

# Division 9 - Open Space Zone

#### 3.18 Tables of Assessment and Assessment Benchmarks

### Table 10A - Material Change of Use

	Table TOA - Material Change of	
Column 1 Defined Purpose	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and Requirements for accepted development
(1) ACCEPTED DEVI	ELOPMENT:	
Local utility	Accepted development If on Council owned land.	There are no assessment requirements.
Park	Accepted development All circumstances.	There are no assessment requirements.
Road	Accepted development All circumstances.	There are no assessment requirements.
ASSESSABLE DE	VELOPMENT WITH REQUIREMENT WELOPMENT WITHIN THE ZONE:	NTS, CODE AND IMPACT
-	owing defined purposes:	1
Advertising device	Code assessable All circumstances.	<ul><li>Applicable Codes</li><li>Open Space Zone Code</li><li>Signs Code</li></ul>
Caretaker's residence	Code assessable All circumstances.	<ul> <li>Applicable Codes</li> <li>Open Space Zone Code</li> <li>Caretaker's Residence Code</li> </ul>
Local utility	Accepted development with requirements If not on Council owned land. Code assessable If nominated as accepted development with requirements and unable to comply with the prescribed acceptable solutions in the applicable codes.	Applicable Codes  Open Space Zone Code
Outdoor recreation	Code assessable All circumstances.	<ul> <li>Applicable Codes</li> <li>Open Space Zone Code</li> <li>Outdoor Recreation Code</li> </ul>
Column 2 in (a) a	listed in (1) above, but does not meet the speci bove for the nominated category of developme ed in (a) above or not defined in this planning s	ified circumstance listed in nt and category of assessment; or
All	Impact assessable All circumstances.	<ul> <li>All assessment benchmarks in the planning scheme to the extent relevant to the development; and</li> <li>Any other 'relevant matter'</li> </ul>



Column 1 Defined Purpose	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and Requirements for accepted development  (other than a person's personal circumstances, financial or otherwise) permitted under the Act.
	ELOPMENT WITH REQUIREMEN ELOPMENT AFFECTED BY A SPECIA	TS, CODE AND IMPACT
Agriculture	Accepted development with requirements  If:  (a) accepted development with requirements for all other circumstances listed in Column 2 of this table; and  (b) located on land identified in the Good Quality Agricultural Land special management area 121; and  (c) not affected by another special management area.  Code assessable  Other than accepted development with requirements	<ul> <li>Applicable Codes</li> <li>Open Space Zone Code</li> <li>all Special Management Area Codes applicable to the proposals because of its location in or adjacent to a special management area.</li> <li>and</li> <li>For Forestry Business:</li> <li>Forestry Business Code</li> </ul>
All, except for agriculture	Accepted development with requirements  If for all other circumstances listed in Column 2 the proposal is accepted development with requirements:  (a) located on land identified in the Capricorn Coast Landscape special management area 122; and  (i) will not involve buildings or structures more than 9 metres in height; or  (ii) will not involve development above 50m AHD; or  (iii) will not involve development on a site with natural ground level slopes greater than 15%.	<ul> <li>Applicable Codes</li> <li>Open Space Zone Code; and</li> <li>all Specific Use Codes or Issue Codes applicable to the proposal under (2)(a) above, and</li> <li>all Special Management Area Codes applicable to the proposals because of its location in or adjacent to a special management area on Overlay Maps O1 to O8 or listed in Schedule 3.</li> </ul>
	Code assessable  If located:  (a) in any of the following special management areas on Overlay Map O1:  (i) Protected areas;	Applicable Codes  For all circumstances:  Open Space Zone Code; and  all Specific Use Codes or Issue Codes applicable to the

Refer to Overlay Maps O4A and O4BRefer to Overlay Maps O9



		SHIRE COUNCIL FROM THE RUSH TO THE BAYE
Column 1 Defined Purpose	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and Requirements for accepted development
All, except for agriculture (continued)	(ii) Water Supply Catchment; or (iii) Extractive Resources.  or  (b) in a special management area on Overlay Maps O2, O3, O5 and O6.  or (c) in the Good Quality Agricultural Land special management area on Overlay Maps O4A and O4B and not for agriculture.  or (d) adjacent 123 to: (i) an Extractive Resources special management area; or (ii) a Protected Area special management area; or (iii) a Waterway special management area; or (iv) a Wetlands special	proposal under (2)(a) above and For circumstances (a), (b), (c), (d) and (e):  Natural Features Code -  The applicable element(s) are those corresponding to the special management area(s) in which the development is located.
	management area, on Overlay Maps O1 to O3. or	

 $<sup>^{123}</sup>$  Refer to Schedule 1, Division 2 for the definition of "adjacent".



		SHIRE COUNCIL
Column 1 Defined Purpose	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and Requirements for accepted development
	(e) In the Acid Sulfate Soils special management area 124:  (i) located:  • on identified known or potential acid sulfate soils; or  • at or below 5m AHD; or  • below 20m AHD where construction will involve excavation below 5m AHD;  and  (ii) involving:  • excavating or otherwise removing 100m³ or more of material; or  • filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more.	For circumstance (e):  • Natural Features Code [Element (c) – Acid Sulfate Soils special management area]
All, except for agriculture (continued)	<ul> <li>(f) in or adjacent to a Heritage Places special management area.</li> <li>(g) in the Capricorn Coast Landscape special management area on Overlay Map O9 and not accepted development with requirements.</li> <li>(h) in the Farnborough Groundwater special management area and involving: <ul> <li>(i) an on-site sewerage treatment facility;</li> <li>(ii) use or works using the groundwater resource for commercial gain 125; or</li> <li>(iii) animal related activities 126.</li> </ul> </li> </ul>	For circumstance (f):  Cultural Features Code and For circumstance (g):  Capricorn Coast Landscape Code. and For circumstance (h):  Natural Features Code [Element (m) – Water Supply Catchment and Farnborough Groundwater special management area].

Refer to Overlay Maps O8A & O8B.
 Carrying out operational work for taking or interfering with water is assessable development under Schedule 8 to the IPA.

126 Refer to Schedule 1, Division 1 (1)(a) for the meaning of animal related activities.





# Table 10B - Development other than Material Change of Use

Column 1 Nature of Development	Column 2 Categories of development and assessment		Column 3 Assessment benchmarks for assessable development and requirements for accepted development
(1) BUILDING WORK	X NOT A	ASSOCIATED WITH MATERIAL	CHANGE OF USE:
All	Code a	ssessable	Applicable Codes
	If:		For circumstances (a) and (b):
	(a)	exceeding:	Open Space Zone Code
		(i) 10 metres height in Area A on PSM 9 – Building Heights in the vicinity of Rockhampton Airport for the land on which the building work is proposed; or	Natural Features Code [Element (j) – Airport Affected Land special management area]
		(ii) 12 metres other than in circumstance (i) above.	
	or		
		exceeding the maximum site cover specified as the probable solution in the applicable code;	
	or		
		in or adjacent to a Heritage Places special management area involving:	For circumstance (c):  • Cultural Features Code
		(i) the construction of any new building or structure, or	
		(ii) the demolition, removal or alteration of any existing building or structure;	
	or		
		involving filling or excavation in the Drainage Problem special management area 127 involving:  (i) vertical height $\geq 1$ metre in	For circumstance (d):  • Natural Features Code [Element (h) – Drainage Problem special management
		relation to ground level, or (ii) displacement of more than 50m <sup>3</sup> of material;	area]
	or	Join of material,	

<sup>&</sup>lt;sup>127</sup> Refer to Overlay Map O2A & O2B



		SHIRE COUNCIL
Column 1 Nature of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
All (continued)	(e) if in the Capricorn Coast Landscape special management area and involving:  (i) construction of a building or structure:  (A) more than 9 metres in height within 20 metres of the frontage to the Scenic Highway, Farnborough Road, Yeppoon Road or Emu Park Road; or  (B) more than 11 metres in height other than as located in (A) above;  (ii) construction of a building or structure above 50m AHD; or  (iii) construction of a retaining wall that exceeds 1.5 metres vertical height; or  (iv) involving filling or excavation that results in batter slopes that:  have a vertical height greater than 3 metres; or are steeper than 1 on 4;	For circumstance (e):  • Capricorn Coast Landscape Code
	<ul> <li>involving construction of a building or structure on a site with natural ground level slopes greater than 15%.</li> <li>in the Acid Sulfate Soils special management area <sup>128</sup>:         <ol> <li>located:</li> <li>on identified known or potential acid sulfate soils; or</li> <li>at or below 5m AHD; or</li> <li>below 20m AHD where construction will involve excavation below 5m AHD;</li> </ol> </li> </ul>	For circumstance (f):  Natural Features Code [Element (e) – Steep Land special management area]  For circumstance (g):  Natural Features Code [Element (c) – Acid sulfate soils special management area]
	(ii) involving:  • excavating or otherwise removing 100m³ or more	

 $<sup>^{128}</sup>$  Refer to Overlay Maps O8A & O8B.



Column 1 Nature of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
	of material; or	
	• filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more.	
(2) OPERATIONAL V RECONFIGURIN	WORK NOT ASSOCIATED WITH MATI G A LOT:	ERIAL CHANGE OF USE OR
Clearing	Code assessable	Applicable Codes
	All circumstances.	Clearing Code
		If in the Capricorn Coast Landscape special management area:
		Capricorn Coast Landscape Code
Placement of an on-	Accepted development with requirements	Applicable Codes
premises sign	All circumstances except if code assessable.	Signs Code
	Code assessable	
	If nominated as accepted development with requirements and unable to comply with the prescribed acceptable solutions in the applicable codes.	



		SHIRE COUNCIL
Column 1 Nature of Development	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
All	Code assessable	Applicable Codes
	If:	For all circumstances:
		Open Space Zone Code
	(a) in or adjacent to a special	For circumstance (a):
	management area on the Natural Features or Resources Overlays;	Natural Features Code
	or	
	(b) in the Capricorn Coast Landscape	For circumstance (b):
	special management area and involving filling or excavation that results in batter slopes that:	Capricorn Coast Landscape Code
	(i) have a vertical height greater than 3 metres; or	
	(ii) are steeper than 1 on 4;	
	or	
	(c) in connection with a Telecommunications facility (medium impact)	For circumstance (c):  • Telecommunications Facility Code
	(d) in the Acid Sulfate Soils special	For circumstance (d):
	management area <sup>130</sup> :	Natural Features Code
	(i) located:	[Element (c) – Acid sulfate
	<ul> <li>on identified known or potential acid sulfate soils; or</li> </ul>	soils special management area]
	• at or below 5m AHD; or	
	<ul> <li>below 20m AHD where construction will involve excavation below 5m AHD;</li> </ul>	
	and	
	(ii) involving:	
	<ul> <li>excavating or otherwise removing 100m<sup>3</sup> or more of material; or</li> </ul>	
	<ul> <li>filling on land below 5m AHD involving 500m³ or more of material with an average depth of 0.5m or more.</li> </ul>	

 $<sup>^{130}</sup>$  Refer to Overlay Maps O8A & O8B.



Column 1 Column 2 Column 3 **Nature of Development** Categories of development and Assessment benchmarks for assessment assessable development and requirements for accepted development **(3)** OPERATIONAL WORK ASSOCIATED WITH RECONFIGURING A LOT: All Code assessable **Applicable Codes** All circumstances. For all circumstances: Open Space Zone Code Clearing Code Signs Code If in a special management area identified on the Natural Features or Resources Overlay: Natural Features Code - The applicable element(s) are those corresponding to the special management area(s) in which the development is located. If in the Capricorn Coast Landscape special management area: Capricorn Coast Landscape Code **(4) RECONFIGURING A LOT:** All Code assessable Applicable Codes All circumstances. • Open Space Zone Code If in a special management area identified on the Natural Features or Resources Overlay: Natural Features Code - The applicable element(s) are those corresponding to the special management area(s) in which the development is located. If in the Capricorn Coast Landscape special management area: Capricorn Coast Landscape Code **(5) OTHER:** All Accepted development There are no assessment requirements. All circumstances.



### 3.19 Open Space Zone Code

#### (1) Purpose

- (a) The purpose of the Open Space Zone Code is the achievement of the overall outcomes sought for the Open Space Zone.
- (b) The overall outcomes sought for the Open Space Zone are:
  - (i) Preferred land use:
    - (A) is outdoor recreation which does not involve the construction of buildings or structures; or
    - (B) is outdoor recreation involving the construction of buildings or structures only if the buildings or structures are sited outside identified areas of constraint relating to:
      - a. inundation by floodwater or storm tide hazard; or
      - b. vegetation management; or
      - c. movement corridors for both fauna and people.
  - (ii) Land use (other than preferred land use) occurs only if:
    - (A) it provides recreational or community facilities that are appropriately located in the open space zone to facilitate community accessibility; or
    - (B) it is a land use which:
      - a. is compatible with surrounding recreational purposes by being of similar scale, intensity and character; and
      - b. supports preferred land use; and
      - c. does not adversely affect the amenity of the locality; and
      - d. is one of the following:
        - i. a caretaker's dwelling; or
        - ii. a local utility; or
        - iii. indoor entertainment or an indoor sports facility which does not involve the construction of buildings or structures, or if it does involve the construction of buildings or structures, the buildings or structures are sited outside identified areas of constraint relating to:
          - A. inundation by floodwater or storm tide hazard; or
          - B. vegetation management; or
          - C. movement corridors for both fauna and people.
  - (iii) The community's need for a range of active and passive recreational opportunities including facilities at regional, district and local levels is satisfied through the provision of land and infrastructure and equitable accessibility.
  - (iv) Areas which present significant constraints to development or possess important ecological or scenic values are conserved.
  - (v) Recreational activities within areas of conservation value are co-located based on synergies between activities and the environmental values of host areas.
  - (vi) A network of open spaces across the Shire is established through corridors providing movement opportunities for people and wildlife between the coast



and hinterland and access to coastal areas/beaches and other significant

#### (2) Elements

(a) Land use and development

natural and cultural features.

(i) Land use

Spec	cific Ou	tcomes		Accep	able Solutions for Assessable Development; and ptable Solutions for Accepted Development with rements
01	Land (a) (b) (c)	overall ou a use (as i outcomes recreation are approp space zon accessibil a use (as i outcomes (i) is rec sir ch (ii) su (iii) do	d use (as identified in the accomes of this code); or dentified in the overall of this code) which provides all or community facilities that priately located in the open e to facilitate community ity; or dentified in the overall of this code) which: compatible with surrounding creational purposes by being of milar scale, intensity and aracter; and pports preferred land use; and les not adversely affect the nenity of the locality.	S1	No solution is nominated.

#### (ii) Subdivision design

Speci	fic Outcomes	Probable Solutions for Assessable Development; and Acceptable Solutions for Accepted Development with requirements
O2	Reconfigured lots are designed and developed:	S2 No solution is nominated.
	<ul> <li>with sufficient area and suitable proportions for preferred or consistent uses;</li> </ul>	
	<ul> <li>with adequate frontage for safe and convenient vehicular and pedestrian access;</li> </ul>	
	<ul> <li>with suitable areas within each lot for the location of relevant activities and works;</li> </ul>	
	and:	
	<ul> <li>in a manner that does not expose people and works to unacceptable risks from flooding or other hazards.</li> </ul>	



## (iii) Amenity and Character

	Probable Solutions for Assessable Development; and Acceptable Solutions for Accepted Development with requirements		
(b) (c)	screened from boundary.  Outdoor Light All outdoor constructed with Austra Control of the lighting.  Noise Recreational noise generate Environ Policy provite following Period  O700 – 2000 – 2	plant and equipment are fully om view at the property nting	
		screened from boundary.  (b) Outdoor Light All outdoor constructed with Austra Control of the lighting.  (c) Noise Recreational noise generate the Environ Policy proving the following Period	

Spec	Specific Outcomes			Probable Solutions for Assessable Development; and Acceptable Solutions for Accepted Development with requirements			
O4	<ul> <li>Buildings and structures are:         <ul> <li>a height that will not overshadow adjoining properties and will not be visually prominent if located in scenic management area A;</li> <li>constructed of materials and finishes compatible with other development in the area;</li> <li>integrated with the physical attributes of the site, including appropriate provision for access to natural light and ventilation, privacy, noise attenuation, drainage, landscaping, and outlook;</li> <li>appropriately setback from residential zones and park residential zones to minimise impacts on sensitive land use; and</li> <li>designed to adequately screen materials stored outside buildings when viewed from adjacent premises and public spaces.</li> </ul> </li> </ul>	S4	(a) (b)	(i) (ii) Setbac Buildin minim (i) (ii) Site Co	ngs and structures do not exceed:  10 metres if located in Area A on PSM 9; or  12 metres otherwise.  ks ngs and structures are setback a um of:  6 metres from any road frontage; and  10 metres from the common boundary/s, if a site abuts land in the Residential Zone or Park Residential Zone.		
O5	For a noise sensitive place, activities are laid out and buildings are designed and constructed to mitigate to a level, that does not unreasonably adversely affect the health and safety of people using premises, the effects of noise from:  • Traffic on major roads (including State controlled roads); or  • Operations within railway corridors.	S5	(a) (b)	(i) (ii)	State controlled road:  Windows facing the road are double glazed; and  Buildings used for residential purposes are laid out with:  - bedrooms and living rooms located on the opposite side to the road; and  - kitchens, bathrooms, garages, and rooms for recreation, laundry, utility, storage or the like are on the same side as the road to assist with buffering noise to living and sleeping areas.  State controlled railway corridor:  Building are designed and constructed to reduce the effects of noise by:  - locating living and bedroom area on the opposite side to the rail corridor; or		



Specific Outcomes	Probable Solutions for Assessable Development; and Acceptable Solutions for Accepted Development with requirements
	locating activity areas in non- residential noise sensitive places on the opposite side to the rail corridor; and
	<ul> <li>insulating walls and rooves</li> <li>with sound dampening</li> <li>material;</li> </ul>
	<ul> <li>double-glazing transparent         openings on the same side as         the rail corridor and         installing complimentary         mechanical ventilation         systems; and</li> </ul>
	<ul> <li>eliminating openings on the same side as the rail corridor; and</li> </ul>
	(ii) Noise attenuation barriers/devices including planted earth mounds (minimum 1.5 metres high) and solid fencing (minimum 1.8 metres high) are incorporated parallel to and within 6 metres the rail corridor for its full length.

## (iv) Cultural Heritage Values

Specif	ic Outcomes	and	pable Solutions for Assessable Development; Acceptable Solutions for Accepted Plopment with requirements
O6	Cultural heritage values associated with the landscape features of a site and its surroundings or relics of past activities found during development of the site are respected and are not subjected to changes that would significantly reduce the capacity to appreciate those areas, places and sites, their character or the memories or history they represent, in terms of visual detraction, public accessibility or physical change, damage or removal.	S6	No solution is nominated.

# (v) Flood Immunity<sup>131</sup>

Specific Outcomes	Probable Solutions for Assessable Development; and Acceptable Solutions for Accepted Development with requirements	
O7 Development is immune to flood events which result in unacceptable risk to health and safety or unacceptable risk of property damage.	S7 Land on which buildings and structures associated with development nominated in Column 1 of Schedule 7 will be constructed has immunity from a flood event of at least the annual exceedence probability specified in Column 2 of Schedule 7 for the development.	

 $<sup>^{131}</sup>$  The flood immunity parameters listed in Schedule 7 include consideration of storm tide hazard



## (vi) Community safety

Speci	ific Outcomes	Acce	able Solutions for Assessable Development; and ptable Solutions for Accepted Development with rements
O8	Personal safety and property security are optimised through the design of buildings and spaces incorporating:	S8	Development is designed in accordance with the standards nominated in Schedule 5 to this planning scheme.
	opportunities for surveillance; clear definition of boundaries between private and public spaces; and		
	robust construction materials.		

## (vii) Vehicle parking and movement

Specific Outcomes	Probable Solutions for Assessable Development; and Acceptable Solutions for Accepted Development with requirements		
Development is provided with an on-site parking and movement system designed and constructed to:  • be integrated with the site layout including:  - direct access to a road providing a level of service required to accommodate traffic generated by the use; and  - appropriately designed footpath crossovers; and  - provision for safe pedestrian movement between public footpath and facility entry points; and  • accommodate all modes of transport (including motor vehicles and bicycles) generated by the use; and  • facilitate non-discriminatory accessibility; and  • provide for safe and efficient loading and unloading of goods; and  • allow for vehicle queuing necessary for the use;  • provide for passenger set down/pick up necessary for the use; and  • facilitate public access to the foreshore	S9 (a) Parking is provided on-site:  (i) at the rate nominated in Division 1 of Schedule 2 to this planning scheme; and  (ii) laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.  (b) Loading/unloading facilities are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.  (c) Vehicle queuing and set-down/pick-up areas are laid out, constructed and maintained in accordance with the standards nominated in Division 2 of Schedule 2 to this planning scheme.  (d) Vehicular access is designed and constructed in accordance with the standards nominated in Division 2 of Schedule 4 to this planning scheme.  (e) Bicycle and pedestrian access is integrated with site design to facilitate both on-site movement and connection to the Shire bicycle and pedestrian networks in accordance with the standards nominated in Division 2 of Schedule 4 to this planning		



## (b) Infrastructure

Specific Outcomes		Probable Solutions for Assessable Development; and Acceptable Solutions for Accepted Development with requirements		
O10	Water supply, sewerage, drainage, roads, power and communications are provided to meet the appropriate standards of service and construction at least whole-of-life cost, which:  • comprise components and materials that are:  — readily accessible and available; and — robust and reliable in terms of operational life and purpose; and — easily maintained without unnecessarily requiring specialist expertise or equipment; and  • are integrated with the design, construction and operation of existing systems and facilitate orderly provision of future systems; and  • meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme; and  • are constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.	S10		r supply, sewerage, drainage, roads, power ommunications are:  provided to meet the standard of service nominated in Division 1 of Schedule 4 to this planning scheme, and constructed in accordance with standards nominated in Division 2 of Schedule 4 to this planning scheme.