



Boonah Shire Planning Scheme 2006

Amendment Package No. 4

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Introduction

1.1 Background

On 27 November 2012, Council resolved to:

1. endorse the proposed *Boonah Shire Planning Scheme 2006 Draft Amendment Package No. 4* and request that the Minister undertake a first State interest review in accordance with section 117(1) of the *Sustainable Planning Act 2009*; and
2. seek approval from the Minister to publicly notify the proposed *Boonah Shire Planning Scheme 2006 Draft Amendment Package No.4* in accordance with section 117(1) of the *Sustainable Planning Act 2009*.

Further, on 11 December 2012, Council resolved to:

1. endorse an additional item (Item 18) to the *Boonah Shire Planning Scheme 2006 Draft Amendment Package No.4*, and request that the Minister undertake a State interest review in accordance with section 117(1) of the *Sustainable Planning Act 2009*; and
2. seek approval from the Minister to publicly notify the additional item (Item 18) to the *Boonah Shire Planning Scheme 2006 Draft Amendment Package No.4* in accordance with section 117(1) of the *Sustainable Planning Act 2009*.

On 1 February 2013, the Department of State Development, Infrastructure & Planning (DSDIP) provided Council's planning department with a summary of key issues provided by State Agencies as part of the State interest review of the proposed amendment package. The key issues are outlined as follows:

1. *Temporary State Planning Policy 2/12: Planning for Prosperity (TSPP 2/12)* - The Department of Agriculture, Fisheries and Forestry (DAFF) requests that the amendment consistently lowers the level of assessment for all small-scale intensive agricultural industries in light of TSPP 2/12.
2. *State Planning Policy 1/92: Development and the Conservation of Agricultural Land (SPP 1/92)* - (refer to no. 3 below).
3. *State Planning Policy 1/12: Protection of Queensland's Strategic Cropping Land (SPP 1/12)* - The Department of Natural Resources and Mines requests that Council considers how strategic cropping land will be buffered from urban development, along with further small amendments to the Host Home Accommodation and Tourist Development Code.
4. *State Planning Policy 01/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide (SPP1/03)* – The Department of Community Safety and the Department of State Development, Infrastructure and Planning advise that the Boonah Planning Scheme 2006 does not adequately reflect State interests concerning SPP 1/03.

Council officers responded to the comments from State Agencies and on 30 April 2013 Council resolved to endorse the proposed changes to the *Boonah Shire Planning Scheme 2006 Draft Amendment Package No.4* and request approval from the Minister to publicly notify the amendment package.

On 26 June 2013, Council received correspondence from the Minister advising that the amendment package had progressed through the State Interest Review process and that Council could proceed to public notification. There were no conditions attached to this advice.

The draft amendment package was publicly notified in accordance with Section 117 of the *Sustainable Planning Act 2009* and *Statutory Guideline 02/12 Making and Amending Local Planning Instruments* (statutory guideline) from 3 July 2013 to 14 August 2013 (30 business days).

Council did not receive any written submissions relating to the proposed amendments during the consultation period. As such, no changes are proposed to the amendment package endorsed by Council on 30 April 2013.

Further, there are no known drafting errors, new or changed planning circumstances, or information that necessitates changes to the amendment package as publicly notified during July and August 2013.

At its Ordinary Meeting on 24 September 2013, Council resolved to seek approval from the Minister for State Development, Infrastructure and Planning to adopt the attached *Boonah Shire Planning Scheme 2006* Draft Amendment Package No.4 in accordance with Section 117(1) of the *Sustainable Planning Act 2009* and supporting statutory guideline.

On 20 November 2013, Council received correspondence from the Minister advising that Council could proceed with the adoption of the amendment package. There were no conditions attached to this advice.

1.2 Nature and purpose of proposed amendments

The majority of amendment items in Draft Amendment Package No. 4 constitute Major Amendments in accordance with the types of planning scheme amendments specified in the *Statutory Guideline – Making and Amending Local Planning Instruments 02/12* (statutory guideline). In order to carry out a streamlined process through the relevant steps of the statutory guideline, Council seeks to progress all items in the amendment package as a Major Amendment to the planning scheme.

The proposed amendments aim to:

- (1) clarify certain policy to assist in the interpretation and operation of the planning scheme for matters that have been identified through its implementation;
- (2) align certain policy with the *Beaudesert Shire Planning Scheme 2007*;
- (3) encourage economic diversity and rural activities in rural areas; and
- (4) resolve a number of anomalies in the planning scheme.

1.3 Structure of amendment package

This report provides:

- (1) a summary of each amendment item stating which parts of the planning scheme are affected;
- (2) an explanation of the background and rationale for each amendment item;
- (3) references to parts of the planning scheme affected by amendments, as well as a 'snapshot' of the proposed amendments using tracked changes; and
- (4) representative maps showing details of planning scheme mapping changes to properties affected by proposed amendments.

1.4 Planning scheme version

The proposed items seek to amend the *Boonah Shire Planning Scheme 2006* as in force on 29 January 2011.

Item 1: Inclusion of Lot 2 RP17910 in the Town Centre Precinct of the Town Zone

Summary

Amendment to Zoning Map 3: Boonah Town Precincts to remove Lot 2 RP17910 from the Parkland Precinct of the Town Zone and include within the Town Centre Precinct of the Town Zone.

Explanation

Council is in receipt of a submission to amend the *Boonah Shire Planning Scheme 2006* to include Lot 2 RP17910 and Lot 21 RP17907 in either the Industry or Town Centre Precinct.

A mapping error has resulted in Lot 2 on RP17910 being included in the Parkland Precinct of the Town Zone. Lot 2 is privately owned and is not used for parkland purposes in accordance with the intent of the Parkland Precinct.

Lot 21 RP17907 is currently included in the Town Centre Precinct.

On 28 October 2008, it was resolved by Council that:

1. *Council identify Lot 2 RP17910 as being within the Town Centre Precinct of the Boonah Shire Planning Scheme 2006 and that the amendment to the mapping of the planning scheme is included in the next available Boonah Shire Planning Scheme Amendment Package.*

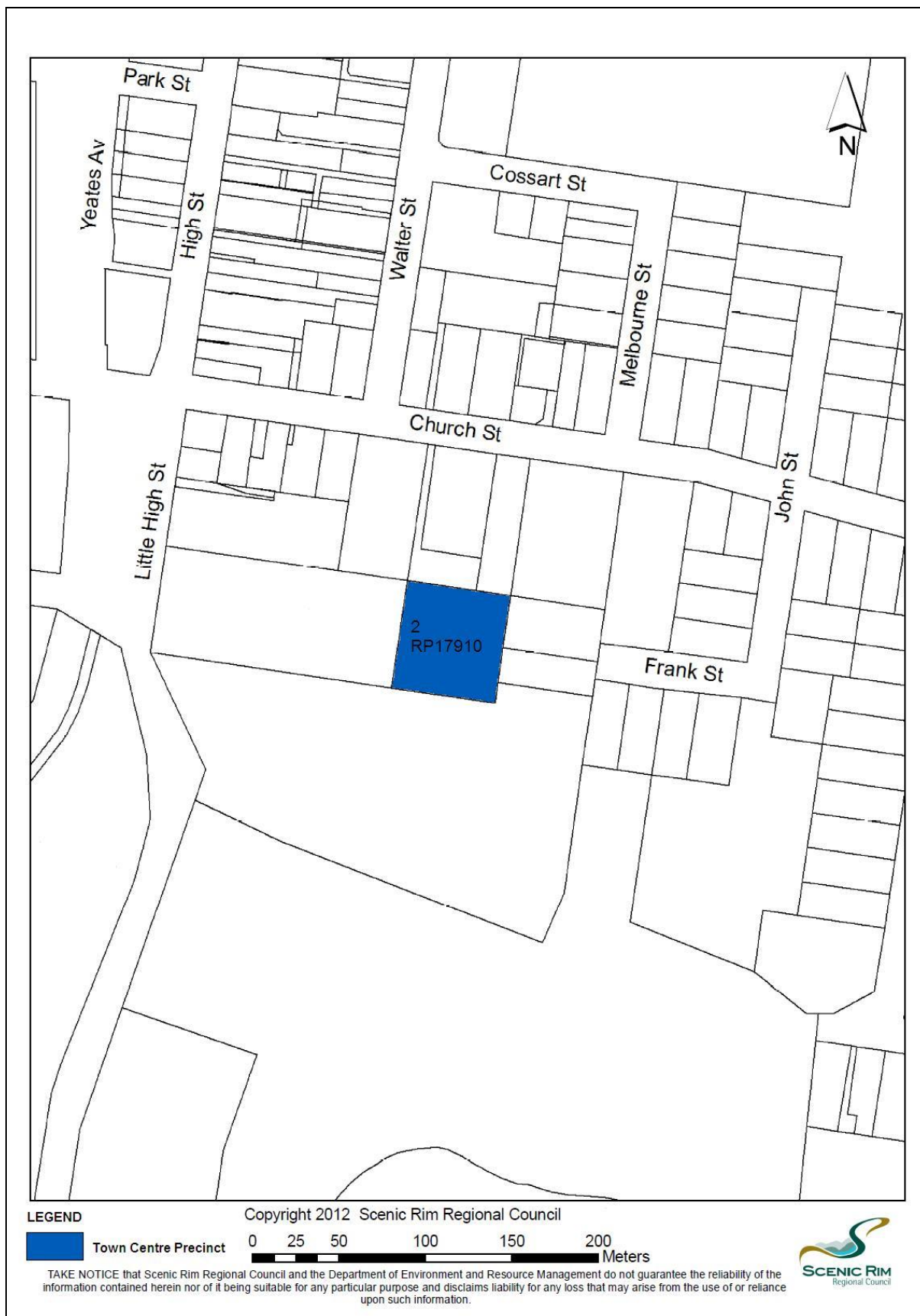
Text amendments

Not applicable.

Map amendments

In Volume 2: Planning Scheme Maps, amend Zoning Map 3: Boonah Town Precincts to remove Lot 2 RP17910 from the Parkland Precinct and include within the Town Centre Precinct.

Zoning Map 3: Boonah Town Precincts



Item 2: Amendment to Community Facilities Assessment Category

Summary

Amendment to the Town Zone assessment table to make Community Facilities involving education uses code assessable.

Explanation

In the previous version of the planning scheme, the assessment tables for the Town Zone included an 'Educational Establishment' as code assessable development. The use was deleted from the assessment table as a previous amendment to the planning scheme because there was no defined use for the term in Schedule 1 – Dictionary.

In order to carry over the previous level of assessment for educational uses in the Town Centre Precinct of the Town Code, it is proposed that the assessment category for Community Facilities be amended to ensure that facilities involving educational uses are code assessable.

The planning scheme has the following use definition for Community Facilities which incorporates 'education uses':

Community Facilities:

Means cultural, religious or community services such as:

- ambulance station, fire brigade, police station, emergency services depot;
- cemetery, crematorium;
- church, chapel, synagogue, temple;
- community hall or centre, senior citizens centre, youth centre;
- education uses such as a child care, school, college, university and other learning facility;
- health care, hospital, maternal and child welfare and the like;
- federal, state or local government purposes.

Text amendments

In Part 4, Division 8, Table 1, (B) Town Centre Precinct, amend the assessment category for 'Community Facilities' as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Community Facilities	Code assessable where involving a child care centre <u>education uses</u> , or health care other than a hospital	Town Zone Code Community Facilities Code

Map amendments

Not applicable.

Item 3: Domestic Animal Husbandry, Intensive Animal Industry and Domestic Pet Definitions

Summary

1. Amendment to the 'Domestic Animal Husbandry' and 'House' use definitions and inclusion of a new 'Domestic Pet' explanatory definition to ensure that the keeping of domestic pets does not trigger assessment under the planning scheme.
2. Amendment to the 'Domestic Animal Husbandry' definition to include 20 - 100 poultry, 1 pig and the keeping of bees as part of the use.
3. Amendment to the 'Intensive Animal Industry' use definition to include over 100 poultry in the use in all circumstances.

Explanation

1. Domestic Animal Husbandry is impact assessable in the Town Zone, including within the Residential Precinct. The existing use definition does not specify that domestic pets, such as dogs, cats and chickens are not included in the land use.

Therefore, amendments to the Domestic Animal Husbandry and House definitions are proposed to clarify that domestic pets are not included in the land use definition. A new explanatory definition for 'domestic pet' is also proposed in order to provide supporting information.

2. In the current planning scheme, the keeping of up to 24 poultry is included in the Domestic Animal Husbandry definition. An amendment to the Domestic Animal Husbandry definition is proposed that seeks to include 20 - 100 poultry, 1 pig and bees as part of the use. The intent of this component of the amendment is to make the keeping of less than 20 poultry classed as a domestic pet and between 20 and 100 poultry as Domestic Animal Husbandry. The keeping of more than 100 poultry would be classified as an Intensive Animal Industry and the use definition for Intensive Animal Industry is proposed to be amended accordingly.

The amendment incorporates animal keeping policy that is consistent with *Subordinate Local Law No. 2 (Animal Management) 2011* and the *Beaudesert Shire Planning Scheme 2007*.

Text amendments

1. In Schedule 1, Part 1: Defined Uses, amend the definition for Domestic Animal Husbandry as follows:

Domestic Animal Husbandry:

- (a) the keeping and depasturing of animals in open range grazing of cattle or horses at a density up to and including 3 animals per hectare of occupied area, or sheep or goats at a density of up to and including 9 animals per hectare of occupied area. No animal may be kept on an area less than 1000m²;
- (b) the keeping and stabling in buildings and yards of no more than three cattle or three horses or nine sheep or nine goats; or
- (c) the keeping of up to 24 poultry the keeping of up to a combined total of 100 domestic fowl, geese, turkeys, ducks or quail.
- (d) the keeping of bees whether or not for commercial production of honey.
- (e) the keeping of 1 pig

and where not otherwise defined as Animal Husbandry or Intensive Animal Industry.

The term does not include the keeping of domestic pets associated with a House.

Note: Council's Local Laws prescribe the numbers and conditions in which animals must be kept and any requirements for licences.

2. In Schedule 1, Part 1: Defined Uses, amend the definition for House as follows:

House: a detached building principally for residential purposes by one household, domestic group or individual, including domestic activities and outbuildings and domestic pets normally associated with this use.

The term includes the ancillary parking or garaging within the curtilage of a house, occupied by the vehicle owner or driver, of not more than one prime mover or one single unit motor vehicle not greater than 12m in length, not being a domestic vehicle associated with the residential use of the premises.

3. In Schedule 1, Part 2: Explanatory Terms, include a new definition for Domestic Pet as follows:

Domestic Pet: Any animal, bird, insect, reptile or fish which is kept in or about a dwelling for the interest, enjoyment or protection of its residents and not for sale. Table 1 prescribes maximum number of animals, for the animals specified in column 1, which can be kept on premises and be classified as a Domestic Pet.

Table 1: Maximum Animal Numbers

<u>Bees</u>	<u>Not more than one hive</u>
<u>Cage Birds</u>	<u>Not more than 20 birds of any variety (not mentioned elsewhere in this definition); and 40 pigeons; and 2 cacophonous birds of the galah, cockatoo, magpie, kurrawong, crow or corella varieties.</u>
<u>Cats</u>	<u>Not more than four over the age of six months</u>
<u>Dogs</u>	<u>Not more than 4 dogs, where the number of dogs includes a dog that is over the age of 3 months.</u>
<u>Ornamental fish</u>	<u>No limit</u>
<u>Chickens and Ducks</u> <u>(does not include roosters and cockerels)</u>	<u>The combined total is not more than 20.</u>

The following animals are not domestic pets for the purposes of this definition:

- (a) horses;
- (b) cattle;

- (c) sheep;
- (d) goats;
- (e) pigs;
- (f) roosters and cockerels;
- (g) turkeys
- (h) geese;
- (i) pea fowl;
- (j) guinea fowl;
- (k) alpaca;
- (l) emu;
- (m) ostrich;
- (n) crocodile; and
- (b)(o) animals commonly associated with food production, commercial animal husbandry or rural land uses.

Note: Council's Local Laws prescribe the numbers and conditions in which animals must be kept and any requirements for licences.

4. In Schedule 1, Part 1: Defined Uses, amend the definition for Intensive Animal Industry as follows:

Intensive Animal Industry:

the keeping of animals, birds or reptiles in a confined area with predominantly introduced water and feeding (as opposed to grazing) including, but not limited to:

- feedlots and dairies – for lots with an area less than or equal to 2ha – more than 10 animals; for lots with an area greater than 2ha but less than or equal to 10ha – more than 20 animals and; for lots with an area greater than 10ha – more than 50 animals;
- piggeries – for lots with an area less than or equal to 2ha – more than 10 standard pig units; for lots with an area greater than 2ha but less than or equal to 10ha – more than 20 standard pig units and; for lots with an area greater than 10ha – more than 50 standard pig units;
- poultry farm – more than a combined total of 100 domestic fowl, geese, turkeys, ducks or quail for lots with an area less than or equal to 2ha more than 25 birds and; for lots with an area greater than 2ha – up to 1000 birds where enclosed or more than 4000 birds per ha where free range;
- emu and ostrich farms – for lots with an area less than or equal to 2ha – more than 20 birds and; for lots with an area greater than 2ha – more than 40 birds/ha; and
- other animals eg. horses, goats, sheep, deer, alpaca, free range pigs etc. – for lots with an area less than or equal to 2ha – more than 20 animals and; for lots with an area greater than 2ha – more than 50 animals. (DPI – 3)

where not otherwise defined as Animal Husbandry or Domestic Animal Husbandry.

Poultry farm includes the keeping or breeding of poultry for sale, exchange, egg production or slaughtering and means any fowl, duck, goose, pheasant, turkey or other gallinaceous bird, and includes a broiler farm.

The definition also includes land utilised for the land disposal of effluent.

Map amendments

Not applicable.

Item 4: Amendment to minimum car parking rates for a Shop

Summary

Amend the minimum car parking rate for a Shop to 1 space per 20m² of Gross Floor Area (GFA).

Explanation

An amendment is required to the car parking rates for a 'Shop' because the current sliding scale in relation to GFA is difficult to achieve in practice – particularly for shopping centre developments.

A more conservative car parking rate of 1 space per 20m² of GFA is proposed to replace the existing sliding scale. 1 space per 20m² of GFA is the rate that has been applied to shopping centre developments in recent development applications in Boonah and is the general rate of car parking applied by the Planning and Environment Court for shopping centre development.

An amendment to Table 1 in Planning Scheme Policy 1: Car Parking, Access and Manoeuvrability is therefore required.

Text amendments

In Planning Scheme Policy 1: Car Parking, Access and Manoeuvrability, Table 1, amend the minimum car parking requirements for a shop to provide a flat rate of 1 space per 20m² of GFA:

Purpose	Minimum Parking Spaces
Shop	Up to 200m² – 1 space per 20m² of gross floor area; plus 200m² to 500m² – 1 space per 15m² of gross floor area; plus Above 500m² – 1 space per 12m² of gross floor area

Map amendments

Not applicable.

Item 5: Amendment of assessment tables to make dairies and small poultry farms code assessable in the Rural and Rural Buffer Zones

Summary

Amendment to the level of assessment for Intensive Animal Industry where involving the development of a dairies or small poultry farms.

Explanation

Dairies and poultry farms¹ are included within the land use definition for Intensive Animal Industry. Intensive Animal Industries are listed as impact assessable development in the Rural and Rural Buffer Zones and are inconsistent uses in all other zones.

An amendment to the level of assessment for Intensive Animal Industries involving dairies or small poultry farms in the Rural and Rural Buffer Zones is proposed in order to support the industries of this scale and acknowledge the reduced impacts of these activities.

Text amendments

- In Part 4, Division 2, Table 1, amend the assessment category for 'Intensive Animal Industries' as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Intensive Animal Industries	<u>Code assessable where involving the development of a dairy or poultry farm with less than 1000 birds.</u> <u>Otherwise</u> Impact assessable	Rural Zone Code Intensive Animal Industry Code

- In Part 4, Division 4, Table 1, amend the assessment category for 'Intensive Animal Industries' as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Intensive Animal Industries	<u>Code assessable where involving the development of a dairy or poultry farm with less than 1000 birds.</u> <u>Otherwise</u> Impact assessable	Rural Buffer Zone Code Intensive Animal Industry Code

Map amendments

Not applicable.

¹ Note: Item 3 of this amendment package seeks to amend the Animal Husbandry land use definition to make more than 100 birds an 'Intensive Animal Industry'.

Item 6: Amendments to use definition and level of assessment for Funeral Establishments

Summary

1. Amendment to the use definition for a 'Funeral Establishment' to exclude a crematorium; and
2. Amendment to the assessment tables to include a 'Funeral Establishment' as code assessable in the Town Centre and Community Use Precincts in the Town Zone and in the Village Zone.

Explanation

1. The use definition for 'Funeral Establishment' in Schedule 1 states that 'the definition also includes a crematorium'.

The existing use definition for Community Facilities also provides for the development of crematoriums as follows:

Community Facilities:

Means cultural, religious or community services such as:

- ambulance station, fire brigade, police station, emergency services depot;
- cemetery, crematorium;
- church, chapel, synagogue, temple;
- community hall or centre, senior citizens centre, youth centre;
- education uses such as a child care, school, college, university and other learning facility;
- health care, hospital, maternal and child welfare and the like;
- federal, state or local government purposes.

Duplication between the above definitions needs to be rationalised and it is proposed that the reference to a crematorium being included as part of a 'Funeral Establishment' be deleted.

2. Funeral Establishments are currently impact assessable (inconsistent use) in the Town Centre Precinct of the Town Zone and in the Village Zone. It is considered that a Funeral Establishment would have similar impacts to a commercial development and could therefore be listed as code assessable the Town Centre and Community Use Precincts of the Town Zone and in the Village Zones. The provisions in the existing Commercial Development Code provide suitable assessment criteria for the use.

Text amendments

1. In Schedule 1, Part 1, amend the 'Funeral Establishment' definition as follows:

Funeral Establishment

any premises used or intended for use by an undertaker in carrying out their occupation and includes a funeral chapel, parlour or office which is ancillary to and within the site of a funeral establishment. ~~The definition also includes a crematorium.~~

2. In Part 4, Division 8, Table 1, (B) Town Centre Precinct, include provisions for a Funeral Establishment as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Funeral Establishment	Code assessable	Town Zone Code Commercial Development Code

3. In Part 4, Division 8, Table 1, (E) Community Use Precinct, include provisions for a Funeral Establishment as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Funeral Establishment	Code assessable	Town Zone Code Commercial Development Code

4. In Part 4, Division 10, Table 1, Village Zone, include provisions for a Funeral Establishment as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Funeral Establishment	Code assessable	Village Zone Code Commercial Development Code

Map amendments

Not applicable.

Item 7: Amendments to encourage the development of small scale tourist facilities associated with rural activities

Summary

Amendments to the assessment tables in the Rural and Rural Buffer Zones to facilitate small scale shops and tourist facilities associated with rural activities as self assessable development.

Explanation

Shops and Tourist Facilities are impact assessable land uses in the Rural and Rural Buffer Zones. It is considered that these uses at a small scale and where directly associated with a bona fide rural activity should be encouraged as the planning scheme generally supports tourist activities in rural areas through the desired overall outcomes and intent of the zones.

Therefore, an amendment to the tables of assessment in the Rural and Rural Buffer Zones is proposed to facilitate the development of small scale shops and tourist facilities where they are directly associated with a rural activity, including Agriculture, Intensive Animal Industry, Animal Husbandry, Aquaculture, Stables and Industry.

Examples of the type of development intended to be encouraged by this amendment are:

- A small shop selling dairy products that are produced in a dairy on the same site.
- A small scale tourist facility that offers tours/demonstrations of an agricultural activity or animals kept on the same site – similar to a farm stay, except no accommodation is provided.

Text amendments

1. In Part 4, Division 2, Table 1, include provisions for a Shop as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Shop	<p>Self assessable where:</p> <p>(a) <u>directly associated with a lawfully established Agriculture, Intensive Animal Industry, Animal Husbandry, Aquaculture, Stables or Industry use on the same site; and</u></p> <p>(b) <u>the gross floor area does not exceed 100m²</u></p> <p>Otherwise impact assessable</p>	Rural Zone Code

2. In Part 4, Division 4, Table 1, include the provisions for a Shop as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Shop	Self assessable where:	Rural Buffer Zone Code

	<p>(a) <u>directly associated with a lawfully established Agriculture, Intensive Animal Industry, Animal Husbandry, Aquaculture, Stables or Industry use undertaken on the same site; and</u></p> <p>(b) <u>the gross floor area does not exceed 100m²</u></p> <p>Otherwise impact assessable</p>	
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3. In Part 4, Division 2, Table 1, amend the provisions for a Tourist Facility as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Tourist Facility	<p><u>Code assessable where:</u></p> <p>(a) <u>directly associated with a lawfully established Agriculture, Intensive Animal Industry, Animal Husbandry, Aquaculture, Stables or Industry use undertaken on the same site; and</u></p> <p>(b) <u>the facility does not involve more than 8 visitors per day.</u></p> <p>Otherwise impact assessable</p>	Rural Zone Code Host Home Accommodation and Tourist Development Code

4. In Part 4, Division 4, Table 1, amend the provisions for a Tourist Facility as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Tourist Facility	<p><u>Code assessable where:</u></p> <p>(a) <u>directly associated with a lawfully established Agriculture, Intensive Animal Industry, Animal Husbandry, Aquaculture, Stables or Industry use undertaken on the same site; and</u></p> <p>(b) <u>the facility does not involve more than 8 visitors per day.</u></p> <p>Otherwise impact assessable</p>	Rural Buffer Zone Code Host Home Accommodation and Tourist Development Code

Map amendments

Not applicable.

Item 8: Amendment to tourist cabin provisions to encourage small scale tourist activities in rural areas

Summary

1. Amendment to the assessment tables in the Rural and Rural Buffer Zones to allow up to 2 tourist cabins as self assessable development.
2. Amendment to the assessment table in the Rural Zones to allow between 3 and 6 tourist cabins as code, rather than impact assessable.
3. Amendment to the self-assessable provisions of the Host Home Accommodation and Tourist Development Code to provide suitable assessment criteria for self assessable tourist cabins.

Explanation

1. In order to encourage small scale tourist activities in rural areas, an amendment to the level of assessment for tourist cabins is proposed. It is considered that enabling up to 2 tourist cabins as self assessable development would not result in any unreasonable amenity impacts provided that suitable assessment criteria in the self assessable outcomes in the relevant codes are achieved. An amendment to the tables of assessment is therefore proposed in the Rural and Rural Buffer Zones to allow up to 2 tourist cabins as self assessable development.

2. Under the current planning scheme, where tourist cabins would not be self assessable in accordance with the amended assessment table outlined above, they would trigger impact assessment in the Rural Zone. An amendment to the assessment table in the Rural Zone to allow between 3 and 6 tourist cabins as code assessable development is proposed. This approach aligns with the assessment tables in the *Beaudesert Planning Scheme 2007*.

3. Amendments to the existing Host Home Accommodation and Tourist Development Code are also proposed in order to provide suitable assessment criteria for small scale tourist cabin development, including minimum car parking spaces, minimum site area, and maximum GFA requirements. The additional assessment criteria are adapted from the provisions in the Tourist Cabins Code of the *Beaudesert Planning Scheme 2007*.

An additional Specific Outcome and Probable Solution seeking the protection of mapped remnant vegetation has also been included in the code as a result of State interest review comments from the Department of Natural Resources and Mines. The Overall Outcomes have also been amended to ensure that productive agricultural land, natural features and biodiversity are not adversely impacted by tourist cabin development.

Further, the existing site cover provision in the Host Home Accommodation and Tourist Development Code is not practical as 50% of a site in the Rural and Rural Buffer Zones could be any size greater than 4 hectares. The deletion of this provision and its replacement with a maximum GFA for cabins and minimum site area is therefore proposed.

Text amendments

1. In Part 4, Division 2, Table 1, amend the provisions for tourist cabins as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Tourist Cabins	Self assessable where the development does not exceed 2	Rural Zone Code Host Home Accommodation and

	<u>cabins on the site.</u> <u>Code assessable where:</u> <u>(a) not Self assessable; and</u> <u>(a)(b) the development does</u> <u>not exceed 6 cabins on the</u> <u>site.</u> <u>Otherwise</u> Impact assessable	Tourist Development Code
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2. In Part 4, Division 4, Table 1, include the provisions for tourist cabins as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Tourist Cabins	<u>Self assessable where the</u> <u>development does not exceed 2</u> <u>cabins on the site.</u> <u>Otherwise</u> Code assessable	Rural Buffer Zone Code Host Home Accommodation and Tourist Development Code

3. In Part 6, Division 8: Host Home Accommodation and Tourist Development Code, amend the overall outcome 6.32(2)(c) as follows:

- (c) minimise adverse impacts upon residential and rural amenity, productive agricultural land, natural features and biodiversity.

4. In Part 6, Division 8: Host Home Accommodation and Tourist Development Code, amend the assessment criteria for self assessable tourist cabins as follows:

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS
S02 The tourist development maintains the character and amenity of the local area.	PS2.1 Building height does not exceed 8.5m. PS2.2 <u>Each cabin has a maximum gross floor area excluding verandahs of 100m². Site coverage of a tourist development does not exceed 50% of the area of the site.</u> PS2.3 A minimum of 10% of the area of the site is used for landscaping. <u>PS2.4</u> <u>Provision is to be made for not less than 1 car parking space per cabin provided wholly within the site.</u> <u>PS2.5</u> <u>The area of the site is not less than 10 hectares.</u>

5. In Part 6, Division 8: Host Home Accommodation and Tourist Development Code, include the following new Specific Outcome and Probable Solution (including the

footnotes) in Part 6.33(A) of the code and re-number the remaining outcomes accordingly:

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS
<p><u>S03</u> Development is sited to protect mapped remnant vegetation².</p> <p>Note: The most recent regional ecosystem mapping is available from the Department of Environment & Heritage Protection.</p>	<p><u>PS3.1</u> Buildings and structures are located at a distance greater than one and a half times the height of any adjacent remnant vegetation.</p> <p><u>PS3.2</u> The development does not result in the clearing of any remnant vegetation.</p>

Map amendments

Not applicable.

² [as defined by the *Vegetation Management Act 1999*](#).

Item 9: New planning scheme provisions for temporary activities

Summary

1. Amendment to Schedule 1 – Defined Uses to include a new definition for Temporary Activities.
2. Amendment to all assessment tables within the zones and relevant overlays of the planning scheme to include temporary activities as exempt development.

Explanation

The Boonah Planning Scheme does not contain any provisions for temporary activities such as events or stalls that are irregular or infrequent and do not require the construction of a permanent building or permanent infrastructure or services. Depending on the nature of the use, temporary activities currently either trigger impact assessment because they constitute an undefined use in the planning scheme, or the normal level of assessment for the use, such as a 'shop' applies.

The inclusion of a new land use definition for temporary activities is proposed, as well as an amendment to all assessment tables within the zones and relevant overlays of the planning scheme to list temporary activities as exempt development.

The proposed amendment aligns with the approach to regulating temporary activities in the *Beaudesert Planning Scheme 2007*.

Text amendments

1. In Schedule 1, Part 1: Defined Uses, include a new definition for Temporary Activities as follows:

Temporary Activities: The impermanent use of premises that may be irregular or infrequent that does not require the construction of a permanent building or the installation of permanent infrastructure or services, or works such as tree clearing or other operational work.

Table 1 provides timeframes for defined uses in the planning scheme that are considered to be temporary activities if they are within the limitations of the scope of the use and do not exceed the specified number of days. Development that exceeds the parameters of Table 1 is not considered a temporary activity and the normal provisions for the land use apply.

Table 1: Timeframes for Temporary Activities

<u>Use</u>	<u>Limitations on the scope of the activity</u>	<u>Maximum period of activity</u>
<u>Animal Husbandry</u>		<u>12 days per calendar year</u>
<u>Camping Ground</u>	<u>If:</u> <u>(a) located in the Rural Zone;</u> <u>(a)(b) for no more than 7</u> <u>camp sites or 20 persons;</u>	<u>20 days per calendar year</u>

<u>Use</u>	<u>Limitations on the scope of the activity</u>	<u>Maximum period of activity</u>
	<p><u>and</u></p> <p>(b)(c) <u>camp sites are set back at least 100 metres from a watercourse or property boundary and 200 metres from any house not on the subject site.</u></p>	
<u>Transport Depot</u>	<p>If:</p> <p>(a) <u>on an allotment of 1 hectare or more; and</u></p> <p>(a)(b) <u>for a maximum of 10 heavy vehicles.</u></p>	<u>12 days per calendar year</u>
<u>Home Based Business</u>	<u>If the probable solutions of the Home Based Business Code are achieved.</u>	<u>4 days per calendar year</u>
<u>Indoor Recreation</u>	<u>If all required car parking is provided on site.</u>	<u>2 days per calendar year</u>
<u>Outdoor Recreation</u>	<u>If all required car parking is provided on site.</u>	<u>2 days per calendar year</u>
<u>Shop</u>	<p>If:</p> <p>(a) <u>in the form of an itinerant vendor; or</u></p> <p>(b) <u>from premises already lawfully operating as a shop, Hotel/club or service station; or</u></p> <p>(a)(c) <u>from a community hall</u></p>	<u>1 day per week</u>

2. In Part 4, Divisions 2, 4, 6,10 and 12, Table 1 and Part 4, Division 8,Table 1 parts (A), (B), (C), (D) and (E), include Temporary Activities as exempt development as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
<u>Temporary Activities</u>	<u>Exempt</u>	

3. In Part 5, Divisions 2 and 4, amend Table 1 to include Temporary Activities as exempt development as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Agriculture Animal Husbandry House Park <u>Temporary Activities</u>	Exempt	

4. In Part 5, Division 10 amend Table 1 to include Temporary Activities as exempt development as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Agriculture Animal Husbandry Park <u>Temporary Activities</u>	Exempt	

Map amendments

Not applicable.

Item 10: Inclusion of Lot 2 RP21094 in the Residential Precinct of the Town Zone

Summary

Amendment to Zoning Map 4: Kalbar Town Precincts to remove Lot 2 RP21094 from the Rural Zone and include within the Residential Precinct of the Town Zone.

Explanation

Lot 2 on RP21094 at 20 Charles Street, Kalbar is currently included in the Rural Zone of the *Boonah Shire Planning Scheme 2006*. A recent planning investigation of the Kalbar Town Centre area as part of the draft *Kalbar Planning Study Discussion Paper* (December 2010) has identified that the site is suitable for residential development and inclusion in the Residential Precinct of the Town Centre Zone.

The *Kalbar Centre Development Plan* underwent community consultation in March 2011. The plan included a preferred planning option for Kalbar to 2031 which included Lot 2 RP21094 in the Residential Precinct.

An amendment to the land use zone is proposed to reflect the intended future use of the site for residential purposes in accordance with the *Kalbar Centre Development Plan*.

The site is included in the Urban Footprint under the South East Queensland Regional Plan 2009-2031 and is affected by the Good Quality Agricultural Land Overlay. It is also noted that the site is partially affected by the Queensland Reconstruction Authority's Interim Floodplain Assessment Overlay mapping and the flood hazard must be addressed for any future development on the site in accordance with *State Planning Policy 1/03: Mitigating the Impacts of Flood, Bushfire and Landslide*.

Council previously approved a development application for a Preliminary Approval for a material change of use for residential purposes (235 lots) on the site in 2007. Further, a development application for a 76 lot residential subdivision (lodged December 2009) over the site was being assessed by Council, but the assessment period has lapsed. The proposed development acknowledged the flood hazard on the site by allocating the flood affected portion for stormwater detention purposes.

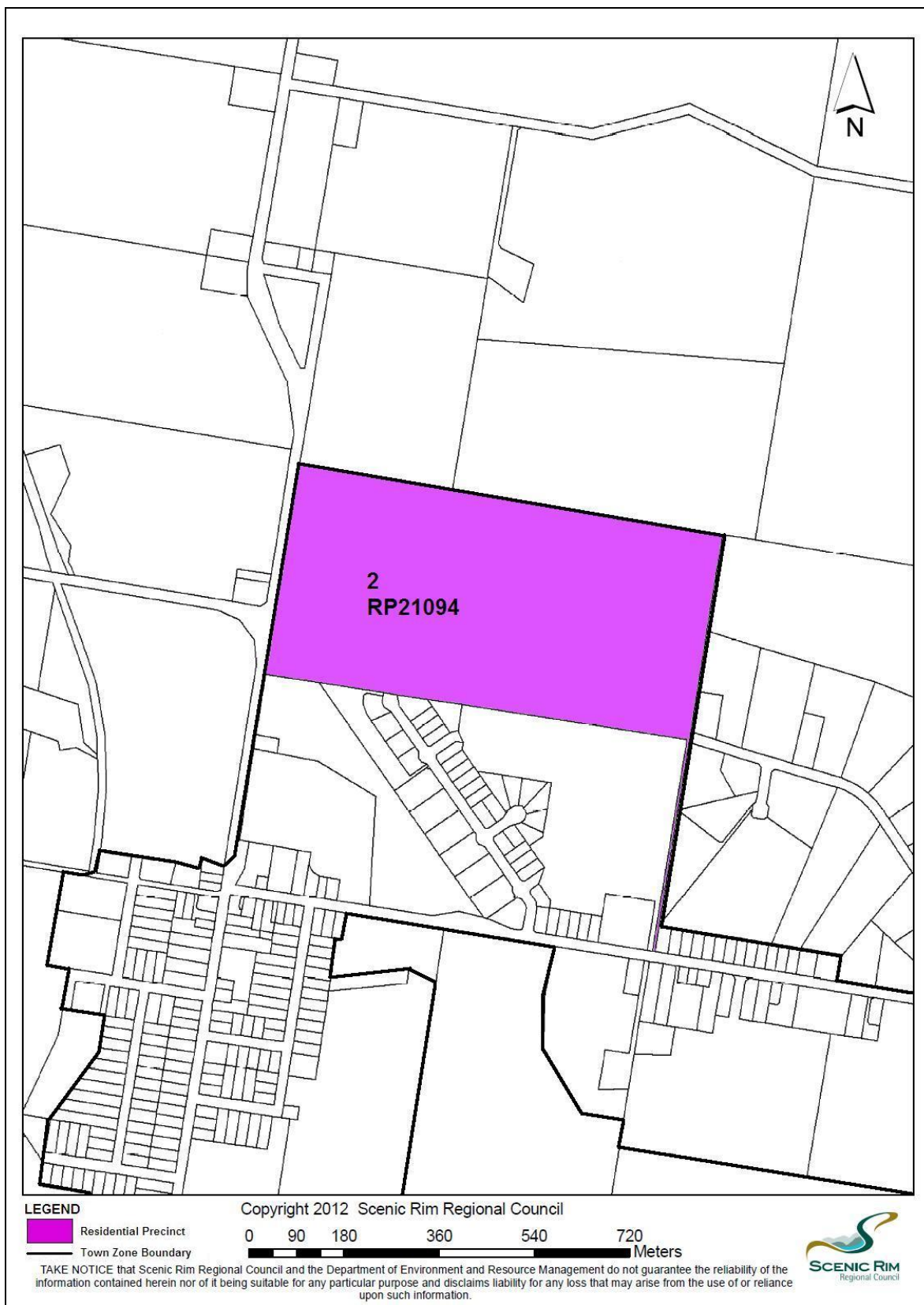
Text amendments

Not applicable.

Map amendments

1. In Volume 2: Planning Scheme Maps, amend Zoning Map 4: Kalbar Town Precincts to remove Lot 2 RP21094 from the Rural Zone and include within the Residential Precinct of the Town Zone.
2. In Volume 2: Planning Scheme Maps, amend the Town Zone boundary of Zoning Map 4: Kalbar Town Precincts to show that Lot 2 RP21094 is included in the extent of the Town Zone.

Zoning Map 4: Kalbar Town Precincts



Item 11: Level of assessment for Home Based Businesses

Summary

Amendment to the level of assessment for Home Based Businesses in the Rural Residential, Village and Town Zones.

Explanation

A Home Based Business is currently code assessable in the Rural Residential and Village Zones and in the Residential Precinct of the Town Zone.

It is considered that the impacts of Home Based Businesses could be adequately managed as self assessable development in all residential zones provided that the self assessable criteria in the planning scheme are achieved.

The Home Based Business Code currently includes self assessable criteria for:

- Maximum floor area used for the business (45m²);
- car parking requirements;
- noise in terms of motors used for any industrial activity;
- hours of operation;
- number of commercial vehicles associated with the use;
- signage.

Where the self assessable criteria cannot be achieved by the proposed home based business, code assessment is triggered.

It is considered that the existing code provides sufficient assessment criteria to provide for the impacts of a Home Based Business where they are self assessable and in a residential zone.

The amendment proposes to further regulate Home Based Business in the Rural Residential and Village Zones and in the Residential Precinct of the Town Zone by only allowing self assessable development where the use does not involve non-resident employees and business-related visitors. This component of the amendment seeks to ensure that the impacts of a Home Based Business in these zones where there is generally more activity do not affect the residential amenity of surrounding properties.

The proposed amendment generally aligns with the approach to regulating Home Based Business in the *Beaudesert Planning Scheme 2007*.

Text amendments

1. In Part 4, Division 6, Table 1, amend the assessment category for Home Based Business as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Home Based Business	<u>Code Self assessable where the use does not involve:</u> <u>(a) non-resident employees; and</u>	Home Based Business Code Rural Residential Zone Code

	(a)(b) <u>business- related visitors to the site.</u> <u>Otherwise Code assessable</u>	
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2. In Part 4, Division 8, Table 1 (A), amend the assessment category for Home Based Business as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Home Based Business	<u>Code Self assessable where the use does not involve:</u> <u>(a) non-resident employees; and</u> <u>(b) business- related visitors to the site.</u> <u>Otherwise Code assessable</u>	Town Zone Code Home Based Business Code

3. In Part 4, Division 10, Table 1, amend the assessment category for Home Based Business as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Home Based Business	<u>Code Self assessable where the use does not involve:</u> <u>(a) non-resident employees; and</u> <u>(b) business- related visitors to the site.</u> <u>Otherwise Code assessable</u>	Village Zone Code Home Based Business Code

Map amendments

Not applicable.

Item 12: Inclusion of all of Lot 1 RP17844 in the Rural Buffer Zone to reflect approved boundary realignment.

Summary

Amendment to Zoning Map 3: Boonah Town Precincts to remove a portion of Lot 1 RP17844 from the Residential Precinct of the Town Zone and include within the Rural Buffer Zone.

Explanation

An application for a Development Permit has been approved under delegated authority for the reconfiguration of Lot 1 on RP17844 and Lot 2 on RP17842 situated at Bruckner Hill Road, Dugandan (RL.Bn/00049).

The proposed development involves the realignment of the boundary of the two lots to correct the encroachment of a dam which currently straddles the two lots. Lot 1 on RP17844 is located within the Rural Buffer Zone and Lot 2 on RP17842 is located in the Residential Precinct of the Town Zone. Both lots are currently used for farming purposes.

As a result of the proposed boundary realignment, Lot 1 will take up a portion of land within the Residential Precinct of the Town Zone that was formerly included in Lot 2. Council officers are not supportive of any residential development being established upon this portion of land and a condition of approval has been included that seeks the establishment of a 'no building' covenant area on this section of land.

Accordingly, it is proposed to amend the zoning of the portion of land within Lot 1 to be included within the Rural Buffer Zone.

Text Amendments

Not applicable.

Map Amendments

1. In Volume 2: Planning Scheme Maps, amend Zoning Map 3: Boonah Town Precincts to remove the portion of Lot 1 RP17844 that is in the Residential Precinct of the Town Zone and include within the Rural Buffer Zone.
2. In Volume 2: Planning Scheme Maps, amend the Town Zone boundary of Zoning Map 3: Boonah Town Precincts to reflect the new boundary between Lot 1 RP17844 and Lot 2 RP17842.

Zoning Map 3: Boonah Town Precincts



Item 13: Inclusion of Lot 1 and 2 RP154132 in the Residential Precinct of the Town Zone

Summary

Amendment to Zoning Map 3: Boonah Town Precincts to remove Lot 1 and 2 RP154132 from the Rural Buffer Zone and include within the Residential Precinct of the Town Zone.

Explanation

Council is in receipt of a submission to amend the *Boonah Planning Scheme 2006* to remove Lot 1 and 2 on RP154132 at 33-35 Mount French Road, Dugandan from the Rural Buffer Zone and include within the Residential Precinct of the Town Zone.

The key points raised in the submission that support the amendment to the zone are outlined as follows:

- Although the site is included in the Rural Buffer Zone, it is located immediately adjacent to land included in the Town Zone to the east and north of the site;
- An inspection of surrounding vacant land in the Residential Precinct of the Town Zone has identified that it is constrained by steep slopes and as such it is likely that current residential land supply is not as substantial as previously envisaged;
- The site has frontage to Mt French Road and is located within 2 kilometres of the Town Centre;
- The site is included within the Urban Footprint of the *South East Queensland Regional Plan 2009-2031*;
- The site has access to urban services including electrical and telecommunication services and is able to be efficiently serviced with water and sewerage; and
- The site is not affected by any planning scheme overlays with the exception of the Good Quality Agricultural Land Overlay.

Accordingly, it is proposed to amend the *Boonah Planning Scheme 2006* by including Lot 1 and 2 on RP154132 at 33-35 Mount French Road, Dugandan in the Residential Precinct of the Town Zone.

It is noted that the site is partially affected by the Queensland Reconstruction Authority's Interim Floodplain Assessment Overlay mapping and the flood hazard must be addressed for any future development on the site in accordance with *State Planning Policy 1/03: Mitigating the Impacts of Flood, Bushfire and Landslide*.

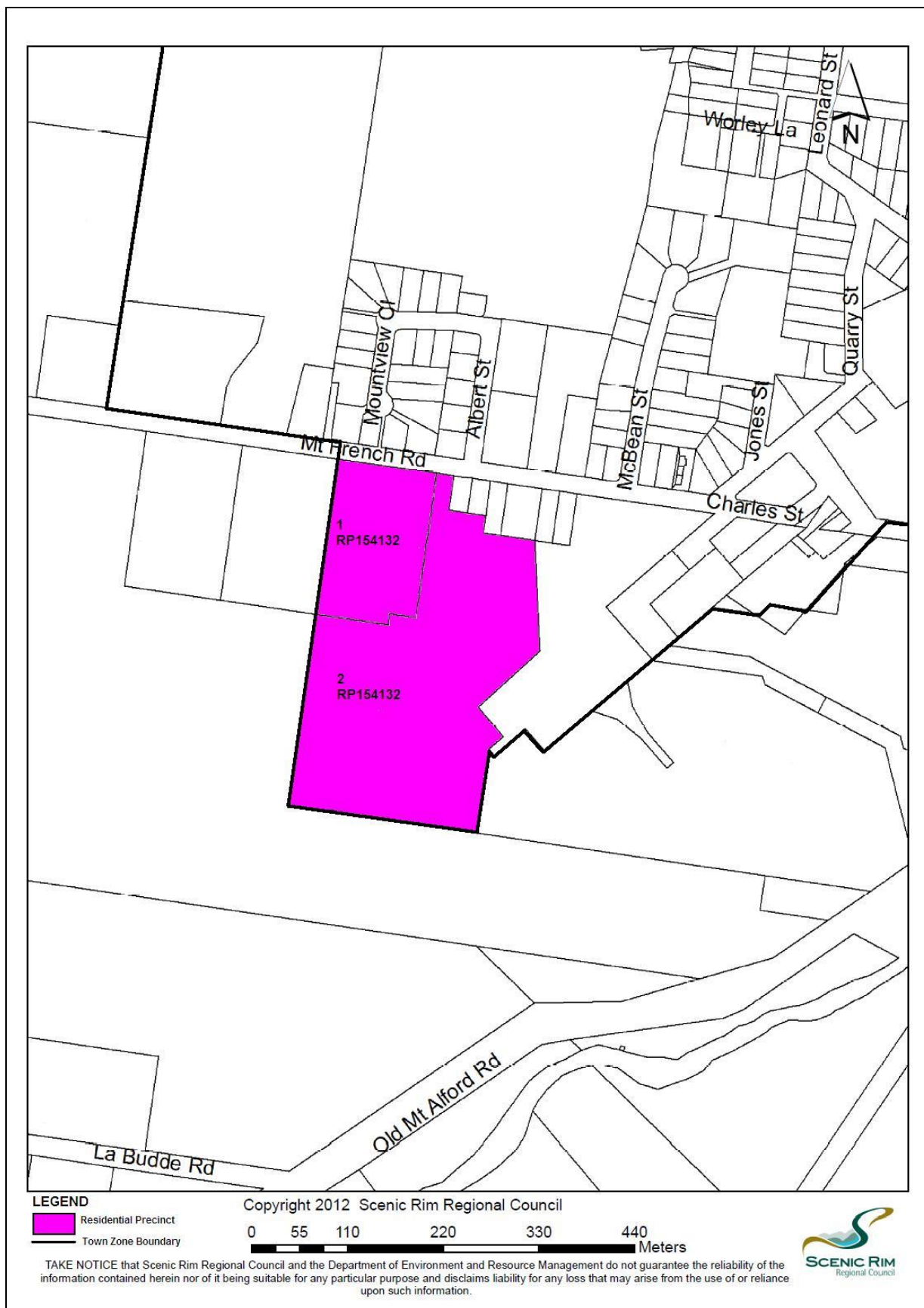
Text Amendments

Not applicable.

Map Amendments

1. In Volume 2: Planning Scheme Maps, amend Zoning Map 3: Boonah Town Precincts to remove Lot 1 and 2 RP154132 from the Rural Buffer Zone and include within the Residential Precinct of the Town Zone.
2. In Volume 2: Planning Scheme Maps, amend the Town Zone boundary of Zoning Map 3: Boonah Town Precincts to incorporate Lot 1 and 2 RP154132.

Zoning Map 3: Boonah Town Precincts



Item 14: Amendment to assessment criteria for Animal Husbandry in the Rural Residential Zone and level of assessment for Domestic Animal Husbandry in the Rural Residential Zone

Summary

1. *Removed from final amendment package.*
2. Amendment to the assessment criteria for Animal Husbandry in the Rural Residential Zone by removing the Rural Zone Code.
3. Amendment to the level of assessment for Domestic Animal Husbandry in the Rural Residential Zone.

Explanation

1. *Removed from final amendment package*

2. The assessment table in the Rural Residential Zone currently includes both the Rural Residential Zone Code and the Rural Zone Code as assessment criteria for Animal Husbandry.

The Rural Residential Zone Code already provides assessment criteria for animal enclosures that are identical to those in the Rural Zone Code. Adequate provisions for waste management to guide development are also included. Given the Rural Residential Zone Code contains sufficient assessment criteria to regulate Animal Husbandry, it is proposed that the Rural Zone be deleted from Column 3 in the assessment table. This would contain all provisions for the use within one part of the scheme and therefore enhance useability and eliminate the possibility of conflict arising between assessment criteria from the application of two zones.

3. Domestic Animal Husbandry is currently self assessable in the Rural Zone where the minimum lot size is greater than 1 hectare. An amendment is proposed to reduce the lot size to 8000m² to align policy with the *Beaudesert Shire Planning Scheme 2007* and ensure that the impacts of Domestic Animal Husbandry can be adequately managed on smaller rural residential lots.

Text Amendments

1. In Part 4, Division 6, Table 1, amend the assessment category and relevant assessment criteria for Animal Husbandry as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Animal Husbandry	Impact Assessable.	Rural Residential Zone Code Rural Zone Code

2. In Part 4, Division 6, Table 1, amend the assessment category for Domestic Animal Husbandry as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Domestic Animal Husbandry	Self assessable where on land with a minimum lot size greater than 8000m² hectare . Code assessable where on land with a minimum lot size less than 8000m² hectare .	Rural Residential Zone Code

Map Amendments

Not applicable.

Item 15: Amendment to level of assessment for small scale Extractive Industries in the Rural Zone

Summary

Amendment to the assessment tables in the Rural Zone to make Extractive Industry involving the extraction of less than 5,000 tonnes per annum code assessable.

Explanation

Extractive Industries operating at all scales is currently impact assessable in the Rural Zone. Several small scale quarries currently operate in the Boonah planning scheme area extracting materials such as sand and rock that are predominantly used for local works. An Extractive Industry that extracts less than 5,000 tonnes per annum does not constitute an Environmentally Relevant Activity (ERA) in accordance with Schedule 2 of the *Environmental Protection Regulation 2008* and therefore does not require any permits or licences in addition to a development permit.

An amendment to the assessment tables in the Rural Zone is proposed to make a small Extractive Industry extracting less than 5,000 tonnes per annum code assessable. The intent of the amendment is to acknowledge the smaller scale and reduced impacts of the activity in comparison to larger Extractive Industries which can generate significant environmental impacts, including noise and traffic impacts.

Text Amendments

In Part 4, Division 2, Table 1, amend the assessment category for Extractive Industry as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Extractive Industry	<p><u>Code assessable where involving the extraction of less than 5000 tonnes per annum.</u></p> <p><u>Otherwise</u> Impact assessable</p>	Rural Zone Code Extractive Industry Code

Map Amendments

Not applicable.

Item 16: Amendment to assessment criteria for Agriculture in the Rural Residential Zone

Summary

Amendment to the assessment criteria for Agriculture in the Rural Residential Zone by removing the Rural Zone Code as assessment criteria.

Explanation

The assessment table in the Rural Residential Zone currently includes both the Rural Residential Zone Code and the Rural Zone Code as assessment criteria for Agriculture.

The Rural Residential Zone Code already provides sufficient assessment criteria to regulate Agriculture (which is Self Assessable development) and it is therefore proposed to delete the Rural Zone Code from Column 3 in the assessment table. This would contain all provisions for the use within one part of the scheme and therefore enhance useability and eliminate the possibility of conflict arising between assessment criteria from the application of two zones.

Text Amendments

In Part 4, Division 6, Table 1, amend the relevant assessment criteria for Agriculture as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Agriculture	Self assessable	Rural Residential Zone Code Rural Zone Code

Map Amendments

Not applicable.

Item 17: Amendment to assessment criteria for Roadside Stalls in the Village Zone and Town Zone

Summary

1. Amendment to the assessment criteria for Roadside Stalls in the Village and Town Zones by removing the Rural Zone Code as assessment criteria.
2. Amendment to the Village and Town Zone Codes to include provisions for Roadside Stalls.

Explanation

1. The assessment tables for the Village and Town Zones currently include both the respective zone codes and the Rural Zone Code as relevant assessment criteria for a Roadside Stall. It is not specified that only the provisions for a roadside stall in the Rural Zone Code are applicable and it is therefore taken that the whole zone code applies.

2. It is proposed to include provisions for roadside stalls within the Village and Town Zone Codes in order to eliminate the need to refer to two zone codes for the land use. This would contain all provisions for the use within one part of the scheme and therefore enhance useability and eliminate the possibility of conflict arising between assessment criteria from the application of two zones.

Text Amendments

1. In Part 4, Division 10, Table 1, amend the relevant assessment criteria for a Roadside Stall as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Roadside Stall	Code assessable	Village Zone Code Rural Zone Code

2. In Part 4, Division 8, Table 1 (C), amend the relevant assessment criteria for a Roadside Stall as follows:

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria - Applicable Code
Roadside Stall	Code assessable	Town Zone Code Rural Zone Code

3. In Part 4, Division 11, Section 4.34(B) include the following provisions for Roadside Stalls:

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS
<u>Element (vi): ROADSIDE STALL</u>	
<p><u>SO10</u> <u>The display and sale of agricultural produce does not impact negatively upon the amenity, character or safety of the village and the safety and efficiency of State controlled roads.</u></p>	<p><u>PS10.1</u> <u>Any structure used for the sale of produce is limited to 50m² floor area.</u></p> <p><u>PS10.2</u> <u>Access to the structure is via the primary property access point.</u></p> <p><u>PS10.3</u> <u>Provision is made for not less than 1 car space provided wholly within the site.</u></p> <p><u>PS10.4</u> <u>Produce sold is grown or produced on the land on which the roadside stall is erected.</u></p>

4. In Part 4, Division 9, Section 4.28(B) include the following provisions for Roadside Stalls:

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS
<u>Element (vi): ROADSIDE STALL</u>	
<p><u>SO15</u> <u>The display and sale of agricultural produce does not impact negatively upon the amenity, character or safety of the town and the safety and efficiency of State controlled roads.</u></p>	<p><u>PS15.1</u> <u>Any structure used for the sale of produce is limited to 50m² floor area.</u></p> <p><u>PS15.2</u> <u>Access to the structure is via the primary property access point.</u></p> <p><u>PS15.3</u> <u>Provision is made for not less than 1 car space provided wholly within the site.</u></p> <p><u>PS15.4</u> <u>Produce sold is grown or produced on the land on which the roadside stall is erected.</u></p>

Map Amendments

Not applicable.

Item 18: Amendment to Utilities-Local definition

Summary

Amendment to the Utilities-Local definition to increase the allowable floor area for buildings or other structures from 50m² to 250m².

Explanation

The current definition for a Utilities-Local in Schedule 1, Part 1 reads as follows:

- Utilities–Local:** Undertakings for the supply of water, electricity or gas or the provision of telephone, sewerage or drainage services provided that this shall not include the erection and operation of any of the following:
- (a) electricity power lines, transformers or switching station operating at or in excess of one hundred and thirty two thousand (132,000) volts; or
 - (b) any building or other structure (other than a pole or mast supporting electricity or telephone lines) having a floor area greater than fifty (50) square metres.

A Utilities-Local is exempt development in all zones in the planning scheme. However, where the utility involves a building or other structure with a floor area greater than 50m², the use would no longer fall within the parameters of the Utilities-Local definition and would therefore constitute a Utilities-Public.

A Utilities-Public is exempt development where it is located within an existing or proposed corridor or site and impact assessable in all other circumstances.

An amendment is proposed to the Utilities-Local definition that increases the allowable floor area for buildings or other structures from 50m² to 250m². This amendment seeks to ensure that minor extensions to existing local utilities such as telephone exchanges or the development of small sewage pumping stations do not trigger an impact assessable application.

Text Amendments

In Schedule 1, Part 1, amend the existing Utilities-Local definition so that it reads as follows:

- Utilities–Local:** Undertakings for the supply of water, electricity or gas or the provision of telephone, sewerage or drainage services provided that this shall not include the erection and operation of any of the following:
- (a) electricity power lines, transformers or switching station operating at or in excess of one hundred and thirty two thousand (132,000) volts; or
 - (b) any building or other structure (other than a pole or mast supporting electricity or telephone lines) having a floor area greater than ~~fifty (50)~~ two hundred and fifty (250) square metres.

Map Amendments

Not applicable.

End of Amendment Package