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1 Introduction

This chapter provides details of Codes used in assessment. The Codes give guidance on specific aspects of development that apply to different Areas or types of development. The Codes are listed alphabetically for ease of use.

1.1 How to use the Codes

Codes may be used in either self assessment, code assessment, or impact assessment. The level of assessment table in Chapter 3 determines the level of assessment that applies to development in different Areas. However, this may be varied by the Local Plans in Chapter 4.

A 'primary' Code is a Code listed as an Applicable or Relevant Code in the level of assessment table.

A 'secondary' Code is a Code called up in a 'primary' Code.

In cases where no specific Relevant Codes are identified in the level of assessment table for impact assessable development the Application section at the front of the Code provides a useful guide to the circumstances in which the Code is likely to be considered in assessing an application.

The Codes contain the following components.

Application

This component states when the Code will apply in self or code assessment, and when the Code may be considered in impact assessment.

Where a Code is called up as a 'secondary' Code by some other Code, the Code is to be read as part of that other Code.

Using this Code

This component describes how the Code will be used in either self, code or impact assessment, either as a 'primary' Code or as a 'secondary' Code.

This section may include references to other legislation and Council local laws that may need to be complied with. These references are for guidance only and it should not be implied that these references are inclusive of all other legislative or local law requirements.

This section may also include a glossary of terms. These terms modify a definition within Chapter 3, but only for that Code, or are used to explain the meaning of terms that are used in the Code.

Purpose

This component explains what the Code seeks to achieve.

Performance Criteria and Acceptable Solutions

The Acceptable Solutions are in the right hand column of the Code table. In some cases meeting an Acceptable Solution requires compliance with Australian Standards or the Plan's Planning Scheme Policies.

For self assessment a proposal must comply with all specified Acceptable Solutions.

For code assessment a proposal that complies with all Acceptable Solutions will be approved.

For appropriate impact assessment a proposal that complies with all Acceptable Solutions will be approved, subject to:

- being able to be conditioned to mitigate any potential adverse impacts
- meeting the Code's purpose
- meeting the Plan's DEOs.

The Performance Criteria are in the left hand column of the Code table. They provide a statement of the outcome that the Acceptable Solution must achieve. A proposal not complying with an Acceptable Solution must provide sufficient information to demonstrate how the corresponding Performance Criterion has been met.

Notes may be included in specific Performance Criteria or Acceptable Solutions highlighting:

- other legislation that may also need to be complied with
- local laws that may also need to be complied with
- the reporting procedures that may assist in demonstrating compliance with particular Performance Criteria or Acceptable Solutions.

For code and impact assessment the Acceptable Solutions represent the preferred way of complying with the Performance Criteria. There may be other ways of complying with the Performance Criteria while still meeting the Code's Purpose. It is the responsibility of the applicant to demonstrate how alternative solutions comply with the Code's Performance Criteria. A proposal that fails to comply with the Performance Criteria, except in insignificant details, will be refused where it cannot be conditioned to mitigate impacts.

1.1.1 Using the Codes in self assessment

The level of assessment tables in Chapter 3 identify the following 'primary' Codes as being Applicable Codes for self assessment:

- Centre Amenity and Performance Code
- Commercial Character Building Code
- Community Use Code
Farm Code
Home Business Code
House Code
Industrial Amenity and Performance Code
Light Nuisance Code
Park Code.

These level of assessment tables may be varied by the Local Plans in Chapter 4.

Where a Code is identified as being an Applicable Code for self-assessment the Code is to be read as being the Acceptable Solutions only. In some cases a Code may specify which particular Acceptable Solutions are to be used in self-assessment.

The level of assessment table in Chapter 3 and the Local Plan's Level of Assessment in Chapter 4 determine the level of assessment that applies if a proposal does not meet specific criteria in the level of assessment table or does not comply with all of the specified Acceptable Solutions.

Any relevant Local Plan may also include a Code that contains Acceptable Solutions that vary or are in addition to the Acceptable Solutions in the 'primary' Code. Non-compliance with the specified Acceptable Solutions in these Local Plan Codes will have the same effect on the level of assessment as non-compliance with the 'primary' Code's Acceptable Solutions.

A self-assessable proposal will not require an application under this City Plan if it complies with:

- the specific criteria in the Area Level of Assessment table
- the specific criteria in the level of assessment table of any relevant Local Plan
- the specified Acceptable Solutions in the 'primary' Code (usually all of the Acceptable Solutions)
- the specified Acceptable Solutions in any relevant Local Plan Code.

1.1.2 Using the Codes in code assessment

The Level of Assessment tables in Chapter 3 identify the following 'primary' Codes as being Applicable Codes for code assessment:

- Centre Amenity and Performance Code
- Centre Design Code
- Commercial Character Building Code
- Community Use Code
- Demolition Code
- Farm Code
- Filling and Excavation Code
- Heritage Place Code
- House Code
- Industrial Amenity and Performance Code
- Industrial Design Code
- Landing Code
- Outdoor Sport and Recreation Code
- Residential Design—Character Code
- Residential Design—Single Unit Dwelling Code
- Residential Design—Small Lot Code
- Satellite Dish Code
- Service Station Code
- Subdivision Code
- Telecommunication Tower Code.

These Level of Assessment tables and Codes may be varied by the Local Plans in Chapter 4.

Each of these 'primary' Codes may also list other Applicable 'secondary' Codes that are also considered to be part of the 'primary' Code. Any relevant Local Plan may also include a Code that contains a Purpose, Performance Criteria and Acceptable Solutions that vary or are in addition to the 'primary' Code. In all of these circumstances the Code is to be read as being the Purpose, Performance Criteria and Acceptable Solutions.

Note:
In reading a secondary code, ignore any secondary codes listed in that code.

In some cases the Level of Assessment table in Chapter 3 and the Local Plan's Level of Assessment in Chapter 4 determine the level of assessment that applies if a proposal does not meet specific criteria in the Level of Assessment table or does not comply with some or all of the Acceptable Solutions in either the 'primary' Code, other 'secondary' Codes or Local Plan Codes. Refer to the level of assessment tables in Chapter 3 and in the Local Plans in Chapter 4 and to the relevant Codes for these details.

1.1.3 Using the Codes in impact assessment

The level of assessment tables in Chapter 3 identify the following Codes as being Relevant Codes for impact assessment:

- Centre Amenity and Performance Code
- Centre Design Code
- Commercial Character Building Code
- Demolition Code
- Extractive Industry Code
- Filling and Excavation Code
- Heritage Place Code
- Home Business Code
- Industrial Amenity and Performance Code
- Industrial Design Code
• Landing Code
• Outdoor Sport and Recreation Code
• Park Code
• Residential Design—Low Density, Character and Low—medium Density Code
• Residential Design—Medium Density Code
• Residential Design—High Density Code
• Residential Design—Single Unit Dwelling Code
• Satellite Dish Code
• Structure Planning Code
• Subdivision Code.

These level of assessment tables and Codes may be varied by the Local Plans in Chapter 4.

The 'primary' Codes are highlighted in the Level of Assessment table. Each of these 'primary' Codes may also list other Relevant 'secondary' Codes that are likely to be considered to be part of the 'primary' Code. In both of these circumstances the Code is to be read as being the Purpose, Performance Criteria and Acceptable Solutions.

Impact assessable development must not compromise the achievement of the Plan's DEOs.

In cases where no specific Relevant Codes are identified in the Level of Assessment table for impact assessable development, the summary table in Section 1.3 of this Chapter provides a guide to the range of Codes that are likely to be considered in assessing the application.

Refer to the General Assessment Processes in Chapter 3 for further details of the issues and components of the Plan that are likely to be used in assessing impact assessable development.

1.2 How to read the tables

The order in which both Performance Criteria and Acceptable Solutions are presented does not suggest that any have priority over any others. Both may have a number of parts. In this case, it is necessary to satisfy all parts unless some are alternatives (see the terms ‘AND’/‘OR’ below).

1.2.1 The term ‘AND’

A list of numbered paragraphs, or a list of items with dot points, means the items on the list are joined by ‘AND’, unless otherwise stated in the table (see the term ‘OR’ below).

Example 1

A1 The land is provided with:
• reticulated water, sewerage, drainage, electricity and telephone services
• gas service where reasonable

This means both parts must be satisfied.

1.2.2 The term ‘OR’

The term ‘OR’ is used where:
• one Acceptable Solution has alternatives, or
• a Performance Criterion has more than one Acceptable Solution.

Example 2

A3 Screen outdoor recreation areas by:
• a 1.8m screen fence
  OR
• a landscape buffer
  OR
• a minimum 2m wide setback from any common boundary with an adjoining property

This means any one of the three solutions is acceptable.

Example 3

A4.1 Retain significant contents of a heritage place in the redevelopment
OR
A4.2 Remove significant contents of a heritage place if this is the only way they can survive
A4.3 Store and record the removed contents properly and arrange for them to be reinstated later

This means the Acceptable Solution is either A4.1, or A4.2 and A4.3.

1.3 Summary: What development each Code applies to

This summary is intended to assist applicants in determining which Codes are applicable to a particular development proposal. Each Code should be referred to in determining a full description of the circumstances in which each Code applies.
<table>
<thead>
<tr>
<th>Code</th>
<th>Generally applies to</th>
<th>Particular location or circumstance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acid Sulfate Soil</td>
<td>Any assessable development</td>
<td>Where:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• more than 100(m^3) of soil is disturbed on land identified by either Council or the State Government as an area that is known to host or is likely to host acid sulfate soils OR • the site is within the area identified above and the water table will be lowered by drainage, water extraction or other means</td>
</tr>
<tr>
<td>Biodiversity</td>
<td>Material change of use and/or building work and/or reconfiguring a lot</td>
<td>Where the proposed development site, or a significant natural ecological feature or process that the site supports, is within or adjacent to:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• a Heritage Place site in Schedule 2—Heritage Places of Natural Heritage Significance in the Heritage Register Planning Scheme Policy OR • a site or valuable ecological feature in Schedules 1 or 2 of the Natural Assets Planning Scheme Policy OR • a site identified as having biodiversity value on the Strategic Plan Green Space System Values—Map B OR • a site in the area subject to State Planning Policy 1/97 Conservation of Koalas in the Koala Coast OR • a site containing a Wetland or Waterway or within a Waterway Corridor OR • a site in the Emerging Community, Future Industry, Conservation, Environmental Protection, Rural or Parkland Areas under a Vegetation Protection Order</td>
</tr>
<tr>
<td>Code</td>
<td>Generally applies to</td>
<td>Particular location or circumstance</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Caravan Park and Relocatable Home Park</td>
<td>Material change of use and/or building work for a caravan or park or relocatable home park</td>
<td>In a particular location or circumstance</td>
</tr>
<tr>
<td>Centre Amenity and Performance</td>
<td>Material change of use and/or building work for a material change of use and/or building work</td>
<td>In a Centre</td>
</tr>
</tbody>
</table>
| Centre Design                            | - material change of use where involving building work  
- a shop or office of 250m² or less in gross floor area                                                                                                   | In:  
- a Centre  
- an Emerging Community Area, Residential Area, Light Industry Area or Special Purpose Centre       |
| Child Care Facility                      | Material change of use and/or building work for a child care facility                                                                                                                                             | Commercial Character Building                                                                         |
| Commercial Character Building             | Material change of use for Commercial Character Building Activities                                                                                                                                             | In a Commercial Character Building                                                                     |
| Community Use                            | Material change of use and/or building work for the use given in a Community Use Area on the Planning Scheme Maps                                                                                                    | In a Community Use Area or community uses in other Areas                                              |
| Demolition                               | Building work for the demolition, partial demolition, removal or repositioning of a building except minor demolition work                                                                                         | On a site in the Demolition Control Precinct where any part of the building was constructed in or prior to 1946  
OR  
A Commercial Character Building  
OR  
A Registered Boarding House where located in the Emerging Community Area, the Residential Areas or a Multi-purpose Centre or a Special Purpose Centre  
OR  
On a site where demolition is assessable against this Code under a Local Plan |
| Energy Efficiency                        | Building work for offices, hotels and shops with a gross floor area over 2,500m² and for all new residential buildings except a house (energy efficiency requirements for a house are addressed in the House Code) | Only applications for a development permit for building work will be assessed against this Code |
| Extractive Industry                      | Material change of use and/or building work for extractive industry                                                                                                                                             |                                                                                                        |
| Farm                                     | Material change of use and/or building work for a farm                                                                                                                                                               |                                                                                                        |
| Filling and Excavation                   | - material change of use  
- operational work for filling or excavation exceeding 1 vertical metre in relation to the natural ground level  
- operational work for filling of land subject to the Waterway Code or Acid Sulfate Soil Code or Wetland Code, other than top dressing less than 100mm depth from the natural ground level | This Code does not apply to filling or excavation where part of building work is only subject to code assessment against the Building Regulation |
<table>
<thead>
<tr>
<th>Code</th>
<th>Generally applies to</th>
<th>Particular location or circumstance</th>
</tr>
</thead>
</table>
| **Gas and Oil Pipeline**         | • reconfiguring lots (other than the amalgamation of 2 or more lots) within 100m of the Roma Gas or Moonie Brisbane Oil Pipeline  
• material change of use within 100m of the Roma Gas or Moonie Brisbane Oil Pipeline for any of the following:  
  - centre activities  
  - child care facility  
  - community facilities  
  - education purposes  
  - health care purposes  
  - indoor sport and recreation  
  - industry  
  - multi–unit dwelling  
  - short term accommodation  
• excavation or filling within 20m of the Roma Gas Pipeline or within 15m of the Moonie Brisbane Oil Pipeline  
• building work within 20m of the Roma Gas Pipeline or within 15m of the Moonie Brisbane Oil Pipeline  
• operational work within 20m of the Roma Gas Pipeline or within 15m of the Moonie Brisbane Oil Pipeline | Where the development is subject to Code or Impact Assessment |
| **Heritage Place**               | Building work (including demolition), reconfiguring a lot or operational work           | On a premises that includes a heritage place or is part of a heritage precinct or on a premises adjoining a heritage place or a heritage precinct |
| **Home Business**                | Material change of use for a home business                                              |                                                                                                       |
| **House**                        | Building work or material change of use and/or building work for a house                |                                                                                                       |
| **Industrial Amenity and Performance** | Material change of use and/or building work for industry, warehouse, emergency services or utility installation |                                                                                                       |
| **Industrial Areas—Adjacent Development** | Material change of use and/or building work and/or reconfiguring a lot that involves an increase in the number of people on site and the use includes a child care facility, education purposes, major hospital and medical facility, or residential development for people with special needs  
Any proposal for which a Structure Plan has been requested as part of an information request | Where:  
• any part of the site falls within 1,500m of a major hazardous industry, or within 1,500m of existing Major Hazard Facilities as indicated on Maps A and B of the Code  
• any part of the site is within 500m of a Heavy Industry Area  
• any part of the site is within 500m of an Extractive Industry Area or a Mining Lease  
• any part of the site is within 150m of a General Industry Area  
This Code does not apply to:  
• a multi–unit dwelling in a Residential Area  
• a house |
<table>
<thead>
<tr>
<th>Code</th>
<th>Generally applies to</th>
<th>Particular location or circumstance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial Design</td>
<td>Material change of use and/or building work for industry, warehouse, emergency services, or utility installation</td>
<td></td>
</tr>
<tr>
<td>Landing</td>
<td>Material change of use and/or building work for a landing</td>
<td></td>
</tr>
<tr>
<td>Landscaping</td>
<td>Material change of use and/or building work, or operational work, or subdivision</td>
<td></td>
</tr>
<tr>
<td>Light Nuisance</td>
<td>Material change of use and/or building work</td>
<td>Involving erection of outdoor lighting</td>
</tr>
<tr>
<td>Non-discriminatory Access and Use</td>
<td>Material change of use and/or building work</td>
<td>In most cases the Code will not apply to a multi-unit dwelling where in the form of a duplex, attached house, townhouse or apartment, unless it is within a Centre</td>
</tr>
<tr>
<td>Operational Works</td>
<td>Operational works associated with reconfiguring a lot</td>
<td></td>
</tr>
<tr>
<td>Outdoor Sport and Recreation</td>
<td>Material change of use and/or building work for outdoor sport and recreation</td>
<td></td>
</tr>
<tr>
<td>Park</td>
<td>Material change of use and/or building work for a park</td>
<td></td>
</tr>
<tr>
<td>Park Planning and Design</td>
<td>Reconfiguration of a lot and/or material change of use where the provision of parkland is required</td>
<td></td>
</tr>
</tbody>
</table>
| Particular Development                    | Material change of use and/or building work                                                                                                                                                                               | • on the day immediately prior to this planning scheme (City Plan) first commencing, that land was included in a Particular Development Zone under the previous transitional planning scheme (The Town Plan) and  
• the proposed material change of use or building work is for the purpose/s, or purpose/s with qualifications applicable to the previous Particular Development Zone description and  
• the development would have been Permitted Development within that previous Particular Development Zone |
| Residential Design—Character              | Material change of use and/or building work for a house or multi-unit dwelling                                                                                                                                            | In the Demolition Control Precinct                                                                                                                                                                                                 |
| Residential Design—Small Lot              | Material change of use and/or building work for a house                                                                                                                                                                   | On a lot smaller than 450m² or with an average width less than 15m, or on a rear lot smaller than 600m² (excluding access way), except where a Neighbourhood Structure Plan or a detailed subdivision layout has been approved that includes a building envelope plan |
| Residential Design—Low Density, Character and Low-medium Density | Material change of use and/or building work for a multi-unit dwelling                                                                                                                                             | In:  
• a Low-medium Density Residential Area  
• a Low Density Residential Area  
• a Character Residential Area  
• a Centre                                                                                                                                                                                                          |
<table>
<thead>
<tr>
<th>Code</th>
<th>Generally applies to</th>
<th>Particular location or circumstance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Design—Medium Density</td>
<td>Material change of use and/or building work for a multi-unit dwelling</td>
<td>• in a Medium Density Residential Area or • in a Centre</td>
</tr>
<tr>
<td>Residential Design—High Density</td>
<td>Material change of use and/or building work for a multi-unit dwelling</td>
<td>• in a High Density Residential Area or • in a Centre</td>
</tr>
<tr>
<td>Residential Design—Single Unit Dwelling</td>
<td>Material change of use (and any associated building work) and involving reconfiguring a lot for a single unit dwelling Building work to an existing single unit dwelling</td>
<td>In: • a Character Residential Area • a Low–medium Density Residential Area • a Medium Density Residential Area • a High Density Residential Area • a Centre</td>
</tr>
<tr>
<td>Residential Design—Special Needs</td>
<td>Material change of use and/or building work for a residential development for people with special needs who may require care due to reasons of age or health</td>
<td></td>
</tr>
<tr>
<td>Satellite Dish</td>
<td>Building works involving the installation or replacement of a satellite dish</td>
<td></td>
</tr>
<tr>
<td>Service Station</td>
<td>Material change of use and/or building work for a service station</td>
<td></td>
</tr>
<tr>
<td>Services, Works and Infrastructure</td>
<td>Reconfiguration of a lot, material change of use and/or building work</td>
<td></td>
</tr>
<tr>
<td>Short Term Accommodation</td>
<td>Material change of use for short term accommodation</td>
<td></td>
</tr>
<tr>
<td>Stable</td>
<td>Material change of use and/or building work for a stable</td>
<td></td>
</tr>
<tr>
<td>Stormwater Management</td>
<td>• material change of use where: - not contained entirely under the roofline of an existing building, or - involving land disturbing development, or - involving an increase in floor area located on floodable land, or - liquid or solid waste will be discharged to land or water - reconfiguring a lot where: - involving land disturbing development, or - located on floodable land • operational works or building works where: - involving land disturbing development, or</td>
<td></td>
</tr>
</tbody>
</table>

Introduction

Amended 1 July 2004
<table>
<thead>
<tr>
<th>Code</th>
<th>Generally applies to</th>
<th>Particular location or circumstance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- involving the creation of additional impervious surfaces, or</td>
<td>In an Emerging Community Area or Future Industry Area</td>
</tr>
<tr>
<td></td>
<td>- located on floodable land, or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- liquid or solid waste will be discharged to land or water</td>
<td></td>
</tr>
<tr>
<td>Structure Planning</td>
<td>Any subdivision, or material change of use and/or building work where impact assessable development</td>
<td></td>
</tr>
<tr>
<td>Subdivision</td>
<td>Reconfiguring a lot</td>
<td>Except for low impact facilities as defined in the <em>Commonwealth Telecommunications Act 1997</em> and the <em>Telecommunications (Low Impact Facilities) Determination 1997</em></td>
</tr>
<tr>
<td>Telecommunication Tower</td>
<td>Material change of use involving building work for a telecommunication tower</td>
<td></td>
</tr>
<tr>
<td>Transport, Access, Parking and Servicing</td>
<td>Material change of use and/or building work</td>
<td></td>
</tr>
<tr>
<td>Waste Water Management (on-site effluent)</td>
<td>Material change of use and/or building work, or subdivision</td>
<td>• in an Environmental Protection subdivision Area or Rural Area where reticulated sewerage or common effluent disposal systems are not available</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• wherever else on-site waste water treatment is appropriate</td>
</tr>
<tr>
<td>Waterway</td>
<td>Any assessable development</td>
<td>• in a Waterway Corridor or the Brisbane River Corridor as defined, or as indicated on the Planning Scheme Maps</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• on land subject to storm surge (being land at a level of 2.5m AHD or lower)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• on land subject to flooding during a 1 in 100 year ARI event</td>
</tr>
<tr>
<td>Wetland</td>
<td>Material change of use and/or building work, or subdivision</td>
<td>On land in or adjacent to a wetland as indicated on the Waterway Corridors and Wetlands Planning Scheme Maps</td>
</tr>
</tbody>
</table>