

Table 6.2.3.1.c Table of inconsistent uses in the Recreation and open space zone

Adult store, Agricultural supplies store, Air services, Animal husbandry, Animal keeping, Aquaculture, Brothel, Bulk landscape supplies, Cemetery, Child care centre, Crematorium, Cropping, Detention facility, Dual occupancy, Dwelling house (where not existing), Extractive industry, Funeral parlour, Garden centre, Hardware and trade supplies, Health care services, High impact industry, Home based business, Hospital, Hotel,	Intensive animal industry, Intensive horticulture, Low impact industry, Major electricity infrastructure, Major sport, recreation and entertainment facility, Marine industry, Medium impact industry, Motor sport facility, Multiple dwelling, Nightclub entertainment facility, Non-resident workforce accommodation, Office, Outdoor sales, Outstation, Parking station, Permanent plantation, Place of worship, Port services, Relocatable home park, Renewable energy facility,	Research and technology industry, Residential care facility, Resort complex, Retirement facility, Roadside stall, Rooming accommodation, Rural industry, Rural workers' accommodation, Sales office, Service industry, Service station, Shop, Shopping centre, Short term accommodation, Showroom, Special industry, Theatre, Transport depot, Veterinary services, Warehouse, Wholesale nursery, Winery
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Note: This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

6.2.4 Environmental zones category

6.2.4.1 Conservation zone code

6.2.4.1.1 Application

This code applies to assessing material change of use and reconfiguring a lot development where the Conservation zone code is shown as being applicable in the table of assessment.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

6.2.4.1.2 Purpose and criteria for assessment

- (1) The purpose of the Conservation zone code is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.
- (2) The local government purpose of the zone is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 4: Strong communities, Element 3.7.7 Cultural heritage and traditional knowledge.
 - (ii) Theme 5: Natural resources and landscapes, Element 3.8.4 Water resources, Element 3.8.5 Scenic amenity.
 - (iii) Theme 6: Natural environment theme, Element 3.9.2 Biodiversity conservation, Element 3.9.3 Coastal management.
 - (b) ensure that the values of the Wet Tropics World Heritage area are protected.
 - (c) restrict development within the zone, with the exception of very low intensity uses based on the appreciation of the significant values of the area, that do not detrimentally impact on those values.

- (d) maintain and protect the very high quality conservation, biodiversity and scenic values of the site and surrounding areas.
 - (e) prevent further lot reconfiguration other than amalgamations, boundary realignments to resolve encroachments, or for the practical needs of essential community infrastructure.
- (3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Areas identified as having significant values for biological diversity, water catchment, ecological functioning, beach protection or coastal management, and historical or cultural values are protected from development.
 - (b) Low intensity development, based on appreciation of the significant values of the area, may be facilitated where a demonstrated community need exists, or the development is consistent with the management intent or plan for the area.
 - (c) Adverse impacts on natural systems both on-site and on adjoining sites are minimised or avoided through the location, design and management of development and activities.
 - (d) Activities undertaken by recognised traditional owners, including land management practices, occurs in accordance with traditional owner custom and practice.
 - (e) Adverse impacts on ecological features and processes are avoided.

Table 6.2.4.1.a Assessable development in the Conservation zone

Performance outcomes	Acceptable outcomes
Uses and other development	
PO1 The establishment of uses is consistent with the outcomes sought for the Conservation zone.	AO1 Uses identified in Table 6.2.4.1.b are not established in the Conservation zone.
Building height	
PO2 Development is subservient to the surrounding environment and is in keeping with the ecological and landscape values of the area.	AO2.1 Buildings and structures are not more than 8.5 metres in height;
	AO2.2 The exterior finishes and colours of all development are non-reflective and consist of colours that blend easily with surrounding native vegetation.
Setbacks	
PO3 Development is setback from site boundaries to blend into the natural environment in order to maintain the unspoilt and undeveloped nature of the area.	AO3 All development is setback: (a) a minimum 25 metres from the frontage of any road; (b) a minimum of 10 metres from any other boundary.
PO4 Development is screened from view from adjoining roads and properties with a dense screen of landscape planting to obscure the appearance of the development when viewed externally from the site.	AO4.1 Minimum setbacks prescribed in AO3 within this code are provided with dense three tier, endemic planting which is maintained to ensure successful screening is achieved;
	AO4.2 Endemic palm species, where used, are planted as informal accent features and not in a regular pattern.

Performance outcomes	Acceptable outcomes
Cultural heritage	
<p>PO5</p> <p>Development is located, designed and operated to ensure that any impacts on land with known cultural values can be managed in collaboration with traditional owners.</p>	<p>AO5.1</p> <p>Development is not undertaken on land with known cultural values (including both physical artefacts and places of significance); or</p> <p>AO5.2</p> <p>Where a place of significance is identified and cannot be avoided, development should promote the place, where appropriate, and with the approval from the relevant traditional owners.</p>
Development location and design	
<p>PO6</p> <p>Development is located and designed to:</p> <p>(a) integrate with the physical attributes of the site;</p> <p>(b) not obstruct views from a public place to:</p> <ul style="list-style-type: none"> (i) Mission Bay; (ii) Murray Prior Range; (iii) Malbon Thompson Range (iv) Oombunghi Beach (v) Fitzroy Island and the Great Barrier Reef; (vi) other significant prominent headlands, peaks, natural features and landmarks; <p>(c) minimise the removal of native vegetation;</p> <p>(d) protect ecological values;</p> <p>(e) maintain appropriate setbacks to waterways, wetlands and tidal areas;</p> <p>(f) avoid the need for cutting and filling, and where unavoidable, minimised to the greatest extent possible.</p>	<p>AO6</p> <p>No acceptable outcomes are prescribed.</p>
Fencing	
<p>PO7</p> <p>Fencing is designed to permit the free movement of native fauna.</p>	<p>AO7</p> <p>No acceptable outcomes are prescribed.</p>
Environmental Management Plans	
<p>PO8</p> <p>All development is carried out in accordance with an Environmental Management Plan that is specific to the form of development and to the individual development site.</p>	<p>AO8</p> <p>No acceptable outcomes are prescribed.</p>

Reconfiguring a lot outcomes	
<p>PO9</p> <p>New lots contain a minimum lot size of 200 hectares, unless:</p> <p>(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments);</p> <p>(b) the reconfiguration is limited to one additional lot to accommodate an existing or approved:</p> <p>(i) Telecommunications facility;</p> <p>(ii) Utility installation.</p>	<p>AO9</p> <p>No acceptable outcomes are prescribed.</p>

Table 6.2.4.1.b Table of inconsistent uses in the Conservation zone

Adult store, Agricultural supplies store, Air services, Animal husbandry, Animal keeping, Aquaculture, Bar, Brothel, Bulk landscape supplies, Caretaker's accommodation, Car wash, Cemetery, Child care centre, Club, Community care centre, Community residence, Community use, Crematorium, Cropping, Detention facility, Dual occupancy, Dwelling unit, Educational establishment, Emergency services, Extractive industry, Food and drink outlet, Function facility, Funeral parlour,	Garden centre, Hardware and trade supplies, Health care services, High impact industry, Home based business, Hospital, Hotel, Indoor sport and recreation, Intensive animal industry, Intensive horticulture, Landing, Low impact industry, Major electricity infrastructure, Major sport, recreation and entertainment facility, Marine industry, Market, Medium impact industry, Motor sport facility, Multiple dwelling, Nightclub entertainment facility, Non-resident workforce accommodation, Office, Outdoor sales, Outdoor sport and recreation, Park, Parking station, Place of worship, Port services,	Relocatable home park, Renewable energy facility Research and technology industry, Residential care facility, Resort complex, Retirement facility, Roadside stall, Rooming accommodation, Rural industry, Rural workers' accommodation, Sales office, Service industry, Service station, Shop, Shopping centre, Short term accommodation, Showroom, Special industry, Substation, Theatre, Tourist attraction, Tourist park, Transport depot, Veterinary services, Warehouse, Wholesale nursery, Winery
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Note: This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

6.2.4.2 Environmental management zone code

6.2.4.2.1 Application

This code applies to assessing material change of use and reconfiguring a lot development where the Environmental management zone code is shown as being applicable in the table of assessment.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

6.2.4.2.2 Purpose and criteria for assessment

- (1) The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and may provide for houses on lots and other low impact activities where suitable. These areas are protected from inclusion of any urban, suburban, centre or industrial land use except quarries that are identified in the strategic framework.
- (2) The local government purpose of the zone is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 4: Strong communities, Element 3.7.7 Cultural heritage and traditional knowledge.
 - (ii) Theme 5: Natural resources and landscapes, Element 3.8.2 Primary production, forestry and fisheries, Element 3.8.3 Extractive industries and mineral resources, Element 3.8.4 Water resources, Element 3.8.5 Scenic amenity.
 - (iii) Theme 6: Natural environment theme, Element 3.9.2 Biodiversity conservation, Element 3.9.3 Coastal management.
 - (b) maintain and protect the very high quality conservation, biodiversity and scenic values of the site and surrounding areas.
 - (c) rehabilitate land following cessation of inconsistent land use activities (such as extractive industry).
 - (d) provide for small scale residential living where it already exists. Further new development for housing within the zone is restricted.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Low impact, small-scale rural living opportunities are facilitated where compatible with the environmental values of the area.
 - (b) Seasonal, non-permanent living in the form of low scale informal camp sites to accommodate traditional practices occurs in specific parts of the zone.
 - (c) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development.
 - (d) Development is reflective of, and responsive to, the environmental values of the area.
 - (e) Visual impacts of development are minimised.
 - (f) Water quality is not adversely affected by development.
 - (g) Areas identified as having significant values for biological diversity, water catchment, ecological functioning, beach protection or coastal management and historical or cultural values are protected.
 - (h) Extractive industry sites be rehabilitated once the resource has been exhausted or the extractive industry use becomes no longer viable (i.e. reaches end of life).

Table 6.2.4.2.a Self–assessable and assessable development in the Environmental management zone

Performance outcomes	Acceptable outcomes
Development density	
PO1 The density of development is very low to ensure that environmental values of the site are not unduly affected by adverse impacts.	AO1 Residential density does not exceed 1 dwelling house per 4 hectares.
Building height	
PO2 The height of buildings is compatible with the character of the area and must not detrimentally impact on visual landscape amenity.	AO2 Buildings and structures are not more than 8.5 metres in height.
Setbacks	
PO3 Development is setback from site boundaries to blend into the natural environment in order to maintain the low scale, undeveloped nature of the area.	AO3 All development is setback: (a) a minimum 10 metres from the frontage of any road; (b) a minimum of 6 metres from any other boundary.
Character and amenity	
PO4 Development is subservient to the surrounding environment and is in keeping with the ecological and landscape values of the area.	AO4 The exterior finishes and colours of all development are non-reflective and consist of colours that are the blend easily with surrounding native vegetation.
Cultural heritage	
PO5 Development is located, designed and operated to ensure that any impacts on land with known cultural values can be managed in collaboration with traditional owners.	AO5.1 Development is not undertaken on land with known cultural values (including both physical artefacts and places of significance); or
	AO5.2 Where a place of significance is identified and cannot be avoided, development should promote the place, where appropriate, and with the approval from the relevant traditional owners.
Development location and design	
PO6 Development is located and designed to: <ul style="list-style-type: none"> (a) integrate with the physical attributes of the site; (b) minimise the removal of native vegetation; (c) avoid the need for cutting and filling, and where unavoidable, minimised to the greatest extent possible; (d) not impact on scenic amenity. 	AO6.1 Buildings and structures and associated access and infrastructure are not located on land steeper than 15%.
	AO6.2 Buildings and structures and associated access, infrastructure and open space are sited within pre-existing cleared areas of the site.
	AO6.3 Excavation and fill does not cumulatively exceed 1 metre in height to accommodate buildings and associated access.

Performance outcomes	Acceptable outcomes
	<p>AO6.4</p> <p>Development does not obstruct views from a public place to:</p> <ul style="list-style-type: none"> (a) Mission Bay; (b) Murray Prior Range; (c) Malbon Thompson Range; (d) Oombunghi Beach (e) Fitzroy Island and the Great Barrier Reef; (f) other significant prominent headlands, peaks, natural features and landmarks.
Scenic amenity	
<p>PO7</p> <p>Development is to maximise opportunities to maintain and/ or enhance important natural landscapes, views and vistas through the maintenance and restoration of vegetated buffer zones between development and coastal waters, unless the development is within a port or airport or is marine development.</p>	<p>AO7.1</p> <p>Development maintains or enhances natural landscape features, view and vistas.</p> <p>AO7.2</p> <p>Trees and vegetation are used to screen buildings and infrastructure.</p> <p>and</p> <p>AO7.3</p> <p>Development is constructed of materials and with finishes that complement the scenic landscape.</p>
Public access	
<p>PO8</p> <p>Development adjacent to coastal land or tidal water is located, designed and operated to:</p> <ul style="list-style-type: none"> (a) Maintain existing access to and along the foreshore; (b) Minimise any loss of access to and along the foreshore, or (c) Offset any loss of access to an along the foreshore by providing for enhanced alternative access in the general location, <p>Where access is provided in a way that protects public safety and coastal resources.</p>	<p>AO8.1</p> <p>Development adjacent to coastal land or tidal water:</p> <ul style="list-style-type: none"> a) Demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> i) The safe or secure operation of development ii) The maintenance of coastal landforms and coastal habitat, or b) Maintains existing public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for: <ul style="list-style-type: none"> i) Pedestrians via access points including approved walking tracks, boardwalks and viewing platforms, or ii) Vehicles via access points including approved roads or tracks.

Performance outcomes	Acceptable outcomes
	<p>AO8.2</p> <p>Development adjacent to coastal land or tidal water:</p> <ul style="list-style-type: none"> a) Is located and designed to: <ul style="list-style-type: none"> i) Allow safe and unimpeded access to, over, under or around built structures located on, over or along the foreshore ii) Ensure emergency vehicles can access the area near the development, or b) Minimises and offsets any loss of access to and along the foreshore within the bay or within two kilometres for longer foreshores of the existing access points and development is located and designed to: <ul style="list-style-type: none"> i) Allow safe and unimpeded access to, over, under or around built structures located on, over or along the foreshore, and ii) Ensure emergency vehicles can access the area near the development.

Table 6.2.4.2.b Assessable development in the Environmental management zone

Performance outcomes	Acceptable outcomes
Uses and other development	
<p>PO9</p> <p>The establishment of uses is consistent with the outcomes sought for the Environmental management zone.</p>	<p>AO9</p> <p>Uses identified in Table 6.2.4.2.c are not established in the Environmental management zone.</p>
Reconfiguring a lot outcomes	
<p>PO10</p> <p>The minimum lot size is 4 hectares, unless</p> <ul style="list-style-type: none"> (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); (b) the reconfiguration is limited to one additional lot to accommodate an existing or approved: <ul style="list-style-type: none"> (i) Telecommunications facility; (ii) Utility installation. 	<p>AO10</p> <p>No acceptable outcomes are prescribed.</p>

Table 6.2.4.2.c Table of inconsistent uses in the Environmental Management zone

<p>Adult store, Agricultural supplies store, Air services, Animal husbandry, Animal keeping, Aquaculture, Bar, Brothel, Bulk landscape supplies, Caretaker's accommodation, Car wash, Cemetery, Child care centre, Club, Community care centre, Community use, Crematorium, Cropping, Detention facility, Dual occupancy, Dwelling unit, Educational establishment, Emergency services, Food and drink outlet, Function facility, Funeral parlour, Garden centre,</p>	<p>Hardware and trade supplies, Health care services, High impact industry, Hospital, Hotel, Indoor sport and recreation, Intensive animal industry, Intensive horticulture, Low impact industry, Major electricity infrastructure, Major sport, recreation and entertainment facility, Marine industry, Market, Medium impact industry, Motor sport facility, Multiple dwelling, Nightclub entertainment facility, Non-resident workforce accommodation, Office, Outdoor sales, Outdoor sport and recreation, Parking station, Permanent plantation, Place of worship, Port services,</p>	<p>Relocatable home park, Renewable energy facility Research and technology industry, Residential care facility, Resort complex, Retirement facility, Roadside stall, Rooming accommodation, Rural industry, Rural workers' accommodation, Sales office, Service industry, Service station, Shop, Shopping centre, Short term accommodation, Showroom, Special industry, Theatre, Tourist attraction, Tourist park, Transport depot, Veterinary services, Warehouse, Wholesale nursery, Winery</p>
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Note: This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

6.2.5 Industrial zones category

6.2.5.1 Industry zone code

6.2.5.1.1 Application

This code applies to assessing material change of use and reconfiguring a lot development where the Industry zone code is shown as being applicable in the table of assessment.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

6.2.5.1.2 Purpose and criteria for assessment

- (1) The purpose of the Industry zone code is to provide for a range of service, low or medium impact industrial uses. It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.
- (2) The local government purpose of the zone is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1: Settlement pattern, Element 3.4.4 Business and industry development.
 - (ii) Theme 2: Infrastructure, Element 3.5.2 Urban infrastructure.
 - (iii) Theme 3: Economic development, Element 3.6.2 Economic opportunity.
 - (b) provide and protect land that is accessible and serviced for the location of industry.
 - (c) manage development to maintain an industrial amenity and provide adequate separation to sensitive land use activities.