

## ***Division 2 – Planning Scheme Structure***

### **1.6 Division into zones and precincts**

- (1) The planning scheme divides the Shire into 10 zones as follows:
  - (a) Rural Zone;
  - (b) Park Residential Zone;
  - (c) Residential Zone;
  - (d) Village Zone;
  - (e) Yeppoon Central Zone
  - (f) Business Zone;
  - (g) Industry Zone;
  - (h) Open Space Zone;
  - (i) Special Purpose Zone; and
  - (j) Comprehensive Development Zones.
- (2) The Residential Zone incorporates 3 preferred use precincts as follows:
  - (a) Residential 1 (R1) precinct;
  - (b) Residential 2 (R2) precinct; and
  - (c) Residential 3 (R3) precinct.
- (3) The Industry Zone incorporates 2 preferred use precincts as follows:
  - (a) Light Industry (LI) precinct; and
  - (b) General Industry (GI) precinct.
- (4) The Comprehensive Development Zone comprises 6 discrete zones as follows:
  - (a) Comprehensive Development - Great Barrier Reef International Resort Zone;

---

<sup>3</sup> IPA, Chapter 3 [Integrated Development Assessment System (IDAS)], Part 5 (Decision stage), Division 6 (Conditions)

- (b) Comprehensive Development - Great Keppel Island Zone;
- (c) Comprehensive Development – Rosslyn Bay Zone;
- (d) Comprehensive Development - Capricorn International Resort Zone;
- (e) Comprehensive Development – Stanage Zone;
- (f) Comprehensive Development – Seaspray Zone.

**1.7 Special management areas overlay planning scheme area**

- (1) Special management areas overlay the planning scheme area as identified on Overlay Maps and in Schedule 3 as set out in Table 1:

**Table 1 – Special Management Areas**

Special Management Areas	Overlay Map/Schedule Reference
(a) Natural Features and Resources Overlays	
<ul style="list-style-type: none"> <li>▶ Protected Areas</li> <li>▶ Water Supply Catchment</li> <li>▶ Extractive Resources<sup>4</sup></li> <li>▶ Airport Affected Land</li> </ul>	O1A & B
<ul style="list-style-type: none"> <li>▶ Drainage Problem</li> <li>▶ Erosion Prone Land</li> <li>▶ Steep Land</li> </ul>	O2A & B
<ul style="list-style-type: none"> <li>▶ Wetlands</li> <li>▶ Waterways</li> </ul>	O3A & B
<ul style="list-style-type: none"> <li>▶ Good Quality Agricultural Land</li> </ul>	O4A & B
<ul style="list-style-type: none"> <li>▶ Storm Tide Hazard</li> <li>▶ Bushfire Hazard</li> </ul>	O5A & B
<ul style="list-style-type: none"> <li>▶ Historic Townships</li> </ul>	O6A & B
<ul style="list-style-type: none"> <li>▶ Farnborough Groundwater</li> </ul>	O7
<ul style="list-style-type: none"> <li>▶ Acid Sulfate Soils</li> </ul>	O8A & B
<ul style="list-style-type: none"> <li>▶ Capricorn Coast Landscape</li> </ul>	O9
(b) Cultural Heritage Overlays	
<ul style="list-style-type: none"> <li>▶ Heritage Places</li> </ul>	Schedule 3

**NOTE:** Reference in this planning scheme to an Overlay Map by whole number (e.g., O6) is deemed to include reference to both the A and B maps (e.g., O6A and O6B)

**1.8 Planning scheme maps illustrate spatial implementation measures**

- (1) The planning scheme includes planning scheme maps (identified in Column 1 of Table 2 below) that have a purpose relating to the implementation of measures included in the planning scheme (explained in Column 2 of Table 2 below).

<sup>4</sup> The Extractive Resources Special Management Area comprises mining tenement including mining leases, mineral development licences and mining claims as defined in the Mineral Resources Act 1989, key resource areas include significant current and future mineral and extractive resource areas

**Table 2 – Planning Scheme Maps**

Column 1 Planning Scheme Map		Column 2 Purpose
PSM1	Shire Outline Map	Illustrates the spatial representation of the achievement of the desired environmental outcomes - [refer section 1.14].
PSM2	Agricultural Land Classification Map A – Balance of Shire Map B – Capricorn Coast	Maps various agricultural land classes – [refer section 3.3(2)(a)(iii)].
PSM3	Yeppoon Central Area Map A -Yeppoon Structure Plan Map B – Building heights Map C - Linkages	Illustrates preferred land use precincts, building heights and linkages for vehicles and pedestrian movements for the Yeppoon Central area [refer section 3.11].
PSM4	Great Barrier Reef International Resort Structure Map	Illustrates the spatial layout for uses nominated in the Great Barrier Reef International Resort Schedule – [refer section 3.21(4)].
PSM5	Great Keppel Island Structure Map	Illustrates the spatial layout for uses nominated in the Great Keppel Island Schedule – [refer section 3.22(3)].
PSM6	Rosslyn Bay Structure Map	Illustrates the spatial layout for uses nominated in the Rosslyn Bay Schedule – [refer section 3.22(4)].
PSM7	Capricorn International Resort Structure Map	Illustrates the spatial layout for uses nominated in the Capricorn International Resort Schedule – [refer section 3.24(3)].
PSM8	Stange Structure Map	Illustrates the spatial layout for uses nominated in the Stange Schedule – [refer section 3.25(4)].
PSM9	Building heights in the vicinity of Rockhampton Airport	Illustrates the maximum heights for development in the vicinity of the Rockhampton Airport. – [refer section 3.27(2)(j)].
PSM10	Locally Significant Vegetation Map 10A – Balance of Shire Map 10B – Capricorn Coast	Maps locally significant vegetation [refer section 4.19(2)]s
PSM11	Seaspray Structure Map	Illustrates the spatial layout for uses nominated in the Seaspray Schedule – [refer section 3.26(4)].

**1.9 Roads, watercourses and areas appearing to be unzoned**

- (1) If a road reserve or watercourse in the planning scheme area is not shown as being covered by a zone on the zoning maps, the following applies:
- If the road reserve or watercourse is adjoined on both sides by land in the same zone –the road reserve or watercourse has the same zoning as adjoining land;
  - If the road reserve or watercourse is adjoined on one side by land in a zone and adjoined on the other side by land in another zone – the road reserve or watercourse has the same zoning as the adjoining land and the centreline of the road reserve or watercourse is the boundary between the two zones;

- (c) If the road reserve or watercourse is adjoined on one side only by land in a zone – the entire road reserve or watercourse has the same zoning as the adjoining zoned land.
- (2) To remove any doubt, it is declared that subsection (1) also applies to a closed road reserve if the road reserve is closed after the commencement of the planning scheme.
- (3) Areas above the high water mark other than road reserves and watercourses that are not shown as being covered by a zone are deemed to be included within the zone that adjoins the land. To remove any doubt, if an area is adjoined by more than one zone, then the applicable zoning will be determined in the same manner as described in (1)(b) of this section.

### 1.10 Determining if development is exempt, self-assessable or assessable under the planning scheme

- (1) Tables for identifying if development is exempt, self-assessable or assessable within the zones and special management areas of the planning scheme are as follows:

(a)	Rural Zone	Table 3	A - Material change of use B - Other forms of development
(b)	Park Residential Zone	Table 4	A - Material change of use B - Other forms of development
(c)	Residential Zone	Table 5	A - Material change of use B - Other forms of development
(d)	Village Zone	Table 6	A - Material change of use B - Other forms of development
(e)	Yeppoon Central Zone	Table 7	A - Material change of use B - Other forms of development
(f)	Business Zone	Table 8	A - Material change of use B - Other forms of development
(g)	Industry Zone	Table 9	A - Material change of use B - Other forms of development
(h)	Open Space Zone	Table 10	A - Material change of use B - Other forms of development
(i)	Special Purpose Zone	Table 11	A - Material change of use B - Other forms of development
(j)	Comprehensive Development Zones	Table 12	A - Material change of use B - Other forms of development

- (2) The tables also distinguish between assessable development that is categorised under the planning scheme as requiring code assessment or impact assessment.

- (3) If development is affected by either zoning or a special management area<sup>5</sup>, the higher level of assessment category nominated within the tables applicable to the particular form of development shall prevail as follows:
  - (a) code assessable prevails over self-assessable;
  - (b) impact assessable prevails over self-assessable and code assessable;
  - (c) development that is identified as exempt, is exempt from assessment under the planning scheme.
- (4) A 'temporary event'<sup>6</sup> is not development for the purposes of regulation under this planning scheme.
- (5) Land designated for community infrastructure identified in Schedule 6 to this planning scheme is, pursuant to chapter 2, part 6 of the Act, exempt to the extent that development would otherwise be self-assessable or assessable under this planning scheme.
- (6) To remove any doubt, in the event that development is located beyond the high water mark (i.e., over the sea) and is thereby exempt from assessment under this planning scheme, any facility, activity or aspects associated with the development which is located on zoned land or affected by a special management area shall be deemed to be development in its own right<sup>7</sup> and shall be assessable in accordance with the provisions of this paragraphs (1) to (5) of this section.

#### **1.11 Types and application of codes**

- (1) The planning scheme includes the following codes:
  - (a) codes applying to special management areas identified on the Overlay Maps; and
  - (b) codes applying to zones identified on the Zoning Maps; and
  - (c) codes applying to development for a stated purpose or development of a stated type; and
  - (d) codes applying throughout the planning scheme area to specific types of works.
- (2) Codes for zones identified on the Zoning Maps and special management areas identified on the Overlay Maps are included in Part 3 of this planning scheme.
- (3) Codes included in Part 4 of this planning scheme are assessment provisions for:
  - (a) specific uses; and
  - (b) specific issues.

---

<sup>5</sup> Being affected by a special management area means that the site [refer to definition of 'site' in Schedule 1, Division 2 ] of the proposed development is located within or adjacent [refer to definition of 'adjacent' in Schedule 1, Division 2 ] to a special management area shown on an overlay map.

<sup>6</sup> Temporary event is an administrative term defined in Schedule1, Division 2.

<sup>7</sup> Ordinarily development such as car parking would be considered to be ancillary to a use and as such, it may not be assessable development for a car park but rather it would only be assessable as part of the assessable use to which it is ancillary. This provision is intended to deem facilities, activities and aspects of a development that may otherwise be considered as ancillary to a development proposal to be assessable as stand alone development with the level of assessment dependent on the zoning and the affect of any special management area in which they are located.