# Division 2

## Economic Resources Overlays

bout	the Economic Resources Overlays
•	The Economic Resources Overlays comprise the following:
	o The Agricultural Land Class Overlay;
	o The Key Resources Overlay; and
	• The Aircraft Affected Land Overlay.
	The Agricultural Land Class Overlay regulates development to protect Good Quality
	Agricultural Land from fragmentation and alienation by incompatible land uses. Good
	Quality Agricultural Land comprises land with Land Classes A1, A2, B & C1, as
	mapped in Map B1, B2 & B3;
•	The Key Resources Overlay regulates development on land with identified key
	resources, as mapped in Map B11 & B12.
	The Aircraft Affected Land Overlay regulates development which is in the vicinity of
	the Rockhampton Airport, as shown by Map B6, B7, B17 and B18.
1	Development which is particularly sensitive to the potential impacts of these economic resources eg. noise impacts on residential uses, and development which is incompatible with the operation of these activities, is regulated by this Code.

The assessment categories<sup>87</sup> are identified for development in the Economic Resources Overlays in Column 2 of Tables 5.2.1(1) and 5.2.1(2) as follows:

- (a) Table 5.2.1(1)—making a material change of use<sup>88</sup> for a defined use, or another use in a defined use class, listed in Column 1; or
- (b) Table 5.2.1(2)—other development<sup>89</sup> listed in Column 1, including:
   (i) Operational work;
  - (ii) Reconfiguring a lot; and
  - (iii) Carrying out operational work for reconfiguring a lot

# (2) Relevant assessment criteria for self assessable and assessable development in the Economic Resources Overlays

The relevant assessment criteria in the Economic Resources Overlays are referred to in Column 3 of Tables 5.2.1(1) and 5.2.1(2).

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

<sup>89</sup> See Fitzroy Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.



<sup>&</sup>lt;sup>87</sup> Information about assessment categories is provided in the Fitzroy Shire Planning Scheme User's Guide.

<sup>88</sup> 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.

	MAKING A MATERIAL CHANGE OF USE	
Column 1 Defined use or use class95	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 <sup>96</sup> - is the applicable code for self assessable and code assessable development.
	AGRICULTURAL LAND CLASS OVERLAY	
Rural Use Class		
All uses in the Rural Use Class	Exempt	N/A
Residential Use Class		
Home Based Business; and Houses	Exempt	N/A
Caretaker's Residence; and Home Host Accommodation	Code assessable	Economic Resources Overlays Code – Agricultural Land Class Overlay
All other uses in the Residential Use Class	Impact assessable	
Commercial Use Class		
Outdoor entertainment	Code assessable	Economic Resources Overlays Code – Agricultural Land Class Overlay
All other uses in the Commercial Use Class	Impact assessable	
Industrial Use Class		
All uses in the Industrial Use Class	Impact assessable	
Community Use Class		
Dpen Space; Public Facility – Operational	Exempt	N/A
All other uses in the Community Use Class	Code assessable	Economic Resources Overlays Code – Agricultural Land Class Overlay
	KEY RESOURCES OVERLAY	Agricultural Land Class Overlay
All Uses in all Classes	Code assessable	Economic Resources Overlays – Key Resource
		Overlay
. On land exposed to an ANEF rating of 20 or	AIRCRAFT AFFECTED LAND OVERLAY	
All uses in the Rural Use class (except rural dwellings) or Industrial Use Class (other than low impact industrial uses)	Exempt	Economic Resources Overlays Code – Aircraf Affected Land Overlayspecifically:
Residential Uses, Schools or Universities, Hospitals, Nursing Homes, Public Buildings, Hotels, Motels, Hostels, Commercial Uses Low impact Industrial Uses and Rural Dwellings	Code	S4 and S5
<ul> <li>2. On land shown on Map B7 as being within</li> <li>(a) 13km of the airport</li> <li>Putrescible waste disposal</li> </ul>	Code	S7
sites (b) 8km of the airport • Commercial fish processing • Piggeries • Aquaculture • Turf farming	Code	S7



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	•	
<ul> <li>Fruit farming</li> </ul>	:	
<ul> <li>Bird sanctuaries and fauna reserves</li> </ul>	· · · ·	· · · ·
(c) 3km of the airport	Code	S7
<ul> <li>Riding schools</li> </ul>		
Race tracks	:	:
<ul> <li>Fair grounds</li> </ul>		
Outdoor theatres		
Drive-in restaurants		
<ol> <li>On land affected by the obstacle limitation surface (Map (B17)</li> </ol>		
<ul> <li>MCU involving new building works and all Building works, except on land indicated on Map B17 as requiring contact with the airport management</li> </ul>	Self assessable	56
<ul> <li>MCU involving new building works</li> </ul>	Code	S6
and all building works where Map		-
B17 requires contact with the airport management and self		
assessable development unable to		-
satisfy the acceptable solution	:	:
	- - -	-
4. On land in proximity of airport beacons,		
transmitters or other facilities as shown on		
map B18	Code	- - S8
<ul> <li>All development</li> </ul>		



TABLE 5.2.1 (2) ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR THE ECONOMIC RESOURCES OVERLAYS – OTHER DEVELOPMENT				
Column 1 Defined use or use class95	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%- is the applicable codes for self assessable and code assessable development.		
Operational work				
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	Exempt in the Rural, Rural Residential and Alton Downs Zones where ancillary to a Rural Use as defined in Part 2 Division 1: Schedule A – Defined Uses and Use Classes Self assessable in the Rural, Rural Residential and Alton Downs Zones where not ancillary to a Rural use as defined in Part 2 Division 1: Schedule A – Defined Uses and Use Classes Self assessable in the Gracemere – Stanwell Industrial Zone Code assessable in all other zones and/or precincts.	Economic Resources Overlay Code;		
Works – Stormwater Drainage		Development Standards Code.		
Works – Site Works Works – Erosion Control and Stormwater	Self assessable			
Works – Cycleway and Pathway	Code assessable			
Works – Bushfire Protection	Self assessable			
Works – Water				
Works – Sewerage				
Works – Car Parking and Access				
Works – Parks, Landscaping and Street Trees	Self assessable			
Works – Electricity and Telecommunications				
Reconfiguring a lot <sup>90</sup>	1	<u> </u>		
All circumstances	Code assessable where the maximum development density provisions of the Reconfiguring a Lot Code are met; Impact assessable where the maximum	Economic Resources Overlay Code Reconfiguring a Lot Code; and Development Standards – Reconfiguring a Lo Code		
	development density provisions of the Reconfiguring a Lot Code are exceeded.			
Carrying out operational work for reconfiguri	ng a lot	Feenomic Descurress Origination Col		
All circumstances	Self assessable	Economic Resources Overlay Code Reconfiguring a Lot Code; and Development Standards – Reconfiguring a Lo Code		
Other				
All other development	Exempt	N/A		

<sup>&</sup>lt;sup>90</sup> 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.



#### 5.2.2 Economic Resources Overlays Code

#### (1) Economic Resources Overlays Code

The provisions in this division comprise the Economic Resources Overlays Code. They are:

(a) The Purpose of the Economic Resources Overlays Code – Section (2); and

(b) The Specific Outcomes, Probable Solutions and Acceptable Solutions for the Economic Resources Overlays – Table 5.2.2. Economic Resources Overlays

#### (2) The Purpose of the Economic Resources Overlays Code

The purpose of the Economic Resources Overlays Code is to achieve the following overall outcomes;

(a) The overall outcomes sought for the Agricultural Land Class Overlay are;

(i) Agriculture, Intensive Agriculture/ Grazing and Animal Husbandry uses are the dominant uses on Good Quality Agricultural Land;

(ii) All productive agricultural land is protected from the encroachment of incompatible uses and from excessive fragmentation into lot sizes that are not viable for agriculture;

(iii)Incompatible non-rural uses are excluded from the Overlay area to protect their amenity, and particularly to protect against the effects of aerial spraying; and other impacts as a result of intensive cropping; and

(iv)Houses are the only exception to point 3 above, provided that the dwellings are located such as to minimise potential conflicts with agricultural activities.

(b) The overall outcomes sought for the Key Resources Overlay are;

(i)Key Resources in the Shire continue to be resources of major economic significance to the Shire and State;

(ii) Uses and Works in the vicinity of Key Resources are compatible with the extraction operations associated with the mineral or extractive resource; and

(iii) Uses and Works in the vicinity of Key Resources do not compromise haul routes or direct access routes to the mineral resources.

(c) The overall outcomes sought for the Aircraft Affected Land Overlay are;

(i)Land uses have no detrimental impacts upon, or affect continued operation of, the existing Rockhampton Airport;

(ii)Building and structure height is regulated to ensure they do not impede airstrip and airport operations; and

(iii)Uses which would encourage bird life or provide bird habitats are excluded from the affected land area to ensure they do not impede airstrip and airport operations.



TABLE 5.2.2 ECONOMIC	RESOURCES OVERLAYS 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 on land in	n the Agricultural Land Class Overlay
All Development on Land shown as Class A1, A	A2, B or C1 land in the Agricultural Land Class Overlay
<b>S1</b> Land uses and newly created lots are located and designed so as not to limit the productivity, viability or use of Good Quality Agricultural Land for agricultural purposes.	<ul> <li>P1.1</li> <li>Land uses and newly created lots are located on Good Quality Agricultural Land:</li> <li>(i)Where sufficient separation distances or buffering methods are employed to overcome potential impacts on existing adjacent rural uses<sup>91</sup>; and</li> <li>(ii) Where it has been demonstrated that there is an overriding need for the development in terms of public benefit and no other site is suitable and available for the purpose.</li> </ul>
All Development on Land shown as Class C	2 or C3 land in the Agricultural Land Class Overlay
<b>S2</b> Land uses and newly created lots are located and designed so as not to limit the productivity or viability of agricultural activities on Class C2 and C3 grazing land.	P2.1 No solutions specified
All Uses and Works on la	nd in the Key Resources Overlay
<b>S3</b> Development in the vicinity of mining tenements, designated Key Resource Areas or related haulage or access routes, does not compromise the current or future utilisation of mineral resources.	<b>P3.1</b> Houses, Home Host Accommodation, Home Based Businesses, and any Community Purposes on lots which share a boundary with land identified as a Key Resources, are located furthest from the Key Resources. <sup>92</sup>
· · · · · · · · · · · · · · · · · · ·	in the Aircraft Affected Land Overlay
<b>S4</b> Uses that are sensitive to the higher noise environment of the airport do not establish where they will restrict or compromise airport activities and operations.	<ul> <li>For the purposes of interpreting the following; Table 1 refers to Division 2</li> <li>Schedule A – Table 1 Land Use Compatibility in the Vicinity of the Rockhampton Airport. This must also be read with Map B6</li> <li>P/A4.1</li> <li>Development defined as; <ul> <li>(i) Type 1 in Table 1 is not located on land affected by the 25 ANEF contou or any greater contour;</li> <li>(ii) Type 2 in Table 1 is not located on land affected by the 30 ANEF contou or any greater contour;</li> <li>(iii) Type 3 in Table 1 is not located on land affected by the 35 ANEF contou or any greater contour;</li> <li>(iv) Type 4 in Table 1 is not located on land affected by the 40 ANEF contour or any greater contour; <i>as shown on Map B6</i>.</li> </ul> </li> </ul>
<b>\$ 5</b> Uses that are sensitive to a higher noise environment are designed to achieve a suitable standard of amenity for its occupants through the use of materials capable of absorbing or reflecting high amounts of noise.	<ul> <li>P5.1 Development defined as; <ul> <li>Type 1 in Table 1 proposed to be located on land between the 20 and 2 ANEF contour or in the Airport Special Use Planning Area;</li> <li>Type 2 in Table 1 proposed to be located on land between the 25 and 3 ANEF contour;</li> <li>Type 1 in Table 1 proposed to be located on land between the 25 and 3 ANEF contour;</li> <li>Type 1 in Table 1 proposed to be located on land between the 25 and 3 ANEF contour;</li> <li>Type 1 in Table 1 proposed to be located on land between the 30 and 4 ANEF contour;</li> </ul> </li> <li>Must incorporate effective noise attenuation measures that have the outcomes expressed in the <i>Australian Standard AS2021 - 200 Acoustics – Aircraft Intrusion – Building Siting and Construction</i></li> <li>P5.2 <ul> <li>Any new Type 1 development as defined in Table 1: that is located on land that is in the Airport Special Use Planning Area or in the 20 ANEF contour has regard to the Australian Standard AS2021-200 Acoustics – Aircraft Intrusion – Building Siting and Construction,</li> </ul> </li> </ul>

All Development applications for material change of use, or reconfiguring a lot which create additional lots, will be referred to the Department of Natural Resources and Mines for comment, and any such comments will be taken into account by Council in deciding applications.



<sup>&</sup>lt;sup>91</sup> Refer to Table 2 Summary of Buffer Area Design Criteria of Guideline 2 for State Planning Policy 1/92: Separating Agricultural and Residential Land uses

TABLE 5.2.2   ECONOMI	C RESOURCES OVER	RLAYS CODE	
Specific outcomes (S) for Code and Impact assessable development	Acceptable Soluti assessable development	(P) for Code and Impact as ions (A) for Self assessable of nt does not meet the Acceptal quires Code assessment. Refe	<b>development.</b> (where Self ble Solutions in the applicable
All uses and Works on land in the		•	
<ul> <li>S6 The building height of a use or fixtures or devices attached to on associated with a development do not affect the navigation or safe operation of the airport or aircraft by way of; (i)The physical intrusion into aircraft take-off and approach flight paths; or (ii) Transient intrusions into the airports operational airspace.</li> </ul>			cle Limitations Overlay ture such as aerials, e do not penetrate the Limitations Overlay (Map ny activities that penetrate cle Limitations Overlay structures do not penetrate cle Limitations Overlay itation Surface is given by lies with any conditions of
The use of premises for "non-airport" uses does not cause an obstruction or other potential hazard to aircraft movement associated with the airport by way of;	to generate wildlife impact the airport runways must corresponding group in T Table 2: Land Uses that Group A • Putrescible waste disposal sites	ts on the Rockhampton Air be consistent with the requi able 3.	Group C ing• Riding schools • Race tracks • Fair grounds • Outdoor theatres • Drive-in restaurants
	Table 3: Land Use Requ	virements	
	Land Uses in Group A		Land Uses in Group C
:			
	Avoided within 13km of airport runways.	<ul> <li>Avoided within 3km of airport runways;</li> <li>When located between 3km and 8km of airport runways, include measures that prevent waste and other food sources attracting wildlife.</li> </ul>	When within 3km of airport runways, include measures to manage waste disposal.
	Authority Guidelines: <i>Lig</i> (ii)Lighting does not conf metres to 1,000 metres lo (iii) Development does no		<i>lighting designers.</i> ight parallel lines of 500 lective cladding (eg Glass or



TABLE 5.2.2       ECONOMIC RESOURCES OVERLAYS CODE			
	Probable Solutions (P) for Code and Impact assessable		
Specific outcomes (S) for Code and Impact assessable development	development; and		
Specific outcomes (5) for code and impact assessable development	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).		
	<ul> <li>P/A7.3</li> <li>None of the following emissions enter the Airport Obstacle Limitation Surfaces of the Rockhampton Airport: as identified on Map B17;</li> </ul>		
	<ul> <li>(i)A gaseous plume at a velocity exceeding 4.3m per second unless measures are included to prevent such a plume intruding into the airports operational airspace; or</li> </ul>		
	(ii)Airborne particulates that may impair the visual conditions in the vicinity of the airport for example, smoke, dust, ash or steam.		
S8	P8.1		
Development is located and designed to protect the function of the aviation facilities on Rockhampton Airport land from physical obstructions, electrical or electro-magnetic interference and deflection of signals.	<ul> <li>(i) Works<sup>93</sup> or uses are not located within the sensitive area of the Rockhampton Airport DME site (as depicted on Overlay Map – B18) that involves any;</li> </ul>		
	(a) Building, structures or other works between 500 and 1,000 metres of the site which exceed 4 metres in height; or		
	(b) Building, structures or other works between 1,000 and 1,500 metres of the site which exceed 8.5 metres in height.		
	<ul> <li>(ii) Works or uses are not located within the buffer zones for the Rockhampton Airport CVOR facility that:;</li> </ul>		
	<ul> <li>(a) Involve any building, structures or other works within 300 metres of the site or</li> </ul>		
	(b) Between 300 and 1,000 metres of the site involves any:		
	i. Fences exceeding 2.5m in height;		
	ii. Overhead lines exceeding 5m in height; or		
	iii. Metallic structures exceeding 8m in height; or		
	iv. Trees and open lattice towers exceeding 10m in height; or		
	v. Wooden structures exceeding 13m in height. (iii) Works or uses are not located within the sensitive area of the		
	<ul> <li>(iii) Works or uses are not located within the sensitive area of the Rockhampton Airport NDB site (as depicted on Overlay Map – B18 that involves any:</li> </ul>		
	(a) Metallic building or structures between 60 and 150 meters of the site; or		
	(b) Building or structures with a size greater than 2.5 metres in any dimension between 60 and 150 metres of the site; or		
	(c) Other works between 60 and 150 metres of the site which exceed 3 metres in height; or		
	(d) Building, structures or other works between 150 and 500 metres of the site which exceed 7.0 metres in height.		
	<ul> <li>(iv) Works or uses are not located within the sensitive area of the Rockhampton Airport Transmitter site (as depicted on Overlay Map – B18 that involves any:</li> </ul>		
	(a) Metallic building or structures between 60 and 150 metres of the site; or		
	(b) Building or structures with a size greater than 2.5 metres in any dimension between 60 and 150 metres or the site; or		
	(c) Other works between 60 and 150 metres of the site which exceed 3 metres in height; or		
	(d) Building, structures or other works between 150 and 500 metres of the site which exceed 7.9 metres in height.		

<sup>&</sup>lt;sup>93</sup> This probable solution assumes the antenna height for the DME is 1m. For antenna heights different to 1m the height restrictions used within this probable solution need to be increased by the difference between 1m and the actual antenna height.

# Division 2: Schedule A:

### Table 1 – Land Use Compatibility in the Vicinity of the Rockhampton Airport.

The Table below sets out Land Use Compatibility in the Vicinity of the Rockhampton Airport in respect to the ANEF contours that are referred to in the code.

TYPE	BUILDING TYPE	ACCEPTABLE	CONDITIONAL	UNACCEPTABLE
1	Residential (all forms including caravan parks)	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
1	Schools, Universities	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
1	Hospitals, nursing homes	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
1	Public buildings	Less than 20 ANEF	20 to 30 ANEF	Greater than 30 ANEF
2	Hotels, motels, hostels (short stay)	Less than 25 ANEF	25 to 30 ANEF	Greater than 30 ANEF
3	Commercial	Less than 25 ANEF	25 to 35 ANEF	Greater than 35 ANEF
4	Light Industrial	Less than 30 ANEF	30 to 40 ANEF	Greater than 40 ANEF
5	Other Industrial	Acceptable in all ANEF contours		

• "Acceptable" means the threshold in which the specified Type of development will meet the Specific Outcomes of the Code.

- "Conditional" means the threshold within which development will need to incorporate specific design parameters as outlined in the Code to meet the Specific Outcomes.
- "Unacceptable" means the threshold at which development of a specified Type is unlikely to be able to achieve the Specific Outcomes of the Code.

