

## **BERSERKER RANGE ENVIRONMENTAL PROTECTION AREA**

### **Description**

The *Berserker Range Environmental Protection Area*, the largest Area within Rockhampton, is located on the eastern edge of the City, forming a common boundary with the former Livingstone Shire Council. Otherwise, the Area is bound to the north by the *Yeppoon Road Corridor Environmental Protection Area*; to the west by the *Norman Road Residential Area* and the *Berserker Foothills Residential Area*; and to the south by the *Lakes Creek Residential Area* and the *Norbank Estate Special Use Area*.

The *Berserker Range Environmental Protection Area* contains the most prominent land in the City and forms a unique landscape backdrop to the City of Rockhampton. Land in this Area is particularly steep, and much of it is the highest and steepest land in the City. This Area encompasses the Berserker Ranges and the Mount Archer National Park. Mount Archer National Park is an area with important ecological values for Rockhampton and the region. This Area also contains the headwaters of many of the Creeks that wind their way to the Fitzroy River, including Moores, Frenchmans, Thozet and Lakes Creeks.

There is minimal development within this Area, except for some housing located on top of the Range, off Pilbeam Drive, and identified as Precinct 1 as well as some infrastructure in other locations. Otherwise, the Area is sparsely settled. Much of the land within this Area is conserved for ecological purposes, such as Mount Archer National Park, or for State Forest purposes, and the remaining land is used for non-intensive rural pursuits such as grazing on private land. Mount Archer is also used for the erection of telecommunications facilities / towers. The boundaries of this Area have, therefore, been determined by the visual, ecological, and landscape values associated with this Area. However, they have also been determined by the limited ability to reasonably and economically supply water to this Area.

### **Intent**

It is intended to preserve the visual, ecological, and landscape character values associated with this Area. To this end, it is intended that only a limited range of new development will occur in this Area. As its title suggests, this Area is of significance to the City and also the region, consequently, new development will be restricted to ensure the preservation of:

- The landform as a visually prominent and sparsely settled part of the City;
- The ecological values of the Area and the City;
- Mount Archer and the Berserker Ranges as a landscape backdrop to Rockhampton;
- The Area as an attraction and resource for residents and visitors for its natural values;
- The land's slopes and the stability of those slopes; and
- The water quality of many of Rockhampton's creeks.



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Across the whole of the Area, including Precinct 1, Reconfiguring a Lot (other than amalgamation) is inconsistent with the intent for this Area with the only exceptions being:

- (a) when the proposed allotment(s) will have a part of the allotment(s) located in either the *Norman Road Residential Area*, *Berserker Foothills Residential Area*, *Lakes Creek Residential Area* or the *Norbank Estate Special Use Area* of a sufficient size to accommodate a Building Location Envelope that is reasonably and practicably;
  - (i) accessible with a standard residential vehicle; and
  - (ii) capable of accommodating a house;or
- (b) a boundary realignment that does not increase the capacity or opportunity for houses to be constructed within this Area; or
- (c) subject to amelioration of any environmental or visual impacts, the creation of a new allotment wholly or partly in the Area when the new allotment is required to be created for the purposes of accommodating an additional item of infrastructure necessary to service the City, such as a water reservoir or telecommunications tower.

Additional houses across the whole of the Area, excluding Precinct 1, to what existed on the Commencement Day are also inconsistent with the intent for this Area. Where an allotment is partly located in this Area and partly in any other Area (except the *Yeppoon Road Corridor Environmental Protection Area*) it is intended that any house be located in the part of the allotment, where reasonably and practicably possible, not in the Environmental Protection Area. The only exceptions to this, where a new house can occur on land located in an Environmental Protection Area, are:

- (a) where there was an existing house and it is to be replaced by a new house in the same location as, or immediately adjacent to, the original house location; or
- (b) where the site is wholly located in this Area and;
  - (i) has an area of at least 5 hectares; and
  - (ii) there is no existing house on the site; and
  - (iii) the house is located in a part of the site that is reasonably and practicably accessible by a standard 2WD motor vehicle; and
  - (iv) the house is located where it will have no measurable impact on the environmental and visual values of the Area sought to be protected and avoiding constraints such as bushfire risk, slope instability and the like.
- (c) where the site is partly located in this Area and another Area (excluding the *Yeppoon Road Corridor Environmental Protection Area*) and the site has never been used to accommodate a house and the house cannot be reasonably and practicably located on a part of the site outside of this Area, it is located on the site in accordance with clause (b)(iii) and (iv) immediately above.

Residential development in the form of a house may also occur in Precinct 1 and on Lot 107 LN 852, which is currently utilised by the pistol club. However, Lot 107 LN 852, will only be developed for residential purposes if it can be demonstrated that the land can be reasonably and economically supplied with a gravity fed water supply, the ecological values associated with the land are protected, and the land can be decontaminated. Otherwise, the land



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may continue to be utilised as a pistol club, in accordance with its previous approvals. However, the expansion of the existing facility will not be consistent with the intent for the Area, given that safety and noise impacts to date have compromised the amenity of residents in proximity to the site.

Throughout the Area, all other forms of residential development, plus commercial and industrial development will be inconsistent with the intent for the Area. Community uses will be considered on their merits, subject to a need being demonstrated, however, it is not envisaged that a need will arise due to the limited number of houses which exist and may be developed within this Area in the future. Rural uses, as well as tourist facilities and particularly those which serve an educational purpose located on Mount Archer, will also be considered on their merits, having regard to their impact on the visual, ecological, and landscape character values of the Area, as outlined above.

To service the needs of the community, particularly in the adjoining *Norbank Estate Special Use Area* and the *Berserker Foothills Residential Area*, new public facilities in the form of water reservoirs are proposed to be constructed in this Area on its lower edges. The construction of these water reservoirs, including their ancillary works such as pump stations, access roads and the like are consistent with the intent of this Area when having regard to the environmental and topographical constraints of the land. A water reservoir has just been constructed on Lot 37 SP 153685 at the end of Rogar Avenue while another is proposed on Lot 14 RP 603374 located along Spurfoot Street.

Telecommunication facilities / towers may be erected in the Area, however, where possible, they should be co-located with existing facilities. They should also be located, constructed, and appropriately identified so as not to compromise the operation and sustainability of the Rockhampton Airport, or detract from the visual and landscape qualities of the Area.

All new development in the Area will, therefore, need to demonstrate that:

- The important City wide visual qualities associated with the foothills of the Berserker Ranges and Mount Archer are not compromised;
- Ecological values, including those associated with the Creeks and their banks, and landscape character in the Area is not adversely compromised;
- Properties will not be subject to flooding from the Creeks;
- Slope stability is not adversely impacted;
- Bushfire risk in the Area can be managed;
- Allotments can be adequately serviced with water and sewerage services;
- Safe and accessible access can be provided to allotments; and
- Fauna friendly fencing is provided along property boundaries.

Development intensity will, therefore, be determined by:

- The visual impact of the proposed building/s, including colour and building design, on the view shed towards the Berserker Ranges and Mount Archer;



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- The retention of significant and remnant vegetation, particularly native vegetation;
- The stability of the slopes and the potential exposure to instability;
- The retention and protection of the creeks and their banks;
- The measures proposed to protect properties from localised flooding;
- The measures proposed to manage bushfire risk and feral and native animals; and
- The location and proposed treatments to minimise the visual impact of access points.

Land located adjacent to the western boundary of this Area, and therefore adjacent to the *Lakes Creek Residential Area*, has previously been proposed for residential development. This land has purposely been included in this Planning Area as the land has been identified as unsuitable for residential development as long as the Lakes Creek meatworks is located nearby and exerting an influence on the amenity of the Area. However, the use of this land for grazing purposes as has been the case in the past, is consistent with the broader intent for this part of the Area. The use of land owned by the Lakes Creek meatworks at the commencement day in this Area for grazing is also consistent with the broader intent for this Area.

There is a large tract of land in this Area identified as open space that has been retained in its natural bushland state. It links to open space in the *Norman Road Residential Area* and to a walking track at the base of Mount Archer. The open space is a valuable environmental and recreation feature in this Area and is used for a range of recreational pursuits including swimming, picnicking and mountain bike riding. These uses are consistent with the Intent for this Area, however, motorised recreational activities such as trail bike riding are unlikely to be compatible with surrounding residential development and for this reason are not consistent with the Intent for the Area.

#### **PRECINCT 1 – RESIDENTIAL PRECINCT**

##### **BERSERKER RANGE RESIDENTIAL**

#### **Description**

The Residential Precinct incorporates land developed for houses, located off Pilbeam Drive in Sleipner Street and Elida Street, as identified on the precinct plan map.

The small pocket of residential development is an established residential Precinct, with the majority of available land already developed for residential purposes.

#### **Intent**

It is intended that existing allotments be developed for houses only, including extensions to existing houses. However, new houses and extensions to houses will be subject to the relevant development requirements and are not to have a detrimental impact on the residential amenity of the Precinct or the visual, ecological, and landscape character values of the Area. It is not intended that



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existing allotments be further subdivided or that additional allotments be created. Other forms of residential development, commercial, industrial, and rural uses are not consistent with the residential intent for this precinct. Community uses will be considered on their merits, based on a demonstrated need, however it is not envisaged that a need will arise due to the limited number of houses that exist and may be developed within this Precinct in the future.

#### CHAPTER 4 BERSERKER RANGE ENVIRONMENTAL PROTECTION AREA



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### BERSERKER RANGE ENVIRONMENTAL PROTECTION AREA

#### Material Change of Use / Building Work

Development Type	Primary Code(s)
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#### Self Assessable

The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s).

- |   |                            |
|---|----------------------------|
| <ul style="list-style-type: none"> <li>• <b>Animal Keeping</b>, (excluding a kennel, cattery or pound) on Lot 18 RP891378 and Lot 1 on RP 894253.</li> </ul>  | Rural Use Code             |
| <ul style="list-style-type: none"> <li>• <b>Farming</b>, on Lot 18 RP891378 and Lot 1 on RP 894253.</li> </ul>  | Rural Use Code             |
| <ul style="list-style-type: none"> <li>• <b>Outdoor Sport and Recreation</b>, that involves only minor building works and is located on land designated as Public Open Space on the Berserker Range Environmental Protection Area Map and where not an ERA</li> </ul> | Sports and Recreation Code |

#### Code Assessable

For advice on all the codes applicable, refer to sections 5.1 to 5.3 of this Planning Scheme.

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• <b>Building work at a Heritage Place</b></li> </ul>   | Heritage Place Code; and<br>Bushfire Risk Minimisation Code        |
| <ul style="list-style-type: none"> <li>• <b>Building work for a Swimming Pool</b></li> </ul>   | Swimming Pool Code   |
| <ul style="list-style-type: none"> <li>• <b>Caretakers Residence</b>, on land designated as Public Open Space on the Berserker Range Environmental Protection Area Map</li> </ul>  | Caretakers Residence; and<br>Bushfire Risk Minimisation Code       |
| <ul style="list-style-type: none"> <li>• <b>Outdoor Sport and Recreation</b>, that is not self assessable development and is located on land designated as Public Open Space on the Berserker Range Environmental Protection Area Map and is not an ERA</li> </ul> | Sports and Recreation Code; and<br>Bushfire Risk Minimisation Code |

#### Impact Assessable

- Any other Material Change of Use and associated Building Work for what is not otherwise stated as Exempt, Self Assessable or Code Assessable Development.
- Building work for demolition of a Heritage Place.



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### BERSERKER RANGE ENVIRONMENTAL PROTECTION AREA

#### Operational Work / Reconfiguring a Lot

Development Type	Primary Code(s)
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#### Self Assessable

The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s).

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Area or Precinct that are not a Third Party Sign, a Flashing Sign or a Free Standing Sign. Part A of the Signage Code

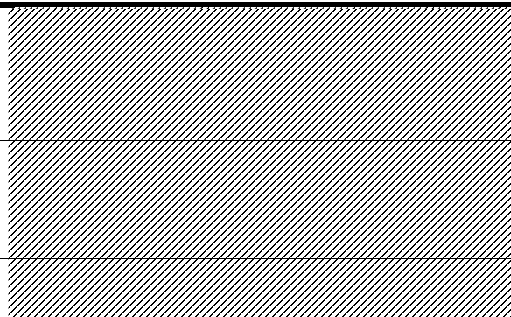
#### Code Assessable

For advice on all the codes applicable, refer to sections 5.1 to 5.3 of this Planning Scheme.

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Environmental Protection Area that is;
  - (a) not complying with all the relevant Acceptable Solutions listed in the Signage Code and is not a Third Party Sign or a Flashing Sign; or
  - (b) a Freestanding Sign. Signage Code
- **Advertising Sign**, nominated as Group B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Environmental Protection Area that are associated with a non residential use that was existing on the site prior to the commencement of the Planning Scheme and is not a Third Party Sign or a Flashing Sign. Signage Code
- **Operational work for excavation or filling** Filling or Excavation Code; and Steep or Unstable Land Code
- **Operational work for Reconfiguring a Lot** Reconfiguring a Lot Code; and External Works and Servicing Code
- **Reconfiguring a Lot**, where no additional allotments are created or where additional allotments are created, all resulting allotments have an area of 10 hectares or more. Reconfiguring a Lot Code

#### Impact Assessable

- **Reconfiguring a Lot**, where additional allotments are created and one or more resulting allotments is less than 10 hectares.
- **Advertising Sign**, not nominated as Group A or B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for an Environmental Protection Area.
- **Advertising Sign**, being a Third Party Sign or a Flashing Sign.



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**BERSERKER RANGE ENVIRONMENTAL PROTECTION AREA**

**Precinct 1 – Residential Precinct**

**Berserker Range Residential**

**Material Change of Use / Building Work**

Development Type	Primary Code(s)
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**Self Assessable**

*The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s).*

• <b>Home Occupation</b>	Home Occupation / Home Based Business Code
• <b>Outdoor Sport &amp; Recreation</b> , on land designated as Public Open Space on the Berserker Range Environmental Protection Area Map and where not on ERA.	Sports & Recreation Code

**Code Assessable**

*For advice on all the codes applicable, refer to sections 5.1 to 5.3 of this Planning Scheme.*

• <b>Building work at a Heritage Place</b>	Heritage Place Code
• <b>Building work for a Swimming Pool</b>	Swimming Pool Code
• <b>Caretakers Residence</b> , on land designated as Public Open Space on the Berserker Range Environmental Protection Area Map	Caretakers Residence; and Bushfire Risk Minimisation Code
• <b>Home Based Business</b>	Home Occupation / Home Based Business Code
• <b>House</b>	House Code and Bushfire Risk Minimisation Code
• <b>Special Needs Accommodation Building</b>	House Code and Bushfire Risk Minimisation Code

**Impact Assessable**

• <b>Any other Material Change of Use and associated Building Work for what is not otherwise stated as Exempt, Self Assessable or Code Assessable Development.</b>	
• <b>Building work for demolition of a Heritage Place.</b>	





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### BERSERKER RANGE ENVIRONMENTAL PROTECTION AREA

#### Precinct 1 – Residential Precinct

#### Berserker Range Residential

#### Operational Work / Reconfiguring a Lot

Development Type	Primary Code(s)
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#### Self Assessable

The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s).

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Precinct that are not a Third Party Sign, a Flashing Sign or a Free Standing Sign. Part A of the Signage Code

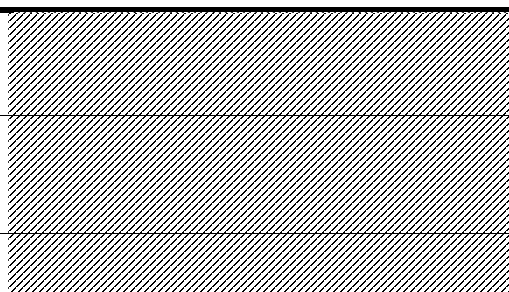
#### Code Assessable *For advice on all the codes applicable, refer to section 5.1 to 5.3 of this Planning Scheme.*

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Precinct that is;
  - (a) not complying with all the relevant Acceptable Solutions listed in the Signage Code and is not a Third Party Sign or a Flashing Sign; or
  - (b) a Freestanding Sign. Signage Code
- **Advertising Sign**, nominated as Group B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Precinct that are associated with a non residential use that was existing on the site prior to the commencement of the Planning Scheme and is not a Third Party Sign or a Flashing Sign. Signage Code

- **Operational work for excavation or filling** Filling or Excavation Code; and Steep or Unstable Land Code
- **Operational work for Reconfiguring a Lot** Reconfiguring a Lot Code; and External Works and Servicing Code
- **Reconfiguring a Lot**, where no additional allotments are created. Reconfiguring a Lot Code

#### Impact Assessable

- **Reconfiguring a Lot**, where additional allotments are created.
- **Advertising Sign**, not nominated as Group A or B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Precinct.
- **Advertising Sign**, being a Third Party Sign or a Flashing Sign.



Waterways

Planning Area Boundary

Major Roads

Q100 Flood

Public Open Space

Berserker Range

Environmental Protection Area


Rockhampton City Plan

Scale 1:45 000

This map was produced by

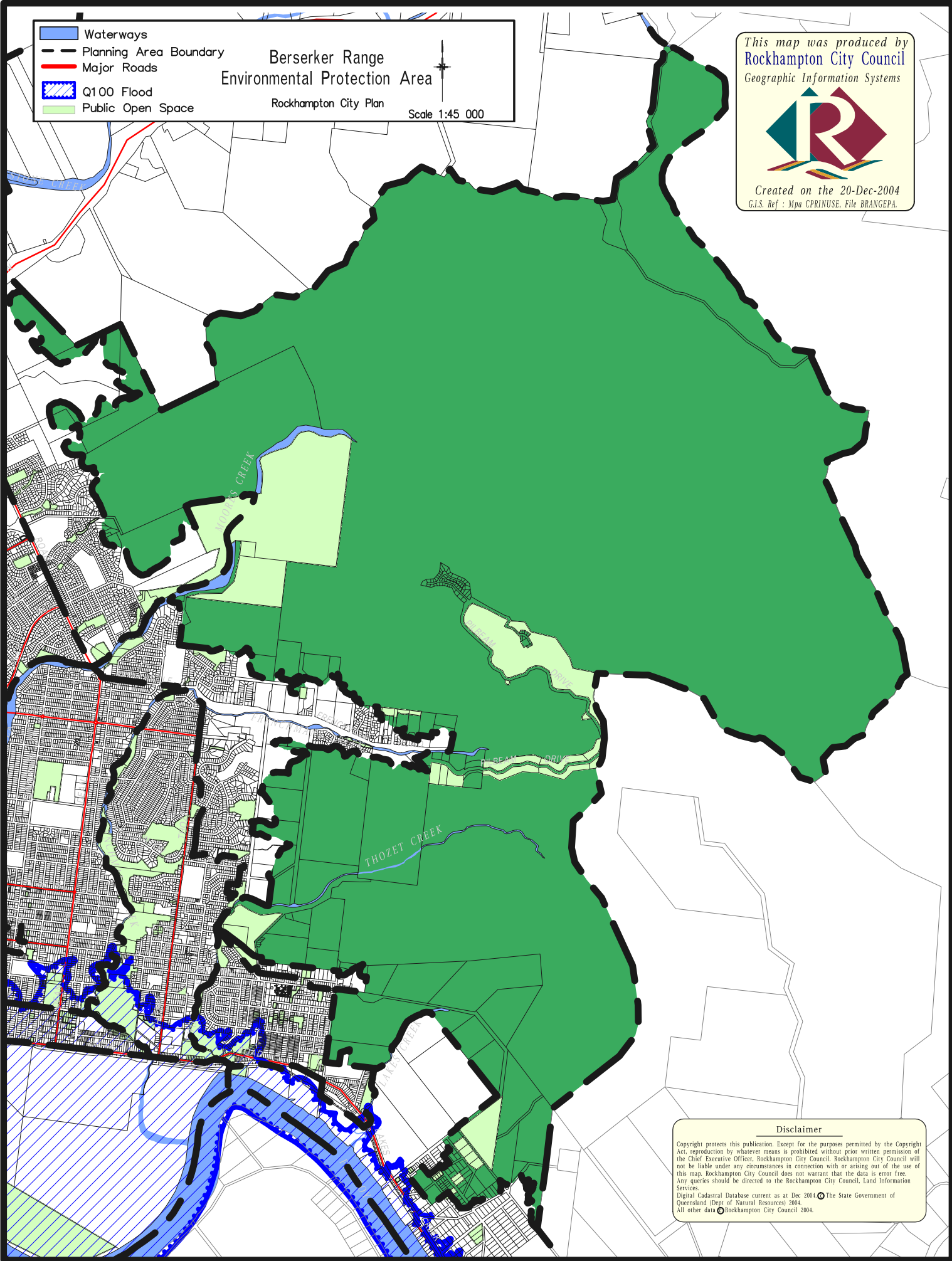
Rockhampton City Council

Geographic Information Systems



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