

Division 6: Special Industrial Zone

About the Special Industrial Zone

- The Special Industrial Zone, as mapped on Maps A2, A4, A6 & A10, generally correlate with three existing major industrial uses in the Shire, being the Marmor Works Area, the Bajool Explosives Magazine Area and the Bouldercombe Brickworks site.
- The areas included in the Special Industrial Zone also incorporate land earmarked for expansion of the existing industrial use and the co-location of related industries.
- The Special Industrial Zone is divided into three sub areas, being the:
 - Special Industrial – Marmor Works Area;
 - Special Industrial – Bajool Explosives Magazine Area; and
 - Special Industrial – Brickworks Area
- The Special Industrial Zone Code regulates new uses and works in relation to their impacts on the natural values of the environment, separation distances between incompatible land uses in particular rural uses, the scale and location of new uses.

4.6.1 Assessment tables for the Special Industrial Zone

(1) Assessment categories for the Special Industrial Zone

The assessment categories⁵⁰ are identified for development in the Special Industrial Zone in Column 2 of Tables 4.6.1(1) and 4.6.1(2) as follows:

- (a) Table 4.6.1(1)—making a material change of use⁵¹ for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 4.6.1(2)—other development⁵² listed in Column 1, including;
 - (i) Carrying out building;
 - (ii) Operational work;
 - (iii) Reconfiguring a lot; and
 - (iv) Carrying out operational work for reconfiguring a lot.

(2) Relevant assessment criteria for self assessable and assessable development in the Special Industrial Zone

The relevant assessment criteria in the Special Industrial Zone are referred to in Column 3 of Tables 4.6.1(1) and 4.6.1(2).

For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.

⁵⁰ Information about assessment categories is provided in the Fitzroy Shire Planning Scheme User's Guide.

⁵¹ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Fitzroy Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

⁵² See Fitzroy Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 4.6.1 (1) ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR THE SPECIAL INDUSTRIAL ZONE MAKING A MATERIAL CHANGE OF USE		
Column 1 Defined use or use class	Column 2 Assessment Category- (where Self Assessable development Solutions in the applicable codes, it requires Code assessment. Refer to Section 1.2.9)	Column 3 Relevant criteria ⁵³ — is the applicable codes for self assessable and code assessable development.
Rural Use Class		
Agriculture; Stock Saleyard	Self assessable	Special Industrial Zone Code; Development Standards Code; and Agriculture Use Code
Animal Husbandry/Grazing		Special Industrial Zone Code; Development Standards Code; and Animals Code
Roadside Stall	Self assessable where use area does not exceed 10m ² Code assessable where criteria for self assessable do not apply	Special Industrial Zone Code; and Development Standards Code;
All other uses in the Rural Use Class	Impact assessable	
Residential Use Class		
Caretaker's Residence	Code assessable	Special Industrial Zone Code; Development Standards Code; and House Code
All other uses in the Residential Use Class	Impact assessable	
Commercial Use Class		
All uses in the Commercial Use Class	Impact assessable	
Industrial Use Class		
Bulk Store Low Impact Industry Medium Impact Industry Warehouse	Code assessable where associated with the uses outlined in the Overall Outcomes for the relevant Special Industrial Area.	Special Industrial Zone Code; and Development Standards Code
All other uses in the Industrial Use Class	Impact assessable where the criteria for Code assessable do not apply	
Community Use Class		
Open Space	Exempt	N/A
Public Facility – Operational		
All other uses in the Community Use Class	Impact assessable	

⁵³ For impact assessable development the 'relevant assessment criteria' are provided for assistance and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

TABLE 4.6.1 (2) ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR THE SPECIAL INDUSTRIAL ZONE - OTHER DEVELOPMENT		
Column 1 Defined use or use class	Column 2 Assessment Category- (where Self Assessable development Solutions in the applicable codes, it requires Code assessment. Refer to Section 1.2.9)	Column 3 Relevant criteria ⁵⁴ — is the applicable codes for self assessable and code assessable development.
Operational work		
Works – Cycleway and Pathway	Code assessable	Special Industrial Zone Code; Development Standards Code
Works – Bushfire Protection	Self assessable	
Works – Water	Code assessable	
Works – Sewerage		
Works – Car Parking and Access	Self assessable	
Works – Parks, Landscaping and Street Trees		
Works - Roads	Code assessable	
Works - Bridges		
Works – Structures (eg traffic barriers, pedestrian safety rails, retaining walls and street lighting)	Self assessable	
Works – Earth Dams and Detention Basins	Code assessable	
Works – Stormwater Drainage	Self assessable	
Works – Site Works		
Works – Erosion Control and Stormwater Management		
Works – Electricity and Telecommunications		
Reconfiguring a lot⁵⁵		
All circumstances	Code assessable; (i)Where the size of any additional lots created is: (a) Not more than 5% below, (b) Equal to, or (c) Greater than, the relevant specified minimum lot sizes in the Reconfiguring a Lot Code; or (ii)Where no additional lots are created and the proposal is for the rearrangement of existing lot boundaries.	Special Industrial Zone Code; Reconfiguring a Lot Code; and Development Standards – Reconfiguring a Lot Code
	Impact assessable where circumstances for Code assessable do not apply	
Carrying out operational work for reconfiguring a lot		
All circumstances	Code assessable	Special Industrial Zone Code Reconfiguring a Lot Code; and Development Standards – Reconfiguring a Lot Code

⁵⁴ For impact assessable development the ‘relevant assessment criteria’ are provided for assistance and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

⁵⁵ Under IPA, schedule 9, the reconfiguring of a lot is exempt and cannot be made self-assessable or assessable by a planning scheme if the proposal is for amalgamating 2 or more lots, for a building format plan that does not subdivide land, in relation to the Acquisition of Land Act 1967, or on Strategic Port Land.

Other		
All other development	Exempt	N/A

4.6.2 Special Industrial Zone Code

(1) Special Industrial Zone Code

The provisions in this division comprise the Special Industrial Zone Code. They are:

- (i) the Purpose of the Special Industrial Zone Code – Section (2); and
- (ii) the Specific Outcomes, Probable Solutions and Acceptable Solutions for the Special Industrial Zone – Table 4.6.2. Special Industrial Zone.

(2) The Purpose of the Special Industrial Zone Code

The purpose of the Special Industrial Zone Code is to achieve the following overall outcomes:

- (i) The Marmor Limeworks, Bajool Explosive Magazine and the Bouldercombe Brickworks developments have a suitable amount of land allocated to enable expansion of these facilities and to allow for appropriate buffers to adjoining land uses;
- (ii) Land uses in the Area are industrial in nature, are necessarily associated with the existing industrial uses in the Area, and are unable due to their nature, size or scale to locate on other allocated industrial land in the Shire; and
- (iii) Land uses are compatible with the limeworks, explosive magazine or brickworks use as the case may be, and do not compromise the continued operation of these facilities.
- (iv) Land capabilities and constraints are recognised by the delineation of different Areas; the overall outcomes for each being specified below;

(a) Special Industrial – Marmor Works Area

The overall outcomes are;

- (i) The Marmor Limeworks and associated industrial uses are the dominant uses in the Area; and
- (ii) Compatible uses are those which rely on the co-location with the limeworks, or the use of bi-products; and
- (iii) Residential Uses, with the only possible exception being Caretaker's Residences, are excluded from the Area to protect their safety and amenity;

(b) Special Industrial – Bajool Explosive Magazine Area

The overall outcomes are;

- (i) The Explosive Magazine and associated industrial uses are the dominant uses in the Area; and
- (ii) Residential Uses, with the only possible exception being Caretaker's Residences, are excluded from the Area to protect their safety and amenity;

(c) Special Industrial – Brickworks Area

The overall outcomes are;

- (i) The Bouldercombe Brickworks and associated industrial uses are the dominant uses in the Area; and
- (ii) Residential Uses, with the only possible exception being Caretaker's Residences, are excluded from the Area to protect their safety and amenity;

TABLE 4.6.2 SPECIAL INDUSTRIAL ZONE CODE	
Specific outcomes (S) for Code and Impact assessable development	Probable Solutions (P) for Code and Impact assessable development; and Acceptable Solutions (A) for Self assessable development. (where Self assessable development does not meet the Acceptable Solutions in the applicable codes, it requires Code assessment. Refer to Section 1.2.9).
All Uses and Works	
Separation Distances	
<p>S1 Land uses and works are located and designed so as not to have significant negative impacts on natural values of the environment including:</p> <ul style="list-style-type: none"> (i) Natural fauna and flora habitats; (ii) Water quality, watercourse integrity and, ground water resources, and (iii) Soil and land resources. . 	<p>P/A1.1 All uses and works are setback a minimum of 50m from a river and 25m from a creek, as measured to the top of bank.</p> <p>P/A1.2 Where the site and any newly created lots are not connected to the reticulated sewerage system, on-site sewerage disposal methods meet;</p> <ul style="list-style-type: none"> (i) The Department of Natural Resources and Mines <i>On-site Sewerage Code (July 2002)</i> or any subsequent update of that Code; and (ii) AS/NZS 1547:2000 <i>On-site Domestic Wastewater Management</i>. <p>P/A1.3 Land is kept free of declared weeds and noxious plant infestations, as detailed in the Fitzroy Shire Council Pest Management Plan.</p> <p>P1.4 Development on land within 100m of land in the Open Space Zone does not detrimentally affect the natural values of the Open Space zoned land.</p>
Amenity	
<p>S2 Land uses and works have no significant impact on the amenity of adjoining premises or surrounding area;</p> <ul style="list-style-type: none"> (i) By their design, orientation or construction materials; (ii) Due to the operation of machinery or electrical equipment; or (iii) Due to the emission of light, noise, vibration, odour, fumes, smoke, vapour, steam, soot, ash, grit, oil, dust, waste water, waste products, or electrical interference. 	<p>P2.1 No solutions specified.</p>
<p>S3 Land uses are located such that the potential impacts of noise from major roads and rail lines is reduced.</p>	<p>P/A3.1 Noise sensitive uses⁵⁶ are located:</p> <ul style="list-style-type: none"> (i) At least 100m from any frontage to a State Controlled Road; or (ii) Are only located within 100m of any frontage to a Main Road where: <ul style="list-style-type: none"> (a) The Department of Main Roads has consented to the location without conditions; or (b) The Department of Main Roads has set conditions on the development to reduce the impacts of traffic noise and the development is undertaken in accordance with those conditions. <p>P/A3.2 Noise sensitive uses⁵⁷ are located;</p> <ul style="list-style-type: none"> (i) At least 90m from any frontage to a rail line; or (ii) Bedroom and living areas in residential uses and noise sensitive areas in non residential uses are sited and designed to reduce the impact of all rail noise. This can be achieved through; <ul style="list-style-type: none"> (a) Siting noise affected areas a far away as practicable from the railway corridor noise source ; or (b) Using roof and wall insulation mechanical ventilation, thickened glass, double glazing of windows and doors; or (c) Orientating openings (for example windows and doors) away from the rail corridor noise source; or (d) Incorporating noise attenuation barriers such as earth mounds landscaping and fences or walls without gaps between the noise source and the use.

⁵⁶ See Administrative Definition of "Noise sensitive uses" contained in Section 2.1.1 Schedule B

⁵⁷ See Administrative Definition of "Noise sensitive uses" contained in Section 2.1.1 Schedule B

TABLE 4.6.2 SPECIAL INDUSTRIAL ZONE CODE (continued)

Specific outcomes (S) for Code and Impact assessable development	Probable Solutions (P) for Code and Impact assessable development; and Acceptable Solutions (A) for Self assessable development. (where Self assessable development does not meet the Acceptable Solutions in the applicable codes, it requires Code assessment. Refer to Section 1.2.9).
<i>All Uses and Works</i>	
Separation Distances	
<p>S4 Land uses and works are located, and include mitigation measures that;</p> <ul style="list-style-type: none"> (i) Are sufficient to protect the amenity of the area; (ii) Are sufficient to protect the capacity for existing and approved uses to continue to operate; and (iii) Are sufficient to protect the opportunities for existing and approved uses to expand in allocated /zoned land; and (iv) For agricultural uses, are outlined in <i>Planning Guidelines: Separating Agricultural and Residential Land Uses</i> DNR and DLGP, 1997; and (v) For the keeping of cattle, are outlined in <i>Section 4 of the DPI Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland, 2000</i>; and (vi) For the keeping of poultry, are outlined in the <i>Guidelines for Poultry Farming in Queensland</i>; (vii) For the keeping of pigs, are outlined in the <i>Separation Guidelines for Queensland Piggeries (2001)</i>; and (viii) For development in proximity to watercourses and water bodies, are outlined in the <i>SEWATER Development Assessment Guidelines</i>, prepared as a collaboration of State Government Departments; (ix) Are consistent with the <i>Guidelines to minimise mosquito and biting midge problems in new development areas</i>; and (x) Take into account the following variables: <ul style="list-style-type: none"> (a) The nature of the proposed land use; and (b) The existing and future amenity of the area; and (c) The existing and future development in the area; and (d) The location of any existing vegetation which would buffer the proposed use; and (e) Predominant wind directions; and (f) The topography of the site. 	<p>P/A4.1 Uses in the Residential Use Class, except for houses, home host accommodation and home based businesses on lots with an area of 5ha or less, have separation distances between uses in the Residential Use Class and other uses, applicable to both existing and approved uses, in accordance with PART 4 Division 1: Schedule A – Separation Distances Between Uses in the Residential Use Class and Other Uses (Rural Zone Code).</p>
Building Setbacks	
<p>S5 Building setbacks reflect the character of existing development and land uses in the Zone, and are provided having regard for the following:</p> <ul style="list-style-type: none"> (i) The existing and proposed amenity of the area; (ii) The existing or proposed future development in the area; (iii) The distance between any constructed road and the proposed building; (iv) The distance between any existing buildings on other sites and the proposed building; (v) The location of any existing vegetation which would buffer the proposed building; and (vi) Any constraints to development due to the topography of the site. 	<p>P5.1 No solutions specified</p>
Building Height	
<p>S6 Building height reflects the character of existing development and land uses in the Zone, and buildings are provided having regard for the following:</p> <ul style="list-style-type: none"> (i) The existing and proposed amenity of the area; (ii) The existing or proposed future development in the area; (iii) The efficient and safe operation of any airstrips or airfields; (iv) The particular characteristics of the proposed building; (v) The distance of proposed buildings from roads and other public places from which the building could be viewed; (vi) The topography, shape and location of the site; and (vii) The location of any existing vegetation which would buffer the proposed building. 	<p>P6.1 No solutions specified</p>