

6.2.17 Limited development (constrained land) zone code

6.2.17.1 Application

This code applies to assessable development:-

- (a) within the Limited development (constrained land) zone as identified on the zoning maps contained within **Schedule 2 (Mapping)**; and
- (b) identified as requiring assessment against the Limited development (constrained land) zone code by the tables of assessment in **Part 5 (Tables of assessment)**.

6.2.17.2 Purpose

- (1) The purpose of the limited development zone is to identify land that is significantly affected by one or more development constraints, including, for example, constraints relating to defence requirements, flooding, historical subdivisions, land contamination, past or future mining activities or topography.

Editor's Note – Constraints can include the following:-

- (a) areas that comprise public safety areas for airports or are affected by the ANEF such that they are considered to have potential adverse public health and safety impacts or unacceptable impacts on amenity;
 - (b) odour, noise or other emissions that are likely to have significant adverse impacts on public health and safety or unacceptable impacts on amenity; and
 - (c) areas at risk of extreme flooding that pose severe restrictions on the ability of the land to be developed for urban purposes.
- (2) The purpose of the Limited development (constrained land) zone code will be achieved through the following overall outcomes:-
 - (a) new uses within the zone are of a low intensity, predominantly non-urban or of a rural nature that is commensurate to the constraints associated with the site;
 - (b) development is designed and sited to reduce the potential risks to people and property from the known constraints associated with the site; and
 - (c) development does not adversely impact on the continued safe operation, viability and maintenance of existing infrastructure or compromise the future provision of planned infrastructure.

6.2.17.3 Assessment benchmarks

Table 6.2.17.3.1 Assessment benchmarks for assessable development

Performance outcomes		Acceptable outcomes	
<i>Function</i>			
PO1	Development is predominantly limited to existing uses or new uses of a low-intensity (including single dwelling houses), non-urban or rural nature.	AO1	Residential, business and industrial uses are generally not located in the zone dependent on the nature and severity of constraints associated with the site. Editor's note—compliance with AO1 may be demonstrated by report(s) from a suitably qualified person(s) demonstrating that the risks to people and property posed by the constraints on the premises can be appropriately avoided, mitigated, and managed.
PO2	Where development is proposed, it is of a low-intensity and scale and is compatible	AO2	No acceptable outcome provided.

Performance outcomes		Acceptable outcomes	
	with the nature of the constraints present on the site.		
PO3	Low-impact, small-scale rural living opportunities and rural activities based on rural production are facilitated where compatible with the local character and amenity of the area.	AO3	No acceptable outcome provided.
Reconfiguring a lot			
PO4	Development ensures that no additional lots are created in the zone, unless the subdivision is for the purposes of accommodating any of the following uses:- (a) emergency services; (b) water cycle management infrastructure; (c) a telecommunications facility; or (d) electricity infrastructure.	AO4	No acceptable outcome provided.
General			
PO5	To maintain the low intensity character of the zone, development has a low-rise built form.	AO5	Development has a maximum building height of:- (a) 8.5m above ground level; or (b) 10.0m above ground level where located on slopes exceeding 15%.
PO6	Development incorporates a high level of residential amenity, personal health and safety and protection for property.	AO6	No acceptable outcome provided.
PO7	Development is located, designed and operated to be responsive to the Fraser Coast's sub-tropical climate ²³ and minimises the consumption of energy and water.	AO7	No acceptable outcome provided.
PO8	Development avoids or mitigates any adverse impacts on areas of environmental or ecological significance, including creeks, gullies, waterways, wetlands, coastal areas, habitats and vegetation through sensitive location, design, operation and management.	AO8	No acceptable outcome provided.
PO9	Development provides for infrastructure and services that are commensurate with the very limited range of small scale and low-key activities that are expected to occur in the zone.	AO9	No acceptable outcome provided.
PO10	Development does not adversely impact on the continued safe operation, viability and maintenance of existing infrastructure or compromise the future provision of planned infrastructure.	AO10	No acceptable outcome provided.

²³ Editor's note—the publication *Subtropical Design in South East Queensland – A Handbook for Planners, Developers and Decision Makers*, prepared by the Centre for Subtropical Design, provides guidance about the application of sub-tropical design principles.