances ecological connectivity and/or habitat extent.	<b>AO4.1</b>	<p>Development retains vegetation in areas large enough to maintain ecological values, functions and processes.</p> <p>Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).</p>
<b>Where development is within an urban area</b>			
<b>PO5</b>	Development does not result in the short or long-term degradation of ecological values of Wildlife habitat and Regulated vegetation areas due to edge effects.	<b>AO5.1</b>	<p>Development provides for a buffer(s):</p> <p>(a) along the boundary adjoining Wildlife habitat and Regulated vegetation areas; or (b) of dimensions and characteristics that protect the long term viability of the matters of environmental significance located on and/or adjacent to the site.</p> <p>Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).</p>

Performance Outcomes		Acceptable Outcomes	
Where development is within a non-urban area			
<b>PO6</b>	Development avoids significant impacts on Wildlife habitat and Regulated vegetation areas.	<b>AO6.1</b>	Development is: (a) wholly situated outside of a Wildlife habitat and Regulated vegetation area; and (b) setback 25m or 1.5 times the height of the vegetation, whichever is the greater.
<b>PO7</b>	Development provides for the long term management and maintenance of the stream protection zone.	<b>AO7.1</b>	The stream protection zone is protected through a covenant for environmental purposes.
<b>PO8</b>	Development of premises adjoining or containing Regulated vegetation intersecting a watercourse must not adversely affect the integrity of the riparian corridor.	<b>AO8.1</b>	Proposed roads and vehicle crossings must not be located within areas designated as Regulated vegetation intersecting a watercourse.
		<b>AO8.2</b>	Development: (a) maintains hydrological processes and the physical integrity of watercourses, lakes and springs; (b) ensures that impacts from works on the long-term sustainable use of the watercourse or lake or spring are avoided; and (c) the stability of beds and banks of watercourses and the condition and natural functions of water bodies is maintained.

## 8.2.7 Extractive resources overlay code

### 8.2.7.1 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).

### 8.2.7.2 Purpose and overall outcomes

- (1) The purpose of the Extractive resources overlay code is protect and maintain the sustainable and viable use of extractive resources within the Whitsunday region by preventing incompatible development and land uses from encroaching on the extractive resource/processing areas and 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.

### 8.2.7.3 Assessment benchmarks

**Table 8.2.7.3.1 Benchmarks for accepted and assessable development**

Performance outcome		Acceptable solution	
<b>Development within a Local resource or Key resource area (KRA) resource/processing area</b>			
<b>PO1</b>	Development does not constrain, prevent or otherwise interfere with the current or future viability of the winning or processing of extractive resources.	<b>AO1.1</b>	Development is limited to: <ul style="list-style-type: none"> <li>(a) extractive industry uses; or</li> <li>(b) uses that are directly associated with an extractive industry; or</li> <li>(c) temporary or non-intensive development that is compatible with future extractive industry operations (e.g. forestry for wood production).</li> </ul>
<b>Development within a KRA separation area</b>			
<b>PO2</b>	Development does not materially increase the number of people living within a KRA separation area.	<b>AO2.1</b>	Development does not result in an increase in residential density.
		<b>AO2.2</b>	Reconfiguring a lot: <ul style="list-style-type: none"> <li>(a) does not result in the creation of additional lots used or</li> </ul>

Performance outcome		Acceptable solution	
			<p>capable of being used for Accommodation activities; and</p> <p>(b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available house sites and the resource processing area.</p>
<b>PO3</b>	Development minimises the potential adverse impacts (e.g. 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.	<b>AO3.1</b>	<p>Development ensures that:</p> <p>(a) the number of people working or congregating is not increased; or</p> <p>(b) it is compatible with the potential adverse impacts arising from existing or future extractive industry operations; or</p> <p>(c) incorporates design, orientation and construction measures that mitigate the potential adverse effects from existing or future extractive industry operations to acceptable levels.</p> <p>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.</p>
<b>PO4</b>	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.	<b>AO4.1</b>	Development for an extractive industry use is not located within a KRA separation area.
<b>Development within a Transport route or Transport route separation area</b>			
<b>PO5</b>	Development does not materially increase the number of people living within a Transport route separation area.	<b>AO5.1</b>	Development does not result in an increase in residential density.
<b>PO6</b>	Development involving a sensitive use (other than for an Accommodation activity) maintains an acceptable level of amenity.	<b>AO6.1</b>	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.
<b>PO7</b>	Development does not adversely affect the safe and efficient movement and operation of vehicles transporting extractive materials along a Transport route.	<b>AO7.1</b>	<p>Development ensures that:</p> <p>(a) the number of premises with access points to an identified Transport route is not increased; or</p> <p>(b) access points are designed to avoid adversely affecting the safe and efficient operation of</p>

Performance outcome		Acceptable solution	
			vehicles transporting extractive materials along a Transport route.



## **8.2.8 Flood hazard overlay code**

### **8.2.8.1 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).

Note – Where flood hazard is mapped from more than one flood source for a single property or is also identified in the Coastal hazard overlay map, the assessment criterion that provides the highest level of protection from any source of flooding applies.

### **8.2.8.2 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) floodplains and the flood conveyance capacity of waterways are protected;
  - (b) incompatible uses are not located in areas susceptible to flood hazard;
  - (c) development location, siting, layout, and access responds to the risk of the flooding 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 and provides for efficient evacuation and emergency services access during flooding events or otherwise plans for the prospect and impact of isolation or hindered evacuation during flooding;
  - (e) development directly, indirectly and cumulatively avoids an unacceptable 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;
  - (f) development ensures that urban services are designed, located and operated to minimise damage to property, disruption to building function and re-establishment time after a flood event;
  - (g) natural processes and the protective function of landforms and/or vegetation are maintained where possible in Flood hazard areas;
  - (h) where practical, community infrastructure is located and designed to function effectively during and immediately after a flood events; and
  - (i) development for new premises mitigates the impacts of predictable future flood hazards.

### 8.2.8.3 Assessment benchmarks

**Table 8.2.8.3.1 Benchmarks for accepted and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>PO1</b>	Development involving any habitable and non-habitable part of the building is: (a) located and designed to ensure the safety of all persons and buildings from flood hazards; and (b) located to minimise amenity impacts, disruptions to residents, recovery time, rebuilding and restoration costs after a flood event.	<b>AO1.1</b>	Development of a habitable building: (a) is not located on land in a Flood hazard area; or (b) ensures the finished floor level of a new building is located at a minimum 300mm above the defined flood level (DFL) for all habitable rooms; or (c) is not less than the floor level of existing habitable room(s) where involving an extension for no greater than 75m <sup>2</sup> to an existing building.  Editor's Note – Refer to Council's detailed Flood hazard map on the website for further detail. Where no further information is provided by Council the applicant must source the information independently.
		<b>AO1.2</b>	Buildings are only located within the Flood hazard 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 DFL.  Editor's Note – If part of the site is outside the Flood hazard overlay area, this is the preferred location for all buildings.
		<b>AO1.3</b>	Development within a Flood hazard area ensures storage of hazardous materials is located above the DFL.
<b>PO2</b>	Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level, and does not increase the potential for flood damage either on site or on other properties.  Note – Where assessable development PO2 may be achieved by demonstrating that development will not: (a) result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; or (b) change flood characteristics outside the subject site in ways that result in: (i) loss of flood storage; or (ii) loss of/changes to flow paths; or	<b>AO2.1</b>	Buildings and infrastructure in non-urban areas are set back 50m from natural riparian corridors to maintain their natural function of reducing velocity of flood waters.
		<b>AO2.2</b>	Development does not involve a net increase in filling greater than 50m <sup>3</sup> in urban areas or 500m <sup>3</sup> in non-urban areas within a Flood hazard area.  Editor's Note – Berms/mounds are considered to be an undesirable built form outcome and are not supported.
		<b>AO2.3</b>	The design and layout of buildings within a Flood hazard area provides: (a) non-habitable uses at ground

Performance Outcomes		Acceptable Outcomes	
	<p>(iii) acceleration or retardation of flows; or</p> <p>(c) increase stormwater ponding on sites upstream, downstream or in the general vicinity of the subject site.</p>		<p>level; and</p> <p>(b) allows for the flow through of flood water below the DFL.</p> <p>Editor's Note - The highset 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages and laundries) are located on the ground floor.</p> <p>Businesses should ensure that they have the necessary continuity plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>The relevant building assessment provisions under the Building Act 1975 apply to all building work within the Flood hazard area and need to take account of the flood potential within the area.</p>

**Table 8.2.8.3.2 Benchmarks for assessable development**

Performance Outcomes		Acceptable Outcomes	
All development			
<b>PO1</b>	Development avoids the release of hazardous materials into flood waters.	<b>AO1.1</b>	Development within a Flood hazard area ensures: <ul style="list-style-type: none"> <li>(a) buildings used for the manufacture or storage of hazardous materials are designed to prevent the intrusion of waters from a DFE; and</li> <li>(b) exposure to hazardous materials and emergency planning and contingency measures are appropriately managed.</li> </ul>
<b>PO2</b>	Development does not materially increase the number of people at risk of flood hazard.	<b>AO1.2</b>	For Reconfiguring a lot, additional lots are: <ul style="list-style-type: none"> <li>(a) not located in a Flood hazard area; or</li> <li>(b) demonstrated to be above the DFL identified for the site.</li> </ul>
<b>PO3</b>	The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	<b>AO2.1</b>	Development does not: <ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk from flooding; or</li> <li>(b) increase the number of people likely to need evacuation; or</li> <li>(c) shorten flood warning times; or</li> <li>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</li> </ul>

Performance Outcomes		Acceptable Outcomes	
			Note – This may be demonstrated by preparing a Flood hazard assessment report in accordance with PSP SC6.5 (Natural hazards).
<b>PO4</b>	Development involving any habitable and non-habitable part of the building is: (a) located and designed to ensure the safety of all persons and buildings from flood hazard; and (b) located to minimise amenity impacts, disruptions to residents, recovery time, rebuilding and restoration costs after a flood event; and (c) compatible with the level of risk associated with the flood hazard.	<b>AO3.1</b>	Development of the following uses is not to occur on land inundated by the DFL: (a) residential care facility; or (b) retirement facility; or (c) community care centre; or (d) child care centre.
<b>Community infrastructure</b>			
<b>PO5</b>	Development involving community infrastructure remains functional to serve community need during and immediately after a flood event.	<b>AO4.1</b>	Community infrastructure is: (a) provided with the level of flood immunity set out in Table 8.2.8.3.3 (Flood immunity for community infrastructure and services); (b) 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; (c) retains essential site access during a flood event; and (d) 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).

**Table 8.2.8.3.3 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; and (c) major electricity infrastructure.	0.2% AEP flood event

Development	Level of immunity Annual exceedance probability (AEP)
Development involving: <ul style="list-style-type: none"> <li>(a) emergency/evacuation shelters;</li> <li>(b) the storage of valuable records or items of historic /cultural significance (e.g. libraries, galleries);</li> <li>(c) telecommunication facilities;</li> <li>(d) substations;</li> <li>(e) water treatment plants;</li> <li>(f) regional fuel storage;</li> <li>(g) food storage warehouses; and</li> <li>(h) retirement facilities and residential care facilities.</li> </ul>	0.5% AEP flood event
Sewerage treatment plants (requiring licensing as an environmentally relevant activity).	1% AEP flood event

## 8.2.9 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").

### 8.2.9.1 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)**.

### 8.2.9.2 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.
- (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 practicable, the appropriate use, or adaptive re use of Heritage places;
    - (iii) protecting, as far as practicable, the materials and setting of the Heritage place;
    - (iv) ensuring, as far as practicable, 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.

### 8.2.9.3 Assessment benchmarks

**Table 8.2.9.3.1 Benchmarks for accepted and assessable development**

Performance Outcomes		Acceptable Outcomes	
PO1	Development of the Heritage place is: (a) subservient to the features and values of the Heritage place; and (b) compatible with the conservation and management of the cultural	AO1.1	Development: (a) does not alter, remove or conceal significant attributes of the Heritage place; or (b) is minor and necessary to maintain a significant use for the Heritage place.
		AO1.2	Development of the Heritage

Performance Outcomes		Acceptable Outcomes	
	heritage significance of the Heritage place.		<p>place is undertaken with reference to the ICOMOS Charter for the conservation of places of cultural heritage (Burra Charter 2013).</p> <p>Note – This may be demonstrated by undertaking a Heritage impact assessment report in accordance with PSP SC6.3 (Heritage).</p>
<b>PO2</b>	<p>The Heritage place or part of the Heritage place may not be demolished and/or removed unless it can be demonstrated that:</p> <p>(a) there is no prudent or feasible alternative; or</p> <p>(b) the Heritage place, or part of the Heritage place is not of local cultural heritage significance.</p>	<b>AO2.1</b>	<p>Prior to the demolishing or removal of a Heritage place it must be demonstrated that:</p> <p>(a) beyond reasonable doubt there is no prudent or feasible alternative to the demolition or removal of part or all of the Heritage place. The proposal must be supported by a report from an appropriate expert; and</p> <p>(b) where the Heritage place or part of the Heritage place is to be demolished or removed, a Heritage management plan outlining the removal/demolition process must be developed by an appropriate expert having regard for the Burra Charter 2013.</p> <p>Note – This may be demonstrated by undertaking a Heritage management plan in accordance with PSP SC6.3 (Heritage).</p>
<b>PO3</b>	Changes to a Heritage place are appropriately managed and documented on the place card of the Heritage place.	<b>AO3.1</b>	Development is compatible with a Conservation management plan prepared in accordance with the Australian ICOMOS Charter for places of cultural significance (Burra Charter, 2013).
		<b>AO3.2</b>	Any development is appropriately documented on the place card of the Heritage place.
<b>PO4</b>	The identified archaeological significance or potential archaeological significance of the Heritage place is conserved.	<b>AO4.1</b>	Where a ground breaking activity is required within the boundary of the Heritage place that has been identified as an archaeological place, a suitably qualified and experienced archaeologist must be appointed to assess the impact of the ground breaking activity on any identified and/or potential archaeological artefacts and features. The archaeologist must develop and, where required by Council, oversee the implementation of an Archaeological management plan that outlines how the project will

Performance Outcomes		Acceptable Outcomes	
			<p>manage impacts to the archaeological significance and potential of the place.</p> <p>Note – This may be demonstrated by undertaking an Archaeological management plan in accordance with PSP SC6.3 (Heritage).</p>



## **8.2.10 Infrastructure overlay code**

### **8.2.10.1 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).

### **8.2.10.2 Purpose and overall outcomes**

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

### 8.2.10.3 Assessment benchmarks

**Table 8.2.10.3.1 Benchmarks for accepted and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Infrastructure Map 1 – Transport infrastructure (Overlay map - INF1 - 01:29)</b>			
<b>Road noise corridor and Railway buffers</b>			
<b>PO1</b>	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.	<b>AO1.1</b>	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.
		<b>AO1.2</b>	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).
<b>PO2</b>	Development within a Road noise corridor or Railway buffer does not adversely impact on the associated infrastructure.	<b>AO2.1</b>	Development within a Road noise corridor or Railway buffer maintains and, where practicable, enhances the safety, efficiency and effectiveness of the infrastructure.
<b>Strategic port areas and buffers</b>			
<b>PO3</b>	Development within a Strategic port area or buffer does not interfere with an aid to navigation or associated signals.	<b>AO3.1</b>	Development does not result in significant electrical or electro-magnetic emissions which may impede the operation of aids to navigation.
		<b>AO3.2</b>	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.
		<b>AO3.3</b>	Lighting complies with AS 4282-1997(Control of the obtrusive effects of outdoor lighting).
<b>Public passenger transport facilities and buffers</b>			
<b>PO4</b>	Development supports a road hierarchy which facilitates efficient, safe and accessible bus services connecting to existing and future Public passenger transport facilities.	<b>AO4.1</b>	Roads catering for buses are major collector, arterial or sub-arterial roads or their equivalent.
		<b>AO4.2</b>	Roads catering for buses provide convenient connections to existing and future Public passenger transport facilities.

Performance Outcomes		Acceptable Outcomes	
		<b>AO4.3</b>	Development on bus routes does not impact bus stop infrastructure or the efficient running of bus services.
		<b>AO4.4</b>	Roads catering for buses are designed and constructed in accordance with Part 2 of the Transport Planning and Coordination Regulation 2005 (Code for IDAS).
<b>PO5</b>	Development enhances connectivity between existing and future Public passenger transport facilities and other transport modes.	<b>AO5.1</b>	The road network supports modal interchange by integrating with existing and future Public passenger transport facilities.
		<b>AO5.2</b>	Development provides direct linkages for passengers between existing and future Public passenger transport facilities and other transport modes.
		<b>AO5.3</b>	Development provides way-finding information for existing Public passenger transport facilities and interconnecting transport modes.
<b>PO6</b>	Development optimises the walkable catchment to existing and future Public passenger transport facilities.	<b>AO6.1</b>	Development connects to an existing or planned pedestrian/cycle network that links to existing and future Public passenger transport facilities.
		<b>AO6.2</b>	Development provides convenient through-site connections for pedestrians and cyclists to existing and future Public passenger transport facilities.
<b>PO7</b>	Development provides direct and safe access to and use of Public passenger transport facilities.	<b>AO7.1</b>	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).
		<b>AO7.2</b>	Pathway connections are available at all times.
		<b>AO7.3</b>	Direct and legible pedestrian and cycle paths and crossings provide connections to existing and future Public passenger transport facilities.
		<b>AO7.4</b>	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	
		<b>AO7.5</b>	Development of Business activities provides active frontages oriented towards Public passenger transport facilities.
		<b>AO7.6</b>	Accommodation activities address street frontages and provide casual surveillance of Public passenger transport facilities.
<b>Infrastructure Map 2 – Utility infrastructure (Overlay map - INF2 - 01:29)</b>			
<b>Major electricity infrastructure and substation buffers</b>			
<b>PO8</b>	Development involving a sensitive use is sufficiently separated from major electricity infrastructure or substations to minimise the likelihood of nuisance or complaint.	<b>AO8.1</b>	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 between 133kV and 275kV; and (c) 40m for transmission lines exceeding 275kV.
<b>PO9</b>	Major electricity infrastructure on private land is included in an easement.	<b>AO9.1</b>	Existing infrastructure easements are maintained and where none currently exist, new easements are created which are sufficient for electricity provider's requirements.
<b>Bulk water supply pipelines and buffers</b>			
<b>PO10</b>	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.	<b>AO10.1</b>	Buildings and structures are setback a minimum of 20m from a water supply pipeline.
<b>PO11</b>	Development is located and designed to maintain required access to water supply infrastructure.	<b>AO11.1</b>	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 (d) landscaping, earthworks, stormwater or other infrastructure.
<b>Petroleum pipeline buffers</b>			
<b>PO12</b>	Development within a Petroleum pipeline buffer reduces the risk of harm to sensitive uses, people and property.	<b>AO12.1</b>	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

Performance Outcomes		Acceptable Outcomes	
			sensitive uses, people and property.
<b>PO13</b>	Development and works within a Petroleum pipeline buffer does not adversely impact on associated infrastructure.	<b>AO13.1</b>	Uses and works within a Petroleum pipeline buffer are constructed and operated to avoid: <ul style="list-style-type: none"> <li>(a) compromising the viability of the Petroleum pipeline corridor; or</li> <li>(b) damaging or adversely affecting the existing or future operation of major petroleum pipelines and the supply of petroleum.</li> </ul>
<b>Waste water treatment facilities and buffers</b>			
<b>PO14</b>	Accommodation activities and other sensitive uses are not adversely affected by odour emissions from existing or planned Waste water treatment facilities.	<b>AO14.1</b>	A sensitive use involving an Accommodation activity is not located or intensified within a Waste water treatment facility buffer.
		<b>AO14.2</b>	Any sensitive use (other than an accommodation activity) located within a Waste water treatment facility buffer: <ul style="list-style-type: none"> <li>(a) incorporates appropriate measures to minimise odour impacts; or</li> <li>(b) demonstrates that occupants and users will not be adversely affected by odour emissions from activities associated with the Waste water treatment facility.</li> </ul>
		<b>AO14.3</b>	Reconfiguring a lot within a Waste water treatment facility buffer: <ul style="list-style-type: none"> <li>(a) does not result in the creation of additional lots used or capable of being used for Accommodation activities; and</li> <li>(b) where rearranging boundaries, does not worsen the existing situation with respect to the distance between available residential sites and the Waste water treatment facility.</li> </ul>
<b>Waste management facility buffer</b>			
<b>PO15</b>	Accommodation activities and other sensitive uses are not adversely affected by noise emissions from existing or planned Waste management facilities.	<b>AO15.1</b>	A sensitive use involving an Accommodation activity is: <ul style="list-style-type: none"> <li>(a) not located or intensified within a Waste management facility buffer; or</li> <li>(b) where located within a Waste management facility buffer complies with the following the acoustic quality design</li> </ul>

Performance Outcomes		Acceptable Outcomes	
			objectives specified in Environmental Protection (Noise) Policy 2008.
		<b>AO15.2</b>	Any sensitive use (other than an Accommodation activity) located within a Waste management facility buffer complies with the acoustic quality design objectives specified in <i>Environmental Protection (Noise) Policy 2008</i> .

## 8.2.11 Landslide hazard overlay code

### 8.2.11.1 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).

### 8.2.11.2 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 directly, indirectly and cumulatively 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.

### 8.2.11.3 Assessment benchmarks

**Table 8.2.11.3.1 Benchmarks for accepted and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>PO1</b>	Development maintains the safety of people, property and hazardous materials (manufactured or stored in bulk) from the risk of a landslide hazard.	<b>AO1.1</b>	Development: <ul style="list-style-type: none"><li>(a) is not located on land identified in a Landslide hazard area; or</li><li>(b) if identified within a Landslide hazard area ensures:</li></ul>

Performance Outcomes		Acceptable Outcomes	
			<ul style="list-style-type: none"> <li>(i) the long term stability of the site including associated buildings and infrastructure;</li> <li>(ii) that the site will not be adversely affected by landslide activity originating from other land, including land above the site; and</li> <li>(iii) that filling and excavation does not redirect the flow of, or concentrate surface water or groundwater on the site or neighbouring sites.</li> </ul> <p>Note – This may be demonstrated by undertaking a site specific Landslide hazard (geotechnical) assessment report in accordance with PSP SC6.5 (Natural hazards).</p> <p>The building assessment provisions must address the stability of buildings and structures in relation to landslide hazard.</p>
<b>PO2</b>	Community infrastructure maintains the safety of people and property and is not adversely affected by a landslide hazard.	<b>AO2.1</b>	<p>Development of community infrastructure within an identified Landslide hazard area ensures:</p> <ul style="list-style-type: none"> <li>(a) the long term stability of the site including associated building and infrastructure;</li> <li>(b) that access to the site will not be impeded by a landslide event;</li> <li>(c) that the site will not be adversely affected by landslides originating from other land, including land above the site; and</li> <li>(d) the primary function of the community infrastructure is maintained during a landslide event.</li> </ul> <p>Note – A site-specific landslide hazard (geotechnical) report is required to demonstrate compliance with PO2. The Landslide hazard (geotechnical) assessment report is to be prepared in accordance with PSP SC6.5 (Natural hazards).</p> <p>The building assessment provisions must address the stability of buildings and structures in relation to landslide hazard.</p>



## **8.2.12 Waterways and wetlands overlay code**

### **8.2.12.1 Application**

This code applies to accepted and assessable development:

- (a) subject to the Waterways and wetlands overlay map contained within Schedule 2 (Mapping); and
- (b) identified as requiring assessment against the Waterways and wetlands 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 Waterways and wetlands overlay code is to ensure that:
  - (a) matters of environmental significance are protected;
  - (b) ecological connectivity and habitat extent are maintained or enhanced;
  - (c) wetlands and waterways are protected, maintained or enhanced; and
  - (d) development in or adjacent to wetlands in Great Barrier Reef catchments is planned, designed, constructed and operated to prevent the loss or degradation of the wetlands and their environmental values.
- (2) The purpose of the Waterways and wetlands overlay code will be achieved through the following overall outcomes:
  - (a) development maintains or enhances the biodiversity values and associated ecosystem services of waterways and wetlands within the Whitsunday region;
  - (b) development protects and establishes appropriate buffers to waterways and wetlands;
  - (c) 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;
  - (d) development is planned, designed, constructed and managed to avoid or mitigate significant direct or indirect impacts on environmental values and processes of waterways and wetlands;
  - (e) development ensures that viable connectivity is maintained or enhanced between matters of environmental significance and biodiversity values;
  - (f) development protects the ecological values and processes, physical extent and buffering of waterways and wetlands;
  - (g) development enhances existing wetland environmental values or avoids adverse effects on wetland environmental values;

### 8.2.12.3 Assessment benchmarks

**Table 8.2.12.3.1 Benchmarks for accepted and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>All development</b>			
<b>PO1</b>	Development avoids significant impacts on matters of environmental significance.	<b>AO1.1</b>	<p>Development:</p> <p>(a) does not result in a significant impact on the identified environmental values; or</p> <p>(b) is located, designed and operated to avoid or mitigate significant impacts on the identified environmental values.</p> <p>Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).</p>
<b>PO2</b>	Development protects and enhances ecological connectivity and/or habitat extent.	<b>AO2.1</b>	<p>Development retains vegetation in areas large enough to maintain ecological values, functions and processes.</p> <p>Note – This may be demonstrated by preparing an Ecological assessment report in accordance with PSP SC6.2 (Environmental features).</p>
<b>Where development is within an urban area</b>			
<b>Plan to avoid/minimise new impacts</b>			
<b>PO3</b>	The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.	<b>AO3.1</b>	<p>A site stormwater quality management plan (SQMP) is prepared ensuring it:</p> <p>(a) is consistent with any local area stormwater management planning, and</p> <p>(b) provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 8.2.12.3.2 (Stormwater management design objectives – Construction phase) and Table 8.2.12.3.3 (Stormwater management design objectives – Post construction phase), or current best practice environmental management, reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> <li>(i) erosive, dispersive and/or saline soil types;</li> <li>(ii) landscape features (including landform);</li> <li>(iii) acid sulfate soil and management of nutrients of concern; and</li> <li>(iv) rainfall erosivity.</li> </ul> <p>Note – The Urban stormwater quality</p>

Performance Outcomes		Acceptable Outcomes	
			<p>planning guideline (EHP 2010) provides best practice information for the management of development and construction activities.</p> <p>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.</p>
PO4	Development does not discharge wastewater to a waterway or off site unless demonstrated to be best-practice environmental management for that site.	AO4.1	<p>A wastewater management plan (WWMP) is prepared by a suitably qualified person and addresses:</p> <ul style="list-style-type: none"> <li>(a) wastewater type;</li> <li>(b) climatic conditions;</li> <li>(c) water quality objectives (WQOs); and</li> <li>(d) best practice environmental management.</li> </ul>
		AO4.2	<p>The WWMP provides that wastewater is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> <li>(a) avoids wastewater discharges to waterways; or</li> <li>(b) if wastewater discharge to waterways cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.</li> </ul>
PO5	Any non-tidal artificial waterway is located in a way that is compatible with the land use constraints of the site for protecting water environmental values in existing natural waterways.	AO5.1	<p>If the proposed development involves a non-tidal artificial waterway:</p> <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any groundwater recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of a catchment connected to an existing waterway; and</li> <li>(d) existing areas of ponded water are included.</li> </ul>
		AO5.2	<p>Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise the disturbance of soils or sediments; and</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul>

Performance Outcomes		Acceptable Outcomes	
<b>PO6</b>	Any non-tidal artificial waterway is located in a way that is compatible with existing tidal waterways.	<b>AO6.1</b>	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: <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> <li>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</li> <li>(c) there is no introduction of salt water into freshwater environments.</li> </ul>
<b>Design to avoid/minimise new impacts</b>			
<b>PO7</b>	Stormwater does not discharge directly to a non-tidal artificial waterway without treatment to manage stormwater quality management.	<b>AO7.1</b>	Any non-tidal artificial waterway is designed and managed for any of the following end-use purposes: <ul style="list-style-type: none"> <li>(a) amenity (including aesthetics, landscaping and recreation); or</li> <li>(b) flood management; or</li> <li>(c) stormwater harvesting as part of an integrated water cycle management plan; or</li> <li>(d) aquatic habitat.</li> </ul>
		<b>AO7.2</b>	The end-use purpose of any non-tidal artificial waterway is designed and operated in a way that protects water environmental values.
<b>Construct to avoid/minimise new impacts</b>			
<b>PO8</b>	Construction activities avoid or minimise adverse impacts on stormwater quality.	<b>AO8.1</b>	An Erosion and sediment control plan (ESCP) demonstrates that the release of sediment-laden stormwater is avoided for the nominated design storm and minimised when the nominated design storm is exceeded. <p>Editor's note – ESCP must address relevant design objectives outlined within SDAP Module 8.</p> <p>Note – An Erosion and sediment control plan is to be prepared in accordance with PSP SC6.8 (WRC development manual).</p>
		<b>AO8.2</b>	Erosion and sediment control practices (including any proprietary erosion and sediment control products) are designed, installed, constructed, operated, monitored and maintained, and any other erosion and sediment control practices are carried out in accordance with local conditions and appropriate recommendations from a suitably qualified person experienced with technical expertise in the field of Environmental engineering.

Performance Outcomes		Acceptable Outcomes	
			<p>Note – An Erosion and sediment control plan is to be prepared in accordance with PSP SC6.8 (WRC development manual).</p>
		<b>AO8.3</b>	<p>The ESCP demonstrates how stormwater quality will be managed in accordance with an acceptable regional or local guideline so that target contaminants are treated.</p> <p>Editor's note – ESCP must address relevant design objectives outlined within SDAP Module 8.</p> <p>Note – An Erosion and sediment control plan is to be prepared in accordance with PSP SC6.8 (WRC development manual).</p>
<b>Operate to avoid/minimise new impacts</b>			
<b>PO9</b>	Operational activities for the development avoids or minimises changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	<b>AO9.1</b>	<p>Development (both construction and post-construction) incorporates stormwater flow control measures to achieve the design objectives set out in:</p> <p>(a) Table 8.2.12.3.2 (Stormwater management design objectives – Construction phase); and</p> <p>(b) Table 8.2.12.3.3 (Stormwater management design objectives – Post construction phase); or</p> <p>(c) current best practice environmental management, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p>
<b>PO10</b>	Wastewater discharge to a waterway is managed in a way that maintains ecological processes, riparian vegetation, waterway integrity and downstream ecosystem health.	<b>AO10.1</b>	Wastewater discharge to non-tidal artificial waterways is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of coastal algal blooms.
		<b>AO10.2</b>	<p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology.</p> <p>Note – Compliance with this outcome may be demonstrated by following the management advice in the guideline: Implementing policies and plans for</p>

Performance Outcomes		Acceptable Outcomes	
			managing nutrients of concern for coastal algal blooms in Queensland by the Department of Environment and Heritage Protection.
<b>PO11</b>	Any non-tidal artificial waterway is managed and operated by suitably qualified persons to achieve water quality objectives in natural waterways.	<b>AO11.1</b>	Any non-tidal artificial waterway is designed, constructed and managed under the responsibility of a suitably qualified registered professional engineer, Queensland (RPEQ) with specific experience in establishing and managing artificial waterways.
		<b>AO11.2</b>	Monitoring and maintenance programs adaptively manage water quality in any non-tidal artificial waterway to achieve relevant water-quality objectives downstream of the waterway.
		<b>AO11.3</b>	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%). Pests and vectors (such as mosquitoes) are managed through avoiding stagnant water areas, providing for native fish predators and any other best practices for monitoring and treating pests.
		<b>AO11.4</b>	Any non-tidal artificial waterway is managed and operated by a responsible entity under agreement for the life of the waterway. The responsible entity is to implement a deed of agreement for the management and operation of the waterway that: <ul style="list-style-type: none"> <li>(a) identifies the waterway;</li> <li>(b) states a period of responsibility for the entity;</li> <li>(c) states a process for any transfer of responsibility for the waterway;</li> <li>(d) states required actions under the agreement for monitoring the water quality of the waterway and receiving waters;</li> <li>(e) states required actions under the agreement for maintaining the waterway to achieve the outcomes of this code and any relevant conditions of a development approval; and</li> <li>(f) identifies funding sources for the above, including bonds, infrastructure charges or levies.</li> </ul>

Performance Outcomes		Acceptable Outcomes	
Where development is within or adjacent to waterways or Matters of state environmental significance (MSES) wetland			
<b>PO12</b>	Development ensures stormwater treatment is located clear of waterways and wetland areas.	<b>AO12.1</b>	Stormwater treatment devices are located entirely outside of waterways, waterway buffers and wetland areas.
<b>PO13</b>	Development: (a) retains, enhances and maintains the environmental values and functioning of waterways; and (b) provides and maintains adequate vegetated buffers and setbacks to waterways.	<b>AO13.1</b>	Cleared, degraded or disturbed waterway and waterway buffer areas within the site are rehabilitated. Such areas are rehabilitated along their full length to a suitable buffer width in accordance with expert ecological advice provided as part of the approved Ecological assessment report prepared in accordance with PSP SC6.2 (Environmental significance).
		<b>AO13.2</b>	Site layout does not impact upon the natural drainage systems associated with the waterway.
		<b>AO13.3</b>	Development is undertaken in accordance with an approved Vegetation management plan prepared in accordance with PSP SC6.2 (Environmental features) that protects the waterway.
<b>PO14</b>	Bank stability, channel integrity and in-stream habitat is protected from degradation and maintained or improved at a standard commensurate with predevelopment environmental conditions.	<b>AO14.1</b>	No direct interference or modification of waterway channels, banks or riparian and in-stream habitat occurs.
<b>PO15</b>	Existing natural flows of surface and groundwater are not altered through channelization, redirection or interruption of flows.	<b>AO15.1</b>	Development ensures that the natural surface water and groundwater hydrologic regimes of waterways and associated buffers are maintained to the greatest extent possible.
<b>PO16</b>	Development on land adjacent to a waterway maintains an appropriate extent of public access to waterways and minimises edge effects.	<b>AO16.1</b>	Development adjacent to a waterway provides that: (a) no new lots directly adjoin the riparian area; and (b) a new road is located between the riparian buffer and the proposed development areas.
<b>PO17</b>	Development is not carried out in a wetland area.	<b>AO17.1</b>	Development is located outside: (a) the mapped boundary of a wetland area; or (b) an alternative mapped boundary of the wetland area, (submitted to Council and supported by a site assessment and analysis of the wetland to delineate its extent, in accordance with

Performance Outcomes		Acceptable Outcomes	
			expert ecological advice provided as part of the approved Ecological assessment report prepared in accordance with PSP SC6.2 (Environmental features)).
<b>PO18</b>	Development does not result in the short or long-term degradation of environmental values of wetlands due to edge effects.	<b>AO18.1</b>	Development, including associated infrastructure, provides for a buffer along the boundary adjoining wetland areas.
		<b>AO18.2</b>	Development provides for buffer(s) of: (a) not less than 100m width, incorporating vegetated (representative of local native habitat) and degraded areas requiring rehabilitation between the development and wetlands located on and/or adjacent to the site; or (b) dimension and characteristics that protect the long term viability of the wetlands located on and/or adjacent to the site from negative impacts associated with the development on the site, in accordance with expert ecological advice provided as part of the approved Ecological assessment report prepared in accordance with PSP SC6.2 (Environmental significance).
<b>PO19</b>	The existing surface water hydrological regime of the wetland area is enhanced or maintained.	<b>AO19.1</b>	Development must: (a) provide a net ecological benefit and improvement to the environmental values and functioning of a wetland area; or (b) rehabilitate the existing hydrological regime, or restore the natural hydrological regime of the wetland area to enhance the ecological functions and biodiversity values of the wetland.
		<b>AO19.2</b>	Development ensures the: (a) existing surface water hydrological regime of a wetland area does not change, including through channelization, redirection or interruption of flows, as demonstrated in the approved Ecological assessment report



Performance Outcomes		Acceptable Outcomes	
			<p>prepared in accordance with PSP SC6.2 (Environmental features); or</p> <p>(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:</p> <p>(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</p> <p>(ii) any relevant stream flows into the wetland comply with the relevant flow objectives of the applicable water resource plan for the area; or</p> <p>(iii) 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).</p>

**Table 8.2.12.3.2 Stormwater management design objectives – Construction phase (Ref: SPP Appendix 3)**

Issue	Design Objectives	Issue
Drainage control	Temporary drainage works	<p>(1) Design life and design storm for temporary drainage works:</p> <p>(a) disturbed area open for &lt;12 months—1 in 2-year ARI event;</p> <p>(b) disturbed area open for 12–24 months—1 in 5-year ARI event;</p> <p>(c) disturbed area open for &gt; 24 months—1 in 10-year ARI event.</p> <p>(2) Design capacity excludes minimum 150 mm freeboard.</p> <p>(3) Temporary culvert crossing—minimum 1 in 1-year ARI hydraulic capacity.</p>
Erosion control	Erosion control measures	<p>(1) Minimise exposure of disturbed soils at any time.</p> <p>(2) Divert water run-off from undisturbed areas around disturbed areas.</p> <p>(3) Determine the erosion risk rating using local rainfall erosivity, rainfall depth, soil-loss rate or other acceptable methods.</p>

Issue	Design Objectives	Issue
		(4) Implement erosion control methods corresponding to identified erosion risk rating.
Sediment control	Sediment control measures  Design storm for sediment control basins  Sediment basin dewatering	(1) Determine appropriate sediment control measures using: (a) potential soil loss rate; or (b) monthly erosivity; or (c) average monthly rainfall. (2) Collect and drain stormwater from disturbed soils to sediment basin for design storm event: (a) design storm for sediment basin sizing is 80th% five-day event or similar. (3) Site discharge during sediment basin dewatering: (a) TSS < 50 mg/L TSS; (b) turbidity not >10% receiving waters turbidity; and (c) pH 6.5–8.5.
Water quality	Litter and other waste, hydrocarbons and other contaminants	(1) Avoid wind-blown litter; remove gross pollutants. (2) Ensure there is no visible oil or grease sheen on released waters. (3) Dispose of waste containing contaminants at authorised facilities.
Waterway stability and flood flow management	Changes to the natural waterway hydraulics and hydrology	(1) For peak flow for the 1-year and 100-year ARI event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

**Table 8.2.12.3.3 Stormwater Management Design Objectives - Post construction phase (Ref: SPP Appendix 3)**

Climatic region	Design Objectives Minimum reductions in mean and annual load from unmitigated development (%)				Application
	Total suspended solids	Total phosphorus	Total Nitrogen	Gross pollutants >5mm	
Central Queensland (North)	75	60	40	90	Development for urban purposes within population centres greater than 3,000 persons.
All	N/A	N/A	N/A	N/A	Excludes development that is less than 25% impervious.  In lieu of modelling, the default bio-retention treatment area to comply with load reduction targets for all Queensland regions is 1.5% of the contributing catchment area.
	Waterway stability management  Limit the peak 1-year ARI event discharge within the receiving waterway to the pre-development				Catchments contributing to un-lined receiving waterway may not require

	peak 1-year ARI event discharge.	compliance if the waterway is degraded.  For peak flow the 1-year ARI event, use co-located storages to attenuate site discharge rate of stormwater.
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