

9.3.7 General Development Provisions Code



9.3.7.1 Application

This code applies to development identified as requiring assessment against the General Development Provisions Code by the tables of assessment in **Part 5 Tables of Assessment**.

9.3.7.2 Purpose

- (1) The purpose of the General Development Provisions Code is to ensure development maintains community health and well-being, and protects environmental values by preventing or mitigating environmental emissions.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development;
 - (i) ensures adjacent lands and environmental values are protected by preventing or minimising emissions that have the potential to cause *environmental harm* or *environmental nuisance* resulting from the release of contaminants, particularly noise, odour, light, dust and particulates;
 - (ii) maintains neighbouring amenity and lifestyle values;
 - (iii) operates in a manner that protects the health of the community both on and adjacent to the site;
 - (iv) manages waste and recyclables to protect the health and amenity of persons;
 - (v) being a *sensitive land use*, does not impact on the operation or long term viability of adjacent existing lawful uses;
 - (vi) does not impact on stormwater flooding or the drainage of properties external to the site;
 - (vii) is provided with sufficient on-site wastewater disposal, that is determined by a *suitably qualified person*, to meet the needs of residents and users; and
 - (viii) is provided with sufficient on-site water supply to meet the needs of the development where located outside a *drinking water connection area*.

Table 9.3.7.3.1— Criteria for Assessable Development Only

Performance Outcomes	Acceptable Outcomes															
Acoustic Amenity and Noise																
<p>PO1 Development is located, designed, constructed and operated to ensure that noise emissions do not cause <i>environmental harm</i> or <i>environmental nuisance</i> to <i>sensitive receivers</i>.</p> <p><i>Note - this performance outcome also applies to noise emissions generated by sensitive land uses, from sources such as communal areas, service areas, plant and equipment.</i></p>	<p>AO1</p> <p>(1) Development involves activities that are inaudible from an adjacent <i>sensitive receiver</i> or would not cause noise related <i>environmental harm</i> or <i>environmental nuisance sensitive receiver</i>; or</p> <p>(2) The emission of noise from the premises must not exceed the following levels:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d3d3d3;">Time Period</th> <th style="background-color: #d3d3d3;">At A Sensitive Land Use</th> <th style="background-color: #d3d3d3;">At Commercial Premises</th> </tr> </thead> <tbody> <tr> <td>7:00am-10:00pm</td> <td>Background +5dB(A)</td> <td>Background +10dB(A)</td> </tr> <tr> <td>10:00pm-7:00am (sleeping areas)</td> <td>35dB(A)</td> <td>Background +8dB(A)</td> </tr> <tr> <td>10:00pm-7:00am (living areas)</td> <td>40dB(A)</td> <td>Background +8dB(A)</td> </tr> <tr> <td>10:00pm-7:00am (unless otherwise specified)</td> <td>Background +3dB(A)</td> <td>Background +8dB(A)</td> </tr> </tbody> </table> <p><i>Note -</i></p> <p>(1) Levels are measured as the adjusted maximum sound pressure level as defined in the Noise Measurement Manual (Environmental Protection Agency, 2000).</p> <p>(2) Noise generated from vehicle movements on the site, including noise from entering or exiting the vehicle, shall not be considered when assessing the Acceptable Outcome AO1.</p> <p>(3) Background=LA90</p> <p>OR;</p> <p>(3) Development achieves the Acoustic Quality Objectives for Sensitive Receptors listed within the Environmental Protection (Noise) Policy 2008.</p> <p><i>Note - where the adjacent sensitive land use is not listed in the Environmental Protection (Noise) Policy 2008, the development will achieve the noise levels specified in AO1 (2)</i></p>	Time Period	At A Sensitive Land Use	At Commercial Premises	7:00am-10:00pm	Background +5dB(A)	Background +10dB(A)	10:00pm-7:00am (sleeping areas)	35dB(A)	Background +8dB(A)	10:00pm-7:00am (living areas)	40dB(A)	Background +8dB(A)	10:00pm-7:00am (unless otherwise specified)	Background +3dB(A)	Background +8dB(A)
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<p>PO2 Air conditioning units, refrigeration units and any other form of mechanical ventilation or extraction systems do not adversely impact on the acoustic amenity of surrounding <i>sensitive receivers</i>.</p>	<p>AO2 Roof-top mounted plant and equipment is located away from surrounding <i>sensitive land uses</i> and is acoustically shielded to maintain the background noise levels (L90) at the nearest <i>sensitive receiver</i>.</p>															
<p>PO3 Development does not involve activities that would cause vibration related <i>environmental harm</i> or <i>environmental nuisance</i> to a <i>sensitive receiver</i>.</p>	<p>AO3 No Acceptable Outcome is prescribed.</p> <p><i>Editor's Note - the proponent may need to obtain a vibration impact assessment or alternatively include vibration details within an environmental impact report for the site which demonstrates that the acceptable outcomes come be achieved.</i></p>															

Performance Outcomes

Acceptable Outcomes

Air Emissions - Dust, Particulates and Odour

PO4
 Development (excluding Intensive animal industry) is sited, designed and operated to avoid the generation of odour emissions of a level that have the potential to cause *environmental harm* to a *sensitive receiver*.
Editor's Note - The Intensive Animal Industry Code contains the assessment benchmarks for Air Emissions - Dust, Particulates and Odour applicable to Intensive animal industries.

AO4
 No Acceptable Outcome is prescribed.
Note - An applicant is likely to be required to provide an Assessment Report prepared by a suitably qualified person in relation to odour impacts. The assessment is to be prepared in accordance with the Guideline - Odour Impact Assessment for Developments - Department of Environment and Heritage Protection, for modelled odour concentrations.

PO5
 Development (excluding Intensive animal industry) does not create dust or particulate nuisance at any point beyond the boundary of the site.
Editor's Note - The Intensive Animal Industry Code contains the assessment benchmarks for Air Emissions - Dust, Particulates and Odour applicable to Intensive animal industries.

AO5
 Development (excluding Intensive animal industry) does not involve activities that would cause dust related *environmental harm* or *environmental nuisance*; or
Note - in assessing potential dust emissions, consideration will include emissions from the use itself, on site unsealed roads or parking sites, and any other incidental source associated with the development.
 (1) Development (excluding Intensive animal industry);
 (a) does not result in particle emissions that exceed any of the acceptable levels specified within the Environmental Protection (Air) Policy 2008;
 (b) generates dustfall, averaged over a 30 day period of time, that does not exceed 130mg/m²/day when measured at the site boundary.
Note - An applicant is likely to be required to provide an Assessment Report prepared by a suitably qualified person in relation to dust and particulate impacts.
Note - Where development is likely to create ongoing significant dust issues an Applicant may be required to provide a 'site based management plan' which adequately addresses dust mitigation measures includes;
 (1) an adequate water supply available at all times in order to undertake proactive dust reduction measures e.g. watering of access roads;
 (2) areas within the site that are frequently used for vehicular purposes are imperviously sealed or treated to reduce dust emissions; and
 (3) activities undertaken on site that create dust are performed in an enclosed structure with suitable dust extraction and filtration systems.

PO6
 Air emission vents or stacks are sited to ensure that surrounding land uses are not exposed to concentrated levels of air contaminants.

AO6
 Exhaust stacks are located the maximum practical distance away from the boundary of the development site.

Outdoor Lighting and Glare

PO7
 Development does not impact on the amenity of nearby *sensitive receivers* as a result of light spill.

AO7.1
 Development:
 (1) provides no outdoor lighting as part of the development; or
 (2) provides only minor external lighting devices, located, designed and installed to:
 (a) be consistent with and appropriate to the surrounding character and amenity; and
 (b) minimise the impact of direct and indirect light spillage on surrounding *sensitive land uses*; or
Note - Effective methods to comply with outcome AO7.1 (2) include:
 (a) providing covers or shading around lights that prevent direct light

Performance Outcomes	Acceptable Outcomes
	<p style="text-align: center;"><i>spillage on neighbouring premises or roadways; or</i></p> <p>(b) <i>directing lights downwards to prevent direct light spillage on neighbouring premises or road ways; and</i></p> <p>(c) <i>positioning and/or directing lights away from sensitive land uses; and</i></p> <p>(d) <i>enabling the brightness of lights to be adjusted to lower output levels where appropriate; and</i></p> <p>(e) <i>use of motion sensor lights or electronic controls to switch off lights when not required.</i></p> <p>(3) provides external lighting which is compliant with the technical parameters, design, installation, operation and maintenance standards of the following as applicable:</p> <p>(a) outdoor lighting complies with the requirements of Australian Standard AS4282-1997 Control of the Obtrusive Effects of Outdoor Lighting; and</p> <p>(b) sporting fields and sporting courts, comply with the requirements of Australian Standard AS4282-1997 – Control of the Obtrusive Effects of Outdoor Lighting and a compliance statement by a lighting designer has been provided in accordance with the Australian Standard (Section 4).</p> <p><i>Note - An applicant may be required to provide a lighting proposal and impact assessment (environmental and amenity) as part of the application to demonstrate that the lighting will not create nuisance issues for surrounding sensitive land uses.</i></p> <p>AO7.2 Development operating at night;</p> <p>(1) provides that the alignment of streets, driveways and parking areas avoid light from vehicle headlights falling directly upon any window or outdoor recreational area of adjacent residential dwellings; or</p> <p>(2) provides a solid screen fence prevents light from vehicle headlights falling directly upon any window or outdoor recreational area of adjacent residential dwellings.</p>
<p>PO8 Development does not impact on the amenity of the surrounding area or cause nuisance as a result of glare or reflection.</p>	<p>AO8 No Acceptable Outcome is prescribed.</p>
Waste Management	
<p>PO9 Development provides:</p> <p>(1) sufficient area for the storage of waste and recyclables; and</p> <p>(2) for the separation of wastes to maximise alternatives to disposal.</p>	<p>AO9.1 All waste produced on site is stored in approved containers of a sufficient capacity to receive all waste generated by the development.</p> <p>AO9.2 Waste and recyclables are managed in accordance with the <i>Waste Reduction and Recycling Act 2011</i>.</p> <p>AO9.3 Waste and recyclables produced on site are managed in accordance with the waste and resource management hierarchy* specified in the <i>Waste Reduction and Recycling Act 2011</i>.</p> <p><i>*Editor's Note - The waste and resource management hierarchy is the</i></p>

Performance Outcomes	Acceptable Outcomes
	<p>following precepts, listed in the preferred order in which waste and resource management options should be considered—</p> <ul style="list-style-type: none"> (a) AVOID unnecessary resource consumption; (b) REDUCE waste generation and disposal; (c) RE-USE waste resources without further manufacturing; (d) RECYCLE waste resources to make the same or different products; (e) RECOVER waste resources, including the recovery of energy; (f) TREAT waste before disposal, including reducing the hazardous nature of waste; (g) DISPOSE of waste only if there is no viable alternative.
<p>PO10 Development is designed to ensure that waste storage and collection can be undertaken in a safe and convenient manner.</p>	<p>AO10.1 Development:</p> <ul style="list-style-type: none"> (1) has a street frontage (exclusive of driveways) of 1 metre per 240L wheeled bin service required; or (2) provides waste container/s which are able to be accessed on site by collection vehicles being able to enter and leave the premises in forward gear, or sufficient and accessible road frontage exists to allow the containers to be placed kerbside for collection; or (3) provides an alternate storage and collection method for adequate storage capacity and safe collection of waste in accordance with the <i>Waste Reduction and Recycling Act 2011</i>. <p>AO10.2 Development provides unobstructed access to the container for removal of the waste by the local government or waste collection entity.</p> <p>AO10.3 Development, which includes the provision of roads including private or public roads, designs and constructs such roads to provide access by waste collection vehicles to each tenancy or the container storage area/s.</p>
<p>PO11 Development ensures the placement of waste containers does not create a health or amenity nuisance.</p>	<p>AO11 Development provides:</p> <ul style="list-style-type: none"> (1) a dedicated area for refuse storage that is screened or otherwise located to avoid visual impacts on streetscapes, public spaces and adjoining properties; and (2) an: <ul style="list-style-type: none"> (a) elevated stand for holding all waste containers at the premises; or (b) imperviously paved and drained area, upon which can be stood all waste containers at the premises; and (c) a hose cock and hose in the vicinity of the stand or paved area.
<p>PO12 Putrescible waste generated as a result of the development does not cause odour nuisance issues for surrounding land uses.</p>	<p>AO12 Development stores all putrescibles waste in a manner that prevents odour nuisance and fly breeding and is disposed of at intervals not exceeding seven (7) days.</p> <p><i>Note - Examples of acceptable outcomes may, either permanently or as required, include:</i></p> <ul style="list-style-type: none"> (a) storing putrescible waste at low temperatures; and/or (b) increased frequency of collection to avoid the generation of odours.

Performance Outcomes	Acceptable Outcomes
<p>PO13 Development involving:</p> <ol style="list-style-type: none"> (1) reconfiguring of a lot creating 4 or more new lots; (2) the construction or demolition of buildings over 400m² GFA; (3) <i>Multiple dwellings</i> being 4 or more dwellings; (4) <i>Intensive animal industry</i>; (5) regulated waste; <p>manages waste and recycling from the development to ensure optimum resource recovery and waste minimisation.</p>	<p>AO13 Development provides and implements a Waste Management Plan (WMP) for pre-construction, construction and post-construction stages addressing:</p> <ol style="list-style-type: none"> (1) the management of waste and recyclables in accordance with the <i>Waste Reduction and Recycling Act 2011</i>; (2) waste and recyclables produced on site are managed in accordance with the waste and resource management hierarchy specified in the <i>Waste Reduction and Recycling Act 2011</i>; (3) optimisation of resource recovery; (4) waste minimisation and disposal procedures; (5) management of: <ol style="list-style-type: none"> (a) construction and demolition waste; (b) organic waste including vegetation clearing; (c) hazardous waste; (6) ongoing waste and resource recovery measures to be provided once the development is operational; (7) access and infrastructure required to enable waste and recycling services to be effectively provided; and (8) review process for the WMP to allow for ongoing flexibility, adaptability and new innovation.
General Amenity	
<p>PO14 The use of vehicles associated with the development does not impact on the safe or convenient use of the road network.</p>	<p>AO14.1 Loading or unloading activities are undertaken within the site.</p> <p>AO14.2 Development provides that all vehicles associated with the use can be parked on the site.</p> <p>AO14.3 Development has access to the road network is via a constructed road. <i>Note - Acceptable Outcome AO14.3 does not reduce or eliminate the need to comply with other Performance Outcomes that may require a higher or specific standard of road.</i></p>
Reverse Amenity	
<p>PO15 Development involving a <i>sensitive land use</i> in close proximity to existing lawful land uses that generate noise, dust, odour and other emissions, are located and designed to not impede the operation of the existing lawful use.</p> <p><i>Editor's Note - Development design principles may include;</i></p> <ol style="list-style-type: none"> (1) <i>locating open space and roadways to increase separation distances;</i> (2) <i>use of dense landscaping as a visual and particulate barrier;</i> (3) <i>reducing residential densities adjacent to impacting sites;</i> (4) <i>building design, including air conditioning; and</i> (5) <i>providing barriers to impacting sites.</i> 	<p>AO15 No Acceptable Outcome is prescribed.</p>

Performance Outcomes	Acceptable Outcomes
Stormwater - Quantity	
<p>PO16 Stormwater quantity management outcomes demonstrate no adverse impact on stormwater flooding or the drainage of properties external to the subject site.</p>	<p>AO16.1 A site based stormwater quantity management plan (SQMP) is prepared by a <i>suitably qualified person</i> and demonstrates achievable stormwater quantity control measures for discharge during operational phases of development designed in accordance with the Queensland Urban Drainage Manual (QUDM).</p> <p>AO16.2 Stormwater flows discharged from development are either within the capacity of the downstream drainage system such that non-worsening occurs, or are mitigated to pre-development characteristics.</p>
On-site Wastewater Disposal	
<p>PO17 Where located outside a <i>wastewater connection area</i>, development is provided with sufficient on-site wastewater disposal, that is determined by a <i>suitably qualified person</i>, to meet the needs of residents and users.</p>	<p>AO17 No Acceptable Outcome is Prescribed</p>
On-site Water Supply	
<p>PO18 Where reticulated water supply is unavailable, the development is provided with sufficient on-site water supply to meet the needs of residents and users.</p>	<p>AO18 No Acceptable Outcome is Prescribed.</p>