



Cook Shire
COUNCIL



PLANNING SCHEME



Citation and commencement

This planning scheme may be cited as the Cook Shire Council Planning Scheme 2017.

A notice was published in the Government Gazette No. 84 on 16 December, 2016 for the planning scheme for Cook Shire Council.

The commencement date for the planning scheme was 1 February, 2017.

Amendments to the planning scheme are included at Appendix 2.

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Part 1 About the planning scheme

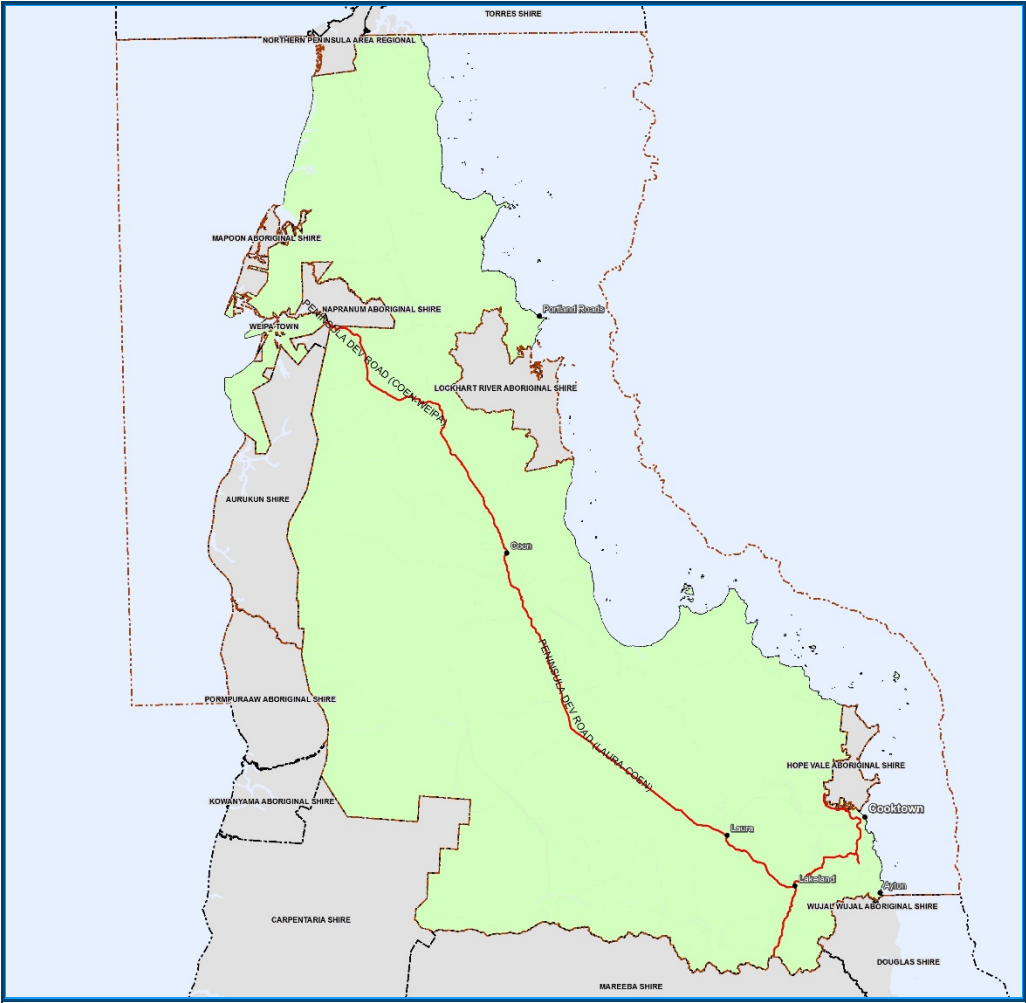
1.1 Introduction

- (1) The Cook Shire Council planning scheme (planning scheme) has been prepared in accordance with the *Sustainable Planning Act 2009* (the SP Act) as a framework for managing development in a way that advances the purpose of the SP Act.
- (2) The planning scheme was amended for alignment with the *Planning Act 2016* (the Act) by the Minister's rules under section 293 of the Act on 19 February 2018.
- (3) The planning scheme was amended for an LGIP Amendment to make a New LGIP in accordance with the SP Act and the Statutory Guideline 03/14 on 13 July 2018.
- (4) In seeking to achieve this purpose, the planning scheme sets out Cook Shire Council's intention for the future development in the planning scheme area, over the next 20 years.
- (5) The planning scheme seeks to advance state and regional strategies through more detailed local responses, taking into account the local context.
- (6) While the planning scheme has been prepared with a 20 year horizon, it will be reviewed periodically in accordance with the Act to ensure that it responds appropriately to the changes of the community at a local, regional and state level.
- (7) The planning scheme applies to the local government area of Cook Shire Council including all premises, roads and internal watercourses and interrelates with the surrounding local government areas illustrated in Map 1.

Editor's note—The planning scheme has been amended to align with the regulated requirements as provided in the *Planning Act 2016*. In accordance with section 16(3) of the Act, the regulated requirements apply to the planning scheme to the extent of any inconsistency.

Editor's note—State legislation may state that the planning scheme does not apply to certain areas, e.g. strategic port land under the Transport Infrastructure Act 1994.

Map 1–Local government planning scheme area and context



1.2 Planning scheme components

- (1) The planning scheme comprises the following components:
 - (a) about the planning scheme;
 - (b) state planning provisions;
 - (c) the strategic framework;
 - (d) the local government infrastructure plan;
 - (e) tables of assessment;
 - (f) the following zones:
 - (i) Low density residential zone
 - (ii) Medium density residential zone
 - (iii) Centre zone
 - (iv) Mixed use zone
 - (v) Township zone
 - (vi) Industry zone
 - (vii) Community facilities zone
 - (viii) Rural residential zone
 - (ix) Rural zone
 - (x) Recreation and open space zone
 - (xi) Environmental management and conservation zone
 - (g) The following Local Plans:
 - (i) Eastern Kuku Yalanji Local Plan
 - (ii) Lakeland Local Plan
 - (h) The following overlays:
 - (i) Airport environs overlay;
 - (ii) Biodiversity overlay
 - (iii) Bushfire hazard overlay;
 - (iv) Character overlay;
 - (v) Extractive resources overlay;
 - (vi) Flood and other coastal hazards overlay;
 - (vii) Future urban expansion overlay;
 - (viii) Infrastructure services overlay;
 - (ix) Rural land use overlay;
 - (x) Scenic amenity overlay;
 - (xi) State controlled roads overlay;
 - (xii) Water resources overlay;
 - (xiii) Wetlands and watercourses overlay;
 - (xiv) Old dam site overlay;
 - (xv) Landslide hazard overlay;
 - (i) The following development codes:
 - (i) Extractive industry use code;
 - (ii) Home based business use code;
 - (iii) Residential use code;
 - (iv) Roadside stall development code;
 - (v) Service station development code;
 - (vi) Reconfiguring a lot code;
 - (vii) Parking and access code;
 - (viii) Works, services and infrastructure code;
 - (j) Schedules and appendices.
- (2) The following planning scheme policies support the planning scheme:
 - (a) PSP1 – Development Manual Planning Scheme Policy
 - (b) PSP2 – Provision of Public Open Space Planning Scheme Policy
 - (c) PSP3 – Landscaping Planning Scheme Policy
 - (d) PSP4 – Guidelines for development in the Eastern Kuku Yalanji Local Plan Area Planning Scheme Policy
 - (e) PSP5 – Bushfire Hazard Analysis Planning Scheme Policy

1.3 Interpretation

1.3.1 Definitions

- (1) A term used in the planning scheme has the meaning assigned to that term by one of the following:
 - (a) the Planning Act 2016 (the Act)
 - (b) the Planning Regulation 2017 (the Regulation)
 - (c) the definitions in Schedule 1 of the planning scheme; or
 - (d) the *Acts Interpretation Act 1954*; or
 - (e) the ordinary meaning where that term is not defined in the Act, the Regulation, Schedule 1 of the planning scheme or the *Acts Interpretation Act 1954*.

Note—a term which is defined in more than one of the above listed items, adopts the definition from the highest item in the list (i.e. a definition under item (a) overrides a definition under item (c) for the same term).

- (2) In the event a term has been assigned a meaning in more than one of the instruments listed in sub-section 1.3.1(1), the meaning contained in the instrument highest on the list will prevail.
- (3) A reference in the planning scheme to any Act includes any regulation or instrument made under it, and where amended or replaced, if the context permits, means the amended or replaced act.
- (4) A reference in the planning scheme to a specific resource document or standard, means the latest version of the resource document or standard.
- (5) A reference to a part, section, table or schedule is a reference to a part, section, table or schedule of the planning scheme.

Editor's note – In accordance with section 16(3) of the Act the regulated requirements apply to this planning scheme to the extent of any inconsistency with the planning scheme.

1.3.2 Standard drawings, maps, notes, footnotes and editor's notes

- (1) Standard drawings contained in codes or schedules are part of the planning scheme.
- (2) Maps provide information to support the outcomes and are part of the planning scheme.
- (3) Notes are identified by the title 'Note' and are part of the planning scheme.
- (4) Editor's notes and footnotes are extrinsic material, as per the *Acts Interpretation Act 1954*, and are identified by the title "editor's note" and "footnote" and are provided to assist in the interpretation of the planning scheme; they do not have the force of law.

Note—this is an example of a note.

Editor's note—this is an example of an editor's note.

Footnote¹—see example at bottom of page.

1.3.3 Punctuation

- (1) A word followed by “;” or “and” is considered to be “and”
- (2) A word followed by “; or” means either or both options can apply.

1.3.4 Zones for roads, waterways and reclaimed land

- (1) The following applies to a road, closed road, waterway or reclaimed land in the planning scheme area:
 - (a) if adjoined on both sides by land in the same zone—the road, waterway or reclaimed land is in the same zone as the adjoining land; or
 - (b) if adjoined on one side by land in a zone and adjoined on the other side by land in another zone—the road, waterway or reclaimed land is in the same zone as the adjoining land when measured from a point equidistant from the adjoining boundaries; or

¹ Footnote—this is an example of a footnote.

- (c) if the road, waterway or reclaimed land is adjoined on one side only by land in a zone—the entire waterway or reclaimed land is in the same zone as the adjoining land; or
- (d) if the road, waterway or reclaimed land is covered by a zone then that zone applies.

Editor's note—the boundaries of the local government area are described by the maps referred to within the Local Government (Operations) Regulation 2010.

1.4 Categories of development

- (1) The categories of development under the Act are:
 - (a) accepted development

Editor's note – A development approval is not required for development that is accepted development. Under section 44(6)(a) of the Act, if a categorising instrument does not apply a category of development to a particular development, the development is accepted development. Schedule 7 of the Regulation also prescribes accepted development.

- (b) assessable development
 - i. code assessment
 - ii. impact assessment

Editor's note – A development approval is required for assessable development. Schedules 9, 10 and 12 of the Regulation also prescribe assessable development.

- (c) prohibited development.

Editor's note – A development application cannot be made for prohibited development. Schedule 10 of the Regulation prescribes prohibited development.

- (2) The planning scheme states the category of development for certain types of development and specifies the category of assessment for assessable development in the planning scheme area in Part 5 – Tables of assessment.

Editor's note—Section 43 of the Act identifies that a categorising instrument categorises development and specifies categories of assessment and may be a regulation or local categorising instrument. A local categorising instrument includes a planning scheme, a TLPI or a variation approval.

1.5 Hierarchy of assessment benchmarks

- (1) Where there is inconsistency between provisions in the planning scheme, the following rules apply:
 - (a) the strategic framework prevails over all other components to the extent of the inconsistency for impact assessment;
 - (b) relevant codes as specified in schedules 6 and 10 of the Regulation prevail over all other components to the extent of the inconsistency
 - (c) overlays prevail over all other components (other than the matters mentioned in (a) and (b)) to the extent of the inconsistency;
 - (d) local plan codes prevail over zone codes, use codes and other development codes to the extent of the inconsistency;
 - (e) zone codes prevail over use codes and other development codes to the extent of the inconsistency.

1.6 Building work regulated under the planning scheme

- (1) Section 17(b) of the Regulation identifies the assessment benchmarks for building work that a local planning instrument must not change the effect to the extent the building work is regulated under the building assessment provisions unless permitted under the *Building Act 1975*.
- (2) The building assessment provisions are listed in section 30 of the *Building Act 1975*.

Editor's note—The building assessment provisions are stated in section 30 of the Building Act 1975 and are assessment benchmarks for the carrying out of building assessment work or building work that is accepted development subject to any requirements (see also section 31 of the Building Act 1975).

- (3) This planning scheme, through Part 5, regulates building work in accordance with sections 32 and 33 of the *Building Act 1975*:

Editor's note—the Building Act 1975 permits planning schemes to:

- regulate, for the Building Code of Australia (BCA) or the Queensland Development Code (QDC), matters prescribed under a regulation under the *Building Act 1975* (section 32). These include variations to provisions contained in parts MP1.1, MP1.2 and MP1.3 of the QDC such as heights of buildings related to obstruction and overshadowing, siting and design of buildings to provide visual privacy and adequate sight lines, on-site parking and outdoor living spaces. It may also regulate other matters such as designating land liable to flooding, designating land as bushfire prone areas and transport noise corridors
- deal with an aspect of, or matter related or incidental to building work prescribed under a regulation under section 32 of the *Building Act 1975*;
- specify alternative boundary clearance and site cover provisions for Class 1 and 10 structures under section 33 of the *Building Act 1975*.

Refer to Schedule 9 of the Regulation to determine assessable development, the type of assessment and any referrals applying to the building work.

(4) The building assessment provisions are contained in s5.7 -Tables of assessment for Building Work.

Editor's note—a decision in relation to building work that is assessable development under the planning scheme should only be issued as a preliminary approval. See section 83(b) of the Building Act 1975.

Editor's note—in a development application the applicant may request preliminary approval for building work. The decision on that development application can also be taken to be a referral agency's response under section 271 of the Act, for building work assessable against the Building Act 1975. The decision notice must state this.

Part 2 State planning provisions

2.1 State planning policies

The Minister has identified that the following state planning policies are appropriately reflected in the planning scheme:

State interests in the state planning policy (April 2016) appropriately reflected

- (1) Liveable communities and housing
 - (a) Liveable communities
 - (b) Housing supply and diversity
- (2) Economic growth
 - (a) Agriculture
 - (b) Development and construction
 - (c) Mining and extractive resources
 - (d) Tourism
- (3) Environment and Heritage
 - (a) Biodiversity
 - (b) Coastal environment
 - (c) Cultural heritage
 - (d) Water quality
- (4) Hazards and safety
 - (a) Emissions and hazardous activities
 - (b) Natural hazards, risk and resilience
- (5) Infrastructure
 - (a) Energy and water supply
 - (b) State transport infrastructure
 - (c) Strategic airports and aviation facilities
 - (d) Strategic ports

State interests in the state planning policy (April 2016) not reflected

Nil

State interests in the state planning policies not relevant to Cook Shire Council

Nil

Editor's note—In accordance with section 8(4)(a) of the Act the State Planning Policy applies to the extent of any inconsistency.

2.2 Regional plan

The Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the Cape York Regional Plan, as it applies in the planning scheme area.

2.3 Regulated requirements

The regulated requirements prescribed in the Planning Regulation 2017 (dated 3 July 2017) are appropriately reflected in full in the planning scheme.

Editor's note—Section 16(3) of the Act states that the contents prescribed by the Regulation apply instead of a local planning instrument, to the extent of any inconsistency.

Part 3 Strategic framework

3.1 Preliminary

- (1) The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs in the planning scheme area for the life of the scheme.
- (2) Mapping for the strategic framework is included in Schedule 2.
- (3) For the purpose of describing the policy direction for the planning scheme, the strategic framework is structured in the following way:
 - (a) the Strategic Intent;
 - (b) the following five themes that collectively represent the policy intent of the scheme:
 - (i) Economic wellbeing
 - (ii) Land use pattern
 - (iii) Environmental wellbeing
 - (iv) Infrastructure and servicing
 - (v) Strong communities
 - (c) the strategic outcomes sought for development in the planning scheme area for each theme; and
 - (d) the specific outcomes sought for each or a number of elements.
- (4) Although each theme has its own section, the strategic framework is read in its entirety as the policy direction for the planning scheme.

3.2 Strategic intent

- (1) Development in Cook Shire over the next 20 years will deliver an efficient land use pattern, sustainable economic growth, sound environmental management, infrastructure security and resilient communities. The Cook Shire Community Plan 2011-2021 identifies the priority issues of public interest including the delivery of road and communications infrastructure, the need for secure employment and a diverse economy, maintaining culture and history, the liveability of townships, and increasing housing diversity. Given the size, remoteness and tenure issues confronting Cook Shire, these issues involve a wide range of stakeholders and all levels of government.
- (2) Following on from the Community Plan, Cook Shire Council prepared the Cook Shire Tourism Strategy July 2012 and the Cook Shire Economic Development Plan 2013-2015. It commissioned detailed analysis of the following key policy areas:
 - (a) Rural land use constraints and opportunities
 - (b) Potential flood impacts on townships
 - (c) Potential bushfire risks for townships
 - (d) Aligning the planning scheme with Traditional Owner aspirations for getting back on country
 - (e) Identification and protection of extractive and mineral resources in Cook Shire.
- (3) At the time of preparing the planning scheme, the above documents provided detailed strategic context and identified key challenges and informed preferred development outcomes as discussed below.

Strategic context

- (1) Cook Shire is home to nearly 4,500 residents, almost a quarter of the population of Cape York (16,837 people; OESR population profile). About half the population lives in Cooktown, with smaller population centres at Marton, Laura, Lakeland, Coen, Ayton, Rossville, Helenvale, Portland Roads and offshore settlements including Lizard and Haggerstone Islands.
- (2) A snapshot of life in Cook Shire would include:
 - (a) Its proud history, built on its Aboriginal and Torres Strait Islander cultural heritage and the tough and colourful pastoral, agricultural and mining interests.
 - (b) Its culture, diverse history, environment and fishing, factors that attract thousands of visitors each year.

- (c) The town of Cooktown, its regional hub and government outpost.
 - (d) Its population, which over the next 20 years, is expected to grow at a rate of about 1.3% per annum to around 5,200 persons with potential for further growth in light of major regional and sub-regional economic development initiatives.
 - (e) Its median age, which is set to increase from 40 to 53 over the same period².
 - (f) Its population, 20% being of Aboriginal or Torres Strait Islander origin³ with a strong and proud cultural connection to land and lore.
 - (g) Its unemployment rate, which in 2011 was around 20%, relatively high numbers of international backpackers employed as seasonal workers in the south-east of the Shire and a strong permanent agricultural workforce, particularly in Lakeland district.⁴
 - (h) Its extreme seasonality, with cyclones and monsoon rains regularly affecting road access to parts of the Shire for up to five months of the year.
- (3) The importance of the economy, employment and housing choice will therefore need to be amplified over the coming decades if the vibrant culture and resilient communities are to remain strong.
 - (4) Cook Shire's land area is 106,169km and stretches 800km from the Bloomfield River in the south to just north of the Jardine River. It is the largest Local Government Area in Queensland by land area and is larger than Tasmania, yet Council's rate base relies on around 2,200 properties. Over 90% of the Shire land tenure is in National Parks (14%), nature reserves (23%) and mining, state lands and reserves (53%). Significantly, the Shire includes two world renowned World Heritage Areas, being the Wet Tropics of Queensland and the Great Barrier Reef.
 - (5) Cook Shire is also well placed to benefit from current Cairns initiatives that seek to encourage development and diversify that City's economy, which historically has been dependent on tourism. This includes capitalising on the potential for major Chinese investment in development as well as State and federal investment in infrastructure such as upgrading the hospital, expanding the port and potential redevelopment of the airport (in a 20-year State Government-approved plan).

Key Challenges

- (1) While Cook Shire comprises many distinct communities, expectations for Council services, business and retail services, product range and quality is generally increasing. At the same time the commercial sector continues to struggle with skill shortages in the workforce, isolation and extreme seasonality. This is set against a backdrop of high living costs; a housing shortage in Cooktown and Lakeland; more extreme weather events due to climate change; a lack of major infrastructure investment; and the limitations on investment due to land tenure issues.
- (2) Challenges are not new for Cook Shire and for communities to remain strong, independent and resilient, Cook Shire needs to participate in the digital economy; secure supplies of gravel/rock for road works and construction; make improvements towards achieving food security and ensure decisions about development are sustainable and benefit the community.

The Future

- (1) Investment and development presents opportunities for the community to increase self-sufficiency, create regional and local collaboration to improve services, improve food supply (and food security), infrastructure, arts and culture and natural resource management. Future prosperity and a stable economic structure for Cook Shire relies on certainty about where development is intended to occur; removing unnecessary impediments to such development particularly in the rural and agricultural sectors and recognising how long-term investments can benefit communities and the environment, notwithstanding potential short-term impacts.
- (2) The current project to upgrade the Endeavour River foreshore at the foothill of Grassy Hill in Cooktown will prove to be the catalyst for investment and growth.

² Cook Shire Community Plan 2011-2021 p4

³ Cook Shire Economic Profile 2013-2015; p6

⁴ Cook Shire Economic Profile 2013-2015; p3

Implementation of the adopted master plan will also provide the Shire's residents with a world class community facility for their benefit and enjoyment.

- (3) The recent investment in private school education facilities in Cooktown, the first major commitment since the Sisters of Mercy established St Mary's Convent and Boarding school in 1889 (now the Cooktown Museum) is a threshold moment for the town and Shire as whole. Not only does this bring employment in the construction industry and education sector, it also provides a very clear example of resilience, self-sufficiency and confidence in the future growth and development of the Shire. Families need no longer send their children to regional centres for a quality education. Cooktown is set to benefit from this sort of investment.
- (4) Fundamental to the success of these projects is providing housing choice and affordability for those in the construction industry, those offered ongoing employment and for existing residents.
- (5) The future of development and investment in Cook Shire will be guided by this planning scheme.
- (6) The relationship between development and utility infrastructure recognises that Marton, Laura, Lakeland, Coen, Ayton, Rossville, Helenvale and Portland Roads require a level of infrastructure provision appropriate to the circumstances.

3.3 Economic wellbeing

Policy Context

- (1) Council's *Economic Development Plan 2013-2015* (EDP) outlines the goal for a sustainable economy, drawing on key industries and partnerships, critical for community resilience and wellbeing. The EDP identifies the following key assets for the economy⁵:
 - (a) Location – working with natural attractions to ensure businesses thrive;
 - (b) Tourism infrastructure – promoting key assets including sealed roads, a range of accommodation options and services, fishing charters, croc spotting, bird watching, aboriginal culture tours, horse riding, historical tours and key events, such as the Cooktown Discovery Festival;
 - (c) Roads – The 2,750km of roads in Cook Shire are the lifeblood of the Shire and have the potential to boost the region's economic growth. The Mulligan Highway was sealed in 2006 providing year round access between Cairns and Cooktown; while the Peninsula Development Road between Lakeland and Laura was sealed in 2012;
 - (d) Air – Air services provide flights to Cooktown, Coen, Weipa and surrounding areas most days of the week;
 - (e) Sea – Cooktown is on the itinerary for several cruise ships, while cargo vessels operate from Cairns to the tip of the Cape;
 - (f) Internet connectivity – The National Broadband Network is expected to be rolled out early in the life of the scheme in the central business area of Cooktown, providing a boost to economic and social activity; and
 - (g) Economic infrastructure – This includes the Cooktown Events Centre, Cooktown Airport and future industrial subdivision, and the Cooktown foreshore with potential development opportunities.
- (2) In addition to these assets is Cooktown's strategic importance as the logistical base for the live coral trout export industry, reef fishing, crayfish fishing and prawning, as well as its importance as a recreational fishing hub.
- (3) Economic development opportunities also exist with the expansion of eco-tourism in National Parks.
- (4) Also important to a strong economy are the townships and industries contributing to the economy and enriching the lifestyle, including:
 - (a) Cooktown – the major township for public administration, business, accommodation, education and services;
 - (b) Coen – the service centre for the northern region of the Shire;

⁵ Cook Shire Economic Profile 2013-2015; p7

- (c) Laura – famous for its amazing rock art and the Quinkan and Regional Cultural Centre;
 - (d) Lakeland – key farming and grazing industries. A large proportion of the finite supply of agricultural land with good access to markets but limited access to water; and
 - (e) Rossville, Ayton, Portland Roads and the Endeavour Valley – recognised for their low impact lifestyles and niche horticulture and eco-tourism ventures.
- (5) The following hard rock quarries and major resources have been identified in Cook Shire.⁶:
- (a) Archer River Quarry – The only operating hard rock quarry north of Lakeland capable of producing strong and durable materials and aggregates for road base, road surfacing and airfields. This is of regional significance for the Cape.
 - (b) Musgrave Quarry – A greenfield hard rock quarry strategically located between Lakeland and the Archer River, expected to produce road bases, aggregates and rock products to reduce reliance on imports into the region. This is of regional significance for the Cape.
 - (c) Butchers Hill Quarry – A basalt quarry well positioned off the Mulligan Highway at Lakeland and a source of high-quality aggregates for road surfacing, concrete and drainage media. This is of regional significance for local and State-controlled roads and to the building and construction industry.
 - (d) Mt Amos Quarry – A small to medium sized hard rock quarry close to Cooktown with long-term capacity to supply the south-east region with aggregates and pavement materials. This quarry, together with nearby resources to the north, is of regional significance.
 - (e) Hard rock resources at Archer River and Mount Amos (Wegryzniak resource), Melody Rocks limestone resource, and the Lochinvar hard rock resource (near Coen) are of regional significance to fulfil future demands.
 - (f) Wongai Coal Mine – Future production of coking coal located in the Laura Basin, 150 km north-west of Cooktown on land owned by the Kal Powar Aboriginal Land Trust under a heads of agreement with Aust Pac Capital P/L.
- (6) Gravel pits of significance because of road safety and the economy of Cook Shire are:⁷
- (a) Bizant Pit – Located beside the Bizant airstrip in Lakefield National Park. This large gravel pit produces roadbase materials for roads frequently damaged during the wet season yet requiring constant upgrade due to increasing tourist numbers. These resources are very scarce and are critical for road safety and tourism.
 - (b) Battle Camp Road gravel pits – These gravel deposits are ideal grading for road base and loam materials are a valuable binding agent used in roads locally and regionally across the Cooktown and Laura regions. It is therefore critical these gravel pits and nearby resources close to Battle Camp Road are not sterilised by expansion of the Lakefield National Park. There are no known replacement resources in the region and their sterilisation would have significant impacts on road safety, tourism and economic development.
 - (c) Violet Vale Pit – This strategically located gravel pit is used for maintenance of State-controlled roads by the Department of Transport and Main Roads. This is a rare source of durable hard rock.
 - (d) Black Pinch Pit – This pit services local roads south of Cooktown and the townships of Helenvale, Rossville and communities further south including Wujal Wujal, Shiptons Flat and Daintree.
 - (e) Construction sand – Access to clean, fine sand is important for the construction industry. Sand is currently extracted in small amounts from a variety of alluvial, riverine and estuarine environments. Access and extraction is often limited by land tenure issues and controlled via permits issued under the Water Act or administered under the Environment Protection Act. New opportunities to access construction sand and improve construction efficiency and viability will be supported.

⁶ Review of Extractive and Mineral Resources in the Cook Shire – 1 March 2013; Ecoroc Pty Ltd; p12-14

⁷ Review of Extractive and Mineral Resources in the Cook Shire – 1 March 2013; Ecoroc Pty Ltd; p15-16

- (7) It is recognised that future industries, infrastructure, energy and resources may not be known at the present time; however this does not limit the potential for exploration and investment into new technology to realise future opportunities in Cook Shire.
- (8) The role of key agricultural and pastoral areas in supporting the Shire's economy is described as follows⁸:
 - (a) Lakeland – Cropping is well developed with unusually high proportion of freehold land on high-quality fertile soils but with limited access to irrigation. This sector relies on economies of scale; further urban residential subdivision of land outside of the Local Plan Area or the establishment of incompatible uses (including permanent plantations) in areas mapped as agricultural land will not be supported. On site workers accommodation and value-adding industry will be supported. The Local plan identifies appropriate locations for urban growth, subject to further structure planning and demonstration of infrastructure availability. Further opportunity for Rural Lifestyle allotments exists in the locality to meet housing needs, as provided for in 3.4.1.1(5) and the reconfiguring a lot code, where the productive values of agricultural land and regional ecosystem values are not compromised.
 - (b) Coen – An undeveloped area of agricultural land exists to the west of Coen on Merapah, Holroyd River and Kendall River Stations, with limited environmental or land use constraints. Value-adding industry and investment to improve road infrastructure, labour supply and accommodation will be supported.
 - (c) Endeavour Valley and Bloomfield – Existing small scale tropical cropping serving the local market. Opportunities to establish or expand small-scale cropping on existing freehold tenure, close to services will be supported if amenity impacts can be mitigated.
 - (d) Livestock grazing – The industry has a long and proud history of adapting and overcoming challenges of land tenure. Graziers across the Cape also play a significant role in fighting uncontrolled fires and battling the relentless encroachment of noxious weeds and feral animals. Development and investment in infrastructure for the marshaling, movement, transport and spelling of livestock will be supported.
 - (e) Forestry plantations and sequestration – Managed forestry provides opportunities for employment and integration of environmental and community outcomes and the application of innovative technologies and management techniques. Permanent plantations will not be supported on agricultural land around Lakeland and west of Coen.
 - (f) Rural tourism – Rural amenity and scenic values play an important role in the Shire's tourism economy. Uses ranging from small scale farm stay operations to purpose built lodges (e.g. fishing charters; eco-tourism etc.) are supported where the use is ancillary to rural activities, helps alleviate constraints on local communities and assists in educating the community about the realities of rural life in Cook Shire.
- (9) Cook Shire's abundance of natural and cultural assets provide opportunities for establishment and expansion of tourism-related development and infrastructure in the following areas:
 - (a) National Parks, where amenity and environmental impacts can be managed.
 - (b) RVs and camping particularly in close proximity to Cooktown's services and facilities.
 - (c) Educational and cultural experiences, such as rural farm stays and Indigenous experiences, where there is community support, adequate facilities and risks from natural hazards can be avoided or managed. Small-scale cultural tourism in 'Good Living Areas' under the *Eastern Kuku Yalanji Local Plan* where consistent with adopted Community Development Plans.⁹

⁸ *Review of Rural Land Use, Constraints & Opportunities – October 26, 2012*; LRAM Pty Ltd; p3-12

⁹ Community Development Plans are prepared by Traditional Owners for the Good Living Areas of the Shire. A formal scheme amendment process is required to incorporate these Community Development Plans into the Planning Scheme.

3.3.1 Strategic outcomes

- (1) Cooktown, the regional centre for southern Cape York, and smaller townships, is a place of high amenity, where businesses invest, create regional partnerships, broaden the economic base and deliver employment opportunities.
- (2) Cook Shire's finite supply of agricultural land around Lakeland is protected from fragmentation and alienation. Development and investment that increases food production capability, improves food security and achieves value-add opportunities will be supported.
- (3) Cook Shire's growing tourism industry attracts development and investment that captures visitation, increases visitor nights, protects natural assets and diversifies visitor experiences.
- (4) Tertiary education and high tech industry opportunities are realised.
- (5) Sources of extractive materials such as gravel pits and quarries (hard rock, loose rock, sand and soils) used for the construction of roads, buildings, pipelines and other infrastructure essential to the economy are protected. Expansion or establishment of new quarries will be supported where there is a demonstrated need and impacts can be managed.
- (6) Major industries and social and physical infrastructure and energy projects (such as liquid fuels, solar and wind) are supported where there are demonstrated economic benefits to the local community, local employment opportunities and impacts on cultural, rural and environmental values are managed in line with community expectation.
- (7) Innovative businesses which contribute to and improve community lifestyle and services, overcome remoteness, improve education and facilitate trade to wider markets are supported.
- (8) Cook Shire is resilient in the face of natural and man-made disasters. Businesses and accommodation services avoid or mitigate risks to life and property, providing sustainable employment and continued services.

3.3.1.1 Specific outcomes

- (1) Cooktown and the smaller townships (identified on **Strategic Map 1**) continue to play a critical role in the Shire's economy, as follows:
 - (a) Cooktown's role as the major township and population centre is protected and enhanced through efficient use of commercial land in the business centre maximizing infill development opportunities that exist.
 - (b) Cooktown's role as the regional centre for community facilities and services on the southern Cape is enhanced by facilitating the expansion of State and Federal government services and infrastructure and growth in the public and private education sector.
 - (c) Industrial development opportunities for Cooktown are also realised (on industrial zoned land) in the town, in Marton and at the Cooktown Airport.
 - (d) Development which encourages the delivery of key infrastructure such as the waterfront precinct (in accordance with the Waterfront Master-plan) will be supported.
 - (e) The role of townships as summarised in section 3.3 above is protected and enhanced. Opportunities to establish or expand industries that support the role of these townships are supported if amenity impacts can be managed and tenure constraints can be overcome.
 - (f) Increases in population density and housing supply and diversity in Cooktown and the townships are supported to cater for increased economic activity where there is suitable access to services and infrastructure.
- (2) The role of the Shire's roads and infrastructure (shown on **Strategic Map 1**) in supporting business development is protected and enhanced.
- (3) Opportunities to diversify and grow the tourism industry, including cultural, adventure and nature-based tourism are realised subject to consideration of amenity and environmental impacts and infrastructure requirements.

- (4) Hard rock quarries and resources identified on **Strategic Map 1** and their associated infrastructure are protected for their regional economic significance. These resources are protected from encroachment of incompatible uses in the area or on main transport routes.
- (5) Gravel pits identified on **Strategic Map 1** are critical to road infrastructure in Cook Shire and these are protected against sterilisation.
- (6) The utility, integrity and safety of petroleum, gas and oil pipeline routes are protected but do not encroach on identified agricultural land. Development must not occur on pipeline land without the prior consent of the pipeline licence holders.
- (7) The long term viability of existing and future agricultural production, rural industries, stock routes and other rural land uses is protected and enhanced and industry which value adds to primary produce will be encouraged.
- (8) Development ensures the secure and sustainable water supply for agriculture, industry and construction. Existing and future infrastructure for dams, weirs and bores are protected.

3.4 Land Use Pattern

Policy context

- (1) Cook Shire has a tough and colourful past built around the pastoral industry, agriculture and mining¹⁰. Today, Cook Shire's unique culture, history, and environment continue to shape built form and land use, offering lifestyle choice, fostering proud and resilient communities and attracting tourists.
- (2) Council's *Community Plan 2011-2021* provides insight into the concerns and aspirations of local residents. By far the biggest issue for residents is road infrastructure, followed by job shortages, small business development, economic diversity and communications infrastructure. In terms of the future land use pattern for the Shire, relevant context for these challenges are as follows:
 - (a) Land tenure - 37% of the Shire's land area is occupied by National Parks and nature reserves; 53% is occupied by mining, State lands and reserves. Only 1% of the Shire is held in freehold title, leasehold (5%) and Aboriginal lease/trust (4%);
 - (b) Cooktown, Marton and Endeavour Valley – Situated 324km north of Cairns and with a population of 2093 persons. Opportunities exist for consolidation of the commercial centre of Cooktown while protecting the historic urban fabric of the town. There are also opportunities for industrial expansion in Cooktown, at Marton and at the Cooktown airport. There has been a significant investment in the education sector. A key issue is housing choice and affordability;
 - (c) Bloomfield Valley and Ayton – 60km south of Cooktown, near Wujal Wujal Aboriginal Shire and with a population of 125. Providing rural and township living in a rainforest setting, this area also provides opportunities for nature based and cultural tourism. Key issues include potential impact of flooding and coastal hazards;
 - (d) Rossville and Shiptons Flat– 41km south of Cooktown with a population of 288 persons. The area historically supported tin mining and pastoral industries. Key features include being part of the Bloomfield Track, the Lions Den Hotel and accommodation at Home Rule;
 - (e) Lakeland – 78km south-west of Cooktown, Lakeland is a small agricultural/farming community with bananas being the primary industry, as well as supporting melons, sorghum and cattle industries. Opportunities exist for value adding industries to primary produce. Key issues include supply of residential and worker accommodation, town water and sewerage and irrigation sources;
 - (f) Laura – 142km west of Cooktown, Laura is a service centre for travellers, with a major tourism asset in the Quinkan and Regional Cultural Centre. Traditional Owners are recognised by a series of Land Trusts for reserves in and around

¹⁰ Cook Shire Economic Profile; p2

- the township. Key issues include land tenure limiting options for growth, accommodation shortages and high infrastructure costs;
- (g) Coen – 390km north-west of Cooktown and 252km south-east of Weipa, Coen has a population of 322. It services the northern part of the region and is an important supply point for travellers. Key issues are housing and the need and opportunity for growth;
 - (h) Port Stewart – 54km east of Coen and consisting of two settlements – Moojeeba and Theethinji. It contains camping grounds, a ranger station and tourism services;
 - (i) Portland Roads – 39km north of Lockhart River Aboriginal Shire, Portland Roads has a population of around 30. A key issue is providing facilities for increasing numbers of tourists.
- (3) These issues are all, to some degree, influenced by development and the distribution of land uses, infrastructure and services across the Shire. The challenge for the future will be creating opportunities for development and investment to protect and enhance the lifestyle and resilience of these communities.

3.4.1 Strategic outcomes

- (1) The planned distribution of residential, industrial, rural, commercial, community, open space and conservation land in conjunction with the delivery of infrastructure and services provides certainty for investment and economic growth. Development in conflict with the intended land use and built form outcomes may be supported if there is an overwhelming need in the public interest. Further it is acknowledged there may be major industries, infrastructure and energy projects and resource enterprises of benefit to the community that are not known at the time of writing this planning scheme.
- (2) Lifestyle choice for urban living, rural living, remote rural and coastal living and Traditional Owners living on country is provided. Development respects the lifestyle and amenity of these communities and where possible improves resilience and self-sufficiency.
- (3) Natural resources, extractive resources and productive rural land are protected from incompatible land uses.
- (4) Development that makes efficient use of existing infrastructure and does not place unreasonable burden on Council resources or compromise development and investment from occurring in more suitable, planned locations is supported
- (5) Business innovation, enhanced government services and infrastructure, education and niche markets that enhance the local economy and protect amenity are supported.
- (6) Cook Shire is subject to extreme weather and natural hazards such as cyclones, flooding, coastal hazards, landslide and bushfire. New development does not increase risk to life or property or the exposure to hazards.
- (7) Development maintains and enhances opportunities for public access and use of public open space, waterways and the coastal foreshore.
- (8) Facilitate consolidation of coastal settlement by concentrating future development in existing urban areas through infill and redevelopment.

3.4.1.1 Specific outcomes

Specific outcomes for land use in Cook Shire include:

- (1) Increased residential density on serviced lots close to town centres, with minimal impact on amenity and character, will be supported.
- (2) **OM6 - Future Urban Expansion Overlay Maps** recognises areas where long-term expansion of the town may occur and the land is protected from subdivision or changes of use that may jeopardise the logical pattern of growth and efficient infrastructure delivery. Further subdivision of these lands must demonstrate community need for urban expansion.
- (3) Rural-based tourism will be supported at an appropriate scale that contributes to the viability of the primary rural use and without sterilising existing or future commercial operations in the region.

- (4) Freehold land surrounding Lakeland (outside the Local Plan Area) and west of Coen on Merapah, Holroyd River and Kendall River Stations is identified on **OM8 – Rural Land Use Overlay Map** and contains agricultural land as a commercial arable precinct. It is Council's intent to prevent land uses in this area that would alienate existing and potential commercial cropping values. Conversely it intends to encourage land uses integral to support commercial farming;
- (5) Opportunities exist to create rural lifestyle allotments down to 4ha in areas of the shire close to services and facilities and with appropriate access to such services and facilities. Such allotments provide for small-scale horticultural and tropical fruit enterprises as well as housing choice in a rural/natural setting.
- (6) Industrial uses are consolidated on land in the Industry Zone where amenity and environmental impacts can be managed. In limited circumstances, industrial activities may occur outside the Industry Zone but only where impacts on amenity, infrastructure and the environment can be managed, including:
 - (a) Industry directly associated with agriculture, animal husbandry or extractive resources which allow value-add activities close to the product source;
 - (b) Major industry and/or infrastructure which generates community benefit through employment, but cannot reasonably be accommodated in the Industry Zone due to specific land requirements and/or potential impacts;
 - (c) Industry within the smaller townships or settlements that services a local need and demonstrates a community benefit.
- (7) Establishing and expanding businesses in the Centre, Mixed Use and Township Zones is supported. Small-business and niche markets may be supported outside of these centres only where amenity impacts can be managed and the role of the centre is not undermined. The proliferation of commercial and industrial uses in residential areas is discouraged.
- (8) Development in all Zones must ensure drainage, waste disposal, tidiness, weed and pest control, are managed to create healthy living environments and sustainability for future generations.
- (9) Development inconsistent with the planned location, intensity or type of land use must demonstrate there is a community need for such development, no adverse amenity or environmental impact and adequate access to infrastructure or orderly extension of that infrastructure, including community infrastructure.
- (10) The Eastern Kuku Yalanji Local Plan precincts at Trevethan, Little Annan, Shiptons Flat and Mungumby contain 'Good Living Areas' where Traditional Owners will construct dwellings and associated buildings in line with the particular precinct intent. These areas were identified by Traditional Owners in negotiation with the State government and Wet Tropics Management Authority having regard to ecological values, topography, aspect, accessibility, and traditional lore. The planning scheme may be amended to incorporate new Local Plans or reflect new precincts and/or changes to precincts that have been negotiated under an ILUA.
- (11) Townships maintain a compact form to avoid areas identified as having potential hazards, including:
 - (a) **OM5 - Flood and Other Coastal Hazards Overlay Map** showing potential flooding across the Shire, Medium and High Hazard flooding in the townships of Cooktown, Ayton, Marton, Coen and Laura and coastal erosion and tidal inundations;
 - (b) **OM2 - Bushfire Hazard Overlay Maps** show potential bushfire hazard areas in the townships of Cooktown, Ayton, Marton, Laura, Lakeland, Rossville and Portland Roads;
 - (c) **OM14 - Landslide Hazard Overlay Map** shows the potential landslide hazard in Cooktown;
- (12) Development proposed in areas of potential natural hazard must identify and protect existing physical, geotechnical and environmental features, drainage lines, topography, vegetation types and coastal values.
- (13) Non-resident workforce accommodation is located to avoid areas of natural hazard and is designed to provide residents with a high standard of safety and amenity. Where proposed in environmentally sensitive areas or on agricultural land, the non-resident

workforce accommodation is located and designed to minimise impacts and ensure the land can be rehabilitated at the end of the life of the use.

Specific outcomes for townships and regions of Cook Shire include:

- (14) Specific outcomes for Cooktown are as follows:
 - (a) The historic built form of Charlotte Street is retained and new building work reflects the scale, height and architectural quality of this historic streetscape
 - (b) The town's scenic backdrop of hills and mountains is retained and respected by new development in and around these areas;
 - (c) Public access to the town's waterfront is maintained and enhanced with quality recreational open space, wharf facilities and tourist related business in accordance with Council's 'Cooktown Foreshore Redevelopment Plan';
 - (d) The Cooktown Foreshore Precincts identified as 'CF1' and 'MU1' on the Cooktown Zoning Map 13 (along with the adjoining Recreation and Open Space Zones) will improve public access to the waterfront with recreational space, mixed use development and tourism-related business.
 - (e) Development around Cooktown Airport does not compromise airport operations or residential amenity.
- (15) Specific outcomes for Coen are as follows:
 - (a) Development for tourism and government services are supported;
 - (b) Development is to reflect the existing low density built form and open character;
 - (c) Urban development is consolidated within the township until land tenure issues are resolved;
 - (d) Development occurs on land with flood immunity and is not constrained by past mining activities.
- (16) Specific outcomes for Laura are as follows:
 - (a) Development reinforces Laura as a significant service centre for travellers and as a gateway to Lakefield National Park
 - (b) Development captures opportunities afforded by tourism by providing improved accommodation, signage and infrastructure development including sealing roads and campgrounds.
- (17) Specific Outcomes for Lakeland include:
 - (a) Development which value adds to primary production captures opportunities afforded by high-quality road access and proximity to Cooktown.
 - (b) Development reinforces Lakeland's role as an agribusiness centre in close proximity to major agricultural production, including agricultural land
- (18) Specific outcomes for Helenvale, Rossville, Ayton and Portland Roads are as follows:
 - (a) Development provides a range of basic services and facilities for residents, tourists and the surrounding rural area;
 - (b) Commercial uses occur in Rossville where the scale and intensity is compatible with the 'village in the rainforest' character of the locality;
 - (c) Residential amenity is protected and built form is low and consistent with local character;
 - (d) Portland Roads provides limited visitor accommodation and basic services to fishing trawlers and recreational vessels;
 - (e) Development in Ayton and Rossville accommodates limited population growth and provides opportunities for nature and recreational tourism based on the Wet Tropics World Heritage Area, the Bloomfield River, waterfalls and beach areas;
 - (f) In the townships of Rossville, Portland Roads and Ayton the natural environment is protected and where possible, opportunities are created for increased services. Important infrastructure and lifestyle valued by residents and appreciated by travellers is protected.

3.5 Environmental wellbeing

Policy context

- (1) The Community Plan 2011-2021 identifies the environment as fundamental to community wellbeing and vitality and as a major factor contributing to people deciding

to live in the Shire. At the same time, the Community Plan identifies land tenure and environmental legislation as key challenges for the future of Cook Shire. Land tenure has the potential to create uncertainty for future urban development; while environmental legislation preserves existing uses but makes it difficult to expand business such as cattle or horticulture. Tenure issues are highlighted in the Community Plan which identifies that 90% of the Shire is unavailable as it is held in National Parks (14%); Nature reserves (23%); mining, State lands and reserves (53%)¹¹.

- (2) The goal is therefore to ensure economic, residential, recreational and cultural activities are balanced and development supports healthy living¹². To achieve this, the key policy issues are the protection of natural resources from incompatible uses; ensuring development provides sustainable living environments through management of drainage, waste and pests; and improving community pride and self-sufficiency.

3.5.1 Strategic outcomes

- (1) Development avoids significant adverse environmental impacts or mitigates significant impacts where they cannot be avoided.
- (2) Areas of environmental significance are protected and enhanced. Where development occurs within or adjacent to these areas, it is designed, located and constructed to minimise disturbance to the natural landform, ecology and wildlife habitats.
- (3) Natural drainage, coastal environments, coastal resources, coastal processes, groundwater levels and landscape features are protected or enhanced.
- (4) Development ensures storm water quality and flow is managed and risk of erosion is mitigated to protect the ecological properties of waterways and the functioning of the aquatic ecosystem. Wastewater and solid waste disposal activities and facilities are not located in areas of highly permeable soils or a high groundwater table and take into account topography.
- (5) Energy resources, extractive resources, land, air and water resources, are managed to allow communities and industries to meet current needs, without compromising the ability for future generations to meet their needs. Development to extract non-renewable resources provides sustainable long-term economic, social and environmental benefits for the Shire.
- (6) Air quality is protected and development minimises the effects of adverse acoustic emissions on the health and wellbeing of the community and the natural environment.
- (7) Cook Shire's coastal areas are subject to potential hazards from coastal erosion and tidal inundation. Development is designed, located, constructed and operated to avoid the impacts of coastal hazards, while coastal resources and biodiversity are protected, managed and rehabilitated.

3.5.1.1 Specific outcomes

- (1) Development protects and enhances areas of regional, State, national and world environmental significance including:
 - (a) Declared Fish Habitat Areas at Annan River, Princess Charlotte Bay, Temple Bay, Margaret Bay, Silver Plains, Starcke River (Ngulun), Escape River and Pine River Bay;
 - (b) The Wet Tropics and Great Barrier Reef World Heritage Areas;
 - (c) Major river catchments for the Wenlock, Annan, Stewart and Lockhart basins; and
 - (d) National Parks, State forests and reserves including but not limited to Jardine River, Lakefield, Melville, Endeavour River and Munkan Kanju National Parks.
- (2) Development protects and enhances other areas of environmental significance including:
 - (a) Coastal habitats, wetlands, waterways and coastal vegetation;
 - (b) Prominent ridgelines and foothills, such as Grassy Hill;
 - (c) Areas of known rare and threatened species; and
 - (d) Ecological linkages and buffers for continuity of habitat.

¹¹ Cook Shire Community Plan 2011-2021; p5

¹² Cook Shire Community Plan 2011-2021; p8

- (3) Development within protected areas will be limited to:
 - (a) Small-scale maintenance buildings, depots and visitor facilities;
 - (b) Essential infrastructure; and
 - (c) Outcomes in accordance with an Indigenous Land Use Agreement, as reflected in the *Eastern Kuku Yalanji Local Plan*.
- (4) Development is designed to ensure water quality is protected and enhanced by:
 - (a) Minimising disturbance to riparian habitats in and adjoining waterways and wetlands;
 - (b) Minimising the discharge of contaminants and silt;
 - (c) Specific management techniques must be incorporated into development to avoid the harmful consequences of disturbing or generating acid sulphate soils;
 - (d) Responding to local climate and landscape characteristics;
 - (e) Protecting natural drainage lines and overland flow paths and mitigating potential erosion risk; and
 - (f) Avoiding ground water contamination.
- (5) Water resources such as the Annan River and Duck Farm sub-artesian area (shown on **OM11 – Water Resources Overlay**) are protected.
- (6) Development manages the interface between industrial and sensitive uses by protecting the health, wellbeing, amenity and safety of individuals and the community.
- (7) Urban development in the coastal townships of Cooktown, Ayton and Marton is consolidated within existing urban zoned land, to minimise the extent of development into the coastal zone and avoid exposure to coastal hazards.
- (8) Development avoids erosion prone areas, storm tide inundation areas, and undeveloped sections of tidal waterways. Where development cannot avoid erosion prone areas, significant adverse environmental impacts are mitigated. Coastal dependant development will be supported in preference to other types of development.
- (9) Development maintains and enhances opportunities for public access and use of public open space, waterways and the coastal foreshore.

3.6 Infrastructure and servicing

Policy context

- (1) While Cook Shire has an abundance of natural resources, scenic amenity and lifestyle options, its vast size and low population base creates challenges for the efficient provision of infrastructure and services.
- (2) The importance of infrastructure is highlighted in the Community Plan, Council's Economic Development Plan and strategies within this framework for tourism, extractive resources and rural land use. The key issues are maintaining safe roads, delivering communication infrastructure, health and education services.
- (3) In response, this Planning Scheme provides a plan to accommodate population growth, enhanced lifestyle and expanded business opportunities through protection of resources that are critical to maintaining infrastructure and the logical distribution of land uses.

3.6.1 Strategic outcome

- (1) Cook Shire's infrastructure and services are delivered, managed and augmented in an orderly manner that supports the planned land use pattern. Development matches infrastructure demand with capacity so that community needs are met and the surrounding environment is protected.
- (2) Cook Shire provides sustainable and reliable water supplies for residents, business and industry.
- (3) Development must provide adequate drainage and waste management services to ensure safety, healthy waterways, pest control and community pride.
- (4) Development ensures that road, air, marine and port infrastructure is protected and enhanced to facilitate connection, mobility, a diversified economy and improved amenity for all. Major roads maintain appropriate levels of connection between settlements and their operational safety is maintained. Local streets are legible, safe

and promote healthy communities for pedestrians and cyclists. Car parking meets the needs of uses and patrons without detracting from local character.

- (5) Cook Shire maintains sustainable and reliable energy and communication infrastructure for residents, businesses and industry. Efficient communication technology ensures Cook Shire is connected to outside markets, information and services. Critical energy and communication infrastructure is buffered from incompatible development.
- (6) Renewable energy projects, including solar and wind projects at Lakeland, represent an opportunity to create sustainable and resilient infrastructure for the benefit of the Cape. Such projects should be directed away from Good Quality Agricultural Land.

3.6.1.1 Specific outcomes

- (1) The Local Government Infrastructure Plan (LGIP) identifies the location, size and timing of trunk infrastructure delivery within the Priority Infrastructure Area (PIA). Development within the PIA will be required to contribute to the delivery of trunk infrastructure or construct non-trunk infrastructure to connect into the network.
- (2) Development outside of the Cooktown PIA will:
 - (a) Ensure infrastructure design and delivery in accordance with the Development Manual Planning Scheme Policy;
 - (b) Reach an agreement with Council to provide infrastructure; and
 - (c) Contribute to additional costs where required.
- (3) Development facilitates the provision, uptake and application of high-speed broadband options in Cooktown to build the capacity of businesses and increase commercial activity and liveability.
- (4) Development supports the progression of key infrastructure such as the Cooktown waterfront masterplan and the Lakeland water/sewerage delivery, to increase liveability and facilitate urban expansion.
- (5) Cook Shire's key community infrastructure is protected and enhanced, including the Cooktown Events Centre (which is also a cyclone shelter for Cooktown), education facilities, aged housing, emergency services and community facilities (public library, swimming pool and sporting ground).
- (6) Opportunities to develop energy and allied industries are supported where:
 - (a) It provides a secure green energy future such as wind, solar or hydro power;
 - (b) Long-term economic growth and employment;
 - (c) Significant natural and cultural areas are avoided; and
 - (d) Impacts on sensitive uses can be managed.
- (7) Existing and planned energy infrastructure (such as high voltage power lines, gas and oil pipelines) is protected from incompatible development.
- (8) Telecommunications are available in all townships for business, education, social connection, tourism and emergencies. Where available, development provides or augments fibre optic cable/broadband infrastructure.
- (9) Road and transport infrastructure that provides intra-regional access and support to economic development is protected and enhanced, as follows:
 - (a) Shiptons Flat Road, Endeavour Valley Road, the Peninsula Development Road and the Mulligan Highway are State controlled roads (see **Strategic Map 1**). These roads are protected from development that is sensitive to traffic noise, is visually obtrusive, or would impede traffic, stock and freight movements or future upgrades.
 - (b) Other key roads (see **Strategic Map 1**) provide important, and sometimes the only, road access to remote settlements on Cape York. These roads are preserved and maintained at the appropriate standard for this purpose and development considers potential impacts on their operation.
 - (c) Cooktown Airport is the principal aviation infrastructure for the Shire and provides for remote access and regional development needs. It is protected from incompatible forms of development, including noise sensitive urban activities and uses that would create aviation hazards.
 - (d) Strategic airports including the RAAF Base Scherger, Weipa airport and Northern Peninsula airport are protected from incompatible intrusions that would

- compromise aircraft safety in operational airspace. State and local road corridors are also protected.
- (e) Small regional airports such as Coen, Laura, Lockhart River and Ayton are protected from development that would threaten operations.
 - (f) The urban expansion area identified in the Lakeland Local Plan is sequenced in a way that provides for the orderly and efficient provision and integration of land use and infrastructure.
 - (g) Gravel pits critical to road infrastructure, including those identified on **Strategic Map 1** remain accessible so that roads can be maintained for public safety and supporting the economy.
 - (h) The Cooktown Foreshore Commercial Precinct will meet the economic, environmental and social demand for recreational boating, commercial facilities and trading vessel facilities.
 - (i) Compatible land uses, such as industry, commercial, retail and other employment activities are located near major transport corridors, subject to mitigation of noise and visual impacts, and in a manner that does not adversely affect the safety and efficiency of the road network.
 - (j) Development surrounding the strategic port in Weipa (identified on **Strategic Map 1**) is compatible with, depends upon and gains economic advantage from proximity to the port; and equally supports the port's role as a freight and logistics hub.
 - (k) Cooktown's locally significant port is protected and enhanced as a communal focal point and place of economic development. It is protected as a safe and efficient port for recreational and commercial vessels.
 - (l) The role of ports and associated infrastructure at Portland Roads, Archer Point and Skardon River are protected and enhanced by infrastructure improvements and development.
- (10) Development integrates land uses and enables complementary businesses and industries to co-locate. This will assist in reducing vehicle trips, prioritise a safe and comfortable walking and cycling environment and increase resilience to potential impacts of oil vulnerability.
 - (11) Waste, storm water and waste water infrastructure is designed and located to protect the environment and amenity, as follows:
 - (a) Landfills and resource recovery facilities are located outside of flood prone areas and areas of high ecological significance. Cooktown landfill is protected from encroachment of sensitive uses.
 - (b) Commercial, industrial and multi-unit dwellings provide accessible bin areas, including areas for recycling.
 - (c) In rural and remote areas, local waste management and recovery is encouraged for domestic and small- scale operations. Larger development requiring transportation of waste are located close to transport infrastructure.
 - (d) Best practice stormwater and wastewater management protects the environmental values of receiving water and avoids contaminants entering waterways.
 - (12) Development protects and enhances the role of parks and community facilities in providing important recreation opportunities, drainage, scenic amenity, bushland protection and buffering.
 - (13) Council supports future water supply infrastructure that facilitates growth in agriculture and the urban population at Lakeland.

3.7 Strong communities

Policy context

- (1) The Community Plan identifies community needs and articulates the long-term community vision, aspirations and priorities. Three themes in the Community Plan particularly highlight the importance of community in Cook Shire. These include:
 - (a) *Active, Creative and Connected* – sports and play, cultural vitality and clubs and organisations

- (b) *Safe, Healthy and Inclusive* – feeling safe at home and during emergencies, health and allied services, and services and facilities affecting equity
- (c) *Identity and integrity* – recognising that the lifestyle and character of the people is strongly connected to the history and sense of place
- (2) These themes cut across a range of issues related to land use, development and infrastructure. The Community Plan indicates that the Cook Shire community overwhelmingly wants development to be in keeping with existing values and current lifestyle and spirit; and that their local histories are recognised and respected.¹³
- (3) Areas of indigenous cultural heritage and important landscapes are not specifically identified in the planning scheme due to cultural sensitivity.

3.7.1 Strategic outcomes

- (1) The lifestyle opportunities, amenity and safety available in unique and diverse communities of Cook Shire is protected and enhanced.
- (2) Cook Shire's pre- and post-contact history is recorded, protected and promoted as appropriate.
- (3) Cook Shire is inclusive for people of all ages, cultures and abilities. Development provides housing choice and protects and enhances community infrastructure and services.
- (4) Development providing economic growth and employment opportunities, balanced with access to commercial, cultural, recreational, educational and community services is supported.
- (5) The visual character which defines townships, streetscapes, built form and hillsides is protected and reinforced.

3.7.1.1 Specific outcomes

- (1) Developers are required to discharge their duty of care under the *Aboriginal Cultural Heritage Act 2003*, particularly where development is proposed which would involve surface disturbance beyond that which has already occurred.
- (2) Development protects and preserves heritage and visual amenity through sensitive design and integration with existing buildings, landscapes, hill slopes, streetscape and infrastructure on-site and in the surrounding area.
- (3) Places of local heritage significance have been identified, registered and protected via the Character Overlay Code in Part 8 of this Planning Scheme. The re-use of places of local heritage significance is supported where the heritage significance and amenity is maintained. Development adjoining places of local heritage significance maintain and enhance the heritage values of the nominated.
- (4) Within townships, commercial development is designed to directly front the street and street awnings are maintained and extended where possible.
 - (a) Cooktown – The historic built form of the main commercial area is retained and new building work reflects the scale, height and architectural quality of this historic streetscape. The town's scenic backdrop of hills and mountains retains its natural appearance and new development in such areas is not visually obtrusive.
 - (b) All other townships – There is a general mix of land use typical of smaller townships, with non-residential uses being limited in scale and designed so as not to compromise residential amenity. New buildings and land uses reflect the low density, spacious character and design of the existing township.
- (5) Development protects and enhances the healthy and active lifestyle of residents by integrating open space and recreation areas and providing opportunities for linkages between areas.
- (6) Development which increases the opportunity for people from all backgrounds, age, economic status, lifestyle and physical ability to live in close proximity to services, facilities and employment will be supported.
- (7) Development creates safe, integrated and well serviced communities. Infill development maximises opportunities for people to live and work close to existing or

¹³ *Community Plan 2011-2021*; p12

planned community services and open space facilities and community facilities create focal points for community activity.

- (8) Community safety and crime prevention are incorporated into development through casual surveillance opportunities, land use mix and activity generation, a clear definition of public and private spaces, exterior building design and lighting.
- (9) Non-resident workforce accommodation associated with existing or approved mining, agriculture, industry or infrastructure projects is located within existing townships where the accommodation can be integrated without adversely impacting on nearby sensitive land uses. Where it is more efficient to locate the accommodation outside of existing townships it is to be self-sufficient in terms of infrastructure servicing.

Part 4 Local government infrastructure plan

4.1 Preliminary

- (1) This local government infrastructure plan has been prepared in accordance with the requirements of the Planning Act 2016.
- (2) The purpose of the local government infrastructure plan is to:
 - integrate infrastructure planning with the land use planning identified in the planning scheme
 - provide transparency regarding a local government's intentions for the provision of trunk infrastructure
 - enable a local government to estimate the cost of infrastructure provision to assist its long term financial planning
 - ensure that trunk infrastructure is planned and provided in an efficient and orderly manner.
 - provide a basis for the imposition of conditions about infrastructure on development approvals.
- (3) The local government infrastructure plan:
 - (a) states in Section 4.2 (planning assumptions) the assumptions about future growth and urban development including the assumptions of demand for each trunk infrastructure network
 - (b) identifies in Section 4.3 (priority infrastructure area) the prioritised area to accommodate urban growth up to 2031.
 - (c) states in Section 4.4 (desired standards of service) for each trunk infrastructure network the desired standard of performance
 - (d) identifies in Section 4.5 (plans for trunk infrastructure) the existing and future trunk infrastructure for the following networks:
 - (i) water supply
 - (ii) sewerage
 - (iii) transport
 - (iv) parks and land for community facilities
 - (e) provides a list of supporting documents that assist in the interpretation of the local government infrastructure plan in the Editor's note – Extrinsic material at the end of Section 4

4.2 Planning assumptions

- (1) The planning assumptions state the assumptions about:

- (a) population and employment growth
 - (b) the type, scale, location and timing of development including the demand for each trunk infrastructure network
- (2) The planning assumptions together with the desired standards of service form a basis for the planning of the trunk infrastructure networks and the determination of the priority infrastructure area.
- (3) The planning assumptions have been prepared for:
- (a) the base date 2016 and the following projection years to accord with future Australian Bureau of Statistics census years:
 - (i) mid 2021
 - (ii) mid 2026
 - (iii) mid 2031; and
 - (iv) Ultimate development
 - (b) the LGIP development types in column 2 that include the uses in column 3 of Table 4.2.1.
 - (c) the projection areas identified on Local Government Infrastructure Plan Map PIA 01:04 in Schedule 3—Local government infrastructure plan mapping and tables.

Table 4.2.1—Relationship between LGIP development categories, LGIP development types and uses

Column 1 LGIP development category	Column 2 LGIP development type	Column 3 Uses
Residential development	Detached dwelling	Caretaker's accommodation Dwelling house
	Attached dwelling	Dual occupancy Dwelling unit Multiple dwelling Retirement facility Short-term accommodation
	Other dwelling	Community residence Home based business Non-resident workforce accommodation Outstation Relocatable home park Residential care facility Rooming accommodation Tourist Park
Non-residential development	Retail	Adult store Agricultural supplies store Bulk landscape supplies Food and drink outlet

Column 1 LGIP development category	Column 2 LGIP development type	Column 3 Uses
		Garden centre Hardware and trade supplies Outdoor sales Service station Shop Showroom Wholesale nursery
	Commercial	Bar Club Function facility Hotel Indoor sport and recreation Nature-based tourism Nightclub entertainment facility Office Resort complex Theatre Veterinary services
	Industry	Extractive Industry High impact industry Low impact industry Medium impact industry Service industry Transport depot Warehouse
	Community Purposes	Cemetery Child care centre Community care centre Crematorium Community use Educational establishment Emergency services Funeral parlour Health care services Hospital Outdoor sport and recreation Park Place of Worship
	Rural and Other Uses	Air services Animal Husbandry Animal keeping Aquaculture Cropping Environment facility Intensive animal industry Intensive horticulture

Column 1 LGIP development category	Column 2 LGIP development type	Column 3 Uses
		Major electricity infrastructure Permanent plantation Renewable energy facility Roadside stall Rural industry Substation Telecommunications facility Utility installation

- (4) Details of the methodology used to prepare the planning assumptions are stated in the extrinsic material.

4.2.1 Population and employment growth

- (1) A summary of the assumptions about population and employment growth for the planning scheme area is stated in Table 4.2.1.1—Population and employment assumptions summary.

Table 4.2.1.1—Population and employment assumptions summary

Column 1 Description	Column 2 Assumptions				
	Base date 2016	2021	2026	2031	Ultimate development
Population	6,307	6,779	7,288	7,834	8,422
Employment	2,295	2,412	2,539	2,675	2,821

- (2) Detailed assumptions about growth for each projection area and LGIP development type category are identified in the following tables in Schedule 3 Local government infrastructure plan mapping and tables:
- (a) for population, Table SC3.1.1 – Existing and projected population
- (b) for employment, Table SC3.1.2 – Existing and projected employees

4.2.2 Development

- (1) The developable area is identified on Local Government Infrastructure Plan Map PIA 01:04 in Schedule 3—Local government infrastructure plan mapping and tables.
- (2) The planned density for future development is stated in Table SC3.1.3 in Schedule 3—Local government infrastructure plan mapping and tables.
- (3) A summary of the assumptions about future residential and non-residential development for the planning scheme area is stated in Table 4.2.2.1—Residential dwellings and non-residential floor space assumptions summary.

Table 4.2.2.1—Residential dwellings and non-residential floor space assumptions summary

Column 1 Description	Column 2 Assumptions
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Column 1 Description	Column 2 Assumptions				
	Base date 2016	2021	2026	2031	Ultimate development
Residential dwellings	2,949	3,202	3,469	3,753	4,035
Non-residential floor space (m2 GFA)	99,763	105,167	110,977	117,206	123,922

- (4) Detailed assumptions about future development for each projection area and LGIP development type are identified in the following tables in Schedule 3 Local government infrastructure plan mapping and tables:
- (a) for residential development ,Table SC3.1.4 – Existing and projected residential dwellings; and,
 - (b) for non-residential development, Table SC3.1.5 – Existing and projected non-residential floor space

4.2.3 Infrastructure demand

- (1) The demand generation rate for a trunk infrastructure network is stated in Column 4 of Table SC3.1.3 in Schedule 3 Local government infrastructure plan mapping and tables.
- (2) A summary of the projected infrastructure demand for each service catchment is stated in:
 - (a) for the water supply network, Table SC3.1.6
 - (b) for the sewerage network, Table SC3.1.7
 - (c) for the transport network, Table SC3.1.8
 - (d) for the parks and land for community facilities network, Table SC3.1.9

4.3 Priority infrastructure area

- (1) The priority infrastructure area identifies the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2031.
- (2) The priority infrastructure area is identified on Local Government Infrastructure Plan Map LGIP—PIA 01:04.

4.4 Desired standards of service

- (1) This section states the key standards of performance for a trunk infrastructure network.
- (2) Details of the standard of service for a trunk infrastructure networks are identified in the extrinsic material.

4.4.1 Water supply network

Table 4.4.1.1 – Desired Standards of Service – Water Supply

Desired Goal	Planning Standard	Design and Construction Standard	Community Outcome
Reliable Water Supply Network	<ul style="list-style-type: none"> Department of Energy and water Supply “Planning Guidelines for Water Supply and Sewerage - Chapter 1-11: March 2014 (as amended); Plan the network so that water supply infrastructure that provides service to each premise in the defined service catchment. Network planning should ensure pressures are maintained through a series of network links providing redundancy in the network; Network modelling and planning reflects the land use needs; Ensure the pipe network is sized appropriate to provide pressures at the desired levels as set out in the Customer Service obligations; Provide adequate storage in the system to accommodate reasonable outages of electricity supply needed for treatment and pumping. Undertake risk management planning and development of appropriate strategies and action plans to deal with adverse events. Network meets the Levels of Service within the Cook Shire Council Total Management Plan 	<p>The design of the network and its construction is managed under the following Guidelines, Policies, Codes and Standards.</p> <ul style="list-style-type: none"> Plans for Trunk Infrastructure – Water Supply; FNQROC Development Manual Design Guidelines - D6 Water Reticulation WSA 03-2011 Water Supply Code of Australia; IPEWA – Standard Drawings; AUS-SPEC specifications. Water Act 2000 Water Supply (Safety and Reliability) Act 2008 Cook Shire System Leakage Management Plan Cook Shire Drought Management Plan Cook Shire Council Total Management Plan for Water Supply and Sewage Services 	<ul style="list-style-type: none"> Ensures that all premises within the service catchment are provided with a water supply service that meets the Customer Service Obligations of Council.

Desired Goal	Planning Standard	Design and Construction Standard	Community Outcome
Optimise Whole of Lifecycle Cost	<ul style="list-style-type: none"> • Department of Energy and water Supply "Planning Guidelines for Water Supply and Sewerage – Chapter 7-9: March 2014 (as amended); • Delivery of the water supply network planning must be carried out as efficiently as can be reasonably achieved balancing the costs of both construction and operation; • In seeking to minimise capital costs consider: <ul style="list-style-type: none"> ○ Optimising network solutions in respect of location, alignment, sizing, and staging; ○ Infrastructure constructed provides durability and performance; ○ Infrastructure is fit for purpose (not over or undersized and allows for growth capacity); ○ Use standard fittings and components wherever possible to ensure value for money; • In seeking to minimise operational costs consider assets with least impact on: <ul style="list-style-type: none"> ○ operating costs – e.g electricity, consumables, staffing ○ maintenance – labour, parts, consumables cleaning/replacement ○ asset life/durability – frequency of replacement/renewal of components or entire asset. • Ensure alternative network outcomes are investigated for trunk assets incorporating the demands of both the existing and location, timing and intensity of the future urban environment; 		<p>Through the appropriate planning, design and construction the following benefits are achieved:</p> <ul style="list-style-type: none"> • Extend asset life • Defer system augmentation • Improve environmental flows • Reduced greenhouse gas emissions • Reduce extraction of water from source • Defer requirement for new water source • Reduced cost of energy • Cost effective service for community • Reduced cost of energy and chemicals • Improve water quality. • Reduced environmental effects from chemical production • Reduced maintenance costs • Reduced overall operation costs • Reduced replacement costs

Desired Goal	Planning Standard	Design and Construction Standard	Community Outcome
	<ul style="list-style-type: none"> Investigate staged delivery of infrastructure in line with growth in demands to minimise where possible the overall cash flow position; Implement a comprehensive asset management system to ensure the system is reliable and robust minimising the uncontrolled loss of water (e.g water meter inaccuracies, unauthorised consumption, main breaks, valve failure etc.) from the system. 		
Minimise Risk from Fire	<ul style="list-style-type: none"> Department of Energy and Water Supply "Planning Guidelines for Water Supply and Sewerage - March 2014 – Chapter 6 Network Modelling and Applications (as amended); The network is planned to provide adequate firefighting capacity both in terms of pressure and flow rate; Planning and design provides Hydrants located conveniently to all premises to permit ready access to water. 		<ul style="list-style-type: none"> The water supply system provides, where possible, a network of firefighting capacity to reduce the risk of fire to person and property; Reduces the overall cost of fire incidents to the community; Provides the necessary support to the fire services in fighting fire safely and effectively.
Maintain Public Health and Sustainable Environmental Quality	<ul style="list-style-type: none"> Plan the network so that a supply of potable drinking water is provided to each premise within the urban area and to any area of concentrated residential settlement including park and rural residential. The planning ensure a network can deliver drinking water complies with the NHMRC Australian Drinking Water Guidelines for colour, turbidity and microbiology. >95% water test compliance; Comply with Integrated Environmental Management Strategy and associated Environmental Management Plans. 		<ul style="list-style-type: none"> Provides uniform quality of water monitored in relation to recognised standards. Provide a safe and reliable water supply. Safeguards community health. Provides for system operation and monitoring in accordance with recognised standards. Ensures environmental controls maintained. Ensures potable water is provided in a manner consistent with environmental standards.

4.4.2 Sewerage network

Table 4.4.2.1 – Desired Standards of Service – Wastewater

Desired Goal	Planning Standard	Design Standard	Community Outcome
Provide a Reliable Sewerage Network	<ul style="list-style-type: none"> Department of Energy and water Supply “Planning Guidelines for Water Supply and Sewerage - Chapter 1-11 - March 2014 (as amended); Plan the network so that sewerage infrastructure provides service to each premise in the defined service catchment. Network planning should ensure that the likelihood of adverse events (blockages, overflow, odour infiltration etc) are minimised or eliminated; Network modelling and planning reflects the land use needs; Ensure the pipe network is sized appropriate to provide appropriate capacity desired levels as set out in the Customer Service obligations; Provide adequate storage in the system to accommodate reasonable outages of electricity supply needed for pumping. Undertake risk management planning and development of appropriate strategies and action plans to deal with adverse events. 	<p>The design of the network and its construction is managed under the following Guidelines, Policies, Codes and Standards.</p> <ul style="list-style-type: none"> FNQROC Development Manual Design Guidelines - D7 Sewerage System. WSA 02-2002 Sewerage Code of Australia WSA 02-2014 Gravity Sewerage Code of Australia WSA 04-2005 Sewage Pumping Station Code Of Australia WSA 07-2007 Pressure Sewerage Code of Australia ; and Environmental Protection Act (EPA) including EPP requirements, policy and guidelines; and Plan for Trunk Infrastructure – Wastewater; and Water Supply (Safety and Reliability) Act 2008 Cook Shire Council Total Management Plan for Water Supply and Sewage Services 	<ul style="list-style-type: none"> Reduced impact from blockages, overflows and spills; Amenity is maintained; Reduced impact on residents Minimises release of nitrogen and phosphorous to the environment Improved community health Rapid response to breakages Reduction in use of potable water supply and treatment Reduction of raw water extraction from source Reduced overflows to local waterways and marine waters.

Desired Goal	Planning Standard	Design Standard	Community Outcome
Optimise Whole of Lifecycle Cost	<ul style="list-style-type: none"> • Department of Energy and water Supply "Planning Guidelines for Water Supply and Sewerage – Chapter 7-9 March 2014 (as amended); • Delivery of the sewerage network planning must be carried out as efficiently as can be reasonably achieved balancing the costs of both construction and operation; • Wherever possible reduce or eliminated active assets (e.g pump stations) in lieu of gravity systems of collection; • In seeking to minimise capital costs consider: <ul style="list-style-type: none"> ○ Optimising network solutions in respect of location, alignment, sizing, and staging; ○ Infrastructure constructed provides durability and performance; ○ Infrastructure is fit for purpose (not over or undersized and allows for growth capacity); ○ Use standard fittings and components wherever possible to ensure value for money. • In seeking to minimise operational costs consider assets with least impact on: <ul style="list-style-type: none"> ○ operating costs – e.g electricity, consumables, staffing ○ maintenance – labour, parts, consumables cleaning/replacement ○ asset life/durability – frequency of replacement/renewal of components or entire asset. • Ensure alternative network outcomes are investigated for trunk assets incorporating the demands of both the existing and 		<ul style="list-style-type: none"> • Reduced cost of energy • Cost effective service for community • Greenhouse gas reduction • Reduced maintenance costs • Reduced overall operation costs • Reduced replacement costs • Reduced environmental effects from chemical production. • Beneficial use of reclaimed water and biosolids • Opportunity for cost recovery for reclaimed water treatment • Reduced cost of energy for effluent transport, treatment and disposal • Maximise life of system

Desired Goal	Planning Standard	Design Standard	Community Outcome
	<p>location, timing and intensity of the future urban environment;</p> <ul style="list-style-type: none"> Investigate staged delivery of infrastructure in line with growth in demands to minimise where possible the overall cash flow position; Reuse effluent where possible to use the resource which is created through its appropriate treatment; Implement a comprehensive asset management system to ensure the system is reliable and robust minimising the breakdown of active assets (e.g pump station failures) and adverse environmental incidents (overflow, odour etc) Ensure infiltration and inflow in the sewerage collection and transportation system remains within industry acceptable limits (compliance with Environmental licences, IEMS and associated EMPs). 		
Maintain Public Health and Sustainable Environmental Quality	<ul style="list-style-type: none"> Plan the network so that sewerage is provided to each premise within the urban area to ensure sewage is collected and treated offsite; Comply with associated Environmental Management Plans. 		<ul style="list-style-type: none"> Minimise work, health and safety risks Noise control Reduction in release of nitrogen and phosphorous to the environment No adverse visual effect Control of overflows from system Improves community health Ensure odour control Minimise environmental effects Reduction in contaminated discharges

4.4.3 Stormwater network

Table 4.4.3.1 – Desired Standards of Service – Stormwater

Desired Goal	Planning Standard	Design Standard	Community Outcome
Stormwater is managed to ensure urban land is flood free.	<ul style="list-style-type: none"> Provide system of shared stormwater infrastructure allowing free and safe drainage of urban. Ensure development occurs on land that is flood free or on land that can be appropriately filled to provide land Any filling work must not adversely affect neighbouring land through increased flooded depth or velocities. 	Design stormwater infrastructure to comply with; <ul style="list-style-type: none"> National Water Quality Management Strategy (NWQMS) Far North Queensland Regional Organisation of Councils (FNQROC) Development Manual – Design Guidelines; Queensland Urban Drainage Manual, Australian Rainfall and Runoff; and Dept. Environmental and Heritage Protection requirements and guidelines; and Plans for Trunk Infrastructure – Stormwater. 	<ul style="list-style-type: none"> Minimises inundation of habitable areas. Minimises the damage and risk associated with flooding. Minimises the impact of development on the ecological health and water quality within waterway corridor. Minimises impact on the community of mosquitoes and biting midges.
Stormwater Quantity is managed to ensure not adverse impacts on neighbouring properties.	<ul style="list-style-type: none"> Implement regional and on-site detention facilities to minimise the impact of peak run-off for the full range of events (100% AEP to Council's Defined Flood Level (DFL)) from developments, taking into account safety and risk. Design detention basins to maintain pre-development peak flow levels from the development site for all flood events (100% AEP to Council's Defined Flood Level (DFL)). Design attenuation measures in the same catchment to ensure that the coincident peak discharge at downstream control points is not increased. 		<ul style="list-style-type: none"> Free and safe drainage of urban land. Provision of infrastructure that is fit for purpose and has a viable whole of life cycle cost to the community. Meets the performance requirements of the infrastructure to ensure water quantity and quality is appropriately managed. Negative impacts on adjoining and downstream properties are minimised. Reduces the cumulative impact from existing and future developments on peak flow levels. Reduces the need to increase the size of waterway corridors and underground drainage. Increases active and passive recreation opportunities.
Stormwater discharge from urban environments does not adversely affect waterways and	<ul style="list-style-type: none"> Ensure the use of Water Sensitive Urban Design and other types of on-site infrastructure to minimise impact on trunk infrastructure Ensure sufficient buffers from urban 		<ul style="list-style-type: none"> Minimises the impact on the environmental values of downstream waterway corridors by maintaining pre-development flows and velocities. Reduces downstream sedimentation by slowing

Desired Goal	Planning Standard	Design Standard	Community Outcome
aquatic ecosystems	<p>development along waterway corridors for ecological links (including rehabilitation of degraded waterway corridor banks, where required).</p> <ul style="list-style-type: none"> • Ensure natural stream processes are maintained within waterway corridors • Implement Water Sensitive Urban Design principles (including use of bio-retention, trash racks and GPTs) to achieve maximum on site quantity and quality treatment and minimise offsite discharge. 		<p>flow velocities.</p> <ul style="list-style-type: none"> • Ensures that cumulative discharge of attenuation systems do not adversely affect parts of the natural catchments. • Reduces pollution to waterways. • Provides waterways infrastructure at least life cycle cost. • Reduces the scale of shared infrastructure by optimising on site solutions. • Improves water quality at the point of discharge to benefit the waterway corridor's health. • Maintain or improves environment amenity such as scenic values and natural construction. • Erosion and sedimentation is minimised. • Negative impacts on adjoining and downstream properties are minimised. • Protects environmentally sensitive areas from development. • Reduces the need for costly structural treatments of waterway corridor banks. • Provides for natural processes of accretion, erosion and sedimentation and reduces environmental effects from pollution. • Increases regional water quality • Maximise the water quality within the system. • Maintain or improve water quality and ecological health. • Provides for combined improvement of the riparian habitat as major ecological corridors within the urban context.

4.4.4 Transport network

Table 4.4.4.1 – Desired Standards of Service – Transport

Desired Goal	Planning Standard	Design Standard	Community Outcome
Provide a safe and efficient transport system.	<ul style="list-style-type: none"> Site master planning and lot and road configuration to be undertaken in accordance with Cook Shire Council Planning Scheme – ROL Code; Road network planning to be undertaken in an Urban environment with: <ul style="list-style-type: none"> Complete Streets (2011) – Institute of Public Works Engineering Australasia Or rural environment with: <ul style="list-style-type: none"> Road Planning and Design Manual (2nd Edition) July 2013 Main Roads Define the road network as a functional Urban and Rural hierarchy and freight routes which supports the urban, rural and mining activities that support commercial and economic development. Provide safe and convenient pedestrian pathways and cycleways network in the townships. Lot reconfiguration layouts provides for a highly connected and permeable path network between home and key activity nodes. 	<p>Road network system is designed and provided in accordance with:</p> <ul style="list-style-type: none"> FNQROC Development Manual Design Guidelines - D1 Road Geometry FNQROC Development Manual Design Guidelines - D3 Road Pavements Department of Transport and Main Roads: <ul style="list-style-type: none"> Road Planning and Design Manual (2nd Edition) July 2013 Transport and Main Roads Specifications (October 2014) Transport and Main Roads Standard Drawings (October 2014) Bridges- DTMR Bridge Design Manual; Manual of Uniform Traffic Control Devices (MUTCD) (May 2014) Austroroads AGRD Guide to Road Design AGTM Guide to Traffic Management (February 2014 latest update) AGPT Guide to Pavement Technology (June 2014 latest update) AGBT Guide to Bridge Technology <p>Street Lighting</p> <ul style="list-style-type: none"> AS/NZS 1158 Set: 2010 - Lighting for roads and public spaces AS/NZS 2890 Set: 2009 – Parking Facilities AS 1742.2-2009 Manual of uniform traffic 	<p>Safety/Amenity</p> <ul style="list-style-type: none"> Protects the amenity of residential communities by removing non-local traffic. Improves local safety by removing “through” traffic. Encouragement of cycling and walking has positive health outcomes. Promotes health benefits. Improves transport opportunities for local trips. Ensures an acceptable level of amenity for users. Allows for high propensity to use walk and cycle options when convenient connections are provided. Limits community severance. <p>Efficiency</p> <ul style="list-style-type: none"> Maintains reliability of connectivity. Maintains travel speeds in off-peak periods. Reduces fuel consumption and emission levels by sustaining efficient operating speeds. Reduces vehicle operating costs. Supports economic growth by developing efficient and integrated transport networks. Minimises through traffic and heavy vehicles in residential areas. Reduces fuel consumption and emission levels through the use of efficient transport modes. Reduce delays during peak periods.

Desired Goal	Planning Standard	Design Standard	Community Outcome
		<p>control devices – Traffic control devices for general use</p> <p><u>Other:</u></p> <ul style="list-style-type: none"> Urban Drainage <ul style="list-style-type: none"> Queensland Urban Drainage Manual (2013 Provisional Edition) Department of Energy and Water Supply Standard Drawings – Institute of Public Works Engineering Australia Sealed Local Roads Manual – Guidelines to Good Practice: Design, construction, maintenances and rehabilitation of pavements. ARRB Cycleway and footpaths <ul style="list-style-type: none"> Plans for trunk infrastructure Design standards adopted by Council. 	<ul style="list-style-type: none"> Improve safety by reducing vehicle speed differentials. Supports efficient and integrated freight movement network. <p>Environmental</p> <ul style="list-style-type: none"> Design bridges and culverts with appropriate flood immunity and capacity to convey floodwater, taking into account the Council's road hierarchy. Construction of bridges and culverts must not adversely impact on the natural environment, such as through the loss of vegetation and undesirable impacts on bio-diversity. Design bridges and culverts to maintain fauna and recreational links where feasible. Ensures road crossings operate safely in times of inundation. Reduces the risk of flooding for upstream properties. Provides opportunities for extended pedestrian and bicycle links. Enhances ecological links.
Optimise Whole of Lifecycle Cost	<ul style="list-style-type: none"> Planning ensures cross-sections and pavements are delivered which are fit for purpose in terms of operating width and durability. Optimising capital and operational costs; Road alignments should be determined to minimise the impact structures to require to accommodate watercourses and other natural features where possible; Traffic control devices are carefully 	<ul style="list-style-type: none"> Design solutions are taken from the most appropriate best practice design guideline (as above) and aligned to the operational needs of the transport network component; Design and construction solutions which are, readily sourced, prefabricated, modular and are to be preferred than bespoke design solutions. 	<ul style="list-style-type: none"> Reduced cost of energy Cost effective service for community Greenhouse gas reduction Reduced maintenance costs Reduced overall operation costs Reduced replacement costs Maximise life of system

Desired Goal	Planning Standard	Design Standard	Community Outcome
	<p>determined to ensure their operation meets the requirement management outcome but also the operation of the device is within the technical capability of Council.</p> <ul style="list-style-type: none"> • Embellishment on the road reserve including control devices and amenity improvements have high durability and are appropriate located. • Application of standards to achieve road design outcomes are carefully crafted to be consistent but at the same time fit for purpose in any given location. 		

4.4.5 Public parks and land for community facilities network

Table 4.4.5.1 – Desired Standards of Service – Public parks and land for community facilities

Planning Standard	Community Outcome
Provide a connected and accessible network of parks, open space, and community facilities that meets the needs of the local government's residents and visitors.	<ul style="list-style-type: none"> • Provides opportunities for access and increased usage of open space, recreational and community facilities. • Provides for an appropriate balance of land uses and ensures high levels of amenity in the urban form. • Provides a basis for a healthy and active community.
Ensure strong linkages and where possible co-location of existing and future parks, open space and community facilities.	<ul style="list-style-type: none"> • Ensures utilisation of existing and future assets while maintaining maximum access. • Makes economic efficiency of land owned by the Community.
Provide a preferred level of development or embellishments to public parks, commensurate with the range of activities envisaged.	<ul style="list-style-type: none"> • Provides safe open space embellishments that meet the needs of the community by providing a range of facilities for social activities and/or fitness/recreational pursuits. • Ensures activities are met and contained within designated areas - reducing potential off site impacts to other more sensitive areas in the Local government area. • Maximises the use of the land and provides the basis for a healthy community.

Ensure that existing and future parks, open space and community facilities with significant environmental, waterway or cultural heritage value are managed appropriately.	<ul style="list-style-type: none"> Protects and enhances items of cultural interest in the Local government for the benefit of current and future communities in the area. Provides a basis for tourism opportunities. Protection of the natural landscape ensures maintenance of quality of air, water and land resources reducing negative impacts requiring amelioration.
Planning Standard	Community Outcome
Public parks and community land areas are provided in accordance with standard of provision (minimum park size) defined in Council's Public parks and land for community facilities design criteria, and where identified in accordance with the Plans for Trunk Infrastructure – Public Parks and Community Land.	<ul style="list-style-type: none"> Provides a standard of service consistent with community expectations. Land and facilities are developed to optimise layout and use. Facilities are provided in close proximity to the residents of the Local government and provide for a range of active and passive pursuits.
Access to public parks and community facilities are to be in accordance with Council's Public parks and community land design criteria.	<ul style="list-style-type: none"> Provides community access to a range of park, open space and community facilities.
Land characteristics including shape, road frontage and gradient are in accordance with the desired land characteristics defined in Council's Public parks and community land design criteria.	<ul style="list-style-type: none"> Topography does not reduce or interfere with amenity and recreation use.
Flood immunity for parks and community lands are achieved in accordance with Council's Public parks and community land design criteria.	<ul style="list-style-type: none"> Ensure adequate provision of safe, accessible and usable facilities.
Public park embellishments are provided in accordance with: <ul style="list-style-type: none"> the type and purpose of public park as identified below; Plans for Trunk Infrastructure – Public Parks and Community Land. 	<ul style="list-style-type: none"> Provides a range of park types that are suitability embellished to meeting their purpose within the park hierarchy.

Table 4.4.5.2 – Desired Standards of Service – Public parks and Community Land Design Criteria

Park Type	Hierarchy	Min Park Size	Accessibility (catchment)	Land Characteristics
Informal Recreation	District	>0.2Ha	None- located by natural characteristics of site	Land provides a natural landscape that provides for adventure based recreational activities. Minimal modification of the land form to allow for safe access and use of the site. Sites with interesting natural characteristics including remnant vegetation, rock outcrops, vantage points, ephemeral streams, foreshore areas, embayment's, small water bodies.
Recreation	Local	0.3Ha of usable space	1000m	<i>Shape:</i> Square to rectangular with sides no greater than 2:1

Park Type	Hierarchy	Min Park Size	Accessibility (catchment)	Land Characteristics
				<p><i>Gradient:</i> Max 1:20 for main use area, 1:50 for kick-about area, variable for remainder</p> <p><i>Road frontage:</i> 30-50% of perimeter to have direct frontage</p> <p><i>Flood immunity:</i> Main use area above Q10, 10% of total area above Q50 and free of hazards.</p>
	Village	1Ha of usable space	1000m	<p><i>Shape:</i> Square to rectangular with sides no greater than 2:1</p> <p><i>Gradient:</i> Max 1:20 for main use area, 1:50 for kick-about area, variable for remainder</p> <p><i>Road frontage:</i> 30-50% of perimeter to have direct frontage on a collector road</p> <p><i>Flood immunity:</i> Main use area above Q10, 10% of total area above Q50 and free of hazards.</p>
	Township	2Ha of usable space	10 minutes drive	<p><i>Shape:</i> Square to rectangular with sides no greater than 2:1</p> <p><i>Gradient:</i> Max 1:20 for main use area, 1:50 for kick-about area, variable for remainder</p> <p><i>Road frontage:</i> 30-50% of perimeter to have direct frontage on a collector road</p> <p><i>Flood immunity:</i> Main use area above Q10, 10% of total area above Q50 and free of hazards.</p>
	Shire/ Regional	Varies	1 hour drive	<p><i>Shape:</i> Square to rectangular with sides no greater than 2:1</p> <p><i>Gradient:</i> Max 1:20 for main use area, 1:50 for kick-about area, variable for remainder</p> <p><i>Road frontage:</i> 30-50% of perimeter to have direct frontage on a collector road</p> <p><i>Flood immunity:</i> Main use area above Q10, fields/courts above Q50, built facilities above Q100, free of other physical hazards.</p>
Sportsgrounds and Courts	Village	1.5Ha	10 minutes drive	<p><i>Shape:</i> Square or rectangular</p> <p><i>Gradient:</i> 1:50 for all playing surfaces</p> <p><i>Road frontage:</i> approx. 25% of perimeter to have direct road frontage</p> <p><i>Flood immunity:</i> Fields/courts above Q50, built facilities above Q100, free of other physical hazards.</p>
	Township	3HA	10 minutes drive	<p><i>Shape:</i> Square or rectangular</p>

Park Type	Hierarchy	Min Park Size	Accessibility (catchment)	Land Characteristics
				<p><i>Gradient:</i> 1:50 for all playing surfaces</p> <p><i>Road frontage:</i> approx. 25% of perimeter to have direct road frontage</p> <p><i>Flood immunity:</i> Fields/courts above Q50, built facilities above Q100, free of other physical hazards.</p>
	Shire/ Regional	Varies	1 hour drive	<p><i>Shape:</i> Square or rectangular</p> <p><i>Gradient:</i> 1:50 for all playing surfaces, 1:20 for other main use areas</p> <p><i>Road frontage:</i> approx. 25% of perimeter to have direct road frontage</p> <p><i>Flood immunity:</i> Main use area above Q10, fields/courts above Q50, built facilities above Q100, free of other physical hazards.</p>

4.5 Plans for trunk infrastructure

- (1) The plans for trunk infrastructure identify the trunk infrastructure networks intended to service the existing and assumed future urban development at the desired standard of service up to 2036.

4.5.1 Plans for trunk infrastructure maps

- (1) The existing and future trunk infrastructure networks are shown on the following maps in Schedule 3—Local government infrastructure plan mapping and tables:
 - (a) Local Government Infrastructure Plan Map LGIP-WS 01:06—Plan for trunk infrastructure - water supply
 - (b) Local Government Infrastructure Plan Map LGIP-S 01:03—Plan for trunk infrastructure - sewerage
 - (c) Local Government Infrastructure Plan Map LGIP-TR 01:05—Plan for trunk infrastructure - transport
 - (d) Local Government Infrastructure Plan Map LGIP-PPCL 01:05—Plan for trunk infrastructure - parks and land for community facilities
- (2) The State infrastructure forming part of transport trunk infrastructure network has been identified using information provided by the relevant State infrastructure supplier.

4.5.2 Schedules of works

- (1) Details of the existing and future trunk infrastructure networks are identified in the electronic Excel schedule of works model which can be viewed here: [Cook Shire Council Schedules of Works Model](#).
- (2) The future trunk infrastructure is identified in the following tables in Schedule 3—Local government infrastructure plan mapping and tables:
 - (a) for the water supply network, Table SC3.2.1
 - (b) for the sewerage network, Table SC3.2.2
 - (c) for the transport network, Table SC3.2.3
 - (d) for the parks and land for community facilities network, Table SC3.2.4

Editors note — Extrinsic material

The below table identifies the documents that assist in the interpretation of the local government infrastructure plan and are extrinsic material under the *Statutory Instruments Act 1992*.

List of extrinsic material

Column 1 Title of document	Column 2 Date	Column 3 Author
Extrinsic material to the Local Government Infrastructure Plan	October 2017	Integran Pty Ltd.

Part 5 Tables of assessment

5.1 Preliminary

The tables in this part identify the category of development, and the category of assessment and assessment benchmarks for assessable for development within the planning scheme area.

5.2 Reading the tables

The tables identify the following:

- (1) The category of development:
 - (a) accepted (including accepted with requirements);
 - (b) assessable development, that requires either code or impact assessment; and
 - (c) prohibited.
- (2) the category of assessment – code or impact – for development in:
 - (a) a zone and, where used, a precinct of a zone;
 - (b) a local plan and, where used, a precinct of a local plan;
 - (c) an overlay.
- (3) the assessment benchmarks for assessable development, including:
 - (a) whether a zone code or specific provisions in the zone code apply (shown in the “assessment benchmarks” column);
 - (b) if there is a local plan, whether a local plan code or specific provisions in the local plan code apply (shown in the “assessment benchmarks” column);
 - (c) if there is an overlay:
 - (i) whether an overlay code applies (shown in the table in section 4.10); or
 - (ii) whether the assessment benchmarks as shown on the overlay map (noted in the ‘assessment benchmarks’ column) applies;
 - (d) any other applicable code(s) (shown in the “assessment benchmarks” column).
- (4) any variation to the category of assessment (shown as an “if” in the “category of assessment” column) that applies to the development.

Note—development will only be taken to be prohibited development under the planning scheme if it is identified as prohibited development in schedule 10 of the Regulation.

Editor’s note—Examples of matters that can vary the category of assessment are gross floor area, height, numbers of people or precinct provisions.

5.3 Categories of development and assessment

5.3.1 Process for determining the category of development and the category of assessment

The process for determining a category of development and the category of assessment is:

- (1) for a material change of use, establish the use by reference to the use definitions in Schedule 1;
- (2) for all development, identify the following:
 - (a) the zone or zone precinct that applies to the premises, by reference to the zone map in Schedule 2;
 - (b) if a local plan or local plan precinct applies to the premises, by reference to the local plan map in Schedule 2;
 - (c) if an overlay applies to the premises, by reference to the overlay map in Schedule 2.
- (3) determine if the development is accepted development under schedule 6 of the Regulation;
- (4) determine if the development is assessable development under schedule 10 of the Regulation, Section 4.4 Regulated categories of development and categories of assessment prescribed by the Regulation;

- (5) if the development is not listed in the tables in section 5.4 Regulated categories of development and categories of assessment prescribed by the Regulation, determine the initial category of assessment by reference to the tables in:
 - (a) section 5.5 Categories of development and assessment—Material change of use
 - (b) section 5.6 Categories of development and assessment—Reconfiguring a lot
 - (c) section 5.7 Categories of development and assessment—Building work
 - (d) section 5.8 Categories of development and assessment—Operational work
- (6) a precinct of a zone may change the category of development or assessment and this will be shown in the 'category of assessment' column of the tables in sections 5.5, 5.6, 5.7 and 5.8;
- (7) if a local plan applies refer to the table(s) in section 5.9 Categories of development and assessment—Local plans, to determine if the local plan changes the category of development or assessment for the zone;
- (8) if a precinct of a local plan changes the category of development or assessment this will be shown in the "Category of development and assessment" column of the table(s) in section 5.9;
- (9) if an overlay applies refer to section 5.10 Categories of development and assessment—Overlays, to determine if the overlay further changes the category of development or assessment.

5.3.2 Determining the categories of development and assessment

- (1) A material change of use is assessable development requiring impact assessment—
 - (a) unless the table of assessment states otherwise
 - (b) if a use is not listed or defined
 - (c) unless otherwise prescribed within the Act or the Regulation.
- (2) Reconfiguring a lot is assessable development requiring code assessment unless the tables of assessment state otherwise or unless otherwise prescribed within the Act or the Regulation.
- (3) Minor building work is accepted development. Building work and operational work is accepted development, unless the tables of assessment state otherwise or unless otherwise prescribed within the Act or the Regulation.
- (4) Where an aspect of development is proposed on premises included in more than one zone, local plan or overlay, the category of development or assessment is the highest category under each of the applicable zones, local plans or overlays.
- (5) Where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay only relates to the part of the premises affected by the overlay.
- (6) For the purposes of Schedule 6, Part 2 Material change of use section(2)(2)(d)(i) or (ii) of the Regulation, an overlay does not apply to the premises if the development meets the acceptable outcomes that form the requirements for accepted development in the relevant overlay code.
- (7) If development is identified as having a different category of development or category of assessment under a zone than under a local plan or an overlay, the highest category of development or assessment applies as follows—
 - (a) accepted development subject to requirements prevails over accepted development;
 - (b) code assessment prevails over accepted development (including where subject to requirements);
 - (c) impact assessment prevails over code assessment and accepted development (including where subject to requirements).
- (8) Despite sub-subsection 5.3.2(4) and (7) above, a category of development or assessment in a local plan overrides a category of assessment in a zone, and a category of development or assessment in an overlay overrides a category of assessment in a zone or local plan.
- (9) The category of development prescribed under Schedule 6 of the Regulation overrides all other categories of development or assessment for that development under the planning scheme to the extent of any inconsistency.

Editor's note—Schedule 7 of the Regulation also identifies development that the state categorises as accepted development. Some development in the schedule may still be made assessable under the planning scheme.

- (10) Despite all of the above, if development is listed as prohibited development under schedule 10 of the Regulation, a development application cannot be made.

Note—Development is to be taken to be prohibited development under the planning scheme only if it is identified in schedule 10 the Regulation.

5.3.3 Determining the requirements for accepted development and assessment benchmarks and other matters for assessable development

- (1) Accepted development does not require a development approval and is not subject to assessment benchmarks. However, certain requirements may apply to some types of development for it to be accepted development. Where nominated in the tables of assessment, accepted development must comply with the requirements identified as acceptable outcomes in the relevant parts of the applicable code(s) as identified in the relevant column.
- (2) Accepted development that does not comply with one or more of the nominated acceptable outcomes in the relevant parts of the applicable code(s) becomes code assessable development, unless otherwise specified.
- (3) The following rules apply in determining assessment benchmarks for each category of development and assessment.
- (4) Code assessable development:
 - (a) is to be assessed against all the assessment benchmarks in the assessment benchmarks column;
 - (b) that occurs as a result of development becoming code assessable pursuant to sub-section 5.3.3(2), must:
 - (i) be assessed against the assessment benchmarks for the development application, limited to the subject matter of the required acceptable outcomes that were not complied with or were not capable of being complied with under sub-section 5.3.3(2)
 - (ii) comply with all required acceptable outcomes identified in sub-section 5.3.3(1), other than those mentioned in sub-section 5.3.3(2);
 - (c) that complies with:
 - (i) the purpose and overall outcomes of the code complies with the code;
 - (ii) the performance or acceptable outcomes complies with the purpose and overall outcomes of the code;
 - (d) is to be assessed against any assessment benchmarks for the development identified in section 26 of the Regulation.

Editor's note—Section 27 of the Regulation also identifies the matters that code assessment must have regard to.

- (5) Impact assessable development:
 - (a) is to be assessed against the identified assessment benchmarks in the assessment benchmarks column (where relevant)
 - (b) assessment is to have regard to the whole of the planning scheme, to the extent relevant
 - (c) is to be assessed against any assessment benchmarks for the development identified in section 30 of the Regulation.

Note—the first row of each table of assessment is to be checked to confirm if there are assessment benchmarks that commonly apply to general scenarios in the zone, local plan or overlay.

Editor's note—Section 31 of the Regulation identifies the matters that impact assessment must have regard to.

5.3.4 Accepted development for the planning scheme

- (1) This section identifies development which is accepted development under the planning scheme.
- (2) Development described in Tables 5.3.4.1 and 5.3.4.2 is accepted development for the planning scheme.

Table 5.3.4.1—Prescribed categories of development and assessment: building work

Zone	Category of development and assessment	Assessment benchmarks
Minor building work	Accepted development	
	In all circumstances	Nil
Filling and excavation	Accepted development	
	If involving less than 10m ³ of material	Nil

Table 5.3.4.2—Prescribed categories of development and assessment: operational work

Zone	Category of development and assessment	Assessment benchmarks
Rural zone	Accepted development	
	Operational work associated with an off-stream dam	Nil
All	Accepted development	
	Operational work for extractive industry if for a borrow pit	Nil

5.4 Regulated categories of development and categories of assessment prescribed by the Regulation

The following schedules of the Regulation are relevant to the Cook Shire Council Planning Scheme:

- (1) Schedule 6, Part 2, 6 of the Regulation, Material change of use for community residence;
- (2) Schedule 12 of the Regulation, Particular reconfiguring a lot requiring code assessment;
- (3) Schedule 13 of the Regulation, Requirements for cropping involving forestry for wood production.

5.5 Categories of development and assessment—Material change of use

The following tables identify the categories of development or assessment for development in a zone for making a material change of use.

Table 5.5.1—Low density residential zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Dwelling house	Accepted development	
	If not including a secondary dwelling	Nil
	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> ▪ including a secondary dwelling; and ▪ complying with the assessment benchmarks 	Low density residential zone code – Section 1 Residential use code – Section 1
	Code assessable	
	If not accepted development or accepted development subject to requirements	Low density residential zone code Residential use code Parking & access code Works, services & infrastructure code
Dual occupancy	Accepted development subject to requirements	
	If on a lot greater than 1,000m ²	Low density residential zone code –

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
	and complying with the assessment benchmarks	Section 1 Residential use code – Section 1 Parking & access code Works, services & infrastructure code
	Code assessment	
	If on a lot greater than 1,000m ² and not complying with the assessment benchmarks	Low density residential zone code Residential use code Parking & access code Works, services & infrastructure code
	Impact assessment	
	If not accepted development, accepted development subject to requirements or code assessment.	The planning scheme
Home based business	Accepted development subject to requirements	
	If complying with the assessment benchmarks	Low density residential zone code – Section 1 Home based business use code
	Code assessment	
	If not accepted development subject to requirements	Low density residential zone code Home based business use code Parking & access code Works, services & infrastructure code
Major electricity infrastructure	Code assessment	
	All	Low density residential zone code Parking & access code Works, services & infrastructure code
Park	Accepted development	
	All	Nil
Shop	Code assessment	
	If the <i>gross floor area</i> does not exceed 200m ²	Low density residential zone code Parking & access code Works, services & infrastructure code
Substation	Accepted development	
	All	Nil
Utility installation	Accepted development	
	If not involving any of the following: a) Waste facilities; or b) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or c) The use of land greater than 800m ² in area.	Nil
	Code assessment	
	If not accepted development and not involving waste facilities	Low density residential zone code Parking & access code Works, services & infrastructure

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
		code
Impact assessment		
Any other use not listed in this table. Any other undefined use.	The planning scheme	

Table 5.5.2—Medium density residential zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Dwelling house Home based business	Accepted development	
	If not including a secondary dwelling	Nil
	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> not accepted development; and complying with the assessment benchmarks 	Medium density residential zone code – Section 1 Residential use code – Section 1
	Code assessable	
	If not accepted development or accepted subject to requirements.	Medium density residential zone code Residential use code Parking & access code Works, services & infrastructure code
Dual occupancy	Accepted development subject to requirements	
	If on a lot greater than 800m ² and complying with the assessment benchmarks	Medium density residential zone code – Section 1 Residential use code – Section 1 Parking & access code Works, services & infrastructure code
	Code assessment	
	If on a lot greater than 800m ² and not complying with the assessment benchmarks	Medium density residential zone code Residential use code Parking & access code Works, services & infrastructure code
	Impact assessment	
	If not accepted development subject to requirements or code assessable.	Medium density residential zone code Residential use code Parking & access code Works, services & infrastructure code
Home based business	Accepted development subject to requirements	
	If complying with the assessment benchmarks	Medium density residential zone code – Section 1 Home based business use code
	Code assessment	
	If not accepted development subject to requirements	Medium density residential zone code Home based business use code Parking & access code Works, services & infrastructure code

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Major electricity infrastructure	Code assessment All	Medium density residential zone code Parking & access code Works, services & infrastructure code
Multiple dwelling Retirement facility Residential care facility Rooming accommodation	Code assessment All	Medium density residential zone code Parking & access code Works, services & infrastructure code Where Applicable: Residential use code
Park	Accepted development All	
Substation	Accepted development All	
Utility installation	Accepted development If not involving: a) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or b) The use of land greater than 800m ² in area. Code assessment If not accepted development	Medium density residential zone code Parking & access code Works, services & infrastructure code
Impact assessment		
Any other use not listed in this table. Any other undefined use.	The planning scheme	

Table 5.5.3— Centre zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Bar Car park Garden centre Hardware and trade supplies Hotel Relocatable home park Resort complex Short term accommodation Tourist park	Code assessment All	Centre zone code Parking & access code Works, service & infrastructure code Where applicable: Residential use code
Caretaker's accommodation Child care centre Community care centre Community use Club	Accepted development subject to requirements If complying with the assessment benchmarks and if the material change of use occurs within an existing building where no external building work is required.	Centre zone code – Section 1 Parking & access code Works, service & infrastructure code Where applicable:

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Food and drink outlet Function facility		Residential use code – Section 1
Health care services Indoor sport & recreation Nightclub entertainment facility Office Place of Worship Service industry Shop Theatre Veterinary services	Code assessment If not accepted development subject to requirements	Centre zone code Parking & access code Works, service & infrastructure code Where applicable: Residential use code
Major electricity infrastructure	Code assessment All	Centre zone code Parking & access code Works, service & infrastructure code
Substation	Accepted development All	
Utility installation	Accepted development If not involving: a) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or b) The use of land greater than 800m ² in area.	
	Code assessment If not accepted development	Centre zone code Parking & access code Works, service & infrastructure code
Impact assessment		
Any other use not listed in this table. Any other undefined use.	The planning scheme	

Table 5.5.4—Mixed use zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Club Community care centre Community use Function facility Health care services Indoor sport & recreation Multiple dwelling Nightclub entertainment facility Place of worship Retirement facility Short term accommodation Theatre	Code assessment All	Mixed use zone code Parking & access code Works, services & infrastructure code Where applicable: Residential use code
	Impact assessment If in the MU1 Precinct (Cooktown Foreshore Mixed Use Precinct) and exceeding three storeys.	The planning scheme

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Tourist park Veterinary services		
Dwelling house	Accepted development	
	If not including a secondary dwelling	
	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> including a secondary dwelling; and complying with the assessment benchmarks 	Mixed use zone code – Section 1 Residential use code – Section 1
	Code assessable	
	If not accepted development or accepted development subject to requirements	Mixed use zone code Residential use code Parking & access code Works, services & infrastructure code
Dual occupancy	Accepted development subject to requirements	
	If on a lot greater than 800m ² and complying with the assessment benchmarks	Mixed use zone code – Section 1 Residential use code – Section 1 Parking & access code Works, services & infrastructure code
	Code assessment	
	If on a lot greater than 800m ² and not complying with the assessment benchmarks	Mixed use zone code Residential use code Parking & access code Works, services & infrastructure code
	Impact assessment	
	If not accepted development subject to requirements or code assessable.	Mixed use zone code Residential use code Parking & access code Works, services & infrastructure code
Food & drink outlet Home based business Office Shop	Accepted development subject to requirements	
	If complying with the assessment benchmarks and located within an existing building.	Mixed use zone Code – Section 1 Residential Use Code – Section 1 Parking & access code Works, service & infrastructure code Where applicable: Home based business use Code
	Code assessment	
	If not accepted development subject to requirements and: <ul style="list-style-type: none"> not in the MU1 Precinct (Cooktown Foreshore Mixed Use Precinct); or not exceeding three storeys. 	Mixed use zone Code Residential Use Code Parking & access Code Works, service & infrastructure Code Where applicable: Home based business use Code
	Impact assessment	
	If not accepted development and in the MU1 Precinct (Cooktown Foreshore Mixed Use Precinct) and exceeding three storeys.	The planning scheme
Major electricity infrastructure	Code assessment	
	All	Mixed use zone code

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
		Parking & access code Works, services & infrastructure code
Substation	Accepted development	
	All	Nil
Utility installation	Accepted development	
	If not involving: a) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or b) The use of land greater than 800m ² in area.	Nil
	Code assessment	
	If not accepted development	Centre zone code Parking & access code Works, services & infrastructure code
Impact assessment		
Any other use not listed in this table. Any other undefined use.		The planning scheme

Table 5.5.5—Township zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Agricultural supplies store Child care centre Community care centre Community use Dual occupancy Educational establishment Garden centre Health care services Office Retirement facility Service industry Shop Short term accommodation Tourist park Veterinary services	Code assessment	
	All	Township zone code Parking & access code Works, service & infrastructure code Where applicable: Residential use code
Dwelling house Home based business	Accepted development	
	If not including a secondary dwelling	Nil
	Accepted development subject to requirements	

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
	If: <ul style="list-style-type: none"> including a secondary dwelling; and complying with the assessment benchmarks 	Township zone code Section 1 Residential use code Where Applicable: Home based business code Residential use code
	Code assessable	
	If not accepted development	Township zone code Residential use code Parking & access code Works, services & infrastructure code Where Applicable: Home based business code Residential use code
Major electricity infrastructure	Code assessment	
	All	Township zone code Parking & access code Works, services & infrastructure code
Substation	Accepted development	
	All	Nil
Utility installation	Accepted development	
	If not involving: <ul style="list-style-type: none"> a) The construction or use of any building or other structure having a floor area greater than 30m² or a height greater than 4.5m; or b) The use of land greater than 800m² in area. 	Nil
	Code assessment	
	If not accepted development	Township zone code Parking & access code Works, services & infrastructure code
Impact assessment		
Any other use not listed in this table. Any other undefined use.		The planning scheme

Table 5.5.6—Industry zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Car park Caretakers accommodation Indoor Sport & Recreation Low impact industry	Accepted development subject to requirements	
	If complying with the assessment benchmarks	Industry zone code - Section 1 Parking & access code Works, services & infrastructure code Where Applicable: Residential use code – Section 1
	Code assessment	

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Service industry Warehouse	If not accepted development subject to requirements	Industry zone code Parking & access code Works, service & infrastructure code Where Applicable: Residential use code
Major electricity infrastructure	Code assessment All	Industry zone code Parking & access code Works, services & infrastructure code
Air Services Service Station	Code assessment <ul style="list-style-type: none"> where on Lot 2 on SP287154; 	Industry zone code Parking & access code Works, services & infrastructure code Where Applicable: Service Station Development Code
Shop Food and Drink	Code assessment <ul style="list-style-type: none"> where on Lot 2 on SP287154; where containing less than 200m² of GFA; where not already provided on the land. 	Industry zone code Parking & access code Works, services & infrastructure code
Medium impact industry Office Rural industry Transport depot	Code assessment All	Industry zone code Parking & access code Works, services & infrastructure code
Substation	Accepted development All	Nil
Utility installation	Accepted development If not involving: a) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or b) The use of land greater than 800m ² in area.	Nil
	Code assessment If not accepted development	Industry zone code Parking & access code Works, services & infrastructure code
Impact assessment		
Any other use not listed in this table. Any other undefined use.		The planning scheme

Table 5.5.7—Community facilities zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Air service	Accepted development	
	If on the site of Map ID 50 on the zone map	Nil
Caretaker's accommodation Child care centre Club Community care centre Community use Educational establishment Emergency services Function facility Hospital Indoor sport & recreation Outdoor Sport & Recreation Place of Worship Theatre	Code assessment	
	All	Community facilities zone code Parking & access code Works, services & infrastructure Code Where applicable: Residential use code
Community use (kiosk) Food & drink outlet Office Shop Warehouse	Accepted development	
	If located in the CF1 Precinct - Cooktown Foreshore Commercial Precinct on Zoning Map 13	Nil
	Code assessment	
	If not accepted development	Community facilities zone code Parking & access code Works, services & infrastructure code
Dwelling house Multiple dwelling Residential care facility	Code assessment	
	If located at 30 Charlotte Street, Cooktown (Cooktown & District Youth Club)	Community facilities zone code Parking & access code Works, services & infrastructure code Residential use code
Major electricity infrastructure	Code assessment	
	All	Community facilities zone code Parking & access code Works, services & infrastructure code
Park	Accepted development	
	All	Nil
Substation	Accepted development	
	All	Nil
Utility installation	Accepted development	

	<p>If involving extractive and screening activities for the utility installation</p> <p>OR</p> <p>If not involving:</p> <p>a) The construction or use of any building or other structure having a floor area greater than 30m² or a height greater than 4.5m; or</p> <p>b) The use of land greater than 800m² in area.</p>	Nil
	Code assessment	
	If not accepted development	<p>Community facilities zone code</p> <p>Parking & access code</p> <p>Works, services & infrastructure code</p>
Impact assessment		
Any other use not listed in this table.	The planning scheme	
Any other undefined use.		

Table 5.5.8—Rural residential zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Animal Husbandry Animal keeping Cropping Permanent plantation Roadside stall Rural Industry	Code assessment	
	All	<p>Rural residential zone code</p> <p>Parking & access code</p> <p>Works, services & infrastructure code</p> <p>Where applicable</p> <p>Home based business code</p> <p>Roadside stall code</p>
	Accepted development	
Dwelling house Home based business	If not including a secondary dwelling	Nil
	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> including a secondary dwelling; and complying with the assessment benchmarks 	<p>Rural residential zone code - Section 1</p> <p>Residential use code – Section 1</p> <p>Where Applicable:</p> <p>Home based business code</p> <p>Residential use code</p>
	Code assessable	
	If not accepted development	<p>Rural residential zone code</p> <p>Parking & access code</p> <p>Works, services & infrastructure code</p> <p>Where Applicable:</p> <p>Home based business code</p> <p>Residential use code</p>
Major electricity infrastructure	Code assessment	
	All	<p>Rural residential zone code</p> <p>Parking & access code</p> <p>Works, services & infrastructure code</p>

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Substation	Accepted development	
	All	Nil
Utility installation	Accepted development	
	If not involving: a) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or b) The use of land greater than 800m ² in area.	Nil
	Code assessment	
	If not accepted development	Rural residential zone code Parking & access code Works, services & infrastructure code
Impact assessment		
Any other use not listed in this table. Any other undefined use.		The planning scheme

Table 5.5.9—Rural zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Agricultural supplies store	Code assessment	
	In all circumstances	Rural zone code Works, services & infrastructure code
Animal Husbandry Animal keeping	Accepted development	
	If on a site more than 2km from urban or rural residential zoned land	Nil
	Accepted development subject to requirements	
	If on a site less than 2km from urban or rural residential zoned land	Rural zone code – Section 1
	Code assessment	
	If not accepted development or accepted development subject to requirements	Rural zone code
Aquaculture	Accepted development subject to requirements	
	If using above ground tanks in a roofed facility with a floor area not exceeding 50m ²	Accepted development requirements for material change of use that is aquaculture is provided in the State code Editor's note—This Code is provided by the Department of Agriculture and Fisheries .
	Impact assessment	
	If not accepted development subject to requirements	The planning scheme

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Bulk landscape supplies	Code assessment	
	All	Rural zone code Works, services & infrastructure code
Caretaker's accommodation Environment facility Nature-based tourism Non-residents workers accommodation Roadside stall Rural industry Short Term Accommodation Veterinary services	Code assessment	
	All	Rural zone code Parking & access code Works, services & infrastructure code Where applicable: Residential use code Roadside stall code
Cropping	Accepted development	
	All	Nil
Dwelling house Home based business	Accepted development	
	If not including a secondary dwelling	Nil
	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> including a secondary dwelling; and complying with the assessment benchmarks 	Rural zone code Section 1 Residential use code – Section 1 Where applicable: Home based business code Residential use code
	Code assessable	
	If not accepted development or accepted development subject to requirements	Rural zone code Residential use code – Section 1 Where applicable: Home based business code Residential use code Parking & access code Works, services & infrastructure code
Permanent plantation	Accepted development subject to requirements	
	If complying with the assessment benchmarks	Rural zone code
	Code assessment	
	If not accepted development subject to requirements	Rural zone code Parking & access code Works, services & infrastructure code
Extractive industry	Accepted development	
	If for a Borrow pit	
Intensive animal	Code assessment	

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
industry	If more than 5km from urban or rural residential zoned land, on a site greater than 20 hectares and: <ul style="list-style-type: none"> 1000 or less birds of poultry; 400 or less standard pig units; 150 or less standard cattle units; or 1000 or less standard sheep units 	Rural zone code Works, services & infrastructure code
	Impact assessment	
	If not code assessment	The planning scheme
Intensive horticulture	Code assessment	
	All	Rural zone code
Major electricity infrastructure	Code assessment	
	All	Rural zone code Parking & access code Works, services & infrastructure code
Relocatable home park Tourist park	Code assessment	
	If involving not more than 6 cabins or camp sites	Rural zone code Parking & access code Works, services & infrastructure code Residential use code
Renewable energy facility	Code assessment	
	All	Rural zone code Parking & access code Works, services & infrastructure code
Substation	Accepted development	
	All	Nil
Utility installation	Accepted development	
	If involving extractive and screening activities for the utility installation OR If not involving: <ol style="list-style-type: none"> The construction or use of any building or other structure having a floor area greater than 30m² or a height greater than 4.5m; or The use of land greater than 800m² in area. 	Nil
	Code assessment	
	If not accepted development	Rural zone code Parking & access Code Works, services & infrastructure code
Impact assessment		
Any other use not listed in this table. Any other undefined use.		The planning scheme

Table 5.5.10—Recreation and open space zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Caretakers accommodation Community care centre Community use Outdoor Sport & Recreation Place of Worship	Code assessment	
	All	Recreation and open space zone code Parking & access code Works, services & infrastructure code Where applicable: Residential Use Code
Major electricity infrastructure	Code assessment	
	All	Recreation and open space zone code Parking & access code Works, services & infrastructure code
Park	Accepted development	
	All	Nil
Substation	Accepted development	
	All	Nil
Utility installation	Accepted development	
	If involving extractive and screening activities for the utility installation OR If not involving: a) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or b) The use of land greater than 800m ² in area.	Nil
	Code assessment	
	If not accepted development	Recreation and open space zone code Parking & access Code Works, services & infrastructure Code
Impact assessment		
Any other use not listed in this table. Any other undefined use.		The planning scheme

Table 5.5.11—Environmental management and conservation zone

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Caretaker's accommodation	Accepted development subject to requirements	
	If complying with the assessment benchmarks. Note: more than one Caretaker's accommodation can be located on one allotment.	Environmental management and conservation zone code Parking & access code Works, services and infrastructure code Residential use code
	Code assessment	
	If not complying with the assessment benchmarks.	Environmental management and conservation zone code Parking & access code Works, services and infrastructure code Residential use code

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Dwelling house	Code assessment	
	All	Environmental management and conservation zone code Parking & access code Works, services & infrastructure code
Environment facility	Accepted development subject to requirements	
	All	Environmental management and conservation zone code Parking & access code Works, services and infrastructure code
Extractive industry	Accepted development	
	If for a borrow pit	
Home based business Short term accommodation	Code assessment	
	All	Environmental management and conservation zone code Parking & access code Works, services & infrastructure code Where applicable: Home based business code Residential use code
Nature-based tourism	Code assessment	
	All	Environmental management and conservation zone code Parking & access code Works, services & infrastructure code
Utility installation	Accepted development	
	If involving extractive and screening activities for the utility installation OR If not involving: a) The construction or use of any building or other structure having a floor area greater than 30m ² or a height greater than 4.5m; or b) The use of land greater than 800m ² in area.	Nil
	Code assessment	
	If not accepted development	Environmental management and conservation zone code Parking & access code Works, service & infrastructure Code
Impact assessment		
Any other use not listed in this table. Any other undefined use.		The planning scheme

Editor's note—The above levels of assessment apply unless otherwise prescribed in the Act or the Regulation.

5.6 Categories of development and assessment—Reconfiguring a lot

The following table identifies the categories of development or assessment for reconfiguring a lot.

Table 5.6.1—Reconfiguring a lot

Zone	Category of development and assessment	Assessment benchmarks
All zones	Code assessment	
	All aspects of Reconfiguring a lot	The relevant zone code Reconfiguring a lot code Works, services & infrastructure Code
	Impact assessment	
	Not applicable	

Editor's note—The above levels of assessment apply unless otherwise prescribed in the Act or the Regulation.

5.7 Categories of development and assessment—Building work

There is no building work regulated by the planning scheme.

5.8 Categories of development and assessment—Operational work

The following table identifies the categories of development or assessment for operational work.

Table 5.8.1—Operational work

Zone	Category of development and assessment	Assessment benchmarks
All zones	Code assessment	
	Filling or excavation if: <ul style="list-style-type: none"> ▪ Involving more than 10m³ of material in any zone other than the Rural Zone; or ▪ Involving more than 1,000m³ of material in the Rural Zone; and ▪ On a slope with a gradient of 15% or greater 	Works, services and infrastructure code
All zones	Code assessment	
	Third party sign	Third party sign code

Editor's note—The above categories of development or assessment apply unless otherwise prescribed in the Act or the Regulation.

5.9 Categories of development and assessment—Local plans

5.9.1: Eastern Kuku Yalanji Local Plan

Table 5.9.1 A—Eastern Kuku Yalanji Local Plan: Material change of use

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Where not in a local plan precinct		
All development	No change	Nil
Where in a local plan precinct		
Caretaker's accommodation Community use if for a ranger station or community shed Dual occupancy Dwelling house Home based business Multiple dwellings Outstation	Accepted development subject to requirements	
	If: <ul style="list-style-type: none"> ▪ not exceeding the extent of development in Table 6.1.1 and ▪ located in the 'Good Living Area' on the Precinct Maps and ▪ complying with the assessment benchmarks 	Acceptable outcomes of the Eastern Kuku Yalanji local plan code
	Code assessment	
	If: <ul style="list-style-type: none"> ▪ not exceeding the extent of development in Table 7.1.1 and ▪ located in the 'Good Living Area' on the Precinct Maps and ▪ not complying with the assessment benchmarks 	Eastern Kuku Yalanji local plan code Parking and Access Code Works, services & infrastructure Code
	Impact assessment	
	If not accepted development subject to requirements or code assessable	The planning scheme

Table 5.9.1 B— Eastern Kuku Yalanji Local Plan: Reconfiguring a lot

Local plan	Category of development and assessment	Assessment benchmarks
Where not in a local plan precinct		
No change		
Where in a local plan precinct		
All Development	No Change	Eastern Kuku Yalanji local plan code

5.9.2: Lakeland Local Plan

Table 5.9.2 A—Lakeland Local Plan: Material change of use

Use	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Where not in a local plan precinct		
All development	No change	Nil
Where in a local plan precinct		
All development	No change	Lakeland Local Area Plan

Table 5.9.2 B—Lakeland Local Plan: Reconfiguring a Lot

Local plan	Category of development and assessment	Assessment benchmarks
Where not in a local plan precinct		
No change		
Where in a local plan precinct		
All Development	No Change	Lakeland Local Area Plan

5.10 Categories of development and assessment—Overlays

The following table identifies where an overlay changes the category of development or assessment from that stated in a zone or local plan and the relevant assessment benchmarks.

Table 5.10.1—Overlays: Categories of development and assessment

Development	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Airport Environs Overlay		
Any: (a) material change of use; (b) building work not associated with a material change of use; (c) operational work not associated with a material change of use within the Building Restricted Areas identified on the Queensland Government SPP Interactive Mapping System (Strategic Airports and Aviation Facilities).	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Airport Environs Overlay Code
Any: (a) material change of use; (b) building work not associated with a material change of use; within the Wildlife Hazard Buffer identified on the Queensland Government SPP Interactive Mapping System (Strategic Airports and Aviation Facilities).	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Airport Environs Overlay Code
Biodiversity Overlay		
All development within a State Environmental Area identified on OM1 – Biodiversity Overlay Map	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted	Biodiversity Overlay Code

Development	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Bushfire Hazard Overlay		
Any: (a) material change of use; (b) reconfiguring a lot; (c) building work not associated with a material change of use; within a Bushfire Hazard Area identified on OM2 – Bushfire Hazard Overlay Map	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Bushfire Hazard Overlay Code
Character Overlay¹⁴		
Any material change of use on a site identified as being Neighbourhood Character and/or Local Heritage Place and/or adjoining a Local Heritage Place on OM3 – Character Overlay Map	Code Assessable Note—If the use is identified as impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to code assessable.	Character Overlay Code
Any building work where not associated with a material change of use on a site identified as being Neighbourhood Character and/or Local Heritage Place and/or adjoining a Local Heritage Place on OM3 – Character Overlay Map .	Code assessable if: (a) altering, extending or partially demolishing a Local Heritage Place; or (b) erecting a new or separate building on the site of a Local Heritage Place; or (c) affecting the external appearance of the building or structure on a site in the Neighbourhood Character area	Character Overlay Code
	Impact assessable if involving the full demolition of a Local Heritage Place	The planning scheme
Any operational work on a site identified as being Neighbourhood Character and/or Local Heritage Place on OM3 – Character Overlay Map , where involving a change to landscaping or natural features of land referred to in the citation for a heritage place	Code assessable	Character Overlay Code

¹⁴ Editor's Note: An application is required to the State for development on the site of a Queensland Heritage Place.

Development	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Extractive Resources Overlay		
(a) A material change of use or operational work for extractive industry if for a Borrow pit (b) Animal husbandry Cropping	Accepted development	
Any other: (a) material change of use; (b) reconfiguring a lot; (c) operational work not associated with a material change of use; (d) building work not associated with a material change of use; associated with extractive industry within the Resource Area, Potential Resource Area or Separation Area on OM4 – Extractive Resources Overlay	Code assessable	Extractive Resources Overlay Code
Any other development not identified in this section of the Table where within the Resource Area, Potential Resource Area or Separation Area	Impact assessment	The planning scheme
Flood and Other Coastal Hazards Overlay		
Any material change of a use in the Potential Flood Hazard Area on OM5 Flood and Other Coastal Hazards Overlay Map	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Flood and Other Coastal Hazards Overlay Code
Any material change of use in the Medium or High Hazard Areas on OM5 Flood and Other Coastal Hazards Overlay Map	Code assessable Note—If the use is identified impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Flood and Other Coastal Hazards Overlay Code
Any material change of use in the Erosion Prone Area on OM5 Flood and Other Coastal Hazards Overlay Map	Code assessable Note—If the use is identified impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Flood and Other Coastal Hazards Overlay Code
Any reconfiguring a lot identified in a Hazard Area, Potential Flood Hazard Area, or Erosion Prone Area on OM5 Flood and Other Coastal Hazards Overlay Map	No change	Flood and Other Coastal Hazards Overlay Code

Development	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Any building work identified in a Hazard Area or Potential Flood Hazard Area on OM5 Flood and Other Coastal Hazards Overlay Map	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Flood and Other Coastal Hazards Overlay Code – Section 1
Any building work identified in an Erosion Prone Area on OM5 Flood and Other Coastal Hazards Overlay Map	Code assessable Note—If the use is identified impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Flood and Other Coastal Hazards Overlay Code
Any operational work on a site identified in a Hazard Area on OM5 Flood and Other Coastal Hazards Overlay Map	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Flood and Other Coastal Hazards Overlay Code
Any operational work identified in an Erosion Prone Area on OM5 Flood and Other Coastal Hazards Overlay Map	Code assessable Note—If the use is identified impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Flood and Other Coastal Hazards Overlay Code
Landslide Hazard Overlay		
All development within the Landslide Hazard Area on OM14 – Landslide Hazard Overlay Map	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Landslide Hazard Overlay Code
Old Dam Site Overlay		
Clearing vegetation on land within the boundary of the Old Dam Site on OM13.1 - Old Dam Site Overlay Map	Code assessable	Low Density Residential Zone Code
Rural Land Use Overlay		
Permanent plantation within the Agricultural Land – Class A area on OM8 Rural Land Use Overlay Map	Impact Assessable	The planning scheme

Development	Category of development and assessment	Requirements for accepted development and assessment benchmarks
Scenic Amenity Overlay		
Any material change of use within the Scenic Amenity Overlay on OM9 – Scenic Amenity Overlay Map	Accepted Development subject to requirements Note—If the use is identified as code or impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Scenic Amenity Overlay Code
Any building work where not associated with a material change of use on a site identified as being in the Scenic Amenity Area on OM9 – Scenic Amenity Overlay Map .	Code assessable if affecting the external appearance of the building or structure	Scenic Amenity Overlay Code
Any operational work where not associated with a material change of use and involving retaining walls over 1.5m high on a site within the Scenic Amenity Overlay on OM9 – Scenic Amenity Overlay Map	Code assessable Note—If the use is identified as impact assessable in sections 5.5 through 5.9, then the category of assessment is not lowered to accepted development.	Scenic Amenity Overlay Code

Part 6 Zones

6.1 Preliminary

- (1) Zones organise the planning scheme area in a way that facilitates the location of preferred or acceptable land uses.
- (2) Zones are mapped and included in Schedule 2.
- (3) The categories of development and assessment for development in a zone are in Part 5.
- (4) Assessment benchmarks for zones are contained in a zone code.
- (5) A precinct may be identified for part of a zone.
- (6) Precinct provisions are contained in the zone code.
- (7) Each zone code identifies the following:
 - (a) the purpose of the code;
 - (b) the overall outcomes that achieve the purpose of the code;
 - (c) the performance outcomes that achieve the overall outcomes and the purpose of the code;
 - (d) the acceptable outcomes that achieve the performance and overall outcomes and the purpose of the code;
- (8) The following are the zone codes for the planning scheme:
 - (a) Low density residential zone code
 - (b) Medium density residential zone code
 - (c) Centre zone code
 - (d) Mixed use zone code
 - (e) Township zone code
 - (f) Industry zone code
 - (g) Community facilities zone code
 - (h) Rural residential zone code
 - (i) Rural zone code
 - (j) Recreation and open space zone code
 - (k) Environmental management and conservation zone code

6.2 Zone codes

6.2.1 Low density residential zone code

6.2.1.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the Low density residential zone. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.1.2 Purpose

- (1) The purpose of the low density residential zone is to provide for—
 - (a) a variety of low density dwelling types, including dwelling houses; and
 - (b) community uses, and small-scale services, facilities and infrastructure, to support local residents.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Built form reflects a low-density scale and provides a pleasant living environment with a high standard of amenity.
 - (b) Development is dominated by single residential dwelling houses.
 - (c) Residential neighbourhoods are located close to services, community facilities and appropriate levels of infrastructure.
 - (d) Non-residential uses reflect the intended residential built form, support the immediate community and maintain residential amenity.

6.2.1.3 Criteria for assessment

Table 6.1—Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development		
Built Form		
PO1	The scale and height of buildings is consistent with low density residential built form and has the appearance and bulk of a single dwelling house on a residential lot.	<p>AO1.1 Accommodation density does not exceed one dwelling per site.</p> <p>Note: A secondary dwelling is not a separate dwelling for the purpose of satisfying this outcome.</p> <p>And</p> <p>AO1.2 Building height does not exceed 8.5m.</p> <p>And</p> <p>AO1.3 Site cover does not exceed 50%.</p>
Siting		
PO2	Buildings are sited to allow privacy and ventilation to adjoining properties and contribute to a pleasant streetscape by providing sufficient area for landscaping.	<p>AO2.1 Buildings and structures maintain the following boundary clearance:</p> <p>(a) no less than 6m to the primary street frontage; and</p> <p>(b) no less than 3m to all other road frontages.</p> <p>And</p> <p>AO2.2 Buildings and structures maintain the following minimum side and rear boundary clearance:</p> <p>(a) 1.5 metres for that part of the building which is 4.5 metres or less above ground level;</p> <p>(b) 2 metres for that part of the building which is greater than 4.5 metres but not greater than 7.5 metres above ground level;</p> <p>(c) 2 metres, plus 0.5 metres for every 3 metres or part thereof for that part of the building which is greater than 7.5 metres above ground level.</p> <p>And</p> <p>AO2.3 Privacy screens are provided on decks and balconies overlooking habitable rooms on adjoining premises.</p>
Section 2 For assessable development		
Design		
PO3	The design of buildings:	<p>AO3.1 Buildings have windows, doors and balconies fronting the street.</p> <p>And</p> <p>AO3.2 Building bulk is softened by use of verandahs, eaves and overhangs, windows and variations in materials.</p> <p>And</p> <p>AO3.3 Fences or walls along all street frontages are:</p> <p>(a) a maximum of 1.8m above ground level and are at least 50% transparent; or</p> <p>(b) if the fence is not at least 50% transparent, has a maximum height of 1.2m above ground level.</p> <p>And</p> <p>AO3.4 Car parking is not located between the buildings and the street frontage/s.</p>
	(a) is in keeping with the intended character of the area;	
	(b) incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; and	
	(c) is appropriate for the tropical climate	

Performance Outcomes		Acceptable Outcomes
PO4	Effective landscaping is employed to provide an attractive presentation to the street.	No Acceptable Outcome specified.
PO5	Safe and efficient vehicle movements are facilitated.	No Acceptable Outcome specified.
PO6	Waste material is stored so as not to be unsightly and so as to be conveniently collected.	No Acceptable Outcome specified.
Acid Sulphate Soils		
PO7	<p>Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by:</p> <ul style="list-style-type: none"> (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm. 	<p>AO7.1 No potential or actual acid sulphate soils are disturbed as part of the development.</p> <p>And</p> <p>AO7.2 Where the proposal disturbs soil below 5m AHD or 500m³ or more of soil, the impacts are appropriately managed.</p>
Clearing vegetation at Old Dam Site in Cooktown		
PO8	Clearing of vegetation on any lot forming part of the Old Dam Site in Cooktown is limited to the practical minimum required to construct a single house and ancillary structures and access thereto.	No Acceptable Outcome specified.
Pest Management		
PO9	<p>Movement of State declared or environmental pest plants and pest animals is prevented by:</p> <ul style="list-style-type: none"> (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property. 	No Acceptable Outcome specified.

6.2.2 Medium density residential zone code

6.2.2.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the medium density residential zone. When using this code, reference should be made to section 4.3.2 and, where applicable, section 4.3.3 located in Part 4.

6.2.2.2 Purpose

- (1) The purpose of the medium density residential zone is to provide for—
 - (a) medium density multiple dwellings; and
 - (b) community uses, and small-scale services, facilities and infrastructure, to support local residents.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Built form reflects a medium density scale and provides a pleasant living environment with a high standard of amenity.

- (b) Development comprises a mix of houses, dual occupancy and multiple dwelling units.
- (c) Residential neighbourhoods are located close to services, community facilities and appropriate levels of infrastructure.
- (d) Non-residential uses reflect the intended residential built form, support the immediate community and maintain residential amenity.

6.2.2.3 Criteria for assessment

Table 6.2—Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development		
Built Form		
PO1 The scale and height of buildings is consistent with medium density residential built form.		AO1.1 Building height does not exceed 8.5m. And AO1.2 Site cover does not exceed: <ul style="list-style-type: none"> (a) 50% for buildings up to 4.5m in height (b) 40% for buildings over 4.5m but not exceeding 7.5m in height (c) 35% for buildings exceeding 7.5m in height.
Siting		
PO2 Buildings are sited to allow privacy and ventilation to adjoining properties and contribute to a pleasant streetscape by providing sufficient area for landscaping.		AO2.1 Buildings and structures maintain the following boundary clearance: <ul style="list-style-type: none"> (a) no less than 6m to the primary street frontage; and (b) no less than 3m to all other road frontages. And AO2.2 Buildings and structures maintain the following minimum side and rear boundary clearance: <ul style="list-style-type: none"> (a) 1.5 metres for that part of the building which is 4.5 metres or less above ground level; (b) 2 metres for that part of the building which is greater than 4.5 metres but not greater than 7.5 metres above ground level; (c) 2 metres, plus 0.5 metres for every 3 metres or part thereof for that part of the building which is greater than 7.5 metres above ground level. And AO2.3 Privacy screens are provided on decks and balconies overlooking habitable rooms on adjoining premises.
Section 2 For assessable development		
Design		
PO3 The design of buildings: <ul style="list-style-type: none"> (a) is in keeping with the intended character of the area; (b) incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; and (c) is appropriate for the tropical climate 		AO3.1 Buildings have windows, doors and balconies fronting the street. And AO3.2 Building bulk is softened by use of verandahs, eaves and overhangs, windows and variations in materials. And AO3.3 Fences or walls along all street frontages are: <ul style="list-style-type: none"> (a) a maximum of 1.8m above ground level and are at least 50% transparent; or (b) if the fence is not at least 50%

Performance Outcomes	Acceptable Outcomes
	transparent, has a maximum height of 1.2m above ground level. And AO3.4 Car parking is not located between the buildings and the street frontage/s.
PO4 Effective landscaping is employed to provide an attractive presentation to the street.	No Acceptable Outcome specified.
PO5 Safe and efficient vehicle movements are facilitated.	No Acceptable Outcome specified.
PO6 Waste material is stored so as not to be unsightly and so as to be conveniently collected.	No Acceptable Outcome specified.
Acid Sulphate Soils	
PO7 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by: (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm.	AO7.1 No potential or actual acid sulphate soils are disturbed as part of the development. And AO7.2 Where the proposal disturbs soil below 5m AHD or 500m ³ or more of soil, the impacts are appropriately managed.
Pest Management	
PO8 Movement of State declared or environmental pest plants and pest animals is prevented by: (c) not introducing any new declared or environmental pest plants or animals onto the property; and (d) not allowing seed or plant parts of declared or environmental pest plants to leave the property.	No Acceptable Outcome specified.

6.2.3 Centre zone code

6.2.3.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the Centre zone. When using this code, reference should be made to section 4.3.2 and, where applicable, section 4.3.3 located in Part 4.

6.2.3.2 Purpose

- (1) The purpose of the centre zone is to provide for a variety of uses and activities to service all or part of the local government area, including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Land is used for a range of business, commercial, retail, professional, tourism and entertainment facilities;
 - (b) Land in the Centre Zone functions as the town centre with a range of retail and commercial activities to support the local community and tourists and visitors.

- (c) Retail and commercial uses are consolidated within this zone, to achieve greater efficiency and accessibility;
- (d) Non-commercial uses which conflict with or could undermine the core functions of the town centre do not occur within the Centre Zone;
- (e) Residential uses are provided only in conjunction with a ground floor commercial use.

6.2.3.3 Criteria for assessment

Table 6.3—Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development		
Built Form		
PO1	The scale and height of buildings and structures is consistent with the existing built form of the town centre.	AO1.1 Building height does not exceed 11m. And AO1.2 AO1.2 Site cover does not exceed 80%.
Siting		
PO2	Buildings and structures are sited to: <ul style="list-style-type: none"> (a) Complement the predominant character of the area; (b) Create a vibrant town centre street frontage not dominated by car parking; (c) Protect the amenity of residential uses in surrounding zones. (d) Ensure that internal car parking areas are capable of surveillance from dwellings located on site; 	AO2.1 Buildings and structures are built up to the primary street frontage. And AO2.2 Buildings and structures are built to the side and rear boundaries unless AO2.3 is applicable. Or AO2.3 Where the adjoining premises is in the Low Density Residential Zone, Medium Density Residential Zone or Township Zones, new development provides the following: <ul style="list-style-type: none"> (a) A 3m setback to the common boundary; (b) A 2m wide landscape strip within the setback area to the standard set out in the Landscaping Planning Scheme Policy; (c) A solid 1.8m fence that is 100% impervious fence along the common boundary. And AO2.4 On-site car parking areas are located behind the building. Or AO2.5 Where car parking areas are provided on the street frontage, a continuous landscaped strip (excluding access/egress points) is to be provided to the standard specified in the Landscaping Planning Scheme Policy . Note: The creation of common driveways and/or parking areas to achieve this outcome will be supported. And AO2.6 Awnings provide pedestrian shelter, consistent with the character of the Centre, and: <ul style="list-style-type: none"> (a) includes under awning lighting (b) protects the normal flow of pedestrians (c) is continuous across the frontage/s of a site (d) aligns to provide continuity with shelter on adjoining sites

Performance Outcomes	Acceptable Outcomes
	<p>(e) is cantilevered from the main building. Posts within the footpath must be non-load-bearing</p> <p>Note Council must provide written consent prior to awnings being constructed over public land.</p>
Section 2 For accepted development subject to requirements and assessable development	
Design	
<p>PO3 The design of buildings and structures is in keeping with the predominant character of the area and:</p> <ul style="list-style-type: none"> (a) incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; (b) creates a safe and active pedestrian environment; (c) address the street with a high level of visual appeal; (d) provide a commercial/shop front presentation at ground level (e) Ensure that walls facing the street frontage are articulated and punctuated by windows and doors; (f) Employ the use of eaves and overhangs; (g) Complement the existing streetscape. 	<p>AO3.1 Residential uses only occur above and in conjunction with a ground floor commercial or retail use.</p> <p>And</p> <p>AO3.2 Upper level dwellings have windows, doors and balconies fronting the street.</p> <p>And</p> <p>AO3.3 Buildings address the street with entrances fronting the street.</p> <p>And</p> <p>AO3.4 The design of new buildings or alterations reflects the architectural qualities (scale, roof form, colour, indented windows etc.) and traditional materials of nearby heritage buildings, but do not necessarily imitate historical architectural styles.</p> <p>And</p> <p>AO3.5 Ground level interface between the building and pedestrian footpath is designed to:</p> <ul style="list-style-type: none"> (a) integrate with adjoining premises; and (b) take advantage of natural light and ventilation
Waste Management	
<p>PO4 Waste storage and collection areas must be unobtrusive and adverse impacts on the environment and neighbouring properties must be mitigated.</p>	<p>AO4.1 All bins and waste storage areas are located on site and screened so as to not be visible from the street or neighbouring properties.</p>
Acid Sulphate Soils	
<p>PO5 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by:</p> <ul style="list-style-type: none"> (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm. 	<p>AO5.1 No potential or actual acid sulphate soils are disturbed as part of the development.</p> <p>Or</p> <p>AO5.2 Where the proposal disturbs soil below 5m AHD or 500m³ or more of soil, the impacts are appropriately managed.</p>
Pest Management	
<p>PO6 Movement of State declared or environmental pest plants and pest</p>	<p>No Acceptable Outcome specified.</p>

Performance Outcomes	Acceptable Outcomes
animals is prevented by: (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property.	

6.2.4 Mixed use zone code

6.2.4.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the mixed use zone. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.4.2 Purpose

- (1) The purpose of the mixed use zone is to provide for a variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) A comprehensive mix of commercial and residential uses with an emphasis on tourist related uses, although longer-term residential accommodation may also form part of the mix.
 - (b) Commercial and entertainment facilities are provided at ground level, while residential units are located predominantly above ground level and provide for high density tourist accommodation and longer term residential living;
 - (c) Tourist facilities and services are established within or adjacent to tourist accommodation; and
 - (d) In the MU1 Precinct (Cooktown Foreshore Mixed Use Precinct), development will:
 - (i) Comprise a mix of business, tourist accommodation and community use (education facilities); and
 - (ii) Achieve a high level of design quality in the built form which complements the natural characteristics of the area, including the protection;
 - (iii) Maintenance, rehabilitation and enhancement of the natural characteristics of Grassy Hill; and
 - (iv) Avoid and mitigate against natural hazards such as landslide, flooding and coastal hazards.

6.2.4.3 Criteria for assessment

Table 6.4—Accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development	
Height, scale and density	
PO1 The scale, density and bulk of buildings is consistent with the mixed use area.	AO1.1 Except for a dwelling house, a minimum of 50% of ground floor GFA consists of non-accommodation related commercial uses. This area is located at the street frontage(s) of the site. And AO1.2 Where residential or commercial accommodation uses are provided, density shall not exceed one dwelling unit per 150m ² of site area. Note: A secondary dwelling is not a separate dwelling for the purpose of satisfying this outcome.
PO2 Buildings are consistent in height and	AO2.1 Building height does not exceed

Performance Outcomes	Acceptable Outcomes
bulk with the existing pattern of construction in the area.	8.5m. And AO2.2 Site cover does not exceed 60%.
PO3 Built form in the MU1 Precinct provides a high level of visual quality which minimises the impact of development on Grassy Hill and complements the natural characteristics of the area.	Where in the MU1 Precinct: AO3.1 Building height does not exceed 3 storeys and 11.5m above ground level And AO3.2 Site cover does not exceed 80%
Siting	
PO4 Buildings and structures are sited to: <ul style="list-style-type: none"> (a) Complement the predominant character of the area; (b) Create a vibrant town centre street frontage not dominated by car parking; (c) Protect the amenity of residential uses in surrounding zones. (d) Ensure that internal car parking areas are capable of surveillance from dwellings located on site; 	AO4.1 Buildings and structures are setback a maximum of 6m from the street frontage(s) and a minimum of 3m from all other street frontages. And AO4.2 Where for a Dwelling house, all buildings and structures shall maintain the following side and rear boundary setback: <ul style="list-style-type: none"> (a) 1.5 metres for that part of the building which is 4.5 metres or less above ground level; (b) 2 metres for that part of the building which is greater than 4.5 metres but not greater than 7.5 metres above ground level; (c) 2 metres, plus 0.5 metres for every 3 metres or part thereof for that part of the building which is greater than 7.5 metres above ground level. Or AO4.3 Where for a mixed use development adjoining the Low Density Residential Zone or Medium Density Residential Zone, non-residential uses provide the following: <ul style="list-style-type: none"> (a) A 3m setback to the common boundary; (b) A 2m wide landscape strip within the setback area to the standard set out in the Landscaping Planning Scheme Policy; (c) A solid 1.8m fence that is 100% impervious fence along the common boundary. And AO4.4 On-site car parking areas are located behind the building. Or AO4.5 Where car parking areas are provided on the street frontage, a continuous landscaped strip (excluding access/egress points) is to be provided to the standard specified in the Landscaping Planning Scheme Policy . Note: The creation of common driveways and/or parking areas to achieve this outcome will be supported.

Performance Outcomes	Acceptable Outcomes
	<p>And AO4.6 Awnings provide pedestrian shelter, consistent with the intended character of the Mixed use zone and:</p> <ul style="list-style-type: none"> (a) includes under awning lighting (b) protects the normal flow of pedestrians (c) is continuous across the frontage/s of a site (d) aligns to provide continuity with shelter on adjoining sites (e) is cantilevered from the main building. Posts within the footpath must be non-load-bearing <p>Note: Council must provide written consent prior to awnings being constructed over public land.</p>
Section 2 For accepted development subject to requirements and assessable development	
Design	
<p>PO5 The design of buildings and structures is in keeping with the predominant character of the area and:</p> <ul style="list-style-type: none"> (a) incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; (b) creates a safe and active pedestrian environment; (c) address the street with a high level of visual appeal; (d) provide a commercial/shop front presentation at ground level (e) Ensure that walls facing the street frontage are articulated and punctuated by windows and doors; (f) Employ the use of eaves and overhangs; (g) Complement the existing streetscape. 	<p>AO5.1 Residential uses only occur above ground level and in conjunction with a ground floor commercial or retail use.</p> <p>And AO5.2 Upper level dwellings have windows, doors and balconies fronting the street.</p> <p>And AO5.3 Buildings address the street with entrances fronting the street.</p> <p>And AO5.4 The design of new buildings or alterations reflects the architectural qualities (scale, roof form, colour, indented windows etc.) and traditional materials of nearby heritage buildings, but do not necessarily imitate historical architectural styles.</p> <p>And AO5.5 Ground level interface between the building and pedestrian footpath is designed to:</p> <ul style="list-style-type: none"> (a) integrate with adjoining premises; and (b) take advantage of natural light and ventilation
Waste Management	
<p>PO6 Waste storage and collection areas must be unobtrusive, and adverse impacts on the environment and neighbouring properties must be mitigated.</p>	<p>AO6.1 All bins and waste storage areas are located on site and screened so as to not be visible from the street or neighbouring properties.</p>
Acid Sulphate Soils	
<p>PO7 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by:</p> <ul style="list-style-type: none"> (a) Avoiding disturbance of such areas; or 	<p>AO7.1 No potential or actual acid sulphate soils are disturbed as part of the development.</p> <p>Or AO7.2 Where the proposal disturbs soil below 5m AHD or 500m³ or more of soil, the impacts are appropriately managed.</p>

Performance Outcomes	Acceptable Outcomes
(b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm.	
Pest Management	
PO8 Movement of State declared or environmental pest plants and pest animals is prevented by: (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property.	No Acceptable Outcome specified.

6.2.5 Township zone code

6.2.5.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the township zone. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.5.2 Purpose

- (1) The purpose of the township zone is to provide for—
 - (a) small to medium urban areas in a rural or coastal area; and
 - (b) a variety of uses and activities to service local residents, including, for example, business, community, education, industrial, open space, recreation, residential or retail uses or activities; and
 - (c) tourist attractions and short-term accommodation, if appropriate for the area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) A range of commercial, retail and community land uses, as well as low density residential, is to be provided.
 - (b) Employment generating activities are located to support the local community without detrimentally impacting upon the amenity of the township;
 - (c) Subdivision of land only occurs where there is a demonstrated community need; and
 - (d) The design of buildings and structure is sympathetic to the existing character and the natural setting of the township.

6.2.5.3 Criteria for assessment

Table 6.5—Accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development	
Built Form	
PO1 The scale, height and bulk of buildings is consistent with the existing pattern of construction.	AO1.1 Accommodation density does not exceed one dwelling per site. Note: A secondary dwelling is not a separate dwelling for the purpose of satisfying this outcome. And AO1.2 Building height does not exceed 8.5m. And AO1.3 Site cover does not exceed 50%. And

Performance Outcomes		Acceptable Outcomes	
		AO1.4 Buildings are to have pitched roof forms.	
Siting			
PO2	High standards of residential amenity and landscaping are maintained, and new buildings are setback from boundaries so as to minimise adverse impacts on the amenity of adjoining sensitive uses and the streetscape.	AO2.1	Buildings and structures are setback 6m to the primary street frontage and 3m from all other boundaries.
Section 2 For accepted development subject to requirements and assessable development			
Design			
PO3	New buildings and structures are designed to: (a) Provide a high level of visual appeal and attractive presentation to the street. (b) Be in keeping with the predominant character of the area. (c) Ensure that walls facing the street frontage are articulated with windows and doors; and long expanses of blank and/or flat walls are avoided. (d) incorporate Crime Prevention Through Environmental Design (CPTED) through casual surveillance of the street frontage and car parking areas.	AO3.1	The following design features are included: (a) Windows, doors and balconies fronting the street. (b) Privacy screens on decks and balconies overlooking habitable areas on neighbouring properties; (c) Non-residential uses provide weather protection for pedestrians. And AO3.2 Built form protects views to significant local landmarks and distant views to prominent features and landscapes. And AO3.3 Where a non-residential use is proposed and the <i>adjoining premises</i> is used for any residential or community purpose (excluding a Utility installation or Telecommunications facility), the following shall be used: (a) A solid 1.8m high fence (e.g. timber paling, masonry, brick, metal cladding with neutral finishes); and (b) A minimum 2m wide landscaped buffer provided and maintained to the minimum standard specified in the Landscaping Planning Scheme Policy
PO4	Non-residential uses provide appropriate weather protection for pedestrians.	AO4.1	Awnings provide pedestrian shelter, consistent with the character of the Township, and: (a) includes under awning lighting (b) protects the normal flow of pedestrians (c) is continuous across the frontage/s of a site (d) aligns to provide continuity with shelter on adjoining sites (e) is cantilevered from the main building. Posts within the footpath must be non-load-bearing

Performance Outcomes		Acceptable Outcomes
		Note: Council must provide written consent prior to awnings being constructed over public land.
P05	Safe and efficient vehicle movements are facilitated.	No Acceptable Outcome specified.
Waste management		
P06	Waste storage and collection areas must be unobtrusive, and adverse impacts on the environment and neighbouring properties must be mitigated.	A06.1 All bins and waste storage areas are located on site and screened so as to not be visible from the street or neighbouring properties.
Acid sulphate soils		
P07	Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by: <ul style="list-style-type: none"> (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm. 	A07.1 No potential or actual acid sulphate soils are disturbed as part of the development. Or A07.2 Where the proposal disturbs soil below 5m AHD or 500m ³ or more of soil, the impacts are appropriately managed.
Pest Management		
P08	Movement of State declared or environmental pest plants and pest animals is prevented by: <ul style="list-style-type: none"> (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property. 	No Acceptable Outcome specified.

6.2.6 Industry zone code

6.2.6.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the industry zone. When using this code, reference should be made to section 4.3.2 and, where applicable, section 4.3.3 located in Part 4.

6.2.6.2 Purpose

- (1) The purpose of the industry zone is to provide for—
 - (a) a variety of industry activities; and
 - (b) other uses and activities that—
 - (i) support industry activities; and
 - (ii) do not compromise the future use of premises for industry activities.
- (2) The purpose of the code will be achieved through the following overall outcomes -
 - (a) The primary land use is industry. Commercial uses only occur where complementary or ancillary to industry uses;
 - (b) The local economy will be supported through the provision of land for all industrial uses (except Extractive Industry) and related commercial uses.

- (c) The type and scale of development is located, designed and managed to incorporate Crime Prevention Through Environmental Design (CPTED) to maintain the safety of people;
- (d) The amenity for surrounding land uses in non-industrial zones is maintained;
- (e) Significant adverse effects on the environment are avoided;
- (f) Off –site impacts are managed and minimised;
- (g) Industrial uses are consolidated to allow cost effective provision of infrastructure; and
- (h) Regionally focused, transport reliant, industrial activities are located close to Endeavour Valley Road in Cooktown.
- (i) Development at the Cooktown Airport (Lot 2 on SP287154) is sited, designed and managed to:
 - (i) ensure the safe and efficient operation of the Cooktown Airport including the airport access road;
 - (ii) maintain the safety of people and works;
 - (iii) maintain an acceptable level of amenity on site and in the locality;
 - (iv) avoid or minimise adverse off-site impacts including those on the environment;
 - (v) ensure adequate services and infrastructure is available of suitable standard to efficiently facilitate existing and future uses

6.2.6.3 Criteria for assessment

Table 6.6—Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development		
Built Form		
PO1	The scale and height of buildings and structures is consistent with industrial built form and appropriate to the area.	AO1.1 Building height does not exceed 11m And AO1.2 Site cover does not exceed 70%.
Siting		
PO2	Buildings and structures are sited to complement the industrial character or the area, minimise impacts on roads and adjoining properties and contribute to a pleasant streetscape.	AO2.1 Buildings or structures are setback at least 6m from the primary street frontage. And AO2.2 A 2m landscape strip is provided within the site and along all street frontages to the standard set out in the Landscape Planning Policy . And AO2.3 A commercial waste bin storage area is provided at the front of the site (i.e. between buildings and the street frontage) and screened from the street frontage and side boundaries with a solid 1.8 m high fence (for example timber paling, masonry, brick, metal cladding with neutral finishes) that is 100% impervious. And AO2.4 Buildings and structures are built to the side and rear boundary, unless adjoining a residential or community use zone. Or AO2.5 Where the adjoining premises is in the Low Density Residential, Rural

Performance Outcomes	Acceptable Outcomes
	<p>Residential or Community Use Zones, the proposed development provides the following along the common boundary:</p> <ul style="list-style-type: none"> (a) A solid 1.8m high fence (for example timber paling, masonry, brick, metal cladding with neutral finishes) that is 100% impervious; and (b) A 3m boundary clearance which includes a 2m wide landscaped buffer provided along the boundary and maintained to the minimum standard specified in the Landscaping Planning Scheme Policy. <p>And AO2.6 Buildings and structures are setback 20m from any wetland or waterway and no clearing occurs within this setback.</p>
Design	
<p>PO3 The design of buildings and structures:</p> <ul style="list-style-type: none"> (a) is in keeping with the intended industrial character of the area; (b) incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; and (c) creates a safe environment for workers, visitors and pedestrians. 	<p>AO3.1 10% of the site is landscaped to the standards specified in the Landscaping Planning Scheme Policy.</p> <p>And AO3.2 All vehicles are able to enter and exit the site in a forward gear.</p>
Section 2 For accepted development subject to requirements and assessable development	
Waste management	
<p>PO4 Waste storage and collection areas must be unobtrusive, and adverse impacts on the environment and neighbouring properties must be mitigated.</p>	<p>AO4.1 All bins and waste storage areas are located on site and screened so as to not be visible from the street or neighbouring properties.</p>
Acid sulphate soils	
<p>PO5 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by:</p> <ul style="list-style-type: none"> (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm. 	<p>AO5.1 No potential or actual acid sulphate soils are disturbed as part of the development.</p> <p>Or AO5.2 Where the proposal disturbs soil below 5m AHD or 500m³ or more of soil, the impacts are appropriately managed.</p>

Performance Outcomes	Acceptable Outcomes
Pest Management	
PO6 Movement of State declared or environmental pest plants and pest animals is prevented by: <ul style="list-style-type: none"> (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property. 	No Acceptable Outcome specified.

6.2.7 Community facilities zone code

6.2.7.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the community facilities zone. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.7.2 Purpose

- (1) The purpose of the community facilities zone is to provide for community-related uses, activities and facilities, whether publicly or privately owned, including, for example—
 - (a) educational establishments; and
 - (b) hospitals; and
 - (c) transport and telecommunication networks; and
 - (d) utility installations.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The Shire is to be well serviced with community facilities and services, including education facilities, emergency services, health care and the like.
 - (b) Community uses are conveniently located and easily accessible to the targeted community group;
 - (c) The built form of community and other uses is consistent in scale, height and bulk with surrounding development;
 - (d) Ancillary uses only occur where they provide support to the primary community use;
 - (e) The community benefits associated with these uses are provided without impacting on the amenity of the adjoining neighbours or the locality;
 - (f) Community uses retain and enhance semi -natural and natural habitats and/or the landscape values of the locality;
 - (g) Commercial waterfront uses consistent with the purposes of the reserves may occur within the CF1 Precinct (Cooktown Foreshore Commercial Precinct) identified on Zoning Map 13; and
 - (h) Complementary community uses are clustered for efficient use of land and infrastructure.

6.2.7.3 Criteria for assessment

Table 6.7—Accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development	
Built Form	
PO1 The scale and height of buildings and structures is consistent with the built form of the neighbourhood.	AO1.1 Building height does not exceed 8.5m. and AO1.2 Site cover does not exceed 50%.
Siting	
PO2 Buildings and structures are sited to complement the character or the area,	AO2.1 Buildings or structures are setback at least 6m from the primary street

Performance Outcomes	Acceptable Outcomes
<p>minimise impacts on adjoining properties and contribute to a pleasant streetscape.</p>	<p>frontage.</p> <p>And AO2.2 Buildings or structures are setback at least 3m from all other boundaries.</p> <p>And AO2.3 A minimum 10% of the site area is to be landscaped to the standard specified in the Landscaping Planning Scheme Policy and this includes a 2m landscape strip along all street frontages (excluding access/egress points).</p> <p>And AO2.4 Where the adjoining premises is in the Low Density Residential, Medium Density Residential or Mixed-Use Zones, the proposed development provides the following along the common boundary:</p> <ul style="list-style-type: none"> (a) A solid 1.8m high fence (for example timber paling, masonry, brick, metal cladding with neutral finishes) that is 100% impervious; and (b) A 2m boundary clearance which includes a 2m wide landscaped buffer provided along the boundary and maintained to the minimum standard specified in the Landscaping Planning Scheme Policy. <p>And AO2.5 Buildings and structures are setback 20m from any wetland or waterway and no clearing occurs within this setback.</p>
<p>Section 2 For accepted development subject to requirements and assessable development</p>	
<p>Design</p>	
<p>PO3 The design of buildings:</p> <ul style="list-style-type: none"> (a) is in keeping with the intended character of the area; (b) incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; and (c) creates a safe environment for residents, visitors, pedestrians and vehicle movements. 	<p>AO3.1 New buildings and structures are designed to:</p> <ul style="list-style-type: none"> (a) Address the street with windows, doors and balconies fronting the street; (b) Use eaves and overhangs; (c) Ensure internal car parking spaces are capable of surveillance; (d) Complement the intended character of the area. <p>And AO3.2 All vehicles are able to enter and exit the site in a forward gear.</p>

Performance Outcomes		Acceptable Outcomes	
Waste Management			
PO4	Waste storage and collection areas must be unobtrusive, and adverse impacts on the environment and neighbouring properties must be mitigated.	AO4.1	A commercial waste bin storage area is provided at the front of the <i>site</i> (i.e. between buildings and the street frontage) and screened from the street frontage and side boundaries with a solid 1.8 m high fence (for example timber paling, masonry, brick, metal cladding with neutral finishes) that is 100% impervious.
Acid Sulphate Soils			
PO5	Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by: (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm.	AO5.1	No potential or actual acid sulphate soils are disturbed as part of the development. Or AO5.2 Where the proposal disturbs soil below 5m AHD or 500m³ or more of soil, the impacts are appropriately managed.
Pest Management			
PO6	Movement of State declared or environmental pest plants and pest animals is prevented by: (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property.	No Acceptable Outcome specified.	

6.2.8 Rural residential zone code

6.2.8.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the rural residential zone. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.8.2 Purpose

- (1) The purpose of the rural residential zone is to provide for residential uses and activities on large lots, including lots for which the local government has not provided infrastructure and services.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The Rural residential zone is characterised by large residential lots offering a high standard of residential amenity in a semi-rural setting;
 - (b) The predominant built form is one dwelling house per lot, with a maximum height of two storeys;
 - (c) Low impact activities such as hobby farming occur where compatible with the rural residential nature of the surrounds and do not detrimentally impact upon local amenity via odour, chemical sprays, traffic or noise;

- (d) Where town water and sewerage are not available, domestic infrastructure is contained entirely within the boundaries of the site;
- (e) Rural residential areas do not alienate agricultural land or compromise farming activities on adjoining rural zoned land;
- (f) Community services and facilities are readily accessible; and
- (g) The environmental and biodiversity values of the land are protected.
- (h) Rural residential zoned land is protected from subdivision or changes of use. **OM6 – Future Urban Expansion Overlay Map** identifies Rural Residential land that may provide for the long-term expansion of the township only where there is an overwhelming community need.

6.2.8.3 Criteria for assessment

Table 6.8—Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development		
Built Form		
PO1	The scale and height of buildings and structures have the appearance and bulk of a single house, and are consistent with the semi-rural character of the area.	AO1.1 Accommodation density does not exceed one dwelling per site. Note: A secondary dwelling is not a separate dwelling for the purpose of satisfying this outcome. And AO1.2 Building height does not exceed 8.5m. And AO1.3 Site cover does not exceed 50%. And AO1.4 Buildings have a pitched roof.
Siting		
PO2	Buildings and structures are sited to protect the residential amenity of the area when viewed from roads and neighbouring properties and are consistent with the existing pattern of construction in the area.	AO2.1 Buildings and structures are setback: <ul style="list-style-type: none"> (a) 6m from the any street frontage; (b) 1.5m from all other boundaries for residential buildings and structures; and (c) 3m from all other boundaries for non-residential buildings and structures.
PO3	Extractive industry operations and known resource deposits are protected from the encroachment of incompatible land uses.	AO3.1 A dwelling is not located within: <ul style="list-style-type: none"> (a) 200m from an extractive industry or resource not involving blasting; (b) 1,000m from an extractive industry or resource involving blasting
Section 2 For assessable development		
Siting		
PO4	The siting of buildings and structure ensures: <ul style="list-style-type: none"> (a) High standards of residential amenity are maintained; (b) Landscaping can minimise adverse impacts on the amenity of adjoining properties and their streetscape. 	AO4.1 Non-residential buildings and structures (excluding a Roadside Stall) are setback: <ul style="list-style-type: none"> (a) 50m from the centre line of a State controlled road identified on OM10 – State Controlled Roads Overlay Map; and (b) 6m from the any other street frontage; (c) 3m from all other boundaries; (d) 6m from the edge of the road reserve for Roadside Stalls; (e) 2m from the primary road

Performance Outcomes		Acceptable Outcomes
		frontage and 6m from all other boundaries for an Advertising Device.
Landscaping		
PO5	Landscaping is used to provide an attractive presentation to the street.	No Acceptable Outcome specified.
Acid Sulphate Soils		
PO6	<p>Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by:</p> <ul style="list-style-type: none"> (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm. 	<p>AO6.1 No potential or actual acid sulphate soils are disturbed as part of the development.</p> <p>Or</p> <p>AO6.2 Where the proposal disturbs soil below 5m AHD or 500m³ or more of soil, the impacts are appropriately managed.</p>
Pest Management		
PO7	<p>Movement of State declared or environmental pest plants and pest animals is prevented by:</p> <ul style="list-style-type: none"> (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property. 	No Acceptable Outcome specified.

6.2.9 Rural zone code

6.2.9.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the rural zone. For development within the Rural Zone and the Eastern Kuku Yalanji Local Plan area, development shall be assessed against both codes. The provisions of the Eastern Kuku Yalanji Local Plan Code prevail over the Rural Zone Code to the extent of any inconsistency. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.9.2 Purpose

- (1) The purpose of the rural zone is to—
 - (a) provide for rural uses and activities; and
 - (b) provide for other uses and activities that are compatible with—
 - (i) existing and future rural uses and activities; and
 - (ii) the character and environmental features of the zone; and
 - (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.
- (2) The purpose of the code will be achieved through the following overall outcomes;
 - (a) Agricultural land is protected from fragmentation or alienation;
 - (b) Adequate infrastructure (particularly roads) is provided to service rural communities and support the rural economy;
 - (c) Intensive rural activities and aquaculture is separated from sensitive land uses to ensure they do not have a detrimental impact on the amenity of adjoining land;

- (d) Existing extractive industries and known resource deposits are protected and provide opportunities for new extractive industry operations. All new and existing operations are located and designed to mitigate environmental impacts;
- (e) Appropriate forms of tourism-based activities and associated short term accommodation are supported where at an appropriate scale and impacts can be managed;
- (f) Development in the Eastern Kuku Yalanji Local Plan is supported, including higher densities for rural zoned sites at Little Annan and South Mungumby (Precincts 4 and 5 of the Local Plan).
- (g) Built form is consistent with the rural character, which is typically a single dwelling house and ancillary structures necessarily associated with the rural activity, such as sheds.
- (h) Scenic landscape values and rural character are protected from the visual impacts of clearing, construction and intensive uses;
- (i) Development maintains adequate separation from natural features such as prominent hills and ridges, creeks, gullies, waterways, wetlands so they are retained, managed and enhanced.
- (j) Non-rural development is designed and located so it does not compromise the long-term use of the land for rural purposes.
- (k) Rural zoned land is protected from adhoc subdivision or changes of use. OM6.4 – Future Urban Expansion Overlay Map identifies Rural zoned land that may provide for the long-term expansion of the township subject to the provision of infrastructure and orderly, sequencing and assessment of constraints

Criteria for assessment

6.2.9.3

Table 6.9—Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes
Section 1 For accepted development subject to requirements and assessable development		
Built Form		
PO1	The scale, density and height of buildings and structures is consistent with the rural built form.	AO1.1 One dwelling per site. Note: A secondary dwelling is not a separate dwelling for the purpose of satisfying this outcome. And AO1.2 Building height does not exceed 8.5m. And AO1.3 Buildings have a pitched roof.
Siting		
PO2	Buildings and structures are sited to protect the rural amenity of the area when viewed from roads and neighbouring properties, and to minimise the impacts of noise and dust.	AO2.1 For uses other than Rural industry, Animal Keeping, Aquaculture, Intensive Animal Industries and Advertising Devices, buildings and structures are setback: <ul style="list-style-type: none"> (a) 50m from the centre line of a State controlled road identified on OM10-State controlled roads; and (b) 6m from all other boundaries.
State controlled road - amenity		
PO3	Development achieves acceptable levels of amenity for residents and visitors.	For sites with frontage to a State controlled road as mapped on OM10 – State controlled road Overlay : AO3.1 Development uses noise attenuation measures, such as earth mounds and noise barrier fences, between the noise source and the noise sensitive place. Or AO3.2 Development maintains an appropriate buffer distance between the noise source and the noise sensitive place.

Performance Outcomes		Acceptable Outcomes
Cropping		
PO4	Agricultural land is protected for agricultural production.	AO4.1 Permanent plantations do not occur on agricultural land mapped on Overlay Map 8 . Note. This does not apply to windbreaks that are grown to protect legitimate agricultural crops.
Section 2 For assessable development		
Siting		
PO5	Buildings and structures are sited to protect the rural amenity of the area when viewed from roads and neighbouring properties, and to minimise the impacts of noise and dust.	AO5.1 Rural Industry buildings and structures are setback as follows: <ul style="list-style-type: none"> (a) Where access is from a sealed road, a minimum of 6m from all boundaries; or (b) Where access is from an unsealed road, a minimum of 20m from the road frontage; and (c) a minimum of 6m from all boundaries; and (d) a minimum of 200m from any dwelling on an adjoining premises; and (e) a minimum of 200m from any land in the Low Density Residential, Township or Rural Residential Zones; Or AO5.2 For Intensive Animal Industries buildings and structures are setback in accordance with the minimum requirements in Schedule 1 of this code. Or AO5.3 If the use is not listed in Schedule 1 of this code, no Acceptable Outcome is specified.
Rural land use		
PO6	Development ensures the following rural outcomes are achieved: <ul style="list-style-type: none"> (a) new or existing rural or extractive industries will not be prevented from establishing and/or expanding. (b) infrastructure critical to agricultural and extractive industry supply chains are protected and used sustainably; and (c) rural landscape values, water resources and environmental quality are protected. 	AO6.1 Development complies with minimum lot size and dimensions identified in Schedule 1 of the Reconfiguring a Lot Code. And AO6.2 Development does not occur within the Annan River Resource Buffer on the Water Resource area identified on OM11- Water Resources Overlay .
Extractive resources		
PO7	Extractive industry operations and proven resource deposits are protected from the encroachment of incompatible land uses.	AO7.1 A dwelling is not located within: <ul style="list-style-type: none"> (a) 200m from an extractive industry or resource not involving blasting; (b) 1,000m from an extractive industry or resource involving blasting;
Stock routes		
PO8	Development must not compromise the primary use of the stock route or capacity for stock movement.	AO8.1 Development on sites adjoining a stock route identified on OM8 Rural land use Overlay must demonstrate

Performance Outcomes	Acceptable Outcomes
	access is safe and protects the usability of the stock route.
Visual amenity	
PO9 Development maintains and enhances the scenic amenity of prominent hillsides, coastal landscapes, views and vistas.	No Acceptable Outcome specified.

Schedule 1 – Minimum setback distances for certain types of Animal Keeping and Intensive Animal Industries

Setback from	Abattoir, piggery or feedlot	Poultry farm or processing plant	Cattery or kennel	Aquaculture
Road frontage	200m	60m	50m	50m
Natural waterway, wetlands or declared fish habitat area	100m	50m	50m	100m
Side or rear boundary	15m	15m	15m	15m
Any house on surrounding land	500m	400m	200m	100m

6.2.10 Recreation and open space zone code

6.2.10.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the Recreation and open space zone. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.10.2 Purpose

- (1) The purpose of the recreation and open space zone is to provide for—
 - (a) a variety of cultural, educational, leisure, recreation and sporting uses and activities, including, for example—
 - (i) parks, playgrounds or playing fields for the use of residents and visitors; and
 - (ii) parks, or other areas, for the conservation of natural areas; and
 - (b) facilities and infrastructure to support the uses and activities stated in paragraph (a).
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) A range of functional open space areas, including playgrounds, are provided for the use and enjoyment of tourists and residents for active and passive sport and recreational pursuits;
 - (b) Important scenic areas and areas with significant ecological value (e.g. river esplanades) are protected;
 - (c) Opportunities are provided for sporting clubs and include (in suitable locations) playing fields and associated club facilities;
 - (d) Infrastructure such as boat ramps are provided to permit the enjoyment of coastal wetlands and fisheries;
 - (e) Recreational or club facilities do not affect the amenity of adjacent areas (particularly residential areas) and demonstrate careful design and siting to prevent adverse effects on sensitive land uses and scenic and ecological values;
 - (f) Open space is provided along the Cooktown foreshore to promote better access, use and enjoyment by residents, visitors and tourists; and
 - (g) Limited commercial facilities such as kiosks and small scale restaurants which complement the use and enjoyment of Park Facilities will occur in some locations where they support the primary use of the site for recreation.

6.2.10.3 Criteria for assessment

Table 6.10—Assessable development

Performance Outcomes		Acceptable Outcomes
Section 1 For assessable development		
Built Form		
PO1	The <i>scale</i> and height of buildings and structures is limited to providing necessary infrastructure for recreation and open space purposes.	AO1.1 Building height does not exceed 8.5m.
Siting		
PO2	Buildings are sited to minimise impacts on adjoining properties.	AO2.1 Buildings and structures are setback 6m from all property boundaries.
Design		
PO3	The design of buildings and structures is of a high standard, in keeping with the intended character for the area, incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance of the street and open space, and contribute to a pleasant streetscape through use of landscaping.	AO3.1 The building has windows, doors and balconies fronting the street and overlooking recreation areas. And AO3.2 Architectural features such as retaining walls, ramps, balconies, and fences soften the edges of buildings and use a mix of materials to complement the existing character. And AO3.3 The design of new buildings or alterations reflects the architectural qualities (scale, roof form, colour, indented windows etc.) and traditional materials of nearby heritage buildings, but do not necessarily imitate historical architectural styles.
PO4	Vehicle movements are safe and efficient.	AO4.1 All vehicles are able to enter and exit the site in a forward gear.
PO5	Waste material is stored: (a) so as not to be unsightly; (b) so as to be conveniently collected; and (c) to ensure adequate containment and retention of waste material.	AO5.1 A commercial waste bin storage area is to be provided between the building and street frontage, is screened with a solid 1.8m high fence that is 100% impervious, and with an impervious base that is drained to an approved waste disposal system and provided with a dedicated hose cock.
Acid Sulphate Soils		
PO6	Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by: (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm.	AO6.1 No potential or actual acid sulphate soils are disturbed as part of the development. Or AO6.2 Where the proposal disturbs soil below 5m AHD or 500m ³ or more of soil, the impacts are appropriately managed.
Pest management		
PO7	Movement of State declared or environmental pest plants and pest	No Acceptable Outcome specified.

Performance Outcomes	Acceptable Outcomes
animals is prevented by: (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property.	

6.2.11 Environmental management and conservation zone

6.2.11.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in the Environmental management and conservation zone. For development within the Environmental management and conservation zone and the Eastern Kuku Yalanji Local Plan area, development shall be assessed against both codes. The provisions of the Eastern Kuku Yalanji Local Plan Code prevail over the Environmental management and conservation zone code to the extent of inconsistency. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

6.2.11.2 Purpose

- (1) The purpose of the environmental management and conservation zone is to provide for the protection and maintenance of areas that support 1 or more of the following—
 - (a) biological diversity;
 - (b) ecological integrity;
 - (c) naturally occurring land forms;
 - (d) coastal processes.
- (2) The purpose of the code will be achieved through the following overall outcomes -
 - (a) Low impact residential uses, recreational uses and/or nature based tourism may occur where there are no significant adverse impacts on ecological values or scenic amenity, such as in 'Good Living Areas' within the Eastern Kuku Yalanji Local Plan area; and
 - (b) The biological diversity, ecological integrity and scenic backdrop of Cooktown is protected.

6.2.11.3 Criteria for assessment

Table 6.11—Assessable development

Performance Outcomes	Acceptable Outcomes
Section 1 For assessable development	
Built Form	
PO1 Buildings and structures are of such a small scale as to be unobtrusive.	AO1.1 Building height does not exceed 8.5m or extend above the surrounding tree canopy, whichever is the lesser. And AO1.2 Building and structures use materials and colours that blend in with the natural setting.
Siting	
PO2 Buildings and structures are sited to minimise clearing and ensure that natural environmental and scenic values are not diminished.	AO2.1 Ground level disturbance is minimised by avoiding the cutting, filling or benching of sites. And AO2.2 New buildings or works are setback a minimum of 20m from the wetlands and/or <i>waterways</i> identified on the OM12 -Wetlands and Watercourses Overlay Maps and no clearing of <i>vegetation</i> occurs within this setback.

Performance Outcomes	Acceptable Outcomes
	<p>And AO2.3 Vehicle access tracks are minimised or avoided all together.</p> <p>And AO2.4 Waste material is screened from view and located to permit easy collection.</p>
Acid Sulphate Soils	
<p>PO3 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by:</p> <ul style="list-style-type: none"> (a) Avoiding disturbance of such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm. 	<p>AO3.1 No potential or actual acid sulphate soils are disturbed as part of the development.</p> <p>Or AO3.2 Where the proposal disturbs soil below 5m AHD or 500m³ or more of soil, the impacts are appropriately managed.</p>
Pest Management	
<p>PO4 Movement of State declared or environmental pest plants and pest animals is prevented by:</p> <ul style="list-style-type: none"> (a) not introducing any new declared or environmental pest plants or animals onto the property; and (b) not allowing seed or plant parts of declared or environmental pest plants to leave the property. 	No Acceptable Outcome specified.
Land use	
<p>PO5 Development ensures the landscape values, water resources and environmental quality are protected.</p>	<p>AO5.1 Development complies with minimum lot size and dimensions identified in Schedule 1 of the Reconfiguring a Lot Code.</p> <p>And AO5.2 Development does not occur within the Annan River Resource Buffer on the Water Resource area identified on OM11- Water Resources Overlay.</p> <p>Or AO5.3 Development does not occur within 20m of a wetland or waterway identified on OM12 – Wetlands and waterways.</p>
Stock routes	
<p>PO6 Development must not compromise the primary use of the stock route or capacity for stock movement.</p>	<p>AO6.1 Development on sites adjoining a stock route identified on OM8 Rural land use Overlay must demonstrate access is safe and protects the useability of the stock route.</p>
Visual amenity	
<p>PO7 Development maintains and enhances the scenic amenity of prominent hillsides, coastal landscapes, views and vistas.</p>	No Acceptable Outcome specified.

Part 7 Local plans

7.1 Preliminary

- (1) Local plans organise the planning scheme area at the local or district level and provide more detailed planning for the zones.
- (2) Local plans are mapped and included in Schedule 2.
- (3) A precinct may be identified for part of a local plan.
- (4) The categories of development and assessment for development in a local plan are in Part 5.
- (5) Assessment benchmarks for local plans are contained in a local plan code.
- (6) Each local plan code identifies the following:
 - (a) the application of the local plan code;
 - (b) the purpose of the local plan code;
 - (c) the overall outcomes that achieve the purpose of the local plan code;
 - (d) the purpose and overall outcomes for each precinct;
 - (e) the performance outcomes that achieve the overall outcomes of the local plan code;
 - (f) the acceptable outcomes that achieve the performance outcomes of the local plan code;
 - (g) the performance and acceptable outcomes of a precinct that achieve the overall outcomes of the precinct.
- (7) The following are the local plan codes for the planning scheme:
 - (a) Eastern Kuku Yalanji Local Plan
 - (i) Precinct 1 – Trevethan
 - (ii) Precinct 2 – Mungumby North
 - (iii) Precinct 3 – Little Annan
 - (iv) Precinct 4 – Mungumby South
 - (v) Precinct 5 – Shipton's Flat.
 - (b) Lakeland Local Plan.

7.1.1 Eastern Kuku Yalanji Local Plan Code

7.1.1.1 Application

This code applies to assessing a material change of use or a reconfiguring a lot for development in a precinct of the Eastern Kuku Yalanji Local Plan Area as shown on the Local Plan Maps in Schedule 2 of this planning scheme. When using this code, reference should be made to section 5.3.1 and, where applicable, section 5.3.2 located in Part 5.

For the purpose of this Local Plan the following definitions apply:

- Bama** Eastern Kuku Yalanji people
Bubu Land of the Eastern Kuku Yalanji people
Bayan Dwellings (being dwelling houses or units) of the Eastern Kuku Yalanji people

7.1.1.2 Purpose

- (1) The purpose of the Eastern Kuku Yalanji Local Plan is to enable Eastern Kuku Yalanji *Bama* to live on their *Bubu*, so they can manage the environment, culture, ecology, infrastructure and resources.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development only occurs within the Good Living Areas identified on the Precinct Maps in Schedule 2;
 - (b) Built form consists of low-scale, light-weight bayan and outbuildings that are visually unobtrusive;
 - (c) Development is responsive to site constraints and does not occur in areas of potential natural hazard;
 - (d) Buildings maintain adequate separation to creeks, as well as cultural and historical sites;
 - (e) On-site vegetation removal is minimised to the greatest extent possible;
 - (f) An appropriate level of on-site infrastructure and services are provided;

- (g) Adverse impacts on the amenity of adjoining premises is avoided or appropriately managed.

7.1.1.3 Criteria for assessment

Table 7.1—Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes
Built Form		
PO1	Development is consistent with the overall outcomes sought for the Eastern Kuku Yalanji Local Plan.	AO1.1 Development, other than development identified within Table 7.1.1 below, does not occur.
PO2	Development complements, and is subservient to, the surrounding environment and is in keeping with the unique ecological and scenic values of the area.	AO2.1 Building height does not exceed 8.5m or extend above the surrounding tree canopy, whichever is the lesser. And AO2.2 Buildings and structures use materials and colours that blend in with the natural setting.
Siting		
PO3	Development is located within the Good Living Area and avoids: <ul style="list-style-type: none"> (a) Areas of natural hazard; (b) Areas of ecological or biodiversity significance; (c) Areas of native vegetation or fauna habitat. 	AO3.1 Buildings are located above 5 metres AHD. And AO3.2 Buildings are located; <ul style="list-style-type: none"> (a) 20m from the high bank of any wetland or watercourse; (b) away from any overland flow path; And AO3.3 Buildings are located on slopes less than 15% (approximately 1m rise or fall across 6.5m).
PO4	Development is located to maintain the character and amenity of the area.	AO4.1 Buildings are at least 20 metres from road boundaries and 10 metres from side and rear boundaries.
Vegetation		
PO5	Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.	AO5.1 Any existing cleared areas that are suitable for buildings, gardens and driveways are used instead of clearing more native vegetation for buildings, gardens or driveways. And AO5.2 Corridors of bush for wildlife to move through are maintained. And AO5.3 Areas that are cleared during building but are not needed for buildings, firebreaks, gardens or driveways are replanted with local native plants. And AO5.4 Cleared areas between the front boundary and the <i>Bayan</i> are replanted with local native plants.
PO6	Development is located to maintain the values of the area.	AO6.1 Clearing for driveways is no more than 4 metres wide, with 6 metre wide passing bay on longer driveways. And AO6.2 Rather than clearing new tracks, any existing tracks to the <i>Bayan</i> site are used where suitable. And AO6.3 Unless there is no other suitable location where the driveway can be

Performance Outcomes	Acceptable Outcomes
	<p>constructed, mature trees are not cleared for roads.</p> <p>And</p> <p>AO6.4 The gradient of driveways is not more than 15%, or suitable erosion control devices such as whoa-boys are used.</p> <p>And</p> <p>AO6.5 Tracks follow natural contours where possible and cuttings (into sides of hills etc.) are not used unless this cannot be avoided to reduce erosion and damage to driveways, culverts or other works.</p> <p>And</p> <p>AO6.6 To reduce erosion and vehicles getting bogged, driveways are compacted with gravel or similar material to at least 75mm thick.</p>
Earthworks	
<p>PO7 Development is located to minimise the extent of on-site excavation and filling.</p>	<p>AO7.1 Filling or cutting is no more than 1.5 metres deep.</p> <p>And</p> <p>AO7.2 Retaining walls are no more than 1.5 metres high.</p> <p>And</p> <p>AO7.3 Filling and cutting are at least 2 metres from <i>Good Living Area</i> boundaries and 20 metres from a watercourse or wetland.</p> <p>And</p> <p>AO7.4 Where possible existing driveways are re-used.</p>
Servicing	
<p>PO8 Development provides a suitable standard of self-sufficient service for:</p> <ul style="list-style-type: none"> (a) wastewater disposal; (b) potable water and water for fire fighting purposes; (c) electricity supply. 	<p>AO8.1 Stormwater from buildings and rainwater tank overflows are designed and located so they do not cause erosion or sediment discharge into natural waterways.</p> <p>And</p> <p>AO8.2 All <i>Bayan</i> provide rainwater storage tank/s on site that has a capacity of:</p> <ul style="list-style-type: none"> (a) 50,000 litres per <i>Bayan</i> for potable water supply (unless mains water is available); (b) 5,000 litres per <i>Bayan</i> for fire fighting purposes. <p>And</p> <p>AO8.3 Rainwater tanks are fitted with screening at the inlet to stop leaves and insects.</p> <p>And</p> <p>AO8.4 Buildings with roof area over 100m² have gutters that drain to a rainwater tank.</p> <p>And</p> <p>AO8.5 All <i>Bayans</i> have rainwater tanks installed where fire trucks can access them.</p> <p>And</p> <p>AO8.6 Rainwater tanks are fitted with a 50mm ball valve with a camlock fitting for fire</p>

Performance Outcomes	Acceptable Outcomes
	<p>truck access (Councils and tank suppliers can give advice on this).</p> <p>And</p> <p>AO8.7 Waste water management systems (toilets and grey water) are the self-composting or bio-cycle type, unless otherwise approved under the FNQROC standards.</p> <p>And</p> <p>AO8.8 Household and community rubbish systems are designed and located to contain rubbish within the site and are not visible from road frontages.</p> <p>And</p> <p>AO8.9 Where <i>Bama</i> want electricity and mains power is not available, an environmentally friendly and energy efficient power supply is connected, such as a hybrid solar/generator, wind turbine or micro-hydroelectric system.</p>
PO9 Residents, workers and visitors are provided with adequate access and parking for vehicles.	<p>AO9.1 Each <i>Bayan</i> is provided with one car parking space that enables vehicles to be parked and moved in all-weather events.</p> <p>and</p> <p>AO9.2 Community uses provide one car parking space per 50m² of gross floor area that enables vehicles to be parked and moved in all-weather events.</p> <p>and</p> <p>AO9.3 One access point per site is provided in accordance with the requirements of AO6.1 to AO6.6.</p>

Table 7.1.1 – Extent of development within the identified good living area of each Precinct

Precinct	Extent of development
Trevethan	<ul style="list-style-type: none"> • A maximum of five bayan's • One community use (ranger station/communal shed)
Mungumby North	<ul style="list-style-type: none"> • One community use (communal shed)
Little Annan	<ul style="list-style-type: none"> • A maximum of two bayan's
Mungumby South	<ul style="list-style-type: none"> • A maximum of two bayan's
Shiptons Flat	<ul style="list-style-type: none"> • A maximum of one bayan per good living area

7.1.2 Lakeland Local Plan

7.1.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work in the Lakeland Local Plan area, if:

- a. Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for a local plan; or
- b. Impact assessable development.
- (2) Land in the Lakeland Local area is identified on Local Plan Maps 7 and 8.
- (3) When using this code, reference should be made to Sections 1.5 and 5.3.

7.1.3 Purpose

- (1) The purpose of the Lakeland Local Plan is to provide finer grained planning at a local level to guide the growth and development of the township of Lakeland generally in accordance with Local Plan Maps 7 and 8.
- (2) The purpose of the Lakeland Local Plan code will be achieved through Overall Outcomes.
- (3) The Overall Outcomes for the Local Plan area are:
 - a. The existing agricultural activities and future agricultural potential is protected from medium to long term sterilisation as a result of development or fragmentation/isolation.
 - b. Greenfield development does not occur until infrastructure is available to service the development to an appropriate urban standard.
 - c. New retail, commercial and rural service industry uses are centred around the Peninsula Development Road and Foyster Drive.
 - d. Development contributes to the pedestrian environment through the provision of footpaths (1.5m wide) and shared cycle/pedestrian paths (2.5m wide) in locations indicated on the Local Plan Map 8 as well as the provision of landscaping and street trees.
 - e. Development on land fronting the Mulligan Highway/Penninsula Development Road intersection facilitates the establishment of a future information centre and Cape York gateway signage.
 - f. Development contributes towards and does not prejudice a future highway pedestrian crossing opposite the Lakeland Roadhouse to link the primary school and the sport and recreation facility.
 - g. Development is not envisaged to occur adjacent to Perfume Gully. Where development is proposed, it protects and enhances Perfume Gully as a public passive recreation space.
 - h. New residential development:
 - (i) occurs in locations identified for Residential Expansion on the Local Plan Map 7 subject to the provision of services;
 - (ii) does not occur outside the locations identified for Residential Expansion on the Local Plan Map 7 unless economic and planning need is demonstrated;
 - (iii) is consistent with an approved structure plan identifying how the site and adjoining land can be serviced; and
 - (iv) contributes to pedestrian linkages connecting to existing services, facilities and residential and recreational areas generally in accordance with Local Plan Map 8.
 - i. The ongoing use of land for Low impact industry, Rural Industry and Service industry is supported in the locations shown on the Local Plan Map 7 and is protected from incompatible development
 - j. Development for an industrial use is located, designed and managed to maintain safety to people and minimises impacts on adjacent non-industrial land including sensitive uses.
 - k. Medium impact industry and High impact industry is supported on land west of Lakeland where indicated on the Local Plan Map 7.
 - l. Short term accommodation, including use as a Caravan park, is supported on Lot 2 on RP744574
 - m. Development on or adjoining the stock route network does not compromise the connectivity and integrity of the network and protects the ongoing efficient and safe use by travelling stock.
 - n. Development for urban purposes is supported by a 'fit for purpose' assessment consistent with the State Planning Policy guidance material

Part 8 Overlays

8.1 Preliminary

- (1) Overlays identify areas within the planning scheme that reflect state and local level interests and that have one or more of the following characteristics:
 - (a) there is a particular sensitivity to the effects of development;
 - (b) there is a constraint on land use or development outcomes;
 - (c) there is the presence of valuable resources;
 - (d) there are particular opportunities for development.
- (2) Overlays are mapped and included in Schedule 2.
- (3) The changed category of development or assessment, if applicable, for development affected by an overlay are in Part 5.
- (4) Some overlays may be included for information purposes only. This should not result in a change to the category of development or assessment or any additional assessment benchmarks.
- (5) Assessment benchmarks for an overlay may be contained in one or more of the following:
 - (a) a map for an overlay
 - (b) a code for an overlay
 - (c) a zone code
 - (d) a local plan code
 - (e) a development code
- (6) Where development is proposed on premises partly affected by an overlay, the assessment benchmarks for the overlay only relates to the part of the premises affected by the overlay.
- (7) The overlays for the planning scheme are:
 - (a) Airport environs overlay code
 - (b) Biodiversity overlay code
 - (c) Bushfire hazard overlay code
 - (d) Character overlay code
 - (e) Extractive resources overlay code
 - (f) Flood and other coastal hazards overlay code
 - (g) Landslide overlay code
 - (h) Scenic amenity overlay code
- (8) The following overlays for the planning scheme without code(s) are:
 - (a) Wetlands and waterways overlay
 - (b) Future urban expansion overlay
 - (c) State controlled roads overlay
 - (d) Infrastructure services overlay
 - (e) Water resources overlay
 - (i) Duck Farm Sub-artesian Basin
 - (ii) Annan River Catchment
 - (f) Rural land use overlay
 - (g) Old dam site overlay

8.2 Overlay codes

8.2.1 Airport environs overlay code

8.2.1.1 Application

This code applies to:

- (a) Accepted development subject, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
- (b) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or

- (c) Impact assessable development.

8.2.1.2 Purpose

- (1) The purpose of the Airport environs overlay code is to ensure the Weipa Airport Airspace, Scherger Airport Airspace and other significant aviation facilities within the Shire are protected from development that could undermine their safety or operational efficiency.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Adverse effects on the safety and operational efficiency of operational airspace and the functioning of aviation facilities are avoided and mitigated.

8.2.1.3 Criteria for assessment

Table 8.1—Accepted development subject to requirements and assessable development

Performance outcomes		Acceptable outcomes
Protection of aviation facilities		
PO1	Development does not interfere with the function of aviation facilities.	AO1.1 Development located within the building restricted area for an aviation facility on the SPP Interactive Mapping does not create: <ol style="list-style-type: none"> (a) permanent or temporary physical obstructions in the line of sight between antennas; or (b) an electrical or electromagnetic field that will interfere with signals transmitted by the facility; or (c) reflective surfaces that could deflect or interfere with signals transmitted by the facility.
Public safety		
PO2	Development does not increase the risk to public safety.	AO2.1 Development within the building restricted area does not involve: <ol style="list-style-type: none"> (a) a significant increase in the number of people living, working or congregating in the area; or (b) the manufacture, use or storage of flammable, explosive, hazardous or noxious materials.
Wildlife hazards		
PO3	Development does not cause wildlife to create a safety hazard within a strategic airport's operational airspace.	AO3.1 Development located within 3km of a strategic airport's runway does not involve uses listed in Column 1 of Table A: Land use associated with increases in wildlife strikes and hazards. Or AO3.2 Development located within 3km of a strategic airport's runway involving a use listed in Column 2 of Table A: Land use associated with increases in wildlife strikes and hazards, includes measures to reduce the potential to attract birds and bats. And AO3.3 Development located between 3km and 8km of a strategic airport's runway involving a use listed in Column 1 or column 2 of Table A: Land use associated with increases in

Performance outcomes	Acceptable outcomes
	<p>wildlife strikes and hazards, includes measures to reduce the potential to attract birds and bats.</p> <p>And</p> <p>AO3.4 Development located between 8km and 13km of a strategic airport's runway involving a use listed in Column 1 or column 2 of Table A: Land use associated with increases in wildlife strikes and hazards, does not increase the potential to attract birds and bats.</p>
Lighting and reflective surfaces	
<p>PO4 Development does not include external lighting or reflective surfaces that could distract or confuse pilots.</p>	<p>AO4.1 Development within the lighting buffer zone for a strategic airport does not include any of the following types of outdoor lighting:</p> <ul style="list-style-type: none"> (a) straight parallel lines of lighting 500m to 1,000m long; (b) flare plumes; (c) upward shining lights; (d) flashing lights; (e) laser lights; (f) sodium lights; (g) reflective surfaces; <p>AO4.2 Development within the lighting buffer for a strategic airport does not emit light that will exceed the light intensity specified for the area.</p>
<p>Editor's note: A development proposal on land located within a building restricted area should be referred to Airservices Australia or the Department of Defence (for RAAF Scherger) for assessment. Airservices Australia or the Department of Defence will provide local government and proponents with authoritative advice about the impact of a proposed development on the function of an aviation facility, requirements for risk assessment processes, and mitigation methods. It is recommended that advice be sought during pre-lodgement stage of development assessment processes to avoid objections from Airservices Australia or the Department of Defence.</p>	

Table A: Land uses associated with increases in wildlife strikes and hazards

Column 1: High risk	Column 2: Moderate risk
<p>Rural activities</p> <ul style="list-style-type: none"> • Cropping (turf farm) • Cropping (fruit tree farm) • Intensive animal industry (piggery) • Aquaculture (fish processing/packing plant) <p>Conservation</p> <ul style="list-style-type: none"> • Conservation estate (e.g. wetland) <p>Recreation activities</p> <ul style="list-style-type: none"> • Major sport, recreation and entertainment facilities (showground) <p>Industry activities</p> <ul style="list-style-type: none"> • Low-impact; medium-impact or high-impact industry (food processing plant) <p>Utility installation</p> <ul style="list-style-type: none"> • Food/organic waste facility • Putrescible waste facility (e.g. landfill) 	<p>Rural activities</p> <ul style="list-style-type: none"> • Animal husbandry (cattle/dairy farm) • Intensive animal industry (poultry farm) <p>Conservation</p> <ul style="list-style-type: none"> • Conservation estate (all other) <p>Recreation activities</p> <ul style="list-style-type: none"> • Major sport, recreation and entertainment facilities (all other) • Outdoor sport and recreation • Park <p>Utility installation</p> <ul style="list-style-type: none"> • Non-putrescible waste facility (e.g. landfill) • Sewerage/wastewater treatment facility

8.2.2 Biodiversity overlay code

8.2.2.1 Application

- (a) Accepted development subject, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
- (b) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (c) Impact assessable development.

8.2.2.2 Purpose

- (1) The purpose of the Biodiversity overlay code is to protect biodiversity through:
 - (a) avoiding development within biodiversity areas;
 - (b) minimising the adverse impacts of development on biodiversity;
 - (c) management of pest and invasive species;
 - (d) strategic rehabilitation occurs through restoration of terrestrial and aquatic ecosystems;
 - (e) encourage expansion of habitat connectivity;
 - (f) minimise downstream impacts on biodiversity including fish habitats and the Great Barrier Reef.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Conservation, consolidation, connection and restoration of the network of lands with environmental significance.
 - (b) Protection and enhancement of waterways, wetlands and coastal environments with environmental significance and their hydrological value and water-cleaning functions.
 - (c) Avoidance of impacts to areas of environmental significance through the appropriate design and location of development.

8.2.2.3 Criteria for assessment

Table 8.2—Accepted development subject to requirements and assessable development

Performance Outcome		Acceptable Outcome	
Section 1 - Accepted subject to requirements and assessable development			
PO1	Development avoids areas of environmental significance.	AO1.1	Development does not result in the clearing of vegetation and is set back a minimum of 20 metres from a wetland or water course mapped on OM12 – Wetland and Watercourses Overlay Map .
- Assessable development			
PO2	Development is sited in a State environmental area only where there is no reasonable opportunity to avoid the area and where the extent of development in the State environmental area has been minimised.	AO2.1	No Acceptable Outcome
PO3	Development minimises or mitigates adverse impacts on areas of environmental significance where such impacts are unavoidable.	AO3.1	Development within an area identified on OM1 – Biodiversity Overlay Map does not involve vegetation clearing.
		Or AO3.2	Where development within an area identified on OM1 – Biodiversity Overlay Map is unavoidable, measures recommended by a suitably qualified ecologist are incorporated to protect and retain

Performance Outcome	Acceptable Outcome
	<p>the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.</p> <p>Editor's note: To demonstrate compliance with AO2 or PO2, Council may require the applicant to provide an ecological assessment prepared by a suitably qualified ecologist.</p>
<p>PO4 Development is designed to avoid and minimise edge effects and other impacts to Protected Areas, Marine Parks and Declared Fish Habitat Areas identified on OM1 – Biodiversity Overlay.</p>	<p>AO4.1 Development is setback a minimum of 100m from Protected Areas, Marine Parks and Declared Fish Habitat Areas identified on OM1 – Biodiversity Overlay.</p> <p>Or</p> <p>AO4.2 Development which is compatible with the long-term preservation of Protected Areas, Marine Parks and Declared Fish Habitat Areas identified on OM1 – Biodiversity Overlay is located within 100m of the areas, including:</p> <ul style="list-style-type: none"> (a) roads and pathways; (b) landscaping or habitat restoration areas consisting of local indigenous plant species; (c) open space land uses; (d) storage areas; (e) employee or communal recreation areas; (f) stormwater management infrastructure where adopting water sensitive urban design solutions. <p>And</p> <p>AO4.3 Development minimises noise and light spillage into Protected Areas, Marine Parks and Declared Fish Habitat Areas identified on OM1 – Biodiversity Overlay by:</p> <ul style="list-style-type: none"> (a) directing light away from the nominated areas or using light shields; (b) establishing 20m dense native vegetation buffers between development and the nominated areas; (c) locating artificial noise-generating activities away from the nominated areas.
<p>PO5 An adequate buffer to wetlands identified on OM1 – Biodiversity Overlay Map is provided and maintained.</p>	<p>AO5.1 A buffer for an area of state environmental significance (wetland protection area) has a minimum width of:</p> <ul style="list-style-type: none"> (a) 200 m where the area is located outside an urban area; or (b) 50 m where the area is

Performance Outcome	Acceptable Outcome
	located within an urban area.

8.2.3 Bushfire hazard overlay code

Editor's Note: Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the very high, high and medium hazard areas as well as the buffer area category on the overlay map.

8.2.3.1 Application

- (a) Accepted development subject, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
- (b) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (c) Impact assessable development.

8.2.3.2 Purpose

- (1) The purpose of the Bushfire Hazard Overlay Code is to:
 - (a) Provide for the assessment of the suitability of development in the Bushfire Hazard Overlay area to ensure that risk to life, property, community, economic activity and the environment during bushfire events is minimised.
 - (b) Ensure that development does not increase the potential for bushfire damage on-site or to other property.
- (2) The purpose of the Bushfire Hazard Overlay Code will be achieved through the following overall outcomes:
 - (a) the development siting, layout, and access responds to the risk of the bushfire hazard and minimises risk to personal safety
 - (b) the development is resilient to bushfire hazard events by ensuring siting and design accounts for the potential risks of bushfire hazards to property
 - (c) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities
 - (d) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of then bushfire hazard and does not significantly increase the potential for damage on the site or to other properties
 - (e) development avoids the establishment or intensification of vulnerable uses in or near areas subject to bushfire hazard
 - (f) the development avoids the release of hazardous materials as a result of a bushfire hazard event
 - (g) impacts from bushfire mitigation treatments on natural processes and the protective function of landforms and/or vegetation are avoided or minimised

8.2.3.3 Criteria for assessment

Table 8.3—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Section 1 - For accepted subject to requirements and assessable development	
PO1 Development is sited in a Bushfire Hazard area only where there is no reasonable opportunity to avoid the area and where the extent of development in the Bushfire Hazard area has been minimised.	No Acceptable Outcome
Safety	
PO2 Development maintains the safety of people and property by avoiding Bushfire Hazard areas or mitigating	AO2.1 Development will be located in an area with a Low or Very Low

Performance outcomes		Acceptable outcomes	
	the risk of bushfire hazard through lot design, firebreaks, emergency vehicle access, safe evacuation and adequate water supply.		<p>Bushfire Hazard Rating in accordance with the 'Bushfire Hazard Checklist' in Bushfire Hazard Analysis Planning Scheme Policy.</p> <p>Note: A copy of the completed Bushfire Hazard Checklist must be submitted to Council with the MCU or ROL development application. For accepted MCU development, a copy must be provided to the building certifier.</p>
PO3	Landscaping does not increase the potential bushfire risk.	AO3.1	Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads in separation areas.
PO4	The risk of bushfire and the need to mitigate that risk is balanced against the impacts on natural processes and the protective function of landforms and/or vegetation.	AO4.1	Bushfire risk mitigation treatments do not involve vegetation clearing within an area identified on OM1 – Biodiversity Overlay Map .
Private water supply – in areas with no water reticulation			
PO5	The development provides adequate water supply for fire fighting purposes, safely located and freely accessible for fire fighting purposes at all times.	AO5.1 A water tank is provided within 10 metres of each building (other than a Class 10 building) which: <ul style="list-style-type: none"> (a) Is either below ground or of non-flammable construction; and (b) Provides the following capacities exclusively for fire fighting purposes: <ul style="list-style-type: none"> (i) 10KL for residential buildings; (ii) 45KL for industrial buildings; (iii) 20KL for other buildings; and (c) Minimum pressure and flow of 10L per second at 200kPa; and (d) Fitted with a 50mm male camlock or, if underground, an access hole of a minimum 200mm to accommodate suction lines; and (e) Includes a hardstand area allowing a 15 tonne fire appliance access within 6 metres of the tank; <p>Or</p> AO5.2 (a) The property contains: Storage in an accessible location such as a dam or swimming pool installed upon construction of the dwelling.	
Private water supply – in areas with water reticulation			
PO6	The water supply must be reliable and have sufficient flow and pressure requirements for fire fighting purposes at all times.	AO6.1	Reticulated water supply is provided in accordance with FNQROC.

Performance outcomes	Acceptable outcomes
Section 2 - For assessable development	
Firebreaks and vehicular access for Reconfiguring a Lot applications	
PO7 Firebreaks and roads must: (a) Enable access for fire fighters, residents and equipment; (b) Mitigate against fire hazard by slowing a fire's rate of spread.	AO7.1 The subdivision design incorporates a firebreak and vehicular access that: (a) Is located between the perimeter boundary of the lots and proposed house sites; and (b) has a minimum cleared width of 6 metres; and (c) A maximum gradient of 16% with adequate drainage to prevent soil erosion and minimise ongoing maintenance; and (d) accommodates geometry and turning radii in accordance with Qld Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines. And AO7.2 Private driveways: (a) Have a maximum length of length of 60m from the street to the building; and (b) Do not exceed a gradient of 12.5%; and (c) Have a minimum width of 3.5 metres; and (d) Have a minimum of 4.8 metres vertical clearance; and (e) Serve no more than 3 dwellings or buildings. And AO7.3 Road design is capable of providing access for fire fighting and emergency vehicles in accordance with the FNQROC. And AO7.4 Vehicular links are provided along the firebreak either to existing firebreaks or roads, and these links are designed to suit topography, fire fighter safety and access to water supplies. And AO7.5 The firebreak and/or road has vehicle access at both ends to either another firebreak or road. Or AO7.6 A turning circle, or 'T' or 'Y' shaped turning bay, is provided at the end of the firebreak/road, provided it is of sufficient size for the turning of a fire fighting vehicle. And

Performance outcomes		Acceptable outcomes	
		AO7.7 The firebreak provides areas for vehicles to pass or turn at intervals of not more than 400 metres and with a maximum grade of 5% (1 in 20). And AO7.8 Firebreaks/vehicle access located on private land have an access easement granted in favour of Council and fire brigades.	
Land use			
PO8	Vulnerable uses must not result in a high concentration of people living or congregating in a Very High, High or Medium Bushfire Hazard Area unless there is an overriding need or other exceptional circumstances.	AO8.1 Vulnerable uses are not established or expanded in a Very High, High or Medium Bushfire Hazard Area unless supported by a Bushfire Hazard Management Plan. Or AO8.2 Vulnerable uses proposed in a Very High, High or Medium Bushfire Hazard Areas are supported by a Bushfire Hazard Management Plan demonstrating satisfactory safety measures and have direct access to low hazard evacuation routes. Note: To demonstrate compliance with this provision, the applicant shall engage a suitably qualified person to prepare a Bushfire Hazard Management Plan; and submit the Plan with their development application to Council. Council reserves the right to refer the Plan to the Queensland Fire & Rescue Service for third party advice during their assessment of the development application. If Council approves the development, a condition may be included to require compliance with the Plan at all times.	
PO9	Development involving hazardous materials manufactured or stored in bulk does not create an increase in risk of bushfire hazard.	AO9.1	The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard area.

8.2.4 Character overlay code

8.2.4.1 Application

- (a) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (b) Impact assessable development.

8.2.4.2 Purpose

- (1) The purpose of the Character overlay code is to ensure development protects heritage places and areas of local or state heritage value.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The built heritage values of historic streetscapes and individual sites within those streetscapes are protected and (where feasible) enhanced;
 - (b) New buildings or structures and extensions to new buildings and structures incorporate (but not necessarily identically replicate) the main features of existing

- historic architectural styles and streetscape values within the character precinct and are sympathetic to and blend with the original building types in the character precinct;
- (c) New buildings and structures on or adjoining the Cooktown waterfront, when viewed from both land and water, exhibit a high standard of design consistent with their function, to achieve attractive presentation and distinct point of entry for residents and visitors arriving by water; and
 - (d) Demolition of existing buildings and structures only occurs where those buildings and structures have no significant built heritage value or where there is no feasible alternative to demolition.
 - (e) Development on or adjacent to a Heritage Place will not have an adverse impact in terms of:
 - (i) Visibility
 - (ii) Public accessibility
 - (iii) Physical change; or
 - (iv) Damage or removal.

8.2.4.3 Criteria for assessment

Table 8.4—Assessable development

Performance outcomes		Acceptable outcomes	
Architectural form			
PO1	New building and structures and alterations to the external appearance of buildings and structures are of a high quality design, reflecting the built heritage features of historic buildings and the streetscape.	AO1.1	Commercial buildings incorporate the following design features (refer to figures 1 to 10 of this code for illustration):
		Cooktown	
		(a)	High pitched roof forms. Flatter roof forms may be used provided they are hidden behind parapet walling, which is continuous across the facade and sides of the building.
		(b)	Cantilevered awnings with imitation supporting posts set back 600mm from the face of the kerb and extending the full width of the building frontage (awning and setback mandatory). This includes buildings on corner sites.
		(c)	Gable ends.
		(d)	Skillion, bellcast or concave roofs for footpath awnings.
		(e)	Parapet walling.
		(f)	Walls include features such as cornice, picture rails, window hoods, pilasters.
		(g)	Verandahs are unenclosed by permanent construction, however roll –up blinds may be incorporated to provide protection from the elements.
		(h)	Verandah balustrade must be open.
		(i)	Awnings and verandahs must include features such as brackets, capitals,

Performance outcomes	Acceptable outcomes
	<p>astragals and stop chamfered posts.</p> <p>(j) Rectangular or square building form.</p> <p>(k) Extensive use of timber, rendered brick, or masonry block or other material that imitates rendered brick or block i.e. sheet material that is rendered.</p> <p>(l) Extensive use of corrugated iron.</p> <p>(m) Quadrant or ogee roof guttering is used.</p> <p>(n) The major doorway for customer use faces the major street.</p> <p>(o) Staircases and balustrade to staircases must be open.</p> <p>Coen, Laura and Maytown</p> <p>(a) High pitched roof forms.</p> <p>(b) Post supported awnings extending to the street property boundary and the full width of the building frontage (awning mandatory). This includes buildings on corner sites.</p> <p>(c) Gable ends.</p> <p>(d) Skillion awnings.</p> <p>(e) Rectangular or square building form.</p> <p>(f) Extensive use of timber and corrugated iron.</p> <p>(g) Quadrant or ogee roof guttering is used.</p> <p>(h) The major doorway for customer use faces the major street</p> <p>(i) Staircases and balustrade to staircases must be open.</p> <p>And</p> <p>AO1.2 Residential buildings and structures reflect vernacular "Queenslander" design and incorporate:</p> <p>Cooktown</p> <p>(a) High pitched roof forms.</p> <p>(b) Gable or hip roofs.</p> <p>(c) Skillion, bellcast or concave roofs for verandahs.</p> <p>(d) Window hoods.</p> <p>(e) Verandahs are unenclosed by permanent construction, however roll –up blinds may be incorporated to provide protection from the elements.</p> <p>(f) Verandah balustrade must</p>

Performance outcomes	Acceptable outcomes
	<p>be open.</p> <p>(g) Verandahs must include features such as brackets, capitals, astragals and stop chamfered posts.</p> <p>(h) The proportions of windows emphasising the vertical and where more natural light is required, windows are divided into a series of windows.</p>
Scale	
<p>PO2 Buildings and structure do not diminish the amenity of the area or create an adverse impact on the historic character of the precinct due to excessive scale and bulk.</p>	<p>AO2.1 Commercial buildings and structures (refer to figures 1 to 10 of this code for illustration):</p> <p>Cooktown</p> <p>(a) Are of a scale and bulk that is consistent with adjoining development and the local streetscape.</p> <p>(b) Obstruction of significant local and distant views of prominent features, landscapes and landmarks is minimised.</p> <p>(c) Have parapet walls on frontages of similar design to existing development in the local streetscape.</p> <p>(d) Have their visual impact softened by the introduction of horizontal and vertical architectural elements such as cornice detailing, sill locations, false windows panel features, awning and verandah post detailing and stepping in vertical planes. Such detailing will be provided to building facades of all street frontages including corner sites.</p> <p>(e) May exceed two storeys, however the facade must emulate a two storey building characteristic of the historic streetscape.</p> <p>Coen, Laura and Maytown</p> <p>(a) Are of a scale and bulk that is consistent with adjoining development and the local streetscape.</p> <p>(b) Obstruction of significant local and distant views of prominent features, landscapes and landmarks is minimised.</p> <p>(c) Have their visual impact softened by the introduction</p>

Performance outcomes	Acceptable outcomes
	<p>of horizontal and vertical architectural elements such as cornice detailing, sill locations, false windows panel features, awning and verandah post detailing and stepping in vertical planes. Such detailing will be provided to building facades of all street frontages including corner sites.</p> <p>(d) Must not exceed two storeys.</p> <p>Or</p> <p>AO2.2 Residential buildings and structures:</p> <p>Cooktown</p> <p>(a) Minimise the obstruction of significant local and distant views of prominent features, landscapes and landmarks.</p> <p>(b) May exceed two storeys, however the facade must emulate a two storey building characteristic of the historic streetscape.</p> <p>Coen, Laura and Maytown</p> <p>(a) Minimise the obstruction of significant local and distant views of prominent features, landscapes and landmarks.</p> <p>(b) Must not exceed two stories</p>
Materials	
<p>PO3 Building materials emulate the architectural materials characteristic of the historic streetscape.</p>	<p>AO3.1 Building materials are employed as follows (refer figures 1 to 10 of this code for illustration):</p> <p>Cooktown</p> <p>(a) External wall materials of commercial buildings are predominately rendered masonry or have the appearance of rendered masonry. This includes side wall facades on corner lots.</p> <p>(b) Roofing is corrugated sheeting.</p> <p>(c) Timber weather board, chamfer board or similar is extensively utilised.</p> <p>(d) Glass windows, doors or display windows below the awning must be the dominant element of the building frontage. These features must comprise a minimum area of 50% of the ground floor frontage.</p> <p>(e) External staircases and appurtenant balustrades are</p>

Performance outcomes	Acceptable outcomes
	<p>constructed in timber and verandah balustrades are constructed in timber, cast iron or similar material.</p> <p>And</p> <p>AO3.2 Residential buildings and structures:</p> <ul style="list-style-type: none"> (a) Extensive use of corrugated iron and timber. (b) Roofing is corrugated sheeting. (c) Quadrant or ogee roof guttering is used. (d) Walls are clad in corrugated iron or horizontal timber chamfer board or weatherboard.
Texture	
<p>PO4 Building design avoids repetition and creates textural effect in the streetscape.</p>	<p>AO4.1 Commercial buildings and structures (refer figures 1 to 10 of this code for illustration):</p> <ul style="list-style-type: none"> (a) Have primary entrance doorways recessed to provide off-footpath entry. (b) Use only parapets and awning fascia for commercial advertising signage. (c) Have window hoods installed over windows (not required under awnings or verandahs). (d) Utilise timber framed or coloured aluminium framed windows and doors. (e) Windows have a vertical dimension greater than their horizontal dimension. (f) Incorporate composite materials in the facade and awning. <p>Or</p> <p>AO4.2 Residential buildings and structures incorporate:</p> <ul style="list-style-type: none"> (a) Window hoods over windows (not required under awnings or verandahs). (b) Staircases feature on the elevation facing the street frontage. (c) Building elevations facing the major street frontage incorporate verandahs.
Setting	
<p>PO5 New buildings and structures and extensions to existing buildings and structures complement the setting of the existing historic streetscape.</p>	<p>AO5.1 Commercial buildings and structures (refer figures 1 to 10 of this code for illustration):</p> <p>Cooktown</p> <ul style="list-style-type: none"> (a) Are oriented parallel with the street frontage (b) Have car parking, loading and

Performance outcomes	Acceptable outcomes
	<p>unloading bays located at the rear (or otherwise screened from the street frontage).</p> <ul style="list-style-type: none"> (c) Utilise enclosed timber paling fencing with minimum height of 1.8 metres. (d) Employ street furniture (where provided) of a simple design which does not imitate generic heritage designs. (e) Provide simple square paling surround planter boxes similar to the fencing style. (f) Are painted in a heritage colour scheme sympathetic to the buildings' architectural style and the streetscape generally. (g) Comply (where advertising is provided) with Lettering and Signs on Buildings c.1850 - 1900 Australian Council of National Trust technical bulletin 2.2 published March 1984. <p>Coen, Laura and Maytown</p> <ul style="list-style-type: none"> (a) Are oriented parallel with the street frontage. (b) Have car parking, loading and unloading bays located at the rear (or otherwise screened from the street frontage). (c) Employ street furniture (where provided) of a simple design which does not imitate generic "heritage designs". (d) Are painted in a heritage colour scheme sympathetic to the building's architectural style and the streetscape generally. (e) Comply (where advertising is provided) with Lettering and Signs on Buildings c.1850-1900 Australian Council of National Trust technical bulletin 2.2 published March 1984. <p>And AO5.2</p> <p>Residential buildings and structures:</p> <ul style="list-style-type: none"> (a) Are oriented parallel with the street frontage. (b) Utilise enclosed timber paling fencing with a minimum height of 1.2 m. (c) Are painted in a heritage colour scheme sympathetic to the building's architectural

Performance outcomes	Acceptable outcomes
	style and the streetscape generally.
Demolition	
<p>PO6 Demolition of existing buildings and structure only occurs where:</p> <ul style="list-style-type: none"> (a) The existing building or structure has no significant built heritage value; or (b) It is not feasible to restore the existing building and there is no reasonable alternative to demolition; <p>Providing that in either case, plans for replacement buildings or structures which comply with the requirements of this code are provided prior to such demolition being approved.</p>	<p>AO6.1 Engineering documentary evidence is provided to substantiate demolition need.</p> <p>And</p> <p>AO6.2 Recording of buildings or structures is undertaken by a suitably qualified person.</p> <p>And</p> <p>AO6.3 Where part of a building is intended to be demolished or adapted for an adjusted need (i.e. to provide disabled access) the additional works are constructed in a similar character to the original building and the remaining part of the building retains its original character.</p>
Protection of cultural heritage values	
<p>PO7 Development involving a Heritage Place must provide for the conservation and management of cultural heritage values.</p>	No Acceptable Outcome specified.
<p>PO8 Development on land adjacent to a Heritage Place must be designed, executed and operated to:</p> <ul style="list-style-type: none"> (a) Be compatible with the cultural heritage significance of the listed site and not detrimentally impact on its values or its setting; and (b) Not obscure the appearance or prominence of the place when viewed from adjacent public or semi-public streets or open spaces, nor intrude into the place. 	No Acceptable Outcome specified.
Protection of archaeological values	
<p>PO9 Development does not adversely affect the archaeological significance of a place.</p>	<p>AO9.1 For development on the site identified as having archaeological values in Schedule 1 of this Code, an archaeological investigation is carried out for development involving a high level of surface or sub-surface disturbance.</p> <p>Or</p> <p>AO9.2 The impact of any excavation is minor and limited to parts of the site that have been disturbed by previous excavation.</p> <p>Editor's Note. Developers are required to discharge their duty of care under the Aboriginal Cultural Heritage Act 2003, particularly where development is proposed which would involve surface disturbance beyond that which has already occurred.</p>



Figure 1 Rectangular building form, extensive use of rendered brick and corrugated sheeting. See also figures 3 and 4 for examples of post-supported awnings.



Figure 2 Two storey façade with two internal stories and mezzanine floor.



Figure 3 Use of timber chamfer board. Ground floor windows predominate ground floor of building. Parapets used for signage, windows have greater vertical than horizontal dimensions. Pilasters assist in softening dominance of façade. Parapet walling includes architectural features.



Figure 4 - Simple paling fence.



Figure 5 Street trees planted in simple rectangular tree surrounds.



Figure 6 Type and location of signage. This highly decorative Tuscan face is usually associated with hotels and eating houses. In most cases lettering used is a simple unembellished type set out as uniform capital letters. See also figures 2 and 3 for further examples.



Figure 7 Examples of verandah post decoration.



Figure 8- Example of decorative gable end cornices, barge board treatment and imitation quoin to front wall.



Figure 9. Examples of tongue and groove spandrel ends on awnings and parapet wall capping, lean-to and concave awnings.



Figure 10. Gable roofs, stop chamfered awning posts, gable and verandah gable architectural treatment, picket fences.

Schedule 1 Identified Local Heritage Places

Map ID	Cultural feature	Property Description	Cultural heritage values/significance
1	Anzac Park	Lots 48-49, 51-56, 65-66, 68 C 1793 and Lots 2-3 RP744394 and Lots 1-2 RP744695 and Lots 1-2 RP744723	As ANZAC park this site is historically significant to the local community of Cooktown, and nationally important as a memorial to the soldiers of the Australian and New Zealand Army Corps.
2	Cannon	Lot 1 C17974	The cannon is significant to the local community due to its associations with a perceived invasion in 1885.
2	Kennedy Memorial	Lot 1 C17974	The Kennedy Memorial is significant due to its associations with explorer Edmund Kennedy, and his exploration of Cape York Peninsula.
2	Town Well	Lot 1 C17974	Significance as a heritage site has been depleted due to re-development of the well to a commemorative fountain but is a significant site of local importance.
3	Chimney, Well & Concrete foundation	Lot 18 SP214624	These relics of the former Criterion Hotel are of significance in Queensland's history for potential archaeological research.
4	Church	Lot 2 RP867048	Despite the demolition of the Church after suffering severe damage from the 1949 cyclone and its re erection in the 1950's, it is representative of its type and a good example of small timber church construction. The Church is important in Cooktown as a religious meeting place for worship and for maintaining religious traditions.

Map ID	Cultural feature	Property Description	Cultural heritage values/significance
5	Commercial building (previously quarters for bank staff)	Lot 320 C1791	Significance is considered in respect of its representativeness and apparent intactness. Adaptations are minimal affording excellent research opportunity.
6	Cook's Landing Site	Esplanade and below high water mark directly opposite Cooktown Court House (Lot 14 CP846856)	The location and cairn are highly significant for their associations with Captain (then Lieutenant) James Cook's landing site in 1770.
7	Cooktown Hotel	Lot 18 RP748191	This building has retained most of its original features despite extensive but basic structural adaptations. The building remains a significant place for social gatherings.
8	CWA	Lot 912 C1793	This building is locally significant as a meeting place for the Country Women's Association. CWA societies are historically very important to the social fabric of country towns.
9	Flower pot	Below high water mark adjacent to Lot 4 CP889653	Local anecdotal history suggests the former barge was beached at this site after construction of the screw pile Annan River Bridge. This hull is significant for its connection with pile driving for the bridge.
10	Former Power Station	Lot 61 C17922	This building is significant for its previous use as a power generating station. As such it reflects an early stage of power reticulation in Queensland.
11	Former Town Dump	Lot 2 C179109	The significance of this place lies particularly in its association with the early Chinese residents of Cooktown and environs. Evidence of Chinese ceramics is important for future archaeological research. The site has a substantial range of Chinese ceramics and in particular Chinese ceramic shipping container fragments. The site is also of local cultural significance for its remnant artefacts from the Cooktown Brewery.
12	Grassy Hill	Lots 1-2 SP271411	Of high historic importance due to its associations with Captain James Cook (Grassy Hill). The lighthouse and its surrounds are State Heritage listed and do not form part of this listing, notwithstanding it is significant for its associations with the Palmer River gold rush and the facilitation of shipping during a period of prosperous commercial activity. The lighthouse is also significant as one of the earliest established on the Queensland coast.
13	Hotel-West Coast	Lot 410 SP154663	A typical Queensland Hotel that despite unsympathetic alterations still retains the essence of its origins. Is significant as a place for social gatherings.
14	House (4 Helen St)	Lot 108 C17912	The building is significant as one of the early cottages built in Cooktown which is still extant.

Map ID	Cultural feature	Property Description	Cultural heritage values/significance
15	House (7 Helen St)	Lot 615 C17912	This building is significant as it shows the evolution of domestic architecture in North Queensland coastal towns. Despite significant alterations and adaptation, the building retains its aesthetic charm.
16	House (82 Hope St)	Lot 207 C17912	This Building is a good representative example of a modest timber and iron cottage in North Queensland towns around the turn of the century.
17	House (89 Hope St)	Lot 133 C1793	This dwelling is representative of early domestic dwellings constructed of timber and iron. The building has retained most of its integrity despite minor alterations. It is believed that Land Surveyor A Starke resided in the dwelling. Starke is notable for surveys in the Cooktown area and in particular the survey of the Cooktown Botanic Gardens. The building was owned by renowned botanical artist Vera Scarth-Johnson O.A.M until her death 1999.
18	House (9 Green St)	Lot 408 C17932	This building is primarily significant because it is one of the remaining high set corrugated iron dwellings in the area. The existence of the semi-detached stove area in the kitchen suggests a relatively early example of vernacular building style. It reflects a design and construction approach now rarely encountered.
19	House (94 Hope St)	Lot 201 C17912	This building is significant as it shows the evolution of domestic architecture in North Queensland coastal towns.
20	Jacky Jacky Store	Lot 22 SP263748	The building is locally significant as one of the earliest commercial properties in Cooktown still extant. The building's social history is reasonably documented adding a useful element to physical significance.
21	Lands Office and Court House	Lot 14 CP846865	The significance of this building lies in the quality of the structure, retention of its original appearance and its representativeness as an example of a rural Queensland court house combined with its ability to blend with the Cooktown streetscape.
22	Mast base, foundations and dwelling	Lot 73 RP706825	This site is significant as a former wireless station facilitating radio contact with shipping into the prosperous Cooktown port. The building offers an opportunity for further research into the structure, engineering of the flag base and the integrated use of the place.

Map ID	Cultural feature	Property Description	Cultural heritage values/significance
23	Old Railway Station	Lots 53-54 C1793	This building is historically significant to Cooktown, despite its relocation from its original site, as the upper storey of the former railway station. The place is considered to have local significance due to its associations with the Cooktown to Laura railway. The building is a good example of an alternative use of a heritage building and reflects the frequent practice in North Queensland of relocating properties to suit changing needs.
24	Pilots Wharf	Lot 82 BS246	This site reflects the importance of shipping to Cooktown and represents a highly localised feature custom built to suit local needs. Its primary significance lies in its relevance to the local history of Cooktown.
25	Post Office	Lot 4 RP746054	This building is important for its local significance to the community as there is no postal service in Cooktown. The building was constructed in 1887 and has housed the Post Office since that time. The building is a good example of this type of architecture and has retained its integrity despite minor adaptations.
26	Queens steps	Lot 1 CP889652	Significant only due to its associations with Queen Elizabeth during her visit to Cooktown in 1970. Purely a social significance is attached to the site.
27	R.S.L	Lot 2 C17973	This building is locally significant because of its use as local government offices for almost 60 years, and its associations with the Returned Services League since 1942 when the building became the Soldiers Memorial Hall. The building is a good example of this type of construction in the late 1800's.
28	Vault of former Burns Philp Building	Lot 906 RP851371	Integrity of the site is low due to significant modification and the site is only significant due to archaeological potential and the potential for study of the technological aspects of the vault construction.
29	Wharf area	In Endeavour River adjacent to Lot 2 CP889652 and Lot 82 BS246	The wharf area is highly significant to the history of Cooktown being the centre of early transport facilities and the oldest developed and settled section of Cooktown. The wharfs are only identifiable by a number of timber piles located below the high water mark.

8.2.5 Extractive resources overlay code

8.2.5.1 Application

- (a) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (b) Impact assessable development.

8.2.5.2 Purpose

- (1) The purpose of the Extractive resources overlay code is to protect extractive resources from development that might prevent or constrain current or future utilisation of the resource to meet the needs of the community.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Existing or future development of extractive resource in areas to which **OM4 – Extractive Overlay Map** applies is not prejudiced by the intrusion of incompatible development.
 - (b) Activities not associated with extractive industry are buffered from, and mitigate any existing or potential impacts caused by extractive industry activities.

8.2.5.3 Criteria for assessment

Table 8.5—Assessable development

Performance outcomes		Acceptable outcomes	
PO1	Development does not reduce the long-term viability or availability of the extractive resources mapped on OM4 – Extractive Resources Overlay Map .	AO1.1	Development is for: <ul style="list-style-type: none"> (a) extractive industry or directly associated with extractive industry; or (b) uses that would not constrain existing or future extractive industries; or (c) a temporary use.
		And AO1.2	Sensitive land uses are located outside all resource and separation areas mapped on OM4 – Extractive Resources Overlay Map .
		And AO1.3	Sensitive land uses are located a minimum of 100m from a transport route mapped on OM4 – Extractive Resources Overlay Map .
PO2	Development incorporates measures to mitigate the potential adverse effects from existing or future extractive industry that will occur in all resource areas mapped on OM4 Extractive Resources Overlay Map .	AO2.1	Sensitive land uses occurring within the separation distances listed in AO1.2 above achieve noise and air levels in accordance with the National Construction Code.
		And AO2.2	The number of people working and congregating in the separation area is not increased.
		And AO2.3	The number of properties with access points to the transport route is not increased.
		Or AO2.4	Access points are designed to

Performance outcomes	Acceptable outcomes
	avoid adversely affecting the safe and efficient operation of vehicles transporting extractive materials.
PO3 Reconfiguration does not lead to land use conflict that would compromise the operation of extractive resource deposits within the Shire.	AO3.1 New lots are not created within the resource or separation areas shown on OM4- Extractive Resources Overlay Map .

Schedule 1 – Gravel pits

Quarry name	Latitude	Longitude
Bizant pit	-14.744989	144.122003
Battle Camp Road	-15.290704	144.994747
	-15.266853	144.945888
Violet vale	-14.750394	143.561889
Black pinch quarry	-15.74125	145.233472

8.2.6 Flood and other coastal hazards overlay code

8.2.6.1 Application

- (a) Accepted development subject, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
- (b) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (c) Impact assessable development.

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

8.2.6.2 Purpose

- (1) The purpose of the Flood and other coastal hazards overlay code is to manage development in identified flood and erosion prone hazard areas so that risk to life, property, community and the environment from natural hazards is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property and manages impacts on coastal processes.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development maintains the safety of people from flood events;
 - (b) development minimises the potential damage to property from flooding;
 - (c) development does not result in adverse impacts on the environment or the amenity of a location;
 - (d) development provides an evacuation path to enable the safe evacuation of people during a flood event or a place to provide the safe refuge of people during a flood event;
 - (e) development does not have an adverse impact on flood conveyance capacity, flood levels and velocities, floodplain storage capacity and drainage characteristics, taking into account the additional impacts of flood from cumulative impacts of development;
 - (f) development avoids the release of hazardous materials as a result of a natural hazard event;
 - (g) development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
 - (h) adverse impacts on coastal processes and resources are avoided or minimised;

8.2.6.3 Criteria for assessment

Table 8.6 Accepted development subject to requirements and assessable development

Performance outcomes		Acceptable outcomes
Section 1 - For accepted subject to requirements and assessable development		
PO1	Development is sited in a Flood or Erosion hazard area only where there is no reasonable opportunity to avoid the area and where the extent of development in the Flood or Erosion hazard area has been minimised.	AO1.1 No Acceptable Outcome
Development standards for land use		
PO2	Development provides flood immunity to ensure the safety of people and protection of property.	<p>Flood <u>For Cooktown, Marton and Ayton</u></p> <p>AO2.1 Development for a material change of use:</p> <ul style="list-style-type: none"> (a) meets the minimum floor levels set out in Schedule 1 of this code; and (b) Provides clear and direct pedestrian and vehicle evacuation routes from the site to flood free areas <p>Or</p> <p>AO2.2 Development for reconfiguring a lot:</p> <ul style="list-style-type: none"> (a) meets the minimum lot levels set out in Schedule 2 of this code; and (b) Provides clear and direct pedestrian and vehicle evacuation routes from the site to flood free areas. <p>Or</p> <p><u>For Coen, Laura and Lakeland</u></p> <p>AO2.3 Development is:</p> <ul style="list-style-type: none"> (a) Located on the highest part of the site; and (b) Designed with elevated habitable floor levels or lot levels; and (c) Provides clear and direct pedestrian and vehicle evacuation routes from the site to flood free areas. <p>Note: Council has not set minimum floor levels for development outside of Cooktown, Marton and Ayton. Council may, at their discretion, require the applicant to submit a site-based flood study that investigates the impact of the development on the floodplain and demonstrates compliance with the relevant Performance Outcomes.</p> <p>Or</p> <p><u>For Potential Flood Hazard Areas</u></p> <p>AO2.4 Development is:</p> <ul style="list-style-type: none"> (a) Located on the highest part of the site; and (b) Designed with elevated habitable floor levels.
PO3	The development supports, and does not unduly burden, disaster management response or recovery	<p>AO3.1 Development does not:</p> <ul style="list-style-type: none"> (a) Increase the number of people calculated to be at risk

Performance outcomes		Acceptable outcomes	
capacity and capabilities.		<div>from flooding;</div> <div>(b) Increase the number of people likely to need evacuation;</div> <div>(c) Shorten flood warning times</div> <div>(d) Impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes</div>	
Community infrastructure			
PO4	Development is able to function effectively during and immediately after a flood event.	AO4.1	Development for community activities, emergency services, major electricity infrastructure, substation, telecommunication facility or utility installation is not located in a Medium or High Hazard Area.
Other development or infrastructure			
PO5	Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.	AO5.1	The design of buildings for business activities, community activities, accommodation activities and centre activities allow for the flow of water and flood storage underneath minimum floor levels (i.e. buildings are not constructed as slab on ground).
		And AO5.2	The design of buildings for industry activities allow for the flow of flood waters through the building at ground floor and includes a second level or mezzanine that complies with Schedule 1 of this code and may be used for storage, office functions or other flood-sensitive activities.
		And AO5.3	Where flood-free egress is not available, the development has an area designated for safe refuge for people within the site.
PO6	Infrastructure proposed as part of the development is located with due regard to flood risks associated with public safety, loss of function and economic loss.	AO6.1	Mechanical and electrical infrastructure (e.g. pump stations, emergency generators) are above the Annual Exceedance Probability of 1%.
		And AO6.2	Any components of buildings that are likely to fail to function or may result in contamination when inundated by flood water (e.g. electrical switchgear and motors, lift motors, communications and data infrastructure, water supply pipeline air valves): <div>(a) meet the minimum floor levels in Schedule 1 of this code; or</div> <div>(b) are designed and constructed</div>

Performance outcomes		Acceptable outcomes	
			to exclude flood water intrusion/infiltration.
PO7	Public safety, water quality of waterways and the environment are not adversely affected by the intrusion of waste water into flood waters.	AO7.1	Where development includes an on-site facility to treat and/or store waste water, that facility: (a) is located above the flood level associated with a flood event with an Annual Exceedance Probability of 1%; or (b) is designed and constructed to exclude flood water intrusion/infiltration.
Structural soundness			
PO8	Development is designed to preserve structural performance during and after a flood event.	AO8.1	Where located in a High Hazard Area, buildings can withstand the force of floodwater, debris, and buoyancy associated with a flood event with an Annual Exceedance Probability of 1%.
		And AO8.2	Where located in a high hazard area, levees, dams and bridges are constructed to withstand the force of floodwater, debris, and buoyancy associated with a flood event with an Annual Exceedance Probability of 1%.
Management of hazardous materials			
PO9	Public safety and the environment are not adversely affected by the impacts of floodwater on hazardous materials.	AO9.1	Where the development involves the manufacture and/or storage of hazardous materials, the: (a) development achieves minimum floor levels in Schedule 1 of this code; or (b) buildings or structures used to accommodate the manufacture or storage of the hazardous materials are designed to prevent intrusion/infiltration of floodwaters.
Section 2 - For assessable development			
Maintenance			
PO10	Flood mitigation structures, devices or works (e.g. detention basins, grills, piped flow) are able to maintain functionality during flood events.	No acceptable outcome prescribed.	
Flood characteristics and effect			
PO11	Development minimises adverse impacts on people’s safety and on property by: (a) counteracting any changes the development will cause to flood behaviour; and (b) not resulting in any reductions of on-site flood storage capacity; or (c) not changing the flood characteristics outside the subject site, including	No acceptable outcome prescribed.	

Performance outcomes	Acceptable outcomes
<p>cumulative impacts on flood characteristics, that result in:</p> <ul style="list-style-type: none"> (i) loss of flood storage; and (ii) loss/changes to flow paths; and (iii) acceleration or retardation of flows; and (iv) any reduction in flood warning times elsewhere. <p>Note—Council requires the preparation of an Engineering/Flood Report to demonstrate compliance with this performance outcome.</p>	
Building design and materials	
<p>PO12 Where a building is located in a Medium or High Hazard Area, and whole or part of the building is located below the minimum floor level as identified at Schedule 1 of this code, buildings are designed and constructed of materials that are flood resilient and:</p> <ul style="list-style-type: none"> (a) preserve structural performance during and after a flood event; and (b) prevent further post flood deterioration; and (c) minimise repair costs following a flood; and (d) ensure ease of cleaning after a flood event. 	No acceptable outcome prescribed.
Reconfiguring a lot	
<p>PO13 All lots contain a suitably sized and shaped area to accommodate a building and ancillary structures and provide maximum possible flood immunity for the safety of people and the protection of property for all flood events.</p>	<p>AO13.1 For development involving the reconfiguring of a lot in a flood hazard area, a building location plan is provided for each lot demonstrating that each lot can contain an area for a building/s and ancillary structures that is a minimum of 10 metres in width and the greater of:</p> <ul style="list-style-type: none"> (a) 60% of the new lot size; or (b) a 300m² rectangular shaped area, and (c) achieves the design levels in Schedule 2 of this code.
Evacuation in flood events	
<p>PO14 The development maximises the safety of people in flood events including an acceptable level of risk for flood evacuation.</p>	<p>AO14.1 The development provides an evacuation route from a building or site to a dedicated road that is safely accessible and trafficable during a flood event with an Annual Exceedance Probability of 1% and provides access to key community infrastructure.</p>
Erosion Prone Area	
<p>PO15 Natural processes and the protective function of landforms and vegetation are maintained.</p>	<p>AO15.1 Development within the Erosion Prone Area:</p> <ul style="list-style-type: none"> (a) maintains vegetation on coastal landforms where removal or damage may:

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> (i) destabilise the area and increase the potential for coastal erosion (ii) interrupt natural sediment trapping processes or dune or land building processes (b) minimises the need for erosion control structures or riverbank hardening; (c) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast <p>AO15.2 Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> (a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and (b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring; <p>AO15.3 Development involving reclamation:</p> <ul style="list-style-type: none"> (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability (b) is located outside the active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state (c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion
<p>PO16 Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO16.1 Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>AO16.2 Marine development is located and</p>

Performance outcomes	Acceptable outcomes
	designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to collocate the development with existing marine infrastructure.

Schedule 1 – Assigned minimum floor levels

Use or activity	Minimum floor levels ¹⁵
Part 1 Where: (a) a new building; or (b) an extension to an existing building that is greater than 50% of the existing gross floor area or 50m² (whichever is lesser)	
Class 1, 2, 3 or 4 building	All habitable floor levels to be greater than or equal to the 1% Annual Exceedance Probability plus 0.3 metres. Non-habitable floor levels to be greater than or equal to the 1% Annual Exceedance Probability
Agricultural supplies store, bar, club, community use, food and drink outlet, function facility, funeral parlour, garden centre, hardware & trade supplies, high impact industry, hotel, indoor sport and recreation, intensive animal husbandry, intensive horticulture, low impact industry, medium impact industry, office, place of worship, rural industry, service industry, shop, tourist park, transport depot, veterinary services, warehouse, wholesale nursery	All floor levels to be greater than or equal to the 1% Annual Exceedance Probability
Child care centre, community care centre, educational establishment, emergency services, hospital, major electricity infrastructure, substation, utility installation, telecommunications facility	All floor levels to be greater than or equal to the 0.2% Annual Exceedance Probability
Service station, any use involving the manufacture and/or storage of hazardous materials.	All floor levels and storage areas/bund levels to be greater than or equal to the 0.2% Annual Exceedance Probability
Any other use not specified in this table	No acceptable outcome is prescribed. Note—As no acceptable outcome is prescribed, the development must demonstrate compliance with performance outcome PO1.
Part 2 – An extension to an existing building where the existing floor levels are lower than described in Part 1 of this table and the proposed additional gross floor area is up to 50% of the existing gross floor area or 50m² whichever is the lesser	
All uses	Floor level is close as practical to the applicable minimum floor levels described in Part 1 of this table and not less than the floor level of the existing building being extended and: (a) is located in a Low Hazard Area; and (b) uses flood resilient building materials.

¹⁵ Annual Exceedance Probability levels are described in Schedule 3 of this Code.

Schedule 2 – Flood immunity levels for reconfiguring a lot

Zone	Minimum lot levels ¹⁶
Residential, Rural residential, Centre, Village or Industry zone	Greater than or equal to the 1% Annual Exceedance Probability
Any other zone not specified in this table	No Acceptable Outcome is prescribed Note—As no acceptable outcome is prescribed, the development must demonstrate compliance with performance outcome PO12.

Schedule 3 – Annual Exceedance Probability levels¹⁷

Area	1% Annual Exceedance Probability	0.2% Annual Exceedance Probability
Cooktown	2.66m AHD	3.07m AHD
Marton	2.66m AHD	3.07m AHD
Quarantine Bay	4.66m AHD	Not available
Ayton	2.66m AHD	3.07m AHD
Other locations	Not available	Not available

8.2.7 Scenic amenity overlay code

8.2.7.1 Application

- (a) Accepted development subject, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
- (b) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (c) Impact assessable development.

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

8.2.7.2 Purpose

- (1) The purpose of the Scenic Amenity Overlay Code is to ensure that Grassy Hill and other elevated areas are maintained as an attractive scenic backdrop to Cooktown.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) all buildings and structures are designed to minimise their visual impact when viewed from a road, the water and public spaces;
 - (b) Excavation and fill and Operational Works for access construction and service provision are minimised, so as to preserve the natural profile of the elevated slopes and to avoid land constrained by excessive slope, landslip hazard and erosion potential;
 - (c) Natural vegetation and landscape character are retained wherever practicable and new trees and landscaping are provided to ameliorate the visual intrusiveness of buildings and structures.
 - (d) Advertising devices do not impact on the scenic qualities of the elevated areas surrounding Cooktown.

8.2.7.3 Criteria for assessment

Table 8.7 Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Section 1 - For accepted subject to requirements and assessable development	
Building siting and design	
PO1 Buildings and structures (including extensions to existing buildings and structures) are sited and designed	AO1.1 Buildings and structures are designed by an architect (or suitably qualified design

¹⁶ Annual Exceedance Probability levels are described in Schedule 3 of this Code.

¹⁷ Includes 0.8m allowance for estimated climate change.

Performance outcomes		Acceptable outcomes	
so as not to be visually obtrusive when viewed against the backdrop of the hillside and pole home and/or stepped terrace design is used in preference to extensive benching.		<p>professional) and plans are accompanied by the architect's statement about how the requirements of this code were taken into consideration during their preparation.</p> <p>And AO1.2 Architect's plans show existing and proposed contours in relation to building footprints, access and car parking areas and structures (including swimming pools), elevations, finishing materials and subdued colour palette to blend with the natural landscape.</p> <p>And AO1.3 The highest point of buildings and structures does not exceed 7.5m at any point vertically projected above existing ground level.</p> <p>And AO1.4 Construction does not occur on slopes with a gradient in excess of 1:3.</p>	
Earthworks			
PO2	Earthworks do not scar the hillside and do not lead to slope instability.	AO2.1	Retaining walls do not exceed 1.5m in height and are certified by a qualified engineer.
Vegetation and landscaping			
PO3	Existing vegetation is retained wherever practicable and new landscaping is provided to screen buildings and structures when viewed against the backdrop of the hillside.	<p>AO3.1 Architect's plans show location and canopy spread of existing trees >150cm in diameter (measured at 1.5m above ground level) and identify trees proposed for removal.</p> <p>And AO3.2 A landscaping plan is developed to provide screening to proposed buildings and structures, while allowing residents reasonable opportunity to enjoy distant views. Such plan shall employ the use of suitable native species (species that do not contain volatile oils listed in the Landscaping Planning Scheme Policy will be acceptable).</p>	
Repainting of existing buildings and structures			
PO4	The external finish of existing buildings and structures is subdued so as to blend as nearly as practicable with the natural backdrop of the hillside.	No Acceptable Solution specified.	

8.2.8 Landslide hazard overlay code

8.2.8.1 Application

- (a) Accepted development subject, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay (section 5.10); or
- (b) Assessable development where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay (section 5.10); or
- (c) Impact assessable development.

8.2.8.2 Purpose

- (1) The purpose of the Landslide Hazard Overlay Code is to:
 - (a) Provide for the assessment of the suitability of development in the Landslide Hazard Area to ensure that risk to life, property, community, economic activity and the environment during landslide events is minimised.
 - (b) Ensure that development does not increase the potential damage on-site or to other property.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) the development is compatible with the level of landslide risk;
 - (b) the development siting, layout, and access responds to the landslide risk and minimises risk to personal safety;
 - (c) the development is resilient to landslide events by ensuring siting and design accounts for the potential landslide risks to property;
 - (d) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of landslide hazards and does not significantly increase the potential for damage on the site or to other properties.

8.2.8.3 Criteria for assessment

Table 8.8 Accepted development subject to requirements and assessable development

Performance Outcomes		Acceptable Outcomes	
Section 1 - For accepted subject to requirements and assessable development			
PO1	Development maintains the safety of people and property from the risk of landslide.	AO1.1	Development must be supported by approved or lawful earthworks certified by a suitably qualified geotechnical engineer.
		And	
		AO1.2	All water run-off is controlled to prevent concentrated discharge onto soil slopes (whether vegetated or otherwise).
		Editor's note— Building work is required to meet the structural adequacy requirements under the National Construction Code.	
Section 2 - For assessable development			
PO2	Development is sited in a Landslide Hazard area only where there is no reasonable opportunity to avoid the area and where the extent of development in the Landslide Hazard area has been minimised.	AO2.1	No Acceptable Outcome
PO3	Development mitigates the risk to public safety and the potential for damage on the site or to other properties.	AO3.1	Where development cannot avoid Landslide Hazard Areas identified on OM14 – Landslide Hazard Overlay , all building work must be designed and constructed to:

Performance Outcomes	Acceptable Outcomes
	<p>(a) prevent soil/rock movement downslope which has the potential to undermine or overload the building structures; and</p> <p>(b) remain in place and structurally sound if the interface between the soil and rock mass moves or falls; and</p> <p>(c) All permanent excavations deeper than 1m at the site must be supported by retaining walls appropriately designed by a suitably qualified engineer and using soil/structure interaction parameters provided by a suitably qualified geotechnical engineer.</p> <p>And AO3.2 Permanent cuts in rock steeper than 2:1 (horizontal: vertical) are certified for stability by an appropriately qualified geotechnical engineer</p> <p>And AO3.3 Filling is not placed on the site unless it comprises approved select material, placed in a controlled manner, immediately behind engineered retaining walls.</p> <p>And AO3.4 All rainwater run-off from impermeable and hardstand areas on the site, such as paving slabs and roofing, is controlled to prevent concentrated discharge onto soil slopes (whether vegetated or otherwise)</p>

Part 9 Development codes

9.1 Preliminary

- (1) Development codes are codes for assessment where identified as an applicable code in Part 5.
- (2) The following codes and requirements apply to development under schedule 6 of the Regulation are relevant for the planning scheme.
- (3) Use codes and other development codes are specific to each local government area.
- (4) The following are the codes and requirements under the Regulation for development in the planning scheme area:
 - (a) Community residence code requirements applying to development that may not be made assessable development under the planning scheme;
 - (b) Cropping (involving forestry for wood production) code applying to development that may not be made assessable development under the planning scheme;
 - (c) Reconfiguring a lot (subdividing one lot into two lots) and associated operational work code applying to development for which code assessment is required under schedule 10, part 12 and schedule 10, part 14 division 2 of the Regulation.
- (5) The following are the use codes for the planning scheme:
 - (a) Extractive industry use code;
 - (b) Home based business use code;
 - (c) Residential use code;
 - (d) Roadside stall use code;
 - (e) Service station use code.
- (6) The following are the other development codes for the planning scheme:
 - (a) Reconfiguring a lot code;
 - (b) Parking and access code;
 - (c) Works, service and infrastructure code.

9.2 Development that cannot be made assessable in accordance with schedule 6 of the Planning Regulation 2017

The following schedules of the Regulation are relevant to the Cook Shire Council planning scheme:

- (1) Schedule 6, Part 2, 6 of the Regulation, Material change of use for community residence
- (2) Schedule 13 of the Regulation, Requirements for cropping involving forestry for wood production
- (3) Schedule 12 of the Regulation, Particular reconfiguring a lot requiring code assessment.

9.3 Use codes

The following are the use codes for the planning scheme:

- (a) Extractive industry use code
- (b) Home based business use code
- (c) Residential use code
- (d) Roadside stall use code
- (e) Service station use code

9.3.1 Extractive industry use code

9.3.1.1 Application

This code applies to assessing material change of use for Extractive industry where identified as code or impact assessable in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.3.1.2 Purpose

- (1) The purpose of the Extractive industry development code is to ensure operations do not cause significant loss of amenity or threaten life or property in the locality.
- (2) The purpose of the code will be achieved through the following overall outcome:
 - (a) Operations are adequately separated from sensitive land uses to ensure public safety and minimise potential for nuisance or complaint.
 - (b) Operations follow leading environmental practice for extractive industry and sites are effectively rehabilitated.
 - (c) Operations are conducted so as not to cause nuisance or significant loss of amenity in the locality.

9.3.1.3 Criteria for assessment

Table 9.1—Assessable development

Performance outcomes	Acceptable outcomes
Design and operation	
PO1 The extractive industry is designed and operated to avoid or minimise potential impacts on nearby areas.	AO1.1 No extraction or processing of extractive materials is carried out within: <ol style="list-style-type: none"> (a) 20m from any public road; (b) 10m of any land not used for extractive industry purposes; (c) 40m of a watercourse, unless the extractive industry site is located in a watercourse.
Buffers, safety and amenity	
PO2 Extractive industry is located, designed and managed to: <ol style="list-style-type: none"> (a) avoid impacts on amenity and public safety; and (b) prevent nuisance to sensitive land uses; and (c) not cause significant nuisance or endanger life or property on adjoining land. 	AO2.1 Extractive industry sites are located no closer than the following from any residential dwelling, or from land in the Rural Residential or Township Zones: <ol style="list-style-type: none"> (a) 200m where not involving blasting; (b) 1,000 where involving blasting; <p>And</p> AO2.2 Where located within 500m of a public road or dwelling house, the extractive industry is screened from external view using a minimum 20m wide landscaping buffer. <p>And</p> AO2.3 Safety fencing or other suitable barriers are provided to prevent unauthorised access to excavation pits or areas of the site where water may pond to a depth of 1m or greater. Access gates to the site are securely locked when employees or staff are not present on site. <p>And</p> AO2.4 All blasting is conducted so that stone, rock and other materials are not ejected from the site. Blasting does not occur: <ol style="list-style-type: none"> (a) Before 7 am; (b) After 5 pm; or (c) On public holidays or any Sunday
Access, traffic and transport	
PO3 Entrances and exits to the site area	AO3.1 Each entrance and exit to the site is:

Performance outcomes	Acceptable outcomes
are located and constructed so as not to cause a traffic hazard.	<ul style="list-style-type: none"> (a) Minimum 6m wide (b) Maximum 9m wide; and (c) At least 9m from any other entrance or exit.
PO4 The transportation of materials is undertaken in a way which maintains the safety and efficiency of the transport route and minimises the amenity impacts on premises within any transport route separation area.	AO4.1 A road impact analysis is submitted, detailing: <ul style="list-style-type: none"> (a) The proposed transport route for heavy vehicles; (b) The number of vehicles the use will generate; and (c) Whether the road/s is of a standard sufficient to carry traffic of the nature that the use would be likely to generate and does not compromise traffic safety in the area
Environmental management	
PO5 Extractive industry incorporates mitigation measures to minimise the likely adverse impacts on environmental, ecological and hydrological processes and noise and dust nuisance.	AO5.1 Extracted materials, overburden and waste materials are transported and stored on site so as to avoid contamination of waterways, drainage areas, sewers or sewer easements. A plan is submitted demonstrating: <ul style="list-style-type: none"> (a) Erosion controls; (b) Sediment basins; (c) Stormwater management devices; (d) Containment/suppression of dust, sand and soil to prevent blowing onto public roads or adjoining premises.
Rehabilitation	
PO6 The extractive industry operations provides for the progressive rehabilitation of the site to provide for the optimal future land use and land form after extraction is completed.	AO6.1 A rehabilitation plan is prepared and submitted. The plan shall: <ul style="list-style-type: none"> (a) Demonstrate the site will be rehabilitated to a stable, useable and functional state; (b) Indicate staging of the rehabilitation, to allow revegetation of areas where excavation is completed; (c) Indicate ongoing rehabilitation, including spreading of overburden stockpiles and restoration of the soil profile; (d) Show storage of materials, overburden and waste to avoid contamination of waterways, drainage areas and sewers; Provide for removal of disused buildings, structures, plant, machinery and materials from the site after extractive industry activities are complete; and (e) Provide for the return of the land to a stable, non-polluting landform, which does not pose a risk to humans, livestock or native fauna.

9.3.2 Home based business use code

9.3.2.1 Application

This code applies to assessing material change of use for Home Based Business where identified as code or impact assessable in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.3.2.2 Purpose

- (1) The purpose of the Home Based Business Development Code is to encourage home based business and maintain residential amenity.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The amenity of the area is not compromised by the Home Based Business operations
 - (b) The design of any building or structure associated with the Home Based Business is in keeping with the desired built form and landscape character of the Zone.

9.3.2.3 Criteria for assessment

Table 9.2—Accepted development subject to requirements and assessable development

Performance outcomes		Acceptable outcomes	
Scale of use			
PO1	The use is low impact and occurs within a single dwelling house which is occupied by the business operator.	AO1.1 The Home Based Business; <ol style="list-style-type: none"> (a) takes place in a single Dwelling House; (b) occupies no more than one third of the floor area of the premises or a maximum of 30m² gross floor area, whichever is the lesser; (c) only residents of the Dwelling House are employed at the premises. And AO1.2 Where the Home Based Business is a bed and breakfast, the following shall apply; <ol style="list-style-type: none"> (a) no more than three bedrooms in a dwelling are used accommodation; and (b) no more than six guests are accommodated at one time. And AO1.3 Where the Home Based Business is a host farm, the following shall apply; <ol style="list-style-type: none"> (a) the host lives on the same lot; (b) no more than three separate units are used for accommodating guests; (c) no more than 12 guests are accommodated on site at any one time. 	
Visual amenity			
PO2	The dwelling house retains the appearance of a single residential dwelling.	AO2.1 For all Home Based Business; <ol style="list-style-type: none"> (a) There is no open storage of goods on site. (b) No goods are displayed or sold on site. (c) no more than one client attends the site at one time. And AO2.2 For a bed and breakfast, guest bedrooms are not detached from the Dwelling House and are not fully self-contained (ensuite facilities may be provided, but kitchens are not acceptable). And	

Performance outcomes	Acceptable outcomes
	AO2.3 For a host farm, units for accommodating guests may be provided in separate, self-contained buildings with a maximum gross floor area of 60m ² .

9.3.3 Residential use code

9.3.3.1 Application

This code applies to a material change of use for the following land uses:

- (a) Caretakers accommodation
- (b) Dual occupancy
- (c) Dwelling house
- (d) Multiple dwelling
- (e) Non-resident workforce accommodation
- (f) Retirement facility
- (g) Short-term accommodation
- (h) Relocatable home park
- (i) Tourist park

9.3.3.2 Purpose

- (1) The purpose of the Residential development code is to facilitate a high standard of design and amenity for all residential development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Buildings are designed and located to ensure the amenity of future residents and sensitive uses on adjoining premises are protected and enhanced.

9.3.3.3 Criteria for assessment

Table 9.3—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Section 1 - For accepted and assessable development	
Scale of use	
PO1 The site has adequate area to accommodate buildings and structures, car parking, landscaping and communal and private open space.	AO1.1 Development for Multiple Dwellings occurs on a site with the following minimum dimensions; <ul style="list-style-type: none"> (a) a site area of 800m²; and (b) a primary street frontage of 20m. And AO1.2 Development for Dual Occupancy occurs on a site with the following minimum dimensions; <ul style="list-style-type: none"> (a) a site area of 800m² where serviced by reticulated sewerage; or (b) a site area of 1000m² where not serviced by reticulated sewerage. And AO1.3 Development for a Relocatable home park or Tourist park occurs on a site; <ul style="list-style-type: none"> (a) with access to a sealed road of minimum 20m reserve width; (b) with a minimum area of 1ha; and (c) is well drained and flood free.
Caretaker's accommodation	
PO2 The scale of the caretaker's accommodation is limited to meeting the caretaking function on the site.	AO2.1 Only one caretaker's accommodation is established on the site and does not exceed 150m ² of gross floor area.

Secondary dwellings	
PO3 The secondary dwelling is subservient to the primary use of the existing Dwelling House on site.	AO3.1 For a Dwelling House, no more than one secondary dwelling is provided on site and: (a) is directly connected to the Dwelling House; (b) does not exceed 50% of the gross floor area of the Dwelling House; (c) is for the exclusive use of a direct relative of the owner or occupier of the lot.
Non-resident workforce accommodation	
PO4 Non-resident workforce accommodation is for the sole purpose of housing workers (including live-in housekeepers and home tutors) genuinely required for a remote business or farming operation.	AO4.1 Accommodation is provided on the same site as the place of employment of the non-resident workforce.
PO5 The site is remote from alternative sources of accommodation, or insufficient accommodation is available locally to serve the needs of the non-resident workforce	No Acceptable Outcome specified.
PO6 Air conditioning units and plant are; (a) not obtrusive when viewed from the public street; and (b) are acoustically screened where located in proximity to other dwellings.	No Acceptable Outcome specified.
PO7 Designated areas are provided for the recreational needs of non-resident workers.	AO7.1 A minimum area of 25m ² recreational space is provided for each accommodation unit. Note: Recreational open space may be provided as one area to service multiple units.
PO8 Development mitigates against the impacts of spray drift on non-resident workforce accommodation.	AO8.1 A minimum 40m vegetated buffer is provided between the accommodation units and irrigated crops.
PO9 Development is of a scale and character that does not detract from the character or amenity of the area.	No Acceptable Outcome specified.
Relocatable home park or Tourist park	
PO10 Individual sites have adequate area for the comfort of guests and maintain adequate separation between individual sites and facilities to provide privacy and comfort to guests.	AO10.1 Minimum individual area for sites area as follows: (a) Caravan 90m ² (b) Campervan 60m ² (c) Tent 60m ² (d) Relocatable home 120m ² (e) Cabin 120m ² And AO10.2 The following separation distances are maintained; (a) 3m between caravans, campervans, tents, relocatable homes or cabins; (b) 6m between any accommodation type and the amenities or ablution building.

<p>PO11 Safe and efficient vehicle movements are facilitated both on site and on adjoining public streets.</p>	<p>AO11.1 Vehicle access and manoeuvring for a Relocatable home park or Tourist park;</p> <ul style="list-style-type: none"> (a) Allows vehicles towing caravans are able to enter and exit the site in a forward gear; and (b) Provides a parking space for guest check-in/check-out entirely on site and adjacent to the office or Caretaker's Residence.
<p>PO12 Landscaping;</p> <ul style="list-style-type: none"> (a) Provides a pleasant visual presentation to the street frontage; (b) Reduces the impacts on adjoining properties through extensive use of boundary plantings; (c) Makes use of (and/or supplements) existing native vegetation wherever possible; and (d) Provides shade to guests. 	<p>AO12.1 The following landscaping is provided to the standard nominated in the Landscaping Planning Scheme Policy;</p> <ul style="list-style-type: none"> (a) Minimum 6m width (excluding vehicle access and egress points) is provided along the street frontage; (b) Minimum 3m wide strip is provided along all other boundaries.
<p>Open Space</p>	
<p>PO13 Private and communal open space is sufficient to meet the needs of residents and their guests</p>	<p>AO13.1 For Rooming Accommodation or Short Term Accommodation development, a minimum of;</p> <ul style="list-style-type: none"> (a) 35% of the site area (not including driveways, parking and service areas) is provided for private open space; (b) 50m² is provided in one whole area with a minimum dimension of 5m. <p>And</p> <p>AO13.2 For Multiple Dwelling or a Retirement Facility development, private open space is provided for each dwelling located wholly or partly on the ground floor storey, at the following rates;</p> <ul style="list-style-type: none"> (a) 30m² for each one bedroom dwelling; (b) 40m² for each two bedroom dwelling; (c) 50m² for each three or more bedroom dwellings. <p>And</p> <p>AO13.3 For Multiple Dwelling or Retirement Facility development, each dwelling located wholly above the ground floor storey is provided with a balcony with a minimum area of 8m² and a minimum dimension of 2m.</p> <p>And</p> <p>AO13.4 Each dwelling unit has a minimum 60m² of private open space accessible only from that dwelling and for the sole use of occupants of that dwelling.</p> <p>And</p> <p>AO13.5 For a Relocatable home park or Tourist park, a minimum of 75 of the site area (exclusive of boundary setback landscaping) is provided for communal open space and recreation. Such space has a length to width ratio</p>

	no greater than 1:3.
Section 2 - For assessable development	
Amenity	
PO14 Development is designed to protect the amenity of sensitive land uses on adjoining premises and future residents of the site.	AO14.1 The following is prepared to demonstrate there will be no overlooking or loss of privacy on adjoining premises; <ul style="list-style-type: none"> (a) A Site Analysis Plan showing; <ul style="list-style-type: none"> (i) The orientation, vegetation, topography, overland flow paths and infrastructure on the subject site; and (ii) The adjoining premises, including the location and height of buildings and structures, habitable rooms and private open space; and (b) A Site Plan showing; <ul style="list-style-type: none"> (i) the location and height of proposed buildings, structures, habitable rooms and private open space; and (ii) the location and height of buildings and structures, habitable rooms and private open space on adjoining premises.

9.3.4 Roadside stall use code

9.3.4.1 Application

This code applies to a material change of use for a Roadside stall.

9.3.4.2 Purpose

- (1) The purpose of the Roadside stall development Code is to allow for the sale of fresh agricultural produce directly from farms where it is grown.
- (2) The purpose of the code will be achieved through the following overall outcomes;
 - (a) The functioning of the road network is not impaired and public safety is maintained.
 - (b) Roadside stalls do not compromise the amenity of rural areas.

9.3.4.3 Criteria for assessment

Table 9.4—Accepted development subject to requirements and assessable development

Performance outcomes		Acceptable outcomes
Location		
PO1	Roadside Stalls provide for the sale of fresh agricultural produce directly from the farm on which it is grown.	AO1.1 Roadside Stalls occur on land in the Rural Zone and are for the sale of produce grown on the same site.
Scale and density		
PO2	Roadside Stalls are limited in scale and do not perform a general retail function.	AO2.1 Only one Roadside Stall is established per farm. And AO2.2 The total area occupied by the use (including any structures) is no more than 30 m ² .
Traffic safety		
PO3	Roadside Stalls do not impair safe and efficient traffic movement.	No Acceptable Solution specified.

Performance outcomes	Acceptable outcomes
Amenity and design	
PO4 Roadside Stalls do not have the appearance of permanent structures, may be easily relocated and do not compromise rural amenity.	AO4.1 Roadside Stall construction is limited to: (a) Relocatable (i.e. wheeled) trailers or carts; (b) Freestanding shelves, tables or display areas; and/or (c) Structural coverings for weather protection only (i.e. no solid walls) And AO4.2 Roadside Stall construction does not involve any building work that is assessable against the Building Regulations.

9.3.5 Service station use code

9.3.5.1 Application

This code applies to a material change of use for a Service station.

9.3.5.2 Purpose

- (1) The purpose of the Service station development Code is to ensure they are appropriately located and provided with adequate road access to serve the needs of motorists in the Shire.
- (2) The purpose of the code will be achieved through the following overall outcome;
 - (a) Service stations are located on sites of sufficient area to accommodate the development, vehicle access and buffering to sensitive land uses;
 - (b) Service stations provide convenient points of service for residents, visitors and travellers;
 - (c) Negative impacts on the amenity of adjoining land are prevented.

9.3.5.3 Criteria for assessment

Table 9.5—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Location	
PO1 The site is appropriate for the use and does not cause a traffic hazard.	AO1.1 Unless in the Rural Zone, the Service station is located on a corner site. And AO1.2 The site has a minimum street frontage of 40m. And AO1.3 The site has an area of 1,500m ² .
Waste management	
PO2 Waste material is contained and stored so as not to be unsightly, cause environmental harm and can be conveniently collected.	AO2.1 Refuse storage areas are; (a) Screened so as to not be visible from the street or neighbouring properties; (b) Allow appropriately sized collection vehicles to enter and exit the site in a forward gear; (c) Provided with an impervious base that is drained to an approved waste disposal system and provided with a dedicated hose cock.
Access	
PO3 Site access maintains the safety and efficiency of the road servicing the site and surrounding development.	AO3.1 All vehicles enter and exit the site in a forward gear. And

Performance outcomes	Acceptable outcomes
	AO3.2 Fuel tankers are able to stand completely within the site while unloading.
Landscaping and amenity	
<p>PO4 Buildings are setback from boundaries so as to minimise adverse impacts on the amenity of adjoining sensitive land uses and contribute to a pleasant streetscape.</p>	<p>AO4.1 Where the adjoining premises contains a sensitive land use, or the adjoining premises is included in the Low Density Residential Zone, Medium Density Residential Zone, Mixed Use, Township Zone or the Community Facilities Zone, any boundary adjoining such use shall be provided with a solid 1.8m high fence (timber paling, masonry, brick, metal cladding with neutral finishes) that is 100% impervious.</p> <p>And</p> <p>AO4.2 A 3m wide landscaped strip is provided and maintained to all road frontages (excluding entrance/exit points) to the minimum standard specified in the Landscaping Planning Scheme Policy.</p>

9.4 Other development codes

The following are the other development codes for the planning scheme:

- (1) Reconfiguring a lot code
- (2) Parking and access code
- (3) Works, services & infrastructure code

9.4.1 Reconfiguring a lot code

9.4.1.1 Application

This code applies to assessing development for reconfiguring a lot, with the exception of lot amalgamation, where identified as code or impact assessable in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.4.1.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to ensure new lots are suitable for their intended use and are appropriately designed and sited given the local landscape and topography:
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Lots are of a size and dimension suitable for their intended use and have due regard to local geographical constraints, identified hazards, fragmentation of agricultural land and community expectations of residential separation and character.
 - (b) Environmental and scenic values are protected;
 - (c) Reconfiguration does not impact on the Shire's water resources;
 - (d) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
 - (e) Lots are provided with the appropriate level of infrastructure to meet user requirements;
 - (f) A range and mix of lot sizes is provided to facilitate a variety of commercial, industry and housing types;
 - (g) Subdivision design achieves road networks that provide connectivity and circulation for vehicles and provides safe and efficient access for pedestrians, cyclists and public transport;
 - (h) Subdivision design provides opportunities for walking and cycling, for recreation and as alternative methods of travel;
 - (i) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the region;
 - (j) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and connectivity between areas with conservation values;
 - (k) Subdivision of land in the Rural zone does not result in the fragmentation or alienation of Good Quality Agricultural Land.
 - (l) Subdivision within the Rural zone maintains rural landholdings in viable parcels unless it can be demonstrated that the land is suitable for rural lifestyle allotments that and the other overall outcomes in this section are not compromised.
 - (m) New Rural Lifestyle Lots:
 - a. Are in reasonable proximity to services and facilities such as health, education and retail opportunities;
 - b. Have frontage to a road and access to a road network that complies with the rural roads design criteria in the FNQROC Development Manual;
 - c. Protects rural activities and extractive industry from encroachment by sensitive land uses;
 - d. Will not impact transport/supply chains critical to rural production, rural industry and extractive industry;

- e. Have a sustainable level of impact on the natural environment having regard to water supply and water quality effluent disposal, potential erosion and natural habitat.
- f. Provide a high level of residential and scenic amenity and safety from risk of natural hazards such as bushfire;
- g. Does not compromise the orderly development of land where such land is subject to the Future Urban Expansion Overlay.

9.4.1.3 Criteria for assessment

Table 9.6—Assessable development

Performance outcomes		Acceptable outcomes
Lot configuration		
PO1	<p>Lots have adequate area and appropriate dimensions for their intended use and agricultural land is not lost to production through its fragmentation into economically unviable units, unless over-riding public benefit can be demonstrated.</p> <p>The subdivision is demonstrated to be appropriate having regard to:</p> <ul style="list-style-type: none"> (a) The unique size, shape, location or topography of existing and proposed allotments; (b) The unique character of the proposed use intended to be made of the land following subdivision (as set out in the development application); (c) The existing and future amenity of the locality; (d) The ability of the site to accept and disperse wastewater within the site without causing infiltration of the groundwater or runoff to nearby watercourses; (e) The relevant zone and overlay overall outcomes and performance outcomes. 	<p>AO1.1 Lots comply with the minimum area and dimensions for those zones listed in Schedule 1 of this code.</p> <p>(a)</p>
Subdivision design		
PO2	<p>Subdivision design:</p> <ul style="list-style-type: none"> (a) Provides each lot with practical access to the public road system; (b) Minimises strip development; (c) Provides for safe and efficient traffic movements; and (d) Does not compromise the long term potential for further higher density subdivision in the Cooktown locality. 	<p>AO2.1 Subdivision of land in the Rural and Rural Residential Zones provides for the opening of a new internal public road connecting to the external public road system and access to all lots is via the internal road.</p> <p>And</p> <p>AO2.2 Applications for subdivisions creating 10 or more additional lots are accompanied by a Traffic Impact Assessment prepared by a suitably qualified engineer. At a minimum such assessment shall detail existing conditions, expected vehicle trip generation and the capacity of the local and trunk road network to deal with the additional demand.</p>
PO3	Noise amelioration features are	No Acceptable Outcome specified.

Performance outcomes	Acceptable outcomes
<p>incorporated in the development to mitigate impacts from road networks and such noise amelioration features are designed to minimise adverse impacts on visual amenity.</p>	
<p>PO4 Rear lots only occur in exceptional circumstances where justified by the need to protect amenity or where the site's physical characteristics make this form of subdivision more practical.</p>	<p>AO4.1 The development does not propose rear lots.</p> <p>Or</p> <p>AO4.2 If the development proposes rear lot access, the access handle is located and constructed to:</p> <ul style="list-style-type: none"> (a) Minimise impacts on adjoining properties (b) Allow all weather practical access (c) Prevent erosion and sedimentation due to vehicle movements; (d) Minimise dust generation; and (e) Ensure stormwater flow is managed and discharged to a legal point.
<p>PO5 Secure access of adequate width and standard to accommodate emergency vehicles is provided to all rear lots.</p>	<p>AO5.1 Where the access handle from the public road does not form part of the rear lot, the handle is protected by an access easement shown on the plan of survey.</p> <p>And</p> <p>AO5.2 The minimum width of access handles for land in each zone is as follows:</p> <ul style="list-style-type: none"> (a) Rural Zone – 10m (b) Rural Residential, Township or Industry Zone – 6m (c) All other zones – 4m
Duck Farm Sub-Artesian Area	
<p>PO6 Development does not have an adverse impact on the capacity or water quality of the Duck Farm-Sub-Artesian Area.</p>	<p>AO6.1 Development does not create additional lots in the Duck Farm Sub-Artesian Area or the Annan River Water Resource Catchment as shown on OM11 – Water Resource Overlay Map.</p> <p>Or</p> <p>AO6.2 Development wholly or partly within the Duck Farm Sub-Artesian Area or the Annan River Water Resource Catchment as shown on OM11 – Water Resource Overlay Map does not result in:</p> <ul style="list-style-type: none"> (a) Additional groundwater extraction. (b) Infiltration of sewerage effluent or other contaminants.
Public open space	
<p>PO7 Public open space for recreation purposes is provided in a manner which:</p> <ul style="list-style-type: none"> (a) Meets the recreation and leisure needs of the community; 	<p>AO7.1 Public open space (or monetary payment) is provided in accordance with the Provision of Public Open Space Planning Scheme Policy.</p> <p>And</p>

Performance outcomes	Acceptable outcomes
<ul style="list-style-type: none"> (b) Is not subject to constraints such as inundation or excessive slope which would reduce its usefulness; (c) Has a functional shape; (d) Connects with existing public open space or natural areas where feasible; (e) Is readily and safely accessible by vehicles, cyclists and pedestrians; and (f) Conserves and takes advantage of significant landmarks and natural vegetation. 	<p>AO7.2 Land within 20m of the edge of the dam at the Old Dam Site shown on OM13 – Old Dam Overlay Map is transferred to public ownership.</p>
Erosion prone land	
<p>PO8 Reconfiguration of Erosion Prone Areas provides protection from future development that increases risk of erosion.</p>	No Acceptable Outcome specified
Acid sulphate soils	
<p>PO9 Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by:</p> <ul style="list-style-type: none"> (a) Not reconfiguring lots in such areas; or (b) Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and (c) Treating and managing surface and groundwater flows to minimise environmental harm. 	No Acceptable Outcome specified.
Watercourse protection	
<p>PO10 Where reconfiguration involves land adjacent to or including a wetland and/or watercourses, there are no significant adverse effects on:</p> <ul style="list-style-type: none"> (a) Water quality; (b) Ecological and biodiversity values; or (c) Landscape quality. 	No Acceptable Outcome specified.
Protection of rural values – Rural Zone	
<p>PO11 Reconfiguring a lot in the Rural Zone results in lots that:</p> <ul style="list-style-type: none"> (a) reflect the capability and sustainability of land for agricultural or pastoral purposes; (b) Protects rural activities and extractive industry from encroachment by sensitive land uses; and (c) Will not impact transport/supply chains critical to rural production, rural industry and extractive industry. 	<p>AO11.1 Each proposed lot has access from a constructed, gazetted road;</p> <p>And</p> <p>AO11.2 The proposed subdivision achieves the minimum area, road frontage and depth to frontage ratio specified in Schedule 1 below.</p> <p>Or</p> <p>AO11.3 The subdivision results in one or more allotments with a minimum area, road frontage and/or depth to frontage ratio less than specified in Schedule 1 and the proposed allotments contain building envelopes capable of accommodating a dwelling house that:</p>

Performance outcomes	Acceptable outcomes
	<ul style="list-style-type: none"> (a) Maintains the minimum separation distances to existing rural activities or extractive industry as detailed in Schedule 1 of the Rural Zone Code; (b) Ensures risks associated with flood, bushfire and landslide hazard can be managed; (c) Maintain safe road access; and (d) Each allotment sustains a proven and reliable water supply.
Rural Lifestyle Allotments	
<p>PO12 Reconfiguring a lot in the Rural Zone results in Rural Lifestyle Lots that:</p> <ul style="list-style-type: none"> (a) Are in reasonable proximity to services and facilities such as health, education and retail opportunities; (b) Have frontage to a road and access to a road network that complies with the rural roads design criteria in the FNQROC Development Manual; (c) Protects rural activities and extractive industry from encroachment by sensitive land uses; (d) Will not impact transport/supply chains critical to rural production, rural industry and extractive industry; (e) Have a sustainable level of impact on the natural environment having regard to water supply and water quality effluent disposal, potential erosion and natural habitat. (f) Provide a high level of residential and scenic amenity and safety from risk of natural hazards such as bushfire; (g) Does not compromise the orderly development of land where such land is subject to the Future Urban Expansion Overlay. 	<p>No Acceptable Outcome specified.</p> <p>Note – as contemplated in section 3.4.1.1 of the scheme, Council will consider proposals for Rural Lifestyle Allotments down to 4ha in size, where compliance with the Performance Outcome is demonstrated.</p>
Protect key infrastructure and corridors	
<p>PO13 Reconfiguration of lots does not compromise or adversely impact upon the efficiency and integrity of major electricity infrastructure.</p>	<p>AO13.1 Residential subdivision of land containing Major Electricity Infrastructure or the Electricity Substation (as identified on OM7 – Infrastructure Overlay Map) demonstrates that all allotments are capable of siting all buildings and structures outside of easements or otherwise a minimum of:</p> <ul style="list-style-type: none"> (a) 20m for transmission lines up to 132 kilovolts; or (b) 30m for transmission lines between 133 kilovolts and 275

Performance outcomes	Acceptable outcomes
	kilovolts; or (c) 40m for transmission lines exceeding 275 kilovolts.
PO14 Reconfiguring of lots ensures that access requirements of major electricity and bulk water supply infrastructure are maintained.	AO14.1 Major Electricity Infrastructure or an Electricity Substation traversing or within private land (as identified on OM7 – Infrastructure Overlay Map) are protected by an easement in favour of the service provider for access and maintenance

Schedule 1— Minimum Lot Dimensions

Zone	Minimum Area ^(a)	Minimum road frontage	Maximum depth to frontage ratio
Low density residential zone	800m ²	20m	NA
Medium density residential zone	800m ²	20m	NA
Mixed use zone	800m ²	20m	NA
Centre zone	400m ²	10m	NA
Industry zone	1,000m ²	20m	NA
Rural zone	100ha	100m	5:1
Rural residential zone	2,000m ² where reticulated water is available 4,000m ² where reticulated water is not available	40m	3:1
Township zone	800m ²	20m	NA
Community use zone	Not specified	Not specified	Not specified

(a) For rear allotments, the minimum area excludes the area of the proposed access way.

9.4.2 Parking and access code

9.4.2.1 Application

This code applies to assessing material change of use and reconfiguring a lot development identified in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.4.2.2 Purpose

- (1) The purpose of the Transport, parking and access code is to ensure transport, access and car parking is safe, efficient and convenient.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The amount of parking provided for a particular land use is sufficient to meet the parking needs for that use;
 - (b) Parking and manoeuvring areas, passenger setdown/pickup areas and goods loading/unloading facilities are provided in a safe and efficient manner; and
 - (c) Access arrangements do not compromise the safety and efficiency of the transport network.

9.4.2.3 Criteria for assessment

Table 9.7—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Car parking provision	
PO1 Sufficient car parking spaces are provided on site to accommodate the amount and type of vehicle traffic likely to be generated by the use.	AO1.1 Car parking for the land uses listed in the table in Schedule 1 of this code is provided as per that table

Performance outcomes		Acceptable outcomes
Car parking location		
PO2	On-site car parking areas are conveniently located, easily accessible, attractive and safe to use.	AO2.1 For residential uses, short-term visitor parking is provided at the front of the site, with direct access to the building entry.
Access		
PO3	Access points are located to operate efficiently and safely and minimise conflicts considering the: <ul style="list-style-type: none"> (a) Amount and type of vehicular traffic; (b) Type of use and road traffic conditions; (c) Nature and extent of future street or intersection improvements; (d) Current and future on street parking; and (e) Available sight distances. 	AO3.1 The location of the access points is in accordance with the provisions of Australian Standards AS 2890.1 <i>Parking Facilities – Off-street Carparking</i> and AS 2890.2 <i>Parking Facilities – Off-street commercial vehicle facilities</i> .
Design and layout		
PO4	Car parking layout, individual spaces, manoeuvring and service areas are of a suitable size to meet user requirements and are designed to ensure they are safe, convenient and functional.	AO4.1 The design and layout of car parking spaces and areas including car park widths, aisle widths and circulation areas are in accordance with Australian Standards – AS 2890.1 <i>Parking Facilities – Off-street Carparking</i> and AS 2890.2 <i>Parking Facilities – Off-street commercial vehicle facilities</i> . And AO4.2 Car parking spaces are line marked.
PO5	Service vehicle movement and loading areas are of a suitable size and dimension to meet user requirements.	AO5.1 Service vehicle movement and loading areas are designed in accordance with Australian Standards AS 2890.1 <i>Parking Facilities – Off-street Carparking</i> and AS 2890.2 <i>Parking Facilities – Off-street commercial vehicle facilities</i> and meet the minimum design requirements for the service vehicle specified in Schedule 2 of this code.
PO6	Parking spaces are available and easily accessible for persons with disabilities and/or mobility difficulties.	AO6.1 The proportion of total parking spaces provided for people with disabilities is in accordance with the Australian Standard – AS2890.1 <i>Parking Facilities – Off-street Carparking</i> . And AO6.2 Access to spaces for people with disabilities is provided in accordance with Australian Standard – AS1428.1 <i>Design for access and mobility – General requirements for access – New building work</i> . And AO6.3 Disabled parking is directly accessible from the entrance of the premises. And AO6.4 Disabled parking is clearly identified via signage and/or line marking.

Schedule 1—Vehicle parking and service vehicle requirements

Use	Minimum Number of Car Parking Spaces
Caretaker's Accommodation	1 space.
Child Care Centre	1 space per 10 children plus 1 space per full time staff member and an additional minimum of 3 spaces to be used for the setting down and picking up of children.
Dual Occupancy	2 covered spaces.
Dwelling House	1 covered space.
Food & Drink Outlet	1 space per 50 m ² of GFA.
Hazardous, Noxious or Offensive Industry	1 space per 100 m ² of total use area.
Health Care services	1 space per 50 m ² of GFA.
Home Based Business	1 space for the occupants plus 1 client space – total of 2 spaces.
Home Based Business (for Bed and Breakfast)	1 space for the permanent residents, plus 1 additional space for each bedroom used for guest accommodation.
Hotel	1 space per accommodation unit plus 1 space per 30 m ² of GFA for the remaining building.
Industry (all)	1 space per 100 m ² of total use area.
Multiple Dwelling	1.2 spaces per dwelling unit.
Office	1 space per 50 m ² of GFA.
Relocatable home park Tourist Park Nature based tourism	1 space for each caravan, cabin and tent site plus one visitor space for each 10 sites.
Roadside Stall	1 space for every 30m ² of GFA.
Rooming accommodation	1 space per two rooms or part thereof.
Service Station	4 spaces plus one space per 50 m ² of GFA for any restaurant or shop component.
Shop; or Adult shop (a) Where less than 200m ² GFA) (b) otherwise	 (a) 1 space per 20 m ² of GFA. (b) 1 space per 50 m ² of GFA.
Short Term Accommodation	1 space per unit and 1 additional staff space for each 20 beds, plus (if the development includes a Restaurant open to the general public) 1 space per 50 m ² of dining area.
The following uses: (a) Club (b) Function facility (c) Indoor sport & recreation (d) Nightclub entertainment facility (e) Theatre	1 space per 50m ² of GFA.
Transport Depot	1 space per 200 m ² of site area.
Veterinary Services	1 space per 50 m ² of total use area.
Warehouse	1 space per 100 m ² of total use area.

Schedule 2—Vehicle parking and service vehicle requirements

Minimum Service Provisions	Width	Length	Vertical Clearance
Small rigid vehicle	3.5 m	7.0 m	3.5 m
Heavy rigid vehicle	3.5 m	11.5 m	4.5 m

9.4.3 Works, services and infrastructure code

9.4.3.1 Application

This code applies to material change of use, reconfiguring a lot and operational work development where identified as code or impact assessable in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.

9.4.3.2 Purpose

- (1) The purpose of this code is to ensure development is provided with the range of infrastructure services expected by the community.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Infrastructure is designed and constructed to a suitable standard;
 - (b) Works, services and infrastructure do not cause environmental degradation or increase the risk of natural hazards; and
 - (c) Development is designed, constructed and managed to avoid or minimise impacts on receiving waters.

9.4.3.3 Criteria for assessment

Table 9.8—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Infrastructure services	
PO1 An adequate, safe and reliable supply of potable and general use water is provided.	<p>AO1.1 If the site is located within Council's reticulated water area, as identified on an OM7 – Infrastructure Services Overlay Map, the site must be connected to Council's reticulated water supply system in accordance with Section D6 of the Development Manual Planning Scheme Policy.</p> <p>And</p> <p>AO1.2 If the site is not located within Council's reticulated water area as identified on OM7 – Infrastructure Services Overlay Map, rainwater tanks of minimum capacity 50,000 litres must be installed for each residential dwelling unit.</p>
PO2 Provision is made for the treatment and disposal of sewerage effluent to ensure there are no adverse impacts on water quality and no adverse ecological impacts as a result of the effluent disposal system or as a result of the cumulative effect of systems in the locality.	<p>AO2.1 If the site is located within Council's reticulated sewerage area, as identified on an OM7 – Infrastructure Services Overlay Map, the site must be connected to Council's reticulated sewerage network in accordance with Section D7 of the Development Manual Planning Scheme Policy.</p> <p>And</p> <p>AO2.2 If the site is not located within Council's reticulated sewerage area, as identified on an OM7 – Infrastructure Services Overlay Map, an on-site sewerage treatment facility must be installed.</p>
PO3 Land is provided with internal and external drainage to an appropriate standard to minimise runoff and impacts on receiving waters.	AO3.1 A reticulated drainage system is provided in accordance with Sections D4 and D5 of the Development Manual Planning Scheme Policy.

Performance outcomes	Acceptable outcomes
PO4 Land is provided with a reliable electricity supply.	AO4.1 Connection is made to an electricity supply network in accordance with Section D8 of the Development Manual Planning Scheme Policy.
PO5 The road to the frontage of the site must be constructed to provide for the safe and efficient movement of: <ul style="list-style-type: none"> (a) Vehicles on the road adjacent to the site; (b) Vehicles to and from the site; (c) Pedestrians and cyclists adjacent to the site; and (d) Pedestrians and cyclists to and from the site. 	AO5.1 The road to the frontage of the site is constructed in accordance with Sections D1 and D3 of the Development Manual Planning Scheme Policy. And AO5.2 Vehicle crossover/s are constructed to provide access to the site in accordance with Sections D1 and D3 of the Development Manual Planning Scheme Policy.
PO6 Works associated with a Material Change of Use or Operational Work must not affect the efficient functioning of public utility mains, services or installations.	AO6.1 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Development Manual Planning Scheme Policy.
Filling and excavation	
PO7 Filling and excavation does not result in the instability of a site or adjacent land.	AO7.1 Filling and excavation is no greater than 1.5m in height or depth (above or below existing ground level). And AO7.2 Retaining walls and other structures used for the supporting of fill and excavated areas do not exceed 1.5m in height. And AO7.3 Filling and excavation does not occur within 2m of the site boundary. And AO7.4 Soil is not stockpiled in locations that can be viewed from adjoining properties or from a road frontage for more than 1month. And AO7.5 Filling and excavation works comply with Australian Standard – AS 3798 <i>Guidelines on Earthworks for Commercial and Residential Development</i> as set out in Section D2 in the Development Manual Planning Scheme Policy.
PO8 Filling and excavation does not result in a change to the run off characteristics of a site or have a detrimental impact upon the site and nearby land.	AO8.1 Filling and excavation does not result in the ponding of water on the site or adjacent land. And AO8.2 Filling and excavation does not result in an increase in flow of water from the site to any other land or a transport corridor. And AO8.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse or overland flow paths.

Performance outcomes	Acceptable outcomes
	And AO8.4 Filling and excavation complies with the specifications set out in Section D2 – D7 of the Development Manual Planning Scheme Policy.
PO9 Filling and excavation does not result in a reduction of the water quality of receiving waters.	AO9.1 Water quality complies with Section D5 of the Development Manual Planning Scheme Policy.
PO10 Filling and excavation is carried out so that the visual amenity of the area and the privacy of adjoining properties are not compromised.	No Acceptable Solution specified.
PO11 Effective measures are put in place such that filling and excavation associated with site works and construction activity do not cause erosion.	AO11.1 Filling and excavation and associated site works and construction activity are carried out as follows: <ul style="list-style-type: none"> (a) Construction activity is timed to avoid periods of high rainfall; (b) Earth works/site regrading and rehabilitation is carried out at the completion of each stage of works; (c) Erosion/sediment control barriers/fences and drains are installed and maintained; (d) Hydro-mulching or similar treatment is applied to newly disturbed areas; and (e) Revegetation of a disturbed area commences immediately upon the completion of works on that area and is maintained for a period of at least 3 months.
Major electricity infrastructure and buffers	
PO12 Development involving a sensitive land use is sufficiently separated from major electricity infrastructure or substations to minimise the likelihood of nuisance or complaint.	AO12.1 Sensitive land uses maintain the following separation distances from Major Electrical Infrastructure or Electricity Substation shown on OM7 – Infrastructure Overlay Map : <ul style="list-style-type: none"> (a) 20 m for transmission lines up to 132 kilovolts; or (b) 30m for transmission lines between 133 kilovolts and 275 kilovolts; or (c) 40 m for transmission lines exceeding 275 kilovolts.
PO13 Major electricity infrastructure on private land is included in an easement.	AO13.1 Existing infrastructure easements are maintained and where none currently exist, new easements are created which are sufficient for the electricity provider's requirements.
Fire services in developments accessed by common private title	
PO14 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO14.1 Residential streets and common access ways within a common private title should have hydrants placed at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and should be situated above or below ground. AO14.2 Commercial and industrial streets

Performance outcomes	Acceptable outcomes
	and access ways within streets serving commercial properties such as factories, warehouses and offices should be provided with above or below ground fire hydrants at not more than 90 metre intervals and at each street intersection. Above ground fire hydrants should have dual valved outlets.
PO15 Road widths and construction within the development are adequate for fire emergency vehicles to gain access to a safe working area close to dwellings and near water supplies whether or not on-street parking spaces are occupied.	AO15.1 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for safe passage of emergency vehicles.
PO16 Hydrants are suitably identified so that fire services can locate them at all hours.	AO16.1 Hydrants are identified as specified in the 'Traffic and Road Use Management Manual, Volume 1: Guide to traffic management, Part 10: Traffic Control and Communication Devices, section 6.7.2-1 Fire hydrant indication system' available on the Department of Transport and Main Roads Website http://www.tmr.qld.gov.au/business-industry/Technical-standardspublications/Traffic-and-Road-Use-Management-manual/Volume-1.aspx .

9.4.4 Third Party Signs Code

9.4.4.1 Application

This code applies to assessing operational work where identified as code assessable in Part 5. When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3 located in Part 5.


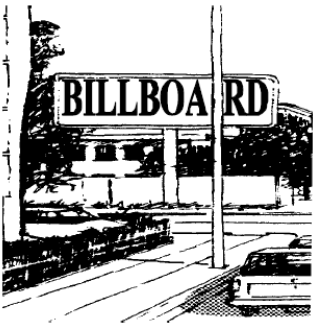
9.4.4.2 Purpose


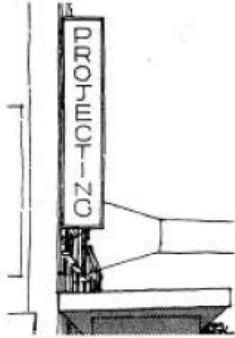

- (1) The purpose of the Third party sign code is to manage the visual and other off-site impacts of advertising signs that promote products, services, events or activities on sites other than the site on which they are erected.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Third party signs contribute to a cohesive built form for the locality in which they are placed;
 - (b) Third party signs are placed so that the appearance of the surrounding area is not adversely affected by a proliferation of signs;
 - (c) Light impacts from third party signs are managed to avoid any adverse impacts on surrounding properties or the safety of the road network;
 - (d) Third party signs provide for the safe and unhindered movement of vehicles and pedestrians;
 - (e) Personal and property safety is not compromised by unstable third party signs;



9.4.4.3 Criteria for assessment

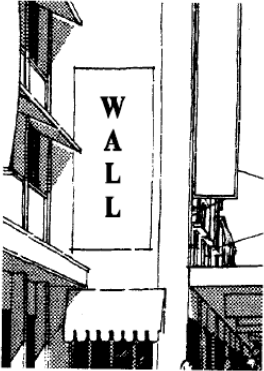
Table 9.9—Accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
PO1 An above awning sign is consistent	AO1.1 The above awning sign:

Performance outcomes	Acceptable outcomes
<p>with the scale and design of buildings and other works in the area, does not contribute to visual clutter and maintains recognised acceptable limits of light emissions.</p> <p>Editor's Note – An example of an above awning sign is provided below.</p> 	<ul style="list-style-type: none"> (a) does not have a face area in excess of 2.5m² or more than 2 faces; (b) where it has 2 faces — has a maximum angle between each face of 45 degrees; (c) has a maximum height of 1.5m above the awning on which it is displayed; (d) is not displayed less than 3m from another above awning sign; (e) is be displayed less than 1.5m from any side boundary; (f) has a face area length greater than the face area height; (g) if illuminated — does not result in light nuisance on a light-sensitive use off-site; (h) is installed without “guide wires” or exposed supporting framework;
<p>PO2 A billboard/hoarding sign is consistent with the scale of development in the area and does not contribute to visual clutter.</p> <p>Editor's Note – An example of a billboard/hoarding sign is provided below.</p> 	<p>AO2.1 The sign:</p> <ul style="list-style-type: none"> (a) has a maximum face area of 45m²; (b) has a maximum height of 15m; (c) does not directly face adjoining premises unless it is more than 3m from each boundary of the premises; (d) is not located or constructed so as to expose an unsightly back view of the sign; (e) does not have more than 2 faces; <p>And</p> <p>AO2.2 If the sign has 2 faces — has a maximum angle between each face of 45 degrees;</p> <p>And</p> <p>AO2.3 Only 1 double-sided sign is displayed on premises except where the street front boundary of the premises exceeds 100m.</p> <p>And</p> <p>AO2.4 If the street front boundary of the premises exceeds 100m, more than 1 double-sided sign is permitted, however, the signs are a minimum 100m apart.</p> <p>And</p> <p>AO2.5 The sign is not displayed less than 3m from any side boundary.</p> <p>And</p> <p>AO2.6 The sign is installed without “guide wires” or exposed supporting framework.</p>
<p>PO3 A pole sign is consistent with the scale of development in the area</p>	<p>AO3.1 The sign has a maximum height of 5m above ground level.</p>

Performance outcomes	Acceptable outcomes
<p>and does not contribute to visual clutter.</p> <p>Editor's Note – An example of a pole sign is provided below.</p> 	<p>And AO3.2 The sign is not displayed less than 3m from any side boundary.</p>
<p>PO4 A projecting sign is consistent with the scale of development in the area, does not obstruct vehicle movement and does not contribute to visual clutter.</p> <p>Editor's Note – An example of a projecting sign is provided below.</p> 	<p>AO4.1 The front elevation of the sign does not project beyond the outline of the wall to which it is attached.</p> <p>And AO4.2 The sign is positioned and designed in a manner which is compatible with the architecture of the building to which it is attached.</p> <p>And AO4.3 The sign maintains a minimum clearance of 2.4m from any road related area directly adjacent to the sign.</p> <p>And AO4.4 The sign is installed without “guide wires” or exposed supporting framework.</p>
<p>PO5 A pylon sign is consistent with the scale of development in the area and does not contribute to visual clutter.</p> <p>Editor's Note – An example of a pylon sign is provided below.</p> 	<p>AO5.1 If the sign has 2 faces — has a maximum angle between each face of 45 degrees.</p> <p>And AO5.2 The sign has a maximum face area of 40m².</p> <p>And AO5.3 The sign has a maximum height of 15m above ground level.</p> <p>And AO5.4 Only 1 double-sided sign is displayed on premises except where the street front boundary of the premises exceeds 100m.</p> <p>And AO5.5 If the street front boundary of the premises exceeds 100m, more than 1 double-sided sign is permitted, however, the signs are a minimum 100m apart.</p> <p>And AO5.6 The sign is not located or constructed so as to expose an unsightly back view of the sign.</p> <p>And AO5.7 The sign is not displayed less than 3m</p>

Performance outcomes	Acceptable outcomes
	<p>from any side boundary.</p> <p>And</p> <p>AO5.8 The sign is installed without “guide wires” or exposed supporting framework.</p>
<p>PO6 A roof/sky sign is consistent with the scale of development in the area, does not contribute to visual clutter, maintains recognised acceptable limits of light emissions and does not represent a hazard to public safety.</p> <p>Editor’s Note – An example of a roof/sky sign is provided below.</p> 	<p>AO6.1 The sign is contained within the existing or created outline of the building on which it is displayed.</p> <p>Or</p> <p>AO6.2 The sign is designed to appear as if it were part of the original building, or in some other way match or complement the architecture of the building.</p> <p>And</p> <p>AO6.3 The sign does not extend horizontally beyond the edge of the roof of the building on which it is displayed.</p> <p>And</p> <p>AO6.4 The sign is not less than 3m from any other roof/sky sign displayed on the building and the signs match, align or are otherwise compatible with each other.</p> <p>And</p> <p>AO6.5 The sign is installed without “guide wires” or exposed supporting framework.</p> <p>And</p> <p>AO6.6 The sign may be internally illuminated but does not cause excessive light spill.</p> <p>And</p> <p>AO6.7 For signs with a face area greater than 1.2m², an engineer’s certificate for any supporting structure for the sign is obtained.</p>
<p>PO7 A sign-written roof sign is consistent with the scale of development in the area, does not contribute to visual clutter and results in no light nuisance off-site.</p> <p>Editor’s Note – An example of a sign-written roof sign is provided below.</p> 	<p>AO7.1 The sign is contained within the existing or created outline of the building on which it is displayed.</p> <p>And</p> <p>AO7.2 The sign does not cover more than 25% of the roof of the building on which it is displayed.</p> <p>And</p> <p>AO7.3 The sign does not extend horizontally beyond the edge of the building roof.</p> <p>And</p> <p>AO7.4 The sign is visually compatible with other sign written roof signs on the building.</p> <p>And</p> <p>AO7.5 The sign is not visible from any residential building located adjacent to the building on which it is displayed.</p> <p>And</p> <p>AO7.6 The sign is not illuminated.</p>
<p>PO8 A wall sign is consistent with the scale of development in the area and maintains recognised acceptable</p>	<p>AO8.1 The sign does not project in excess of 100mm from the wall to which it is affixed.</p>

Performance outcomes	Acceptable outcomes
<p>limits of light emissions.</p> <p>Editor's Note – An example of a wall sign is provided below.</p> 	<p>And AO8.2 The sign does not project beyond any edge of the wall.</p> <p>And AO8.3 The sign integrates, and is compatible, with the architecture of the building on which it is placed.</p> <p>And AO8.4 The shape of the sign is similar to the shape of the wall on which it is placed.</p> <p>And AO8.5 The face area of the sign does not cover more than 75% of the area of the wall on which it is placed.</p> <p>And AO8.6 The sign is installed without “guide wires” or exposed supporting framework.</p> <p>And AO8.7 The sign may be internally but not externally illuminated and does not result in light nuisance on a light-sensitive use off-site</p>

Schedule 1 Definitions

SC1.1 Use definitions

- (1) As prescribed by section 7 of the Regulation the definitions for the following use terms and definitions are located in schedule 3 column 1 and 2 of the Regulation.
- (2) Use definitions have a specific meaning for the purpose of the planning scheme.
- (3) Any use not listed in Table SC1.1.2 column 1 is an undefined use.

Note—development comprising a combination of defined uses is not considered to be an undefined use.

- (4) A use listed in Table SC1.1.2 column 1 has the meaning set out beside that term in column 2.
- (5) The use definitions listed here are the definitions used in this planning scheme.
- (6) Column 3 of Table SC1.1.2 identifies examples of the types of activities that are consistent with the use identified in column 1.
- (7) Column 4 of Table SC1.1.2 identifies examples of activities that are not consistent with the use identified in column 1.
- (8) Columns 3 and 4 of Table SC1.1.2 are not exhaustive lists.
- (9) Uses listed in Table SC1.1.2 columns 3 and 4 that are not listed in column 1, do not form part of the definition.

Table SC 1.1-Index of use definitions

Index of use definitions		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Air service • 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 house • Dwelling unit • Educational establishment • Emergency services • Environment facility • Extractive industry • Food and drink outlet • Function facility • Funeral parlour • Garden centre • Hardware and trade supplies 	<ul style="list-style-type: none"> • 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 • Nature-based tourism • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Outdoor sport and recreation • Outstation • Park • Parking station • Party house • Permanent plantation • Place of worship 	<ul style="list-style-type: none"> • Port service • 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 • Telecommunications facility • Theatre • Tourist attraction • Tourist park • Transport depot • Utility installation • Veterinary service • Warehouse • Wholesale nursery • Winery

Table SC 1.2-Use definitions

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
Adult store	<p>adult store means the use of premises for the primary purpose of displaying or selling—</p> <ul style="list-style-type: none"> (a) sexually explicit materials; or (b) products and devices that are associated with, or used in, a sexual practice or activity. 	Sex shop	<p>Shop, newsagent, registered pharmacist or video hire, where the primary use of these are concerned with:</p> <ul style="list-style-type: none"> • the sale, display or hire of printed or recorded matter (not of a sexually explicit nature) or • the sale or display of underwear or lingerie or • the sale or display of an article or thing primarily concerned with or used in association with a medically recognised purpose.
Agricultural supplies store	<p>agricultural supplies store means the use of premises for the sale of agricultural supplies and products.</p> <p><i>Examples of agricultural supplies and products—</i> animal feed, bulk veterinary supplies, chemicals, farm clothing, fertilisers, irrigation materials, saddlery, seeds</p>		Bulk landscape supplies, garden centre, outdoor sales wholesale nursery
Air service	<p>air service means the use of premises for—</p> <ul style="list-style-type: none"> (a) the arrival or departure of aircraft; or (b) housing, servicing, refuelling, maintaining or repairing aircraft; or (c) the assembly and dispersal of passengers or goods on or from an aircraft; or (d) training and education facilities relating to aviation; or (e) aviation facilities; or (f) an activity that— <ul style="list-style-type: none"> (i) is ancillary to an activity or facility stated in paragraphs (a) to (e); and (ii) directly services the needs of aircraft passengers. 	Airport, air strip, helipad, public or private airfield	
Animal husbandry	<p>animal husbandry means the use of premises for—</p> <ul style="list-style-type: none"> (a) producing animals or animal products on native or improved pastures or vegetation; or (b) a yard, stable, temporary holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a). 	Cattle stud, grazing of livestock, non-feedlot dairy	Animal keeping, intensive animal industry, aquaculture, feedlots, piggeries

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
Animal keeping	animal keeping means the use of premises for— (a) boarding, breeding or training animals; or (b) a holding facility or machinery repairs and servicing, if the use is ancillary to the use in paragraph (a).	Aviary, cattery, kennel, stables, wildlife refuge	Aquaculture, cattle studs, domestic pets, feedlots, grazing of livestock, non-feedlot dairying, piggeries, poultry meat and egg production, animal husbandry
Aquaculture	aquaculture means the use of premises for cultivating, in a confined area, aquatic animals or plants for sale.	Pond farms, tank systems, hatcheries, raceway system, rack and line systems, sea cages	Intensive animal industry
Bar	bar means the use of premises, with seating for 60 or less people, for— (a) selling liquor for consumption on the premises; or (b) an entertainment activity, or preparing and selling food and drink for consumption on the premises, if the use is ancillary to the use in paragraph (a).		Club, hotel, nightclub entertainment facility, tavern
Brothel	brothel means premises made available for prostitution by 2 or more prostitutes at the premises. <i>Note — See the Prostitution Act 1999, schedule 4.</i>		Adult store, club, nightclub entertainment facility, shop
Bulk landscape supplies	bulk landscape supplies means the use of premises for the bulk storage and sale of mainly non-packaged landscaping and gardening supplies, including, for example, soil, gravel, potting mix or mulch.		Garden centre, outdoor sales, wholesale nursery
Caretaker's accommodation	caretaker's accommodation means the use of premises for a dwelling for a caretaker of a non-residential use on the same premises.		Dwelling house
Car wash	car wash means the use of premises for the commercial cleaning of motor vehicles.		Service station
Cemetery	cemetery means the use of premises for the interment of bodies or ashes after death.	Burial ground, crypt, columbarium, lawn cemetery, pet cemetery, mausoleum	Crematorium, funeral parlour
Childcare centre	childcare centre means the use of premises for the care, education and minding, but not residence, of children.	Crèche, early childhood centre, kindergarten, before or after school care, vacation care	Educational establishment, home based child care, family day care
Club	club means the use of premises for—	Club house, guide and scout clubs, surf	Hotel, nightclub entertainment facility,

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	<ul style="list-style-type: none"> (a) an association established for social, literary, political, sporting, athletic or other similar purposes; or (b) preparing and selling food and drink, if the use is ancillary to the use in paragraph (a). 	lifesaving club, RSL, bowls club	place of worship, theatre
Community care centre	<p>community care centre—</p> <ul style="list-style-type: none"> (a) means the use of premises for <ul style="list-style-type: none"> (i) providing social support to members of the public; or (ii) providing medical care to members of the public, if the use is ancillary to the use in subparagraph (i); but (c) does not include the use of premises for providing accommodation to members of the public. 	Disability support services, drop in centre, respite centre, indigenous support centre	Child care centre, family day care, home based child care, health care services, residential care facility
Community residence	<p>community residence—</p> <ul style="list-style-type: none"> (a) means the use of premises for residential accommodation for— <ul style="list-style-type: none"> (i) no more than <ul style="list-style-type: none"> (A) 6 children, if the accommodation is provided as part of a program or service under the <i>Youth Justice Act 1992</i>; or (B) 6 persons who require assistance or support with daily living needs; and (ii) no more than 1 support worker; and (b) includes a building or structure that is reasonably associated with the use in paragraph (a). 	Hospice	Dwelling house, dwelling unit, residential care facility, rooming accommodation, short-term accommodation
Community use	<p>community use means the use of premises for—</p> <ul style="list-style-type: none"> (a) providing artistic, social or cultural facilities or community services to the public; or (b) preparing and selling food and drink, if the use is ancillary to the use in paragraph (a) 	Art gallery, community centre, community hall, library, museum	Cinema, club, hotel, nightclub entertainment facility, place of worship
Crematorium	crematorium means the use of premises for the cremation or aquamation of bodies.		Cemetery
Cropping	cropping means the use of	Forestry for wood	Permanent plantations,

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	premises for— (a) growing and harvesting plants, or plant material, that are cultivated in soil, for commercial purposes; or (d) harvesting, storing or packing plants or plant material grown on the premises, if the use is ancillary to the use in paragraph (a); or (e) repairing and servicing machinery used on the premises, if the use is ancillary to the use in paragraph (a).	production, fodder and pasture production, producing fruits, nuts, vegetables and grains, plant fibre production, sugar cane growing, vineyard	intensive horticulture, rural industry
Detention facility	detention facility means the use of premises for the lawful detention of persons.	Prison, correctional facility, detention centre	
Dual occupancy	dual occupancy — (a) means a residential use of premises for 2 households involving (i) 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; and (ii) any domestic outbuilding associated with the dwellings; but (b) does not include a residential use of premises that involves a secondary dwelling.	Duplex, two dwellings on a single lot (whether or not attached), two dwellings within one single community title scheme under the <i>Body Corporate and Community Management Act 1997</i> , two dwellings within the one body corporate to which the <i>Building Units and Group Title Act 1980</i> continues to apply	Dwelling house, multiple dwelling
Dwelling house	dwelling house means a residential use of premises involving— (a) 1 dwelling for a single household and any domestic outbuildings associated with the dwelling; or (b) 1 dwelling for a single household, a secondary dwelling, and any domestic outbuildings associated with either dwelling.		Caretaker's accommodation, dual occupancy, rooming accommodation, short-term accommodation, student accommodation, multiple dwelling
Dwelling unit	dwelling unit means the use of premises containing a non-residential use for a single dwelling, other than a dwelling for a caretaker of the non-residential use.	'Shop-top' apartment	Caretaker's accommodation, dwelling house
Educational	educational establishment	College, outdoor	Child care centre, home

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
establishment	means the use of premises for— (a) training and instruction to impart knowledge and develop skills; or (b) student accommodation, before or after school care, or vacation care, if the use is ancillary to the use in paragraph (a).	education centre, primary school, secondary school, special education facility, technical institute, university	based child care, family day care
Emergency services	emergency services means the use of premises by a government entity or community organisation to provide— (a) essential emergency services; or (b) disaster management services; or (c) management support facilities for the services.	Ambulance station, evacuation centre, fire station, police station	Community use, hospital, residential care facility
Environment facility	environment facility — (a) means the use of premises for a facility for the appreciation, conservation or interpretation of an area of cultural, environmental or heritage value; but (b) does not include the use of premises to provide accommodation for tourists and travellers.	Nature-based attractions, walking tracks, seating, shelters, boardwalks, observation decks, bird hides	
Extractive industry	extractive industry means the use of premises for— (a) extracting or processing extractive resources; and (b) any related activities, including, for example, transporting the resources to market.	Quarry	
Food and drink outlet	food and drink outlet means the use of premises for— (a) preparing and selling food and drink for consumption on or off the premises; or (b) providing liquor for consumption on the premises, if the use is ancillary to the use in paragraph (a).	Café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway shop, tearoom	Bar, club, hotel, shop, theatre, nightclub entertainment facility
Function facility	function facility means the use of premises for— (a) receptions or functions; or (b) preparing and providing food and liquor for consumption on the premises as part of a reception or function.	Conference centre, reception centre	Community use, hotel
Funeral parlour	funeral parlour — (a) means the use of premises for— (i) arranging and		Cemetery, crematorium, place of worship

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	conducting funerals, memorials and other similar events; or (ii) a mortuary; or (iii) storing and preparing bodies for burial or cremation; but (b) does not include the use of premises for the burial or cremation of bodies.		
Garden centre	garden centre means the use of premises for— (a) selling plants; or (b) selling gardening and landscape products and supplies that are mainly in pre-packaged form; or (c) a food and drink outlet is ancillary to the use in paragraph (a).	Retail plant nursery	Bulk landscape supplies, wholesale nursery, outdoor sales
Hardware and trade supplies	hardware and trade supplies means the use of premises for selling, displaying or hiring hardware and trade supplies, including, for example, house fixtures, timber, tools, paint, wallpaper or plumbing supplies.		Shop, showroom, outdoor sales and warehouse
Health care services	health care service means the use of premises for medical purposes, paramedical purposes, alternative health therapies or general health care, if overnight accommodation is not provided on the premises.	Dental clinic, medical centre, physiotherapy clinic	Community care centre, hospital
High impact industry	high impact industry means the use of premises for an industrial activity— (a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products, and (b) that a local planning instrument applying to the premises states is a high impact industry; and (c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.	Abattoirs, concrete batching plant, boiler making and engineering and metal foundry Note – additional examples may be shown in SC1.1.2 industry thresholds.	Tanneries, rendering plants, oil refineries, waste incineration, manufacturing or storing explosives, power plants, manufacturing fertilisers, service industry, low impact industry, medium impact industry, special industry
Home-based business	home-based business means the use of a dwelling or domestic outbuilding on premises for a business activity that is subordinate to the	Bed and breakfast, home office, home based child care	Hobby, office, shop, warehouse, transport depot

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	residential use of the premises.		
Hospital	hospital means the use of premises for— (a) the medical or surgical care or treatment of patients, whether or not the care or treatment requires overnight accommodation; or (b) providing accommodation for patients; or (c) providing accommodation for employees, or any other use, if the use is ancillary to the use in paragraph (a) or (b).		Health care services, residential care facility
Hotel	hotel — (a) means the use of premises for— (i) selling liquor for consumption on the premises; or (ii) a dining or entertainment activity, or providing accommodation to tourists or travellers, if the use is ancillary to the use in subparagraph (i); but (b) does not include a bar.	Pub, tavern	Nightclub entertainment facility
Indoor sport and recreation	indoor sport and recreation means the use of premises for a leisure, sport or recreation activity conducted wholly or mainly indoors.	Amusement parlour, bowling alley, gymnasium, squash courts	Cinema, hotel, nightclub entertainment facility, theatre
Intensive animal industry	intensive animal industry — (a) means the use of premises for— (i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or (ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but (b) does not include the cultivation of aquatic animals.	Feedlots, piggeries, poultry and egg production	Animal husbandry, aquaculture, drought feeding, milking sheds, shearing sheds, weaning pens
Intensive horticulture	intensive horticulture — (a) means the use of premises for— (i) the intensive production of plants or plant material carried out indoors on imported media;	Greenhouse, hydroponic farm, mushroom farm	Wholesale nursery

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	<p>or</p> <p>(ii) the intensive production of plants or plant material carried out outside using artificial lights or containers; or</p> <p>(iii) storing and packing plants or plant material grown on the premises, if the use is ancillary to a use in subparagraph (i) or (ii); but</p> <p>(b) does not include the cultivation of aquatic plants.</p>		
Landing	<p>landing means the use of premises for a structure—</p> <p>(a) for mooring, launching, storing and retrieving vessels; and</p> <p>(f) from which passengers embark and disembark.</p>	Boat ramp, jetty, pontoon	Marina
Low impact industry	<p>low impact industry means the use of premises for an industrial activity—</p> <p>(a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and</p> <p>(b) that a local planning instrument applying to the premises states is low impact industry; and</p> <p>(c) that complies with any thresholds for the activity states in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.</p>	<p>Repairing motor vehicles, fitting and turning workshop</p> <p>Note – additional examples may be shown in SC1.1.2 industry thresholds.</p>	Panel beating, spray painting or surface coating, tyre recycling, drum re-conditioning, wooden and laminated product manufacturing, service industry, medium impact industry, high impact industry, special industry
Major electricity infrastructure	<p>major electricity infrastructure—</p> <p>(a) means the use of premises for—</p> <p>(i) a transmission grid or supply network; or</p> <p>(ii) a telecommunication facility, if the use is ancillary to the use in subparagraph (i); but</p> <p>(b) does not include the use of premises for a supply network or private electricity works stated in schedule 6 <u>Development local categorising</u></p>	Powerlines greater than 66kV	Minor electricity infrastructure, substation

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	<p><u>instrument is prohibited...], section 26(5), unless the use involves—</u></p> <ul style="list-style-type: none"> (i) a new zone substation or bulk supply substation; or (ii) the augmentation of a zone substation or bulk supply substation that significantly increases the input or output standard voltage. 		
Major sport, recreation and entertainment facility	major sport, recreation and entertainment facility means the use of premises for large-scale events, including, for example, major sporting, recreation conference or entertainment events.	Convention centre, exhibition centre, horse racing facility, sports stadiums	Indoor sport and recreation, local sporting field, motor sport, park, outdoor sport and recreation
Marine industry	marine industry means the use of waterfront premises for— <ul style="list-style-type: none"> (a) manufacturing, storing, repairing or servicing vessels or maritime infrastructure; or (b) providing fuel or disposing of waste, if the use is ancillary to the use in paragraph (a). 	Boat building, boat storage, dry dock	Marina
Market	market means the use of premises on a regular basis for— <ul style="list-style-type: none"> (a) selling goods to the public mainly from temporary structures, including, for example, stalls, booths or trestle tables; or (b) providing entertainment, if the use is ancillary to the use in paragraph (a). 	Flea market, farmers market, car boot sales	Shop, roadside stall
Medium impact industry	medium impact industry means the use of premises for an industrial activity— <ul style="list-style-type: none"> (a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and (b) that a local planning instrument applying to the premises states is a medium impact industry; and (c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds 	<p>Spray painting and surface coating, wooden and laminated product manufacturing (including cabinet making, joining, timber truss making or wood working)</p> <p>Note – additional examples may be shown in SC1.1.2 industry thresholds.</p>	Concrete batching, tyre manufacturing and retreading, metal recovery (involving a fragmentiser), textile manufacture, chemically treating timber and plastic product manufacture, service industry, low impact industry, high impact industry, special industry

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	relating to the number of products manufactured or the level of emissions produced by the activity.		
Motor sport facility	motor sport facility means the use of premises for— (a) organised or recreational motor sports; or (b) facilities for spectators, including, for example, stands, amenities or food and drink outlets, if the use is ancillary to the use in paragraph (a).	Car race track, go-kart track, trail bike park, 4WD park	Major sport, recreation and entertainment facility, outdoor sport and recreation
Multiple dwelling	multiple dwelling means a residential use of premises involving 3 or more dwellings, whether attached or detached, for separate households.	Apartments, flats, units, townhouses, row housing, triplex	Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility
Nature-based tourism	nature-based tourism means the use of premises for a tourism activity, including accommodation for tourists, for the appreciation, conservation or interpretation of— (a) an area of environmental, cultural or heritage value; or (b) a local ecosystem; or (c) the natural environment.	Environmentally responsible accommodation facilities including cabins, huts, lodges and tents	Environment facility
Nightclub entertainment facility	nightclub entertainment facility means the use of premises for— (a) providing entertainment that is cabaret, dancing or music; or (b) selling liquor and preparing and selling food, for consumption on the premises, if the use is ancillary to the use in paragraph (a).		Club, hotel, tavern, pub, indoor sport and recreation, theatre, concert hall
Non-resident workforce accommodation	non-resident workforce accommodation means the use of premises for— (a) accommodation for non-resident workers; or (b) recreation and entertainment facilities for persons residing at the premises and their visitors, if the use is ancillary to the use in paragraph (a).	Contractor's camp, construction camp, single person's quarters, temporary workers' accommodation	Relocatable home park, short-term accommodation, tourist park
Office	office — (a) means the use of premises for— (i) providing an administrative, financial, management or secretarial service or function; or	Bank, real estate agent, administration building	Home based business, home office, shop, outdoor sales

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	<ul style="list-style-type: none"> (ii) the practice of a profession; or (iii) providing business or professional advice or services; but (b) does not include premises used for making, selling or hiring goods. 		
Outdoor sales	<p>outdoor sales means the use of premises for—</p> <ul style="list-style-type: none"> (a) displaying, selling, hiring or leasing vehicles, boats, caravans, machinery, equipment or other similar products, if the use is mainly conducted outdoors; or (b) repairing, servicing, selling or fitting accessories for the products stated in paragraph (a), if the use is ancillary to the use in paragraph (a). 	Agricultural machinery sales yard, motor vehicles sales yard	Bulk landscape supplies, market
Outdoor sport and recreation	<p>outdoor sport and recreation means the use of premises for—</p> <ul style="list-style-type: none"> (a) a recreation or sporting activity that is carried on outdoors and requires areas of open space; or (b) providing and selling food and drink, change room facilities or storage facilities, if the use is ancillary to the use in paragraph (a). 	Cricket oval, driving range, golf course, swimming pool, tennis court	Major sport, recreation and entertainment facility, motor sport, park, community use
Outstation	<p>outstation means the use of premises for—</p> <ul style="list-style-type: none"> (a) cultural or recreation activities by Aboriginal people or Torres Strait Islanders; or (b) facilities for short-term or long-term camping activities, if the use is ancillary to the use in paragraph (a). 	Indigenous camp site	Dwelling house, hostel, multiple dwelling, relocatable home park, short-term accommodation, tourist park
Park	<p>park means the use of premises, accessible to the public free of charge, for sport, recreation and leisure activities and facilities.</p>	Urban common	Tourist attraction, outdoor sport and recreation
Parking station	<p>parking station means the use of premises for parking vehicles, other than parking that is ancillary to another use.</p>	Car park, 'park and ride', bicycle parking	
Party house	<p>party house means premises containing a dwelling that is used to provide, for a fee, accommodation or facilities for guests if—</p> <ul style="list-style-type: none"> (a) guests regularly use all or part of the premises for 		

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	<p>parties (bucks parties, hens parties, raves, or wedding receptions, for example); and</p> <p>(b) the accommodation or facilities are provided for a period of less than 10 days; and</p> <p>(c) the owner of the premises does not occupy the premises during that period.</p>		
Permanent plantation	permanent planation means the use of premises for growing, but not harvesting, plants for the carbon sequestration, biodiversity, natural resource management or another similar purpose.	Permanent plantations for carbon sequestration, biodiversity or natural resource management	Forestry for wood production, biofuel production
Place of worship	place of worship means the use of premises for— <p>(a) organised worship and other religious activities; or</p> <p>(b) social, education or charitable activities, if the use is ancillary to the use in paragraph (a).</p>	Church, chapel, mosque, synagogue, temple	Community use, child care centre, funeral parlour, crematorium
Port service	port service means the use of premises for— <p>(a) the arrival and departure of vessels; or</p> <p>(b) the movement of passengers or goods on or off vessels; or</p> <p>(c) storing, servicing, maintaining or repairing vessels; or</p> <p>(d) ancillary uses that directly service the needs of passengers of the vessels.</p>	Marina, ferry terminal	Landing
Relocatable home park	relocatable home park means the use of premises for— <p>(a) relocatable dwellings for long-term residential accommodation; or</p> <p>(b) amenity facilities, food and drink outlets, a manager's residence, or recreation facilities for the exclusive use of residents, if the use is ancillary to the use in paragraph (a).</p>		Tourist park
Renewable energy facility	renewable energy facility— <p>(a) means the use of premises for the generation of electricity or energy from a renewable energy source, including, for example, sources of bio-energy, geothermal energy, hydropower, ocean energy, solar energy or wind energy; but</p>	Solar farm, wind farm, tidal power	Wind turbine or solar panels supplying energy to domestic or rural activities on the same site

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	(b) does not include the use of premises to generate electricity or energy that is to be used mainly on the premises.		
Research and technology industry	research and technology industry means the use of premises for an innovative or emerging industry that involves designing and researching, assembling, manufacturing, maintaining, storing or testing machinery or equipment.	Aeronautical engineering, biotechnology industries, computer component manufacturing, computer server facility, energy industries, medical laboratories	
Residential care facility	residential care facility means the use of premises for supervised accommodation, and medical and other support services, for persons who— (a) can not live independently; and (b) require regular nursing or personal care.	Convalescent home, nursing home	Community residence, dwelling house, dual occupancy, hospital, multiple dwelling, retirement facility
Resort complex	resort complex means the use of premises for— (a) tourist and visitor accommodation that includes integrated leisure facilities; or <i>Examples of integrated leisure facilities—bars, meeting and function facilities, restaurants, sporting and fitness facilities</i> (b) staff accommodation that is ancillary to the use in paragraph (a); or (c) transport facilities for the premises, including, for example, a ferry terminal or air service.	Island resort	
Retirement facility	retirement facility means a residential use of premises for— (a) accommodation for older members of the community, or retired persons, in independent living units or services units; or (b) amenity and community facilities, a manager's residence, health care and support services, preparing food and drink or staff accommodation, if the use is ancillary to the use in paragraph (a).	Retirement village	Residential care facility
Roadside stall	roadside stall means the use of premises for the roadside display and sale of goods in a	Produce stall	Market

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	rural area.		
Rooming accommodation	<p>rooming accommodation means the use of premises for—</p> <p>(a) residential accommodation, if each resident—</p> <p>(i) has a right to occupy 1 or more rooms on the premises; and</p> <p>(ii) does not have a right to occupy the whole of the premises; and</p> <p>(iii) does not occupy a self-contained unit, as defined in the <i>Residential Tenancies and Rooming Accommodation Act 2008</i>, schedule 2, or has only limited facilities available for private use; and</p> <p>(iv) shares other rooms, facilities, furniture or equipment outside of the resident's room with 1 or more other residents, whether or not the rooms, facilities, furniture or equipment are on the same or different premises; or</p> <p>(b) a manager's residence, an office or providing food or other services to residents, if the use is ancillary to the use in paragraph (a).</p>	Boarding house, hostel, monastery, off-site student accommodation	Hospice, community residence, dwelling house, short-term accommodation, multiple dwelling
Rural industry	<p>rural industry means the use of premises for—</p> <p>(a) storing, processing or packaging products from a rural use carried out on the premises or adjoining premises; or</p> <p>(b) selling products from a rural use carried out on the premises or adjoining premises, if the use is ancillary to the use in paragraph (a).</p>	Packing shed	Intensive animal husbandry, intensive horticulture, roadside stall, wholesale nursery, winery, abattoir, agricultural supply store
Rural workers' accommodation	<p>rural worker's accommodation means the use of premises as accommodation, whether or not self-contained, for employees of a rural use, if—</p> <p>(a) the premises, and the premises where the rural use is carried out, are</p>	Farm workers' accommodation	Short-term accommodation, caretaker's accommodation, dual occupancy, dwelling house, nature or rural based tourist accommodation, non-resident workforce

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	owned by the same person; and (b) the employees are not non-resident workers.		accommodation, multiple dwelling
Sales office	sales office means the use of premises for temporary display of land parcels or buildings that— (a) are for sale or proposed to be sold; or (b) can be won as a prize in a competition.	Display dwelling	Bank, office
Service industry	service industry means the use of premises for an industrial activity that— (a) does not result in off-site air, noise or odour emissions; and (b) is suitable for location with other non-industrial uses.	Audio visual equipment repair, film processing, bicycle repairs, clock and watch repairs, computer repairs, dry cleaning, hand engraving, jewellery making, laundromat, locksmith, picture framing, shoe repairs, tailor	Small engine mechanical repair workshop, cabinet making, shop fitting, sign writing, tyre depot, low impact industry, medium impact, high impact industry, special industry
Service station	service station means the use of premises for— (a) selling fuel, including, for example, petrol, liquid petroleum gas, automotive distillate or alternative fuels or (b) a food and drink outlet, shop, trailer hire, or maintaining, repairing, servicing or washing vehicles, if the use is ancillary to the use in paragraph (a).		Car wash
Shop	shop means the use of premises for— (a) displaying, selling or hiring goods; or (b) providing personal services or betting to the public.	Betting agency, corner store, department store, discount variety store, hair dressing salon, liquor store, supermarket	Adult store, food and drink outlet, showroom, market
Shopping centre	shopping centre means the use of premises for an integrated shopping complex consisting mainly of shops.		
Short-term accommodation	short-term accommodation— (a) means the use of premises for— (i) providing accommodation of less than 3 consecutive months to tourists or travellers; or (ii) a manager's residence, office, or recreation facilities	Motel, backpackers accommodation, cabins, serviced apartments, hotel, farm stay	Hostel, rooming accommodation, tourist park

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	<p>for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i); but</p> <p>(b) does not include a hotel, nature-based tourism, resort complex or tourist park.</p>		
Showroom	<p>showroom means the use of premises for the sale of goods that are of—</p> <p>(a) a related product line; and</p> <p>(b) a size, shape or weight that requires—</p> <p>(i) a large area for handling, display or storage; and</p> <p>(ii) direct vehicle access to the building that contains the goods by members of the public to enable the loading and unloading of the goods.</p>	<p>Bulk stationary supplies, bulky goods sales, motor vehicles sales showroom, bulk stationary supplies</p>	<p>Food and drink outlet, shop, outdoor sales</p>
Special industry	<p>special industry means the use of premises for an industrial activity—</p> <p>(a) that is manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating products; and</p> <p>(b) that a local planning instrument applying to the premises states is a special industry; and</p> <p>(c) that complies with any thresholds for the activity states in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.</p>	<p>Tanneries, rendering plants, oil refineries, waste incineration, manufacturing or storing explosives, power plants, manufacturing fertilisers</p> <p>Note – additional examples may be shown in Error! Reference source not found. Industry thresholds.</p>	<p>Low impact industry, medium impact industry, high impact industry, service industry</p>
Substation	<p>substation means the use of premises—</p> <p>(a) as part of a transmission grid or supply network to—</p> <p>(i) convert or transform electrical energy from one voltage to another; or</p> <p>(ii) regulate voltage in an electrical circuit; or</p> <p>(iii) control electrical circuits; or</p>	<p>Substations, switching yards</p>	<p>Major electricity infrastructure, minor electricity infrastructure</p>

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	<ul style="list-style-type: none"> (iv) switch electrical current between circuits; or (b) for a telecommunications facility for— <ul style="list-style-type: none"> (i) works, as defined under the Electricity Act, section 12(1); or (ii) workforce operational and safety communications. 		
Telecommunications facility	telecommunications facility means the use of premises for a facility that is capable of carrying communications and signals by guided or unguided electromagnetic energy.	Telecommunication tower, broadcasting station, television station	Aviation facility, 'low-impact telecommunications facility' as defined under the <i>Telecommunications Act 1997</i>
Theatre	theatre means the use of premises for— <ul style="list-style-type: none"> (a) presenting movies, live entertainment or music to the public; or (b) the production of film or music; or (c) the following activities or facilities, if the use is ancillary to a use in paragraph (a) or (b) — <ul style="list-style-type: none"> (i) preparing and selling food and drink for consumption on the premises; (ii) facilities for editing and post-production; (iii) facilities for wardrobe, laundry and make-up; (iv) set construction workshops; (v) sound stages. 	Cinema, concert hall, film studio, music recording studio	Community hall, hotel, indoor sport and recreation facility, temporary film studio
Tourist attraction	tourist attraction means the use of premises for— <ul style="list-style-type: none"> (a) providing entertainment to, or a recreation facility for, the general public; or (b) preparing and selling food and drink for consumption on the premises, if the use is ancillary to the use in paragraph (a). 	Theme park, zoo	Hotel, major sport, recreation and entertainment facility, nightclub entertainment facility
Tourist park	tourist park means the use of premises for— <ul style="list-style-type: none"> (a) holiday, accommodation in caravans, self-contained cabins, tents or other similar structures; or (b) amenity facilities, a food and drink outlet, a manager's residence, offices, recreation facilities for the use of occupants 	Camping ground, caravan park, holiday cabins	Relocatable home park, tourist attraction, short-term accommodation, non-resident workforce accommodation

Column 1 – Use term	Column 2 – Definition	Column 3 – Examples include	Column 4 – Does not include the following examples
	and their visitors, or staff accommodation, if the use is ancillary to the use in paragraph (a).		
Transport depot	transport depot means the use of premises for— (a) storing vehicles, or machinery, that are used for a commercial or public purpose; or (b) cleaning, repairing or servicing vehicles or machinery, if the use is ancillary to the use in paragraph (a).	Using premises to store buses, taxis, trucks, heavy vehicles or heavy machinery.	Home based business, warehouse, low impact industry, service industry
Utility installation	utility installation means the use of premises for— (a) a service for supplying or treating water, hydraulic power or gas; or (b) a sewerage, drainage or stormwater service; or (c) a transport service; or (d) a waste management service; or (e) (e) a maintenance depot, storage depot or other facility for a service stated in paragraphs (a) to (d).	Sewerage treatment plant, mail depot, pumping station, water treatment plant	Telecommunications tower, major electricity infrastructure, minor electricity infrastructure, substation, renewable energy facility, transport depot
Veterinary services	veterinary service means the use of premises for— (a) the medical or surgical treatment of animals; or (b) the short-term stay of animals, if the use is ancillary to the use in paragraph (a).		Animal keeping
Warehouse	warehouse means the use of premises for— (a) storing or distributing goods, whether or not carried out in a building; or (b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).	Self-storage facility, storage yard.	Hardware and trade supplies, outdoor sales, showroom, shop
Wholesale nursery	wholesale nursery means the use of premises for— (a) the wholesale of plants grown on or next to the premises; or (b) selling gardening materials, if the use is ancillary to the use in paragraph (a).		Bulk landscape supplies, garden centre
Winery	winery means the use of premises for— (a) making wine; or (b) selling wine that is made on the premises.		Rural industry

SC1.1.1 Defined activity groups

There are no defined activity groups for the planning scheme.

SC1.1.2 Industry thresholds

- (1) The industry thresholds listed below are to be used in conjunction with the defined use terms listed in Table SC1.1.2—low impact industry, medium impact industry, high impact industry and special industry.

Table SC 1.3-Industry thresholds

Column 1 Use	Column 2 Additional examples include
Low impact industry	<ul style="list-style-type: none"> (a) Repairing and servicing motor vehicles, including mechanical components, radiators, electrical components, wheel alignments, exhausts, tyres, suspension or air conditioning, not including spray painting; (b) Repairing and servicing lawn mowers and outboard engines; (c) Fitting and turning workshop; (d) Assembling or fabricating products from sheet metal or welding steel, producing less than 10 tonnes a year and not including spray painting; (e) Assembling wood products not involving cutting, routing, sanding or spray painting; (f) Dismantling automotive or mechanical equipment, not including debonding brake or clutch components.
Medium impact industry	<ul style="list-style-type: none"> (a) Metal foundry producing less than 10 tonnes of metal castings per annum; (b) Boiler making or engineering works producing less than 10 000 tonnes of metal product per annum; (c) Facility, goods yard or warehouse for the storage and distribution of dangerous goods not involving manufacturing processes and not a major hazard facility under the Work Health and Safety Act 2011; (d) Abrasive blasting facility using less than 10 tonnes of abrasive material per annum; (e) Enamelling workshop using less than 15 000 litres of enamel per annum; (f) Galvanising works using less than 100 tonnes of zinc per annum; (g) Anodising or electroplating workshop where tank area is less than 400 square metres; (h) Powder coating workshop using less than 500 tonnes of coating per annum; (i) Spray painting workshop (including spray painting vehicles, plant, equipment or boats) using less than 20 000 litres of paint per annum; (j) Scrap metal yard (not including a fragmentiser), dismantling automotive or mechanical equipment including debonding brake or clutch components; (k) Manufacturing clay or ceramic products including bricks, tiles, pipes and pottery goods, less than 200 tonnes per annum; (l) Processing, smoking, drying, curing, milling, bottling or canning food, beverages or pet food, less than 200 tonnes per annum; (m) Vegetable oil or oilseed processing in works with a design production capacity of less than 1000 tonnes per annum; (n) Manufacturing wooden products including cabinet making, joinery, wood working, producing less than 500 tonnes per annum; (o) Manufacturing medium density fibreboard, chipboard, particle board, plywood, laminated board or wood veneer products, less than 250 tonnes per annum; (p) Sawmilling, wood chipping and kiln drying timber and logs, producing less than 500 tonnes per annum; (q) Recycling and reprocessing batteries; (r) Repairing or maintaining boats; (s) Manufacturing substrate for mushroom growing; (t) Manufacturing or processing plaster, producing less than 5000 tonnes per annum; (u) Recycling or reprocessing tyres including retreading; (v) Printing advertising material, magazines, newspapers, packaging and stationery; (w) Transport depot, distribution centre, contractors depot and storage yard; (x) Manufacturing fibreglass, foam plastic, composite plastic or rigid fibre-reinforced plastic or plastic products, less than 5 tonnes per annum (except

Column 1 Use	Column 2 Additional examples include
	fibreglass boats, tanks and swimming pools); (y) Manufacturing PET, PETE, polypropylene and polystyrene plastic or plastic products, less than 10 000 tonnes per annum; (z) Reconditioning metal or plastic drums; (aa) Glass fibre manufacture less than 200 tonnes per annum; (bb) Manufacturing glass or glass products, where not glass fibre, less than 250 tonnes per annum.
High impact industry	(a) Metal foundry producing 10 tonnes or greater of metal castings per annum; (b) Boiler making or engineering works producing 10 000 tonnes or greater of metal product per annum; (c) Major hazard facility for the storage and distribution of dangerous goods not involving manufacturing processes; (d) Scrap metal yard including a fragmentiser; (e) Manufacturing clay or ceramic products including bricks, tiles, pipes and pottery goods, greater than 200 tonnes per annum; (f) Vegetable oil or oilseed processing in works with a design production capacity of greater than 1000 tonnes per annum; (g) Manufacturing wooden products including cabinet making, joinery, wood working, producing greater than 500 tonnes per annum; (h) Manufacturing medium density fibreboard, chipboard, particle board, plywood, laminated board or wood veneer products, 250 tonnes or greater per annum; (i) Sawmilling, wood chipping and kiln drying timber and logs, producing greater than 500 tonnes per annum; (j) Manufacturing or processing plaster, producing greater than 5000 tonnes per annum; (k) Enamelling workshop using 15 000 litres or greater of enamel per annum; (l) Galvanising works using 100 tonnes or greater of zinc per annum; (m) Anodising or electroplating workshop where tank area is 400 square metres or greater; (n) Powder coating workshop using 500 tonnes or greater of coating per annum; (o) Spray painting workshop (including spray painting vehicles, plant, equipment or boats) using 20 000 litres or greater of paint per annum; (p) Concrete batching and producing concrete products; (q) Treating timber for preservation using chemicals including copper, chromium, arsenic, borax and creosote; (r) Manufacturing soil conditioners by receiving, blending, storing, processing, drying or composting organic material or organic waste, including animal manures, sewage, septic sludges and domestic waste; (s) Manufacturing fibreglass pools, tanks and boats; (t) Manufacturing, fibreglass, foam plastic, composite plastic or rigid fibre-reinforced plastic or plastic products, 5 tonnes or greater per annum (except fibreglass boats, tanks and swimming pools); (u) Manufacturing PET, PETE, polypropylene and polystyrene plastic or plastic products, 10 000 tonnes or greater per annum; (v) Manufacturing tyres, asbestos products, asphalt, cement, glass or glass fibre, mineral wool or ceramic fibre; (w) Recycling chemicals, oils or solvents; (x) Waste disposal facility (other than waste incinerator); (y) Recycling, storing or reprocessing regulated waste; (z) Manufacturing batteries; (aa) Manufacturing wooden products including cabinet making, joinery, wood working, producing greater than 500 tonnes per annum; (bb) Abrasive blasting facility using 10 tonnes or greater of abrasive material per annum; (cc) Glass fibre manufacture producing 200 tonnes or greater per annum; (dd) Manufacturing glass or glass products, where not glass fibre, less than 250 tonnes per annum.

Column 1 Use	Column 2 Additional examples include
Special industry	(a) Oil refining or processing; (b) Producing, refining or processing gas or fuel gas; (c) Distilling alcohol in works producing greater than 2 500 litres per annum; (d) Processing, smoking, drying, curing, milling, bottling or canning food, beverages or pet food, greater than 200 tonnes per annum; (e) Power station; (f) Producing, quenching, cutting, crushing or grading coke; (g) Waste incinerator; (h) Sugar milling or refining; (i) Pulp or paper manufacturing; (j) Tobacco processing; (k) Abattoir; (l) Tannery or works for curing animal skins, hides or finishing leather; (m) Textile manufacturing, including carpet manufacturing, wool scouring or carbonising, cotton milling, or textile bleaching, dyeing or finishing; (n) Rendering plant; (o) Manufacturing chemicals, poisons and explosives; (p) Manufacturing fertilisers involving ammonia; (q) Manufacturing polyvinyl chloride plastic.

SC1.2 Administrative terms and definitions

- (1) Administrative terms and definitions assist with the interpretation of the planning scheme but do not have a meaning in relation to a use term.
- (2) An administrative term listed in Table SC1.2.2 column has the meaning set out beside that term in column 2 under the heading.
- (3) The administrative definitions listed here are the definitions for the purpose of the planning scheme.

Table SC 1.2.1-Index of administrative definitions

Index of administrative definition		
<ul style="list-style-type: none"> • Adjoining premises • Advertising device • Affordable housing • Agricultural land • Average width • Base date • Basement • Borrow pit • Boundary clearance • Building height • Commercial building • Defined flood level • Demand unit • Development footprint • Domestic outbuilding • Domestic pet 	<ul style="list-style-type: none"> • Dwelling • Flood • Gross floor area • Ground level • Household • Minor building work • Minor electricity infrastructure • Net developable area • Off-stream dam • Non-resident workers • Outermost projection • Planning assumptions • Projection area(s) • Rural lifestyle allotment 	<ul style="list-style-type: none"> • Projection area(s) • Secondary dwelling • Service catchment • Setback • Site • Site cover • Storey • Temporary use • Third party sign • Total use area • Ultimate development • Urban purpose • Vulnerable use

Table SC 1.2

Column 1 Term	Column 2 Definition
Adjoining premises	adjoining premises means premises that share a common boundary, including premises that meet at a single point on a common boundary.
Advertising device	advertising device — (a) means boundary permanent sign, structure or other device used, or intended to be used, for advertising; and (b) includes a structure, or part of a building, the primary purpose of which is to support the sign, structure or device.
Affordable housing	Affordable housing means housing that is appropriate to the needs of households with low to moderate incomes, if the members of the households will spend no more than 30% of gross income on housing costs.
Agricultural land	<i>Means Agricultural Land Classification Class A and Class B.</i>
Average width	average width , of a lot, means the distance, measured in metres, between the midpoint on each side boundary of the lot.
Base date	base date means the date from which the local government has estimated future infrastructure demand and costs for the local government area.
Basement	basement means a space— (a) between a floor level in a building and the floor level that is immediately below it; and (b) no part of which is more than 1m above ground level.
Boundary clearance	boundary clearance means the distance between a building or structure on premises and the boundary of the premises, measured from the part of the building or structure that is closest to the boundary, other than a part that is— (a) an architectural or ornamental attachment; or (b) a rainwater fitting. <i>Examples—</i> 1 If the fascia of a building is the part of the building that is closest to the boundary, the boundary clearance is the distance between the outside of the fascia and the boundary. 2 If a point on the roof of a building is the part of the building that is closest to the boundary, the boundary clearance is the distance between that point on the roof and the boundary.
Borrow pit	An extractive industry operated by a government authority or agent in or adjacent to a road reserve to provide gravel materials for road maintenance and construction.
Building height	building height , of a building, means— (a) the vertical distance, measured in metres, between the ground level of the building and the highest point on the roof of the building, other than a point that is part of an aerial, chimney, flagpole or load-bearing antenna; or (b) the number of storeys in the building above ground level.
Commercial building	Any building lawfully used for food and drink outlet, office, service industry, shop, shopping centre, bar, club, function facility, hardware and trade supplies, hospital, hotel, nightclub, showroom, theatre, veterinary, warehouse and health care services or any combination thereof.
Defined flood level (DFL)	The defined flood level, declared under Section 13 of the <i>Building Regulation 2006</i> , is: (a) Cooktown and Ayton – 2.66mAHD (b) Quarantine Bay – 4.66mAHD (c) Elsewhere – 1% AEP level
Demand unit	demand unit means a unit of measurement for measuring the level of demand for infrastructure.

Column 1 Term	Column 2 Definition
Development footprint	development footprint , for development, means a part of the premises that the development relates to, including, for example, any part of the premises that, after the development is carried out, will be covered by— (a) buildings or structures, measured to their outermost projection; or (b) landscaping or open space; or (c) facilities relating to the development; or (d) on-site stormwater drainage or wastewater treatment; or (e) a car park, road, access track or area used for vehicle movement; or (f) another area of disturbance.
Domestic outbuilding	domestic outbuilding means a non-habitable class 10a building that is— (a) a shed, garage or carport; and (b) ancillary to a residential use carried out on the premises where the building is.
Domestic pet	An animal that is either noted in Section 4 or does not require a permit under Section 11 of the Cook Shire Council Subordinate Local Law No. 6 (Keeping and Control of Animals) 2008.
Dwelling	dwelling means all or part of a building that— (a) is used, or capable of being used, as a self-contained residence; and (b) contains— (i) food preparation facilities; and (ii) a bath or shower; and (iii) a toilet; and (iv) a wash basin; and (v) facilities for washing clothes.
Flood	Flooding as a result of fluvial or storm tide inundation that includes the anticipated impacts of climate change on storm tide inundation.
Gross floor area	gross floor area , for a building, means the total floor area of all storeys of the building, measured from the outside of the external walls and the centre of any common walls of the building, other than areas used for— (a) building services, plant or equipment; or (b) access between levels; or (c) a ground floor public lobby; or (d) a mall; or (e) parking, loading or manoeuvring vehicles; or (f) unenclosed private balconies, whether roofed or not.
Ground level	ground level means— (a) the level of the natural ground; or (b) if the level of the natural ground has changed, the level as lawfully changed.
Household	household means 1 or more individuals who— (a) live in a dwelling with the intent of living together on a long-term basis; and (b) make common provision for food and other essentials for living.
Minor building work	minor building work means building work that increases the gross floor area of a building by no more than the lesser of the following— (a) 50m ² ; (b) an area equal to 5% of the gross floor area of the building.
Minor electricity infrastructure	► minor electricity infrastructure means development stated in the Planning Regulation 2017, schedule 6 section 26(5) .
Net developable area	net developable area , for premises, means the area of the premises that— (a) is able to be developed; and (b) is not subject to a development constraint, including, for example, a constraint relating to acid sulfate soils, flooding or slope.

Column 1 Term	Column 2 Definition
Non-resident workers	<p>non-resident worker means a person who—</p> <ul style="list-style-type: none"> (a) performs work as part of— <ul style="list-style-type: none"> (i) a resource extraction project; or (ii) a project identified in a planning scheme as a major industry or infrastructure project; or (iii) a rural use; and (b) lives, for extended periods, in the locality of the project, but has a permanent residence elsewhere. <p><i>Example of a non-resident worker— a person engaged in fly-in/fly-out, or drive in/drive out, working arrangements</i></p>
Off-stream dam	A water storage facility not located on a watercourse, as defined by the <i>Water Act 2000</i> .
Outermost projection	<p>outermost projection, of a building or structure, means the outermost part of the building or structure, other than a part that is—</p> <ul style="list-style-type: none"> (a) a retractable blind; or (b) a fixed screen; or (c) a rainwater fitting; or (d) an ornamental attachment.
Planning assumptions	planning assumption means an assumption about the type, scale, location and timing of future growth in the local government area.
Projection area	projection area means a part of the local government area for which the local government has carried out demand growth projection.
Rural lifestyle allotment	An allotment less than 100ha in area the Rural Zone.
Secondary dwelling	secondary dwelling means a dwelling, whether attached or detached, that is used in conjunction with, and subordinate to, a dwelling house on the same lot.
Service catchment	service catchment means an area serviced by an infrastructure network.
Setback	setback , for a building or structure, means the shortest distance, measured horizontally, between the outermost projection of the building or structure to the vertical projection of the boundary of the lot where the building or structure is.
Site	<p>site, of development, means the land that the development is to be carried out on.</p> <p><i>Examples—</i></p> <ul style="list-style-type: none"> (a) 1 If development is to be carried out on part of a lot, the site of the development is that part of the lot. (b) 2 If development is to be carried out on part of 1 lot and part of an adjoining lot, the site of the development is both of those parts.
Site cover	<p>site cover, of development, means the portion of the site, expressed as a percentage, that will be covered by a building or structure, measured to its outermost projection, after the development is carried out, other than a building or structure, or part of a building or structure, that is—</p> <ul style="list-style-type: none"> (a) in a landscaped or open space area, including, for example, a gazebo or shade structure; or (b) a basement that is completely below ground level and used for car parking; or (c) the eaves of a building; or (d) a sun shade.

Column 1 Term	Column 2 Definition
State Environmental Area	<p>State Environmental Area means one of the following areas identified on Overlay Map OM1:</p> <ul style="list-style-type: none"> • MSES - Protected areas (estates) • MSES - Protected areas (nature refuge) • MSES - Regulated vegetation (intersecting a watercourse) • MSES - Regulated vegetation (category B) • MSES - Regulated vegetation (category C) • MSES - Regulated vegetation (category R) • MSES - Regulated vegetation (essential habitat) • MSES - Regulated vegetation (wetland) • MSES - High ecological value waters (watercourse) • MSES - High ecological significance wetlands • MSES - Wildlife habitat • MSES - Strategic environmental areas (designated precinct) • MSES - Declared fish habitat area • MSES - Marine park • MSES - Declared fish habitat area
Storey	<p>storey—</p> <p>(a) means a space within a building between 2 floor levels, or a floor level and a ceiling or roof, other than—</p> <p>(i) a space containing only a lift shaft, stairway or meter room; or</p> <p>(ii) a space containing only a bathroom, shower room, laundry, toilet or other sanitary compartment; or</p> <p>(iii) a space containing only a combination of the things stated in subparagraph (i) or (ii); or</p> <p>(iv) a basement with a ceiling that is not more than 1m above ground level; and</p> <p>(c) includes—</p> <p>(i) a mezzanine; and</p> <p>(ii) a roofed structure that is on, or part of, a rooftop, if the structure does not only accommodate building plant and equipment.</p>
Temporary use	<p>temporary use means a use that—</p> <p>(a) is carried out on a non-permanent basis; and</p> <p>(b) does not involve the construction of, or significant changes to, permanent buildings or structures.</p>
Third party sign	<p>An advertising device that promotes a product, service, event or activity that is not supplied, available or occurring on the site on which the device is placed. For the purposes of the Planning Scheme, third party signs are limited to the sign types defined in Table SC1.2.3 below.</p>
Total use area	<p>The sum of all parts of the lot used for that particular “use”, including any ancillary use, but does not include areas used for:</p> <p>(a) car parking;</p> <p>(b) landscaping; and</p> <p>(c) vehicle manoeuvring.</p> <p>For the purpose of calculating car parking requirements the term includes the total floor area of all “buildings”.</p>
Ultimate development	<p>ultimate development, for an area or premises, means the likely extent of development that is anticipated in the area, or on the premises, if the area or premises are fully developed.</p>
Urban purpose	<p>For the purpose of local government infrastructure plans, urban purposes includes residential (other than rural residential), retail, commercial, industrial, community and government related purposes.</p>

Column 1 Term	Column 2 Definition
Vulnerable use	For the purpose of bushfire hazard management, a vulnerable use includes: (a) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or (b) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

Table SC 1.2.3-Third party sign types

Sign type	Definition
Above awning sign	an advertising device located on top of an awning or verandah of a building used for purposes other than residential purposes, with no part of the advertising device projecting: (a) above the roof, parapet or ridge line of the building (b) beyond the edge of the awning or verandah
Billboard/hoarding sign	an advertising device which (a) is free-standing; and (b) has a face area greater than 2.4m ² ; and (c) has a face area width greater than its face area height; and (d) is normally elevated from the ground and supported by 1 or more vertical columns, pylons or poles
Pole sign	an advertising device which is free-standing on 1 or more vertical supports which has a face area not in excess of 2.4m ² on any side and may have a face area consisting of separate slats, panels or components which are removable and replaceable
Projecting sign	an advertising device which: (a) is displayed on the wall of a building; and (b) projects at right angles to the building more than 1.5m from the wall on which it is displayed; and (c) does not project higher than the height of the building to which it is attached.
Pylon sign	an advertising device which may have a face area consisting of separate slats, panels or components which are removable and replaceable and: (a) is free-standing; and (b) has a face area greater than 2.4m ² ; and (c) has a face area height greater than its face area width; and (d) is normally elevated from the ground and supported by 1 or more vertical columns, pylons or poles
Roof/sky sign	an advertising device fitted to the roof of a building
Sign-written roof sign	an advertising device which is painted or otherwise affixed to the roof of a building and directed at, or visible from, a road
Wall sign	an advertising device painted or otherwise affixed flat to the wall of a building that does not protrude from the wall more than 100mm

Schedule 2 Mapping

SC2.1 Map index

The table(s) below list any strategic framework, zoning, local plan and overlay maps applicable to the planning scheme area.

Table SC 2.1-Map index

Map number	Map title	Gazettal date
Strategic framework maps		
Strategic Map 1	Cook Shire Council Planning Scheme – Strategic Framework Map	16 December 2016
Zone maps		
Zone Map 1 to 11	Rural Locality	16 December 2016
Zone Map 12	Cooktown Locality	16 December 2016
Zone Map 13	Cooktown	16 December 2016
Zone Map 14	Marton	16 December 2016
Zone Map 15	Ayton	16 December 2016
Zone Map 16	Rossville	16 December 2016
Zone Map 17	Portland Roads	16 December 2016
Zone Map 18	Lakeland	16 December 2016
Zone Map 19	Laura	16 December 2016
Zone Map 20	Coen	16 December 2016
Zone Map 21	Maytown	16 December 2016
Zone Map 22	Weipa	16 December 2016
Local plan maps		
Local Plan Map 1	Context Map	16 December 2016
Local Plan Map 2	Trevethan Precinct	16 December 2016
Local Plan Map 3	Mungumby North Precinct	16 December 2016
Local Plan Map 4	Little Annan Precinct	16 December 2016
Local Plan Map 5	Mungumby South Precinct	16 December 2016
Local Plan Map 6	Shiptons Flat Precinct	16 December 2016
Local Plan Map 7	Lakeland Local Plan Map 1 – Future Land Use Intent	TBD
Local Plan Map 8	Lakeland Local Plan Map 2 – Future Pathway Network	TBD
Overlay maps		
	Airport Environs Overlay Refer to Strategic Airports and Aviation Facilities from the Queensland Government SPP interactive mapping system	
Overlay Map OM 1	Biodiversity Overlay	16 December 2016
Overlay Map OM 2	Bushfire Hazard Overlay	16 December 2016
Overlay Map OM 3	Character Overlay	16 December 2016
Overlay Map OM 4	Extractive Resources Overlay	16 December 2016
Overlay Map OM 5	Flood and Other Coastal Hazards Overlay	16 December 2016
Overlay Map OM 6	Future Urban Expansion Overlay	16 December 2016
Overlay Map OM 7	Infrastructure Services Overlay	16 December 2016
Overlay Map OM 8	Rural Land Use Overlay	16 December 2016
Overlay Map OM 9	Scenic Amenity Overlay	16 December 2016
Overlay Map OM 10	State Controlled Roads Overlay	16 December 2016
Overlay Map OM 11	Water Resources Overlay	16 December 2016
Overlay Map OM 12	Wetlands and Waterways Overlay	16 December 2016
Overlay Map OM 13	Old Dam Site Overlay	16 December 2016
Overlay Map OM 14	Landslide Overlay	16 December 2016

SC2.1.1 Strategic framework maps

SC2.1.2 Zone maps

SC2.1.3 Local plan maps

SC2.1.4 Overlay maps

SC2.1.5 Planning partnerships maps

There are no planning partnership maps in this planning scheme.

Schedule 3 Local government infrastructure plan mapping and support material

SC3.1 Planning assumption tables

Table SC3.1.1—Existing and projected population						
Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected population				
		2016	2021	2026	2031	Ultimate development
Cooktown	Single dwelling	1,471	1,704	1,891	2,094	2,603
	Multiple dwelling	103	120	133	147	183
	Other dwelling	520	603	669	740	920
	Total	2,094	2,426	2,693	2,982	3,706
Coen	Single dwelling	206	216	238	261	365
	Multiple dwelling	14	15	17	18	26
	Other dwelling	73	76	84	92	129
	Total	293	308	338	371	519
Laura	Single dwelling	113	293	423	561	1,263
	Multiple dwelling	8	21	30	39	89
	Other dwelling	40	104	150	198	447
	Total	161	417	603	799	1,799
Inside priority infrastructure area (total)	Single dwelling	1,790	2,213	2,552	2,915	4,231
	Multiple dwelling	126	156	180	205	298
	Other dwelling	633	783	902	1,031	1,496
	Total	2,548	3,151	3,634	4,152	6,025
Outside priority infrastructure area	Single dwelling	2,639	2,548	2,566	2,586	5,233
	Multiple dwelling	186	179	180	182	368

Table SC3.1.1—Existing and projected population

Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected population				
		2016	2021	2026	2031	Ultimate development
(total)	Other dwelling	933	901	907	915	1,850
	Total	3,758	3,628	3,654	3,683	7,451
Cook Shire Council	Single dwelling	4,429	4,761	5,118	5,502	9,464
	Multiple dwelling	312	335	360	387	666
	Other dwelling	1,566	1,684	1,810	1,946	3,347
	Total	6,307	6,779	7,288	7,834	13,476

Table SC3.1.2—Existing and projected employees

Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected employees				
		2016	2021	2026	2031	Ultimate development
Cooktown	Retail	96	105	112	120	139
	Commercial	382	415	441	470	541
	Industry	246	267	284	301	346
	Community Purposes	292	317	336	357	410
	Rural and Other Uses	444	454	461	469	489
	Total	1,461	1,557	1,634	1,717	1,927
Coen	Retail	7	7	8	8	11
	Commercial	33	34	36	39	50
	Industry	9	9	10	11	14

Table SC3.1.2—Existing and projected employees

Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected employees				
		2016	2021	2026	2031	Ultimate development
	Community Purposes	25	26	27	29	38
	Rural and Other Uses	16	17	19	20	29
	Total	89	93	100	107	141
Laura	Retail	0	4	7	11	28
	Commercial	45	61	72	84	144
	Industry	0	6	10	14	37
	Community Purposes	60	72	80	89	134
	Rural and Other Uses	40	61	76	92	173
	Total	146	203	246	290	516
Inside priority infrastructure area (total)	Retail	103	116	127	139	178
	Commercial	460	510	549	592	735
	Industry	255	282	304	327	398
	Community Purposes	378	414	444	476	583
	Rural and Other Uses	500	531	555	581	691
	Total	1,696	1,853	1,979	2,115	2,585
Outside priority infrastructure area (total)	Retail	25	20	18	17	93
	Commercial	122	108	107	106	444
	Industry	89	81	80	79	263
	Community Purposes	33	21	18	14	237
	Rural and Other Uses	330	329	336	344	629
	Total	598	559	559	560	1,666
Cook Shire Council	Retail	128	136	145	155	271
	Commercial	582	618	657	698	1,179

Table SC3.1.2—Existing and projected employees

Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected employees				
		2016	2021	2026	2031	Ultimate development
	Industry	344	363	384	406	661
	Community Purposes	410	435	462	490	820
	Rural and Other Uses	831	860	892	926	1,320
	Total	2,295	2,412	2,539	2,675	4,251

Table SC3.1.3—Planned density and demand generation rate for a trunk infrastructure network								
Column 1 Area classification	Column 2 LGIP development type	Column 3 Planned density		Column 4 Demand generation rate for a trunk infrastructure network				
		Non-residential plot ratio	Residential density (dwellings/ dev ha)	Water supply network (EP/dev ha)	Sewerage network (EP/dev ha)	Transport network (vpd/dev ha)	Parks and land for community facilities network (persons/dev ha)	Stormwater network (imp ha/dev ha)
Residential development								
Centre			42	69.4	69.4	416	69.4	0.9
Low Density Residential			11	23.4	23.4	108	23.4	0.4
Medium Density Residential			13	26.7	26.7	129	26.7	0.7
Mixed Use			23	39.1	39.1	234	39.1	0.7
Mixed Use – MU1			52	86.4	86.4	518	86.4	0.9
Rural			0	0.02	0.02	0.2	0.02	0
Rural Residential – Water available			3	7.5	7.5	33	7.5	0.1
Rural Residential – Water not available			2	4.5	4.5	20	4.5	0.1
Township			10	22.5	22.5	100	22.5	0.1
Non-residential development and mixed development ¹⁸								
Centre		2.4		56.4	56.4	250		0.9
Community Facilities		1		18.0	18.0	80		0.4
Environmental Management and Conservation		0		0	0	0		0
Industry		0.8		33.8	33.8	150		0.9
Mixed Use		1.2		45.1	45.1	200		0.7
Mixed Use – MU1		2.4		56.4	56.4	250		0.9
Recreation and Open Space		0		0	0	0		0
Strategic Port Land		0.8		33.8	33.8	150		0.9

Note—1. Table SC3.1.3 Mixed development is development that includes residential development and non-residential development.

Table SC3.1.4—Existing and projected residential dwellings

Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected residential dwellings				
		2016	2021	2026	2031	Ultimate development
Cooktown	Single dwelling	637	745	833	929	1,155
	Multiple dwelling	60	71	79	88	110
	Other dwelling	282	330	369	411	511
	Total	979	1,146	1,282	1,428	1,776
Coen	Single dwelling	89	95	105	116	162
	Multiple dwelling	8	9	10	11	15
	Other dwelling	39	42	46	51	72
	Total	137	145	161	178	249
Laura	Single dwelling	49	128	187	249	560
	Multiple dwelling	5	12	18	24	53
	Other dwelling	22	57	83	110	248
	Total	75	197	287	383	862
Inside priority infrastructure area (total)	Single dwelling	775	968	1,125	1,293	1,877
	Multiple dwelling	74	92	107	123	178
	Other dwelling	343	429	498	573	831
	Total	1,192	1,488	1,730	1,989	2,886
Outside priority infrastructure area (total)	Single dwelling	1,143	1,114	1,131	1,147	2,321
	Multiple dwelling	109	106	107	109	221
	Other dwelling	506	494	501	508	1,028
	Total	1,757	1,714	1,739	1,764	3,570

Cook Shire Council	Single dwelling	1,917	2,082	2,256	2,441	4,198
	Multiple dwelling	182	198	214	232	399
	Other dwelling	849	922	999	1,081	1,859
	Total	2,949	3,202	3,469	3,753	6,456

Table SC3.1.5—Existing and projected non-residential floor space

Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected non-residential floor space (m ² GFA)				
		2016	2021	2026	2031	Ultimate development
Cooktown	Retail	2,868	3,138	3,354	3,589	4,177
	Commercial	11,473	12,454	13,241	14,093	16,233
	Industry	36,951	40,046	42,529	45,220	51,975
	Community Purposes	7,312	7,919	8,407	8,935	10,262
	Rural and Other Uses	8,886	9,072	9,221	9,383	9,789
	Total	67,491	72,629	76,753	81,220	92,436
Coen	Retail	209	216	232	248	322
	Commercial	984	1,017	1,085	1,158	1,487
	Industry	1,341	1,396	1,505	1,622	2,154
	Community Purposes	621	643	686	733	946
	Rural and Other Uses	318	335	370	408	578
	Total	3,472	3,607	3,878	4,169	5,488
Laura	Retail	0	130	225	325	834
	Commercial	1,356	1,821	2,159	2,516	4,335
	Industry	0	867	1,499	2,165	5,560
	Community Purposes	1,507	1,796	2,006	2,228	3,360
	Rural and Other Uses	803	1,217	1,517	1,834	3,451
	Total	3,666	5,830	7,406	9,067	17,540

Table SC3.1.5—Existing and projected non-residential floor space

Column 1 Projection area	Column 2 LGIP development type	Column 3 Existing and projected non-residential floor space (m ² GFA)				
		2016	2021	2026	2031	Ultimate development
Inside priority infrastructure area (total)	Retail	3,077	3,484	3,811	4,161	5,334
	Commercial	13,813	15,292	16,485	17,767	22,056
	Industry	38,293	42,309	45,533	49,007	59,689
	Community Purposes	9,439	10,357	11,099	11,897	14,568
	Rural and Other Uses	10,008	10,624	11,109	11,625	13,818
	Total	74,629	82,066	88,037	94,456	115,464
Outside priority infrastructure area (total)	Retail	749	601	553	500	2,795
	Commercial	3,646	3,245	3,211	3,171	13,315
	Industry	13,312	12,159	12,012	11,839	39,494
	Community Purposes	823	520	440	353	5,927
	Rural and Other Uses	6,604	6,576	6,724	6,886	12,574
	Total	25,133	23,101	22,940	22,750	74,106
Cook Shire Council	Retail	3,826	4,085	4,363	4,662	8,129
	Commercial	17,459	18,537	19,695	20,938	35,371
	Industry	51,604	54,468	57,545	60,846	99,183
	Community Purposes	10,262	10,878	11,540	12,249	20,495
	Rural and Other Uses	16,612	17,201	17,833	18,512	26,392
	Total	99,763	105,167	110,977	117,206	189,570

Table SC3.1.6—Existing and projected demand for the water supply network

Column 1 Service catchment¹⁹	Column 2 Existing and projected demand (EP)				
	2016 (base date)	2021	2026	2031	Ultimate development
Cooktown (WS01)	3,159	3,606	4,022	4,479	8,291
Coen (WS02)	347	367	412	461	686
Laura (WS03)	234	496	688	892	1,936
Lakeland (WS04)	244	228	227	226	375
TOTAL	3,985	4,697	5,349	6,058	11,288

Table SC3.1.7—Existing and projected demand for the sewerage network

Column 1 Service catchment²⁰	Column 2 Existing and projected demand (EP)				
	2016 (base date)	2021	2026	2031	Ultimate development
Cooktown (S01)	2,829	3,266	3,658	4,088	6,987
Coen (S02)	347	367	412	461	686
Laura (S03)	234	496	688	892	1,936
TOTAL	3,410	4,129	4,758	5,441	9,609

Note—2. Table Column 1 The service catchments for the water supply network are identified on Local Government Infrastructure Plan Map LGIP-WS 01:06 (Plan for trunk infrastructure - water supply) in Schedule 3 (local government infrastructure mapping and tables).

Note—3. Table SC3.1.7 Column 1 The service catchments for the sewerage network are identified on Local Government Infrastructure Plan Map LGIP-S 01:03 (Plan for trunk infrastructure - sewerage) in Schedule 3 (local government infrastructure mapping and tables).

Table SC3.1.8—Existing and projected demand for the transport network

Column 1 Service catchment²¹	Column 2 Existing and projected demand (vpd)				
	2016 (base date)	2021	2026	2031	Ultimate development
Cooktown (TR01)	11,123	14,164	16,438	18,906	35,413
Coen (TR02)	1,380	1,540	1,729	1,934	2,824
Laura (TR03)	955	2,147	3,009	3,931	8,588
Lakeland (TR04)	998	1,011	1,015	1,020	1,614
Remainder of LGA (TR05)	21,776	22,929	23,901	24,951	49,842
TOTAL	36,231	41,791	46,091	50,743	98,280

Table SC3.1.9—Existing and projected demand for the parks and land for community facilities network

Column 1 Service catchment²²	Column 2 Existing and projected demand (ha/1000 persons)				
	2016 (base date)	2021	2026	2031	Ultimate development
Cooktown (PPCL01)	2,741	3,074	3,369	3,694	7,093
Coen (PPCL02)	293	308	338	371	520
Laura (PPCL03)	161	417	602	798	1,802
Lakeland (PPCL04)	244	233	232	232	335
Remainder of LGA (PPCL05)	2,816	2,697	2,686	2,685	3,570

Note—4. Table SC3.1.8 Column 1 The service catchments for the transport network are identified on Local Government Infrastructure Plan Map LGIP-TR 01:05 (Plan for trunk infrastructure - transport) in Schedule 3 (local government infrastructure mapping and tables).

Note—5. Table SC3.1.9 Column 1 The service catchments for the parks and land for community facilities network are identified on Local Government Infrastructure Plan Map LGIP-PPCL 01:05(Plan for trunk infrastructure - parks and land for community facilities) in Schedule 3 (local government infrastructure mapping and tables).

Table SC3.1.9—Existing and projected demand for the parks and land for community facilities network

Column 1 Service catchment²²	Column 2 Existing and projected demand (ha/1000 persons)				
	2016 (base date)	2021	2026	2031	Ultimate development
TOTAL	6,256	6,729	7,227	7,780	13,321

SC3.2 Schedules of works

Table SC3.2.1—Water supply network schedule of works

Column 1 Map reference	Column 2 Trunk infrastructure	Column 3 Estimated timing	Column 4 Establishment cost²³
FWR_01	Secondary Reservoir - Cooktown	2036	\$3,600,000
FWB_01	Future Bore - Lakeland	2022	\$82,800
FWT_01	Annan Treatment - Upgrade	2017	\$107,500
FWT_02	Annan Treatment - Upgrade	2022	\$115,000
FWT_03	Annan Treatment - Upgrade	2025	\$575,000
FWT_04	Coen Treatment - SCADA Upgrade	2017	\$64,500
FWT_05	Coen Treatment - Upgrade	2018	\$102,125
FWT_06	Coen Treatment - Upgrade	2025	\$28,750
FWT_07	Lakeland Treatment - Generator Upgrade	2017	\$64,500
FWT_08	Lakeland Treatment - Upgrade	2018	\$21,500
FWT_09	Lakeland Treatment - Filtration and Disinfection Upgrade	2025	\$603,750
FWT_10	Laura Treatment - Generator Upgrade	2021	\$53,750
FWT_11	Laura Treatment - Upgrade	2018	\$21,500
FWT_12	Laura Treatment - Upgrade	2025	\$28,750
WMF_01	Future bore/reservoir connection - Lakeland	2022	\$138,532
TOTAL			\$5,607,957

Table SC3.2.2—Sewerage network schedule of works

Column 1 Map reference	Column 2 Trunk infrastructure	Column 3 Estimated timing	Column 4 Establishment cost²⁴
FST_01	Coen - SCADA monitoring upgrade	2022	\$230,000
FST_02	Cooktown - SCADA upgrade (stage 1)	2019	\$53,750
FST_03	Cooktown - SCADA upgrade (stage 2)	2022	\$115,000
FST_04	Cooktown - Treatment Plant Upgrade	2020	\$241,875
FPS_01	Pump Station 3 - Upgrade	2019	\$80,625
FPS_02	Pump Station 5 - Upgrade	2021	\$64,500
FPS_03	Regent St Pump Station - Upgrade	2018	\$26,875
TOTAL			\$812,625

Note—6. Table SC3.2.1 Column 4 The establishment cost is expressed in current cost terms as at the base date.

Note—7. Table SC3.2.2 Column 4 The establishment cost is expressed in current cost terms as at the base date.

Table SC3.2.3—Transport network schedule of works

Column 1 Map reference	Column 2 Trunk infrastructure	Column 3 Estimated timing	Column 4 Establishment cost²⁵
RU_01a	Charlotte St – Upgrade (Stage 1)	2020	\$1,612,500
RU_01b	Charlotte St – Upgrade (Stage 2)	2025	\$1,725,000
TOTAL			\$3,337,500

Table SC3.2.4—Parks and land for community facilities schedule of works

Column 1 Map reference	Column 2 Trunk infrastructure	Column 3 Estimated timing	Column 4 Establishment cost²⁶
FP_01	Esplanade Revitalisation Project	2018	\$2,150,000
FP_02	John Street Oval	2020	\$844,305
FP_04	Skate Park	2020	\$32,250
FP_06	Pathway upgrade through cemetery	2020	\$268,750
FP_07	Racecourse and Recreation upgrade	2018	\$0
FP_08	Lakelands Recreation	2020	\$297,990
FP_09	Lakelands Shire Rec	2018	\$311,589
FP_10	Future Lakelands Recreation	2020	\$621,740
TOTAL			\$4,526,625

Note—8. Table SC3.2.3 Column 4 The establishment cost is expressed in current cost terms as at the base date.

Note—9. Table SC3.2. SC3.2.4 Column 4 The establishment cost is expressed in current cost terms as at the base date.

SC3.3 Local government infrastructure plan maps

Local Government Infrastructure Plan Map LGIP-PIA 01:04 Priority infrastructure area and projection areas map

Local Government Infrastructure Plan Map LGIP-WS 01:06 – Plan for trunk infrastructure - water supply

Local Government Infrastructure Plan Map LGIP-S 01:03 – Plan for trunk infrastructure - sewerage

Local Government Infrastructure Plan Map LGIP-TR 01:05 – Plan for trunk infrastructure - transport

Local Government Infrastructure Plan Map LGIP-PPCL 01:05 – Plan for trunk infrastructure - parks and land for community facilities

Schedule 4 Notations required under the *Planning Act 2016*

SC4.1 Notation of decisions affecting the planning scheme under section 89 of the Act

Table SC 4.1-Notation of decisions under section 89 of the Act

Date of decision	Location (real property description)	Decision type	File/Map reference

Editor's note—This schedule must include details of:

- development approvals that are substantially inconsistent with the planning scheme
- variation approvals;
- decisions agreeing to superseded planning scheme request to apply to a superseded scheme to a particular development.

SC4.2 Notation of resolution(s) under Chapter 4, Part 2, Division 2 of the Act

Table SC 4.2-Notation of resolutions under Chapter 4, Part 2, Division 2 of the Act

Date of resolution	Date of effect	Details	Contact information
6 July 2018	13 July 2018	Local Government Infrastructure Plan	Available at Cook Shire Council's Chambers, 10 Furneaux Street Cooktown; or online on Council's website

Editor's note—this schedule must provide details regarding the adopted infrastructure charges for the local government and where a copy of the adopted charges can be obtained, including a link to the local government website where a copy of the infrastructure charges resolution can be viewed or downloaded in accordance with the requirements of section 117(1)(a) of the Act.

SC4.3 Notation of registration for urban encroachment provisions under section 267 of the Act

Table SC 4.3-Notation of registrations made under section 267 of the Act

Date of registration of the premises	Location of premises (real property description	Details of registration	Term of registration

Schedule 5 Designation of premises for development

There is no land designated for community infrastructure in the local government area

Schedule 6 Planning scheme policies

The planning scheme policies for this planning scheme are:

- (a) Development Manual Planning Scheme Policy
- (b) Provision of Public Open Space Planning Scheme Policy
- (c) Landscaping Planning Scheme Policy
- (d) Guidelines for development in the Eastern Kuku Yalanji Local Plan are Planning Scheme Policy
- (e) Bushfire Hazard Analysis Planning Scheme Policy

SC6.1 Development Manual Planning Scheme Policy

Purpose

To adopt the Far North Queensland Regional Organisation of Councils (FNQROC) Development Manual as a planning scheme policy.

Application

This policy applies to the whole area covered by the Planning Scheme for Cook Shire.

Intent

This planning scheme policy is intended to provide comprehensive and consistent development standards that are in accordance with the Act and its supporting legislation.

SC6.2 Provision of Public Open Space Planning Scheme Policy

Purpose

The purpose of this policy is to ensure that new development makes adequate provision for public open space to cater for the additional need for such public open space created by the development.

Application

The policy applies to all applications for Material Change of Use for residential uses in the Low Density Residential, Medium Density Residential, Mixed Use, Village, Community Uses and Business Zones. It also applies to all applications for Reconfiguring a Lot in the Low Density Residential, Medium Density Residential, Mixed Use, Township and Rural Residential Zones.

Intent

Where an increased demand for public open space will result from new development, Council may, as a condition of development approval, require the dedication of land as public open space. Alternatively, Council may at its discretion require a monetary contribution in lieu of land.

Quantity and Quality of Land to be Provided

In the case of reconfiguration of larger areas of land (i.e. exceeding 4 ha) a contribution of 10 % of the total area as public open space may be acceptable provided the land to be contributed:

- (a) Is provided in one consolidated parcel.
- (b) Is well drained, flood free and does not slope in excess of 1:10 grade.
- (c) Has a functional shape, not exceeding a maximum depth to width ratio of 3:1.
- (d) Is a fair average of the land to be reconfigured.
- (e) Has a gazetted and constructed road frontage (or will have as a result of the proposed reconfiguration).

Any such land to be contributed shall be transferred to Council at the time of Council endorsement of the formal plan of survey for the reconfiguration. In some circumstances, it may be feasible for land not included in the lot(s) to be reconfigured to be dedicated as public

open space. This may be permitted where the land to be contributed meets the above criteria and is in close proximity to and may be easily accessed from the lot(s) to be reconfigured. In most cases it would be expected to adjoin such lot(s). Where this occurs, the land proposed as public open space shall be transferred to Council at the time of Council endorsement of the formal plan of survey for the reconfiguration.

Contribution of Money

Where it is not possible to contribute land of sufficient area or quality from within the site of the development application (or adjacent to it), Council will require a monetary contribution in lieu of land. Such contribution shall be used by Council for the provision of public open space or for the upgrading of existing public open space in the general vicinity of the development site.

The amount of money to be contributed in lieu of land for public open space is to be calculated based on the number of additional Residential Units generated by the development.

Level of Monetary Contribution – Reconfiguring a Lot(s)

In the case of Reconfiguring a Lot(s), each residential lot is taken to equate to one Residential Unit. Consequently, the number of Residential Units for which a contribution is required, equals the number of residential lots after the reconfiguration, less the number of residential lots prior to the reconfiguration. Providing the resulting number is positive, a contribution will apply.

The value of each Residential Unit is set in accordance with Council's Fees and Charges Schedule as updated from time to time.

Level of Monetary Contribution – Material Change of Use

In the case of a Material Change of Use, the contribution is also based on the increase in the number of Residential Units that result from the development. The number of Residential Units is derived from the gross floor areas of dwelling units as follows:

Gross Floor Area of Dwelling Unit	Equivalent Number of Residential Units
< 60 m ²	0.5
60 m ² to 100 m ²	0.75
> 100 m ²	1.0

Consequently, the number of Residential Units for which contribution is required equals the number of proposed dwelling units (reduced by the above factors if applicable), less the number of existing dwelling units (reduced by the above factors if applicable). Each existing vacant lot is deemed to have a credit of one Residential Unit.

The value of each Residential Unit is set in accordance with Council's Fees and Charges Schedule, as updated from time to time.

SC6.3 Landscaping Planning Scheme Policy

Purpose

The purpose of this policy is to ensure that landscaping works achieve acceptable minimum standards and utilise an appropriate selection of species so as to provide effective screening and enhance the visual presentation of the locality.

Application

This policy is applicable to all landscaping works undertaken as a result of requirements elsewhere in this planning scheme for accepted and assessable development.

Physical Preparation

- Landscape areas to be constructed of raised beds with imported topsoil.
- Beds to be edged with either hard (treated timber, formed concrete or pavers) or soft (hedging or grasses) edge treatments.
- Beds to be provided with a minimum 100 mm layer of mulched hardwood or similar organic material.
- A water connection point is to be available for irrigation. A water efficient reticulation system is to be provided and designed according to local conditions.

Selection of Plants

At least 25% of plants should be species endemic to the region and selected in response to proposed site irrigation, long-term maintenance requirements and the encouragement of native birds and wildlife. Wherever feasible, existing appropriate shrubs and trees should be retained as part of the landscaping works.

Trees shall be selected and placed such that at their ultimate size, they are no closer than 4 metres from overhead electricity or telecommunications poles or lines and no closer than 7.5 metres from streetlights.

Trees and shrubs are to be selected for their shade and visual buffer qualities. In this regard, palms are not to be relied upon, except as accent plants only.

Plants toxic to humans or with spines should not be used.

Species that contain volatile oils can be a fire hazard and should not be used in Medium, High, and Very High Bushfire Hazard Areas identified on **OM2 – Bushfire Hazard Overlay Map**. Environmental Pest Plants must be avoided.

Density of Plantings

Plantings should utilize advanced stock. Trees should be no less than 1 m in height, well-branched and planted from a minimum 300 mm container.

Mass planting should incorporate a three-tier approach of trees, shrubs and ground cover at the following densities:

- (a) Ground Cover – Up to 0.6 m centres.
- (b) Shrubs – Up to 1.5 m centres.
- (c) Trees – Up to 3 m centres for landscape buffer/screen areas and up to 6 m centres for other areas.
- (d) Shade trees are to be provided in car parking areas at the minimum rate of one tree per six car parking spaces.

Maintenance

Landscaped areas should be subject to regular and on-going maintenance, including through the timely replacement of damaged or dead plants.

While not exhaustive, Schedule 1 of this policy lists species of trees and shrubs which are:

Native to the Cook Shire region and generally acceptable as landscaping species.

Exotic, but nevertheless useful decorative landscaping species.

Problem species which must be avoided.

Schedule 2 of this policy lists Environmental Pest Plants which must not be planted.

Schedule 3 of this policy lists some contact points for further information on appropriate landscaping species and vegetation issues generally.

List 1: Species Generic to Cape York (including Palmer River, Lakeland, Bloomfield, Rossville, Cooktown, Laura, Musgrave, Coen, Archer River and Moreton)

Small Plants for Dry Areas (refer to the following key for descriptive characteristics of each species):

- Hot Dry Areas Only

} - Attracts Birds

+ - Attracts Butterflies

- Bush Tucker

* - Propagate from Treated Seed

F – Contains Volatile Oils

Generic Plants - Shrubs, Vines & Groundcovers

Botanical Name	Common Name	Notes	Habitat	Size	Family
Acacia calyculata		}* F	Cape York	1.2m	Mimosaceae
A holosericea	Silver Wattle	* F	Tropical Aust	To 5m	Mimosaceae
A. humifusa		Shrub.	100km from coast. Dry.	1m	Mimosaceae
A. leptostachya	Townsville Wattle	Shrub }* F	Tropical Qld	2-5m	Mimosaceae
A. multisiliqua		Shrub }* F	Dry Tropical Aust	1-2m	Mimosaceae
A. simsii	Sim's Wattle	}* F	Tropical Aust	2-4m	Mimosaceae
Alyxia spicata		Scrambler/shrub.	Vine/dune forests		Apocynaceae
Alyxia ruscifolia	Chain Fruit	Shrub.	Open scrub, Vine Thickets	2.5m	Apocynaceae
Baekea spp	Baekea spp	Small tree. F	Dry Tropical Aust	Various 1-4m	Myrtaceae

Botanical Name	Common Name	Notes	Habitat	Size	Family
Breynia oblongifolia	Native Coffee	Arching shrub.	Tropical Aust	0.5-3m	Euphorbiaceae
Banksia spp	Banksia spp	Various, Shrub/Small tree. }*	Aust	Various, 1-16m	Proteaceae
Brachychiton paradoxus	Red-Flowered Kurrajong	Deciduous.	Nth Qld, NT	2-3m	Sterculiaceae
Callistemon chisholmii		May require occasional water. }	Dry Tropical Aust	2-4m	Myrtaceae
Callistemon polandii		Shrub. }+	Cooktown	2-5m	Myrtaceae
Capparis lasiantha	Native Orange	#}	Inland Qld, NT, WA	1-3m	Capparaceae
Cycas spp	Cycad	Toxic to stock. Use local dry country sp. Propagate from seed. F	Tropical Aust	Slow grower to 4m	Cycadaceae
Dodonaea polyandra	Wild Hop	May require occasional water. Well-drained. } F	Cape York	1-5m	Sapindaceae
Flueggea virosa	White Berry Bush	}#	Tropical Aust	1-4m	Euphorbiaceae
Gnaphalium rupicola syn Helichrysum rupicola	Everlasting Daisy		Tropical Aust	0.5m	Asteraceae
Grevillea spp	Grevillea	}+ F	Aust	various	Proteaceae
Grevillea dryandri	Dryander	Prostrate. }+	Dry Tropical Aust	1m	Proteaceae
Graptophyllum excelsum	Letter-leaf, Scarlet Fuschia	Well-drained. }	Coastal Cape York	1.5-8m	Acanthaceae

Botanical Name	Common Name	Notes	Habitat	Size	Family
Haemodorum coccineum	Bloodroot	Grow with Morinda reticulata.		0.5m	Haemodoraceae
Hibbertia spp	Guinea Flower, various	Yellow flowers.	Dry Tropical Aust	1.5m	Dilleniaceae
Hibiscus heterophyllus	Native Hibiscus	Prune. Massed planting.	Tropical Aust	1m	Malvaceae
Hibiscus meraukensis	Native Hibiscus	Prune. Massed planting.	Tropical Aust	1m	Malvaceae
Hoya spp	Hoya	Waxy climber. Spectacular flowers.	Tropical Aust		Asclepidaceae
Jacksonia spp	Various	Cuttings. * F	Dry Tropical Aust	0.5-2.5m	Fabaceae
Kailarsenia ochreatea	Native Gardenia	Scented, Fresh seed or cuttings.	Dry Tropical Aust	2-5m	Rubiaceae
Melaleuca arcana		White to pink flowers. } F	Cooktown	4m	Myrtaceae
M. minutifolia		} F	Dry Tropical Aust	3-7m	Myrtaceae
M. tamariscina		White to mauve flowers. } F	Dry Tropical Aust	To 5m	Myrtaceae
M. uncinata		White to yellow flowers. F	Dry Tropical Aust	To 3m	Myrtaceae
Morinda citrifolia	Cheese fruit, Noni	Maintain as shrub.	Tropical Aust	3-10m	Rubiaceae
Morinda reticulata		Toxic to stock Prefers dry clay. }	Dry Tropical Aust	0.5m	Rubiaceae
Murraya paniculata	Mock Orange	Highly perfumed.}	Tropical Aust	2-4m	Rutaceae
Neofabicia myrtifolia		Yellow flowers. F	Tropical Aust	To 4m in dry areas	Myrtaceae

Botanical Name	Common Name	Notes	Habitat	Size	Family
<i>Persoonia falcata</i>	Geebung	Yellow flowers. #}	Tropical Aust	3-5 m	Proteaceae
<i>Petalostigma pubescens</i>	Quinine Bush	Yellow fruit.	Tropical Aust	2-5m	Euphorbiaceae
<i>Premna serratifolia</i>	Creek Premna	May require some water. }+	Dry Tropical Aust	3-10m	Verbenaceae
<i>Santalum lanceolatum</i>	Sandlewood, Plumwood	Root parasite. Difficult to propagate. Leave as appropriate when clearing. # } F	Dry Tropical Aust	To 5m	Santalaceae
<i>Scaveola taccada</i> syn <i>S. sericea</i>	Sea Lettuce, Fan Flower	Sand & salt tolerant. May require some water. Beach protection.	Coastal Dry Tropics	2-3m	Goodeniaceae
<i>Sophora tomentosa</i>	Silver Bush	Sand & salt tolerant. May require some water. Beach protection.	Coastal Dry Tropics	3-4m	Fabaceae
<i>Sterculia quadrifida</i>	Peanut Tree	Beach protection. #}	Tropical Aust	5-10m	Sterculiaceae
<i>Swainsona</i> spp.	Sturt's Desert Pea	Annual. Watering can cause mould or fungii.*	Dry Aust	Prostrate	Fabaceae
<i>Syzygium rubrimolle</i>	Laura Apple	#}	Dry Cape York	To 4m	Myrtaceae
<i>S. suborbiculare</i>	Lady Apple	#}	Cape York	8-12m	Myrtaceae
<i>Xanthorrhoea</i> spp	Grass Tree	Slow-growing. #}+ F	Cape York	To 5m	Xanthorrhoeaceae

Generic Plants - Trees

Botanical Name	Common Name	Notes	Habitat	Size	Family
<i>Alphitonia excelsa</i>	Red Ash	} F	Qld, NT, WA, NSW	To 10m	Rhamanaceae
<i>Bombax ceiba</i>	Red Kapok	Deciduous. }+	Tropical Aust	10-20m	Bombacaceae
<i>Brachychiton australis</i>	Broad-leafed Bottle Tree	Deciduous.	Tropical Aust	Med - Tall	Sterculiaceae
<i>B. diversifolius</i>	Northern Kurrajong	Semi-deciduous.	Dry Tropical Aust	7-15m	Sterculiaceae
<i>B. grandiflorus</i>	Cape Kurrajong	Deciduous.	Cape York	To 10m	Sterculiaceae
<i>B. rupestris</i>	Queensland Bottle Tree	Semi-deciduous.	Dry Central Qld	To 10m	Sterculiaceae
<i>Canarium australanum</i>	Melville Is White Beech	Deciduous. * F	Qld, NT, WA	10-15m	Burseraceae
<i>Canthium coprosmoides</i>	Coast Canthium	Dry Coastal.	Nth Qld	2-6m	Rubiaceae
<i>C. oleiofolium</i>	Wild Lemon	}+	Nth Qld	3-8m	Rubiaceae
<i>Capparis lucida</i>	Coast Caper	Small tree. #}+	Qld, WA	3-6m	Capparaceae
<i>C. mitchellii</i>	Wild Orange	}+	Inland Aust	3-10m	Capparaceae
<i>Cochlospermum gillivraei</i>	Yellow Kapok	Deciduous.	Qld, NT	3-12m	Bixaceae
<i>Commersonia bartramia</i>	Brown Kurrajong	Hardy, attractive.	NSW-Cape York	5-12m	Sterculiaceae
<i>Cordia subcordata</i>	Sea Trumpet	Beach Protection.	Tropics	2-15m	Boraginaceae
<i>Corymbia</i> spp	Bloodwood, various	} F	Nth Aust	Various 10-30m	Myrtaceae

Botanical Name	Common Name	Notes	Habitat	Size	Family
Corypha utan	large Fan Palm	Spectacular. Flowers & dies 40-50 yrs.	Cape York, Arnhem Land	Huge	Palmeae
Erythrina vespertilio	Bats Wing Coral Tree	Deciduous.	Aust-NSW-North	6-10m	Fabaceae
Erythrophleum chlorostachys	Cooktown Ironwood	Toxic. F	Tropical Aust	8-15m	Caesalpinaceae
E citriodora	Lemon-scented Gum	Too large for small garden. F	East Qld	40-50m	Myrtaceae
E phoenicea	Scarlet Gum	}+ F	Tropical Aust	To 12m	Myrtaceae
Exocarpus latifolia	Native Cherry	Parasitic, difficult to cultivate. Retain if appropriate. #	Tropical Aust	4-8m	Santalaceae
Grevillea spp & cvs	Various	Hardy. F	Aust	Various 1-15m	Proteaceae
G. glauca	Bushman's Clothespeg	}+ F	Cape York	3-10m	Proteaceae
G. parallela		}+ F	Tropical Aust	2.5-15m	Proteaceae
G pteridifolia	Golden Grevillea	}+ F	Tropical Aust		Proteaceae
Hakea persiehana		}+ F	Cape York	4-6m	Proteaceae
Lagerstroemia archeriana	Native Crepe Myrtle	Deciduous.	Cape York	To 7m	Lythraceae

Botanical Name	Common Name	Notes	Habitat	Size	Family
<i>Livistona muellerii</i>	Cairns Fan Palm, Cabbage Palm	Fan Palm.	Cape York	To 12m	Araceaea
<i>Lysiphyllum carroni</i>	Bauhinia	Deciduous. }	Qld, NSW	5-20m	Caesalpinaceae
<i>L. cunninghami</i>	Bauhinia	Semi-deciduous. }+	Dry Tropical Aust	5-10m	Caesalpinaceae
<i>L. hookerii</i>	Hooker's Bauhinia	Semi-deciduous. }+	Central Qld	5-10m	Caesalpinaceae
<i>Melaleuca</i> spp	Tea Tree	}+ F	Aust	Various	Myrtaceae
<i>Mimusops elengi</i>	Red Condoo	Beach Protection. #}	Coastal Nth Aust	10-15m	Sapotaceae
<i>Morinda citrifolia</i>	Cheese fruit, Noni	Prune for shape. #	Tropical Aust	3-10m	Rubiaceae
<i>Owenia acidula</i>	Emu Apple	Stock food, shade tree.	Tropical Aust	5-8m	Meliaceae
<i>O. reticulata</i>			Tropical Aust	To 10m	Meliaceae
<i>O. vernicosa</i>				To 12m	Meliaceae
<i>Planchonia careya</i>	Cocky Apple	#} F		4-10m	Lecythidaceae
<i>Pleiogynium timorense</i>	Burdekin Plum	Deciduous. Prefers coastal. #	Qld	10-20m	Anacardiaceae
<i>Pittosporum phylliaaeoides</i>		Quick, hardy. }+	Dry Aust	5-8m	Pittosporaceae
<i>Sterculia quadrifida</i>	Peanut Tree	Deciduous. #	Tropical Aust	5-10m	Sterculiaceae
<i>Terminalia aridicola</i>		}	Tropical Aust	Small Tree	Combretaceae
<i>T. ferdinandiana</i>	Billy Goat Plum	#}	Dry Tropical Aust	To 10m	Combretaceae
<i>T. muelleri</i>	Blue Quandong	#}	Coastal Tropical Aust	6-10m	Combretaceae

Botanical Name	Common Name	Notes	Habitat	Size	Family
T. oblongata			Dry Tropical Aust	Medium Tree	Combretaceae
T. platyphylla		Deciduous.	Tropical Aust	To 20m	Combretaceae
Wodyetia bifurcata	Foxtail Palm	Hardy.	Melville Ra. Cape York	To 15m	Palmeae

List 2: Supplementary - Cook Shire Eastern Maritime Coastline Species Only

(Refer to the following key for descriptive characteristics of each species):

} - Attracts Birds

+ - Attracts Butterflies

- Bush Tucker

F – Contains Volatile Oils

Native Plants – Shrubs, Vines and Groundcovers

Botanical Name	Common Name	Notes	Provenance	Size	Family
Abelmoschus moschatus subsp. tuberosus	Native Rosella	Water. Ground cover creeper.	Tropical Aust, Pacific	0.5m	Moraceae
Alocasia macrorrhiza	Cunjevoi Toxic	Water.	Aust, Asia, Pacific	1.5m	Araceae
Alpinia caerulea	Native Ginger	Water, semi-shade.	Wet Tropical Aust	1.5m	Zingiberaceae
Aristolochia tagala	Native Dutchman's Pipe	Vine, Cairns Birdwing host Other Aristolochia sp lethal to Birdwing	Tropical Aust		Aristolochiaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
Asplenium spp	Birds Nest, Crow's Nest Ferns	Water, shade	Tropical Aust	1m	Aspleniaceae
Bowenia spectabilis	Zamia Fern	Water, shade.	NE Qld	1m	Zamiaceae
Callistemon spp & cvs	Bottlebrush	Water, many small, showy cultivars.	Aust	Various	Myrtaceae
Canavalia rosea	Jack Bean	Creeper, Water, beach protection. Pods toxic.	NSW-WA	0.2m	Fabaceae
Clausena brevistyla		+ + +	E Qld	2-3m	Rutaceae
Cordyline spp	Various Native spp	Attractive.	Nth Qld	Various to 5m	Agavaceae
Crinum spp	Various Native spp	Native Lilies.	NSW-Nth Aust	0.5-1m	Liliaceae
C. pedunculatum	Mangrove Lily	Attractive.	NSW-Cape York	1-3m	Liliaceae
Curcuma australasica	Native Tumeric Cape York Lily	Attractive.	Cape York NT	0.5-1m	Zingiberaceae
Dianella spp	Various Native Flax Lilies	Attractive flowers and berries.	Aust	Various 0.2 – 1m	Liliaceae
Dracaena angustifolia	Native Dracaena	Attractive, now known as Pleomele angustifoli.	Nth Qld, NT	1-5m	Agavaceae
Drynaria quercifolia	Rock Fern	Useful, hardy.	Qld, NT, WA	0.5m	Polypodiaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Epipremnum pinnatum</i>	Native Monstera	Useful fleshy climber.	NE Qld		Araceae
<i>Eugenia reiwardtiana</i>	Beach Cherry	Beach protection. #}	Qld	1-4 m	Myrtaceae
<i>Eustrephus latifolius</i>	Wombat Berry	Attractive scrambler.	East Coast Aust	1-2m	Phiesiaceae
<i>Ipomoea pes-caprae</i> subsp. <i>brasiliensis</i>	Goats-foot Morning Glory	Beach Protection. Prostrate scrambler.	Coastal Qld	0.3m	Convovulaceae
<i>Jasminum</i> spp	Various Native Jasmine spp	Climbers.	Nth Aust		Oleaceae
<i>Leea indica</i>	Bandicoot Berry	Easily pruned Maintain as shrub. }	NE Qld	To 5m	Leeaceae
<i>Kailarsenia ochreatea</i>	Gardenia	Hardy, suitable coast and inland dry areas.	NE Qld	2-5m	Rubiaceae
<i>Leea rubra</i>	Bandicoot Berry	Rainforest understory plant, hardy, tolerate dry conditions.	Nth Qld and NT	1-3m	Leeaceae
<i>Leptospermum madidum</i> subsp <i>madidum</i>		Attractive weeping, needs good drainage.	Cape York, south to Cooktown	0.5-0.7m	Myrtaceae
<i>Linospadix</i> sp 'Mt Lewis'	Palm	Clumping palm, needs shady protected position, moist soil, high humidity.	Mt Lewis, Mt Spurgeon, above 900m altitude	0.8-3m	Araceaea
<i>Lomandra banksii</i>		Tussocky rush-like plant.	Cape York to Cardwell	To 3m	Xanthorrhoeacea

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Lomandra filiformis</i>	Wattle Mat-rush	Small tussocky rush-like plant of sandy and rocky soils.	Atherton tablelands, SE Qld, East NSW	To 30cm	Xanthorrhoeaceae
<i>Lomandra hystrix</i>		Tufted rush-like plant.	NE Qld & Sth Qld to Nth NSW	To 1m	Xanthorrhoeaceae
<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	Tussocky rush-like plant.	Eastern Aust, Tas, SA	To 1m	Xanthorrhoeaceae
<i>Mackinlaya macrosciadia</i>		Straggly multi-stemmed, needs shade, protection, good drainage, water.	NE Qld rainforests & NT	To 9m	Araliaceae
<i>Melastoma affine</i>	Blue Tongue	Edible fruit. Needs rich open soil, partial shade.	Nth Aust and NSW	0.5-3m	Melastomataceae
<i>Micromelum minutum</i>	Lime Berry	Full sun or semi-shade, food plant for many butterflies and birds. +++}}	Nth Qld to Nth NSW coastal	2-3m	Annonaceae
<i>Morinda reticulata</i>		Small scrambling shrub with white bracts.	Cape York Nth Qld in open forest	To 1m	Rubiaceae
<i>Neofabricia myrtifolia</i>		Attractive.	Cape York	To 4m	Myrtaceae
<i>Orthosiphon aristatus</i>	Cats Whiskers	Spreading herbaceous shrub, shady corners or full sun with water.	Nth Qld along streams	To 1m	Lamiaceae
<i>Pandorea jasminoides</i>	Bower of Beauty	Vigorous climber, needs full sun, easy maintenance.	Sth Qld, East NSW & VIC	Vine	Bignoniaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
Passiflora aurantia	Native Passionfruit	Fast growing, screen, food plant butterflies, not edible. Full sun, drainage. ++	NE Qld to NE NSW	Vine	Passifloraceae
Petalostigma pubescens	Quinine Bush	Slow. Fruit bitter. Parts used by Aborigines for medicinal purposes.	Tropical Aust & Nth NSW	2-6m	Euphorbiaceae
Platycerium bifurcatum	Elkhorn	Epiphytic (grows on trees and rocks) fern. Needs protection and water.	Nth Qld to Sth NSW		Polypodiaceae
Platycerium superbum	Staghorn	Epiphytic (grows on trees) fern. Needs protection from drying wind and needs water.	Nth Qld to Nth NSW on trees and rocks in moist areas		Polypodiaceae
Ptychosperma macarthurii	Macarthur Palm	Hardy palm, needs full sun, drainage, N fertilisers.	Cape York and NG	To 8m	Araceae
Rauwenhoffia Leichhardt	Zig-Zag Vine	Large woody climber with edible fruit.	East Qld rainforests	Large Vine	Annonaceae
Ricinocarpus ledifolius	Wedding Bush	Partial shade, water.	NE Qld	To 3m	Euphorbiaceae
Sauropus macrathus		Attractive rainforest plant for shady area.	NE Qld	To 2m	Euphorbiaceae
Scaevola taccada		Hardy salt tolerant for coastal dunes or sandy soils.	Tropical Aust. on coastal sand dunes and mangroves	To 2m	Goodeniaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Sophora tomosa</i>	Silver Bush	Hardy salt wind tolerant for dune restoration or sandy soils.	Coast Qld, NE NSW and NT	3-4m	Fabaceae
<i>Syzygium wilsonii</i> subsp. <i>Wilsonii</i>	Powderpuff Lillypilly	Wet rainforest plant, reddish new growth, attractive large red flowers, needs protection from sun and wind, needs water.	NE Qld	To 3m	Myrtaceae
<i>Tabernaemontana orientalis</i>	Gondola Bush	Attractive flowers and seed capsules. Filtered sun and rich soils best.	Nth Qld NT and WA	1-3m	Apocynaceae
<i>Tabernaemontana pandacaqui</i>	Banana Bush	Attractive flowers and seed capsules. Filtered sun and rich soils best.	Nth Qld NT and WA	1-3m	Apocynaceae
<i>Violet hederacea</i>	Violet	Herb. Needs water and shade. Good groundcover.	All states except WA and NT	To 10cm	Violaceae
<i>Xanthorrhoea johnsonii</i>	Grass Tree	Understorey plant. Needs good drainage or can get crown rot.	Dry Qld and NSW	To 5m	Xanthorrhoeaceae

Native Plants - Trees

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Aidia racemosa</i>	Archer Cherry	}	Tropical Aust	To 15m	Rubiaceae
<i>Aleurites moluccana</i>	Candlenut	#}	Tropical Aust, Pacific	To 20m	Euphorbiaceae
<i>Archontophoenix alexandreae</i>	Alexander Palm	Water. }	Qld	To 35m	Palmeae
<i>Banksia</i> spp	Banksia	}+ F	Aust	Various to 15m	Proteaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Barringtonia calyptrata</i>	Cassowary Pine	Showy flowers. }+	Nth Qld	5-10 m	Lecythdiaceae
<i>Brachychiton acerifolius</i>	Flame Tree	}	NSW-Cape York.	20m	Sterculiaceae
<i>Buchanania arborescens</i>	Beach Berry, Banday	#}	Nth Qld, NT	8-12m	Anacardiaceae
<i>Buckinghamia celissima</i>	Ivory Curl Tree	Masses of flowers, Branches from ground. }+	Qld Wet Tropics.	10m	Proteaceae
<i>Callistemon</i> spp	Bottlebrush	Many attractive spp & cvs. }+	Aust	Various spp 1-10m	Myrtaceae
<i>Callistemon viminalis</i>	Weeping Bottlebrush	Local sp, water. }+	NSW-Cape York	8m	Myrtaceae
<i>Cananga odorata</i>	Macassar Oil Tree, Ylang Ylang	Water, highly perfumed flowers. }+	Tropics	10-20m	Annonaceae
<i>Castanospermum australe</i>	Black Bean	Showy red flowers. }	NSW – Cape York	10-30m 10m in dry area	Fabaceae
<i>Casuarina equisetifolia</i>	Coastal She-oak	Beach Protection. F	NSW, Qld, NT	5-10m	Casuarinaceae
<i>Cerbera floribunda</i>	Cassowary Plum	Cassowary Food, Showy Flowers.	NE Qld	10-15m	Apocynaceae
<i>C. manghas</i>	Milkwood	Showy Flowers. }+	NE Qld	2-7m	Apocynaceae
<i>Chionanthus ramiflorus</i>	Native Olive, Sleep Tree	}	NE Qld	To 10m	Oleaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
Cleistanthus apodus	Weeping Cleistanthus	Attractive specimen, water.	NE Qld	5m	Euphorbiaceae
Clerodendrum spp	incl Witches Tongues, Flowers of Magic, Lollybush	}	Nth Aust	Various to 5m	Verbenaceae
Cryptocarya spp	Native Laurels	Flowers of some spp unpleasant odour. }} + +	Tropical Aust	Various 4-30m	Lauraceae
Cyathea spp	Various Native Tree Ferns	Attractive, water	Aust	Various to 12 m	Cyatheaceae
Deplanchea tetraphylla	Golden Bouquet Tree	}} + +	Coastal NE Qld	6-12m	Bignoniaceae
Dillenia alata	Red Beech	Water. #}}	Nth Qld, NT	6-12m	Dilleniaceae
Diosporys spp	Native Ebony spp	}	Nth Qld, NT	Various 3- 25m	Ebenaceae
Drypetes lasiogyna var. australasica	Grey Boxwood	}}	Nth Aust	5-15m	Euphorbiaceae
Flacourtia sp "Cooktown"	Djunka Berry	##	Wet NE Qld	To 7m	Flacoutiaceae
Gardenia spp	Various Native Gardenia spp	Attractive	NE Qld – Cape York	Various 2-8m	Rubiaceae
Hydriastele wendlandiana	A Native Palm	Clumping, shade, water	NE Qld, NT	To 25m	Palmeae

Botanical Name	Common Name	Notes	Provenance	Size	Family
Lagerstroemia archeriana	Native Crepe Myrtle	Deciduous, fast growing, colourful flowering.	Cape York	To 7m	Lythraceae
Lepidozamia hopei	Zamia Palm	Large, long lived (1000 yrs) cycad for shade or filtered sun.	NE Qld	To 20m	Zamiaceae
Licuala ramsayi	Mission Beach Fan Palm	Fan Palm with slender trunk. Needs shade protection and water.	Coastal NE Qld	6-18m	Araceae
Lophostemon suaveolens	Swamp Mahogany, Swamp Box	Needs water.	Eastern Australia	To 15m	Myrtaceae
Livistona meulleri	Dwarf Fan Palm, Cairns Fan Palm	Fan Palm.	Nth Qld	To 12m	Araceae
Macaranga involucrata	Macaranga	Lowland rainforest plant needs water, shade.	NE Qld to NT	4-7m	Euphorbiaceae
Macaranga tanarius	Brush Macaranga, Heart Leaf	Fast growing lowland rainforest plant needs water, shade.	NE Qld to NE NSW	To 6m	Euphorbiaceae
Mallotus philippensis	Red Kamala	Grows smaller in dry areas. Good screen, wind-break. Red Dye from powder on fruit.	Nth Aust and NE NSW	6-20m	Euphorbiaceae
Maniltoa lenticellata	Cascading Bean	Large shrub, small tree, or large tree. Needs protection, drainage, water.	NE Qld	variable	Caesalpiniaceae
Melaleuca argentea	Silver-leaved Paperbark	Graceful weeping tree, tolerant of flooding.	Nth Aust along streams	8-20m	Myrtaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
Melaleuca leucadendra	Weeping Tea Tree	Large tree unsuitable for small garden. Needs water. }} F	Northern Aust	10-30m	Myrtaceae
Melaleuca bracteata	Black Tea Tree	Hardy. }} + +	Aust	5-8m	Myrtaceae
Melaleuca dealbata		Blue-grey shade or shelter tree, sandy soils, coastal dune stabilisation. }} + +	Nth Aust	5-20m	Myrtaceae
Melaleuca spp	Tea Tree	Many attractive spp & cvs. }} + + F	Aust		Myrtaceae
Melicope elleryana	Pink Euodia, Corkwood	Host plant Ulysses Butterfly. Small Tree in dry areas. Needs water. +	Wet Tropics	12-20m	Rutaceae
Mimusops elengi	Red Coondoo	Hardy, compact, shade or street tree, coastal stabilisation.	Nth Aust	10-15m	Sapotaceae
Morinda citrifolia	Cheese fruit, Great Morinda	# Fruit edible, medicinal, needs semi-shade, drainage.	Nth Aust	3-10m	Rubiaceae
Musgravea heterophylla	Briar Silky Oak	Large and buttressing in rainforest, attractive juvenile large rusty deeply lobed leaves.	Lowland rainforest NE Qld	To 15m, 30m	Proteaceae
Musgravea stenostachya	Crater Silky Oak, Grey Silky Oak	Some buttressing.	High rainforest Cape York	15m-20m	Proteaceae
Myristica insipida	Native Nutmeg	Large spreading horizontal shade tree for large properties. }} Torres Strait Pidgeon. Nutmeg alternative.	Tropical Aust	10-20m	Myristicaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Nauclea orientalis</i>	Leichhardt Tree	Deciduous fast growing tree for parks and larger gardens only.	Tropical Aust	10-25m	Rubiaceae
<i>Paraserianthes toona</i>	Mackay Cedar, Red Siris	* Deciduous, needs sun, drainage.	Cape York to Mackay	1-30m	Mimosaceae
<i>Peltophorum pterocarpum</i>	Yellow Flame Tree, Yellow Poinciana	* Deciduous, hardy adaptable to soils and conditions, fast shade tree for larger areas.	Tropical Aust	10-12m	Caesalpinaceae
<i>Pittosporum ferrugineum</i>	Rusty Pittosporum	Needs some shade, water, drainage.	Nth Qld	8-20m	Pittosporaceae
<i>Pittosporum venulosum</i>	Brown Pittosporum	Attractive bushy adaptable.	NE Qld	To 8m	Pittosporaceae
<i>Pleiogynium timorense</i>	Burdekin Plum	Deciduous, Prefers coastal. #	Qld	10-20m	Anacardiaceae
<i>Podocarpus elatus</i>	Brown Pine, She Pine	Rainforest, fruit stalk eaten by birds, needs water, drainage.	NE Qld to SE NSW	To 20m	Podocarpaceae
<i>Podocarpus greyae</i>	Grey Pine	Large rainforest tree.	NE Qld	Large	Podocarpaceae
<i>Polyscias elegans</i>	Celery Wood	Spreading shade tree, prefers rich soil, water.	NE Qld to SE NSW	To 10m	Araliaceae
<i>Pongamia pinnata</i>		* Deciduous, Fast growing, coast and stream bank stabilisation, toxin causes vomiting.	Tropical Aust	5-10m	Fabaceae
<i>Ptychosperma elegans</i>	Solitaire Palm	Feather palm, prefers loamy soil, water.	NE Qld	To 10m	Araliaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Randia fitzlanii</i> (also called <i>Atractocarpus fitzlanii</i>)	Brown Gardenia	Bushy neat plant, needs shade.	NE Qld	To 5m	Rubiaceae
<i>Randia sessilis</i> (also called <i>Atractocarpus sessilis</i>)	False Gardenia	Bushy, needs shade, water. Perfumed.	NE Qld	To 5m	Rubiaceae
<i>Scolopia braunii</i>	Brown Birch	Attractive, adaptable, screen to ground. Food plant for Australian Rustic Butterfly.	NE Qld to NE NSW	To 10m	Flacourtiaceae
<i>Stenocarpus sinuatus</i>	Fire-wheel Tree, Wheel of Fire, White Silky Oak	Rainforest, slow growing, needs rich soil, drainage, sun.	NE Qld to NE NSW	To 15m	Proteaceae
<i>Sterculia quadrifida</i>	Peanut Tree	Deciduous, shade or shelter and coastal stabilisation.	Nth Tropical Aust to Nth NSW	5-10m	Sterculiaceae
<i>Syzygium angophoroides</i>	Yarrabah Satinash	Larger in rainforest, Needs water & mulch. Fruit edible, Bird food. }}	Qld, NT & WA	To 8m	Myrtaceae
<i>Syzygium aqueum</i>	Water Apple	Fruit edible, but acidic.	Cape York	To 8m	Myrtaceae
<i>Syzygium australe</i>	Scrub Cherry, Creek Satinash	Adaptable, Fruit edible, tasty.	Mossman Qld to Sth NSW	3-4m to 10m	Myrtaceae
<i>Syzygium bamagense</i>	Bamaga Satinash	Very attractive shade tree. }}	Cape York	10-15m	Myrtaceae
<i>Syzygium banksii</i>		Slow, coastal plantings sandy soil.	NE Qld coastal	To 8m	Myrtaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
<i>Syzygium cormiflorum</i>	Bumpy Satinash	Rainforest tree, needs water, for parks and larger gardens.	NE Qld	To 10m	Myrtaceae
<i>Syzygium fibrosum</i>	Fibrous or Apricot Satinash	Dense, compact. Fruit edible, jams. Bird food. }}	NE Qld, Nth NT	5-10m	Myrtaceae
<i>Syzygium forte</i> subsp. <i>forte</i>	White Apple	Hardy, needs water, drainage. Fruit edible, jams. Bird food. }}	NE Qld, Nth NT	10-15m	Myrtaceae
<i>Syzygium leuhmannii</i>	Small-leaved Lillypilly, Cherry Satinash	Dense glossy foliage, soil tolerant, needs water, drainage. Heavy edible fruiting. Bird food. }}	NE Qld, Nth NT	10-15m	Myrtaceae
<i>Syzygium papyraceum</i>	Paperbark Satinash	Attractive, small, slow growing, needs water, drainage.	NE Qld	4-6m, to 15m	Myrtaceae
<i>Syzygium tierneyanum</i>	River Cherry	Needs water, mulch, drainage. Stabilises creekbanks.	NE Qld	To 10m	Myrtaceae
<i>Syzygium wilsonii</i> subsp. <i>cryptophlebium</i>		Wet rainforest plant, bright red new growth, needs protection, water.	NE Qld	To 10m	Myrtaceae
<i>Syzygium wilsonii</i> subsp. <i>Wilsonii</i>	Powderpuff Lillypilly	Wet rainforest plant, reddish new growth, attractive large red flowers, needs protection from sun and wind, needs water.	NE Qld	To 3m	Myrtaceae
<i>Terminalia catappa</i>	Beach Almond	Beachside planting, salt hardy.	NE Qld coastal	To 20m	Combretaceae
<i>Terminalia seriocarpa</i>		Large shade tree for parks and larger gardens.	Nth Aust	20-30m	Combretaceae

Botanical Name	Common Name	Notes	Provenance	Size	Family
Thespesia populneoides		Hibiscus-like flower, beachside plantings.	Nth Tropical Aust coastal	To 6m	Malvaceae
Wodyetia bifurcata	Foxtail Palm	Attractive foxtail shaped leaved palm, hardy for long dry season.	Melville Range, Cape York	To 15m	Araceae
Xanthorrhoea johnsonii	Grass Tree	Attractive, single trunk with crown of grass-like leaves. Needs drainage and sun.	Qld, NSW, dryer areas	To 5m	Xanthorrhoeaceae
Xanthostemon chrysanthus	Golden Penda	Attractive golden flowers. Soil tolerant, needs full sun, water.	NE Qld rainforests	To 10m	Myrtaceae

List 3: Suitable Exotic Ornamentals

Botanic Name	Common Name	Notes	Provenance	Family
Acalypha spp A. wilkesiana cvs	Acalypha	Variegated. Hardy. Easily grown from cutting. Easily pruned. To 3m	Unknown	Euphorbiaceae
Codiaeum spp. C. variegatum cv	Croton	Variegated. Hardy. Easily grown from cutting. Easily pruned. To 3m	Pacific Is, Malaysia, Aust	Euphorbiaceae
Cordyline spp & cvs	Cordyline	Hardy. Easily grown from cutting. Easily pruned. To 4m.	Aust, Pacific, Tropical America	Agavaceae
Dracaena spp & cvs	Dracaena incl Happy Plant	Often variegated. Hardy. Easily grown from cutting. Easily pruned. To 6m.	Aust, Pacific, Asia, Tropical America	Agavaceae

List 3: Suitable Exotic Ornamentals				
Botanic Name	Common Name	Notes	Provenance	Family
Graptophyllum pictum cvs	Graptophyllum	Variegated. Hardy. Easily grown from cutting. Easily pruned. To 4m.	Aust, Pacific	Acanthaceae
Hibiscus sp Hibiscus rosa-sinensis cvs	Hibiscus	Hardy. Easily grown from cutting. Easily pruned. To 6m.	Asia, Pacific, Aust	Malvaceae
Monstera sp Monstera deliciosa	Fruit Salad Plant	Hardy. Easily grown from cutting. Climber. Wet area.	Aust, Tropical America	Araceae
Mussaenda sp. M. erythrophylla cv	Bangkok Rose	Easily grown from cutting. To 3m.		Rubiaceae
Plumeria sp. P. obtusa P. rubra & cvs	Frangipanni	Easily grown from cutting. Leave cutting 2 weeks before planting. To 8m.	Tropical America	Apocynaceae
Polyscias spp P. ficifolia cvs P. guilfoylei cvs P. scutellaria cvs	Polyscias	Often Variegated. Hardy. Easily grown from cutting. Easily pruned.	Aust, Asia, Pacific	Araliaceae
Pseuderanthemum sp	Pseuderanthemum	Hardy. Easily grown from cuttings. Easily pruned. To 2m.	Aust, Pacific Rim, Asia, Tropical America	Acanthaceae

List 3: Suitable Exotic Ornamentals				
Botanic Name	Common Name	Notes	Provenance	Family
Pedilanthus tithymaloides & cvs	Zig-zag Plant	Hardy. Easily grown from cutting. Easily pruned. To 1.5m	Central America	Euphorbiaceae
Pentas lanceolata & cvs	Star Cluster	Small shrubs, seed or tip cutting.	Africa, Middle East	Rubiaceae
Rhoeo discolour	Moses Bbasket	Hardy, seed or division. Low growing.	Mexico	Commelinaceae
Russelia juncea	Fountain Bush	Hardy, cuttings.	South America	Scrophulariaceae
Whitfieldia elongata	White Candles	Needs rich soil to flower well, seed and cuttings	Africa	Acanthaceae
Yucca elephantipes	Spineless Yucca	Needs well drained soil, seed and division.	North America	Agavaceae

List 4: Problem Plants

There are a number of plants that should not be planted due to their undesirable characteristics. Listed below are species that are not acceptable for inclusion in landscaping plans that require Council approval, and their use elsewhere is discouraged.

Botanical Name	Common Name	Notes
<i>Acacia farnesiana</i>	Mimosa Bush	Problematic weed.
<i>Alstonia actinophylla</i>	Large-leafed Milky Pine, Milkwood	Drops branches, Caustic sap damages paint.
<i>A. scholaris</i>	Milky Pine	Tall tree, grows very large.
<i>Bauhinia</i> sp	Orchid Tree	Rural environmental weed.
<i>Bougainvillea</i> spp & cvs	Bougainvillea	Bears thorns. Thorns may arise from root system.
<i>Carica papaya</i>	Paw Paw	Extracts lime from concrete.
<i>Cassia alata</i>	Golden Candles,	Weed.
<i>Cassia siamea</i>	Siamese Cassia	Weed, grows very large.
<i>Cassia</i> spp	Cassia, Golden Shower spp	Weed potential.
<i>Cocos nucifera</i>	Coconut	Falling nuts potential public liability.
<i>Delonix regia</i>	Poinciana	Drops branches. Falls over. Rural environmental Weed.
<i>Eucalyptus Brassiana</i>	Cape York Red Gum	Susceptible to white ants. Dangerous tree.
<i>Ficus</i> sp	Fig sp	Threatens water pipes & drainage. May be contained in pot.
<i>Mangifera indica</i>	Mango	Caustic sap damages paint and inhibits cultivation of other species.
<i>Melia azadarach</i>	White Cedar	Toxic, Drops branches. Falls over.
<i>Sansevieria trifasciata</i>	Mother-in-Law's Tongue	Environmental weed.
<i>Schefflera actinophylla</i>	Umbrella Tree	Threatens water pipes & drainage.

Botanical Name	Common Name	Notes
Senna sp.	Sometimes known as Cassia	Weed potential. Senna obtusifolia = Sicklepod.
Spathodia campanulata	African Tulip Tree	Weed.
Tecoma sp	Yellow Bells	Weed potential.
Wedelia trilobata	Singapore Daisy	Environmental weed.
And all declared noxious weeds		

SC6.4 Guidelines for development in the Eastern Kuku Yalanji Local Plan Area Planning Scheme Policy

Purpose

The purpose of this policy is to provide guidance in the preparation of development applications in the Eastern Kuku Yalanji (EKY) Local Plan area and;

1. Promote building design suitable to the lifestyle and cultural requirements of Traditional Owners;
2. Facilitate certainty about the process and information Council requires, so that Traditional Owners can move back to country;
3. Enable applicants to benefit from the accepted development status and avoid having to make a development application to Council; and
4. Where possible, align with Community Development Plans to simplify and streamline the approval process

The Policy is made up of the following components;

- Part 2.0 - Using the Planning Scheme
- Part 3.0 - Design Guidelines
- Part 4.0 - Community Development Plans

Note: The following Eastern Kuku Yalanji terms are used throughout this Policy;

Bama	Traditional Owners
Bubu	Land of the Traditional Owners
Bayan	Dwelling

Background

In 2007 the Federal Court of Australia recognised the Eastern Kuku Yalanji people's Native Title over 126,900ha of Eastern Kuku Yalanji country between the South Mossman River (in Cairns Regional Council) and just north of Black Mountain near Cooktown.

The Eastern Kuku Yalanji people negotiated Indigenous Land Use Agreements (ILUAs) for their country with the Queensland Government and other parties including the Wet Tropics Management Authority (WTMA). Specifically, under the '*Eastern Yalanji, Queensland and WTMA (Freehold Grants) ILUA*', Eastern Kuku Yalanji people agreed to exercise their Native Title rights and interests on the Pink Zone only in accordance with the Cooperative Management Agreement for the Pink Zone (Pink Zone CMA). The Pink Zone CMA covers about 14 500ha of Aboriginal freehold land within the Wet Tropics World Heritage Area and provides for the Eastern Kuku Yalanji native title holders to use and develop this land in a way that provides for the protection and management of the Wet Tropics World Heritage Area.

The Pink Zone CMA provides that the Traditional owners and WTMA may agree to a Community Development Plan to determine where activities can be undertaken within the Pink Zone CMA area. To date, Community Development Plans (CDPs) have been created for Mungumby and Trevethan.

The Jabalbina Yalanji Aboriginal Corporation (JYAC or Jabalbina) was established as the Registered Native Title Body Corporate (RNTBC) for the Eastern Kuku Yalanji people's Native Title Rights and Interests and as sole grantee of the Jabalbina Yalanji Land Trust, holding 65 000ha of new Aboriginal freehold land. Jabalbina implements the Eastern Kuku Yalanji ILUAs on behalf of Eastern Kuku Yalanji *Bama* and represents their interests.

Relationship of the CDP to the Cook Shire Planning Scheme

The Cooperative Management Agreement and associated CDP provide the basis for the *Eastern Kuku Yalanji Local Plan*, contained in Part 7 of the Cook Shire Planning Scheme. In effect, the ILUA, Cooperative Management Agreements and CDPs, created over the course of approximately four years, represent agreement between stakeholders and provide a non-statutory plan for future development. The Cook Shire Planning Scheme is the statutory vehicle for implementing that plan.

In order to streamline the process of moving back to country, the Planning Scheme adopts a similar level of regulation as the CDP and Activity Guidelines, and where possible, includes the same design requirements. Traditional owners wanting to move back to country are encouraged to create similar CDP in consultation with key stakeholders and with as much detail as possible. Where this occurs, Council may consider amending the Planning Scheme to reflect the CDP in the *Eastern Kuku Yalanji Local Plan* and simplify the assessment process.

What is a 'Dwelling'?

A 'dwelling' is defined in Schedule 1 of the Planning Scheme as a building used as a self-contained residence and must include food preparation facilities, a bath or shower, a toilet and wash basin and clothes washing facilities. The term includes outbuildings, structures and works normally associated with a dwelling.

What is the purpose of the Eastern Kuku Yalanji Local Plan?

The Purpose of the Local Plan is to allow *Bama* to live on their *Bubu* and create a simplified process for getting approval to build *Bayan* within Good Living Areas.

Commercial uses and other non-residential uses are secondary to residential uses and require more detailed applications to be lodged with Council. The focus of commercial uses should be to enable *Bama* to live and work on their *Bubu*. This aligns with the Table of Assessment for the Local Plan in Part 5.6 of the Planning Scheme, which identifies predominantly residential uses are intended within the Good Living Areas.

How to ensure your Bayan complies with the Planning Scheme and the Building Code of Australia (BCA)

As stated in the EKY Local Plan, Council recognise that *Bayan* can be simple dwellings that meet the needs of *Bama*, such as an enclosed shelter with separate communal living; cooking and cleaning facilities (see **Image 2** below). Council also recognises that many *Bama* will self-build, using locally sourced or second hand materials and that the design and construction must be easy to maintain.

Once *Bama* have a *Bayan* design, it is to be assessed for compliance with the Planning Scheme and the BCA, using this four-step process;

1. Create a 'Site Plan' that shows where you will put the *Bayan* on your *Bama* (within a Good Living Area), making sure it complies with the provisions of the EKY Local Plan Code;
2. Contact Cook Shire Council's Planning Department on 4069 5444 to discuss getting approval to construct your *Bayan*. This should happen before any construction occurs on site.

3. If required based on advice from Council officers, make any necessary changes to your plans to ensure you comply with the Planning Scheme and/or BCA;
4. Once you have Council approval, construct the *Bayan*.

The following resources may also provide information that will help improve the quality of your project and provide guidance on design and construction;

1. **Centre for Appropriate Technology (CAT)** produces fact sheets and information guides on various topics such as housing, water, energy, waste, communication, accessibility and community engagement. These fact sheets, called **BUSH TECHS** are available on the CAT website and can be downloaded in PDF format:
- (4) <http://www.icat.org.au/default.asp?action=article&ID=116>
2. **CAT** has also produced a **National Indigenous Infrastructure Guide** that provides practical guidance on installing and maintaining infrastructure that is appropriate and sustainable for remote Aboriginal and Torres Strait Islander communities. It will assist people working with infrastructure in Indigenous communities –community managers, essential service officers, government officers, planners, service providers, contractors and the communities themselves. NIIG is available on the CAT website: <http://www.icat.org.au/niig/>

How to determine if a Development Application needs to be submitted to Council

Firstly, all buildings and structures need approval for Building Works, so if *Bama* propose to construct any buildings or structures (including sheds etc) they must be approved by a Building Certifier. It is recommended that you contact Council's Planning Department (4069 5444) to discuss obtaining the necessary building approval before constructing.

Secondly, not all buildings and structures require town planning approval for a Material Change of Use. Part 5.6 of the Planning Scheme identifies the Level of Assessment and the 'triggers' for a development application to be lodged with Council. If further direction is required to explain this process, please contact the Council or speak with a private building certifier, however the following points are provided for guidance;

- Development listed as accepted development in the Table must be assessed against the Codes listed in the right-hand column. If the development complies with all of the provisions in the Codes, it **does not** require a Material Change of Use application to be lodged with Council.
- Development that doesn't comply with one or more provisions of the Codes listed in the right hand column **does** require a development application to be lodged with Council.
- All development listed as accepted development in the Table **does** require Building Work approval from a building certifier.
- Development listed as code assessable **does** require a development application to be lodged with Council.
- Development listed as impact assessable **does** require a development applications to be lodged with Council.
- Any development not listed in the Table will be assigned the level of assessment for the relevant Zone.

Any proposal to Reconfigure a Lot (subdivide) land to establish residential or commercial leases will require a Code Assessable application to be lodged with Council.

How to comply with specific provisions of the EKY Local Plan Code

The following guidelines are provided to help comply with the provisions of the Local Plan Code.

AO1 Site Analysis

To respond to AO1 in the EKY Local Plan, applicants are required to prepare a Site Analysis Plan to identify key features of the site and demonstrate how the proposed uses/structures relate to the site and surrounds. The process of preparing a site analysis is as follows;

1. **Prepare a site analysis plan.** Identify where you will locate your *Bayan* and/or additional structures having regard to provisions of the EKY Local Plan Code. Produce a site analysis plan and plan of development similar to that shown in **Figures 1 & 2** below.
2. For more complex developments, such as those requiring Impact Assessment, Council may require the site analysis plan to be prepared by a design professional and showing more detail.

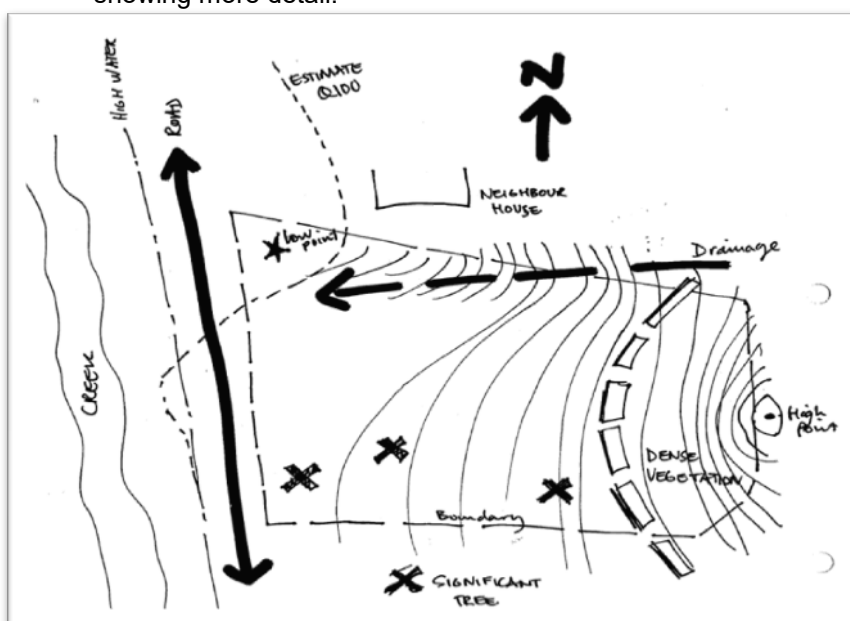


Figure 1 – Site Analysis Plan

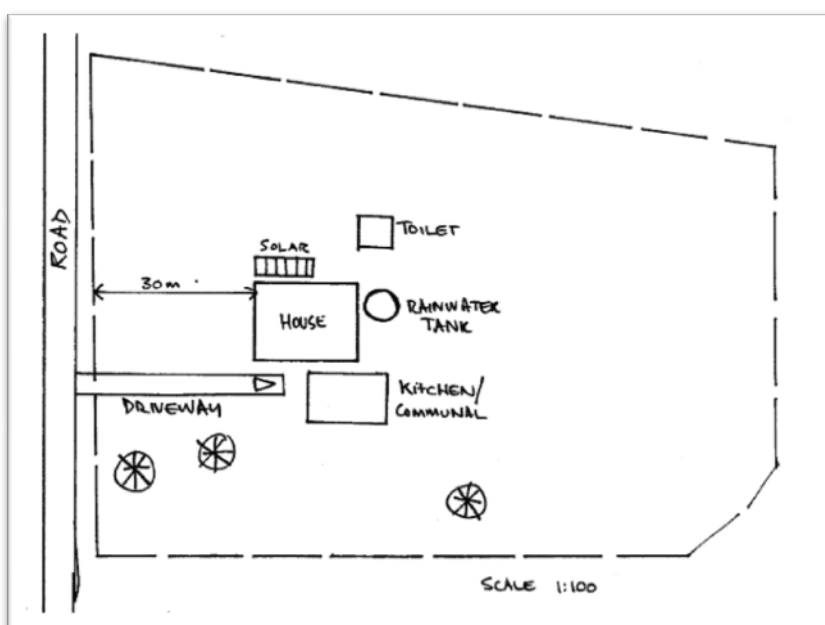


Figure 2 – Plan of Development

AO2 Housing choice

To ensure compliance with AO2, *Bama* are encouraged to follow the process outlined in Section 2.2 of this Policy. For further guidance, the following images show the type of structures that may or may not be approved as a dwelling/*Bayan*;

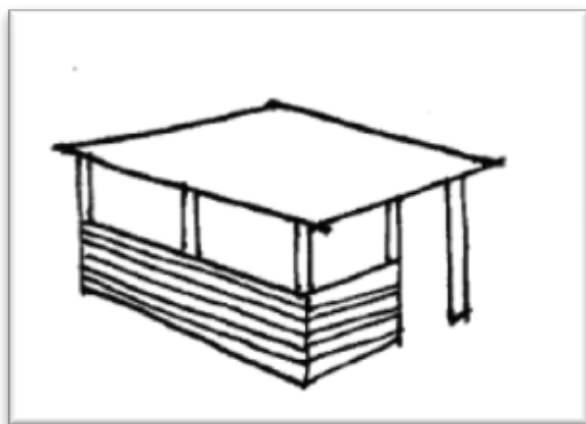


Image 1 – Shelter that would not be approved as a dwelling

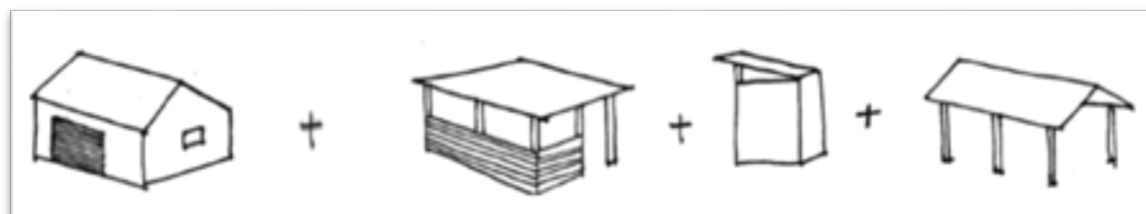


Image 2 – A habitable building, plus separate outbuildings including a shelter for food preparation, cleaning, a toilet and shower and covered living area are collectively classed as a dwelling.

AO3 to AO8 Land use within Precincts & development intensity

AO3 to AO8 relate to land use and development intensity. To comply with these provisions, development must not exceed the number of dwellings specified or include a land use not specified within a designated Good Living Area. The following images provide guidance on the type of buildings and structures considered appropriate;

Dwelling house

As discussed, a dwelling is to comprise food preparation facilities, a bath or shower, a toilet and wash basin and clothes washing facilities. The following images are provided for guidance on the type of structures considered acceptable as out-buildings associated with a dwelling;



Image 2 – Example of an acceptable toilet block and shelter

Development intensity

This provision provides specific density criteria related to the number of *Bayan* that can be constructed within a Good Living Area. The following provides guidance on how to determine compliance with provisions AO3 to AO8;

- The maximum number of *Bayan*, is the number of existing *Bayan* plus the proposed *Bayan*. For example, AO4 of the EKY Local Plan Code permits five *Bayan* and one ranger station/communal shed. The following scenarios provide guidance on determining compliance with these provisions;
 - **Scenario 1** – The Good Living Area contains four *Bayan* and the proposal is to construct one new *Bayan*, creating a total of five *Bayan* within the Good Living Area. This complies with AO4 and subject to complying with all other relevant provisions, the development will remain accepted development.
 - **Scenario 2** – The Good Living Area contains four *Bayan* and the proposal is to construct two new *Bayan*, creating a total of six *Bayan* within the Good Living Area. This fails to comply with AO4 and requires a Material Change of Use (Impact Assessment) for a Multiple Dwelling to be lodged with Council.
- The Good Living Area is not cadastre based, however has been determined on areas of least constraint and defined by the meets and bounds description provided in the appendices to the EKY Local Plan. It is incumbent upon *Bama* to prove the buildings are located well within the Good Living Area, based upon the property boundaries, site features and Local Plan Precinct Maps.

Council's role and responsibility

While Council is flexible in regard to housing choice and design, Council will not apply discretion when it comes to the following matters;

- **Illegal building work** – all structures must be approved by a qualified building certifier. Council may take enforcement action against illegal building work, requiring structures to either be approved or removed.
- **Health and safety** – health and safety standards must be maintained by residents. Council regulates this under their Local Laws.
- **Access** – standard of road access and the capacity of road infrastructure must be adequate to handle additional people (particularly for Impact Assessable development exceeding planned density).

To demonstrate compliance with building legislation and standards, applicants may consider obtaining approval for *Bayan*, structures or effluent treatment systems for multiple buildings within one Good Living Area. Discussions with Council or private building certifiers would be essential.

COMMUNITY DEVELOPMENT PLANS

To date, Community Development Plans (CDPs) have been created for Trevethan and Mungumby (which includes Little Annan, Mungumby North and Mungumby South Precincts of the EKY Local Plan). By creating CDPs, Traditional owners have also created certainty about the development that is to occur within Good Living Areas and in turn benefit from having lower levels of assessment in the Planning Scheme. Where the necessary Indigenous Land Use Agreements are in place, Council encourages other Traditional owners to create similar CDPs in consultation with relevant stakeholders. Where this occurs, Council will consider amending the Planning Scheme to reflect the CDP in the EKY Local Plan or similar. The following excerpts are taken from Part D of each CDP.

TREVETHAN COMMUNITY DEVELOPMENT PLAN

The Eastern Kuku Yalanji native title holders agree the Woibo, McLean and Mapoon families speak for the Trevethan Precinct. These families are Kuku *Bayan*, one of the several Eastern Kuku Yalanji Clan groups.

Traditional Owners are particularly keen to be able to live on country with access to services at Cooktown, or to be able to live for short term on country interspaced with living in Hopevale and/or Cooktown. Many of the Kuku Bayun Traditional Owners have expressed that they would like to live on country and still be able to commute to their workplaces in Cooktown or Hopevale.

The majority of Eastern Kuku Yalanji native title holders live off-country in Cairns and further south. Traditional Owners living off-country would like to be able to visit and bring their old people and children to visit and to live on country for short terms.

Development & Infrastructure

Traditional Owners have decided that the southern block is the designated housing block, which is shown as a *Good Living Area* on the Local Plan **Precinct Map 2 – Trevethan Precinct**. Five houses are proposed for the Trevethan *Good Living Area*: three over the crossing on the south side of the creek and two on the north side. The proposed ranger outstation will also be on the southern block closer to Mt Amos Road although still in the Pink Zone area.

The proposed houses on the southern block will be powered by generators until extensions from the existing neighbouring power lines adjacent to the southern block are available.

Other blocks shown as 'Possible Future GLA' on **Precinct Map 2 – Trevethan Precinct** have not been designated for development at this stage but consideration for other Eastern Kuku Yalanji *Bama* to build there can be negotiated with the Traditional Owners in the future and will require a development application to Council.

The existing access track will need to be upgraded and maintained by the Traditional Owners. Access driveways are required for the five proposed houses and land would need to be cleared for fire breaks around the individual house blocks. A culvert may need to be built across the creek when funding is available, and the Traditional Owners suggest in the meantime they will use their four wheel drives to make crossings.

The Traditional Owners want to use suitable felled timbers for building their houses and for fencing around the houses – necessary because cattle currently frequent the southern block.

Water supply will be gravity fed from higher parts of Trevethan Creek into household tanks. Septic tanks and/or eco-friendly toilets will be needed for each house. At this time there is no available waste collection to the Trevethan Mt Amos Road area and Traditional Owners agree to maintain rubbish disposal themselves on a regular basis until such service becomes available.

MUNGUMBY COMMUNITY DEVELOPMENT PLAN

The Mungumby North parcel is inside the Wet Tropics World Heritage Area. The Mungumby South and Little Annan parcels are outside the World Heritage Area. The provisions of the Wet Tropics Management Plan apply to the Mungumby North parcel.

There are approximately 800 family clan members associated with the Mungumby Pink Zone and the majority currently live off-country. Many of the Traditional Owners have expressed that they would like to come back to country, but there would need to be a livelihood for them to do this. The Mungumby Pink Zone area is within 30 minutes commuting distance to Cooktown.

Development & Infrastructure

Proposed houses and ancillary domestic development will require access driveways from the existing access track to the north-west corner of the block.

Water supply to the Mungumby South block will be negotiated with the nearby leaseholder for sharing the existing gravity fed pipes from the Mungumby Falls area. Water will be gravity fed from below the waterfall that is situated to north-east of the Mungumby South block into tanks.

The Mungumby North block will also need a water source which is proposed to come from the negotiated leaseholder's existing pipes as above. The water source for the Little Annan block will be pumped from the Little Annan into tanks.

There are access roads into all the proposed blocks. A second access road to the Mungumby South block is proposed off Mungumby Road and is approximately 50 metres east of the Mungumby Creek access road. The Mungumby North block has a partial access track that has been negotiated with the neighbouring leaseholder. The Little Annan block has an access track parallel to the river and another running northeast to northwest parallel to the highway just above the Pink Zone area.

The Traditional Owners envisage the multipurpose structure and the Mungumby South houses will be powered from the existing power lines on the northern end of the block. Main power utilities are in close proximity to both of the proposed residential blocks.

Septic tanks and/or eco-friendly toilets will be needed for each house. A septic system is proposed for toilets in the multipurpose structure. Eco-friendly toilets are suggested for the Little Annan residential structures because of the close proximity to the river system and possible flooding.

Waste and recycling will be the responsibility of the Traditional Owners until such time as the Cook Shire Council provides a waste collection service to the area.

The Mungumby Traditional Owners may in the future propose a cemetery for their clan to be buried on country according to lore and custom. It has not been determined to this date where the cemetery will be located. The possible site suggested was for the Mungumby South block outside the Good Living Area and will be discussed at a time in the future.

Vegetation will be cleared around individual house blocks for fire breaks in accordance with the Eastern Kuku Yalanji Local Plan Code. The Traditional Owners propose to use suitable felled timbers for building their houses and any material for any necessary fencing.

SC6.5 Bushfire Hazard Analysis Planning Scheme Policy

PURPOSE

The purpose of this Planning Scheme Policy is to guide land owners through the assessment of the bushfire hazard rating of their property. The Policy takes the form of a checklist, which highlights the key factors related to bushfire hazard that owners need to consider when developing their land.

EXPLANTORY NOTES

The following notes should be read before completing the checklist.

Fire season severity

Patterns of fire within the Cook Shire are distinctly seasonal. The main fire season begins as soon as the country is dry enough to burn after the wet season, and lasts until the onset of the next wet season (Table 1). If fire is being used to reduce fuel loads on properties, planned burns normally occur early in the season, between May and July, depending on the wet season and degree of accessibility across country. This can vary from year to year and means that fire programs cannot be too prescriptive – they need to be flexible to accommodate year-to-year variability.

Table 1. Summary of early and late season burns

Fire season information	
Early season burns	Begin straight after the wet season, as soon as the country is dry enough to burn. This could be between May and July, depending on the extent of the wet season and the ability to access different parts of the country. Fires are lit in different areas often until the onset of the next wet season

Late season burns Fires lit from August onwards tend to be larger and more intense than those lit in the early dry season. Repeated hot fires can damage vegetation and limit the resources available to animals

Fire frequency

Parts of the western and central regions of the Cook Shire have burned four to seven times between 2004 and 2010 (high frequency) which is equivalent to burning, on average, every second year up to every year. A reliable wet season rainfall produces enough grassy fuel to sustain a wildfire every year. Medium fire frequency corresponds to areas that have burnt two to three times within the same time period. In contrast, coastal regions in the east of the Shire have either not burned or burnt only once in the same time period (low frequency). Figure 1 below shows where these areas are;

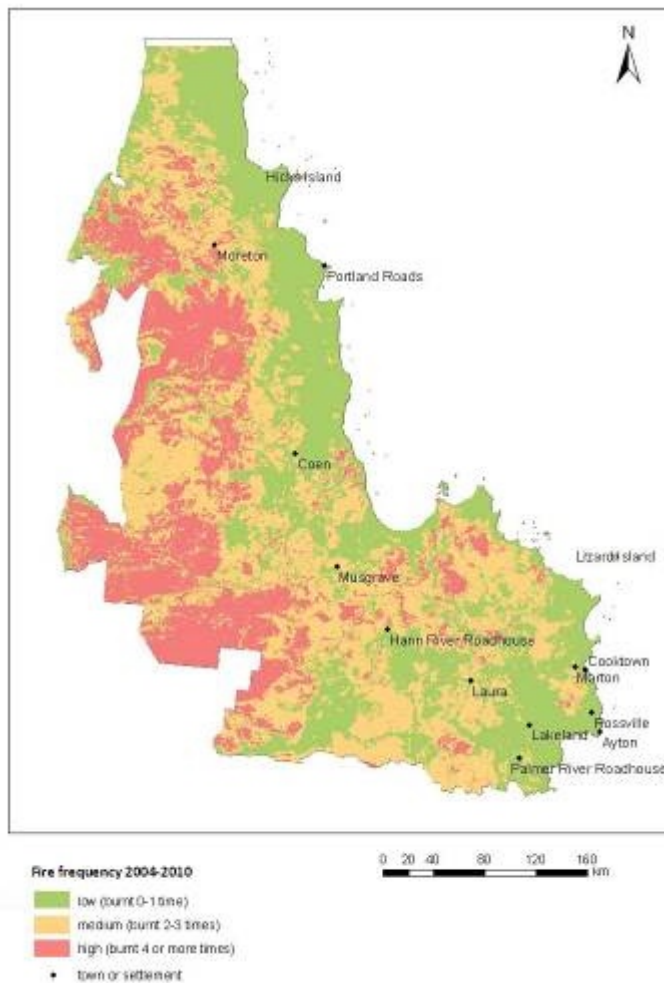


Figure 1. Fire frequency within the Cook Shire 2004-2010 (NAFI 2011)

Weather patterns

Knowledge of weather patterns is critical to understanding potential fire hazard. Before completing the checklist, see Bureau of Meteorology,
http://www.bom.gov.au/climate/averages/tables/cw_031017.shtml.

FIRE HAZARD ANALYSIS

The following analysis can be completed by the land owner to provide their own written summary of issues. If any clarification is required, please contact Council's Town Planning section on (07) 4069 5533.

Fuel type: the type of fuel affects ignition potential and fire intensity.

Describe the fuel on the property e.g. part of the site is cleared and has grass that is regularly mown/slashed; part of the site is eucalypt woodland with an understorey of native grasses; the site is dominated by introduced, high biomass grasses.

Comment: _____

Topographic features: the rate of spread of a fire increases when it travels uphill. Features such as creeks and gullies can slow the rate of spread.

Describe the topography of the site and surrounding area e.g. The block slopes west and south into nearby drainage lines; proposed Lot 1 is steeper than the other blocks; a deep creek separates the blocks from nearby forest.

Comment: _____

Fire history: some areas experience fire more often than others, resulting in a higher likelihood of ignition.

Describe the fire history of the area over the last 10 years, based on evidence. e.g. fire scar maps; charring on trees; personal knowledge; anecdotal evidence.

Comment: _____

Proposed development: the strategic location of buildings and infrastructure can considerably reduce the risk of ignition in the event of a bushfire.

Describe the proposed development relative to potential bushfire hazard e.g. the proposal is a house located in a cleared part of the site, 80m away from woodland area etc.

Comment: _____

Damage potential: What are the possible consequences of a wildfire?

Describe the potential damage that could result from a bushfire entering the property.

Comment: _____

Protection measures

Describe the protection measures available and the reasons they are required. E.g. minimise risk by mowing/slashing to ensure a low grassy fuel load; connect to the existing network of fire trails etc.

Comment: _____

FIRE HAZARD ASSESSMENT CHECKLIST**Property Description** -

Property Address -

Assessor name - _____

Assessment date - _____

1. FUEL AVAILABLE to sustain fire:

Vegetation:	Open forest or woodland + Grass		5	<input type="checkbox"/>
	Tall, wet eucalypt forest		4	<input type="checkbox"/>
	Grassland		3	<input type="checkbox"/>
	Heath		3	<input type="checkbox"/>
	Acacia thickets		2	<input type="checkbox"/>
	Cropping, horticulture		2	<input type="checkbox"/>
	Rainforest and other types		1	<input type="checkbox"/>
Fuel Load:	VERY HIGH	15.1 t/ha +	5	<input type="checkbox"/>
	HIGH	10.1 - 15.0	4	<input type="checkbox"/>
	MODERATE	5.1 - 10.0	3	<input type="checkbox"/>
	LOW	2.1 - 5.0	2	<input type="checkbox"/>
	VERY LOW	0.1 - 2.0	1	<input type="checkbox"/>

SUB-TOTAL _____

2. TOPOGRAPHY:

Slope	Very Steep	16° +	5	<input type="checkbox"/>
	Steep	11° - 15°	4	<input type="checkbox"/>
	Moderate	7° - 10°	3	<input type="checkbox"/>
	Gentle	2° - 6°	2	<input type="checkbox"/>
	Flat	< 1°	1	<input type="checkbox"/>
Aspect:	North		5	<input type="checkbox"/>
	Northwest to west		4	<input type="checkbox"/>
	Mixed		3	<input type="checkbox"/>
	North to east		2	<input type="checkbox"/>
	East to south		1	<input type="checkbox"/>
			SUB TOTAL	_____

3. IGNITION SOURCES:

VERY HIGH	(Very frequent outbreaks)	10	<input type="checkbox"/>
HIGH	(Frequent fires, 1 every 1-2 years)	8	<input type="checkbox"/>
MODERATE	(Occasional fires, 1 every 3-5 years)	5	<input type="checkbox"/>
LOW	(Rarely any fire, 1 every 6-10 years)	2	<input type="checkbox"/>
VERY LOW	(No previous fires)	1	<input type="checkbox"/>

4. FIRE SEASON SEVERITY:

VERY HIGH	(Normally Very High to Extreme Fire Danger exists)	5	<input type="checkbox"/>
HIGH		4	<input type="checkbox"/>
MODERATE	(Normally Moderate Fire Danger exists)	3	<input type="checkbox"/>
LOW		2	<input type="checkbox"/>
VERY LOW	(Normally Low to Very Low Fire Danger exists)	1	<input type="checkbox"/>

5. HOUSING/BUILDING DENSITY:

VERY HIGH	(One house per 0.5ha.)	10	<input type="checkbox"/>
HIGH	(One house per 0.6 – 2ha.)	8	<input type="checkbox"/>
MODERATE	(One house per 2-10ha.)	6	<input type="checkbox"/>
LOW	(One house per 10-50ha.)	4	<input type="checkbox"/>
VERY LOW	(One house per 50ha. +)	2	<input type="checkbox"/>

6. DAMAGE POTENTIAL:

VERY HIGH	(Complete destruction possible)	10	<input type="checkbox"/>
HIGH	(Partial destruction, complete scorch)	8	<input type="checkbox"/>
MODERATE	(Some severe scorch)	5	<input type="checkbox"/>
LOW	(Minimal damage can occur)	2	<input type="checkbox"/>
VERY LOW	(No damage)	1	<input type="checkbox"/>

Summary of scores:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

TOTAL SCORE: _____

CATEGORIES/RISK (please circle based on your score above):

VERY LOW	Score: 5 – 13
LOW	Score: 14 – 24
MODERATE	Score: 25 – 35
HIGH	Score: 36 – 46
VERY HIGH	Score: 47 – 55

Overall assessment: _____ bushfire hazard.

Appendix 1 Index and glossary of abbreviations and acronyms

Table AP 0.1-Abbreviations and acronyms

Abbreviation/ acronym	Description
MCU	Material change of use as defined in the Act
ROL	Reconfiguring a lot as defined in the Act
the Act	<i>Planning Act 2016</i>
the Regulation	<i>Planning Regulation 2017</i>
the SP Act	<i>Sustainable Planning Act 2009</i> (repealed)
the SP Regulation	Sustainable Planning Regulation 2009 (repealed)

Appendix 2 Table of amendments

Table AP 0.1-Table of amendments

Date of adoption and effective date	Planning scheme version number	Amendment type	Summary of amendments
1/02/2017	1.0	N/A	Original scheme version for commencement
4/07/2017	1.1	Alignment	Alignment with the Planning Act 2016, in accordance with the Alignment amendment rules
19/02/2018	1.2	Alignment	Further alignment with the Planning Act 2016, in accordance with the Alignment amendment rules
13/07/2018	1.3	LGIP Amendment and Planning Scheme Administrative Amendment	Incorporating a new LGIP into the planning scheme and performing necessary renumbering of provisions and cross references in the planning scheme
25/11/2019	2.0	Major	Changes to Level of Assessment Tables for Reconfiguring a Lot and Overlays Changes to Overlay Codes Introduction of Lakeland Local Area Plan