

## **Division 12 –Special Management Area Codes**

### **3.27 Preliminary**

- (1) The provisions of this Division comprise the Natural Features Code, Capricorn Coast Landscape Code and the Cultural Features Code.
- (2) Applicability of each of these codes is determined by the Tables of Assessment Categories and Assessment Criteria for each zone set out in Divisions 1 to 11 of this Part and by reference to Overlay Maps O1 to O9 and Schedule 3.

### **3.28 Natural Features Code**

- (1) Purpose
  - (a) The purpose of the Natural Features Code is the achievement of the overall outcomes sought for the special management areas on Overlay Maps O1 to O8.
  - (b) The overall outcomes sought for the special management areas on Overlay Maps O1 to O8 are that development affecting identified places, areas, landscapes, features and sites:
    - (i) is managed to protect the significant values of the various natural features and resources in terms of:
      - (A) physical change;
      - (B) avoiding alienation;
      - (C) damage or removal;
      - (D) visibility;
      - (E) accessibility; or
      - (F) visual detracton;
    - (ii) avoids or minimises, within acceptable levels, risk to the natural or built environment or human health or safety;
    - (iii) does not adversely impact the safety and operational integrity of operational airspace<sup>165</sup> associated with the Rockhampton Airport.
- (2) Elements
  - (a) Protected Area<sup>166</sup> special management area

<b>Specific Outcomes</b>	
O1	Development in and adjacent to a protected area does not cause significant adverse effects on the protected area, including those related to: <ol style="list-style-type: none"> <li>(a) management of fire risk, including the use of natural firebreaks</li> </ol>



<sup>165</sup> Refer to Schedule 1, Division 2 for the meaning of “operational airspace”.

<sup>166</sup> Refer to Overlay Maps O1A & O1B

**Specific Outcomes**

- (b) changes to natural drainage;
- (c) unmanaged public access;
- (d) effluent disposal;
- (e) point sources of pollution;
- (f) introduction and management of animal and plant pests; or
- (g) changes to natural activities of animals with respect to the location and effects of uses, fencing, lighting and the like.

(b) Erosion Prone<sup>167</sup> special management area

**Specific Outcomes**

- O2 Significant adverse effects are not caused on identified erosion prone areas in terms of:
- (a) habitat;
  - (b) vegetation;
  - (c) soil cover;
  - (d) water quality; or
  - (e) landscape quality; and
- O3 There are no significant threats to:
- (a) public safety;
  - (b) infrastructure integrity; or
  - (c) economic value of the erosion prone area

(c) Acid Sulfate Soils<sup>168</sup> special management area

**Specific Outcomes**

- O4 Natural or built environments and human health are not harmed by the production of acidic leachate resulting from development in areas of known and potential acid sulfate soils<sup>169</sup> by:
- (a) avoiding disturbance to areas of acid sulfate soils that would produce or contribute to acidic leachate,
  - (b) treating and managing the disturbance of acid sulfate soils to minimise the generation of acidic leachate within manageable levels,
  - (c) treating and managing surface and groundwater flows from areas of acid sulfate soils to minimise environmental harm.

(d) Bushfire Hazard<sup>170</sup> special management area

**Specific Outcomes**

- O5 Public safety, lives and property are not placed at unacceptable levels of risk.
- O6 The highest intensity of use occurs in those parts of the site which are least bushfire prone and limits the intensity of use elsewhere.

<sup>167</sup> Refer to Overlay Maps O2A & O2B

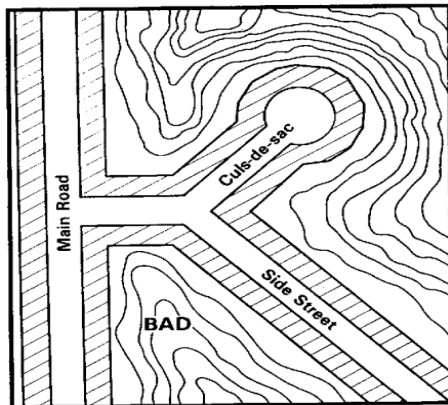
<sup>168</sup> Refer to Overlay Maps O8A & O8B

<sup>169</sup> To assist with managing development on affected soils, proponents should refer to the Guideline for SPP 2/02 – State Planning Policy 2/02 Guideline Acid Sulfate Soils (Version 2). DLGP & DNRM August 2002

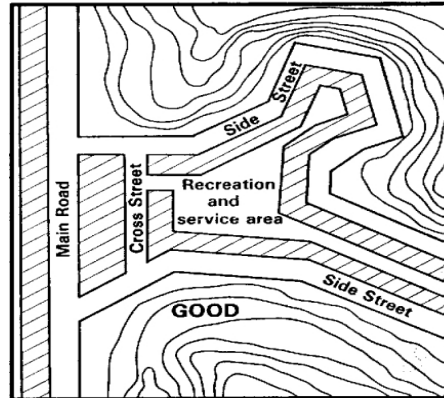
<sup>170</sup> Refer to Overlay Maps O5A & 5B

**Specific Outcomes**

- O7 Purposes resulting in high concentrations of people on a site (including child care centre, educational establishment, hospital, residential purposes comprising multi-unit long term accommodation and short term accommodation, commercial and industrial purposes) being exposed to unacceptable levels of risk are inconsistent with the outcomes sought for this special management area.
- O8 Development is sited and designed to minimise bushfire risk having regard to:
  - (a) aspect,
  - (b) elevation,
  - (c) slope, and
  - (d) vegetation.
- O9 Road layouts facilitate easy and safe movement in the event of encroaching fire and provides for alternative safe access if one direction is blocked in the event of fire (Refer Figure A below).



Poor design with high fire risk. Hazardous ridge top development has no breaks and obstructs fire fighters.



Better design. Ring road system provides a fire break and access for fire fighters.

**Figure A**<sup>171</sup>

- O10 A sufficient supply of water is available for fire fighting purposes.

- (e) Steep Land<sup>172</sup> special management area

**Specific Outcomes**

- O11 Buildings and structures are located on a site with natural ground level slopes that do not exceed 15%.
- O12 Public safety, lives and property are not placed at unacceptable levels of risk.
- O13 Development occurs in those parts of the site which are geologically stable and limits the intensity of use elsewhere.
- O14 Buildings and structures are designed, sited and erected to maintain:
  - (a) natural landform;
  - (b) natural drainage patterns;
  - (c) existing vegetation.

- (f) Wetland<sup>173</sup> special management area

**Specific Outcomes**

<sup>171</sup> From *Bushfire Hazard Planning in Queensland* (Rural Fire Service + Dept. Local Government and Planning), 1998.

<sup>172</sup> Refer to Overlay Maps O2A & 2B

<sup>173</sup> Refer to Overlay Maps O3A & 3B

**Specific Outcomes**

O15 There are no significant adverse effects on identified wetlands in terms of:

- (a) habitat
- (b) water quality
- (c) landscape quality

(g) Waterway<sup>174</sup> special management area

**Specific Outcomes**

O16 There are no significant adverse effects on identified waterways in terms of:

- (a) habitat;
- (b) riparian vegetation;
- (c) water quality;
- (d) water flow;
- (e) landscape quality and amenity; and
- (f) recreational value.

O17 Riparian land is preserved for public use where the land is required for ecological, open space or recreation functions including:

- (a) public use;
- (b) access for maintenance;
- (c) linking core and remnant habitat areas;
- (d) protecting water quality and ecological processes; and
- (e) other public benefit.

(h) Drainage Problem<sup>175</sup> special management area

**Specific Outcomes**

O18 Development levels are set above the design flood level to reduce property damage and, where applicable, ensure public safety.

(i) Storm Tide Hazard<sup>176</sup> special management area

**Specific Outcomes**

O19 Development levels are set above the design storm tide hazard level to reduce property damage and, where applicable, ensure public safety.

(j) Airport Affected Land<sup>177</sup> special management area

**Specific Outcomes**

O20 (a) The safety of aircraft and operational efficiency of the Rockhampton Airport is not adversely affected by development located in the Airport Affected Land special management area.

<sup>174</sup> Refer to Overlay Maps O3A & O3B

<sup>175</sup> Refer to Overlay Map O2A & O2B

<sup>176</sup> Refer to Overlay Maps O5A & O5B

<sup>177</sup> Refer to Overlay Maps O1A & O1B

**Specific Outcomes**

- (b) Development for the following activities does not occur in the Airport Affected Land special management area, does not comply with the overall outcomes sought for the special management area and conflicts with this code:
  - (i) Putrescible waste disposal sites;
  - (ii) Commercial fish processing;
  - (iii) Bird sanctuaries and fauna reserves;
  - (iv) Turf farming;
  - (v) Piggeries;
  - (vi) Fruit farming; food processing plants; and
  - (vii) Sporting and recreational activities such as parachuting, hot air ballooning or hang gliding.
- (c) New uses or works are no higher (either temporarily or permanently) than the heights illustrated on PSM 9 – Building Heights in the vicinity of Rockhampton Airport;
- (d) New uses or works are not a hazard to aircraft by generating gaseous plumes or airborne particulates such as steam, dust, smoke, ash or other pollutants that penetrate above the heights illustrated on PSM 9 – Building Heights in the vicinity of Rockhampton Airport; and
- (e) Development does not involve lighting that:
  - (i) shines light above the horizontal; or
  - (ii) is coloured or flashing; or
  - (iii) comprises sodium lights or flare plumes; and
  - (iv) is arranged in straight parallel lines 500 metres to 100 metres long.

(k) Extractive Resources<sup>178</sup> special management area

**Specific Outcomes**

- O21 Development involving premises identified as an Extractive Resource special management area ensures that existing and potential sources of minerals and extractive resources including mining tenements and designated key resource areas and their associated haulage routes and accesses are protected and utilized in an efficient and ecologically sustainable manner.
- O22 Development on a site adjacent to premises identified as an Extractive Resource special management area (including haulage routes) is of a nature and must be designed, executed and operated to be compatible with:
  - the winning of the entire resource (both short and long term) from the site in an efficient and ecologically sustainable manner; and
  - access and transportation operations associated with the winning of the entire resource; and
  - 100 metres setback to any nominated haulage route.
- O23
  - (a) Extraction of materials is managed to avoid any loss of hydraulic head and deterioration of water quality in any aquifer intercepted by the extractive operations; and
  - (b) Management of surface water on the premises, including any discharge from the premises should not impact on the quality of receiving surface waters or adjacent users of the resource;
  - (c) Extraction of materials is managed to avoid the introduction and spread of weeds on the premises, along haul routes and at delivery points..

<sup>178</sup> Refer to Overlay Maps O1A & O1B

(l) Good Quality Agricultural Land<sup>179</sup> special management area

**Specific Outcomes**

O24 Good quality agricultural land is retained for rural purposes by:

- (a) conducting other uses only if they are not irreversible and do not reduce the productive capacity of the land or alienate its use for rural purposes or result in land use conflicts with adjacent existing rural uses;
- (b) avoiding the use of identified land for other uses unless it can be proven that:
  - (i) the land is not actually good quality agricultural land<sup>180</sup>; or
  - (ii) there is an overriding need in terms of public benefit for the proposal and the proposal cannot be located on alternative sites that are not identified as good quality agricultural land, including if:
    - the proposed location has features that make it desirable for the proposal; and
    - the features are not available in areas not identified as good quality agricultural land.

O25 Subdivision of good quality agricultural land does not reduce the productive capacity of the land.

(m) Water Supply Catchment<sup>181</sup> special management area and Farnborough Groundwater<sup>182</sup> special management area

**Specific Outcomes**

O26 There are no significant adverse effects on identified areas in terms of:

- (a) surface and groundwater hydrology (both upstream and downstream).
- (b) water quality.
- (c) quantity and availability of raw water.

(n) Historic Townships<sup>183</sup> special management area

**Specific Outcomes**

O27 Development relating to material change of use for other than Rural Purposes is inconsistent with the outcomes sought for the Historic Townships special management area.

O28 Development is provided with reticulated water supply, sewerage and drainage, sealed roads, reticulated power and communications for urban development in accordance with the standards set out in Schedule 4.

<sup>179</sup> Refer to Overlay Maps O4A & O4B

<sup>180</sup> To assist in proving that land is not of good quality for agriculture, proponents should refer to the Guideline 1 for SPP1/92 - Planning Guidelines: The Identification of Good Quality Agricultural Land. DPI&DHLGP January 1993. See: [www.ipa.qld.gov.au/codes/codespolicies.asp](http://www.ipa.qld.gov.au/codes/codespolicies.asp)

<sup>181</sup> Refer to Overlay Maps O1A & O1B

<sup>182</sup> Refer to Overlay Maps O7

<sup>183</sup> Refer to Overlay Maps O10A & O10B

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**PSM 9 – Building heights in the vicinity of Rockhampton Airport**

### 3.29 Capricorn Coast Landscape Code

(1) Purpose

- (a) The purpose of the Capricorn Coast Landscape Code is the achievement of the overall outcomes sought for the special management area identified on Overlay Map O9.
- (b) The overall outcomes sought for the Capricorn Coast Landscape special management areas are:
  - (i) Development integrates all aspects of engineering and architecture with the natural features and characteristics of the site to minimise any adverse effects on the environment and landscape.
  - (ii) Areas identified as having landscape values are protected from development or the effects of development that may reduce those values in terms of physical changes to the natural environment, damage or removal of vegetation, prominence of the development within its landscape setting and the extent of associated visual detracting.
  - (iii) Vegetation outside the immediate envelope of a building or structure is preserved.
  - (iv) Development is not visually detracting when viewed from a Level 1 Viewer Place<sup>184</sup> in terms of:
    - (A) scarring by exposed earthworks; or
    - (B) canopy removal on hilltops, prominent headlands, ridges and hillslopes; or
    - (C) modification of the natural environment which dominates the landscape.
  - (v) Development does not adversely impinge on the integrity of identified ‘green break’ areas which provide a green-belt of natural landscape defining the limits of each of the coastal towns/localities.

(2) Elements

Specific Outcomes	
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- |    |   |
|----|---|
| O1 | The height of buildings and structures, except in the Yeppoon Central zone is not greater than: <ul style="list-style-type: none"> <li>• 9 metres if within 20 metres of the frontage to the Scenic Highway, Farnborough Road, Yeppoon Road, Tanby Road and Emu Park Road; or</li> <li>• elsewhere, 12 metres.</li> </ul> |
| O2 | The slope of natural ground level of any development site is not greater than 15%.  |
| O3 | Clearing except in association with other assessable site development is inconsistent development.  |
| O4 | Buildings and structures are not sited above 50m AHD.   |
| O5 | Buildings and structures are constructed primarily of non-reflective materials <sup>185</sup> or if reflective materials form part of a building or structure, the level of light reflectivity of the material is not greater than 10%.   |
| O6 | Buildings and structures including infrastructure are constructed in materials that complement the coastal location and blend with the surrounding area in terms of colour and texture.   |

<sup>184</sup> Refer to Schedule 1, Division 2.

<sup>185</sup> Refer to building products manufacturers for the light reflectivity index of material.



### Specific Outcomes

- O7 Retaining walls are restricted to a maximum of 1.5 metres vertical height.
- O8 Earthworks do not result in batter slopes that:
- ▶ have a vertical height greater than 3 metres; or
  - ▶ are steeper than 25%.
- O9 Earthworks and buildings are not located:
- ▶ across or result in the redirection of watercourses<sup>186</sup> and natural drainage lines; or
  - ▶ to require the removal of vegetation which defines watercourses and natural drainage lines.
- O10 In Landscape special management area – Precinct A, despite applicable minimum lot size and minimum frontage outcomes nominated in the Residential zone code, new lots are not less than 1 500 m<sup>2</sup> in area and comprise at least one discrete area of not less than 500 m<sup>2</sup> which:
- ▶ has a minimum dimension of 20 metres; and
  - ▶ is located at least 15 metres from the road fronting the lot; and
  - ▶ has a natural ground level slope not greater than 15%.

### 3.30 Cultural Features Code

#### (1) Purpose

- (a) The purpose of the Cultural Features Code is the achievement of the overall outcomes sought for the special management area listed in Schedule 3.
- (b) The overall outcomes sought for the listed special management areas are that identified places, areas, landscapes, features or sites are not subjected to changes that disregard or would significantly reduce the capacity of an individual to appreciate those places, areas, landscapes, features, and sites, their existing character, or the memories or history they represent, in terms of:
- (i) visibility;
  - (ii) visual detraction;
  - (iii) public accessibility or physical change;
  - (iv) damage or removal.

#### (2) Elements

- (a) Heritage Places special management area<sup>187</sup>

### Specific Outcomes

- O1 Development involving a site listed in Schedule 3 as a Heritage Place special management area, must provide for the conservation and management of the cultural heritage values of the listed site.
- O2 Development on sites adjoining premises listed in Schedule 3 (being a Heritage Place special management area) must be designed, executed and operated to:
- ▶ Be compatible with the cultural heritage significance of the listed site and not detrimentally impact its values or its setting; and
  - ▶ Not obscure the appearance or prominence of the place when viewed from adjacent public or semi-public streets or open spaces, nor intrude into the place.

<sup>186</sup> Certain works (including interfering with a watercourse and clearing) are assessable under Schedule 8 to the IPA and may require referral under the Integrated Planning Regulation.

<sup>187</sup> Refer to Schedule 3