



THE MAREEBA SHIRE

PLANNING SCHEME

Prepared by: Mareeba Shire Council
Incorporating Amendment No 1 of 2007
Incorporating Amendment No 01/11 - Wind Farms

Integrated Planning Act 1997

PLANNING SCHEME FOR THE MAREEBA SHIRE

Adoption

The local government for Mareeba Shire adopted this planning scheme on 21 December 2004.

Commencement

The planning scheme took effect on and from 10 January 2005.

State planning policies

The Minister for Environment, Local Government, Planning and Women has identified the following State Planning Policies as having been appropriately reflected in the planning scheme:

- SPP 1/02: Development in the Vicinity of Certain Airports and Aviation Facilities;
- SPP 1/92: Development and the Conservation of Agricultural Land; and
- SPP 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide (Bushfire only).

Integrated Planning Act 1997, section 6.1.54 (Provisions applying for State-controlled roads)

The Minister for Environment, Local Government, Planning and Women has given notice that the Integrated Planning Act 1997, section 6.1.54 applies to the planning scheme.

Accordingly, item 9 in the Integrated Planning Regulation, Schedule 2 applies for a referral for development that is not contiguous to a State-controlled road.

Version 1/2011	Incorporating Planning Scheme Amendment No 1 of 2007 (Waste Management Facilities) and Planning Scheme Amendment 01/11 - Wind Farms	
	Adopted	19 September 2013
	Commenced	30 September 2013

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PART 1

INTRODUCTION

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PART 1—INTRODUCTION

Division 1—Relationship to Integrated Planning Act

1.1 PURPOSE OF PLANNING SCHEME

In accordance with the *Integrated Planning Act 1997* (IPA), the local government for the Mareeba Shire has prepared this planning scheme as a framework for managing development in a way that advances the purpose of the IPA¹ by:

- (a) identifying assessable and self-assessable development; and
- (b) identifying outcomes sought to be achieved in the local government area as the context for assessing development.

1.2 PLANNING SCHEME FUNCTIONS AS PART OF IDAS

The planning scheme functions as part of IDAS² and must be read together with the IPA.

¹ The purpose of the IPA is to seek to achieve ecological sustainability by (a) coordinating and integrating planning at the local, regional and State levels; and (b) managing the process by which development occurs; and (c) managing the effects of development on the environment (including managing the use of premises).

² IDAS—integrated development assessment system—is the system detailed in chapter 3 of the IPA for integrating State and local government assessment processes for development.

Division 2—Strategic framework

1.3 PRELIMINARY

- (1) This division summarises the overall effect of Parts 4, 5 and 6 of the planning scheme on the nature and location of development in the local government area, as well as expressing related decisions about community infrastructure.
- (2) This division does not provide a basis for development assessment under the planning scheme.
- (3) This division provides a guide for related decisions by the local government, developers, other infrastructure providers and the community generally.

1.4 STRATEGIC FRAMEWORK

(1) Broad strategies for the Mareeba Shire area

The summary of the effect of Part 4 Zoning, Part 5 Overlays and Part 6 Codes and Part 7 Schedules are as follows:

- (a) The township of Mareeba provides a focus for business, agriculture, industry and community activity for the Shire with the Kuranda village retaining its identity and potential as the most attractive tourist destination of the Far North;
- (b) A potential residential growth area is identified and secured for future development in Myola;
- (c) The rural area provides for a wide range of agricultural and horticultural uses with opportunities for economic development with the expansion of agriculture and value adding to primary industry;
- (d) The role of Mareeba as an industrial and service node for the region is strengthened by the allocation of suitable and adequately serviced land for heavy and light industry;
- (e) Create an urban form that maintains a high quality living environment, that reflects the distinct cultural and lifestyle values and the local area, suitable to sustainable living through;
 - Compact urban form
 - efficient use of natural resources
 - efficient use of infrastructure
- (f) New uses and works are located, designed and managed in ways that maximise the efficiency of infrastructure and compatibility with other uses, works, cultural heritage features, and natural or cultural resources;
- (g) To facilitate and support new industries for a diverse economy (including indigenous industries, arts and culture, forestry, tradeable services);
- (h) Areas of biodiversity, ecological significance, natural and cultural heritage values parts are protected. Some of these areas are identified in the FNQ Regional Plan;
- (i) Southedge is identified as having potential for tourist facilities that are directly associated with the natural attributes of the site;
- (j) The Clohesy River area is identified as having long term potential for urbanisation in line with the recommendation of the FNQ Regional Plan;
- (k) Mareeba presents a number of opportunities as a service, industry and population centre on the tablelands in terms of land suitable for urban development and industry, air, rail and road links infrastructure, agricultural products and activities associated with the MDIA;
- (l) The Kuranda-Mareeba area provides a potential development area for meeting the medium and long term growth demands for the Cairns urban area;
- (m) Good Quality Agricultural Land within the Mareeba Shire is conserved and protected from fragmentation in accordance the SPP1/92.

1.5 STRATEGIC FRAMEWORK MAPS

Mareeba Shire Strategic Framework Plans SP1 and SP2 in the Planning Schemes Maps represent the broad settlement pattern intended for the Mareeba Shire.

Division 3—Planning scheme structural elements

1.6 LOCAL GOVERNMENT AREA DIVIDED INTO 12 ZONES

- (1) The planning scheme divides the local government area into 12 zones that cover the entire local government area as identified on Maps Nos Z1 to Z18;

Zones	Map Colour
Business	dark blue
Commercial	grey
Residential	pink
Rural Residential	dark brown
Industry	dark purple
Noxious, Offensive and Hazardous	light purple with red border
Public Open Space	dark green
Rural	light brown
Village	light blue
Conservation	light green
Myola	White
Future Residential	Pink with white hatching

(2) **Preferred areas**

- (a) The Residential zone incorporates;
Preferred Area No 1- Residential High Density as shown on Zoning Maps Z2 and Z3. This indicates the areas preferred for the development of residential units in Mareeba. This designation eliminates the High Density Residential zone of the 1982 Planning Scheme.
- (b) The Rural zone incorporates
Preferred Area No 2- Mona Mona Reserve as shown on Zoning Map Z10. This indicates that Mona Mona is to be developed in accordance with the Plan of Development and Land Management and the Supplementary Table of zones, approved by Council on 19 June 2001.
- (c) The Rural zone incorporates;
Preferred Area No 3- Clohesy River Area as shown on Zoning Maps Z8, Z9 and Z10. This indicates the Clohesy River Areas long term potential for urbanisation as indicated by the FNQ Regional Plan
- (d) The Industry zone incorporates;
Preferred Area No 4- Mareeba Airport, as shown on Map Z5. This indicates the area of Mareeba Airport and the area preferred for the expansion of aviation related industries.
- (e) The Business zone and Village zone incorporates;
Preferred Area No 5- Residential High Density (Kuranda) as shown on Zoning Map Z6. This indicates the areas preferred for the development of residential units in Kuranda.
- (f) The Noxious, Offensive and Hazardous Industry zone incorporates;
Preferred Areas NOX1, NOX 2 and NOX3- on Zoning Maps Z2 and Z5. These preferred areas provide for the separation and management of potentially conflicting industrial uses within the Noxious, Offensive and Hazardous Industry zone.

1.7 ROADS AND WATERWAY AND RIVERS

- (1) If a road or waterway and river in the local government area is not shown as being covered by a zone on the zoning maps, the following applies:
 - (a) If the road or waterway and river is adjoined on both sides by land in the same zone; the road or waterway and river has the same zoning as the adjoining land;
 - (b) If the road or water course is adjoined on one side by land in a zone and adjoined on the other side by land in another zone; the road or waterway and river has the same zoning as the adjoining land and the centreline of the road or waterway and river is the boundary between the two zones;
 - (c) If the road or waterway and river is adjoined on one side only by land in a zone; the entire road or waterway and river has the same zoning as the adjoining zoned land.
- (2) If a road or waterway and river is not shown as being covered by a preferred area on the zoning maps, subsection (1) applies as if the preferred area were a zone.
- (3) To remove any doubt, it is declared that subsections (1) and (2) also applies to a closed road if the road is closed after the commencement of the planning scheme.

1.8 RAILWAY CORRIDOR LAND

Railway Corridor Land, including land not containing railway lines but which is used in association with railway activities is designated as a community infrastructure and is identified on the zoning maps in yellow for ease of identification in the scheme and to remove any doubt.³

Railway Corridor Land is defined as:

The use of premises for the purposes of constructing, maintaining and operating rail transport infrastructure as per Schedule 6 of the Transport Infrastructure Act;

These railway activities, as defined above, would then be” exempt development” on Railway Corridor Land that is designated for community infrastructure.

If the Railway Corridor Land is no longer designated or required for railway purposes the following applies;

- (a) If the Railway Corridor Land is adjoined on both sides by land in the same zone; the Railway Corridor Land has the same zoning as the adjoining land;
- (b) If the Railway Corridor Land is adjoined on one side by land in a zone and adjoined on the other side by land in another zone; the railway land has the same zoning as the adjoining land and the centreline of the Railway Corridor Land is the boundary between the two zones;
- (c) If the Railway Corridor Land is adjoined on one side only by land in a zone; the entire the Railway Corridor Land has the same zoning as the adjoining zoned land.

1.9 PLANNING SCHEME HAS FOUR OVERLAYS

The planning scheme has four types of overlays that applies to;

- (a) “Natural and Cultural Heritage Features” overlay listed in Schedule 5 and 6 as shown on overlay Maps H1 to H10; and
- (b) “Airports and Aviation Facilities” overlay as shown on Maps A1, A2, A3, A4 and MA29;
- (c) “Significant Vegetation” overlay as identified on Maps V1 and V2;
- (d) “Natural Disaster - Bushfire” Overlay as identified on Maps F1, F2 and F3.

1.10 DETERMINING IF DEVELOPMENT IS ASSESSABLE OR SELF-ASSESSABLE UNDER PLANNING SCHEME

³ Schedule 8 of the IPA is relevant for deciding whether development on designated land is assessable , self assessable or exempt development.

(1) Assessment tables for the zones and overlays identify development that is assessable, self-assessable or exempt under the planning scheme as follows;

Table 1 & 2	Business zone
Table 3 & 4	Commercial zone
Table 5 & 6	Residential zone
Table 7 & 8	Rural Residential zone
Table 9 & 10	Industry zone
Table 11 & 12	Noxious, Offensive and Hazardous zone
Table 13 & 14	Rural zone
Table 15 & 16	Village zone
Table 17 & 18	Open Space
Table 19 & 20	Conservation zone
Table 21 & 22	Myola zone
Table 23 & 24	Future Residential zone
Table 25 & 26	Natural and Cultural Heritage Features Overlay
Table 27 & 28	Airport and Aviation Facilities Overlay
Table 29,30 & 31	Significant Vegetation Overlay
Table 32, 33 & 34	Natural Disaster – Bushfire Overlay

(2) The assessment tables also identify assessable development under the planning scheme that requires code assessment or impact assessment.

(3) If development is identified as having a different assessment category under a zone than under an overlay, or under different overlays, the higher assessment category applies as follows;

- (a) self-assessable prevails over exempt;
- (b) code assessable prevails over self-assessable or exempt;
- (c) impact assessable prevails over self-assessable, code assessable or exempt.

Zone assessment Category	Overlay assessment category-			
	Exempt	Self-assessable	Code	Impact
Exempt	Exempt	Self-assessable	Code	Impact
Self-assessable	Self-assessable	Self-assessable	Code	Impact
Code	Code	Code	Code	Impact
Impact	Impact	Impact	Impact	Impact

1.11 CODES

- (1) There are codes for:
- (a) each zone and type of overlay; and
 - (b) development for a stated purpose or development of a stated type.

- (2) The codes are the following:

In Part 4 Zones

- 1. Business Zone code;
- 2. Commercial Zone code;
- 3. Residential zone code;
- 4. Rural Residential Zone code;
- 5. Industry Zone code;
- 6. Noxious, Offensive and Hazardous Zone code;
- 7. Rural Zone code;
- 8. Village Zone code;
- 9. Open Space Zone code
- 10. Conservation Zone code
- 11. Myola Zone code
- 12. Future Residential Zone code

In Part 5 Overlays

- 13 Natural and Cultural Heritage Features Overlays code
- 14 Airport and Aviation Facilities Overlay code.
- 15 Significant Vegetation Overlay code
- 16 Natural Disaster – Bushfire Overlay code

In Part 6 Assessment criteria for development for a stated purpose or of a stated type

- 17 Adult product shop code
- 18 Deleted
- 19 Bed and breakfast code
- 20 Car parking code
- 21 Child care centre code
- 22 Communication facilities code
- 23 Extractive industry code
- 24 Home occupation code
- 25 Home business code
- 26 Host farm code
- 27 Reconfiguring a lot code
- 28 Dwelling house code
- 29 Tourist facility code
- 30 Landscaping code
- 31 Deleted
- 32 Filling and excavation code
- 33 Short term accommodation code
- 34 Forestry code
- 35 Animal husbandry – intensive code
- 36 Aquaculture (minor impact) code
- 37 Caretaker's residence code
- 38 Wind farm code

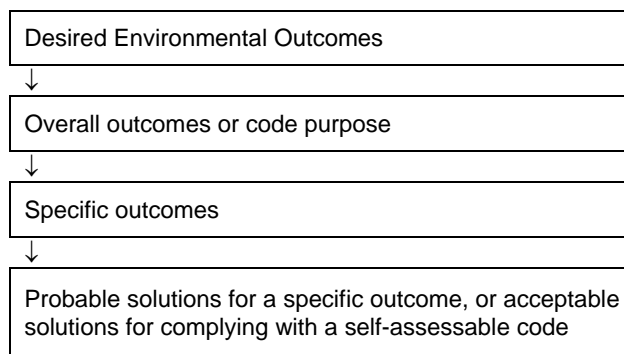
1.12 CODES APPLICABLE TO ONGOING USE

A code that is applicable to a material change of use is also applicable to the ongoing use that results from that change.

1.13 PLANNING SCHEME SEEKS TO ACHIEVE OUTCOMES

The planning scheme seeks to achieve outcomes that are identified according to the following levels:

- (a) desired environmental outcomes;
- (b) overall outcomes for zones and overlays, or for the purpose of a code;
- (c) specific outcomes for zones, overlays and codes;
- (d) probable solutions for a specific outcome, or acceptable solutions for complying with a self-assessable code.



1.14 PROBABLE SOLUTIONS FOR CODE ASSESSABLE DEVELOPMENT

A probable solution for a specific outcome provides a guide for achieving that outcome in whole or in part, and does not limit the assessment manager’s discretion under the IPA⁴ to impose conditions on a development approval.

1.15 SELF ASSESSABLE DEVELOPMENT BECOMES CODE ASSESSABLE DEVELOPMENT

If acceptable solutions for self-assessable development are not achieved then development becomes code assessable development.

1.16 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

⁴ IPA, chapter 3 (Integrated Development Assessment System (IDAS)), part 5 (Decision stage), division 6 (Conditions)

PART 2

INTERPRETATION

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PART 2—INTERPRETATION

2.1 DEFINITIONS—THE DICTIONARY

The dictionary in Part 7-Schedules defines particular words used in this planning scheme as follows:

- (a) Schedule 1 Summary of defined uses;
- (b) Schedule 2 Dictionary Other Development definitions;
- (c) Schedule 3 Dictionary of Defined Uses;
- (d) Schedule 4 Administrative Terms;
- (e) Schedule 5 Special Facilities;
- (f) Schedule 6 Land Designated for Community Infrastructure.

2.2 TERMS DEFINED IN THE IPA

Terms used in this planning scheme that are defined in the IPA have the same meaning as in the IPA.

2.3 EXPLANATORY NOTES ASSIST INTERPRETATION OF PLANNING SCHEME

The Mareeba Shire Planning Scheme Explanatory Notes are declared to be extrinsic material under the *Statutory Instruments Act 1992*, section 15 that assist interpretation of provisions of this planning scheme.

PART 3

DESIRED ENVIRONMENTAL OUTCOMES

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PART 3—DESIRED ENVIRONMENTAL OUTCOMES

3.1 DESIRED ENVIRONMENTAL OUTCOMES

- (1) The desired environmental outcomes are based on ecological sustainability established by the IPA and are the basis for the measures of the planning scheme.
- (2) Each desired environmental outcome is sought to be achieved to the extent practicable having regard to each of the other desired environmental outcomes.
- (3) The desired environmental outcomes for the Mareeba Shire are as follows—
 - (a) Significant natural features such as the dense tropical rainforest adjoining the Wet Tropics area, the savannas, the major river systems, wetlands and wildlife corridors, areas identified in the Areas of Regional significance for the Conservation of Biodiversity under the FNQ Regional Plan are protected
 - (b) The values of significant cultural heritage features and heritage conservation, the components of which include aesthetic, architectural, historic, social or spiritual significance are conserved and protected.
 - (c) Adverse effects from development on the natural environment are minimised with respect to the loss of natural vegetation, soil degradation, air and water pollution due to erosion, dust and chemical contamination, dispersal of pollutants, effluent disposal and the like.
 - (d) Good quality agricultural land is conserved and protected from fragmentation and alienation.
 - (e) Agricultural and forestry resources, mining, extractive activity in the rural sector are encouraged, facilitated and protected.
 - (f) The amenity and safety of land uses adjoining industrial estates and agricultural areas adjoining urban centres are protected from potential noise and air pollution.
 - (g) The standard and location of the built environment, particularly in Mareeba and Kuranda, minimise the use of non-renewable resources, having regard to associated wastewater and effluent disposal infrastructure.
 - (h) All members of the community have appropriate access to relevant services and facilities that meet their needs and create a sense of community satisfaction
 - (i) The efficient use, extension and safe operation of infrastructure are maximised, including roads, rail, aerodromes, water and sewerage systems.
 - (j) Threats to public safety and health associated with the natural and built environments, including flooding in the catchments of the Barron River and Mitchell River are minimised.
 - (k) Communities of Biboohra, Chillagoe, Dimbulah, Irvinebank, and Julatten, Mount Molloy, and Watsonville will continue to be maintained and provided with appropriate levels of services and facilities, as secondary to the primary residential settlements of Mareeba and Kuranda.
 - (l) Residential uses are consolidated in identified urban nodes, including the existing townships and settlements and the rural landscape is protected from encroachment of urban uses.
 - (m) Integrated Open Space networks comprising of national parks, botanical gardens river esplanades, pedestrian and bicycle pathways and wetlands provide a pleasant and safe public environment for aesthetic enjoyment, cultural, recreational and social interaction. Natural public open space areas are integrated into a network with conservation and natural resources areas such as State Forests to maximise habitat and corridor protection.
 - (n) Mareeba's role and identity as the main business, economic centre and regional service centre and gateway to the Cape is consolidated.
 - (o) The Mareeba township and the Myola district, as identified by the Myola Feasibility Study are the primary residential nodes to accommodate future urban growth in accordance with the FNQ Regional Plan.
 - (p) The Kuranda Village's role and identity not only as an international tourist destination but as a residential centre and a functional service location for the wider district is protected

and enhanced whilst ensuring the community's harmony and a sense of place is maximised through ensuring that the mix between tourists and residents meets the needs of both groups.

- (q) The establishment of new industries such as value adding agricultural industries as well as ecotourism and tradeable services beyond agriculture.
- (r) The identification and protection of the amenity of noise sensitive development and liveability of residential areas.
- (s) The provision of pedestrian and bicycle facilities in urban areas.
- (t) The protection of exiting heavy vehicle routes as shown on Maps R1 and R2 and existing and proposed extraction haulage routes from incompatible land use.

PART 4

ZONES

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PART 4 - ZONES

Division 1 – Assessment Tables for Business Zone

4.1 ASSESSMENT CATEGORIES FOR BUSINESS ZONE

The Assessment categories¹ are identified for development in the Business zone in column 2 of tables 1 and 2 as follows-

- (a) Table 1 - making a material change of use² for a defined use, listed in column 1; or
- (b) Table 2 - other development³ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.2 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE BUSINESS ZONE

- (1) The relevant Assessment criteria in the Business zone are referred to in column 3 of tables 1 and 2.
- (2) For self-assessable development and development requiring code Assessment, the relevant Assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.3 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE BUSINESS ZONE

- (1) In accordance with section 4.11, a defined use that is inconsistent with the outcomes sought for the Business zone is noted in column 1 of Table 1.
- (2) If a defined use is not noted as inconsistent in column 1 of Table 1, it is a consistent use in accordance with section 4.12.

4.4 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

1 Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide
 2 Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.
 3 See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 1

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR BUSINESS ZONE—MAKING A MATERIAL CHANGE OF USE

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria⁵— applicable code if development is self-assessable or requires code assessment
Abattoir- inconsistent use	Impact Assessment	
Accommodation units	Code Assessment	Short term accommodation code (Part 6 Division 18) Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Adult product shop	Code Assessment	Adult product shop code (Part 6 Division 2) Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5)
Agribusiness- inconsistent use	Impact Assessment	
Agriculture- inconsistent use	Impact Assessment	
Agriculture - intensive- inconsistent use	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry – general- inconsistent use	Impact Assessment	
Animal husbandry – intensive-	Impact Assessment	

⁴ See Part 7, Schedule 3 - defined uses

⁵ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

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Column 1 Defined use⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria⁵— applicable code if development is self-assessable or requires code assessment
inconsistent use		
Aquaculture (minor impact)	Exempt if For the culture of aquarium species within a shop, commercial premises or existing building as in (c) of the definition. Code Assessment if the criteria for being exempt does not apply.	Aquaculture (minor impact) code (Part 6 Division 21) Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5)
Aquaculture (significant impact)- inconsistent use	Impact Assessment	
Bed and breakfast- inconsistent use	Impact Assessment	
Bulk store- inconsistent use	Impact Assessment	
Business	Exempt if (a) Using an existing building in a Business zone ,and (b) not involving external building work. Self Assessment if the criteria for being exempt does not apply	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Car park	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15))
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park- inconsistent use	Impact Assessment	
Child care centre	Code Assessment	Child care centre code (Part 6 Division 6) Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Communication facility	Code Assessment	Communication facilities code (Part

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵ — applicable code if development is self-assessable or requires code assessment
		6 Division 7) Business zone code (Part 4 Division 2)
Community facility	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Drive through fast food outlet	Self Assessment if the criteria for code assessment does not apply Code Assessment if within the Business zone on Map Z6	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Dwelling house- inconsistent use	Impact Assessment	
Educational establishment	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot- inconsistent use	Impact Assessment	
Heliport- inconsistent use	Impact Assessment	
Home business	Self Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)
Hospital	Impact Assessment	
Host farm- inconsistent use	Impact Assessment	
Hotel	Code Assessment	Short term accommodation code

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Column 1 Defined use ⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵ — applicable code if development is self-assessable or requires code assessment
		(Part 6 Division 18) Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Indoor recreation facility	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry- inconsistent use	Impact Assessment	
Liquid fuel depot- inconsistent use	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel	Code Assessment	Short term accommodation code (Part 6 Division 18) Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Motor home park inconsistent use	Impact Assessment	
Motor showroom - light	Self Assessment if the criteria for code assessment does not apply Code Assessment if within the Business zone on Map Z6	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Motor showroom - heavy	Code Assessment	Business zone code (Part 4 Division 2)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵ — applicable code if development is self-assessable or requires code assessment
		Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Noxious, offensive or hazardous industry inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Impact Assessment	
Passenger transport terminal	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Place of worship	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Plant hire facility	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Plant nursery	Impact Assessment	
Residential units	Self Assessment if (i) within Preferred Area No 5 identified on Map Z6; and (ii) the maximum population density does not exceed 300 persons per hectare. Impact Assessment if the criteria for self assessment does not apply	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Restaurant	Self Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Retirement village	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria⁵— applicable code if development is self-assessable or requires code assessment
Roadside stall inconsistent use	Impact Assessment	
Road transport terminal	Impact Assessment	
Rural industry Inconsistent use	Impact Assessment	
Sawmill inconsistent use	Impact Assessment	
Service station	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Shop	Self Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Stock selling centre inconsistent use	Impact Assessment	
Tourist facility	Code Assessment	Tourist facility code (Part 6 Division 14) Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Transport depot inconsistent use	Impact Assessment	
Utility installation	Code Assessment	Business zone code (Part 4 Division 2)
Vehicle repair station	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Veterinary clinic	Self Assessment if the criteria for code assessment does not apply Code Assessment if within the	Business zone code (Part 4 Division 2)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵ — applicable code if development is self-assessable or requires code assessment
	Business zone on Map Z6	Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Warehouse	Code Assessment	Business zone code (Part 4 Division 2) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Waste management facility inconsistent use	Impact Assessment	
Wind Farm inconsistent use	Impact Assessment	
Workers cottage inconsistent use	Impact Assessment	
All other uses not defined except use for a road⁶	Impact Assessment	

⁶ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 2

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR BUSINESS ZONE—OTHER DEVELOPMENT

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁷ - applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Business zone code (Part 4 Division 2)
Operational work		
Excavation or filling of more than 50m ³ of material	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Business zone code (Part 4 Division 2)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Business zone code (Part 4 Division 2)

⁷ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 2—Assessment Criteria for Business Zone

4.5 BUSINESS ZONE CODE

The provisions in this division comprise the Business zone code. They are-

- compliance with Business zone code (section 4.6);
- overall outcomes for Business zone code (section 4.7);
- specific outcomes, probable and acceptable solutions for the Business zone code (sections 4.8, 4.9 and 4.10).

4.6 COMPLIANCE WITH BUSINESS ZONE CODE

Development that is consistent with the specific outcomes in sections 4.8 to 4.10 complies with the Business zone code.

4.7 OVERALL OUTCOMES FOR BUSINESS ZONE CODE

- (1) The overall outcomes are the purpose of the Business zone code.
- (2) The overall outcomes of the Business zone code are to achieve an area that:
 - (a) in relation to **Mareeba**, contains government administration, higher order and specialist retail facilities, entertainment and recreation facilities, a range of business uses and educational facilities;
 - (b) in relation to **Kuranda**, accommodates a range of business uses mainly associated with tourism, retail and a mix of business uses serving the needs of the residents of the village and surrounds;
 - (c) is accessible, convenient and safe;
 - (d) is attractive though the continued provision and maintenance of landscaping and trees;
 - (e) is consistent in height and character with the existing architecture of the business centres;
 - (f) maintains and enhances the historic significance of the Mareeba and Kuranda business zone;
 - (g) makes effective use of land and of the services provided to enable the functioning of the zone.

4.8 AMENITY, TOWNSCAPE, BUILDING CHARACTER AND RESIDENTIAL UNITS

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 The attractiveness and amenity of the business zone is protected and enhanced through sensitive siting of uses and buildings.	PS1.1 Building height and the height of other structures does not exceed 12 metres and three (3) storeys; and PS1.2 The building is orientated so that its primary entrance faces the main street frontage of the allotment; and PS1.3 Air-conditioning, refrigeration plant, and other mechanical plant, are enclosed in a building to screen the equipment from public view.
S2 Development protects the amenity of the streetscape and allocates safe and unobtrusive off street parking areas	PS2.1 Off street car parking is provided at the rear of, or underneath buildings; and

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	PS2.2 Vehicle unloading areas, goods storage areas, waste storage areas and outdoor equipment areas are designed and located so that they are not visible from the main street frontage.
S3 Development involving buildings that are set back from the main street frontage provide adequate landscaping to maintain an attractive appearance from the street.	<p>PS3.1 A minimum set back of 2 metres from the main street frontage is provided; and</p> <p>PS3.2 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points);⁸ and</p> <p>PS3.3 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided adjacent to side boundaries from the main street frontage to the line of the building alignment (excepting building footprint areas); and</p> <p>PS3.4 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence.</p>
S4 Development has a minimal impact upon the residential amenity of adjoining residential properties.	PS4 If adjacent to land within the Residential zone or Village zone, a 1.8 metre high solid fence established on the common boundary with the Residential zone or Village zone.
<i>For Residential Units within Preferred Area No 5 on Map Z6 only (Kuranda Village)</i>	
S5 Residential units are located close to essential services and do not detrimentally affect the amenity of the locality (Preferred Area No 5, as identified on Planning Scheme Map Z6).	<p>PS5.1 Building height for land within Preferred Area No 5 does not exceed 12 metres and three (3) storeys; and</p> <p>PS5.2 Building height for land outside Preferred Area No 5 does not exceed 7.5 metres and two (2) storeys; and</p> <p>PS5.3 The lot size is not less than 800m²; and</p> <p>PS5.4 For land within Preferred Area No 5, the maximum site cover is:</p> <ul style="list-style-type: none"> (i) for one storey buildings, 50%; and (ii) for two storey buildings, 50%; and (iii) for three storey buildings, 40%; and <p>PS5.5 For land outside Preferred Area No 5:</p> <ul style="list-style-type: none"> (i) for one storey buildings, 30%; and (ii) for two storey buildings, 20% and <p>PS5.6 Population density does not exceed:</p> <ul style="list-style-type: none"> (i) for land within Preferred Area No 5 - 300

⁸ Refer Part 6 Landscaping Code, Div 15-Landscaping Code

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>persons per hectare; and</p> <p>(ii) for land outside Preferred Area No 5 - 50 persons per hectare.</p>
<p>S6 Residential units are located and designed to provide for a high level of comfort, amenity, convenient access to services and safety to occupants.</p>	<p>PS6.1 Open space for exclusive use of occupants:</p> <p>(i) 25m² per unit if within Preferred Area No 5 on Planning Scheme Map Z6; and</p> <p>(ii) 50% of the open space area provided is to be in one piece with a ratio of length to breadth not exceeding 2:1 and free of structures above ground level; and</p> <p>PS6.2 A clothes drying area having a minimum area of 3.5m² per person is provided in addition to the of individual open space requirement in PS6.1; and</p> <p>PS6.3 Car parking for the occupants of the development is at the rate of:</p> <p>(i) One (1) space for each unit plus one additional space per two (2) units; and</p> <p>(ii) Car parking required under PS6.3(i) are not taken into account when calculating the percentage of site cover in PS5.4 and PS5.5; and</p> <p>PS6.4 Heavy duty vehicular crossings are provided in accordance with Planning Scheme Policy 4– Development Manual Standard Drawing S1015.</p>
<p>S7 Residential units are appropriately landscaped and serviced.</p>	<p>PS7.1 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points);⁹ and</p> <p>PS7.2 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided adjacent to side boundaries from the main street frontage to the line of the building alignment (excepting building footprint areas and individual clothes drying areas); and</p> <p>PS7.3 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence.</p>
<p>S8 Impact of unit development on an adjoining dwelling house uses is minimised.</p>	<p>PS8.1 A timber screen fence of 1.8 metres in height, with overlapping palings, is provided along any common boundary with an adjoining allotment which contains a dwelling house.</p>

⁹ Refer Part 6 Landscaping Code, Div 15-Landscaping Code

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
<i>For code assessable Commercial Buildings constructed within the Kuranda Village (Map Z6 only)</i>	
<p>S9 The attractiveness and amenity of the Kuranda business zone is protected and enhanced through sensitive siting and design of buildings.</p>	<p>PS9.1 Roofs have a pitch between 20 – 45 degrees; and</p> <p>PS9.2 Verandahs, may have lower roof pitch to the main roof; and</p> <p>PS9.3 Roofing materials have the traditional profile corrugated iron or shingles; and</p> <p>PS9.4 Fenestration which has a vertical rather than a horizontal emphasis, and avoidance of large glazed areas in otherwise blank walls; and</p> <p>PS9.5 Privacy screens may be incorporated, providing they are of lattice or slatted configuration and less than 50% transparent; and</p> <p>PS9.6 Building materials contribute to a light overall building appearance and may include steel, timber framing, timber chamfer boarding and colorbond.</p>
<p>S10 Building designs minimise Building Bulk.</p>	<p>PS10.1 Any building proposed to be used for commercial or tourism purposes is to have a maximum continuous roofline and/or other architectural element of 10 metres; and</p> <p>PS10.2 In addition, the continuous length of street frontage comprising built and landscape elements of the same style is to be limited to a maximum of 20 metres; and</p> <p>PS10.3 So as not to be defined as continuous, architectural and landscape elements need to incorporate at least one of the following:</p> <ul style="list-style-type: none"> (i) a shift in plane of at least one (1) metre over a maximum distance of ten (10) metres; or (ii) a change in surface appearance or treatment that is visually distinct; or (iii) a shift in altitude or azimuth that is a minimum of 15 degrees over a maximum distance of ten (10) metres. <p>PS10.4 Buildings should not include any of the following:</p> <ul style="list-style-type: none"> (i) the predominant use of single colours or surface treatments; and (ii) single roof, verandah and awning pitches; and (iii) single species plantings within landscaped areas.

4.9 MOVEMENT AND ACCESS

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
<p>S1 Functional, safe, convenient and equitable vehicular, bicycles and pedestrian access and facilities for the particular activity.</p>	<p>PS1.1 Pedestrian footpath/s and pedestrian access to the development are provided in accordance with the Planning Scheme Policy 4 - Development Manual (sections D1.11 & D1.17); and</p> <p>PS1.2 A cantilever awning is provided over the entire width of the footpath or 3 metres wide, whichever is less, if the building is not set back from the road alignment, and</p> <p>PS1.3 A concrete kerb and channelling for the full length of the main street frontage, and any other road frontage in accordance with the Planning Scheme Policy 4 Development Manual (section D1.21); and</p> <p>PS1.4 The access between the existing sealed road and the kerb and channelling should be sealed in accordance with Planning Scheme Policy 4 – Development Manual D2 to the minimum width of the access at the boundary of the allotment; and</p> <p style="text-align: center;">For Code Assessable Development only</p> <p>PS1.5 Bicycle parking facilities are provided for in accordance with Part 14-Austrroads guide to Traffic Engineering; and</p> <p>PS1.6 Access is in accordance with AS 1428-Design for Access and Mobility.</p>

4.10 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
<p>S1 Lots are of sufficient area and dimensions to:</p> <ul style="list-style-type: none"> (i) enable the siting and construction of a building and ancillary buildings; and (ii) provide vehicle access and parking; and (iii) to allow development that is in keeping with the predominant character of the locality. 	<p>PS1 Lots have a minimum area of 800m² and a minimum frontage of twenty (20) metres.</p>
<p>S2 Accessible and convenient public open space is provided for the recreation and well being of the community.</p>	<p>PS2.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or:⁴⁹</p> <p>PS2.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS2.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
<p>S3 Augmentation of the road network servicing the development is provided.</p>	<p>PS3.1 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network¹¹</p>
<p>S4 Lots are provided with an appropriate level of water and sewerage infrastructure.</p>	<p>PS4.1</p> <ul style="list-style-type: none"> (i) Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual (sections D6 and D7) in towns where these services are available; and (ii) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage; or <p>PS4.2</p> <ul style="list-style-type: none"> (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and (ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.
<p>S5 Electricity and telephone are provided</p>	<p>PS5 Lots are provided with underground electricity</p>

¹⁰ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

¹¹ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
for each allotment.	and telephone supplies.

4.11 INCONSISTENT USES

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Business Zone and comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses .

4.12 CONSISTENT USES

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Business zone and comprise all uses NOT listed as inconsistent in Column 1 of the table of development.

Division 3—Assessment Tables for Commercial Zone

4.13 ASSESSMENT CATEGORIES FOR COMMERCIAL ZONE

The Assessment categories¹² are identified for development in the Commercial zone in column 2 of tables 3 and 4 as follows-

- (a) table 3 - making a material change of use¹³ for a defined use, listed in column 1; or
- (b) table 4 - other development¹⁴ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.14 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE COMMERCIAL ZONE

- (1) The relevant assessment criteria in the Commercial zone are referred to in column 3 of tables 3 and 4.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.15 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE COMMERCIAL ZONE

- (1) In accordance with section 4.23 a defined use that is inconsistent with the outcomes sought for the Commercial zone is noted in column 1 of table 3.
- (2) If a defined use is not noted as inconsistent in column 1 of table 3, it is a consistent use in accordance with section 4.24.

4.16 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

12 Information about assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide.

13 Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

14 See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 3

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR COMMERCIAL ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use¹⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria¹⁶— applicable code if development is self-assessable or requires code assessment
Abattoir- inconsistent use	Impact Assessment	
Accommodation units	Code Assessment	Short term accommodation code (Part 6 Division 18) Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Adult product shop	Code Assessment	Adult product shop code (Part 6 Division 2) Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5)
Agribusiness	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Agriculture- inconsistent use	Impact Assessment	
Agriculture – intensive- inconsistent use	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry – general- inconsistent use	Impact Assessment	
Animal husbandry – intensive-	Impact Assessment	

¹⁵ See Part 7, Schedule 3 - defined uses.

¹⁶ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

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Column 1 Defined use¹⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria¹⁶— applicable code if development is self-assessable or requires code assessment
inconsistent use		
Aquaculture (minor impact)	Exempt if For the culture of aquarium species within a shop, commercial premises or existing building as in (c) of the definition. Code Assessment if the criteria for being exempt does not apply	Aquaculture (minor impact) code (Part 6 Division 21) Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5)
Aquaculture (significant impact)- inconsistent use	Impact Assessment	
Bed and breakfast accommodation	Code Assessment	Bed and breakfast code (Part 6 Division 4)
Bulk Store	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Business	Exempt if (a) Using an existing building in a Commercial zone , (b) Not involving external building work. Self Assessment if criteria for being exempt does not apply	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Car park	Self Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park- inconsistent use	Impact Assessment	
Child care centre	Code Assessment	Child care centre code (Part 6 Division 6) Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Commercial zone code (Part 4 Division 4)
Community facility	Code Assessment	Commercial zone code (Part 4 Division 4)

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Column 1 Defined use¹⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria¹⁶— applicable code if development is self-assessable or requires code assessment
		Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Drive through fast food outlet	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Dwelling house- inconsistent use	Impact Assessment	
Educational establishment	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Heliport- inconsistent use	Impact Assessment	
Home business	Self Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)
Hospital	Impact Assessment	
Host farm- inconsistent use	Impact Assessment	
Hotel	Code Assessment	Short term accommodation code (Part 6 Division 18) Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Indoor recreation facility	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use¹⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria¹⁶— applicable code if development is self-assessable or requires code assessment
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry	Impact Assessment	
Liquid fuel depot- inconsistent use	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel	Code Assessment	Short term accommodation code (Part 6 Division 18) Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Motor home park- inconsistent use	Impact Assessment	
Motor showroom - light	Self Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Motor showroom - heavy	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Passenger transport terminal	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Place of worship	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use¹⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria¹⁶— applicable code if development is self-assessable or requires code assessment
		Landscaping code (Part 6 Division 15)
Plant hire facility	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Plant nursery	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Residential units	Impact Assessment	
Restaurant	Self Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Retirement village	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Roadside stall- inconsistent use	Impact Assessment	
Road transport terminal	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Rural industry- inconsistent use	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Shop	Impact Assessment	
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use¹⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria¹⁶— applicable code if development is self-assessable or requires code assessment
		Landscaping code (Part 6 Division 15)
Utility installation	Code Assessment	Commercial zone code (Part 4 Division 4)
Vehicle repair station	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Veterinary clinic	Self Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Warehouse	Code Assessment	Commercial zone code (Part 4 Division 4) Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Waste management facility- inconsistent use	Impact Assessment	
Wind farm inconsistent use	Impact Assessment	
Workers cottage- inconsistent use	Impact Assessment	
All other uses not defined except use for a road¹⁷	Impact Assessment	

¹⁷ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 4

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR COMMERCIAL ZONE—
OTHER DEVELOPMENT**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria¹⁸-applicable code if development is self- assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Commercial zone code (Part 4 Division 4)
Operational work		
Excavation or filling of more than 50m ³ of material	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Commercial zone code (Part 4 Division 4)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Commercial zone code (Part 4 Division 4)

¹⁸ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 4—Assessment Criteria for Commercial Zone

4.17 COMMERCIAL ZONE CODE

The provisions in this division comprise the Commercial zone code. They are-

- compliance with Commercial zone code (section 4.18);
- overall outcomes for Commercial zone code (section 4.19);
- specific outcomes, probable solutions and acceptable solutions for the Commercial zone code (sections 4.20, 4.21 and 4.22).

4.18 COMPLIANCE WITH COMMERCIAL ZONE CODE

Development that is consistent with the specific outcomes in sections 4.20 to 4.22 complies with the Commercial zone code.

4.19 OVERALL OUTCOMES FOR COMMERCIAL ZONE CODE

- (1) The overall outcomes are the purpose of the Commercial zone code.
- (2) The overall outcomes sought for the Commercial zone code are to achieve an area that:
 - (a) in the township of **Mareeba** provides a range of commercial activities, in highly accessible areas on the fringe of the existing Business zone;
 - (b) caters for the expansion of the business zone when the existing business zone is developed;
 - (c) is accessible, convenient and safe for all members of the community;
 - (d) where the built form and activities are consistent in height and architecture with others in the immediate vicinity;
 - (e) is in keeping with the existing development pattern so that each allotment can provide for their individual needs;
 - (f) comprises of a mix of land uses conducive to the enhancement of economic growth and welfare of the community;
 - (g) is attractive through the provision and maintenance of landscaping and trees;
 - (h) makes effective use of land and of the services provided to enable the functioning of the zone.

4.20 AMENITY AND TOWNSCAPE CHARACTER

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 The attractiveness and amenity of the commercial zone is protected and enhanced through sensitive siting of uses and buildings.	PS1.1 Building height and the height of other structures does not exceed 12 metres and three (3) storeys; and PS1.2 The building is orientated so that its primary entrance faces the main street frontage of the allotment; and PS1.3 Air-conditioning, refrigeration plant, and other mechanical plant, are enclosed in a building to screen the equipment from public view.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S2 Development protects the amenity of the streetscape and allocates safe and unobtrusive off street parking areas	<p>PS2.1 Off street car parking is provided at the rear of, or underneath buildings; and</p> <p>PS2.2 Vehicle unloading areas, goods storage areas, waste storage areas and outdoor equipment areas are designed and located so that they are not visible from the main street frontage.</p>
S3 Development involving buildings that are set back from the main street frontage provide adequate landscaping to maintain an attractive appearance from the street.	<p>PS3.1 A minimum set back of 2 metres from the main street frontage is provided; and</p> <p>PS3.2 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points);¹⁹ and</p> <p>PS3.3 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided adjacent to side boundaries from the main street frontage to the line of the building alignment (excepting building footprint areas); and</p> <p>PS3.4 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence.</p>
S4 Development has a minimal impact upon the amenity of adjoining residential properties and railway infrastructure.	PS4 If adjacent to land within the Residential zone, or Railway Corridor Land, a 1.8 metre high solid fence is established on common boundary with the Residential zone or Railway Corridor Land.

4.21 MOVEMENT AND ACCESS

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 Functional, safe, convenient and equitable vehicular, bicycles and pedestrian access and facilities for the particular activity.	<p>PS1.1 Pedestrian footpath/s and pedestrian access to the development are provided in accordance with the Planning Scheme Policy 4 - Development Manual (sections D1.11 & D1.17); and</p> <p>PS1.2 A cantilever awning is provided over the entire width of the footpath or 3 metres wide, whichever is less, if the building is not set back from the road alignment, and</p> <p>PS1.3 A concrete kerb and channelling for the full length of the main street frontage, and any other</p>

¹⁹ Refer Part 6 Landscaping Code, Div 15-Landscaping Code

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>road frontage in accordance with the Planning Scheme Policy 4 Development Manual (section D1.21); and</p> <p>PS1.4 The access between the existing sealed road and the kerb and channelling should be sealed in accordance with Planning Scheme Policy 4 – Development Manual D2 to a minimum width of the access at the boundary of the allotment; and</p> <p>For Code Assessable Development only</p> <p>PS1.5 Bicycle parking facilities are provided for in accordance with Part 14-Austrroads guide to Traffic Engineering; and</p> <p>PS1.6 Access is in accordance with AS 1428-Design for Access and Mobility.</p>

4.22 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
<p>S1 Lots are of sufficient area and dimensions to:</p> <p>(i) enable the siting and construction of a building and ancillary buildings; and</p> <p>(iv) provide vehicle access and parking; and</p> <p>(v) to allow development that is in keeping with the predominant character of the locality.</p>	<p>PS1 Lots have a minimum area of 800m² and a minimum frontage of twenty (20) metres.</p>
<p>S2 Accessible and convenient public open space is provided for the recreation and well being of the community.</p>	<p>PS2.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or;²⁰</p> <p>PS2.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS2.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
<p>S3 Augmentation of the road network servicing the development is provided.</p>	<p>PS3.1 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation</p>

²⁰ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	of the Road Network ²¹
S4 Lots are provided with an appropriate level of water and sewerage infrastructure.	PS4.1 (i) Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual (sections D6 and D7) in towns where these services are available; and (iii) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage; or PS4.2 (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and (ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.
S5 Electricity and telephone are provided for each allotment.	PS5 Lots are provided with underground electricity and telephone supplies.

4.23 INCONSISTENT USES

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Commercial Zone and comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses .

4.24 CONSISTENT USES

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Commercial zone and comprise all uses NOT listed as inconsistent in Column 1 of the table of development.

²¹ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Division 5—Assessment Tables for Residential Zone

4.25 ASSESSMENT CATEGORIES FOR RESIDENTIAL ZONE

The Assessment categories²² are identified for development in the Residential zone in column 2 of tables 5 and 6 as follows-

- (a) table 5 - making a material change of use²³ for a defined use, listed in column 1; or
- (b) table 6 - other development²⁴ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.26 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE RESIDENTIAL ZONE

- (1) The relevant assessment criteria in the Residential zone are referred to in column 3 of tables 5 and 6.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable

4.27 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE RESIDENTIAL ZONE

- (1) In accordance with section 4.36 a defined use that is inconsistent with the outcomes sought for the Residential zone is noted in column 1 of table 5.
- (2) If a defined use is not noted as inconsistent in column 1 of table 5, it is a consistent use in accordance with section 4.37.

4.28 SPECIAL FACILITY DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

²² Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide .

²³ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

²⁴ See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 5

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR RESIDENTIAL ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use ²⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁶ — applicable code if development is self-assessable or requires code assessment
Abattoir- inconsistent use	Impact Assessment	
Accommodation units	Impact Assessment	
Adult product shop- inconsistent use	Impact Assessment	
Agribusiness- inconsistent use	Impact Assessment	
Agriculture- inconsistent use	Impact Assessment	
Agriculture-intensive- inconsistent use	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry - general- inconsistent use	Impact Assessment	
Animal husbandry – intensive- inconsistent use	Impact Assessment	
Aquaculture (minor impact)- inconsistent use	Impact Assessment	
Aquaculture (significant impact)- inconsistent use	Impact Assessment	

²⁵ See Part 7, Schedule 3 - defined uses.

²⁶ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use²⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria²⁶— applicable code if development is self-assessable or requires code assessment
Bed and breakfast accommodation	Impact Assessment	
Bulk store- inconsistent use	Impact Assessment	
Business inconsistent use	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence- inconsistent use	Impact Assessment	
Caravan park- inconsistent use	Impact Assessment	
Child care centre	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Residential zone code (Part 4 Division 6)
Community facility	Impact Assessment	
Drive through fast food outlet- inconsistent use	Impact Assessment	
Dwelling house	Self Assessment	Dwelling house code (Part 6 Division 13)
Educational establishment	Impact Assessment	
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot- inconsistent use	Impact Assessment	
Heliport- inconsistent use	Impact Assessment	
Home business	Code Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)
Hospital	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ²⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁶ — applicable code if development is self-assessable or requires code assessment
Host farm inconsistent use	Impact Assessment	
Hotel	Impact Assessment	
Indoor recreation facility	Impact Assessment	
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry- inconsistent use	Impact Assessment	
Liquid fuel depot- inconsistent use	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel	Impact Assessment	
Motor home park	Impact Assessment	
Motor showroom – light- inconsistent use	Impact Assessment	
Motor showroom – heavy- inconsistent use	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Impact Assessment	
Passenger transport terminal	Impact Assessment	
Place of worship	Impact Assessment	
Plant hire facility- inconsistent use	Impact Assessment	
Plant nursery- inconsistent use	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ²⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁶ — applicable code if development is self-assessable or requires code assessment
Residential units	<p>Self Assessment if</p> <ul style="list-style-type: none"> (i) within Preferred Area No 1 identified on Maps Z2 and Z3; and (ii) the maximum population density does not exceed 300 persons per hectare; and (iii) do not have a common boundary with Byrnes Street <p>Impact Assessment if the criteria for self assessment does not apply</p>	<p>Residential zone code (Part 4 Division 6)</p> <p>Landscaping code (Part 6 Division 15)</p> <p>Carparking code (Part 6 Division 5)</p>
Restaurant	Impact Assessment	
Retirement village	Impact Assessment	
Roadside stall- inconsistent use	Impact Assessment	
Road transport terminal- inconsistent use	Impact Assessment	
Rural industry- inconsistent use	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station- inconsistent use	Impact Assessment	
Shop	Impact Assessment	
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot- inconsistent use	Impact Assessment	
Utility installation	Code Assessment	Residential zone code (Part 4 Division 6)
Vehicle repair station- inconsistent use	Impact Assessment	
Veterinary clinic-	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ²⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁶ — applicable code if development is self-assessable or requires code assessment
inconsistent use		
Warehouse- inconsistent use	Impact Assessment	
Waste management facility- inconsistent use	Impact Assessment	
Wind farm inconsistent use	Impact Assessment	
Workers cottage- inconsistent use	Impact Assessment	
All other uses not defined except use for a road²⁷	Impact Assessment	

²⁷ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 6

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR RESIDENTIAL ZONE—
OTHER DEVELOPMENT**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ²⁸ - applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Residential zone code (Part 4 Division 6)
Operational work		
Excavation or filling of more than 50m ³ of material	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Residential zone code (Part 4 Division 6)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Residential zone code (Part 4 Division 6)

²⁸ For impact assessable development, "relevant Assessment criteria" are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 6—Assessment Criteria for Residential Zone

4.29 RESIDENTIAL ZONE CODE

The provisions in this division comprise the Residential zone code. They are-

- compliance with Residential zone code (section 4.30);
- overall outcomes for Residential zone code (section 4.31);
- specific outcomes, probable solutions and acceptable solutions for the Residential zone code (sections 4.32, 4.33, 4.34 and 4.35).

4.30 COMPLIANCE WITH RESIDENTIAL ZONE CODE

Development that is consistent with the specific outcomes in sections 4.32 to 4.35 complies with the Residential zone code.

4.31 OVERALL OUTCOMES FOR RESIDENTIAL ZONE CODE

- (1) The overall outcomes are the purpose of the Residential zone code.
- (2) The overall outcomes sought for the Residential zone code are to achieve an area that:
 - (a) is attractive and contains housing at a range of population densities that provides a pleasant and safe living environment for its occupants;
 - (b) allows for a mix of uses that support the privacy of the residential area;
 - (c) allow for a range of residential lot sizes and residential arrangements that provide more compact and efficient urban form;
 - (d) provides for a mix of medium and high-density development within the existing urban fabric and is visually compatible with the scale and character of the surrounding area;
 - (e) provides for medium and high density housing in designated areas close to the centre of Mareeba so that residents have good access to community services and facilities.

4.32 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
<p>S1 Non-residential uses and amenity</p> <p>(a) non-residential uses are located, designed and operated to avoid significant adverse changes to the light, noise, dust, odours, traffic conditions or other physical conditions experienced by occupants of:</p> <p>(i) associated, adjoining or nearby residential uses; or</p> <p>(ii) other types of non-residential uses.</p>	<p>PS1.1 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence; and</p> <p>PS1.2 Developments are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4-Development Manual; and</p> <p>PS1.3 If adjacent to a dwelling house, a 1.8 metre high solid fence established on the common boundary with the dwelling house.</p>

4.33 RESIDENTIAL UNITS

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable Development	
<p>S1 Residential units are located close to essential services and do not detrimentally affect the amenity of the locality (Preferred Area No 1, as identified on Planning Scheme Maps Z2 and Z3).</p>	<p>PS1.1 Building height for land within Preferred Area No 1 does not exceed 12 metres and three (3) storeys; and</p> <p>PS1.2 Building height for land outside Preferred Area No 1 does not exceed 7.5 metres and two (2) storeys; and</p> <p>PS1.3 The lot size is not less than 800m²; and</p> <p>PS1.4 For land within Preferred Area No 1, the maximum site cover is:</p> <ul style="list-style-type: none"> (i) for one storey buildings, 50%; and (ii) for two storey buildings, 50%; and (iii) for three storey buildings, 40%; and <p>PS1.5 For land outside Preferred Area No 1:</p> <ul style="list-style-type: none"> (i) for one storey buildings, 30%; and (ii) for two storey buildings, 20% and <p>PS1.6 Population density does not exceed:</p> <ul style="list-style-type: none"> (i) for land within Preferred Area No 1 - 300 persons per hectare; and (ii) for land outside Preferred Area No 1 - 50 persons per hectare.
<p>S2 Residential units are located and designed to provide for a high level of comfort, amenity, convenient access to services and safety to occupants.</p>	<p>PS2.1 Open space for exclusive use of occupants:</p> <ul style="list-style-type: none"> (i) 25m² per unit if within Preferred Area No 1 on Planning Scheme Maps Z2 and Z3; and (ii) 50% of the open space area provided is to be in one piece with a ratio of length to breadth not exceeding 2:1 and free of structures above ground level; and <p>PS2.2 A clothes drying area having a minimum area of 3.5m² per person is provided in addition to the of individual open space requirement in PS2.1; and</p> <p>PS2.3 Car parking for the occupants of the development is at the rate of:</p> <ul style="list-style-type: none"> (i) One (1) space for each unit plus one additional space per two (2) units; and (iii) Car parking required under PS2.3(i) are not taken into account when calculating the percentage of site cover in PS1.4 and PS1.5; and <p>PS2.4 Heavy duty vehicular crossings are provided in accordance with Planning Scheme Policy 4 – Development Manual Standard Drawing S1015.</p>
<p>S3 Residential units are appropriately</p>	<p>PS3.1 Landscaping strips (refer to Part 6 Division 15 -</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
landscaped and serviced.	<p>Landscaping Code) a minimum of one (1) metre in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points);²⁹ and</p> <p>PS3.2 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided adjacent to side boundaries from the main street frontage to the line of the building alignment (excepting building footprint areas and individual clothes drying areas); and</p> <p>PS3.3 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence.</p>
S4 Impact of unit development on an adjoining dwelling house is minimised.	PS4 A timber screen fence of 1.8 metres in height, with overlapping palings, is provided along any common boundary with an adjoining allotment which contains a dwelling house.

4.34 PROVISION-AND DESIGN OF INFRASTRUCTURE

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
<p>S1 Provision of water supply and sewerage</p> <p>Water supply and sewerage are provided to:</p> <ul style="list-style-type: none"> (i) meet appropriate standards at the least whole-of-life cost, including avoiding unnecessary duplication; and (ii) be of adequate standards and robust to the purpose of the intended period of operation; and (iii) be easily maintained without unnecessarily requiring specialist expertise or equipment; and (iv) be readily integrated with existing systems and facilitate the orderly provision of future systems. 	<p>PS1 Water supply, sewerage and roads are constructed in accordance with the Planning Scheme Policy 4 - Development Manual.</p>

²⁹ Refer Part 6 Landscaping Code, Div 15-Landscaping Code

4.35 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 A range and mix of lot sizes with areas and dimensions that meet user requirements provide more compact urban form and facilitate infill and redevelopment opportunities.	<p>PS1.1 Lots have a minimum area of 800m² and a minimum frontage of twenty (20) metres; or</p> <p>PS1.2 Lots may vary in area to a minimum of 600m² and a minimum frontage of 15 metres, if</p> <ul style="list-style-type: none"> (i) the lot enables the siting and construction of a dwelling house and ancillary buildings; and (ii) the lot provides for vehicle access and on site car parking; and (iii) the lessor area is in keeping with the predominant character of the locality.
S2 Design and construction caters for the intended use of the road	PS2 Design and construction of roads and accesses are in accordance with the Planning Scheme Policy 4 - Development Manual and the provisions of the Part 6 Division 5 - Car parking code.
S3 Accessible and convenient public open space is provided for the recreation and well being of the community.	<p>PS3.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or³⁰</p> <p>PS3.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS3.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
S4 Augmentation of the road network servicing the development is provided.	PS4.1 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network ³¹
S5 Lots are provided with an appropriate level of water and sewerage infrastructure.	<p>PS5.1 (i) Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual in towns where these services are available; and</p> <p>(iv) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage; or</p> <p>PS5.2 (i) Lots are provided with a water supply in</p>

³⁰ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

³¹ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and</p> <p>(ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.</p>
S6 Electricity and telephone are provided for each allotment.	PS6 Lots are provided with underground electricity and telephone supplies.
S7 Lots created for residential purposes in the vicinity of and identified on Agricultural Land Quality Maps S2 to S5 must ensure that potential impacts from agricultural activities do not adversely affect community health, safety, amenity and the continuing use of the agricultural land resource.	PS7 Lot layout is consistent with State Planning Policy 1/92: Development and Conservation of Agricultural Land and its supporting Planning Guidelines: Separating Agricultural and Residential Land Uses.

4.36 INCONSISTENT USES

Specific Outcomes
<p>Inconsistent uses are contrary to the zone outcomes sought for the Residential zone comprise all uses mentioned in Column 1 of the table of development as Inconsistent uses.</p>

4.37 CONSISTENT USES

Specific Outcomes
<p>Consistent uses are consistent with the zone outcomes sought for the Residential zone and comprise all uses NOT listed as inconsistent in Column 1 of the table of development.</p> <p>The following are consistent uses for Preferred Area No 1:- Accommodation units, Bed and breakfast accommodation, Child Care Centre, Community facility, Dwelling house, Home business, Home occupation ,Place of worship, Retirement village, Residential units.</p>

Division 7—Assessment Tables for Rural Residential Zone

4.38 ASSESSMENT CATEGORIES FOR RURAL RESIDENTIAL ZONE

The Assessment categories³² are identified for development in the Rural Residential zone in column 2 of tables 7 and 8 as follows-

- (a) table 7 - making a material change of use³³ for a defined use, listed in column 1; or
- (b) table 8 - other development³⁴ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.39 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE RURAL RESIDENTIAL ZONE

- (1) The relevant assessment criteria in the Rural Residential zone are referred to in column 3 of tables 7 and 8.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable

4.40 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE RURAL RESIDENTIAL ZONE

- (1) In accordance with section 4.47, a defined use that is inconsistent with the outcomes sought for the Rural Residential zone is noted in column 1 of table 7.
- (2) If a defined use is not noted as inconsistent in column 1 of table 7, it is a consistent use in accordance with section 4.48

4.41 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

³² Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide.

³³ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

³⁴ See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 7

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR RURAL RESIDENTIAL ZONE—MAKING A MATERIAL CHANGE OF USE

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use³⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria³⁶— applicable code if development is self-assessable or requires code assessment
Abattoir- inconsistent use	Impact Assessment	
Accommodation units- inconsistent use	Impact Assessment	
Adult product shop- inconsistent use	Impact Assessment	
Agribusiness- inconsistent use	Impact Assessment	
Agriculture	Code Assessment	Rural Residential zone code (Part 4 Division 8)
Agriculture - intensive	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry - general	Code Assessment	Rural Residential zone code (Part 4 Division 8)
Animal husbandry – intensive- inconsistent use	Impact Assessment	
Aquaculture (minor impact)	Code Assessment	Aquaculture (minor impact) code (Part 6 Division 21)
Aquaculture (significant impact)- inconsistent use	Impact Assessment	
Bed and breakfast accommodation	Self Assessment	Bed and breakfast code (Part 6 Division 4)

³⁵ See Part 7, Schedule 3 - defined uses.

³⁶ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use³⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria³⁶— applicable code if development is self-assessable or requires code assessment
Bulk store- inconsistent use	Impact Assessment	
Business- inconsistent use	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park	Impact Assessment	
Child care centre	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Rural Residential zone code (Part 4 Division 8)
Community facility	Impact Assessment	
Drive through fast food outlet- inconsistent use	Impact Assessment	
Dwelling house	Self Assessment	Dwelling house code (Part 4 Division 13) For a dwelling house on a Rural Residential lot above two (2) hectares: Rural Residential zone code (Part 4 Division 8, section 4.45 PS1.2 only)
Educational establishment	Impact Assessment	
Extractive industry- inconsistent use	Impact Assessment	
Forestry	Impact Assessment	
Freight depot- inconsistent use	Impact Assessment	
Heliport- inconsistent use	Impact Assessment	
Home business	Code Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)
Hospital	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use³⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria³⁶— applicable code if development is self-assessable or requires code assessment
Host farm	Code Assessment	Host farm code (Part 6 Division 11)
Hotel	Impact Assessment	
Indoor recreation facility	Impact Assessment	
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry- inconsistent use	Impact Assessment	
Liquid fuel depot- inconsistent use	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel	Impact Assessment	
Motor home park	Impact Assessment	
Motor showroom - light- inconsistent use	Impact Assessment	
Motor showroom - heavy- inconsistent use	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Impact Assessment	
Passenger transport terminal	Impact Assessment	
Place of worship	Impact Assessment	
Plant hire facility- inconsistent use	Impact Assessment	
Plant nursery	Impact Assessment	
Residential units- inconsistent use	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use³⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria³⁶— applicable code if development is self-assessable or requires code assessment
Restaurant	Impact Assessment	
Retirement village- inconsistent use	Impact Assessment	
Roadside stall	Impact Assessment	
Road transport terminal- inconsistent use	Impact Assessment	
Rural industry- inconsistent use	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station	Impact Assessment	
Shop	Impact Assessment	
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot- inconsistent use	Impact Assessment	
Utility installation	Code Assessment	Rural Residential zone code (Part 4 Division 8)
Vehicle repair station- inconsistent use	Impact Assessment	
Veterinary clinic	Impact Assessment	
Warehouse- inconsistent use	Impact Assessment	
Waste management facility- inconsistent use	Impact Assessment	
Wind farm	Impact Assessment	

Column 1 Defined use ³⁵	Column 2 Assessment category	Column 3 Relevant assessment criteria ³⁶ — applicable code if development is self-assessable or requires code assessment
inconsistent use		
Workers cottage	Impact Assessment	
All other uses not defined except use for a road³⁷	Impact Assessment	

³⁷ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 8

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR RURAL RESIDENTIAL ZONE—OTHER DEVELOPMENT

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria³⁸- applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Rural Residential zone code (Part 4 Division 8)
Operational work		
Excavation or filling of more than 50m ³ of material	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Rural Residential zone code (Part 4 Division 8)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Rural Residential zone code (Part 4 Division 8)

³⁸ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 8—Assessment Criteria for Rural Residential Zone

4.42 RURAL RESIDENTIAL ZONE CODE

The provisions in this division comprise the Rural Residential Zone code. They are-

- compliance with Rural Residential zone code section 4.43;
- overall outcomes for Rural Residential zone code section 4.44;
- specific outcomes, probable solutions and acceptable solutions for the Rural Residential zone code (sections 4.45 and 4.46).

4.43 COMPLIANCE WITH RURAL RESIDENTIAL ZONE CODE

Development that is consistent with the specific outcomes in sections 4.45 to 4.46 complies with the Rural Residential zone code.

4.44 OVERALL OUTCOMES FOR RURAL RESIDENTIAL ZONE CODE

- (1) The overall outcomes are the purpose of the Rural Residential zone code.
- (2) The overall outcomes sought for the Rural Residential zone code are to achieve an area:
 - (a) which provide for large home sites, in a semi rural setting where the level of services provided is typically less than that provided in an urban setting;
 - (b) where very low density housing prevails, with some rural pursuits that are compatible residential living;
 - (c) where the need to maintain a distinct boundary between the zone and rural areas, and that Rural Residential development does not extend beyond the Rural Residential zone boundaries as identified by the zoning maps;
 - (d) where development does not unduly threaten and impact on water quality of the aquifer;
 - (e) that is located with access to social services, community services and facilities;
 - (f) that is not located near environmentally sensitive areas;
 - (g) where existing afforested areas and mature natural vegetation are retained as far as practicable;
 - (h) in which Rural Residential lots are provided with an appropriate level of infrastructure;
 - (i) which makes effective use of land and the services provided to enable the functioning of the zone.

4.45 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 New development is consistent in scale with existing buildings and structures in the vicinity and does not detrimentally impact on road transport infrastructure and adjoining uses.	<p>PS1.1 Any building or structure does not exceed 7.5 metres and two storeys in height; and</p> <p>PS1.2 Any building or structure is located at least:</p> <ul style="list-style-type: none"> (i) 50 metres from the centre line of the existing Kennedy Highway, Peninsula Developmental Road, Mareeba-Dimbulah Road or other State controlled road (Main Road Marked Route) as identified on Map R1, and (ii) 6 metres from any other road; and (iii) 10 metres from any common boundary of allotments; and <p>PS1.3 Outbuildings used for purposes ancillary to the use of a dwelling house do not exceed 4 metres in height at the apex of the roof.</p>
S2 Design and layout seeks to achieve harmony between the man made and the natural features of the landscape.	<p>PS2.1 Buildings or other structures are located within a cleared area of no more than 2000m²; and</p> <p>PS2.2 Buildings or other structures are not located on land with a slope of 15% or greater.</p>
S3 Clearing of vegetation does not destabilise soil resources, result in a reduction in water quality or fragmentation of wildlife corridors (wildlife corridors are identified as Category B of Planning Scheme Maps V1 and V2).	<p>For Lots with areas of two (2) hectares or above:</p> <p>PS3.1 Vegetation is retained within twenty-five (25) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For Lots below two (2) hectares in area:</p> <p>PS3.2 Vegetation is retained within ten (10) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For all Lots:</p> <p>PS3.3 Vegetation is retained on land with a slope of 15% or greater; and</p> <p>PS3.4 All vegetation outside the area required for the approved development is retained.</p>
For Code Assessable Development	
S4 Buildings are protected from adverse flooding and does not interfere with the passage or storage of stormwater.	<p>PS4.1 Buildings are designed and located as not to be within an subject to flooding, unless:</p> <ul style="list-style-type: none"> (i) the floor level of all habitable rooms is at least 300mm clear of the Q100 flood level; and (ii) the building is elevated and the area below the building is not enclosed or otherwise does not impede the passage of

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	stormwater.
<p>S5 Non-residential uses and amenity</p> <p>(a) non-residential uses are located, designed and operated to avoid significant adverse changes to the light, noise, dust, odours, traffic conditions or other physical conditions experienced by occupants of:</p> <p style="padding-left: 40px;">(i) associated, adjoining or nearby residential uses; or</p> <p>(ii) other types of non-residential uses.</p>	<p>PS5 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence.</p>

4.46 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
<p>S1 To allow for allotments of sufficient area and dimensions to suit their intended use.</p>	<p>PS1 Lots have a minimum area of two (2) hectares and a minimum frontage of eighty (80) metres; or</p>
<p>S2 To allow for a higher density where there is suitable infrastructure, access to services and employment, the land is free from environmental constraints, and has the capacity to accommodate increased densities</p>	<p>PS2 If allotments are provided with a connection to a reticulated town water supply and an equivalent level of infrastructure to allotments within the Residential zone (excluding town sewerage):</p> <p style="padding-left: 40px;">(i) the minimum lot size is 3,000m² and with an average area of 4,000m²; and</p> <p style="padding-left: 40px;">(ii) the minimum frontage is 50 metres.</p>
<p>S3 Design and construction caters for the intended use of the road.</p>	<p>PS3 Design and construction of roads and accesses are in accordance with the Planning Scheme Policy 4 - Development Manual and the provisions of the Part 6 Division 5 - Car parking code.</p>
<p>S4 Accessible and convenient public open space is provided for the recreation and well being of the community.</p>	<p>PS4.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or³⁹</p> <p>PS4.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS4.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure</p>

³⁹ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	associated with development of public open space for community recreation use.
S5 Augmentation of the road network servicing the development is provided.	PS5 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network ⁴⁰
S6 Lots are provided with an appropriate level of water infrastructure.	<p>For Lots below two (2) hectares in area:</p> <p>PS6.1 (i) Lots are connected to a reticulated water supply to the standards as stated in Planning Scheme Policy 4 - Development Manual; and</p> <p>(v) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage.</p> <p>For Lots with areas of two (2) hectares or above:</p> <p>PS5.2 Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas).</p>
S7 Sewage disposal facilities are provided for each allotment which are: <ul style="list-style-type: none"> • Cost effective over their life cycle; and • Minimise potential adverse environmental impacts in the short and long term; and • Do not pose a risk to human health or the amenity of the locality; and • are provided equitably. 	PS7 On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.
S8 For heavily forested areas where: <ul style="list-style-type: none"> (i) The site is located with in Category A or B Planning Scheme Maps V1 or V2; and (ii) The site includes scenic areas or ridgelines as identified on Planning Scheme Map N1. 	P7.1 Each new lot intended for Rural Residential use has adequate area to allow for: <ul style="list-style-type: none"> (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) protection of ridgelines as identified on Planning Scheme Map N1; and (iii) minimal clearing of vegetation; and (iv) reasonable vehicular access for a car from the road to the dwelling site.

⁴⁰ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S9 Electricity and telephone are provided for each allotment.	<p>For Lots below two (2) hectares in area:</p> <p>PS9.1 Lots are provided with underground electricity and telephone supplies.</p> <p>For Lots with areas of two (2) hectares or above:</p> <p>PS9.2 Lots are provided with electricity and telephone supplies.</p>
S10 Lots created for rural residential purposes in the vicinity of and identified on Agricultural Land Quality Maps S2 to S5 must ensure that potential impacts from agricultural activities do not adversely affect community health, safety, amenity and the continuing use of the agricultural land resource	PS10 Lot layout is consistent with State Planning Policy 1/92: Development and Conservation of Agricultural Land and its supporting Planning Guidelines: Separating Agricultural and Residential Land Uses.

4.47 INCONSISTENT USES

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Rural Residential zone comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses .

4.48 CONSISTENT USES

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Rural Residential zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.

Division 9—Assessment Tables for Industry Zone

4.49 ASSESSMENT CATEGORIES FOR INDUSTRY ZONE

The Assessment categories⁴¹ are identified for development in the Industry zone in column 2 of tables 9 and 10 as follows-

- (a) Table 9 - making a material change of use⁴² for a defined use, listed in column 2; or
- (b) Table 10 - other development⁴³ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.50 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE INDUSTRY ZONE

- (1) The relevant assessment criteria in the Industry zone are referred to in column 3 of tables 9 and 10.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.51 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE INDUSTRY ZONE

- (1) In accordance with section 4.58 defined use that is inconsistent with the outcomes sought for the Industry zone is noted in column 1 of table 9.
- (2) If a defined use is not noted as inconsistent in column 1 of table 9, it is a consistent use in accordance with section 4.59.

4.52 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

41 Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide

42 Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes) giving examples that explain the type of development involved in different proposals.

43 See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 9

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR INDUSTRY ZONE—MAKING A MATERIAL CHANGE OF USE

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use ⁴⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁴⁵ — applicable code if development is self- assessable or requires code assessment
Abattoir	Impact Assessment	
Accommodation units- inconsistent use	Impact Assessment	
Adult product shop	Code Assessment	Adult product shop code (Part 6 Division 2) Carparking code (Part 6 Division 5)
Agribusiness	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Agriculture- inconsistent use	Impact Assessment	
Agriculture – intensive- inconsistent use	Impact Assessment	
Aircraft facility	Exempt if (i) within Preferred Area No 4 identified on Maps Z5; and Code Assessment if (i) outside Preferred Area No 4 identified on Maps Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Animal husbandry – general- inconsistent use	Impact Assessment	
Animal husbandry – intensive-	Impact Assessment	

⁴⁴ See Part 7, Schedule 3 - defined uses.

⁴⁵ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁴⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria⁴⁵— applicable code if development is self- assessable or requires code assessment
inconsistent use		
Aquaculture (minor impact)	Impact Assessment	
Aquaculture (significant impact)- inconsistent use	Impact Assessment	
Bed and breakfast accommodation- inconsistent use	Impact Assessment	
Bulk store	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Business	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Car park	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Code Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Caretaker's residence	Self Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park- inconsistent use	Impact Assessment	
Child care centre- inconsistent use	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Industry zone code (Part 4 Division 10)
Community facility- inconsistent use	Impact Assessment	
Drive through fast food outlet	Code Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁴⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁴⁵ — applicable code if development is self- assessable or requires code assessment
	Map Z5	
Dwelling house- inconsistent use	Impact Assessment	
Educational establishment	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Heliport	Exempt if (i) within Preferred Area No 4 identified on Map Z5; and Code Assessment if (i) outside Preferred Area No 4 identified on Maps Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Home business	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Home business code (Part 6 Division 10)
Home occupation	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Home occupation code (Part 6 Division 9)
Hospital- inconsistent use	Impact Assessment	
Host farm- inconsistent use	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁴⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁴⁵ — applicable code if development is self- assessable or requires code assessment
Hotel- inconsistent use	Impact Assessment	
Indoor recreation facility	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Industry	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Institution- inconsistent use	Impact Assessment	
Light industry	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Liquid fuel depot	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Material recycling facility	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Motel- inconsistent use	Impact Assessment	
Motor home park- inconsistent use	Impact Assessment	
Motor showroom - light	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Motor Showroom - heavy	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)

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Column 1 Defined use⁴⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria⁴⁵— applicable code if development is self- assessable or requires code assessment
	Preferred Area No 4 identified on Map Z5	
Noxious, offensive or hazardous industry	Impact Assessment	
Outdoor sport and entertainment facility	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Passenger transport terminal	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Place of worship- inconsistent use	Impact Assessment	
Plant hire facility	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Plant nursery	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Residential units- inconsistent use	Impact Assessment	
Restaurant	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Retirement village- inconsistent use	Impact Assessment	
Roadside stall- inconsistent use	Impact Assessment	
Road transport terminal	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁴⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁴⁵ — applicable code if development is self- assessable or requires code assessment
	Impact Assessment if within Preferred Area No 4 identified on Map Z5	Carparking code (Part 6 Division 5)
Rural industry	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Sawmill	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Service station	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Shop	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Stock selling centre	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Utility installation	Self Assessment	Industry zone code (Part 4 Division 10)
Vehicle repair station	Self Assessment if outside Preferred Area No 4 identified on Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Veterinary clinic	Code Assessment	Industry zone code (Part 4 Division 10) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Warehouse	Self Assessment if outside Preferred Area No 4 identified on	Industry zone code (Part 4 Division 10)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁴⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁴⁵ — applicable code if development is self- assessable or requires code assessment
	Maps Z5; or Impact Assessment if within Preferred Area No 4 identified on Map Z5	Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Waste management facility	Impact Assessment	
Wind farm inconsistent use	Impact Assessment	
Workers cottage inconsistent use	Impact Assessment	
All other uses not defined except use for a road⁴⁶	Impact Assessment	

⁴⁶ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 10

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR INDUSTRY ZONE—OTHER DEVELOPMENT

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria⁴⁷- applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Industry zone code (Part 4 Division 10)
Operational work		
Excavation or filling of more than 50m ³ of material.	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Industry zone code (Part 4 Division 10)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Industry zone code (Part 4 Division 10)

⁴⁷ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 10—Assessment Criteria for Industry Zone

4.53 INDUSTRY ZONE CODE

The provisions in this division comprise the Industry zone code. They are-

- compliance with Industry zone code (section 4.54);
- overall outcomes for Industry zone code (section 4.55);
- specific outcomes, probable solutions and acceptable solutions for the Industry zone code (sections 4.56 and 4.57).

4.54 COMPLIANCE WITH INDUSTRY ZONE CODE

Development that is consistent with the specific outcomes in sections 4.56 to 4.57 complies with the Industry zone code.

4.55 OVERALL OUTCOMES FOR INDUSTRY ZONE CODE

- (1) The overall outcomes are the purpose of the Industry zone code.
- (2) The overall outcomes sought for the Industry zone code are to achieve an area that:
 - (a) provides the Mareeba Shire with an allocation of land for a wide range of Industrial activities for the short, medium and long term economic and social well being of the region;
 - (b) provides a consolidated industrial node at a scale readily accessible to markets, transportation networks and employment;
 - (c) Industrial uses do not unduly impact upon non industrial uses;
 - (d) provides adequate services to cater for the needs of industry whilst ensuring likely environmental and social impacts of industrial developments and activities e.g. both construction and operational impacts) and the cumulative impacts of trucks/transportation to and from industrial sites are minimised
 - (e) protects Preferred Area No. 4 on Map Z5 for aviation related industries and uses.

4.56 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
Siting and design S1 The site cover of any building is to allow for the accommodation of essential services including parking, loading and unloading of heavy vehicles, landscaping and to maintain an attractive appearance from the street.	PS1.1 The maximum site cover of any building does not exceed 60%, and PS1.2 The maximum height of any structure or building does not exceed 12 metres; and PS1.3 The minimum set back of any building from a road frontage is 6 metres.
Buffering S2 Non industrial uses are protected from the impacts of industry.	PS2.1 Industry sites which adjoin land in any other zone have a 6 metre wide landscaping buffer within the site for the full length of the common boundary with the other zone; and PS2.2 Any landscaping buffer required in PS2.1

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	incorporates a 1.8 metre high solid screen fence and is planted and maintained in accordance Part 6 Division 15 – Landscaping code.
Access S3 Adequate provision of car parking, loading/unloading facilities and access to industrial uses are provided.	PS3.1 A reinforced industrial crossing of a minimum width of 6 metres is constructed (in accordance with Planning Scheme Policy 4 – Development Manual Standard Drawing S1015) from the kerb and channelling to the boundary of the allotment, and PS3.2 All facilities for the loading and unloading of goods are provided on site. PS3.3 The access between the existing sealed road and the kerb and channelling should be sealed in accordance with Planning Scheme Policy 4 – Development Manual D2 to a minimum width of the access at the boundary of the allotment.
Utilities S4 Adequate services are provided to meet the particular requirements of industrial development and to minimise any adverse effect of industrial development on the environment	PS4.1 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence; and For Code Assessable Development only PS4.2 Stormwater drainage systems are provided in accordance with the Planning Scheme Policy 4 – Development Manual S4.
Environmental Impacts S5 Emission of contaminants to surface or ground water (including contaminated stormwater) does not result in environmental harm or nuisance	PS5.1 All liquid wastes are contained and discharged to a sewer or removed from the site.
Landscaped areas S6 A pleasant street scape is created within the industrial zone.	PS6.1 A landscaping strip (refer to Part 6 Division 15 - Landscaping Code) area of not less than 3 metres in width is provided along the main street frontage of the site; and PS6.2 A landscaping strip (refer to Part 6 Division 15 - Landscaping Code) of not less than 1 metre in width is provided along any other road frontage of the site, and PS6.3 Access is provided through the landscaping strips.
For Code Assessable Development	
Preferred Area No. 4 on Map Z5 S7 Preferred Area No. 4 is protected for aviation related industries and uses.	PS7 Non aviation related industries and uses should be established on land outside Preferred Area No. 4 on Map Z5.

4.57 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
<p>S1 Lots are of sufficient area and dimensions to:</p> <ul style="list-style-type: none"> (i) enable the siting and construction of buildings and ancillary structures; and (ii) provide vehicle access and parking; and (iii) allow development that is in keeping with the predominant character of the locality. 	<p>PS1 Lots have a minimum area of 1,000m² and a minimum frontage of twenty (20) metres.</p>
<p>S2 Design and construction caters for the intended use of the road within and external to the industry zone</p>	<p>PS2 Industrial roads are constructed in accordance with the Planning Scheme Policy 4- Development Manual.</p>
<p>S3 Accessible and convenient public open space is provided for the recreation and well being of the community.</p>	<p>PS3.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or⁴⁸</p> <p>PS3.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS3.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
<p>S4 Augmentation of the road network servicing the development is provided.</p>	<p>PS4.1 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network⁴⁹</p>
<p>S5 Lots are provided with an appropriate level of water and sewerage infrastructure.</p>	<p>PS5.1</p> <ul style="list-style-type: none"> (i) Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual (sections D6 and D7) in towns where these services are available; and (vi) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage; or <p>PS5.2</p> <ul style="list-style-type: none"> (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and (ii) On site sewage disposal facilities are provided in accordance with the Plumbing

⁴⁸ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

⁴⁹ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	and Drainage Act 2002.
S6 Electricity and telephone are provided for each allotment.	PS6 Lots are provided with underground electricity and telephone supplies.

4.58 INCONSISTENT USES

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Industry Zone and comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses .

4.59 CONSISTENT USES

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Industry zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.

Division 11—Assessment Tables for Noxious, Offensive and Hazardous Industry Zone

4.60 ASSESSMENT CATEGORIES FOR NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE

The Assessment categories⁵⁰ are identified for development in the Noxious, Offensive and Hazardous Industry zone in column 2 of tables 11 and 12 as follows-

- (a) Table 11 - making a material change of use⁵¹ for a defined use, listed in column 1; or
- (b) Table 12 - other development⁵² listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.61 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE

- (1) The relevant assessment criteria in the Noxious, Offensive and Hazardous Industry zone are referred to in column 3 of tables 11 and 12.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.62 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE

- (1) In accordance with section 4.69, a defined use that is inconsistent with the outcomes sought for the Noxious, Offensive and Hazardous Industry zone is noted in column 1 of table 11.
- (2) If a defined use is not noted as inconsistent in column 1 of table 11, it is a consistent use in accordance with section 4.70.

4.63 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

⁵⁰ Information about Assessment categories is provided in the Mareeba Planning Scheme User's Guide.

⁵¹ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Planning Scheme Explanatory Notes⁵² giving examples that explain the type of development involved in different proposals.

⁵² See Mareeba Planning Scheme Explanatory Notes⁵¹ giving examples that explain the type of development involved in different proposals.

TABLE 11

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE—MAKING A MATERIAL CHANGE OF USE

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use ⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁴ — applicable code if development is self-assessable or requires code assessment
Abattoir inconsistent use within Preferred Area NOX1 on Maps Z2 and Z5	Self Assessment if the criteria for code assessment and impact assessment do not apply Code Assessment if within Preferred Area NOX3 on Maps Z2 and Z5 Impact Assessment if within Preferred Areas NOX1 or NOX2 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Accommodation units inconsistent use	Impact Assessment	
Adult product shop inconsistent use	Impact Assessment	
Agribusiness	Self Assessment if the criteria for code assessment and impact assessment do not apply Code Assessment if within Preferred Area NOX1 on Maps Z2 and Z5 Impact Assessment if within Preferred Areas NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Agriculture inconsistent use	Impact Assessment	
Agriculture - intensive- inconsistent use	Impact Assessment	

⁵³ See Part 7, Schedule 3 - defined uses.

⁵⁴ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

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Column 1 Defined use ⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁴ — applicable code if development is self-assessable or requires code assessment
Aircraft facility inconsistent use	Impact Assessment	
Animal husbandry – general- inconsistent use	Impact Assessment	
Animal husbandry – intensive- inconsistent use	Impact Assessment	
Aquaculture (minor impact) inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if within Preferred Area NOX1 on Maps Z2 and Z5 Impact Assessment if the criteria for code assessment do not apply	Aquaculture (minor impact) code (Part 6 Division 21) Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Carparking code (Part 6 Division 5)
Aquaculture (significant impact)	Impact Assessment	
Bed and breakfast accommodation- inconsistent use	Impact Assessment	
Bulk store	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Area NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Business inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Areas NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Car park	Self Assessment if the criteria for code assessment do not apply Code Assessment if within Preferred Areas NOX1, NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Caretaker’s residence	Code Assessment	Caretaker’s residence code (Part 6 Division 22)
Caravan park- inconsistent use	Impact Assessment	

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Column 1 Defined use⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria⁵⁴— applicable code if development is self-assessable or requires code assessment
Child care centre- inconsistent use	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Noxious, offensive and hazardous industry zone code (Part 4 Division 12)
Community facility- inconsistent use	Impact Assessment	
Drive through fast food outlet inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Impact Assessment	
Dwelling house- inconsistent use	Impact Assessment	
Educational establishment- inconsistent use	Impact Assessment	
Extractive industry inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot	Code Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Heliport	Impact Assessment	
Home business- inconsistent use	Impact Assessment	
Home occupation- inconsistent use	Impact Assessment	
Hospital- inconsistent use	Impact Assessment	
Host farm- inconsistent use	Impact Assessment	

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Column 1 Defined use ⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁴ — applicable code if development is self-assessable or requires code assessment
Hotel- inconsistent use	Impact Assessment	
Indoor recreation facility- inconsistent use within Preferred Areas NOX2 and NOX3 on Maps Z2 and Z5	Impact Assessment	
Industry	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Area NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Institution- inconsistent use	Impact Assessment	
Light industry inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Areas NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Liquid fuel depot	Self Assessment if the criteria for code assessment do not apply Code Assessment if within Preferred Area NOX1, NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Material recycling facility	Code Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Motel- inconsistent use	Impact Assessment	
Motor home park- inconsistent use	Impact Assessment	
Motor showroom - light inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division

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Column 1 Defined use ⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁴ — applicable code if development is self-assessable or requires code assessment
	within Preferred Area NOX3 on Maps Z2 and Z5	15) Carparking code (Part 6 Division 5)
Motor showroom - heavy	Code Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Noxious, offensive or hazardous industry inconsistent use within Preferred Area NOX1 on Maps Z2 and Z5	Self Assessment if the criteria for code assessment and impact assessment do not apply Code Assessment if within Preferred Area NOX3 on Maps Z2 and Z5 Impact Assessment if within Preferred Areas NOX1 or NOX2 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Outdoor sport and entertainment facility- inconsistent use	Impact Assessment	
Passenger transport terminal- inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if within Preferred Area NOX1 on Maps Z2 and Z5 Impact Assessment if the criteria for code assessment do not apply	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Place of worship- inconsistent use	Impact Assessment	
Plant hire facility inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Areas NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Plant nursery inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Areas NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)

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Column 1 Defined use ⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁴ — applicable code if development is self-assessable or requires code assessment
Residential units- inconsistent use	Impact Assessment	
Restaurant inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if within Preferred Area NOX1 on Maps Z2 and Z5 Impact Assessment if the criteria for code assessment do not apply	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Retirement village- inconsistent use	Impact Assessment	
Roadside stall- inconsistent use	Impact Assessment	
Road transport terminal	Code Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Rural industry	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Area NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Sawmill	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Area NOX1 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Service station	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Area NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Shop inconsistent use	Impact Assessment	
Stock selling centre	Self Assessment if the criteria for code assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division

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Column 1 Defined use ⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁴ — applicable code if development is self-assessable or requires code assessment
	and impact assessment do not apply Code Assessment if within Preferred Area NOX3 on Maps Z2 and Z5 Impact Assessment if within Preferred Areas NOX1 or NOX2 on Maps Z2 and Z5	12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Tourist facility- inconsistent use	Impact Assessment	
Transport depot	Code Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Utility installation	Self Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12)
Vehicle repair station inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Area NOX2 or NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Veterinary clinic inconsistent use within Preferred Area NOX3 on Maps Z2 and Z5	Code Assessment if within Preferred Area NOX1 on Maps Z2 and Z5 Impact Assessment if the criteria for code assessment do not apply	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Warehouse	Code Assessment if the criteria for impact assessment do not apply Impact Assessment if within Preferred Area NOX3 on Maps Z2 and Z5	Noxious, offensive and hazardous industry zone code (Part 4 Division 12) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Waste management facility inconsistent use within Preferred Area NOX1 and NOX2 on Maps Z2 and Z5	Impact Assessment	
Wind farm	Impact Assessment	

Column 1 Defined use ⁵³	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁴ — applicable code if development is self-assessable or requires code assessment
inconsistent use		
Workers Cottage- Inconsistent use	Impact Assessment	
All other uses not defined except use for a road⁵⁵	Impact Assessment	

⁵⁵ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 12

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE—OTHER DEVELOPMENT

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵⁶ - applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12)
Operational work		
Excavation or filling of more than 50m ³ of material.	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Noxious, offensive and hazardous industry zone code (Part 4 Division 12)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Noxious, offensive and hazardous industry zone code (Part 4 Division 12)

⁵⁶ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 12—Assessment Criteria for Noxious, Offensive and Hazardous Industry Zone

4.64 NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE CODE

The provisions in this division comprise the Noxious, Offensive and Hazardous Industry zone code. They are-

- compliance with Noxious, Offensive and Hazardous Industry zone code (section 4.65);
- overall outcomes for Noxious, Offensive and Hazardous Industry zone code (section 4.66);
- specific outcomes, probable solutions and acceptable solutions for the Noxious, Offensive and Hazardous Industry zone code (sections 4.67 to 4.68).

4.65 COMPLIANCE WITH NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE CODE

Development that is consistent with the specific outcomes in section 4.67 to 4.68 complies with the Noxious, Offensive and Hazardous Industry zone code.

4.66 OVERALL OUTCOMES FOR NOXIOUS, OFFENSIVE AND HAZARDOUS INDUSTRY ZONE CODE

- (1) The overall outcomes are the purpose of the Noxious, Offensive and Hazardous Industry zone code.
- (2) The overall outcomes sought for the Noxious, Offensive and Hazardous Industry zone are to achieve an area that:
 - (a) is suitably serviced to accommodate industries which, by their sensitive nature are difficult to locate without undue detrimental effects and impact on the environment and the amenity of adjoining land uses;
 - (b) provides the necessary infrastructure and transport linkages in a location which is energy efficient in terms of employment, accessibility and mobility to consolidate Noxious, Offensive and Hazardous industrial uses;
 - (c) manages and designs uses and works to minimise the potential impact on residential amenity;
 - (d) makes effective use of the land and of the services provide to enable the functioning of the zone
 - (e) provides for the management and placement of Noxious, Offensive and Hazardous industries to minimise potential conflict between industrial uses.

4.67 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
<p>Siting and design</p> <p>S1 The site cover of any building is to allow for the accommodation of essential services including parking, loading and unloading of heavy vehicles, landscaping and to maintain an attractive appearance from the street.</p>	<p>PS1.1 The maximum site cover of any building does not exceed 60%, and</p> <p>PS1.2 The maximum height of any structure or building does not exceed 12 metres; and</p> <p>PS1.3 The minimum set back of any building from a road frontage is 6 metres.</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>Buffering</p> <p>S2 Non industrial uses and industrial uses are protected from the impacts of industry.</p>	<p>PS2.1 Lots which adjoin land in any other zone or preferred area have a 10 metre wide landscaping buffer within the site for the full length of the common boundary with the other zone or preferred area; and</p> <p>PS2.2 Any landscaping buffer required in PS2.1 incorporates a 1.8 metre high solid screen fence and is planted and maintained in accordance Part 6 Division 15 – Landscaping code.</p>
<p>Access</p> <p>S3 Adequate provision of car parking, loading/unloading facilities and access to industrial uses, appropriate to the needs of industry and the requirements of heavy vehicles are provided.</p>	<p>PS3.1 A reinforced industrial crossing of a minimum width of 6 metres is constructed (in accordance with Planning Scheme Policy 4 – Development Manual Standard Drawing S1015) from the kerb and channelling to the boundary of the allotment, and</p> <p>PS3.2 All facilities for the loading and unloading of goods are provided on site.</p> <p>PS3.3 The access between the existing sealed road and the kerb and channelling should be sealed in accordance with Planning Scheme Policy 4 – Development Manual D2 to a minimum width of the access at the boundary of the allotment.</p>
<p>Utilities</p> <p>S4 Adequate services are provided to meet the particular requirements of industrial development and to minimise any adverse effect of industrial development on the environment</p>	<p>PS4.1 (i) Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence; and</p> <p>(ii) The storage area is no closer than (6) metres from any road frontage and 1.5 metres from any other boundary; and</p> <p>For Code Assessable Development only</p> <p>PS4.2 Stormwater drainage systems are provided in accordance with the Planning Scheme Policy 4 – Development Manual S4.</p>
<p>Environmental Impacts</p> <p>S5 Emission of contaminants to surface or ground water (including contaminated stormwater) does not result in environmental harm or nuisance</p>	<p>PS5.1 All liquid wastes are contained and discharged to a sewer or removed from the site.</p>
<p>Landscaped areas</p> <p>S6 A pleasant streetscape is created within the Offensive and Hazardous Industry zone.</p>	<p>PS6.1 A landscaping strip (refer to Part 6 Division 15 - Landscaping Code) area of not less than 3 metres in width is provided along the main street frontage of the site; and</p> <p>PS6.2 A landscaping strip (refer to Part 6 Division 15 - Landscaping Code) of not less than 1 metre in width is provided along any other road frontage of the site, and</p> <p>PS6.3 Access is provided through the landscaping</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	strips.

4.68 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 Lots are of sufficient area and dimensions to: (i) enable the siting and construction of buildings and ancillary structures; and (ii) provide vehicle access and parking; and (iii) allow development that is in keeping with the predominant character of the locality.	PS1 Lots have a minimum area of 2,000m ² and a minimum frontage of thirty (30) metres.
S2 Design and construction caters for the intended use of the road within and external to the Noxious, Offensive and Hazardous Industry zone	PS2 Industrial roads are constructed in accordance with the Planning Scheme Policy 4-Development Manual.
S3 Accessible and convenient public open space is provided for the recreation and well being of the community.	PS3.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or. ⁵⁷ PS3.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution PS3.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.
S4 Augmentation of the road network servicing the development is provided.	PS4.1 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network ⁵⁸
S5 Lots are provided with an appropriate level of water and sewerage infrastructure.	PS5.1 (i) Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual (sections D6 and D7) in towns where these services are available; and (vii) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and

⁵⁷ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

⁵⁸ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	Sewerage; or PS5.2 (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and (ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.
S6 Electricity and telephone are provided for each allotment.	PS6 Lots are provided with underground electricity and telephone supplies.

4.69 INCONSISTENT USE

Specific Outcomes
<p>Inconsistent uses are contrary to the zone outcomes sought for the Noxious, Offensive and Hazardous Industry zone and comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses.</p>

4.70 CONSISTENT USES

Specific Outcomes
<p>Consistent uses are consistent with the zone outcomes sought for the Noxious, Offensive and Hazardous Industry zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.</p>

Division 13—Assessment Tables for Rural Zone

4.71 ASSESSMENT CATEGORIES FOR RURAL ZONE

The Assessment categories⁵⁹ are identified for development in the Rural zone in column 2 of tables 13 and 14 as follows-

- (a) table 13 - making a material change of use⁶⁰ for a defined use, listed in column 1; or
- (b) table 14 - other development⁶¹ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.72 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE RURAL ZONE

- (1) The relevant assessment criteria in the Rural zone are referred to in column 3 of tables 13 and 14.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable

4.73 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE RURAL ZONE

- (1) In accordance with section 4.81, a defined use that is inconsistent with the outcomes sought for the Rural zone is noted in column 1 of table 13.
- (2) If a defined use is not noted as inconsistent in column 1 of table 13, it is a consistent use in accordance with section 4.82.

4.74 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

59 Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide.

60 Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

61 See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 13

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR RURAL ZONE—MAKING A MATERIAL CHANGE OF USE

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use ⁶²	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁶³ — applicable code if development is self- assessable or requires code assessment
Abattoir	Impact Assessment	
Accommodation units	Impact Assessment	
Adult product shop- inconsistent use	Impact Assessment	
Agribusiness	Code Assessment	Rural zone code (Part 4 Division 14) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Agriculture	Self Assessment	Rural zone code (Part 4 Division 14)
Agriculture - intensive	Self Assessment	Rural zone code (Part 4 Division 14)
Aircraft facility	Impact Assessment	
Animal husbandry - general	Self Assessment	Rural zone code (Part 4 Division 14)
Animal husbandry - intensive	Code Assessment	Animal husbandry – intensive code (Part 6 Division 20)
Aquaculture (minor impact)	Code Assessment	Aquaculture (minor impact) code (Part 6 Division 21)
Aquaculture (significant impact)	Code Assessment	Animal husbandry – intensive code (Part 6 Division 20)
Bed and breakfast accommodation	Impact Assessment	
Bulk store	Impact Assessment	

⁶² See Part 7, Schedule 3 - defined uses.

⁶³ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁶²	Column 2 Assessment category	Column 3 Relevant assessment criteria⁶³— applicable code if development is self- assessable or requires code assessment
Business- inconsistent use	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park	Impact Assessment	
Child care centre	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Rural zone code (Part 4 Division 14)
Community facility	Impact Assessment	
Drive through fast food outlet- inconsistent use	Impact Assessment	
Dwelling house	Self Assessment	Dwelling house code (Part 4 Division 13) Rural zone code (Part 4 Division 14, section 4.79 PS1.1 and PS1.2) For a dwelling house on a Rural lot above two (2) hectares: Rural zone code (Part 4 Division 14, section 4.78 PS1.2 only)
Educational establishment	Impact Assessment	
Extractive industry	Code Assessment if the amount of material to be extracted does not exceed 200 m ³ per annum. or Impact Assessment if the criteria for code assessment do not apply.	Extractive industry code (Part 6 Division 8) Rural zone code (Part 4 Division 14)
Forestry	Code Assessment	Forestry code (Part 6 Division 19) Rural zone code (Part 4 Division 14)
Freight depot	Impact Assessment	
Heliport	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁶²	Column 2 Assessment category	Column 3 Relevant assessment criteria⁶³— applicable code if development is self- assessable or requires code assessment
Home business	Self Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)
Hospital	Impact Assessment	
Host farm	Impact Assessment	
Hotel	Impact Assessment	
Indoor recreation facility	Impact Assessment	
Industry	Impact Assessment	
Institution	Impact Assessment	
Light industry	Impact Assessment	
Liquid fuel depot	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel	Impact Assessment	
Motor home park	Impact Assessment	
Motor showroom - light- inconsistent use	Impact Assessment	
Motor showroom - heavy- inconsistent use	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Impact Assessment	
Passenger transport terminal	Impact Assessment	
Place of worship	Impact Assessment	
Plant hire facility	Impact Assessment	
Plant nursery	Impact Assessment	
Residential units- inconsistent use	Impact Assessment	

Column 1 Defined use⁶²	Column 2 Assessment category	Column 3 Relevant assessment criteria⁶³— applicable code if development is self- assessable or requires code assessment
Restaurant	Impact Assessment	
Retirement village	Impact Assessment	
Roadside stall	Code Assessment	Rural zone code (Part 4 Division 14) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Road transport terminal- inconsistent use	Impact Assessment	
Rural industry	Self Assessment	Rural zone code (Part 4 Division 14) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5))
Sawmill	Impact Assessment	
Service station	Impact Assessment	
Shop	Impact Assessment	
Stock selling centre	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot- inconsistent use	Impact Assessment	
Utility installation	Self Assessment	Rural zone code (Part 4 Division 14)
Vehicle repair station- inconsistent use	Impact Assessment	
Veterinary clinic	Impact Assessment	
Warehouse	Impact Assessment	
Waste management facility	Impact Assessment	
Wind farm	Impact Assessment	
Workers cottage	Code Assessment	Rural zone code (Part 4 Division 14)
All other uses not defined except use for a road ⁶⁴	Impact Assessment	

⁶⁴ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 14

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR RURAL ZONE—OTHER DEVELOPMENT

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁶⁵ - applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Rural zone code (Part 4 Division 14)
Operational work		
Excavation or filling of more than 50m ³ of material	Self Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Rural zone code (Part 4 Division 14)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Rural zone code (Part 4 Division 14)

⁶⁵ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 14—Assessment Criteria for Rural Zone

4.75 RURAL ZONE CODE

The provisions in this division comprise the Rural Zone code. They are-

- compliance with Rural Zone code (section 4.76);
- overall outcomes for Rural zone code (section 4.77);
- specific outcomes, probable solutions and acceptable solutions for the Rural zone code (sections 4.78 to 4.80).

4.76 COMPLIANCE WITH RURAL ZONE CODE

Development that is consistent with the specific outcomes in sections 4.78 to 4.80 complies with the Rural zone code.

4.77 OVERALL OUTCOMES FOR RURAL ZONE CODE

- (1) The overall outcomes are the purpose of the Rural zone code.
- (2) The overall outcomes sought for the Rural zone code are to achieve an area:
 - (a) that caters for a range of primary industries including forestry and aquaculture to contribute to the economic well being of the Mareeba Shire;
 - (b) where agricultural production and the raising of animals are protected from incompatible land uses;
 - (c) where Good quality agricultural land is protected from fragmentation and alienation, not developed for purposes other than agricultural and support uses, and is protected from incompatible land uses in accordance with SPP1/92;
 - (d) in which agricultural uses and works are located, designed and managed to maximise the efficient use and operation of infrastructure including the MDIA channel infrastructure;
 - (e) that allows tourist uses that are ecologically sustainable and dependent on the values of the cultural heritage and natural resource or features located in the rural zone;
 - (f) that excludes residential uses unless these uses are primarily ancillary and necessary to agricultural uses;
 - (g) where a distinct boundary between the towns of Mareeba, Kuranda and Dimbulah is clear so that those towns do not extend beyond identified boundaries;
 - (h) where provides adequate services to cater for the needs of industry are provided whilst ensuring likely environmental and social impacts of industrial developments and activities (e.g. both construction and operational impacts) and the cumulative impacts of trucks/transportation to and from industrial sites are minimised;
 - (i) where impacts on development on the natural values and water quality are minimised;
 - (j) that allows for rural value adding industries where appropriately located;
 - (k) where GQAL is conserved for agricultural uses that are dependent on the quality of agricultural land;
 - (l) where the scenic values of the Shire are maintained;
 - (m) where, in the Southedge Potential Tourist Area (as shown on Strategic Framework Maps SP1 & SP2) allows for tourist facilities directly associated with the natural attributes of the Southedge site, provided there is a demonstrable need for the facilities and adequate support systems are in place;
 - (n) where, in Preferred area No 3 (as shown on Maps Z8, Z9 and Z10) the Clohesy River Area is protected for future long term urban development as identified by the FNQ Regional Plan;
 - (o) where uses and works are located, designed and managed to avoid significant effect on the environment;

- (p) where, in Preferred Area No 2 (as shown on Map Z10) the Mona Mona Reserve is planned for its continued development in accordance with an approved Plan of Development and Land Management and the Supplementary Table of zones;
- (q) makes effective use of the land and of the services provided to enable the functioning of the zone.

4.78 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 New development is consistent in scale with existing buildings and structures in the vicinity and does not detrimentally impact on road transport infrastructure and adjoining uses.	<p>PS1.1 Any building or structure does not exceed 12 metres and three storeys in height; and</p> <p>PS1.2 Any building or structure is located at least:</p> <ul style="list-style-type: none"> (i) 50 metres from the centre line of the existing Kennedy Highway, Peninsula Developmental Road, Mareeba-Dimbulah Road or other State controlled road (Main Road Marked Route) as identified on Maps R1 and R2, and (ii) 6 metres from any other road; and (iii) 10 metres from any common boundary of allotments; and <p>PS1.3 Buildings and other structures are located at least 25 metres from any Railway corridor land.</p>
S2 Agricultural activities are protected from incompatible land uses.	<p>PS2.1 Where a site in the Rural zone is not already used for agriculture or agriculture – intensive and it adjoins any other zone, a separation distance of 300 metres is to be maintained between any new agricultural or agriculture - intensive use and the boundary of the adjoining zone/s.</p> <p>PS2.2 Non agriculture or agriculture – intensive uses which adjoin any agriculture or agriculture – intensive uses are protected from spray drifts by the maintenance of a separation distance of 300 metres between the agriculture or agriculture – intensive uses and the non agriculture or agriculture – intensive uses.</p>
S3 Functional, safe and convenient vehicular access and movement to the site for the particular activity.	PS3 Access to the site is provided in accordance with Planning Scheme Policy 4 - Development Manual Section D1.30.
S4 Clearing of vegetation does not destabilise soil resources, result in a reduction in water quality or fragmentation of wildlife corridors (wildlife corridors are identified as Category B of Planning Scheme Maps V1 and V2).	<p>For Lots with areas of two (2) hectares or above:</p> <p>PS4.1 Vegetation is retained within fifty (50) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For Lots below two (2) hectares in area:</p> <p>PS4.2 Vegetation is retained within ten (10) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For all Lots:</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	PS4.3 Vegetation is retained on land with a slope of 15% or greater.
For Code Assessable Development	
S5 Buildings are protected from adverse flooding and does not interfere with the passage or storage of stormwater.	PS5.1 Buildings are designed and located as not to be within an subject to flooding, unless: (ii) the floor level of all habitable rooms is at least 300mm clear of the Q100 flood level; and (ii) the building is elevated and the area below the building is not enclosed or otherwise does not impede the passage of stormwater.
<i>For the Southedge Potential Tourist Area as identified on the Strategic Framework Maps SP1 & SP2</i> S6 Utility services are provided which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and (iv) Provided equitably.	PS6 Development occurs in accordance with an approved plan which adequately addresses social, economic, environmental and regional considerations.
<i>For Mona Mona Reserve as identified on Map Z10 as Preferred Area No 2</i> S7 Utility services are provided which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and (iv) Provided equitably.	PS7 Development is carried out in accordance with a Plan of Development and Land Management and the Supplementary Table of zones, (as amended on 13 June 2001), approved by Council on 19 June 2001.
<i>For Clohesy River Area identified on Maps Z8, Z9 and Z10 as Preferred Area No 3</i> S8 Land situated within Preferred Area No 3 (as shown on Maps Z8, Z9 and Z10) is protected for future long term urban development as identified by the FNQ Regional Plan.	PS8 New development within Preferred No 3 does not compromise its potential for future long term urban development.
S9 Tourism uses in or within 50 metres of a significant landscape feature are	PS9 No probable solution prescribed.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
located on a site: (i) without impacting on the attributes or values which give rise to the attractiveness of the site; and (ii) with proximity to infrastructure and services adequate to meet the-day to-day needs of the tourist population likely to be generated by development on the site; and (iii) that contains land suitable in its physical characteristics to accommodate the form, scale and intensity of development; and (iv) without impact upon the visual and landscape setting of the Shire.	
S10 Uses not dependant upon good quality agricultural land are not located on Good Quality Agricultural Land identified on Agricultural Land Quality Maps S2 to S5, unless there is an overriding need and no alternative sites.	PS10 No probable solution prescribed.

4.79 GRAVEL PITS, RESOURCE RESERVES AND MINING LEASES

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 The continuing or new use of gravel pits, resource reserves, mining lease areas and other areas of mineral interests identified on Maps M1 to M5 is not significantly constrained by the siting of incompatible uses or works.	PS1.1 New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 500 metres of Mining Interests identified on Maps M1 to M5; and PS1.2 New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 1 km from Mining Interests (as identified on Maps M1 to M5) involving blasting and crushing of material.
For Code Assessable Development	
S2 Development of new extractive industries ensures neighbouring activities are not impacted upon.	PS2 No probable solution prescribed.

4.80 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 The viability of the farming industry throughout the Shire and including Good Quality Agricultural Land, and future opportunities for farming pursuits are not compromised	<p>PS1.1 Allotments to have a minimum area of 60 hectares and road frontage of 300 metres within the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5; or</p> <p>PS1.2 Allotments to have a minimum area of 30 hectares and road frontage of 150 metres if outside the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5.</p>
S2 Design and construction caters for the intended use of the road.	PS2 Design and construction of roads and accesses are in accordance with the Planning Scheme Policy 4 - Development Manual and the provisions of the Part 6 Division 5 - Car parking code.
S3 Augmentation of the road network servicing the development is provided.	PS3 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network ⁶⁶
S4 Sewage disposal facilities are provided for each allotment which are: <ul style="list-style-type: none"> (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and (iv) are provided equitably. 	PS4 On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.

⁶⁶ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

4.81 INCONSISTENT USE

Specific Outcomes
<p>Inconsistent uses are contrary to the zone outcomes sought for the Rural zone comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses.</p>

4.82 CONSISTENT USES

Specific Outcomes
<p>Consistent uses are consistent with the zone outcomes sought for the Rural zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.</p>

Division 15—Assessment Tables for Village Zone

4.83 ASSESSMENT CATEGORIES FOR VILLAGE ZONE

The Assessment categories⁶⁷ are identified for development in the Village zone in column 2 of tables 15 and 16 as follows-

- (a) table 15 - making a material change of use⁶⁸ for a defined use, listed in column 1; or
- (b) table 16 - other development⁶⁹ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.84 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE VILLAGE ZONE

- (1) The relevant assessment criteria in the Village zone are referred to in column 3 of tables 15 and 16.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.85 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE VILLAGE ZONE

- (1) In accordance with section 4.94, a defined use that is inconsistent with the outcomes sought for the Village zone is noted in column 1 of table 15.
- (2) If a defined use is not noted as inconsistent in column 1 of table 15, it is a consistent use in accordance with section 4.95.

4.86 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

⁶⁷ Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide).

⁶⁸ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes) giving examples that explain the type of development involved in different proposals.

⁶⁹ See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 15

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR VILLAGE ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use ⁷⁰	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁷¹ — applicable code if development is self- assessable or requires code assessment
Abattoir- inconsistent	Impact Assessment	
Accommodation units	Impact Assessment	
Adult product shop	Impact Assessment	
Agribusiness-	Impact Assessment	
Agriculture	Impact Assessment	
Agriculture - intensive	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry - general	Impact Assessment	
Animal Husbandry - intensive	Impact Assessment	
Aquaculture (minor impact)	Impact Assessment	
Aquaculture (significant impact)	Impact Assessment	
Bed and breakfast accommodation	Code Assessment	Bed and breakfast code (Part 6 Division 4)
Bulk store	Impact Assessment	
Business	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)

⁷⁰ See Part 7, Schedule 3 - defined uses.

⁷¹ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁷⁰	Column 2 Assessment category	Column 3 Relevant assessment criteria⁷¹— applicable code if development is self- assessable or requires code assessment
Caravan park	Impact Assessment	
Child Care Centre	Impact Assessment	
Communication Facility	Code Assessment	Communication facilities code (Part 6 Division 7) Village zone code (Part 4 Division 16)
Community Facility	Impact Assessment	
Drive Through Fast Food Outlet	Impact Assessment	
Dwelling House	Self Assessment	Dwelling house code (Part 4 Division 13)
Educational Establishment	Impact Assessment	
Extractive Industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot	Impact Assessment	
Heliport- inconsistent use	Impact Assessment	
Home business	Code Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)
Hospital	Impact Assessment	
Host farm	Impact Assessment	
Hotel	Impact Assessment	
Indoor recreation facility	Impact Assessment	
Industry	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry	Impact Assessment	
Liquid Fuel Depot- inconsistent use	Impact Assessment	
Material recycling facility-	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁷⁰	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁷¹ — applicable code if development is self- assessable or requires code assessment
inconsistent use		
Motel	Impact Assessment	
Motor home park	Impact Assessment	
Motor showroom - light	Impact Assessment	
Motor showroom - heavy	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Impact Assessment	
Passenger transport terminal	Impact Assessment	
Place of worship	Impact Assessment	
Plant hire facility	Impact Assessment	
Plant nursery	Impact Assessment	
Residential units	<p>Self Assessment if</p> <p>(i) within Preferred Area No 5 identified on Map Z6; and</p> <p>(ii) the maximum population density does not exceed 300 persons per hectare.</p> <p>Impact Assessment if the criteria for self assessment does not apply</p>	<p>Village zone code (Part 4 Division 16)</p> <p>Landscaping code (Part 6 Division 15)</p> <p>Carparking code (Part 6 Division 5)</p>
Restaurant	Impact Assessment	
Retirement village	Impact Assessment	
Roadside stall	Impact Assessment	
Road transport terminal	Impact Assessment	
Rural industry	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station	Impact Assessment	
Shop	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁷⁰	Column 2 Assessment category	Column 3 Relevant assessment criteria⁷¹— applicable code if development is self- assessable or requires code assessment
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot	Impact Assessment	
Utility installation	Code Assessment	Village zone code (Part 4 Division 16)
Vehicle repair station	Impact Assessment	
Veterinary clinic	Impact Assessment	
Warehouse	Impact Assessment	
Waste management facility	Impact Assessment	
Wind farm inconsistent use	Impact Assessment	
Workers cottage	Impact Assessment	
All other uses not defined except use for a road⁷²	Impact Assessment	

⁷² Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 16

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR VILLAGE ZONE—OTHER DEVELOPMENT

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria⁷³- applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Village zone code (Part 4 Division 16)
Operational work		
Excavation or filling of more than 50m ³ of material.	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Village zone code (Part 4 Division 16)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Village zone code (Part 4 Division 16)

⁷³ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 16—Assessment Criteria for Village Zone

4.87 VILLAGE ZONE CODE

The provisions in this division comprise the Village zone code. They are-

- compliance with Village zone code (section 4.88);
- overall outcomes for Village zone (section 4.89);
- specific outcomes, probable solutions and acceptable solutions for the Village zone code (sections 4.90 to 4.93).

4.88 COMPLIANCE WITH VILLAGE ZONE CODE

Development that is consistent with the specific outcomes in sections 4.90 to 4.93, complies with the Village zone code.

4.89 OVERALL OUTCOMES FOR VILLAGE ZONE CODE

- (1) The overall outcomes are the purpose of the Village zone code.
- (2) The overall outcomes sought for the Village zone code are to achieve an area that:
 - (a) provides for the continuation of a mix of land use patterns of small residential communities in the rural hinterland and which provides basic goods and services to the surrounding rural areas, and to the travelling public;
 - (b) retains the identity and existing character of the villages of the Shire by protection of historic and scenic features;
 - (c) protects and enhances the identity of the Village of Kuranda, not only as a tourist destination, but also as a residential centre and a functional service location for the wider district;
 - (d) protects and enhances the image, natural vegetation and scenic quality of the Village of Kuranda as a tourist destination;
 - (e) allows for an increase in the density of residential development in appropriate areas of the Village of Kuranda to make efficient use of sewer and water infrastructure;
 - (f) makes effective use of the land and of the services provided to enable the functioning of the zone.

4.90 RESIDENTIAL UNITS, BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 The siting and design of any building is sympathetic to the surrounding natural and built environment.	PS1.1 The maximum height of any structure or building does not exceed 7.5 metres and two storeys; and PS1.2 Site cover including outbuildings used ancillary to a dwelling house does not exceed 50%.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S2 Uses other than a dwelling house are sited having regard to the safety of the people using the premises, the amenity enjoyed by adjoining residential uses, and the maintenance of buildings and works, including appropriate provisions for each of the following;</p> <ul style="list-style-type: none"> (i) access to sunlight and ventilation; and (ii) privacy; and (iii) landscaping; and (iv) noise and dust reduction; and (v) road access, and (vi) disability access. 	<p>PS2.1 A minimum setback of 2 metres from the main street frontage is provided; and</p> <p>PS2.2 Buildings are setback three (3) metres from the side and rear boundaries of the site; and</p> <p>PS2.3 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence; and</p> <p>PS2.4 If adjacent to a dwelling house, a 1.8 metre high solid fence established on the common boundary with the dwelling house; and</p> <p>PS2.5 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points);⁷⁴ and</p> <p>PS2.6 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided adjacent to side boundaries from the main street frontage to the line of the building alignment; and</p> <p>PS2.7 Unused areas of the site can be accessed to allow them to be maintained (e.g. mowed).</p> <p>For Code Assessable Development only</p> <p>PS2.8 Access for people with disability is in accordance with AS 1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
<i>For Residential Units within Preferred Area No 5 on Map Z6 only (Kuranda Village)</i>	
<p>S3 Residential units are located close to essential services and do not detrimentally affect the amenity of the locality (Preferred Area No 5, as identified on Planning Scheme Map</p>	<p>PS3.1 Building height for land within Preferred Area No 5 does not exceed 12 metres and three (3) storeys; and</p> <p>PS3.2 Building height for land outside Preferred Area No 5 does not exceed 7.5 metres and two (2)</p>

⁷⁴ Refer Part 6 Landscaping Code, Div 15-Landscaping Code

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
Z6).	<p>storeys; and</p> <p>PS3.3 The lot size is not less than 800m²; and</p> <p>PS3.4 For land within Preferred Area No 5, the maximum site cover is:</p> <ul style="list-style-type: none"> (i) for one storey buildings, 50%; and (ii) for two storey buildings, 50%; and (iii) for three storey buildings, 40%; and <p>PS3.5 For land outside Preferred Area No 5:</p> <ul style="list-style-type: none"> (i) for one storey buildings, 30%; and (ii) for two storey buildings, 20% and <p>PS3.6 Population density does not exceed:</p> <ul style="list-style-type: none"> (i) for land within Preferred Area No 5 - 300 persons per hectare; and (ii) for land outside Preferred Area No 5 - 50 persons per hectare.
S4 Residential units are located and designed to provide for a high level of comfort, amenity, convenient access to services and safety to occupants.	<p>PS4.1 Open space for exclusive use of occupants:</p> <ul style="list-style-type: none"> (i) 25m² per unit if within Preferred Area No 5 on Planning Scheme Map Z6; and (ii) 50% of the open space area provided is to be in one piece with a ratio of length to breadth not exceeding 2:1 and free of structures above ground level; and <p>PS4.2 A clothes drying area having a minimum area of 3.5m² per person is provided in addition to the of individual open space requirement in PS6.1; and</p> <p>PS4.3 Car parking for the occupants of the development is at the rate of:</p> <ul style="list-style-type: none"> (i) One (1) space for each unit plus one additional space per two (2) units; and (iv) Car parking required under PS6.3(i) are not taken into account when calculating the percentage of site cover in PS5.4 and PS5.5; and <p>PS4.4 Heavy duty vehicular crossings are provided in accordance with Planning Scheme Policy 4–Development Manual Standard Drawing S1015.</p>
S5 Residential units are appropriately landscaped and serviced.	<p>PS5.1 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points);⁷⁵ and</p> <p>PS5.2 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of one (1) metre in width are provided adjacent to side boundaries from the main street frontage to the</p>

⁷⁵ Refer Part 6 Landscaping Code, Div 15-Landscaping Code

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>line of the building alignment (excepting building footprint areas and individual clothes drying areas); and</p> <p>PS5.3 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence.</p>
<p>S6 Impact of unit development on an adjoining dwelling house is minimised.</p>	<p>PS6.1 A timber screen fence of 1.8 metres in height, with overlapping palings, is provided along any common boundary with an adjoining allotment which contains a dwelling house.</p>
For Code Assessable Development	
<i>For code assessable Commercial Buildings constructed within the Kuranda Village (Map Z6 only)</i>	
<p>S7 The attractiveness and amenity of the Village zone as is indicated on Map Z6, protected and enhanced through sensitive siting and design of buildings.</p>	<p>PS7.1 Roofs have a pitch between 20 – 45 degrees; and</p> <p>PS7.2 Verandahs, may have lower roof pitch to the main roof; and</p> <p>PS7.3 Roofing materials have the traditional profile corrugated iron or shingles; and</p> <p>PS7.4 Fenestration which has a vertical rather than a horizontal emphasis, and avoidance of large glazed areas in otherwise blank walls; and</p> <p>PS7.5 Privacy screens may be incorporated, providing they are of lattice or slatted configuration and less than 50% transparent; and</p> <p>PS7.6 Building materials contribute to a light overall building appearance and may include steel, timber framing, timber chamfer boarding and colorbond.</p>
<p>S8 Building designs minimise Building Bulk.</p>	<p>PS8.1 Any building proposed to be used for commercial or tourism purposes is to have a maximum continuous roofline and/or other architectural element of 10 metres; and</p> <p>PS8.2 In addition, the continuous length of street frontage comprising built and landscape elements of the same style is to be limited to a maximum of 20 metres; and</p> <p>PS8.3 So as not to be defined as continuous, architectural and landscape elements need to incorporate at least one of the following:</p> <ul style="list-style-type: none"> (i) a shift in plane of at least one (1) metre over a maximum distance of ten (10) metres; or (ii) a change in surface appearance or treatment that is visually distinct; or (iii) a shift in altitude or azimuth that is a minimum of 15 degrees over a maximum

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p style="text-align: center;">distance of ten (10) metres.</p> <p>PS8.4 Buildings should not include any of the following:</p> <ul style="list-style-type: none"> (i) the predominant use of single colours or surface treatments; and (ii) single roof, verandah and awning pitches; and (iii) single species plantings within landscaped areas.
For Code Assessable Development	
S9 The scenic quality of Rob Veivers Drive which forms the entrance to the Kuranda Village.	PS9 Existing mature trees and other vegetation which contains a substantial landscaping component of rainforest tropical planting along Rob Veivers Drive are retained in a buffer strip of not less than 10 metres in width.

4.91 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 Lots are of sufficient area and dimensions to: <ul style="list-style-type: none"> (i) enable the siting and construction of a building and ancillary buildings for their intended use; and (ii) provide vehicle access and parking; and (iii) to allow development that is in keeping with the predominant character of the locality. 	PS1 Lots have a minimum area of 800m ² and a minimum frontage of twenty (20) metres.
S2 Design and construction caters for the intended use of the road.	PS2 Design and construction of roads and accesses are in accordance with the Planning Scheme Policy 4 - Development Manual.
S3 Accessible and convenient public open space is provided for the recreation and well being of the community.	<p>PS3.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or⁷⁶</p> <p>PS3.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p>

⁷⁶ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	PS3.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.
S4 Augmentation of the road network servicing the development is provided.	PS4 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network ⁷⁷
S5 Lots are provided with an appropriate level of water and sewerage infrastructure.	PS5.1 (i) Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual in towns where these services are available; and (ii) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage; or PS5.2 (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and (ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.
S6 Electricity and telephone are provided for each allotment.	PS6 Lots are provided with underground electricity and telephone supplies.

4.92 EFFLUENT DISPOSAL (OUTSIDE A RETICULATED SEWERAGE AREA)

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 Design and location for the disposal of sewage is adequate and safe for the intended use of the land not connected to the reticulated sewerage system.	PS1 On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.

4.93 WATER SUPPLY (OUTSIDE A RETICULATED WATER SUPPLY AREA)

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	

⁷⁷ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S1 A potable and sustainable water supply is provided for the intended use of the land.	PS1 Development is provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas).

4.94 INCONSISTENT USE

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Village Zone and comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses .

4.95 CONSISTENT USES

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Village zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.

Division 17—Assessment Tables for Open Space Zone

4.96 ASSESSMENT CATEGORIES FOR OPEN SPACE ZONE

The Assessment categories⁷⁸ are identified for development in the Open Space zone in column 2 of tables 17 and 18 as follows-

- (a) table 17 - making a material change of use⁷⁹ for a defined use, listed in column 1; or
- (b) table 18 - other development⁸⁰ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.97 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE OPEN SPACE ZONE

- (1) The relevant assessment criteria in the Open Space zone are referred to in column 3 of tables 17 and 18.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.98 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE OPEN SPACE ZONE

- (1) In accordance with section 4.105, a defined use that is inconsistent with the outcomes sought for the Open Space zone is noted in column 1 of table 17.
- (2) If a defined use is not noted as inconsistent in column 1 of table 17, it is a consistent use in accordance with section 4.106.

4.99 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

⁷⁸ Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide.

⁷⁹ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes) giving examples that explain the type of development involved in different proposals.

⁸⁰ See Mareeba Shire Planning Scheme Explanatory Notes) giving examples that explain the type of development involved in different proposals.

TABLE 17

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR OPEN SPACE ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use⁸¹	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸²— applicable code if development is self- assessable or requires code assessment
Abattoir- inconsistent	Impact Assessment	
Accommodation units- inconsistent use	Impact Assessment	
Adult product shop- inconsistent use	Impact Assessment	
Agribusiness- inconsistent use	Impact Assessment	
Agriculture	Impact Assessment	
Agriculture - intensive- inconsistent use	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry - general- inconsistent use	Impact Assessment	
Animal husbandry - intensive- inconsistent use	Impact Assessment	
Aquaculture (minor impact)- inconsistent use	Impact Assessment	
Aquaculture (significant impact)-	Impact Assessment	

⁸¹ See Part 7, Schedule 3 - defined uses.

⁸² For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁸¹	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸²— applicable code if development is self- assessable or requires code assessment
inconsistent use		
Bed and breakfast accommodation	Impact Assessment	
Bulk Store- inconsistent use	Impact Assessment	
Business- inconsistent use	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park	Impact Assessment	
Child care centre	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Open Space zone code (Part 4 Division 18)
Community facility	Impact Assessment	
Drive through fast food outlet- inconsistent use	Impact Assessment	
Dwelling house	Code Assessment	Dwelling house code (Part 4 Division 13)
Educational establishment- inconsistent use	Impact Assessment	
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot- inconsistent use	Impact Assessment	
Heliport	Impact Assessment	
Home business	Code Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁸¹	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸²— applicable code if development is self- assessable or requires code assessment
Hospital- inconsistent use	Impact Assessment	
Host farm	Impact Assessment	
Hotel- inconsistent use	Impact Assessment	
Indoor recreation facility	Self Assessment	Open Space zone code (Part 4 Division 18) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry- inconsistent use	Impact Assessment	
Liquid fuel depot- inconsistent use	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel- inconsistent use	Impact Assessment	
Motor home park	Impact Assessment	
Motor showroom - light- inconsistent use	Impact Assessment	
Motor showroom - heavy- inconsistent use	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Self Assessment	Open Space zone code (Part 4 Division 18) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Passenger transport terminal-	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁸¹	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸²— applicable code if development is self- assessable or requires code assessment
inconsistent use		
Place of worship	Impact Assessment	
Plant hire facility- inconsistent use	Impact Assessment	
Plant nursery	Impact Assessment	
Residential units- inconsistent use	Impact Assessment	
Restaurant	Impact Assessment	
Retirement village	Impact Assessment	
Roadside stall	Impact Assessment	
Road transport terminal- inconsistent use	Impact Assessment	
Rural industry- inconsistent use	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station- inconsistent use	Impact Assessment	
Shop- inconsistent use	Impact Assessment	
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot- inconsistent use	Impact Assessment	
Utility installation	Self Assessment	Open Space zone code (Part 4 Division 18)
Vehicle repair station- inconsistent use	Impact Assessment	
Veterinary clinic- inconsistent use	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁸¹	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁸² — applicable code if development is self- assessable or requires code assessment
Warehouse- inconsistent use	Impact Assessment	
Waste management facility- inconsistent use	Impact Assessment	
Wind Farm inconsistent use	Impact Assessment	
Workers cottage	Impact Assessment	
All other uses not defined except use for a road ⁸³	Impact Assessment	

⁸³ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 18

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR OPEN SPACE ZONE—
OTHER DEVELOPMENT**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸⁴- applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Open Space zone code (Part 4 Division 18)
Operational work		
Excavation or filling of more than 50m ³ of material	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Open Space zone code (Part 4 Division 18)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Open Space zone code (Part 4 Division 18)

⁸⁴ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 18—Assessment Criteria for Open Space Zone

4.100 OPEN SPACE ZONE CODE

The provisions in this division comprise the Open Space zone code. They are-

- compliance with Open Space zone code (section 4.101);
- overall outcomes for Open Space zone code (section 4.102);
- specific outcomes, probable and acceptable solutions for the Open Space zone code (sections 4.103 to 4.104).

4.101 COMPLIANCE WITH OPEN SPACE ZONE CODE

Development that is consistent with the specific outcomes in sections 4.103 to 4.104, complies with the Open Space zone code.

4.102 OVERALL OUTCOMES FOR OPEN SPACE ZONE CODE

- (1) The overall outcomes are the purpose of the Open Space zone code.
- (2) The overall outcomes sought for the Open Space zone code are to achieve an area that:
 - (a) provides for the development of passive and active recreational facilities for the general welfare and wellbeing of the community;
 - (b) ensures the environmental qualities of land, including fauna habitat and vegetation communities are protected and preserved for the enjoyment of the community.

4.103 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 Buildings and other works are sited and provided on premises having regard to the safety of the people using the premises, the amenity enjoyed by those people and the maintenance of buildings and works, including appropriate provisions for each of the following; <ol style="list-style-type: none"> (i) access to sunlight and ventilation; and (ii) privacy; and (iii) landscaping; and (iv) dust reduction; and (v) road access. 	PS1.1 A setback of three (3) metres is provided to the site and rear boundaries. PS1.2 Building height and the height of other structures (excluding light towers) does not exceed 12 metres and three (3) storeys.
For Code Assessable Development	
S2 Uses and works are consistent in type, character and scale with recreation purposes (picnic tables, barbeque areas, boardwalks, shelter and shaded	PS2 No probable solution prescribed.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
areas, flood protection devices and public toilets)	
S3 Functional, safe, convenient and equitable vehicular and pedestrian access and facilities for the particular activity.	PS3 Car parking and set down areas, provided in accordance with the Part 6 Division 5 - Carparking Code, are set back three (3) metres from the main street frontage and two (2) metres from side and rear boundaries.

4.104 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 (a) If rearranging the boundaries of the lot, the useability of and access to all lots affected is improved, or maintained to an adequate extent; and (b) if creating an access easement from a constructed road, the useability of and access to all lots affected is improved, or maintained to an adequate extent; (c) if a new lot is created, the lot: (i) is, or is capable of being, adequately serviced having regard to how the land is proposed to be used and the circumstances of its location; and (ii) has an area, dimensions and suitable areas within the lot consistent with: (i) the outcomes sought for the zone in which it occurs and the intended use, or the use approved for the subject land; and (ii) any significant constraint of the land; and (iii) the provision of appropriate boundary clearances.	PS1 No probable solution prescribed.

4.105 INCONSISTENT USES

Specific Outcomes

Inconsistent uses are contrary to the zone outcomes sought for the Open Space Zone and comprise all uses mentioned in Column 1 of the Table of Development as **Inconsistent uses**.

4.106 CONSISTENT USES

Specific Outcomes

Consistent uses are consistent with the zone outcomes sought for the Open Space zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.

Division 19—Assessment Tables for Conservation Zone

4.107 ASSESSMENT CATEGORIES FOR CONSERVATION ZONE

The Assessment categories⁸⁵ are identified for development in the Conservation zone in column 2 of tables 19 and 20 as follows-

- (a) table 19 - making a material change of use⁸⁶ for a defined use, listed in column 1; or
- (b) table 20 - other development⁸⁷ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.108 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE CONSERVATION ZONE

- (1) The relevant assessment criteria in the Conservation zone are referred to in column 3 of tables 19 and 20.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.109 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE CONSERVATION ZONE

- (1) In accordance with section 4.116, a defined use that is inconsistent with the outcomes sought for the Conservation zone is noted in column 1 of table 19.
- (2) If a defined use is not noted as inconsistent in column 1 of table 19, it is a consistent use in accordance with section 4.117.

4.110 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

⁸⁵ Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide

⁸⁶ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

⁸⁷ See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 19

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR CONSERVATION ZONE—
MAKING A MATERIAL CHANGE OF USE**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use⁸⁸	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸⁹— applicable code if development is self- assessable or requires code assessment
Abattoir- inconsistent	Impact Assessment	
Accommodation units- inconsistent use	Impact Assessment	
Adult product shop- inconsistent use	Impact Assessment	
Agribusiness- inconsistent use	Impact Assessment	
Agriculture- inconsistent use	Impact Assessment	
Agriculture - intensive- inconsistent use	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry - general	Impact Assessment	
Animal husbandry - intensive- inconsistent use	Impact Assessment	
Aquaculture (minor impact)- inconsistent use	Impact Assessment	
Aquaculture (significant impact)- inconsistent use	Impact Assessment	

⁸⁸ See Part 7, Schedule 3 - defined uses.

⁸⁹ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁸⁸	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁸⁹ — applicable code if development is self- assessable or requires code assessment
Bed and breakfast accommodation	Impact Assessment	
Bulk store- inconsistent use	Impact Assessment	
Business- inconsistent use	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park- inconsistent use	Impact Assessment	
Child care centre- inconsistent use	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Conservation zone code (Part 4 Division 20)
Community facility- inconsistent use	Impact Assessment	
Drive through fast food outlet- inconsistent use	Impact Assessment	
Dwelling house	Code Assessment	Dwelling house code (Part 4 Division 13)
Educational establishment- inconsistent use	Impact Assessment	
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot- inconsistent use	Impact Assessment	
Heliport- inconsistent use	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ⁸⁸	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁸⁹ — applicable code if development is self- assessable or requires code assessment
Home business- inconsistent use	Impact Assessment	
Home occupation	Code Assessment	Home occupation code (Part 6 Division 9)
Hospital- inconsistent use	Impact Assessment	
Host farm- inconsistent use	Impact Assessment	
Hotel- inconsistent use	Impact Assessment	
Indoor recreation facility- inconsistent use	Impact Assessment	
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry- inconsistent use	Impact Assessment	
Liquid fuel depot- inconsistent use	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel- inconsistent use	Impact Assessment	
Motor home park- inconsistent use	Impact Assessment	
Motor showroom - light- inconsistent use	Impact Assessment	
Motor showroom - heavy- inconsistent use	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use⁸⁸	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸⁹— applicable code if development is self- assessable or requires code assessment
Outdoor sport and entertainment facility	Impact Assessment	
Passenger transport terminal- inconsistent use	Impact Assessment	
Place of worship- inconsistent use	Impact Assessment	
Plant hire facility- inconsistent use	Impact Assessment	
Plant nursery- inconsistent use	Impact Assessment	
Residential units- inconsistent use	Impact Assessment	
Restaurant- inconsistent use	Impact Assessment	
Retirement village- inconsistent use	Impact Assessment	
Roadside stall- inconsistent use	Impact Assessment	
Road transport terminal- inconsistent use	Impact Assessment	
Rural industry- inconsistent use	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station- inconsistent use	Impact Assessment	
Shop- inconsistent use	Impact Assessment	
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility	Impact Assessment	

Column 1 Defined use⁸⁸	Column 2 Assessment category	Column 3 Relevant assessment criteria⁸⁹— applicable code if development is self- assessable or requires code assessment
Transport depot- inconsistent use	Impact Assessment	
Utility installation	Impact Assessment	
Vehicle repair station- inconsistent use	Impact Assessment	
Veterinary clinic- inconsistent use	Impact Assessment	
Warehouse- inconsistent use	Impact Assessment	
Waste management facility- inconsistent use	Impact Assessment	
Wind farm inconsistent use	Impact Assessment	
Workers cottage	Impact Assessment	
All other uses not defined except use for a road⁹⁰	Impact Assessment	

⁹⁰ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 20

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR CONSERVATION ZONE—
OTHER DEVELOPMENT**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁹¹ - applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Code Assessment	Conservation zone code (Part 4 Division 20)
Operational work		
Excavation or filling of more than 50m ³ of material	Code Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Conservation zone code (Part 4 Division 20)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Conservation zone code (Part 4 Division 20)

⁹¹ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 20—Assessment Criteria for Conservation Zone

4.111 CONSERVATION ZONE CODE

The provisions in this division comprise the Conservation zone code. They are-

- compliance with Conservation zone code (section 4.112);
- overall outcomes for Conservation zone code (section 4.113);
- specific outcomes, probable and acceptable solutions for the Conservation zone code (sections 4.114 and 4.115).

4.112 COMPLIANCE WITH CONSERVATION ZONE CODE

Development that is consistent with the specific outcomes in sections 4.114 and 4.115, complies with Conservation zone code.

4.113 OVERALL OUTCOMES FOR CONSERVATION ZONE CODE

- (1) The overall outcomes are the purpose of the Conservation zone code.
- (2) The overall outcomes sought for the Conservation zone code are to achieve an area that:
 - (a) preserves areas of significant conservation values of local and national importance for the general welfare of the community;
 - (b) ensures the environmental qualities of land, including fauna and flora habitat of biodiversity importance are protected and preserved for the long term enjoyment of the community;
 - (c) is protected from adjoining land uses which may have a detrimental impact on the natural beauty and biodiversity of the conservation zone.

4.114 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 The values of the Conservation zone are not impacted by the development proposal ⁹²	PS1 No probable solution prescribed.
S2 The development proposal is designed so that there is no potential adverse impact or minimal potential adverse impact on the Conservation zone having regard to: <ol style="list-style-type: none"> (i) Disposal of effluent; and (ii) vegetation clearing; and (iii) access; and (iv) risk of bush fire; and (v) visual amenity; and (vi) dust reduction; and (vii) wild life corridors; and 	PS2 No probable solution prescribed.

⁹² Council will require a visual and environmental analysis of the development proposal in relation to the proposal and its effect on the Conservation values of the site.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
(viii) artificial lighting; and (ix) impact of the development on existing fauna, flora and wildlife habitat (traffic, noise, contamination); and (x) impact during construction phases of the development; and (xi) rehabilitation.	

4.115 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 (a) If rearranging the boundaries of the lot, the useability of and access to all lots affected is improved, or maintained to an adequate extent; and (b) if creating an access easement from a constructed road, the useability of and access to all lots affected is improved, or maintained to an adequate extent.	PS1 No probable solution prescribed.

4.116 INCONSISTENT USE

Specific Outcomes
<p>Inconsistent uses are contrary to the zone outcomes sought for the Conservation zone and comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent use.</p>

4.117 CONSISTENT USES

Specific Outcomes
<p>Consistent uses are consistent with the zone outcomes sought for the Conservation zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.</p>

Division 21—Assessment Tables for Myola Zone

4.118 ASSESSMENT CATEGORIES FOR MYOLA ZONE

The Assessment categories⁹³ are identified for development in the Myola zone in column 2 of tables 21 and 22 as follows-

- (a) table 21 - making a material change of use⁹⁴ for a defined use, listed in column 1; or
- (b) table 22 - other development⁹⁵ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

4.119 RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE MYOLA ZONE

- (1) The relevant assessment criteria in the Myola zone are referred to in column 3 of tables 21 and 22.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

4.120 USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE MYOLA ZONE

- (1) In accordance with section 4.127 a defined use that is inconsistent with the outcomes sought for the Myola zone is noted in column 1 of table 21.
- (2) If a defined use is not noted as inconsistent in column 1 of table 21, it is a consistent use in accordance with section 4.128.

4.121 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

93 Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide.

94 Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

95 See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 21**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR MYOLA ZONE—MAKING A MATERIAL CHANGE OF USE**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use⁹⁶	Column 2 Assessment category	Column 3 Relevant assessment criteria⁹⁷— applicable code if development is self-assessable or requires code assessment
Abattoir- inconsistent use	Impact Assessment	
Accommodation units- inconsistent use	Impact Assessment	
Adult product shop- inconsistent use	Impact Assessment	
Agribusiness- inconsistent use	Impact Assessment	
Agriculture	Code Assessment	Myola zone code (Part 4 Division 22)
Agriculture - intensive- inconsistent use	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry - general	Self Assessment	Myola zone code (Part 4 Division 22)
Animal husbandry - intensive- inconsistent use	Impact Assessment	
Aquaculture (minor impact)- inconsistent use	Impact Assessment	
Aquaculture (significant impact)- inconsistent use	Impact Assessment	
Bed and breakfast accommodation	Code Assessment	Bed and breakfast code (Part 6

⁹⁶ See Part 7, Schedule 3 - defined uses

⁹⁷ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Defined use ⁹⁶	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁹⁷ — applicable code if development is self-assessable or requires code assessment
		Division 4)
Bulk store- inconsistent use	Impact Assessment	
Business- inconsistent use	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence	Code Assessment	Caretaker's residence code (Part 6 Division 22)
Caravan park- inconsistent use	Impact Assessment	
Child care centre	Impact Assessment)
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Myola zone code (Part 4 Division 22)
Community facility	Impact Assessment	
Drive through fast food outlet- inconsistent use	Impact Assessment	
Dwelling house	Self Assessment	Dwelling house code (Part 4 Division 13) Myola zone code (Part 4 Division 22, section 4.125 PS1.2)
Educational establishment	Impact Assessment	
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot- inconsistent use	Impact Assessment	
Heliport- inconsistent use	Impact Assessment	
Home business	Code Assessment	Home business code (Part 6 Division 10)
Home occupation	Self Assessment	Home occupation code (Part 6

Column 1 Defined use ⁹⁶	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁹⁷ — applicable code if development is self-assessable or requires code assessment
		Division 9)
Hospital	Impact Assessment	
Host farm	Code Assessment	Host farm code (Part 6 Division 11)
Hotel	Impact Assessment	
Indoor recreation facility	Impact Assessment	
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry- inconsistent use	Impact Assessment	
Liquid fuel depot	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel	Impact Assessment	
Motor home park- inconsistent use	Impact Assessment	
Motor showroom - light- inconsistent use	Impact Assessment	
Motor showroom - heavy- inconsistent use	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment facility	Impact Assessment	
Passenger transport terminal- inconsistent use	Impact Assessment	
Place of worship	Impact Assessment	
Plant hire facility- inconsistent use	Impact Assessment	
Plant nursery	Impact Assessment	

Column 1 Defined use ⁹⁶	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁹⁷ — applicable code if development is self-assessable or requires code assessment
Residential units	Impact Assessment	
Restaurant	Impact Assessment	
Retirement village	Impact Assessment	
Roadside stall	Impact Assessment	
Road transport terminal- inconsistent use	Impact Assessment	
Rural industry- inconsistent use	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station	Impact Assessment	
Shop	Impact Assessment	
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility	Impact Assessment	
Transport depot- inconsistent use	Impact Assessment	
Utility installation	Code Assessment	Myola zone code (Part 4 Division 22)
Vehicle repair station	Impact Assessment	
Veterinary clinic	Impact Assessment	
Warehouse	Impact Assessment	
Waste management facility- inconsistent use	Impact Assessment	
Wind farm inconsistent use	Impact Assessment	
Workers cottage	Impact Assessment	
All other uses (not defined) except use for a road ⁹⁸	Impact Assessment	

⁹⁸ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

TABLE 22**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR MYOLA ZONE—OTHER DEVELOPMENT**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria⁹⁹- applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment	Myola zone code (Part 4 Division 22)
Operational work		
Excavation or filling of more than 50m ³ of material	Impact Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Myola zone code (Part 4 Division 22)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Myola zone code (Part 4 Division 22)

⁹⁹ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 22—Assessment Criteria for Myola Zone

4.122 MYOLA ZONE CODE

The provisions in this division comprise the Myola zone code. They are-

- compliance with Myola zone code (section 4.123);
- overall outcomes for Myola zone code (section 4.124);
- specific outcomes, probable and acceptable solutions for the Myola zone code (sections 4.125 to 4.126).

4.123 COMPLIANCE WITH MYOLA ZONE CODE

Development that is consistent with the specific outcomes in sections 4.125 to 4.126 complies with Myola zone code.

4.124 OVERALL OUTCOMES FOR MYOLA ZONE CODE

- (1) The overall outcomes are the purpose of the Myola zone code.
- (2) The overall outcomes sought for the Myola zone is to achieve an area that:
 - (a) protects key environmental and scenic values, including the retention of substantial creek lines and ridges in their natural state;
 - (b) allows for urban development consistent with the staged upgrading of the Kuranda Range Road;
 - (c) provides a range of lifestyle choices and housing types;
 - (d) provides for uses which are located, designed and managed to be compatible with other uses and avoids adverse effects on the natural and cultural values of the environment;
 - (e) provides for future urban development in Myola which is appropriately planned and designed having regard to the provision of infrastructure and the environmental characteristics of the area;
 - (f) is divided into five precincts having regard to environmental values, development constraints and land capability; as shown on Map Z7;
 - (g) **for Precinct A:**
 - (i) urban uses are consolidated on land not constrained by environmental or topographical features and in areas provided with infrastructure or where the efficient extension and safe operation of infrastructure is maximised;
 - (ii) is protected from urban residential development until such time as reticulated water and sewerage infrastructure is provided;
 - (iii) accommodates a town centre where a range of services and facilities to serve the future needs of the Myola community;
 - (iv) urban residential development is consolidated in nodes on land with minimal physical constraint, and is compatible with the character of the area;
 - (v) provides a range of housing choices through a variety of residential allotment sizes and associated housing;
 - (vi) low density residential development is limited outside urban nodes where land is constrained by environmental or topographical features.
 - (vii) urban development is provided with all urban services including reticulated water and sewerage.
 - (h) **for Precinct B:**
 - (i) uses are consolidated on land not constrained by environmental or topographical features and in areas provided with infrastructure or where the efficient extension and safe operation of infrastructure is maximised;

- (ii) is protected from residential development until such time as reticulated water and sewerage infrastructure is provided;
 - (iii) residential development is to be of large lots sizes to be compatible with ensuring the protection of biodiversity values;
 - (iv) uses are provided with all urban services including reticulated water and sewerage;
 - (v) new urban development is accessed via a new bridge across the Barron River to provide for safe and reliable access and infrastructure delivery;
 - (vi) the existing environmental values within Russett Park are retained.
- (i) **for Precinct C:**
- (i) residential development is consolidated in nodes on land with minimal physical constraint, which is compatible to the character of the area; and compatible with the existing biodiversity and scenic landscape values of the area;
 - (ii) uses are provided with all urban services including reticulated water, with reticulated sewerage provided in areas where it is efficient and effective to do so;
 - (iii) residential development is limited on land that is constrained by environmental or topographical features.
- (j) **for Precinct D:**
- (i) the biodiversity and scenic landscape values are protected from the effects of development;
 - (ii) development for residential purposes is restricted, and is compatible with the higher level biodiversity and scenic landscape values of the area;
 - (iii) the effects of development on the natural environment are minimised having particular regard to the management and environmental requirements of the "Envirolink Wildlife Corridor" to accommodate wildlife movements.
- (k) **for Precinct E:**
- (i) Barron River riparian corridor which has been identified as an endangered regional ecosystem is protected;
 - (ii) development for urban residential purposes occurs on land that is free from flooding and allows natural stream flow processes to occur;
 - (iii) residential development on land with a slope of greater than 15% at Mount Haren near the Kennedy Highway and west of Precinct D is limited and minimises earthworks and impacts on scenic amenity;
 - (iv) rail infrastructure is protected from incompatible land uses;
 - (v) the scenic amenity values viewed from the Kennedy Highway are protected and enhanced;
 - (vi) World Heritage values are protected and potential adverse impacts from adjoining development is minimised;
 - (vii) opportunities for open space and recreational facilities of an appropriate type and scale are provided along the Barron River.

4.125 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
S1 Development is consistent in scale with existing buildings and structures in the vicinity and does not detrimentally impact upon road transport infrastructure and adjoining uses.	PS1.1 Any building or structure does not exceed 7.5 metres and two storeys in height; and PS1.2 Any building or structure is located at least: (i) 50 metres from the centre line of the

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>existing Kennedy Highway, Peninsula Developmental Road, Mareeba-Dimbulah Road or other State controlled road (Main Road Marked Route) as identified on Map R1, and</p> <p>(ii) 6 metres from any other road; and</p> <p>(iii) 10 metres from any common boundary of allotments; and</p> <p>PS1.3 Outbuildings used for purposes ancillary to the use of a dwelling house do not exceed 4 metres in height at the apex of the roof.</p>
<p>S2 Design and layout seeks to achieve harmony between the man made and the natural features of the landscape.</p>	<p>PS2.1 Buildings are located:</p> <p>(a) on land with a slope of 15% or less or</p> <p>(b) designed and located to be a height less than 7.5 metres, and</p> <p>For Code Assessable Development only</p> <p>PS2.2 Buildings and other structures are not visually intrusive;</p> <p>(i) where located on ridgelines as identified on Natural Features Overlay Map N1; and</p> <p>(ii) when viewed from major tourist routes as identified on Maps SP1 and SP2.</p>
For Code Assessable Development	
<p>S3 Buildings are protected from adverse flooding and does not interfere with the passage or storage of stormwater.</p>	<p>PS3 Buildings are designed and located as not to be within an subject to flooding, unless:</p> <p>(iii) the floor level of all habitable rooms is at least 300mm clear of the Q100 flood level; and</p> <p>(ii) the building is elevated and the area below the building is not enclosed or otherwise does not impede the passage of stormwater.</p>
<p>S4 Development of premises on land contiguous with a State Controlled road or Rail corridor is designed to mitigate noise impacts from road and railway activities.</p>	<p>PS4 No probable solution prescribed.</p> <p>Note Refer Planning Scheme Policy-3 Information Local Government May Request, (8) Noise Mitigation</p>

4.126 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
For Myola Precinct “A”	
<p>S1 Each new lot intended for residential use has adequate area to allow for:</p> <ul style="list-style-type: none"> (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) protection of ridgelines and waterways as identified on Map N1, and (iii) minimal clearing of vegetation; and (iv) reasonable vehicular access for a car from the road to the dwelling site. 	<p>PS1.1 If the site:</p> <ul style="list-style-type: none"> (a) is not located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; and (b) does not include ridgelines, waterways or scenic areas as identified on Map N1; and (c) has a gradient of less than 15%; <p>each new lot or separate part of a lot intended for residential use, has the following:</p> <ul style="list-style-type: none"> (i) a minimum area of 600m² and maximum area of 1,000m²; and (ii) a minimum frontage of 20m; <p>OR</p> <p>PS1.2 If the site:</p> <ul style="list-style-type: none"> (a) is located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; or (b) includes ridgelines, waterways or scenic areas as identified on Map N1; and (c) has a gradient greater than 15%; and <p>each new lot intended for residential use, has the following :</p> <ul style="list-style-type: none"> (i) a minimum area of 4,000m²; and (ii) a minimum frontage of 50m.
<p>S2 Each new lot is capable of being connected to the following:</p> <ul style="list-style-type: none"> (i) reticulated water supply; (ii) reticulated sewerage infrastructure; (iii) urban drainage system; (iv) underground power supply; and telecommunications. 	<p>PS2 No acceptable solution prescribed.</p>
<p>S3 New roads are to an urban standard.</p>	<p>PS3 New roads are designed and constructed in accordance with the Planning Scheme Policy 4-Development Manual.</p>
<p>S4 New lots are designed to ensure</p>	<p>PS4 Subdivision layout design retains vegetation</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.	and community of trees to facilitate free and uninterrupted movements of wildlife.
S5 Accessible and convenient public open space is provided for the recreation and well being of the community.	<p>PS5.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or.¹⁰⁰</p> <p>PS5.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution.</p> <p>PS5.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
S6 Augmentation of the road network servicing the development is provided	P6.1 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network ¹⁰¹
For Myola Precinct “B”	
S1 Each new lot intended for residential use has adequate area to allow for: <ul style="list-style-type: none"> (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) protection of ridgelines and waterways as identified on Map N1, and (iii) minimal clearing of vegetation; and (iv) reasonable vehicular access for a car from the road to the dwelling site. 	<p>PS1.1 If the site:</p> <ul style="list-style-type: none"> (a) is not located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; and (b) does not include ridgelines, waterways or scenic areas as identified on Map N1; and (c) has a gradient of less than 15%; <p>each new lot or separate part of a lot intended for residential use, has the following:</p> <ul style="list-style-type: none"> (i) a minimum area of 600m² and maximum area of 1,000m²; and (ii) a minimum frontage of 20m; <p>OR</p> <p>PS1.2 If the site:</p> <ul style="list-style-type: none"> (a) is located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; or (b) includes ridgelines, waterways or scenic areas as identified on Map N1;and (c) has a gradient greater than 15%;and <p>each new lot intended for residential use, has the following :</p> <ul style="list-style-type: none"> (i) a minimum area of 4,000m²; and (ii) a minimum frontage of 50m.

¹⁰⁰ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

¹⁰¹ Refer Part 8 Planning Scheme Policy 6 - Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S2 Each new lot is capable of being connected to the following: (i) reticulated water supply; (ii) reticulated sewerage infrastructure; (iii) urban drainage system; (iv) underground power supply; and telecommunications.	PS2 No acceptable solution prescribed.
S3 Each new lot is capable of being accessed, via a road crossing of Barron River directly linking Precinct A and Precinct B, with a flood immunity of greater than Q10.	PS3 No acceptable solution prescribed.
S4 New roads are constructed to an urban standard.	PS4 New roads are designed and constructed in accordance with the Planning Scheme Policy 4-Development Manual.
S5 New lots are designed to ensure vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.	PS5 Subdivision layout design retains vegetation and community of trees to facilitate free and uninterrupted movements of wildlife.
S6 Accessible and convenient public open space is provided for the recreation and well being of the community.	PS6.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or ¹⁰² PS6.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution PS6.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.
S7 Augmentation of the road network servicing the development is provided	PS7 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network ¹⁰³
For Myola Precinct “C”	
S1 Each new lot intended for residential use has adequate area to allow for: (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) protection of ridgelines and	PS1.1 If the site: (a) is not located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; and (b) does not include ridgelines, waterways or scenic areas as identified on Map N1; and (c) has a gradient of less than 15%; each new lot or separate part of a lot intended for residential use, has the

¹⁰² Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

¹⁰³ Refer Part 8 Planning Scheme Policy 6 - Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>waterways as identified on Map N1, and</p> <p>(iii) minimal clearing of vegetation; and</p> <p>(iv) reasonable vehicular access for a car from the road to the dwelling site.</p>	<p>following:</p> <p>(i) a minimum area of 4000m² to 2 hectares with an average of 8000m² and</p> <p>(ii) a minimum frontage of 50m;</p> <p>OR</p> <p>PS1.2 If the site:</p> <p>(a) is located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; or</p> <p>(b) includes ridgelines, waterways or scenic areas as identified on Map N1; and</p> <p>(c) has a gradient greater than 15%; and</p> <p>each new lot intended for residential use, has the following :</p> <p>(i) a minimum area of 4,000m² to 2 hectares with an average of 8000 m² ; and</p> <p>(ii) a minimum frontage of 50m.</p>
<p>S2 Each new lot is capable of being connected to the following:</p> <p>(a) a suitable potable water supply; and</p> <p>(b) a suitable sewerage disposal system; and</p> <p>(c) an appropriate urban drainage system; and</p> <p>(d) underground power supply; and telecommunications.</p>	<p>PS2.1 Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual (sections D6 and D7) in towns where these services are available;</p> <p>OR</p> <p>PS2.2 (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and</p> <p>(ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.</p> <p>PS2.3 Lots are provided with underground electricity and telephone supplies.</p> <p>PS2.4 Stormwater drainage systems are provided in accordance with the Planning Scheme Policy 4 – Development Manual S4.</p>
<p>S3 New roads are constructed to an urban standard.</p>	<p>PS3 New roads are designed and constructed in accordance with the Planning Scheme Policy 4-Development Manual.</p>
<p>S4 New lots are designed to ensure vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.</p>	<p>PS4 Subdivision layout design retains vegetation and community of trees to facilitate free and uninterrupted movements of wildlife.</p>
<p>S5 Accessible and convenient public open space is provided for the recreation and well being of the community.</p>	<p>PS5.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or.¹⁰⁴</p> <p>PS5.2 A cash contribution is paid as laid out in the</p>

¹⁰⁴ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS5.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
<p>S6 Augmentation of the road network servicing the development is provided</p>	<p>PS6 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network¹⁰⁵</p>
For Myola Precinct "D"	
<p>S1 A choice of residential allotments are provided on steeper and heavily vegetated land and provided with most conventional urban services such as underground power, sealed roads, urban drainage but not connected to reticulated water and sewerage</p>	<p>PS1 (i) The minimum lot size is 2 hectares, with an average area of 4 hectares; and</p> <p>(ii) The minimum frontage is eighty (80) metres.</p>
<p>S2 New roads are constructed to an urban standard.</p>	<p>PS2 New roads are designed and constructed in accordance with the Planning Scheme Policy 4-Development Manual.</p>
<p>S3 Waterways within the precinct are retained in their natural state to protect scenic and environmental values.</p>	<p>PS3 Riparian buffers may be considered as Open Space contribution where appropriate and is retained or restored to a natural condition and included in the Conservation zone¹⁰⁶</p>
<p>S4 New lots are designed to ensure vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.</p>	<p>PS4 Subdivision layout design retains vegetation and community of trees to facilitate free and uninterrupted movements of wildlife.</p>
<p>S5 Each new lot is capable of being connected to the following:</p> <p>(a) a suitable potable water supply; and</p> <p>(b) a suitable sewerage disposal system; and</p> <p>(c) an appropriate urban drainage system; and</p> <p>(d) underground power supply; and telecommunications.</p>	<p>PS5.1 (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and</p> <p>(ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002; and</p> <p>PS5.2 Lots are provided with underground electricity and telephone supplies; and</p> <p>PS5.3 Stormwater drainage systems are provided in accordance with the Planning Scheme Policy 4 – Development Manual S4.</p>

¹⁰⁵ Refer Part 8 Planning Scheme Policy 6 - Augmentation of the Road Network-

¹⁰⁶ Refer Myola Feasibility Study report April 2001. Drawing No 83002800-DS2

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S6 Accessible and convenient public open space is provided for the recreation and well being of the community.	<p>PS6.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or:¹⁰⁷</p> <p>PS6.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS6.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>
S7 Augmentation of the road network servicing the development is provided	PS7 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network ¹⁰⁸
For Myola Precinct “E”	
S1 The area is retained in its existing state to protect scenic and environmental values.	PS1 No further reconfiguration is permitted.

4.127 INCONSISTENT USES

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Myola zone comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses .

4.128 CONSISTENT USES IN PRECINCT AREAS

Specific Outcomes
<p>The following defined uses are consistent uses in the Myola zone, if located in the precinct areas identified on Map Z7 as follows:</p> <p>(i) Precinct “A” – Bed and breakfast accommodation, Dwelling house, Educational establishment, Home business, Home occupation, Tourist facility and, as part of the town centre development – Business, Child care centre, Community facility, Indoor recreation facility, Outdoor sport and entertainment facility, Place of worship, Restaurant and Shop;</p> <p>(ii) Precinct “B” – Bed and breakfast accommodation, Dwelling house, Home business and Home occupation;</p> <p>(iii) Precinct “C” – Bed and breakfast accommodation, Dwelling house, Home business, Home occupation and Tourist facility;</p> <p>(iv) Precinct “D” – Bed and breakfast accommodation, Dwelling house, Home business, Home occupation and tourist facility;</p> <p>(v) Precinct “E” – Bed and breakfast accommodation and Dwelling house.</p>

¹⁰⁷ Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

¹⁰⁸ Refer Part 8 Planning Scheme Policy 6 - Augmentation of the Road Network-

Division 23—Assessment Tables for Future Residential Zone

ASSESSMENT CATEGORIES FOR FUTURE RESIDENTIAL ZONE

The Assessment categories¹⁰⁹ are identified for development in the Future Residential zone in column 2 of tables 23 and 24 as follows-

- (a) Table 23 - making a material change of use¹¹⁰ for a defined use, listed in column 1; or
- (b) Table 24 - other development¹¹¹ listed in column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) excavation or filling of land;
 - (iii) reconfiguring a lot;
 - (iv) carrying out operational work associated with reconfiguring a lot.

RELEVANT ASSESSMENT CRITERIA FOR SELF-ASSESSABLE DEVELOPMENT AND ASSESSABLE DEVELOPMENT IN THE FUTURE RESIDENTIAL ZONE

- (1) The relevant assessment criteria in the Future Residential zone are referred to in column 3 of Tables 23 and 24.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.
- (3) If the provisions for self-assessable development are not met then development is code assessable.

USES CONSISTENT OR INCONSISTENT WITH THE OUTCOMES SOUGHT FOR THE FUTURE RESIDENTIAL ZONE

- (1) In accordance with section 4.138, a defined use that is inconsistent with the outcomes sought for the Future Residential zone is noted in column 1 of table 23.
- (2) If a defined use is not noted as inconsistent in column 1 of table 23, it is a consistent use in accordance with section 4.139.

4.129 SPECIAL FACILITIES DEVELOPMENT

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

¹⁰⁹ Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide.

¹¹⁰ Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes) giving examples that explain the type of development involved in different proposals.

¹¹¹ See Mareeba Shire Planning Scheme Explanatory Notes) giving examples that explain the type of development involved in different proposals.

TABLE 23

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR FUTURE RESIDENTIAL ZONE—MAKING A MATERIAL CHANGE OF USE

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use¹¹²	Column 2 Assessment category	Column 3 Relevant assessment criteria¹¹³— applicable code if development is self-assessable or requires code assessment
Abattoir- inconsistent use	Impact Assessment	
Accommodation units- inconsistent use	Impact Assessment	
Adult product shop- inconsistent use	Impact Assessment	
Agribusiness- inconsistent use	Impact Assessment	
Agriculture	Code Assessment	Future Residential zone code (Part 4 Division 24)
Agriculture - intensive	Impact Assessment	
Aircraft facility- inconsistent use	Impact Assessment	
Animal husbandry - general	Code Assessment	Future Residential zone code (Part 4 Division 24)
Animal husbandry – intensive- inconsistent use	Impact Assessment	
Aquaculture (minor impact)- inconsistent use	Impact Assessment	
Aquaculture (significant impact)- inconsistent use	Impact Assessment	

¹¹² See Part 7, Schedule 3 - defined uses.

¹¹³ For impact assessable development, 'relevant Assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use¹¹²	Column 2 Assessment category	Column 3 Relevant assessment criteria¹¹³— applicable code if development is self-assessable or requires code assessment
Bed and breakfast accommodation	Code Assessment	Bed and breakfast code (Part 6 Division 4)
Bulk store- inconsistent use	Impact Assessment	
Business- inconsistent use	Impact Assessment	
Car park	Impact Assessment	
Caretaker's residence	Impact Assessment	
Caravan park- inconsistent use	Impact Assessment	
Child care centre	Impact Assessment	
Communication facility	Code Assessment	Communication facilities code (Part 6 Division 7) Future Residential zone code (Part 4 Division 24)
Community facility	Code Assessment	Future Residential zone code (Part 4 Division 24) Landscaping code (Part 6 Division 15) Carparking code (Part 6 Division 5)
Drive through fast food outlet- inconsistent use	Impact Assessment	
Dwelling house	Self Assessment	Dwelling house code (Part 4 Division 13)
Educational establishment	Impact Assessment	
Extractive industry- inconsistent use	Impact Assessment	
Forestry- inconsistent use	Impact Assessment	
Freight depot- inconsistent use	Impact Assessment	
Heliport- inconsistent use	Impact Assessment	
Home business	Code Assessment	Home business code (Part 6 Division

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use¹¹²	Column 2 Assessment category	Column 3 Relevant assessment criteria¹¹³— applicable code if development is self-assessable or requires code assessment
		10)
Home occupation	Self Assessment	Home occupation code (Part 6 Division 9)
Hospital- inconsistent use	Impact Assessment	
Host farm	Code Assessment	Host farm code (Part 6 Division 11)
Hotel- inconsistent use	Impact Assessment	
Indoor recreation facility- inconsistent use	Impact Assessment	
Industry- inconsistent use	Impact Assessment	
Institution- inconsistent use	Impact Assessment	
Light industry- inconsistent use	Impact Assessment	
Liquid fuel depot- inconsistent use	Impact Assessment	
Material recycling facility- inconsistent use	Impact Assessment	
Motel- inconsistent use	Impact Assessment	
Motor home park- inconsistent use	Impact Assessment	
Motor showroom - light- inconsistent use	Impact Assessment	
Motor showroom – heavy- inconsistent use	Impact Assessment	
Noxious, offensive or hazardous industry- inconsistent use	Impact Assessment	
Outdoor sport and entertainment	Impact Assessment	

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Defined use ¹¹²	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹¹³ — applicable code if development is self-assessable or requires code assessment
facility- inconsistent use		
Passenger transport terminal- inconsistent use	Impact Assessment	
Place of worship- inconsistent use	Impact Assessment	
Plant hire facility- inconsistent use	Impact Assessment	
Plant nursery- inconsistent use	Impact Assessment	
Residential units- inconsistent use	Impact Assessment	
Restaurant- inconsistent use	Impact Assessment	
Retirement village- inconsistent use	Impact Assessment	
Roadside stall- inconsistent use	Impact Assessment	
Road transport terminal- inconsistent use	Impact Assessment	
Rural industry- inconsistent use	Impact Assessment	
Sawmill- inconsistent use	Impact Assessment	
Service station- inconsistent use	Impact Assessment	
Shop- inconsistent use	Impact Assessment	
Stock selling centre- inconsistent use	Impact Assessment	
Tourist facility- inconsistent use	Impact Assessment	

Column 1 Defined use¹¹²	Column 2 Assessment category	Column 3 Relevant assessment criteria¹¹³— applicable code if development is self-assessable or requires code assessment
Transport depot- inconsistent use	Impact Assessment	
Utility installation	Code Assessment	Future Residential zone code (Part 4 Division 24)
Vehicle repair centre- inconsistent use	Impact Assessment	
Veterinary clinic- inconsistent use	Impact Assessment	
Warehouse- inconsistent use	Impact Assessment	
Waste management facility- inconsistent use	Impact Assessment	
Wind farm inconsistent use	Impact Assessment	
Workers cottage- inconsistent use	Impact Assessment	
All other uses not defined except use for a road ¹¹⁴	Impact Assessment	

TABLE 24

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR FUTURE RESIDENTIAL
ZONE—OTHER DEVELOPMENT**

Note—

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria¹¹⁵- applicable code if development is self-assessable or requires code assessment
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¹¹⁴ Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

¹¹⁵ For impact assessable development, “relevant Assessment criteria” are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

THE MAREEBA SHIRE PLANNING SCHEME

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹¹⁵ - applicable code if development is self-assessable or requires code assessment
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	Code Assessment	Future Residential zone code (Part 4 Division 24)
Operational work		
Excavation or filling of more than 50m ³ of material	Impact Assessment	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment	Reconfiguring a lot code (Part 6 Division 12) Future Residential zone code (Part 4 Division 24)
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	Code Assessment	Future Residential zone code (Part 4 Division 24)

Division 24—Assessment Criteria for Future Residential Zone

FUTURE RESIDENTIAL ZONE CODE

The provisions in this division comprise the Future Residential zone code. They are-

- compliance with Future Residential zone code (section 4.134);
- overall outcomes for Future Residential zone code (section 4.135);
- specific outcomes, probable and acceptable solutions for the Future Residential zone code (sections 4.136 to 4.137).

COMPLIANCE WITH FUTURE RESIDENTIAL ZONE CODE

Development that is consistent with the specific outcomes in section 4.136.to 4.137, complies with the Future Residential zone code.

OVERALL OUTCOMES FOR FUTURE RESIDENTIAL ZONE CODE

- (1) The overall outcomes are the purpose of the Future Residential zone code.
- (2) The overall outcomes sought for the Future Residential zone code are to achieve an area:
 - (i) which provides the Mareeba Shire with an allocation of land in a “holding zone” within the life of this planning scheme, until such time as additional land is required to meet demand;
 - (ii) which allows for uses which are consistent with the current zones, but will not prejudice the intended development of the Future Residential zone;
 - (iii) where residential areas are planned and developed in an orderly manner and have infrastructure and necessary services provided in an equitable, efficient and timely fashion;
 - (iv) where sporadic and premature subdivision of land is prevented, development is well planned and integrated with surrounding land uses, and any interim uses do not prejudice future development;
 - (v) which is protected from urban residential development until such time as all vacant land within the Residential zone has been developed and there is a demonstrable need for further residential land;
 - (vi) which is protected from urban development until such time as reticulated water and sewerage infrastructure is provided;
 - (vii) where urban design promotes a sense of place and community safety.

4.130 PROVISIONS AND EFFECTS OF WORKS

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 An adopted Structure Plan must guide the assessment of all proposals.	PS1 No probable solution prescribed. <i>Note; Guidance on the preparation and content of a Structure Plan is contained in Planning Scheme Policy No 10</i>
S2 All proposal within the Future Residential zone must accord with and implement the adopted Structure Plan	PS2 No probable solution prescribed. <i>Note; Guidance on the preparation and content of a Structure Plan is contained in Planning Scheme Policy No 10</i>
S3 Development of premises on land	PS3 No probable solution prescribed.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
contiguous with a State Controlled road or Rail corridor is designed to mitigate noise impacts from road and railway activities.	<i>Note Refer Planning Scheme Policy-3 Information Local Government May Request, (8) Noise Mitigation</i>

4.131 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Code Assessable Development	
S1 An adopted Structure Plan must guide the assessment of all proposals.	PS1 No probable solution prescribed. <i>Note; Guidance on the preparation and content of a Structure Plan is contained in Planning Scheme Policy No 10</i>
S2 All proposal within the Future Residential zone must accord with and implement the adopted Structure Plan.	PS2 No probable solution prescribed. <i>Note; Guidance on the preparation and content of a Structure Plan is contained in Planning Scheme Policy No 10</i>
S3 Development of premises on land contiguous with a State Controlled road or Rail corridor is designed to mitigate noise impacts from road and railway activities.	PS3 No probable solution prescribed. <i>Note Refer Planning Scheme Policy-3 Information Local Government May Request, (8) Noise Mitigation</i>

INCONSISTENT USE

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Future Residential zone and comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses .

4.132 CONSISTENT USE

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Future Residential zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.

PART 5

OVERLAYS

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PART 5 — OVERLAYS

Division 1—Assessment Tables for Natural and Cultural Heritage Features Overlay

5.1 ASSESSMENT CATEGORIES FOR NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY

The assessment categories¹ are identified for development affected by a Natural and Cultural Heritage Features overlay in column 2 of tables 25 and 26 as follows-

- (a) Table 25 - making a material change of use² for a defined use, listed in column 1;
- (b) Table 26 - other development³ listed in column 1 including:
 - (i) Building work or operational work (other than operational work for reconfiguring a lot) not associated with a material change of use;
 - (ii) Reconfiguring a Lot and carrying out Operational Works for Reconfiguring a Lot.

5.2 RELEVANT ASSESSMENT CRITERIA FOR DEVELOPMENT AFFECTED BY NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY

The relevant assessment criteria for development affected by a Natural and Cultural Heritage Features overlay are referred to in column 3 of tables 25 and 26.

¹ Information about assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide.

² Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

³ See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 25

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY - MAKING A MATERIAL CHANGE OF USE

Note—

- Planning Scheme Policy 3 - Information Local Government May Request indicates when the local government may undertake consultation or seek further information from the applicant about an application.

Column 1 Defined use ⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵ – applicable code if development is self assessable or requires code assessment
<p>All Except Agriculture Intensive</p>	<p>Code Assessment if:</p> <ul style="list-style-type: none"> (a) the site incorporates or is within 50 metres of a Natural Heritage Feature (as indicated on Planning Scheme Maps H1, H2 and H4 to H10) and involves building or operational works, including demolition, removal or alteration of existing features; or (b) the site incorporates or is within 50 metres Cultural Heritage Feature (as indicated on Planning Scheme Maps H1, H2 and H4 to H10) and involves building or operational works, including demolition, removal or alteration of existing features; or (c) the site is located within 100 metres of an identified area under the Nature Conservation Act 1992, or Wet Tropics World Heritage Area (Maps H1 to H10); or (d) the site is located within 50 metres of an identified wetland (as indicated on the Planning Scheme Maps) and involving: <ul style="list-style-type: none"> (i) excavation of greater than 100m³ of material, or (ii) drainage or pumping of ground water for longer than two (2) weeks; or (e) the site is located within 50 metres of an identified waterway (as indicated on the Planning Scheme Maps) and involving: <ul style="list-style-type: none"> (i) excavation of greater than 100m³ of material, or (ii) drainage or continual pumping of ground water for longer than two (2) weeks; or (iii) filling of land; or (f) the site incorporates or is within 500 metres of a Mining Interest as identified on Planning Scheme Maps M1 to M5; or (g) the site incorporates Ridgelines or Scenic Areas as identified on Planning Scheme Map N1. 	<p>Natural and Cultural Heritage Features Overlay code</p>

⁴ Refer to Part 7 Schedules Dictionary -Division 2 Defined uses.

⁵ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Defined use ⁴	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁵ – applicable code if development is self assessable or requires code assessment
	Exempt if the criteria for code assessment do not apply.	
Agriculture - Intensive	<p>Code Assessment if: the site is located on land within 50 metres of a waterway or wetland, as identified on the Planning Scheme Maps.</p> <p>Exempt if the criteria for code assessment do not apply.</p>	Natural and Cultural Heritage Features Overlay code

TABLE 26

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY - OTHER DEVELOPMENT

Note—

- Zones also affect assessment categories. See zone maps to determine the zone of the land.
- Planning Scheme Policy 3 - Information Local Government May Request indicates when the local government may undertake consultation or seek further information from the applicant about an application.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁶ —applicable code if development is self-assessable or requires code assessment
Works not associated with Material Change of use		
Building work or operational work (other than operational work for reconfiguring a lot) not associated with a material change of use.	<p>Code Assessment if the site is located within 50 metres of areas identified in the planning scheme as:</p> <ul style="list-style-type: none"> (a) Indigenous Cultural Heritage Area (As indicated on Planning Scheme Maps H1, H2 & H4 to H10); or (b) Monument/Grave/Cemetery (As indicated on Planning Scheme Maps H1, H2 & H4 to H10); or (c) Sunwater Channels, Pipelines & Storage (As indicated on Planning Scheme Map S1); or (d) Mining Interest as identified Planning Scheme Maps M1 to M5; or (e) Wet tropics World heritage Area, waterways or wetlands as identified on the Planning Scheme Maps, and involving: <ul style="list-style-type: none"> (i) excavation of greater than 100m³ of material; or (ii) draining or pumping of groundwater for longer than two (2) weeks; or (iii) filling of land within 50 metres of a waterway; or (f) A site incorporating Ridgelines or Scenic Areas as identified on Planning Scheme Map N1; or (g) Historic Mine or Historic Mining Infrastructure (As indicated on Planning Scheme Maps H1, H2 & H4 to H10). <p>Exempt if the criteria for code assessment do not apply.</p>	Natural and Cultural Heritage Features Overlay code
Reconfiguring a lot		

⁶ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁶ —applicable code if development is self-assessable or requires code assessment
<p>Reconfiguring a Lot and carrying out Operational Works for Reconfiguring a Lot.</p>	<p>Code Assessment if the site is located within within 50 metres of areas identified in the planning scheme as -</p> <ul style="list-style-type: none"> (a) Indigenous Cultural Heritage Area (As indicated on Planning Scheme Maps H1, H2 & H4 to H10); or (b) Monument/Grave/Cemetery (As indicated on Planning Scheme Maps H1, H2 & H4 to H10); or (c) Sunwater Channels, Pipelines & Storage (As indicated on Planning Scheme Map S1); or (d) Mining Interest as identified Planning Scheme Maps M1 to M5; or (e) Wet tropics World heritage Area, waterways or wetlands as identified on the Planning Scheme Maps, and involving: <ul style="list-style-type: none"> (i) excavation of greater than 100m³ of material; or (ii) draining or pumping of groundwater for longer than two (2) weeks; or (iii) filling of land within 50 metres of a waterway; or (f) A site incorporating Ridgelines or Scenic Areas as identified on Planning Scheme Map N1; or (g) Historic Mine or Historic Mining Infrastructure (As indicated on Planning Scheme Maps H1, H2 & H4 to H10). <p>Exempt if the criteria for code assessment do not apply.</p>	<p>Natural Features and Cultural Heritage Features Overlay code</p>

Division 2 — Assessment Criteria for Natural and Cultural Heritage Features Overlay Code

5.3 NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY CODE

The provisions in this division comprise the Natural and Cultural Heritage Features Overlay code. They are-

- compliance with Natural and Cultural Heritage Features Overlay code (section 5.4);
- overall outcomes for Natural and Cultural Heritage Features Overlay code (section 5.5);
- specific outcomes and probable solutions for the Natural and Cultural Heritage Features Overlay code (section 5.6).

5.4 COMPLIANCE WITH NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY CODE

Development that achieves the specific outcomes in section 5.6, complies with the Natural and Cultural Heritage Features Overlay code.

5.5 OVERALL OUTCOMES FOR NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY CODE

- (1) The overall outcomes are the purpose of the Natural and Cultural Heritage Features Overlay code.
- (2) The overall outcomes sought for the Natural and Cultural Heritage and Natural Features overlay code are:
 - (a) The conservation and recognition of significant cultural heritage assets that demonstrate the history of development and use of land and resources within Mareeba Shire.
 - (b) Places, areas or sites identified as having significant value for cultural heritage, natural features or resources are protected from development or the effects of development that may significantly reduce those values, as applicable, in terms of:
 - (i) physical change; or
 - (ii) damage or removal; or
 - (iii) visibility; or
 - (iv) accessibility; or
 - (v) visual detracting; and
 - (c) Places, areas or sites identified as natural features that constrain development due to potential risk to the natural or built environment or human health or safety, are avoided or measures taken with regard to development that reduce the risk to acceptable levels.
 - (d) Mineral resources are protected from conflicting land uses to ensure their continued availability for use in the future development of Mareeba Shire and the Region.

5.6 SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR NATURAL AND CULTURAL HERITAGE FEATURES OVERLAY CODE

The specific outcomes sought for the Natural and Cultural Heritage Features Overlay code are included in column 1 of Table 26A and probable solutions and acceptable solutions in column 2 of Table 26A

TABLE 26A

Specific Outcomes	Probable Solutions (code assessable)
S1 Cultural Heritage Places	

<p>(a) significant elements of the mining history of Mareeba Shire are conserved; and</p> <p>(b) buildings, structures and operational works which demonstrate significant historical periods in the development of the Shire are conserved; and</p> <p>(c) known natural features which are significant to the indigenous cultural heritage of the Shire are protected.</p>	<p>PS1 No probable solution provided.</p>
<p>S2 Areas under the Nature Conservation Act 1992</p> <p>Development within 100 metres of an identified area under the Nature Conservation Act 1992 which has rare and threatened species recognised by the Act, has no significant adverse effects on the area, including those related to:</p> <p>(a) management of fire risk, including the use of natural firebreaks; or</p> <p>(b) changes to natural drainage; or</p> <p>(c) unmanaged public access; or</p> <p>(d) effluent disposal; or</p> <p>(e) changes to natural activities of animals with respect to the location and effects of uses, fencing, lighting and the like.</p>	<p>PS2 No probable solution provided.</p>
<p>S3 Wetlands and Waterways</p> <p>(a) There are no significant adverse effects on identified wetlands and identified waterways in terms of:</p> <p style="padding-left: 20px;">(i) habitat; or</p> <p style="padding-left: 20px;">(ii) water quality; or</p> <p style="padding-left: 20px;">(iii) landscape quality.</p> <p>(b) For intensive agriculture, a buffer is maintained from the high bank of a waterway having regard to :</p> <p style="padding-left: 20px;">(i) water quality, and</p> <p style="padding-left: 20px;">(ii) fauna habitat corridor, and</p> <p style="padding-left: 20px;">(iii) the retention of undisturbed vegetation , or</p> <p style="padding-left: 20px;">(iv) revegetation of appropriate areas with local endemic species.</p>	<p>PS3 No probable solution provided.</p>
<p>S4 Conservation of Buildings and Places of Local Heritage Significance</p> <p>(i) Original in situ building fabric are preserved and restored; and</p>	<p>PS4 No probable solution provided.</p>

<p>(ii) material which is damaged or altered from its original state are repaired and replaced with contemporary materials consistent with existing built fabric; and</p> <p>(iii) The curtilage and setting of the building are protected from development which conflicts with the character or scale of the existing building/s.</p>	
<p>S5 Respect for Form and Appearance of Natural Heritage Features and Cultural Heritage Features</p> <p>Development affecting Natural Heritage Features and Cultural Heritage Features does not adversely impact upon buildings and structures of historic significance.</p>	<p>PS5 No probable solution provided.</p>
<p>S6 Retention of Natural Heritage Features and Cultural Heritage Features</p> <p>Buildings or structures within a Natural Heritage Feature or Cultural Heritage Feature are retained in an undamaged state or are enhanced through conservation of building fabric or structures.</p>	<p>PS6 No probable solution provided.</p>
<p>S7 Mineral Resources are protected</p> <p>Mineral Resources are protected from conflicting land uses which may constrain the current or future utilisation of such resources.</p>	<p>PS7 No probable solution provided.</p>

Division 3 – Assessment Tables for Airport and Aviation Facilities Overlay

5.7 ASSESSMENT CATEGORIES FOR AIRPORT AND AVIATION FACILITIES OVERLAY

The assessment categories are identified for development affected by an Airport and Aviation Facilities Overlay in column 2 of tables 27 and 28 as follows-

- (a) Table 27 – making a material change of use for a defined use, listed in Column 1;
- (b) Table 28 – other development listed in column 1 including –
 - (i) Carrying out building work not associated with a material change of use;
 - (ii) Carrying out operational work not associated with a material change of use.

5.8 RELEVANT ASSESSMENT CRITERIA FOR DEVELOPMENT AFFECTED BY AIRPORT AND AVIATION FACILITIES OVERLAY

For development affected by an Airport and Aviation Facilities overlay and requiring code assessment, the applicable codes are identified in column 3 of tables 27 and 28.

TABLE 27

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR AIRPORT AND AVIATION FACILITIES OVERLAY - MAKING A MATERIAL CHANGE OF USE

Note—

- Planning Scheme Policy 3 - Information Local Government May Request indicates when the local government may undertake consultation or seek further information from the applicant about an application.

Column 1 Defined use ⁷	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁸ – applicable code if development is self assessable or requires code assessment
All uses	<p>Code Assessment if the site incorporates or is within the buffer zones of an aviation facility as delineated on Planning Scheme Map A2.</p> <p>Exempt if the criteria for code assessment does not apply.</p>	Airport and Aviation Facilities Overlay code, Probable Solution PS1.7.
If: (i) Keeping, handling or racing of horses; or	<p>Self Assessment if the site is within the 8km buffer zone of the aerodromes as delineated on Planning Scheme Maps A3 or A4.</p> <p>Self Assessment if the site is within the 8km</p>	Airport and Aviation Facilities Overlay code, Probable Solution PS1.4 for defined uses (i) and (ii).

⁷ Refer to Part 7 Schedules Dictionary -Division 2 Defined uses.

⁸ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Defined use ⁷	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁸ – applicable code if development is self assessable or requires code assessment
(ii) Outdoor dining, food handling or food consumption (eg, fairground, drive in theatres or restaurant); or (iii) Food processing; or (iv) Abattoir; or (v) Stock selling centre; or (vi) Fruit production; or (vii) Turf production; or (viii) Aquaculture; or (ix) Pig production; or (x) Keeping or protection of wildlife in enclosures.	buffer zone of the Mareeba Aerodrome as delineated on Planning Scheme Map A1. Exempt if the criteria for self assessment does not apply.	Airport and Aviation Facilities Overlay code, Probable Solution PS1.5 for defined uses (iii) through to (x).
If: Waste management facility.	Code Assessment if the site is within the 13km buffer zone of the Mareeba Aerodrome as delineated on Planning Scheme Map A1 or is within the 13km buffer zone other aerodromes as delineated on Planning Scheme Maps A3 or A4. Exempt if the criteria for code assessment does not apply.	Airport and Aviation Facilities Overlay code, Probable Solution PS1.6 .
If material change of use involving external lighting that includes: (i) Straight parallel lines of lights 500 metres to 1,000 metres long; or (ii) Flare plumes, buildings with reflective cladding (e.g. glass or metallic), upward shining lights, flashing or sodium lights.	Code Assessment if the site is within the 6km buffer zone of the Mareeba Aerodrome as delineated on Planning Scheme Map A1. Exempt if the criteria for code assessment does not apply.	Airport and Aviation Facilities Overlay code, Probable Solution PS1.2 .
If: (i) All uses involving works over 12m in height; or (ii) Heliport; or (iii) A use involving either temporary or permanent aviation activities; or	Code Assessment if the site is within the 6km buffer zone of aerodromes delineated on Planning Scheme Maps A3 or A4. Code Assessment if the site incorporates or is within the Obstacle Limitation Surfaces of the Mareeba Aerodrome as delineated in Planning Scheme Map MA29. Exempt if the criteria for self assessment and code assessment do not apply.	For Code Assessment: Airport and Aviation Facilities Overlay code. For Self Assessment Airport and Aviation Facilities Overlay code, Probable Solutions PS1.1 and PS1.3 .

Column 1 Defined use ⁷	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁸ – applicable code if development is self assessable or requires code assessment
(iv) Industry; or (v) Utility installation. (vi) All uses involving works within 600 metres of the ends of the Mareeba Airport runway.		

TABLE 28

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR AIRPORT AND AVIATION FACILITIES OVERLAY - OTHER DEVELOPMENT

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁹ —applicable code if development is self-assessable or requires code assessment
Building works not associated with material change of use		
Building works within 600 metres of runway ends; or exceeding 12 metres in height.	<p>Code Assessment if the site incorporates or is within the Obstacle Limitation Surfaces of the Mareeba Aerodrome as delineated on Planning Scheme Map MA29.</p> <p>Exempt if the criteria for self assessment do not apply.</p>	Airport and Aviation Facilities Overlay code, Probable Solutions PS1.1.
All building works	<p>Code Assessment if the site incorporates or is within the buffer zones of an aviation facility as delineated on Planning Scheme Map A2.</p> <p>Exempt if the criteria for code assessment do not apply.</p>	Airport and Aviation Facilities Overlay code, Probable Solutions PS1.7.
Building work involving the emission of: (i) Gaseous plumes or (ii) Smoke, dust, ash or steam.	<p>Code Assessment if the site incorporates or is within the Obstacle Limitation Surfaces of the Mareeba Aerodrome as delineated on Planning Scheme Map MA29.</p> <p>Exempt if the criteria for self assessment do not apply.</p>	Airport and Aviation Facilities Overlay code, Probable Solution PS1.3.
External lighting that includes: (i) Straight parallel lines of lights 500 metres to 1,000 metres long; or (ii) Flare plumes, buildings with reflective cladding (e.g. glass or metallic), upward shining lights, flashing	<p>Code Assessment if the site is within the 6km buffer zone of the Mareeba Aerodrome as delineated on Planning Scheme Map A1.</p> <p>Exempt if the criteria for code assessment do not apply.</p>	Airport and Aviation Facilities Overlay code, Probable Solution PS1.2.

⁹ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ⁹ —applicable code if development is self-assessable or requires code assessment
or sodium lights.		
Operational work not associated with a material change of use		
Reconfiguring a lot involving the creation of new streets with street lighting of straight parallel lines 500 metres to 1,000 metres long.	<p>Code Assessment if the site is within the 6km buffer zone of the Mareeba Aerodrome as delineated on Planning Scheme Map A1.</p> <p>Exempt if the criteria for code assessment do not apply.</p>	<p>Airport and Aviation Facilities Overlay code, Probable Solution PS1.2.</p>

Division 4 – Assessment Criteria for Airport and Aviation Facilities Overlay

5.9 AIRPORT AND AVIATION FACILITIES OVERLAY CODE

The provisions in this division comprise the Airport and Aviation Facilities Overlay code. They are-

- compliance with Airport and Aviation Facilities Overlay Code (section 5.10);
- overall outcome for Airport and Aviation Facilities Overlay Code (section 5.11);
- specific outcomes, probable solutions and acceptable solutions for the Airport and Aviation Facilities Overlay Code (section 5.12).

5.10 COMPLIANCE WITH AIRPORT AND AVIATION FACILITIES OVERLAY CODE

Development that is consistent with the specific outcomes in section 5.12 complies with the Airport and Aviation Facilities Overlay Code.

5.11 OVERALL OUTCOME FOR THE AIRPORT AND AVIATION FACILITIES OVERLAY CODE

- (1) The overall outcomes are the purpose of the Airport and Aviation Facilities Overlay code.
- (2) The overall outcome sought for the Airport and Aviation Facilities Overlay code is:
 - (a) Adverse effects on the safety and operational efficiency of operational airspace and the functioning of aviation facilities are avoided.

5.12 SPECIFIC OUTCOMES AND PROBABLE SOLUTIONS FOR AIRPORT AND AVIATION FACILITIES OVERLAY CODE

The specific outcomes sought for the Airport and Aviation Facilities Overlay code are included in column 1 of Table 28A and probable solutions and acceptable solutions in column 2 of Table 28A.

TABLE 28A

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S1 Protection of the function of aviation facilities</p> <p>(a) Development is located and designed to avoid all adverse effects on safe aircraft operation in the vicinity of aerodromes due to:</p> <ul style="list-style-type: none"> (i) Physical intrusions; or (ii) Reduced visibility; or (iii) Collisions with birds or bats; or (iv) Air turbulence; or (v) Other functional problems for aircraft (including artificial lighting, smoke and dust hazards), and <p>(b) Development is located and designed to protect the function of aviation facilities from:</p>	<p>PS1.1 (i) The maximum height for development or temporary construction works associated with development identified within the Obstacle Limitation Surfaces of the Mareeba Airport as delineated on Planning Scheme Map MA29 is limited to 12 metres; and</p> <p>(ii) Uses involving temporary or permanent aviation activities are not located beneath operational airspace as delineated by Obstacle Limitation Surfaces on Planning Scheme Map MA29.</p> <p>PS1.2 Lighting complies with the standards specified in the CASA Guidelines: <i>Lighting near aerodromes: Advice to lighting designers</i>. Lighting does not cause significant interference by distracting or temporarily interfering with a pilot's vision or confusing a pilot because of similarities to approach or runway lighting.</p> <p>PS1.3 None of the following emissions enter the</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>(i) Physical obstructions; or</p> <p>(ii) Electrical or electromagnetic interference with aircraft navigation systems.</p>	<p>Obstacle Limitation Surfaces of the Mareeba Airport as delineated on Planning Scheme Map MA29:</p> <p>(i) a gaseous plume at a velocity exceeding 4.3m per second; or</p> <p>(ii) smoke, dust, ash or steam.</p> <p>PS1.4 Where uses involving keeping, handling or racing of horses, or outdoor dining or food handling or food consumption (e.g. fairground, drive-in theatres or restaurant) are located within the 3km buffer zone of any aerodrome as delineated on Planning Scheme Maps A1, A3 or A4, food/waste sources are covered and collected so that they are not accessible to wildlife.</p> <p>PS1.5 (i) Uses involving food processing or abattoir or stock selling centre or fruit production or turf production or aquaculture or pig production or keeping of wildlife in enclosures, are not located within the 3km buffer zone of any aerodrome as delineated on Planning Scheme Maps A1, A3 or A4; and</p> <p>(ii) Where these uses are located between the 3km and 8km buffer zone of any aerodrome as delineated on Planning Scheme Maps A1, A3 or A4, food/waste sources are covered and collected so that they are not accessible to wildlife and for fruit and turf production, wildlife deterrence measures are carried out.</p> <p>PS1.6 Disposal of putrescible waste will not occur within the 13km buffer zone of the Mareeba Aerodrome as delineated on Planning Scheme Map A1.</p> <p>PS1.7 (i) Works or uses are not located within the 500 metre buffer zone for the Saddle Mountain VHF facility that involve significant electrical or electromagnetic fields (e.g. arc welding) or create a permanent or temporary physical line of sight obstruction (ie, involving building structures or works above or exceeding 640 m AHD); and</p> <p>(ii) Works or uses are not located within the buffer zones for the Biboohra VOR facility that:</p> <p>(a) involve any building or works within 300 metre buffer zone of the Biboohra VOR; and</p> <p>(b) between the 300 metre buffer zone and the 1,000 metre buffer zone of the Biboohra VOR:</p> <p>(i) create a permanent or temporary physical line of sight obstruction (ie, above 13 metres in height); or</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<ul style="list-style-type: none"> (ii) involve overhead power lines exceeding 5m in height; or (iii) involve metallic structures exceeding 7.5m in height; or (iv) involve trees and open lattice towers exceeding 10m in height; or (g) involve wooden structures exceeding 13m in height; and (iii) Works or uses are not located within the 4km buffer zone for the Hann Tableland radar facility that involve any building, structures or work above 950 AHD.

Division 5 — Assessment Tables for Significant Vegetation Overlay

5.13 ASSESSMENT CATEGORIES FOR SIGNIFICANT VEGETATION OVERLAY

The assessment categories are identified for development affected by Significant Vegetation Overlay in column 2 of tables 29 and 30 as follows-

- (a) Table 29 - making a material change of use for a defined use, listed in column 1;
- (b) Table 30 - other development listed in column 1 including:
 - (i) carrying out building work not associated with a material change of use; and
 - (ii) carrying out operational work not associated with a material change of use.

5.14 RELEVANT ASSESSMENT CRITERIA FOR DEVELOPMENT AFFECTED BY SIGNIFICANT VEGETATION OVERLAY

For development affected by the Significant Vegetation Overlay, the applicable codes are identified in column 3 of tables 29 and 30.

TABLE 29

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR SIGNIFICANT VEGETATION OVERLAY - MAKING A MATERIAL CHANGE OF USE

Note—

- Planning Scheme Policy 3 - Information Local Government May Request indicates when the local government may undertake consultation or seek further information from the applicant about an application.

Column 1 Defined use ¹⁰	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹¹ – applicable code if development is self assessable or requires code assessment
All if involving clearing of vegetation	<p>Self Assessment if for clearing within area indicated as Category A on Planning Scheme Map V1.</p> <p>Code Assessment if for clearing within area indicated as Category B on Planning Scheme Maps V1 and V2.</p> <p>Exempt if the criteria for self assessment and code assessment do not apply.</p>	Significant Vegetation Overlay code

¹⁰ Refer to Part 7 Schedules Dictionary -Division 2 Defined uses.

¹¹ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

TABLE 30

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR SIGNIFICANT VEGETATION OVERLAY - OTHER DEVELOPMENT

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹² —applicable code if development is self-assessable or requires code assessment
Building works not associated with material change of use		
Building work, if requiring the clearing of vegetation	<p>Self Assessment if carried out within an area indicated as Category A or Category B on Planning Scheme Maps V1 and V2.</p> <p>Exempt if the criteria for self assessment do not apply.</p>	Significant Vegetation Overlay code
Operational work not associated with a material change of use		
Clearing of Vegetation	<p>Self Assessment if for clearing within area indicated as Category A on Planning Scheme Map V1.</p> <p>Code Assessment if for clearing within area indicated as Category B on Planning Scheme Maps V1 and V2.</p> <p>Exempt if the criteria for self assessment and code assessment do not apply.</p>	Significant Vegetation Overlay code

¹² For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Division 6 — Assessment criteria for Significant Vegetation Overlay

5.15 SIGNIFICANT VEGETATION OVERLAY CODE

The provisions in this division comprise the Significant Vegetation Overlay code. They are-

- compliance with Significant Vegetation Overlay Code (section 5.16);
- overall outcome for Significant Vegetation Overlay (section 5.17);
- specific outcomes, probable solutions and acceptable solutions for the Significant Vegetation Overlay Code (section 5.18).

5.16 COMPLIANCE WITH THE SIGNIFICANT VEGETATION OVERLAY CODE

Development that achieves the specific outcomes in section 5.18 complies with the Significant Vegetation Overlay code.

5.17 OVERALL OUTCOMES FOR THE SIGNIFICANT VEGETATION OVERLAY

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Significant Vegetation Overlay code are:
 - (a) the protection of remnant endangered regional ecosystems;
 - (b) the protection of vegetation in areas of high nature conservation values;
 - (c) the maintenance of biodiversity;
 - (d) the prevention of land degradation;
 - (e) prevent the fragmentation of wildlife corridors (Category B on Maps V1 and V2);
 - (f) the maintenance of scenic amenity.

5.18 SPECIFIC OUTCOMES, PROBABLE SOLUTIONS AND ACCEPTABLE SOLUTIONS FOR SIGNIFICANT VEGETATION OVERLAY CODE

The specific outcomes sought for the Significant Vegetation Overlay code are included in column 1 of table 31 and probable solutions and acceptable solutions in column 2 of table 31.

TABLE 31

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S1 Waterways and adjacent habitat are protected by:</p> <ol style="list-style-type: none"> (i) Maintaining bank stability by protecting against erosion and slumping; and (ii) Maintaining water quality by filtering sediments, nutrients and other pollutants; and (iii) Maintaining aquatic habitat; and (iv) Maintaining wildlife habitat. 	<p>PS1.1 In areas identified as Category A or B on Planning Scheme Maps V1 and V2, vegetation is retained along each side of a waterway, within at least:</p> <ol style="list-style-type: none"> (i) 50 metres of each high bank of a waterway in the Rural (lots with areas of two (2) hectares and above), Open Space and Conservation zone; and (ii) 25 metres of each high bank of a waterway in the Rural Residential (lots with areas of two (2) hectares and above only) and Myola zone; and (iii) 10 metres of each high bank of a waterway in the Rural Residential (lots with areas below two (2) hectares) and Rural (lots with

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p style="text-align: center;">areas below two (2) hectares) zone.</p> <p>PS1.2 Vegetation is retained on land with a slope greater than 15%.</p>
<p>S2 Vegetation is retained outside the immediate area required for development to protect remnant endangered regional ecosystems and wildlife corridors (Wildlife Corridors are shown as Category B on Maps V1 and V2).</p>	<p>PS2.1 In areas identified as Category B on Maps V1 and V2,</p> <p>(i) For dwelling houses only</p> <p style="padding-left: 20px;">an area of no more than 600m² which includes the dwelling house, areas for infrastructure provision, driveways and effluent disposal/irrigation areas is cleared and fenced; and</p> <p>(ii) For all developments</p> <p style="padding-left: 20px;">All vegetation outside the area required for the approved development is retained.</p>

Division 7 — Assessment Tables for Natural Disaster-Bushfire Overlay

5.19 ASSESSMENT CATEGORIES FOR NATURAL DISASTER-BUSHFIRE OVERLAY

The assessment categories are identified for development affected by Natural Disaster-Bushfire Overlay in column 2 of tables 32 and 33 as follows-

- (a) Table 32 - making a material change of use for a defined use, listed in column 1;
- (b) Table 33 - other development listed in column 1 including-
 - (i) carrying out building work not associated with a material change of use; and
 - (ii) reconfiguring a lot; and
 - (iii) carrying out operational work not associated with reconfiguring a lot.

5.20 RELEVANT ASSESSMENT CRITERIA FOR DEVELOPMENT AFFECTED BY NATURAL DISASTER-BUSHFIRE OVERLAY

For development affected by a Natural Disaster-Bushfire Overlay, the applicable codes are identified in column 3 of tables 32 and 33.

TABLE 32

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR NATURAL DISASTER-BUSHFIRE OVERLAY - MAKING A MATERIAL CHANGE OF USE

Note —

Planning Scheme Policy 3 – Information Local Government May Request indicates when the local government may undertake consultation or seek further information from the applicant about an application.

Column 1 Defined use ¹³	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹⁴ – applicable code if development is self assessable or requires code assessment
All uses (except single dwelling houses on existing lot) in Rural, Rural Residential and Myola zones which: <ul style="list-style-type: none"> (i) constitute a type of development to which the code applies, as referred to in Div 8 Section 5.23(2)4 and (ii) Are located in the Medium or High Bushfire Hazard area as identified on the Natural 	Code Assessment Exempt if the criteria for code assessment do not apply.	Natural Disaster-Bushfire Overlay code

¹³ Refer to Part 7 Schedules Dictionary -Division 2 Defined uses.

¹⁴ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Defined use ¹³	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹⁴ – applicable code if development is self assessable or requires code assessment
Disaster-Bushfire Maps F1, F2 or F3.		
Dwelling House (on existing lot) in Rural, Rural Residential and Myola zones which located in the Medium or High Bushfire Hazard area as identified on the Natural Disaster-Bushfire Maps F1, F2 or F3	Self Assessment Exempt if the criteria for self assessment do not apply.	Natural Disaster-Bushfire Overlay code

TABLE 33

**ASSESSMENT CATEGORIES AND APPLICABLE CODES FOR
NATURAL DISASTER BUSHFIRE OVERLAY —OTHER DEVELOPMENT**

Note—

Planning Scheme Policy 3 – Information Local Government May Request indicates when the local government may undertake consultation or seek further information from the applicant about an application.

Column 1 Type of development	Column 2 Assessment category	Column 3 Relevant assessment criteria ¹⁵ —applicable code if development is self-assessable or requires code assessment
Building works not associated with material change of use		
Carrying out building work not associated with a material change of use	Self Assessment Exempt if the criteria for self assessment do not apply.	Natural Disaster-Bushfire Overlay code
Reconfiguring a lot		
Reconfiguring a lot	Code Assessment Exempt if the criteria for code assessment do not apply.	Natural Disaster-Bushfire Overlay code
Operational work not associated with a reconfiguring a lot		
Carrying out operational work not associated with reconfiguring a lot	Code Assessment Exempt if the criteria for code assessment do not apply.	Natural Disaster-Bushfire Overlay code

¹⁵ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Division 8— Assessment Criteria for Natural Disaster-Bushfire Overlay

5.21 NATURAL DISASTER-BUSHFIRE OVERLAY CODE

The provisions in this division comprise the Natural Disaster-Bushfire Overlay code. They are-

- Compliance with Natural Disaster-Bushfire Overlay Code (section 5.22);
- Overall outcomes for Natural Disaster-Bushfire Overlay code(section 5.23);
- Specific outcomes, probable solutions and acceptable solutions for Natural Disaster-Bushfire Overlay code (section 5.24).

5.22 COMPLIANCE WITH THE NATURAL DISASTER-BUSHFIRE OVERLAY CODE

Development that is consistent with the specific outcomes in section 5.24 complies with the Natural Disaster-Bushfire Overlay code.

5.23 OVERALL OUTCOMES FOR THE NATURAL DISASTER-BUSHFIRE OVERLAY CODE

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Natural Disaster-Bushfire Overlay code are that:
 1. The number of people and properties subject to bushfire hazards are minimised by regulating building location and design;
 2. Evacuation is facilitated in the event of any bushfire threat.
 3. The risk to life and property is minimised in areas of High and Medium Hazard Severity, with appropriate siting and design of lots and buildings, or the exclusion of inappropriate uses;
 4. Only certain types of development are regulated by the Natural Disaster-Bushfire Overlay, as follows:
 - (i) Development that increases in the number of people living, working, or congregating in those areas eg. Residential development, Shopping centres, Tourist facilities, Industrial or commercial uses involving large numbers of workers or customers; and
 - (ii) Development that involves institutional uses where evacuating people may be particularly difficult, eg, hospitals, education establishments, child care centres, retirement villages, and high security correctional centres; and
 - (iii) Development that increases the amount of hazardous materials that are manufactured or stored in bulk.

5.24 SPECIFIC OUTCOMES, PROBABLE SOLUTIONS AND ACCEPTABLE SOLUTIONS FOR NATURAL DISASTER-BUSHFIRE OVERLAY CODE

The specific outcomes sought for the Natural Disaster-Bushfire Overlay code are included in column 1 of table 34 and acceptable/probable solutions in column 2 of table 34.

TABLE 34

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S1 Development maintains the safety of people and property by mitigating the risk through: <ul style="list-style-type: none"> • lot design and the siting of 	For Self Assessment: PS1.1 Buildings and structures:

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>buildings; and</p> <ul style="list-style-type: none"> • including firebreaks that provide adequate: <ul style="list-style-type: none"> - setbacks between buildings/structures and hazardous vegetation, and - access for firefighting/other emergency vehicles; • providing adequate road access for firefighting/other emergency vehicles and safe evacuation; and • providing an adequate and accessible water supply for fire-fighting purposes. 	<p>(a) on lots greater than 2,500m²:</p> <ul style="list-style-type: none"> • are sited in locations of lowest hazard within the lot; and • achieve setbacks from hazardous vegetation¹⁶ of at least 15 metres; and <p>(b) on lots less than or equal to 2,500m²:</p> <ul style="list-style-type: none"> • are sited in locations of lowest hazard within the lot; and • achieve setbacks from hazardous vegetation¹⁷ of at least 5 metres. <p>For Code Assessment:</p> <p>PS1.2 Buildings and structures:</p> <p>(a) on lots greater than 2,500m²:</p> <ul style="list-style-type: none"> • are sited in locations of lowest hazard within the lot; and • achieve setbacks from hazardous vegetation¹⁸ of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and • are located a minimum of 10 metres from any retained vegetation strips or small areas of vegetation; and • are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard. <p>(b) on lots less than or equal to 2,500m², maximise setbacks from hazardous vegetation.</p> <p>For Self Assessment and Code Assessment:</p> <p>PS1.3 For uses involving new or existing buildings with a gross floor area greater than 50m², each lot has:</p> <ul style="list-style-type: none"> • a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); <p>OR</p> <ul style="list-style-type: none"> • an on-site water storage of not less than 5,000 litres (eg accessible dam or tank with fire brigade tank fittings, swimming pool).

¹⁶ Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

¹⁷ Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

¹⁸ Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>For Code Assessment only:</p> <p>PS1.4 Lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> (a) efficient emergency access to buildings for fire-fighting appliances (eg by avoiding long narrow lots with long access drives to buildings); <p>AND</p> <ul style="list-style-type: none"> (b) setbacks and building siting in accordance with PS1.2 above. <p>For Code Assessment only:</p> <p>PS1.5 Firebreaks are provided by:</p> <ul style="list-style-type: none"> (a) a perimeter road that separates lots from areas of bushfire hazard and that road has: <ul style="list-style-type: none"> • a minimum cleared width of 20 metres; and • a constructed road width and weather standard complying with local government standards. <p>OR</p> <ul style="list-style-type: none"> (b) where it is not practicable to comply with PS1.5 (a), fire maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: <ul style="list-style-type: none"> • have a minimum cleared width of 6 metres; <p>AND</p> <ul style="list-style-type: none"> • have a formed width and gradient, and erosion control devices to local government standards; <p>AND</p> <ul style="list-style-type: none"> • have vehicular access at each end; and • provide passing bays and turning areas for fire-fighting appliances; <p>AND</p> <ul style="list-style-type: none"> • are either located on public land, or within an access easement that is granted in favour of the local government and Queensland Fire & Rescue Service. <p>AND</p> <ul style="list-style-type: none"> (c) sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg creek corridors and other retained vegetation) to allow burning of sections and access for bushfire response.

¹⁹ Refer to Appendix 8 of State Planning Policy 1/03 (Mitigating the Adverse Impacts of Flood, Bushfire and Landslide) Guideline

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>For Code Assessment only:</p> <p>PS1.6 Roads are designed and constructed in accordance with applicable local government and State government standards and:</p> <ul style="list-style-type: none"> a) have a maximum gradient of 12.5%;and b) exclude cul-de-sacs, except where a perimeter road isolates the development from hazardous vegetation or the cul-de-sacs are provided with an alternative access linking the cul-de-sacs to other through roads. <p>For Code Assessment only:</p> <p>PS1.7 Development complies with a Bushfire Management Plan¹⁹ for the premises.</p>
<p>For Code Assessment only:</p> <p>S2 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>For Code Assessment only:</p> <p>PS2 Development complies with a Bushfire Management Plan²⁰ for the premises.</p>

²⁰ Refer to Appendix 8 of State Planning Policy 1/03 (Mitigating the Adverse Impacts of Flood, Bushfire and Landslide) Guideline

PART 6

ASSESSMENT CRITERIA FOR A DEVELOPMENT FOR A STATED PURPOSE OR OF A STATED TYPE

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Division 2— Adult Product Shop Code

6.1 Adult Product Shop code

The provisions in this division comprise the Adult Product Shop code. They are-

- compliance with Adult Product Shop code (section 6.2);
- purpose of Adult Product Shop code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Adult Product Shop code (section 6.4).

6.2 Compliance with Adult Product Shop code

Development that achieves the specific outcomes in section 6.4, complies with the Adult Product Shop code.

6.3 Overall outcomes for Adult Product Shop code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Adult Product Shop code are the following:
 - (a) To ensure that shop premises used for the selling of adult products are discreet so as to have minimal impact on the general amenity enjoyed by people using the business and adjoining premises.

6.4 Specific outcomes, probable solutions and acceptable solutions for Adult Product Shop Code

The specific outcomes sought for the Adult Product Shop code are included in column 1 of Table 1 and probable solutions and acceptable solutions in column 2 of Table 1

TABLE 1

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S1 Adult product shops are allowed without undue detrimental effect on the area in which they are located	AS1.1 The interior of the premises is screened from view from a public place, and AS1.2 The main entrance is fitted with an automatic closing device (so that the door remains closed except while persons are entering or leaving); and AS1.3 A sign is displayed adjacent to the access doors stating "Persons Under 18 - Not Permitted"; and AS1.4 One sign is located on the premises which: <ol style="list-style-type: none"> (i) does not exceed 3 metres by 0.3metre; and (ii) involves static lighting only; and (iii) only displays the registered business name of the premises.

Division 3 — Deleted

Division 4 – Bed and Breakfast Code

6.1 Bed and Breakfast code

The provisions in this division comprise the Bed and Breakfast code. They are-

- compliance with Bed and Breakfast code (section 6.2);
- purpose of Bed and Breakfast code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Bed and Breakfast code (section 6.4).

6.2 Compliance with Bed and Breakfast code

Development that, achieves the specific outcomes in section 6.4, complies with the Bed and Breakfast code.

6.3 Overall outcomes for Bed and Breakfast code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Bed and Breakfast code are the following:
 - (a) Short term accommodation and meals is provided to a limited amount of guests by the permanent residents of a dwelling house or another dwelling on the same land;
 - (b) Bed and Breakfast facilities operate at a standard that is consistent with the accommodation needs of the touring public;
 - (c) Bed and Breakfast does not compromise the primary use of the dwelling house as a private residence.

6.4 Specific outcomes, probable solutions and acceptable solutions for Bed and Breakfast code

The specific outcomes sought for the Bed and breakfast code are included in column 1 of Table 3 and probable solutions and acceptable solutions in column 2 of Table 3.

TABLE 3

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S1 Scale of Use</p> <p>The function and total use area allocated and used for the bed and breakfast accommodation must not compromise the primary use of the dwelling house as a private permanent residence.</p>	<p>AS1.1 The maximum number of bedrooms used to accommodate paying guests of the bed and breakfast accommodation does not exceed three (3) bedrooms; and</p> <p>AS1.2 The dwelling house supporting the bed and breakfast accommodation does not serve any meal for gain to other than paying overnight guests of the establishment; and</p> <p>AS1.3 A maximum of 12 guests at any one (1) time.</p>
<p>S2 Amenity</p> <p>The amenity of the neighbourhood is not unduly affected.</p>	<p>AS2.1 There is only one sign related to the Bed and Breakfast operation and the sign is:</p> <ol style="list-style-type: none"> (i) Not greater than 0.5 m2 in area; and (ii) Not illuminated; and (iii) Wholly within the premises or on a fence facing the road; and <p>AS2.2 On site carparking is provided at the rate of one (1) space per bedroom, in addition to one (1) space for the dwelling house.</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S3 Scale of Works</p> <p>The appearance of the bed and breakfast accommodation must be consistent with the style and character of the surrounding local area.</p>	<p>AS3.1 The maximum height of a new building or structure is 7.5 metres; and</p> <p>AS3.2 If in the Residential zone, new buildings or roofed structures do not increase the site cover of buildings and structures to greater than 50% of the lot.</p>

Division 5 — Car Parking Code

6.1 Car Parking code

The provisions in this division comprise the Car Parking code. They are-

- compliance with Car Parking code (section 6.2);
- purpose of Car Parking code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Carparking code (section 6.4).

6.2 Compliance with Car Parking code

Development that achieves the specific outcomes in section 6.4., complies with the Car Parking code.

6.3 Overall outcomes for Car Parking code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Car Parking code are the following:
 - (a) Uses have sufficient on site car parking and bicycle spaces designated in a manner to meet the requirements of the intended user;
 - (b) The number of car parking spaces provided does not impact on the functioning of the surrounding road network;
 - (c) Vehicles and bicycles can access and move within the site in a safe and efficient manner.

6.4 Specific outcomes, probable solutions and acceptable solutions for Car Parking code

The specific outcomes sought for the Car Parking code are included in column 1 of Table 4 and the probable solutions and acceptable solutions in column 2 of Table 4.

TABLE 4

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable Development	
S1 Sufficient car parking spaces are provided to accommodate the demand likely to be generated by the use ¹ .	AS1 The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.
S2 Car parking spaces are to be of adequate size for their intended purpose.	AS2 A car parking space provided pursuant to AS1 shall have a minimum area of fifteen (15) square metres and a minimum width of two point seven five (2.75) metres.
S3 Adequate shade is provided for car parking areas.	AS3 Trees (see Schedule A of Planning Scheme Policy 9 – Landscaping for species) are planted throughout the car park area and around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof.
S4 The carparking area is adequately constructed and maintained.	AS4 The carparking area is compacted, sealed, drained, marked and maintained and continue as

¹ For impact assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>such until such time as the development ceases.</p> <p>Car parking sealing may include bitumen, asphalt, concrete or paving blocks, however in the Rural and Rural Residential zones may also include compacted gravel.</p>
<p>S5 The development provide for loading, unloading and garbage areas.</p>	<p>AS5.1 All unloading, loading and garbage areas are provided on the site; and</p> <p>AS5.2 The design of unloading, loading and garbage areas shall enable all service vehicles to enter and leave the site in a forward direction.</p>
<p>For Code Assessable Development</p>	
<p><i>Car Parking Design</i></p>	
<p>S6 Car parking spaces are of adequate dimensions and standard to meet user requirements.</p>	<p>AS6 Car parking spaces meet the design requirements of Australian Standards AS2890.1–1986 and AS2890.2–1989 (as amended) provided that the minimum car parking space width is no less than 2.6 metres.</p>
<p>S7 Car parking spaces are used for their intended purpose.</p>	<p>AS7.1 Car parking spaces are kept and used exclusively for parking and maintained in a useable condition for parking; and</p> <p>AS7.2 Visitor car parking spaces are accessible and available for parking at all times; and</p> <p>AS7.3 Disabled car parking spaces are signed posted.</p>
<p>S8 Adequate shade is provided for car parking areas in excess of 1,000m².</p>	<p>AS8.1 Trees that will grow to provide shade are planted throughout the car park area and around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof; or</p> <p>AS8.2 Shade structures are provided over 40% of the car parking spaces.</p>
<p><i>Car Parking Numbers</i></p>	
<p>S9 Sufficient car parking spaces are provided to accommodate the demand likely to be generated by the use².</p>	<p>AS9.1 The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.</p>
<p>S10 The development provide for loading, unloading and garbage areas.</p>	<p>AS10.1 All unloading, loading and garbage areas are designed such that all operations are carried out on site; and</p> <p>AS10.2 The design of unloading, loading and garbage areas shall enable all service vehicles to enter and leave the site in a forward direction.</p>

² For impact assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

THE MAREEBA SHIRE PLANNING SCHEME

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S11 The development provide for parking spaces in the vicinity of the development provided to accommodate the demand likely to be generated by the use ³ .	AS11 Where car parking spaces cannot be provided for on the site in accordance with S4, a cash contribution is paid as laid out in the Planning Scheme Policy 7 - Carparking Cash Contribution.
<i>Bicycle Parking</i>	
S12 Bicycle parking spaces are of adequate dimensions, standards and sufficient numbers to meet user requirements	AS12.1 Bicycle parking spaces meet the design requirements of Australian Standards AS 2890.3-2000 (as amended) and AS12.2 Bicycle parking spaces being provided for the uses is in accordance with the bicycle parking schedule.
<i>Movement and Access</i>	
S13 Access is safe, functional, convenient and located in accordance with the Road Hierarchy Map R3.	AS13.1 Lots with two or more street frontages have their access on the lower class of street in accordance with Road Hierarchy Map R3; and AS13.2 Accesses are to have a minimum sight distance in accordance with Austroads Guide to Traffic Engineering Practice Part 5 Intersections at Grade; and AS13.3 All on site traffic movements are to be designed for all vehicles to enter and leave the site in a forward gear; and AS13.4 All accesses on Council roads are to be designed and constructed in accordance with the Planning Scheme Policy - 4 Development Manual. ⁴

Carparking Schedule	
Use Category	Minimum Number of Car Parking Spaces
Abattoir	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Accommodation Units	One (1) space per unit or one (1) space per three (3) beds, whichever is greater
Agribusiness	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Aircraft Facility	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Bulk Store	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Business	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA
Caravan Park	Eleven (11) spaces per 10 sites plus one (1) space per 10 sites as visitor spaces
Child Care Centre	A minimum of three (3) spaces will be required to be used for setting down and picking up of children. , plus one (1) space per ten children for staff parking

³ For assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

⁴ Department of Main Roads must approve access to a State controlled road in writing before any work commences on site.

THE MAREEBA SHIRE PLANNING SCHEME

Carparking Schedule	
Use Category	Minimum Number of Car Parking Spaces
Communication Facility	Nil
Community Facility	Five (5) spaces plus one (1) space per 25m ² GFA
Drive through Fast food outlet	Fifteen (15) spaces per 100m ² GFA or one (1) space per 3 seats, whichever is greater
Educational Establishment	A minimum of 15 spaces (primary & preschool) A minimum of 10 spaces and three (3) spaces per classroom (secondary)
Extractive Industry	Nil
Freight Depot	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Hazardous Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Heliport	Two (2) spaces per helipad
Hospital	One (1) space per 4 beds plus 20 for staff members plus one ambulance bay
Host Farm	One (1) space per guest room in addition to that required for the dwelling house
Hotel	1 space per 10m ² of bar, lounge beer garden and other public area plus 1 space per 50m ² of GFA of bulk liquor sales area, and one space per guest room
Indoor recreation facility <i>squash</i> <i>indoor cricket or other court game</i> <i>swimming</i> <i>gymnasium</i> <i>otherwise</i>	Six (6) spaces per court Twenty (20) spaces per pitch or court Fifteen (15) spaces plus one (1) space per 100m ² GFA One (1) space per 10m ² GFA One (1) space per 10m ² GFA
Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Institution	Two (2) spaces per three (3) staff members plus a minimum of 10 spaces for visitors
Light Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Liquid Fuel Depot	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Material Recycling Facility	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Motel	One (1) space per unit
Motor Home Park	Eleven (11) spaces per 10 sites plus one (1) space per 10 sites as visitor spaces
Motor Showroom -Light	One (1) space per 50m ² GFA
Motor Showroom-Heavy	One (1) space per 50m ² GFA
Noxious Or Offensive Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Outdoor Sport And Entertainment Facility <i>Coursing house racing, pacing or trotting, motor sport</i> <i>Football</i> <i>Lawn Bowls</i> <i>Swimming</i> <i>Tennis</i> <i>Court games</i> <i>Otherwise</i>	One (1) space per 5 persons to be seated plus one (1) space per 5m ² of spectator area. Fifty (50) spaces per field Thirty (30) spaces per green Fifteen (15) spaces plus one (1) space per 100m ² of site area Six (6) spaces per court Twenty (20) spaces per court No prescribed solution
Passenger Transport Terminal	One (1) space per 30m ² of GFA
Place Of Worship	One (1) space per ten (10) seats or one (1) space per 15m ² of GFA, whichever is greatest.
Plant Hire Facility	One (1) space per 30m ² of GFA
Plant Nursery	One (1) space per 30m ² of GFA
Recreation Facility	As per requirement for Outdoor Sport And Entertainment Facility or Indoor recreation facility

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Carparking Schedule	
Use Category	Minimum Number of Car Parking Spaces
Registered Club	One (1) space per 15m ² GFA
Residential Units	One (1) covered space per unit and one(1) additional space per two units
Restaurant	Fifteen (15) spaces per 100m ² GFA or one (1) space per 3 seats, whichever is greater
Retirement Village	One (1) space per 6 nursing home beds; or One (1) space per 4 hostel unit bed; or One (1) space per self contained unit; Plus One (1) space for an ambulance bay Plus visitor parking at the rate of 50% of resident parking requirements
Roadside Stall	One (1) space per 25m ² GFA
Road Transport Terminal	One (1) space per 50m ² GFA
Rural Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Sawmill	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Secondary dwelling	One (1) space per dwelling house plus one space for the secondary dwelling
Shop	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA
Service Station	Six (6) spaces plus one (1) space per 25m ² GFA for any shop component
Stock Selling Centre	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA
Tourist facility	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA, unless otherwise defined in the code
Transport Depot	One (1) space per 50m ² GFA
Utility Installation	Nil
Vehicle Repair Station	One (1) per 50m ² GFA
Veterinary Clinic	One (1) space per 25m ² of GFA
Warehouse	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Waste Management Facility	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Workers Cottage	One (1) space per dwelling house plus one space per guest room

Bicycle Parking Schedule	
Community centre	4 per 1500 m ² of gross floor area
Health centre	2 per 400m ² of gross floor area
Indoor recreation facility	1 per 4 employee plus 1 per 200m ² of gross floor area
Sports ground	10 per 1500 spectator places
Restaurant	1 per 100m ² of gross floor area
School	1 per 5 pupils over year 4
Shop	1 per 300 m ²
University/ Institute of Tech	1 per 100 full time students

Division 6 – Child Care Centre Code

6.1 Child Care Centre code

The provisions in this division comprise the Child Care Centre code. They are-

- compliance with Child Care Centre code (section 6.2);
- purpose of Child Care Centre code (section 6.3);
- specific outcomes and probable solutions for the Child Care Centre code (section 6.4).

6.2 Compliance with Child Care Centre code

Development that achieves the specific outcomes in section 6.4, complies with the Child Care Centre code.

6.3 Overall outcomes for Child Care Centre code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Child Care Centre code are the following:
 - (a) To ensure that development of child care centres protects the health and safety of the intended user and is compatible with the amenity and character of the neighbourhood in which they are proposed.

6.4 Specific outcomes and probable solutions for Child Care Centre code

The specific outcomes sought for the Child Care Centre code are included in column 1 of Table 5 and probable solutions in column 2 of Table 5.

TABLE 5

Specific Outcomes	Probable Solutions (code assessable)
<p>S1 Building Setback</p> <p>All buildings, structures and car parking must provide for setbacks from the street frontage and the side and rear boundaries which are appropriate to the efficient use of the site and the streetscape character of the local area.</p>	<p>PS1.1 The development is a building, structure or car park which is set back a minimum of:</p> <ol style="list-style-type: none"> (a) six metres from a road frontage; and (b) two metres from all side and rear boundaries; and <p>PS1.2 The access way for vehicle manoeuvring purposes is set back a minimum of two metres from all side and rear boundaries.</p>
<p>S2 Fencing</p> <p>The Child Care Centre must provide screening or buffering to ensure the safety of the children and to minimise conflicts between the centre and the adjoining uses.</p>	<p>PS2 A 1.8 metre high screen fence is erected on all side and rear boundaries.</p>
<p>S3 Safety</p> <p>The design of the Child Care Centre building, outdoor play areas, car park and set down areas must not result in any safety hazards for children or the other users of the centre.</p>	<p>PS3.1 The buildings and outdoor play areas are located a minimum distance of 100 metres from any high voltage electricity supply easement; and</p> <p>PS3.2 The car parking spaces, set down areas, vehicle access ways and crossovers are physically separated from the areas of the site used by children by fences or other barriers; and</p> <p>PS3.3 Convenient, safe and clearly visible pedestrian access is provided to the site; and</p>

Specific Outcomes	Probable Solutions (code assessable)
	<p>PS3.4 Childproof fencing is provided between play areas and roads, car parks, driveways, neighbouring properties, water features, outdoor motors such as cooling systems, service areas and any other features likely to represent a danger to children.</p>
<p>S4 Building Appearance</p> <p>The appearance of the development must complement the style and character of the surrounding local area.</p>	<p>PS4 No acceptable solution provided.</p>
<p>S5 Location</p> <p>The development must be located to minimise:</p> <p>(a) the hazards of heavy traffic;</p> <p>(b) introduction of additional traffic into minor residential streets;</p> <p>(c) flood damage or hazard.</p>	<p>PS5.1 The development is not located:</p> <p>(a) On the State controlled roads within the Shire or heavy vehicular route as shown on Maps R1 and R2; and</p> <p>(b) On residential streets having a road reserve width of less than 20 metres or being a cul-de-sac; and</p> <p>PS5.1 The floor level of all habitable rooms is at least 300mm clear of the Q100 flood level.</p>
<p>S6 The level of traffic generated by the Child Care Centre on the surrounding road network must not result in unacceptable impacts on adjacent land and local road users</p>	<p>PS6 A traffic impact analysis, which has been undertaken by a competent person, demonstrates the expected traffic movements generated by the proposal, any associated impacts on the road network, and any works that will be required to address the identified impacts.</p>
<p>S7 Adequate parking is provided on site without causing unreasonable disturbance to neighbours or limiting the size of outside play areas.</p>	<p>PS7.1 On site carparking are provided in accordance with the Carparking Code schedule and include on site set down and pick up facility located so as to be visible from the road; and</p> <p>PS7.2 Convenient, safe and clearly visible pedestrian access is provided to the site; and</p> <p>PS7.3 All on site traffic movements are to be designed for all vehicles to enter and leave the site in a forward gear.</p>

Division 7 – Communication Facilities Code

6.1 Communication Facilities code

The provisions in this division comprise the Communication Facilities code. They are-

- compliance with Communication Facilities code (section 6.2);
- purpose of Communication Facilities code (section 6.3);
- specific outcomes and probable solutions for the Communication Facilities code (section 6.4).

6.2 Compliance with Communication Facilities code

Development that achieves the specific outcomes in section 6.4, complies with the Communication Facilities code.

6.3 Overall outcomes for Communication Facilities code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Communication Facilities code are the following:
 - (a) Development involving communication facilities minimise the potential visual, community safety and environmental impacts.

6.4 Specific outcomes and probable solutions for Communications Facilities code

The specific outcomes sought for the Communications Facilities code are included in column 1 of Table 5A and probable solutions in column 2 of Table 5A.

TABLE 5A

Specific Outcomes	Probable Solutions (code assessable)
<p>S1 Site Suitability</p> <p>(a) The location of the facilities ensures minimal visual obtrusiveness including:</p> <ol style="list-style-type: none"> (i) location in or on an existing building or structure (and if on the building: in a location of minimal prominence on that building or structure) where possible and practical; or (ii) co-location with an existing communication facilities is less visually intrusive than other sites, where possible and practical; and (iii) located in areas where the predominant land uses are communication facilities, industrial or commercial uses, where possible and practical. <p>(b) The location of the installation does not conflict with existing uses on the site, including not impeding access to and movement through the site required by the uses</p> <p>(c) The location of the facilities does not</p>	<p>PS1 No probable solution provided.</p>

Specific Outcomes	Probable Solutions (code assessable)
affect airport operations at aerodromes or aerial crop spraying operations in rural areas.	
<p>S2 Visual Amenity</p> <p>(a) The height, shape, form, and bulk of the facilities minimise any visual amenity impacts.</p> <p>(b) The area surrounding the facilities is landscaped to screen and to soften the view of the installation from a public road or a scenic route.</p> <p>(c) The material, finish and colour of the facilities minimise any visual amenity impacts.</p>	PS2 No probable solution provided.
<p>S3 Telecommunication towers</p> <p>Power outputs levels from any transceiver tower do not exceed the maximum exposure limit set by AS 2772.1 – <i>Radio Frequency Radiation – Maximum Exposure Levels</i>.</p>	PS3 No probable solution provided.
<p>S4 Public safety</p> <p>(a) The immediate site of the facilities is enclosed by fencing to prohibit public access to ensure public safety.</p> <p>(b) Appropriate warning or information signs are erected at facilities sites, to ensure public safety.</p>	PS4 No probable solution provided.
<p>S5 Site access</p> <p>The proposed access to and from the site is adequate to cater for service and maintenance vehicles. All on site traffic movements are to be designed for all vehicles to enter and leave the site in a forward gear.</p>	PS5 No probable solution provided.
<p>S6 Environment</p> <p>The use is designed and operated to ensure that noise, vibration and air quality (odours, dust, fumes, smoke, ash) do not unduly impact on the surrounding uses.</p>	PS6 No probable solution provided.
S7 Rehabilitation	PS7 No probable solution provided.

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Specific Outcomes	Probable Solutions (code assessable)
<p>If the use is abandoned, the site is rehabilitated to a level that achieves the following:</p> <ul style="list-style-type: none">(i) the site is suitable for other uses compatible with the locality; and(ii) restores the visual amenity of the site.	

Division 8 – Extractive Industry Code

6.1 Extractive Industry code

The provisions in this division comprise the Extractive Industry code. They are-

- compliance with Extractive Industry code (section 6.2);
- purpose of Extractive Industry code (section 6.3);
- specific outcomes and probable solutions for the Extractive Industry code (section 6.4).

6.2 Compliance with Extractive Industry code

Development that achieves the specific outcomes in section 6.4, complies with the Extractive Industry code.

6.3 Overall outcomes for Extractive Industry code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Extractive Industry code are the following:
 - (a) To ensure that the environmental impacts of extractive industry are within acceptable limits, in relation to both on site operations and off-site activities, especially those associated with haulage.⁵
 - (b) To ensure that operation of the development provides adequately for site rehabilitation and preparation for use after the extractive operation.

6.4 Specific outcomes and probable solutions for Extractive Industry code

The specific outcomes sought for the Extractive Industry code are included in column 1 of Table 5B and probable solutions in column 2 of Table 5B.

TABLE 5B

Specific Outcomes	Probable Solutions (code assessable)
<p>S1 Site Suitability</p> <p>(a) The site is suitable for the efficient extraction of the material due to:</p> <ol style="list-style-type: none"> (i) its geological and geo-technical characteristics; and (ii) the proposed method of extraction; and (iii) the retention of significant environmental values on the site⁶ and; (iv) minimal impact upon adjoining land uses; and (v) the lack of declared plants on the site, or if declared plants are on the site, provide a description of their location and density and a proposed property pest management plan that identifies 	<p>PS1 This can be achieved by the extractive industry site having sufficient area and dimensions to accommodate:</p> <ol style="list-style-type: none"> (i) the extractive use; and (ii) buildings and parking areas for visitors and employees located in a safe area away from dust; and (iii) storage areas of stockpiles; and (iv) any environmentally significant land such as riparian corridors, important vegetation communities and the like; and (v) buffers to adjacent land uses and landscaping to ensure that there are no unacceptable impacts from noise, dust, blasting and vibration beyond the property boundary; and (vi) vehicle access, including a suitable buffer to haul out routes relied upon for the industry,

⁵ Refer to Environmental Protection Act to see if the proposed use is an Environmental Relevant Activity.

⁶ Refer to Planning Scheme Policy 3 Information Local Government may request.

⁷ Refer to Planning Scheme Policy 3 Information Local Government may request.

Specific Outcomes	Probable Solutions (code assessable)
<p>measures to prevent, control and contain their spread.</p> <p>(b) The extractive industry is established on a site of a suitable size and dimensions having regard to the nature of the use, the potential impact on the amenity of adjoining land uses and the need to retain any environmentally sensitive land⁷.</p>	<p>having regard to anticipated traffic flows, noise and vibration; and</p> <p>(vii) on site vehicle movement.</p>
<p>S2 Amenity</p> <p>(a) The proposed extractive industry is not within the view shed of sensitive surrounding land uses (eg, existing rural or rural residential uses) in the area.</p> <p>(b) The proposal retains vegetation on the site that contributes towards alleviating the impact on the visual amenity, noise and dust pollution of surrounding sensitive land uses⁸.</p>	<p>PS2 No probable solution provided.</p>
<p>S3 Site access</p> <p>(a) Access to the site is gained by a route that minimises impacts on land uses adjoining the site and uses located along the transportation route.</p> <p>(b) Impacts by way of noise, reduced safety, dust are minimized.</p> <p>(c) All on site traffic movements are to be designed for all vehicles to enter and leave the site in a forward gear.</p>	<p>PS3 No probable solution provided.</p>
<p>S4 Environment</p> <p>(a) Areas of significant conservation value are retained during the operation and rehabilitation of the site⁹.</p> <p>(b) Water from around and within the area of the extractive industry does not impact upon the quality of the ground water or receiving surface waters¹⁰.</p> <p>(c) The extractive industry is designed and operated to ensure that noise and vibration impacts on the surrounding area are minimised and are at a level</p>	<p>PS4 No probable solution provided.</p>

⁸ Refer to Planning Scheme Policy 3 Information Local Government may request.

⁹ Refer to Planning Scheme Policy 3 Information Local Government may request.

¹⁰ Refer to Planning Scheme Policy 3 Information Local Government may request.

Specific Outcomes	Probable Solutions (code assessable)
<p>normally and reasonably expected for that surrounding land use¹¹.</p> <p>(d) Air pollution from the extractive industry is minimised does not result for adjacent and surrounding rural and rural residential land uses, in air pollution levels that are not normally and reasonably expected for those uses.¹²</p> <p>(e) No declared plants are transported from the site.</p>	
<p>S5 Rehabilitation</p> <p>Development integrates rehabilitation into the operation of the site and progressively restores the site to a standard that achieves the following:</p> <p>(i) The site is suitable for use for agricultural production, native vegetation, water storage or other use compatible with the locality; and does not contribute to land degradation or to offsite impacts; and</p> <p>(ii) Restores the visual amenity of the site.</p>	<p>PS5 No probable solution provided.</p>

¹¹ Refer to Planning Scheme Policy 3 Information Local Government may request.

¹² Refer to Planning Scheme Policy 3 Information Local Government may request.

Division 9 – Home Occupation Code

6.1 Home Occupation code

The provisions in this division comprise the Home Occupation code. They are-

- compliance with the Home Occupation code (section 6.2);
- purpose of the Home Occupation code (section 6.3);
- specific outcomes and acceptable solutions for the Home Occupation code (section 6.4)

6.2 Compliance with the Home Occupation code

Development that achieves the specific outcomes in section 6.4, complies with the Home Occupation code.

6.3 Overall outcomes for Home Occupation code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcome sought for the Home Occupation code is the following:
 - (a) Allow the residents of a dwelling house to carry out an occupation or profession within the limited confines of the premises without impacting on the amenity of the area.

6.4 Specific Outcomes and Acceptable Solutions for Home Occupation Code

The specific outcomes sought for the Home Occupation code are included in column 1 of Table 6 and the acceptable solutions in column 2 of Table 6.

TABLE 6

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S1 Scale of Use</p> <p>Residential floor area is maintained in the dwelling house.</p>	<p>AS1 The GFA used specifically for the home occupation either in a separate building or in the dwelling house, is not greater than one third (1/3) of the GFA of the dwelling house.</p>
<p>S2 Amenity</p> <p>The residential amenity of the neighbourhood is not unduly affected.</p>	<p>AS2.1 Display goods and stored goods or materials are contained within the dwelling house or separate building;</p> <p>AS2.2 There is only one sign related to the home occupation and the sign is:</p> <p style="margin-left: 20px;">(i) not greater than 0.5 m² in area; and</p> <p style="margin-left: 20px;">(ii) not illuminated; and</p> <p style="margin-left: 20px;">(iii) wholly within the premises or on a fence facing the road.</p> <p>AS2.3 There is no hiring out of materials, goods, appliances or vehicles from the site;</p> <p>AS2.4 There is no repairing, servicing, cleaning, or loading of vehicles not normally associated with use of premises as a dwelling house;</p> <p>AS2.5 Site access is limited to one access per allotment;</p> <p>AS2.6 No more than one (1) client is permitted at the home occupation at any one (1) time;</p> <p>AS2.7 On site carparking is provided at the rate of one</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	(1) space in addition to the parking requirements for a dwelling house.
<p>S3 Scale of works</p> <p>Residential character of the dwelling house on the site is maintained.</p>	<p>P3.1 The maximum height of a new building, structure in which the home occupation is carried out, is two (2) storeys and 7.5m;</p> <p>P.3.2 If in the Residential zone, new buildings or roofed structures do not increase the site cover by buildings and structures to greater than 50% of the lot.</p>

Division 10 – Home Business Code

6.1 Home Business code

The provisions in this division comprise the Home Business code. They are-

- compliance with the Home Business code (section 6.2);
- purpose of the Home Business code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Home Business code (section 6.4)

6.2 Compliance with the Home Business code

Development that achieves the specific outcomes in section 6.4, complies with the Home Business code.

6.3 Overall outcomes for Home Business code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcome sought for the Home Business code is the following:
 - (a) This code seeks to accommodate the increasing demand to work from home by integrating home business activity into residential development, whilst ensuring that the amenity of the residential neighbourhood is maintained;
 - (b) This code seeks to facilitate integration of residential and business activities.

6.4 Specific Outcomes and Acceptable Solutions for Home Business Code

The specific outcomes sought for the Home Business code are included in column 1 of Table 6A and the probable solutions and acceptable solutions in column 2 of Table 6A.

TABLE 6A

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S1 Scale of Use</p> <p>Residential GFA area is maintained in the dwelling house.</p>	<p>AS1.1 The GFA used specifically for the Home business either in a separate building or a separate part of the main building is not greater than 50 m²;</p> <p>AS1.2 The home business employs no more than two (2) persons who are not the residents of the dwelling house.</p>
<p>S2 Amenity</p> <p>The residential amenity of the neighbourhood is not unduly affected.</p>	<p>AS2.1 Display goods and stored goods or materials are contained within the dwelling house or separate building;</p> <p>AS2.2 There is only one sign related to the home business and the sign is:</p> <ol style="list-style-type: none"> (i) not greater than 0.5 m² in area; and (ii) not illuminated; and (iii) wholly within the premises or on a fence facing the road. <p>AS2.3 There is no hiring out of materials, goods, appliances or vehicles from the site;</p> <p>AS2.4 There is no repairing, servicing, cleaning, or loading of vehicles not normally associated with</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>use of premises as a dwelling house;</p> <p>AS2.5 Access to the home business is via the same access as the dwelling house;</p> <p>AS2.6 Hours of operation are between 6am to 6pm Monday to Saturday, no work on Sunday or public holidays;</p> <p>AS2.7 On site carparking is provided at the rate of three (3) spaces in addition to the parking requirements for a dwelling house.</p>
<p>S3 Scale of works</p> <p>Residential character of the dwelling house on the site is maintained.</p>	<p>AS3.1 The maximum height of a new building, structure in which the home business is carried out, is two (2) storeys and 7.5m;</p> <p>AS3.2 If in the Residential zone, new buildings or roofed structures do not increase the site cover by buildings and structures to greater than 50% of the lot.</p>

Division 11 – Host Farm Code

6.1 Host Farm code

The provisions in this division comprise the Host Farm code. They are-

- compliance with Host Farm code (section 6.2);
- purpose of Host Farm code (section 6.3);
- specific outcomes and probable solutions for the Host Farm code (section 6.4).

6.2 Compliance with Host Farm code

Development that achieves the specific outcomes in section 6.4, complies with the Host Farm code.

6.3 Overall outcomes for Host Farm code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcome sought for the Host Farm code is the following:
 - (a) To provide for low key, short term tourism accommodation and interpretive experiences on farms where primary products are produced, provided the activity does not interfere and affect the amenity and operation of these farms.

6.4 Specific outcomes and probable solutions for Host Farm code

The specific outcomes sought for the Host Farm code are included in column 1 of Table 7 and probable solutions column 2 of Table 7.

TABLE 7

Specific Outcomes	Probable Solutions (code assessable)
S1 Host farm accommodation is provided in association with a rural use.	PS1 The host farm accommodation is as follows: <ol style="list-style-type: none"> (i) A maximum of eight (8) guests in no more than two separate dwelling houses; and (ii) Only one (1) dwelling house is provided in addition to the farm dwelling house.
S2 Dwelling houses used for host farm accommodation are sited so as not to inhibit normal farming operations and are provided with adequate water and effluent disposal services.	PS2 Additional dwelling houses used for host farm accommodation are located within 100 metres of the farmer's dwelling house and set back 100 metres from farming operations on adjoining properties.
S3 The amenity of the locality is maintained.	PS3.1 There is only one (1) sign related to the host farm and the sign is: <ol style="list-style-type: none"> (i) not greater than 0.3 m² in area; and (ii) not illuminated; and (iii) wholly within the farm premises or on a fence facing the road. PS3.2 All new buildings and structures are located at least 100 metres from property boundaries.

Division 12 – Reconfiguring a Lot Code

6.1 Reconfiguring a Lot code

The provisions in this division comprise the Reconfiguring a Lot code. They are-

- compliance with Reconfiguring a Lot code (section 6.2);
- purpose of Reconfiguring a Lot code (section 6.3);
- specific outcomes and probable solutions for the Reconfiguring a Lot code (section 6.4).

6.2 Compliance with Reconfiguring a Lot code

Development that achieves the specific outcomes in section 6.4, complies with the Reconfiguring a Lot code.

6.3 Overall outcomes for Reconfiguring a Lot code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Reconfiguring a Lot code are the following:
 - (a) **If rearranging the boundaries of a lot**, the useability of and access to all lots affected is improved, or maintained to an adequate extent;
 - (b) **If creating an access easement from a constructed road**, the useability of and access to all lots affected is improved, or maintained to an adequate extent;
 - (c) **If a new lot is created, the lot** is, or is capable of being, adequately serviced having regard to how the land is proposed to be used and the circumstances of its location;
 - (d) **If reconfiguring a lot opens a new road, the subdivision design is consistent with:**
 - (i) The outcomes sought for the zone in which it occurs and the intended use, or the use approved for the subject land; and
 - (ii) The efficient connection to available services; and
 - (iii) Any significant physical characteristics of the land, both landscape features and hazards; and
 - (iv) The design of adjoining lots.
 - (e) **If the lot subject to a reconfiguration contains or abuts an identified waterway or endangered or of concern regional ecosystems**, the lot reconfiguration excludes any waterway and adjacent land to a width measured from the high bank (VMA¹³ classification) of:
 - (i) Ten (10) metres in the Residential, Rural Residential (lots below two (2) hectares), Village, Business, Commercial, Industry, Noxious Offensive and Hazardous zones;
 - (ii) Twenty-five (25) metres in the Rural Residential (lots of two (2) hectares and above), Myola and Future Residential zones;
 - (iii) Fifty (50) metres in the Rural, Open Space and Conservation zones.
 - (f) If the reconfigured lot is provided with an **Electricity** connection, the following is also provided where required by the relevant electricity entity:
 - (i) Easements for electricity works are provide where electricity works cross private property;
 - (ii) Access easements are provided to ensure access is available to electricity works;
 - (iii) Gates are provided in fences to ensure vehicular and pedestrian access to electricity works. (This access is necessary for investigations for, and the construction, maintenance, repair, replacement or removal of, those electricity works).

6.4 Specific outcomes and probable solutions for the Reconfiguring a Lot code

The specific outcomes sought for the Reconfiguring a Lot code are included in column 1 of Table 7A and probable solutions column 2 of Table 7A.

¹³ Vegetation Management Act 1999

TABLE 7A

Specific Outcomes	Probable Solutions (code assessable)
<i>For all Zones in Part 4 - Zones</i>	
<p>S1 Vehicular access</p> <p>Each new lot has appropriate vehicular access to a road that does not significantly detract from the function of the road; and complies with the Planning Scheme Policy 4- Development Manual.</p>	<p>PS1 No probable solution provided.</p>
<p>S2 On-site services and facilities</p> <p>Each new lot is provided with an appropriate level of the following:</p> <ul style="list-style-type: none"> (i) water supply; and (ii) sewage treatment; and (iii) drainage; and (iv) power supply; and (v) telecommunications; and <p>complies with the Planning Scheme Policy 4 - Development Manual.</p>	<p>PS2 No probable solution provided.</p>
<p>S3 Works</p> <p>All works are carried out in accordance with the Planning Scheme Policy 4- Development Manual.</p>	<p>PS3 No probable solution provided.</p>
<i>For Residential, Village and Rural Residential zone Reconfigurations</i>	
<p>S4 Urban use</p> <p>Each new lot intended for residential use has adequate useable area to allow for:</p> <ul style="list-style-type: none"> (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) adequate useable open space for the occupants; and (iii) reasonable vehicular access for a car from the road to a site for the dwelling house; and (iv) for new reconfigurations creating in excess of twenty (20) lots, street networks are designed to ensure connected open space networks or 	<p>PS4 No probable solution provided.</p>

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Specific Outcomes	Probable Solutions (code assessable)
<p>streets to facilitate convenient bicycle and pedestrian trips; and</p> <p>(v) for reconfigurations including the opening of new roads, new road networks are designed with a hierarchy of streets and connectivity to ensure future bus servicing is practical; and</p> <p>complies with the Planning Scheme Policy 4- Development Manual.</p>	

DIVISION 13 – Dwelling House Code

6.1 Dwelling House code

The provisions in this division comprise the Dwelling House code. They are-

- compliance with Dwelling House code (section 6.2);
- overall outcomes of Dwelling House code (section 6.3);
- specific outcomes and acceptable solutions for the Dwelling House code (section 6.4)

6.2 Compliance with Dwelling House code

Development that, achieves the specific outcomes in section 6.4, complies with the Dwelling House code.

6.3 Overall outcomes for Dwelling House code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for this code are to provide for the establishment of a single dwelling house on a single lot where:
 - (a) The dwelling house and associated development are compatible with surrounding development;
 - (b) The dwelling house does not adversely affect the amenity of the surrounding area;
 - (c) The dwelling house may include family accommodation for relatives, friends or carers of the residents of the dwelling house with minimum disruption to the amenity of the area;
 - (d) That may include limited home based child care.

6.4 Specific outcomes and acceptable solutions for the Dwelling House code

The specific outcomes sought for the Dwelling House code are included in column 1 of Table 8 and acceptable solutions in column 2 of Table 8.

TABLE 8

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<i>For all Dwelling Houses</i>	
S1 Lot Size The lot must have sufficient area to accommodate the building and its associated access, parking, landscaping and required setbacks.	AS1 The minimum lot size for the dwelling house is no less than 400m ² clear of any access strip or access easement.
S2 Character Dwelling houses are consistent in scale with existing buildings and structures in the vicinity.	AS2.1 Building height does not exceed two storeys and 7.5 metres, and AS2.2 Site cover including outbuildings used ancillary to the dwelling house for domestic purposes does not exceed 50% of the site, and AS2.3 Outbuildings used ancillary to the dwelling house for domestic purposes do not exceed 4 metres in height at the apex of the roof or 3 metres in height at the sidewalls.

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Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S3 Carparking</p> <p>Dwelling houses are provided with onsite carparking to prevent detrimental impacts on amenity and streetscape.</p>	<p>AS3 A minimum of one (1) covered carparking space is to be provided on site.</p>
<p>S4 Dwelling houses located outside reticulated water supply areas do not place an unnecessary demand on the aquifer or waterways.</p>	<p>AS4 Where a dwellings house is not connected to a reticulated water supply, a 22,500 litre rain water tank is to be installed on the lot prior to occupation of the dwelling house.</p>
<i>For Family Accommodation</i>	
<p>S5 Siting</p> <p>The Family Accommodation must be sited in close proximity to that of the primary dwelling house.</p>	<p>AS5.1 The Family Accommodation is under the same roofline as the dwelling house.</p> <p>OR</p> <p>AS5.2 The Family Accommodation is located within ten metres of the dwelling house.</p>
<p>S6 Gross Floor Area</p> <p>The GFA of the Family Accommodation must not compromise the role of the dwelling house.</p>	<p>AS6 The maximum GFA of the Family Accommodation does not exceed 50% of GFA of the dwelling house.</p>
<p>S7 Access</p> <p>The access to the Family Accommodation and the dwelling house must be designed to facilitate safe and convenient vehicular and pedestrian movement within the site.</p>	<p>AS7.1 The Family Accommodation shares its driveway and vehicle crossover with the dwelling house; and</p> <p>AS7.2.1 The Family Accommodation shares a pedestrian path with the dwelling house.</p> <p>OR</p> <p>AS7.2.2 A separate pedestrian access path is provided for the Family Accommodation.</p>
<i>For Home Based Child Care</i>	
<p>S8 Home based child care must be kept to a scale which has no detrimental effects on any nearby residents.</p>	<p>AS8 The number of children does not exceed four (4), less the number of children under school age ordinarily residing in the dwelling house.</p>

Division 14 – Tourist Facility Code

6.1 Tourist Facility code

The provisions in this division comprise the Tourist Facility code. They are-

- compliance with Tourist Facility code (section 6.2);
- purpose of Tourist Facility code (section 6.3);
- specific outcomes and probable solutions for the Tourist Facility code (section 6.4)

6.2 Compliance with Tourist Facility code

Development that achieves the specific outcomes in section 6.4, complies with the Tourist Facility code.

6.3 Overall outcomes for Tourist Facility code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcome sought for the Tourist Facility code is the following:
 - (a) Tourist developments are provided having regard to the safety, comfort and amenity of the user and other people in the locality.

6.4 Specific outcomes and probable solutions for Tourist Facility code

The specific outcomes sought for the Tourist Facility code are included in column 1 of Table 9 and probable solutions in column 2 of Table 9.

TABLE 9

Specific Outcomes	Probable Solutions (code assessable)
<p>S1 Lot size and local amenity</p> <p>The site for the tourist development is of sufficient area to provide for adequate on site and local area amenity, with respect to boundary setbacks, open space, car parking and landscaping around the facilities.</p>	<p>For caravan parks or camping grounds</p> <p>PS1.1 (i) minimum lot size is 4,000m²; and (ii) minimum three (3) metre wide landscaped buffers are provided along all boundaries of the site, except for ingress and egress points.</p> <p>For other tourist developments</p> <p>PS1.2 (i) buildings and roofed structures do not cover more than 20% of the site; and (ii) all buildings have the following minimum setbacks:</p> <ul style="list-style-type: none"> • ten (10) metres from road boundaries; • six (6) metres from any other boundary.
<p>S2 Tourist development must not adversely affect or restrict agricultural activities on land identified on Agricultural Land Quality Maps S2, S3, S4 & S5.</p>	<p>PS2 Where tourist development is located adjacent to GQAL, buffering consistent with the Planning Guidelines: Separating Agricultural and Residential Land Uses (DNR/DCILGP, 1997) is provided.</p>
<p>S3 On site amenity</p> <p>Adequate amenity, particularly privacy, is</p>	<p>PS3.1 There is not more than one (1) caravan site or camping site or tourist cabin/unit for each 120m²</p>

Specific Outcomes	Probable Solutions (code assessable)
available for individual caravan or camping sites or tourist cabins/units.	of the site; and PS3.2 10% of the site, exclusive of landscaped buffers, is provided for open space.
<p>S4 Health, safety and convenience of users</p> <p>The health, safety and convenience of people using the tourist development are maintained with respect to:</p> <ul style="list-style-type: none"> (i) pedestrian and vehicle access within, and to and from, the site; and (ii) access for emergency services vehicles; and (iii) availability of on-site car and bicycle parking; and (iv) significant environmental effects of nearby uses. 	<p>For caravan parks or camping grounds</p> <p>PS4.1 Internal roads have the following widths:</p> <ul style="list-style-type: none"> (i) two way road - six (6) metres; (ii) one way road or cul de sac - 4 metres. <p>For caravan parks or camping grounds or tourist cabins/units</p> <p>PS4.2 Vehicle entries to and exits from the site meet the following:</p> <ul style="list-style-type: none"> (i) for combined entry and exit - 7 metre minimum width; (ii) for one way entry - 7 metre minimum width; (iii) for one way exit - 5 metre minimum width; (iv) vehicle holding area, provided either as a separate bay or as part of a one way entrance road - minimum dimensions of 4 metres by 20 metres; (v) for premises which are on or within 100 metres of a State controlled road, only one (1) access is permitted. <p>PS4.3 No caravan site, camping site or tourist cabin/unit has direct vehicular access to a public road; and</p> <p>PS4.4 Emergency services vehicles have unrestricted access to every site and building; and</p> <p>PS4.5 One (1) hard standing car parking space is provided for each tourist cabin/unit.</p> <p>PS4.6 If for motor homes, toilet facilities are not required to be provided.</p>

DIVISION 15– Landscaping Code

6.1 Landscaping code

The provisions in this division comprise the Landscaping code. They are-

- compliance with the Landscaping code (section 6.2);
- purpose of the Landscaping code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Landscaping code (section 6.4).

6.2 Compliance with the Landscaping code

Development that achieves the specific outcomes in section 6.4, complies with the Landscaping code.

6.3 Overall outcomes for the Landscaping code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Landscaping code are to ensure that:
 - (a) Landscaping enhances the appearance of developments and contributes to an attractive streetscape;
 - (b) Landscaping buffers provide effective screening;
 - (c) Landscaping provides shade where required;
 - (d) Landscaping accommodates the retention of existing significant on-site vegetation;
 - (e) Landscaping within land to be dedicated to Council or the State shall be a low maintenance variety and does not create a safety risk (thorns, large nuts, poisonous fruits or berries);
 - (f) Landscaping is designed to prevent the risk of persons being killed or injured by electricity, and to prevent the risk of property being destroyed or damaged by electricity;
 - (g) Community safety and security are addressed.

6.4 Specific outcomes, probable solutions and acceptable solutions for the Landscaping code

The specific outcomes sought for the Landscaping code are included in column 1 of Table 10 and probable solutions and acceptable solutions in column 2 of Table 10

TABLE 10

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
For Self Assessable and Code Assessable Development	
<i>Landscaping Strips only</i>	
S1 Landscaping strips (such as along road boundaries and around car parking areas) enhance the appearance of the site from the street and is complimentary to the building/s in terms of height of plants.	AS1 The landscaping strips incorporate: <ol style="list-style-type: none"> (i) shrubs planted (minimum 150 millimetre pots) at a maximum spacing of 750 millimetres; and (ii) palm trees planted (minimum 150 millimetre pots) at a maximum spacing of three (3) metres; <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> (iii) trees planted (minimum 150 millimetre pots) at a maximum spacing of six (6) metres.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<i>Landscaping Buffers only</i>	
<p>S2 Landscaping buffers must:</p> <ul style="list-style-type: none"> (i) maximise visual privacy of any adjoining residences; and (ii) minimise light spill and acoustic impacts; and (iii) screen visually obtrusive activities (such as service courts and storage areas); and (iv) soften the appearance of buildings. 	<p>AS2 The landscaping buffers incorporate shrubs or palms or trees that:</p> <ul style="list-style-type: none"> (i) are planted at a maximum spacing of one (1) metre; and (ii) will grow to a height of at least two (2) metres; and (iii) will grow to form a screen of no less than two (2) metres in height.
<i>Applicable to All Landscaping</i>	
S3 Appropriate plant species are used in landscaping.	AS3 The plant species used in landscaping is to be in accordance with Planning Scheme Policy 9 - Landscaping.
S4 Landscaping is designed and carried out to ensure ease of maintenance and to ensure success of the landscaping.	<p>AS4.1 Landscaping incorporate automatic, reticulated irrigation systems to water all plants; and</p> <p>AS4.2 Planted areas incorporate a layer of organic mulch; and</p> <p>AS4.3 Landscaping areas adjacent to car parking areas or driveways are protected from motor vehicles by 100 millimetres concrete wheel stops or garden bed edges.</p>
For Code Assessable Development	
S5 Landscaping retains any vegetation of environmental or aesthetic significance where not affected by the works approved for the development.	<p>AS5 Existing trees greater than five (5) metres in height are retained where located:</p> <ul style="list-style-type: none"> (i) greater than five (5) metres from the building footprint; and (ii) clear of driveway, car parking areas, storage or services areas
S6 Where landscaping is to be completed as part of a development or within an area proposed to be under the ownership of Council or the State, including road reserve, enhance the visual amenity of the street , appearance of the site and do not create safety risk to pedestrian or bicyclists,	<p>AS6.1 Landscaping is designed to be low maintenance and the plant varieties chosen do not contain thorns, large nuts, poisonous fruits or berries. (Refer Planning Scheme Policy 9 - Landscaping for guidance)</p> <p>AS6.2 Landscaping in areas adjacent to businesses that require passing trade shall have filtered landscaping, i.e. when mature, the landscaping provides a full screen to approximately one (1) metre in height, and then trees spaced above, seven (7) metres apart ,so that the business can be seen from the street but the development is partly screened.</p> <p>AS6.3 Landscaping in areas not adjacent to businesses</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	that require passing trade shall have full screening of landscaping, i.e. when mature, the landscaping provides a visual block between the street and the development to a height of approximately four (4) metres.
S7 Electricity lines are protected from encroachment of vegetation.	<p>AS7.1 (i) On land within five (5) metres of the outmost projection on an electricity line, vegetation at maturity does not exceed four (4) metres in height;</p> <p align="center">OR</p> <p>(ii) Vegetation is planted in a position that is further from the nearest edge of the electricity line than its expected maximum height at maturity;</p> <p>AS7.2 Vegetation adjoining an electricity substation boundary, at maturity will be less than four (4) metres in height and the foliage will not be within three (3) metres of the substation boundary. Where a substation has a solid wall along any boundary, foliage may extend to that solid wall.</p>
S8 Landscaping is designed to ensure community safety and security.	AS8 Landscape design incorporates the principles of Crime Prevention Through Environmental design (CPTED)

DIVISION 16 – Deleted

DIVISION 17– Filling and Excavation Code

6.1 Filling and Excavation code

The provisions in this division comprise the Filling and Excavation code. They are-

- compliance with the Filling and Excavation code (section 6.2);
- purpose of the Filling and Excavation code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Filling and Excavation code (section 6.4).

6.2 Compliance with the Filling and Excavation code

Development that achieves the specific outcomes in section 6.4, complies with the Filling and Excavation code.

6.3 Overall outcomes for the Filling and Excavation code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Filling and Excavation code are the following:
 - (a) To ensure that filling and excavation¹⁴, does not cause stability, flooding and drainage problems, and a reduction in the visual amenity of an area or cause environmental harm.

6.4 Specific outcomes, probable solutions and acceptable solutions for the Filling and Excavation code

The specific outcomes sought for the Filling and Excavation code are included in column 1 of Table 12 and probable solutions and acceptable solutions in column 2 of Table 12

TABLE 12

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<i>For Code Assessable and Self Assessable</i>	
S1 Visual Amenity Filling and excavation are undertaken to ensure that the visual amenity of the adjoining lots and the area is not compromised.	AS1 Filling and excavation is no greater than two (2) metres in height or depth.
S2 Pest Management Filling and excavation does not result in the spread of declared plants.	AS2 No declared plants ¹⁵ are spread during any filling or excavation activities.
<i>For Code Assessable only</i>	
S3 Stability Filling and excavation on land is carried out in a way that does not impact adversely on the stability of land.	AS3.1 Material is compacted in layers not exceeding 200 millimetres to the requirements of AS1289; and AS3.2 No filling or excavation is carried out within 1.5 metres of the site boundary; and

¹⁴ Note; The creation of an artificial lake with a total surface area of 5,000m² or greater requires Referral Coordination under Section 3.3.5b of IPA.

¹⁵ Declared plants under the Land Protection (Pest and Stock Route Management) Act 2002.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
	<p>AS3.3 Where the level of filling or excavation at the rear or sides of the proposed lot differs from the level of adjoining lots by more than 100 millimetres, either:</p> <ul style="list-style-type: none"> (i) A retaining wall entirely within the development site is provided with at least a 50mm parapet above the allotment fill to ensure water is deflected from the adjoining land; or (ii) A batter with a slope not exceeding one in five is provided with the end of the batter at least 1.5 metres from the site boundary.
<p>S4 Flooding and Drainage</p> <p>Filling or excavation does not result in a change to the run off characteristics of a site that will have a detrimental affect upon the site and/or surrounding land or road reserves.</p>	<p>AS4.1 Filling and excavation does not result in the ponding of water on the site or surrounding land or road reserves; and</p> <p>AS4.2 Filling and excavation does not result in an increase in the flow of water across a site or any surrounding land or road reserves; and</p> <p>AS4.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths; and</p> <p>AS4.4 Filling and excavation complies with Planning Scheme Policy 4 – Development Manual.</p>
<p>S5 Environment</p> <p>Filling or excavation does not result in a reduction of the water quality of receiving waters.</p>	<p>AS5 Filling and excavation does not occur within fifty (50) metres of waterways or wetlands as identified on the Planning Scheme Maps.</p>
<p>S6 Environment</p> <p>Excavation does not result in the disturbance of contaminated soils and filling is identified as suitable for the specified purpose.</p>	<p>AS6 No contaminated material or unstable soil suitable for construction purpose is used for fill.</p>

DIVISION 18– Short Term Accommodation Code

6.1 Short Term Accommodation code

The provisions in this division comprise the Short Term Accommodation code. They are-

- compliance with Short Term Accommodation code (section 6.2);
- purpose of Short Term Accommodation code (section 6.3);
- specific outcomes and probable solutions for the Short Term Accommodation code (section 6.4).

6.2 Compliance with Short Term Accommodation code

Development that achieves the specific outcomes in section 6.4, complies with the Short Term Accommodation code.

6.3 Overall outcomes for Short Term Accommodation code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Short Term Accommodation code are the following:
 - (a) To ensure the appropriate location of short term accommodation such as motels, backpackers hostels have regard to the safety, comfort and amenity of the user and other people in the locality;
 - (b) To maintain residential amenity.

6.4 Specific outcomes and probable solutions for the Short Term Accommodation code

The specific outcomes sought for the Short Term Accommodation code are included in column 1 of Table 13 and probable solutions in column 2 of Table 13

TABLE 13

Specific Solutions	Probable Solutions (code assessable)
S1 The road frontage of the site is landscaped.	PS1 A minimum three (3) metre wide landscaped strip is provided along the road frontage of the site.
S2 Building, including orientation of windows, is designed to ensure the use does not intrude on the privacy of residential neighbours.	PS2 No windows have direct views into adjoining buildings.
S3 Outdoor recreation areas do not create a nuisance or intrude on the privacy of residential neighbours.	PS3 Outdoor recreation areas are bounded by a 1.8 metre high timber screen fence, or a two (2) metre wide landscaping buffer, on sides facing adjoining neighbours.
S4 Development provides for on site mini bus set down area and turning bay.	PS4 The site contains a mini bus set down area and turning circle constructed in accordance with the development standards contained in Planning Policy 4 –Development Manual.

DIVISION 19– Forestry Code

6.1 Forestry code

The provisions in this division comprise the Forestry code. They are-

- compliance with Forestry code (section 6.2);
- purpose of Forestry code (section 6.3);
- specific outcomes and acceptable solutions for the Forestry code (section 6.4).

6.2 Compliance with Forestry code

Development that achieves the specific outcomes in section 6.4, complies with the Forestry code.

6.3 Overall outcomes for Forestry code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Forestry code are the following:
 - (a) To ensure that premises used for forestry have a minimal impact on the general amenity of surrounding premises.

6.4 Specific outcomes and acceptable solutions for the Forestry code

The specific outcomes sought for the Forestry code are included in column 1 of Table 14 and acceptable solutions in column 2 of Table 14.

TABLE 14

Specific Solutions	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<p>S1 Site Impacts of Plantation Development</p> <p>Adjacent land uses, public and private infrastructure, existing watercourses, and the local physical and social environments are not adversely impacted.</p>	<p>AS1 Plantations are provided with the following minimum setbacks:</p> <ul style="list-style-type: none"> (i) six (6) metres from site boundaries; and (ii) twenty (20) metres from waterways and wetlands; and (iii) twice the estimated height of the mature trees from transmission lines or a minimum of twenty (20) metres, whichever is the greatest distance; and (iv) in Medium or High Bushfire Hazard area as identified on the Natural Disaster-Bushfire Maps F1, F2 or F3, a setback of 1.5 times the predominant mature tree height or 10 metres, whichever is the greater.
<i>For Forestry Plantations adjoining the Rural Residential or Residential zone</i>	
<p>S2 Amenity</p> <p>Impacts on local visual amenity are minimised</p>	<p>AS2 Where harvesting will reduce a plantation tree stand by more than 50%, a non-harvestable 10 metre wide buffer zone comprising at least three rows of trees is provided along common boundary with the Rural Residential or Residential zone.</p>

DIVISION 20– Animal Husbandry - Intensive Code

6.1 Animal Husbandry - Intensive code

The provisions in this division comprise the Animal Husbandry - Intensive code. They are-

- compliance with Animal Husbandry - Intensive code (section 6.2);
- overall outcomes of Animal Husbandry - Intensive code (section 6.3);
- specific outcomes and probable solutions for the Animal Husbandry - Intensive code (section 6.4).

6.2 Compliance with Animal Husbandry - Intensive code

Development that, achieves the specific outcomes in section 6.4, complies with the Animal Husbandry - Intensive code.

6.3 Overall outcomes for Animal Husbandry - Intensive code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for this code is to facilitate Animal Husbandry - Intensive uses and development:
 - (a) On sites that are appropriate in size and suitably located for the proposed use;
 - (b) That maintains the expected amenity of the locality;
 - (c) That protects the environmental values of the area;
 - (d) On suitable sites where the impacts associated with these types of activities can be managed to acceptable levels.

6.4 Specific outcomes and probable solutions for the Animal Husbandry - Intensive code

The specific outcomes sought for the Animal Husbandry - Intensive code are included in column 1 of Table 15 and probable solutions in column 2 of Table 15

TABLE 15

Specific Outcomes	Probable Solutions (code assessable)
<i>General</i>	
S1 The site has a suitable shape and sufficient area to accommodate the use and is suitably located to ensure the use does not impact on the environmental values of the area.	PS1.1 The site, or the portion of the site to be utilised for the activity: <ul style="list-style-type: none"> • has slopes less than 10%; • does not occur below a Q50 flood line; • is provided with a reliable water supply and has a capacity to store a minimum of 2 days' water supply; and • is connected to electricity. PS1.2 Animal Husbandry - Intensive uses are located on a site that contains a regular shape and has an area greater than 8 hectares.
S2 Equipment and machinery associated with the use is located so it is not visible from the road or adjoining properties.	PS2.1 Equipment and machinery is to be housed in a separate area/building that is located behind the residence.

Specific Outcomes	Probable Solutions (code assessable)
	PS2.2 A landscaped buffer ¹⁶ with a minimum width of 1.0m is provided to site boundaries to screen machinery and buildings associated with the use.
<i>Environmental Factors</i>	
<p>S3 Waste Management</p> <p>The use must provide for the collection/treatment/disposal of all solid and liquid wastes such that:</p> <ul style="list-style-type: none"> • The off-site release of contaminants does not occur; • All wastes are collected and disposed of in accordance with relevant licence and approval conditions and/or Government and industry standards; and • There are no significant adverse impacts on the quality of surface water or ground water resources. 	PS3 No solution specified.
<p>S4 Air Quality</p> <p>The emission of any odour, dust and air pollutants is minimised to ensure no nuisance is caused beyond the site boundaries.</p>	PS4 No solution specified.
<p>S5 Noise</p> <p>The noise generated by the activity does not cause nuisance to adjoining properties or noise sensitive development.</p>	PS5 No solution specified.
<p>S6 The use and development protects significant vegetation communities.</p>	PS6 Vegetation located outside the development footprint is retained.
<i>Animal Keeping</i>	
<p>S7 Animal keeping activities are developed only on a site where it is unlikely that the use will have significant adverse effects on any nearby residents (eg. townships) or other existing sensitive uses.</p>	<p>PS7.1 For Animal Husbandry Intensive, the site is a minimum of:</p> <ul style="list-style-type: none"> • 5,000m from any land included in the Residential zone; • 1,000m from any land included in the Rural Residential zone; and; • 2,000m from any community facilities where people gather, such as schools. <p>OR</p>

¹⁶ Refer Part 6 Division 15 Landscaping Code

Specific Outcomes	Probable Solutions (code assessable)
	<p>For a cattery and kennels, the site is not less than:</p> <ul style="list-style-type: none"> • 1,000m from any land included in the Residential zone or community facilities (eg. School).
<p>S8 Animal keeping and the buildings, pens and other structures and waste disposal areas associated with the use are designed and located so as not to cause any significant adverse environmental impacts on the amenity of the locality.</p>	<p>PS8.1 Buildings (associated with the animal keeping), pens, ponds, other structures and waste disposal areas are setback not less than the distances identified in Table AH-I 1 below:</p> <p>PS8.2 Waste disposal areas are located where there is no risk of contaminating any ground water or surface water resource and are of an adequate size to provide for the amount of waste generated on the site.</p> <p>PS8.3 Fencing is provided and maintained to prevent the escape of animals.</p> <p>PS8.4 The site is developed and managed in accordance with the relevant State Government guidelines, licences and requirements.</p>

Table AH-I 1

Building setback from:	Piggery or Feedlot	Poultry Farm	Kennel or Cattery	Aquaculture
Road frontage	200m	60m	50m	50m
Natural Waterway	100m	50m	50m	100m
Side or rear boundary	15m	15m	15m	15m
Any dwelling on surrounding land	500m	200m	200m	100m

DIVISION 21– Aquaculture (Minor Impact) Code

6.1 Aquaculture code

The provisions in this division comprise the Aquaculture (minor impact) code. They are-

- compliance with Aquaculture (minor impact) code (section 6.2);
- overall outcomes of Aquaculture (minor impact) code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Aquaculture (minor impact) code (section 6.4)

6.2 Compliance with Aquaculture (minor impact) code

Development that, achieves the specific outcomes in section 6.4, complies with the Aquaculture (minor impact) code.

6.3 Overall outcomes for Aquaculture (minor impact) code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for this code is to facilitate Aquaculture development:
 - (a) While maintaining amenity needs of owners, residents and users of adjacent and surrounding land;
 - (b) That protects and conserves water resources, natural drainage catchments and their respective ecosystems.
 - (c) That protects good quality agricultural land.

6.4 Specific outcomes, probable and acceptable solutions for the Aquaculture (minor impact) code

The specific outcomes sought for the Aquaculture (minor impact) code are included in column 1 of Table 16 and probable solutions and acceptable solutions in column 2 of Table 16

TABLE 16

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
S1 Aquaculture developments are designed and located so as not to cause any significant adverse environmental impacts on the amenity of the locality.	AS1 Buildings, ponds, other structures (excluding water intake and discharge facilities) are setback not less than the following distances: <ul style="list-style-type: none"> • 20 metres from road frontage; • 50 metres from waterways; • 100 metres from a dwelling house on surrounding land; • 15 metres from a side or rear boundary.
S2 The use does not alienate good quality agricultural land.	AS2 No probable solution prescribed.

DIVISION 22– Caretaker’s Residence Code

6.1 Caretaker’s Residence code

The provisions in this division comprise the Caretaker’s Residence code. They are-

- compliance with Caretaker’s Residence code (section 6.2);
- overall outcomes of Caretaker’s Residence code (section 6.3);
- specific outcomes and probable solutions for the Caretaker’s Residence code (section 6.4)

6.2 Compliance with Caretaker’s Residence code

Development that, achieves the specific outcomes in section 6.4, complies with the Caretaker’s Residence code.

6.3 Overall outcomes for Caretaker’s Residence code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for this code are to ensure Caretaker’s Residences:
 - (a) Are used for genuine caretaking or property management purposes;
 - (b) Are able to provide an acceptable level of residential amenity for their occupants.

6.4 Specific outcomes and probable solutions for the Caretaker’s Residence code

The specific outcomes sought for the Caretaker’s Residence code are included in column 1 of Table 17 and probable solutions in column 2 of Table 17

TABLE 17

Specific Outcomes	Probable Solutions (code assessable)
<i>General</i>	
S1 Not more than one caretaker's residence is provided on the site, notwithstanding that the site may comprise more than one lot or more than one use.	PS1 Only one caretaker's residence is established on the site.
S2 The caretaker's residence must be occupied by a person having responsibility for the security, maintenance and/or management of non-residential activities conducted on the same site, and if applicable, that person's immediate family.	PS2 The caretaker's residence is occupied either by the proprietor, manager or caretaker of the non-residential use on the same site, together with any immediate family of that person.
S3 The caretaker's residence must be ancillary to the non-residential premises on the same site.	PS3.1 The caretaker's residence has a gross floor area of not more than 200m ² . AND PS3.2 The caretaker's residence does not have a separate land title from the balance area of the site.
S4 Except where ancillary to the rural use, the caretaker's residence must be provided with private open space that is useable,	PS4 The caretaker's residence contains an area of private open space which is directly accessible

Specific Outcomes	Probable Solutions (code assessable)
adequately screened from the primary activities on the site, and directly accessible from the caretaker's residence.	<p>from a habitable room and</p> <p>(a) (i) if at ground level, has an area of not less than 50m², with no horizontal dimension of less than 4 metres, or</p> <p>(ii) if a balcony, verandah or deck, has an area of not less than 15m², with no horizontal dimension of less than 2.5metres.</p> <p>(b) is screened (if at ground level, by a minimum 1.8m high solid fence or wall) or sited away from view from other activities on the site.</p>
S5 The caretaker's residence is consistent in scale with existing buildings and structures in the vicinity.	PS5 Building height does not exceed two storeys and 7.5 metres.
<p>S6 In the Rural zone, caretaker's residences must be located such that:</p> <p>(a) the rural use of the land is not prejudiced, and</p> <p>(b) there is adequate separation of existing or likely future rural activities on adjoining land (in rural and sustainable rural residential precincts).</p>	<p>PS6.1 Caretaker's residences in the Rural zone are sited to minimise the impact of the development on the GQAL.</p> <p>AND</p> <p>PS6.2 Caretaker's residences in the Rural zone are sited in accordance with the State Governments "Planning Guidelines Separating Agricultural and Residential Land Uses" (or any subsequent equivalent guidelines).</p>
S7 Caretaker's residences are provided with onsite carparking to prevent detrimental impacts on amenity and streetscape.	PS7 A minimum of one (1) covered carparking space is to be provided on site for the exclusive use on the occupant/s of the caretaker's residence.

DIVISION 23 – Wind Farm Code

6.1 Wind Farm Code

The provisions in this division comprise the Wind Farm Code. They are-

- compliance with the Wind Farm Code (section 6.2)
- intent, purpose and overall outcomes of the Wind Farm Code (section 6.3)
- specific outcomes and probable solutions for the Wind Farm Code (section 6.4).

6.2 Compliance with Wind Farm Code

Development that achieves the overall outcomes in section 6.3 and specific outcomes in section 6.4, complies with the Wind Farm Code.

6.3 Intent of Wind Farm Code

The intent of the code is to facilitate the establishment of new wind farms or expansion of existing wind farms, in appropriate locations.

Wind farm development will not have unacceptably adverse impacts on the environment and on existing amenity (at both a local and wider area scale), and will have social, environmental and economic benefits to the community at both the local and regional level.

Overall outcomes for Wind Farm Code

The purpose of the Wind Farm Code is to achieve the following outcomes –

- (a) Wind farms are located to take advantage of viable wind resources and are positioned, designed and operated to address and mitigate potentially significant adverse impacts on environmental, economic and social values.
- (b) The design, siting, construction, management, maintenance and operation of wind farms and associated infrastructure takes comprehensive account of (and is sensitive to) existing urban and rural development, future preferred settlement patterns¹⁷, environment, heritage, landscape and scenic values and recognised demonstrable impacts associated with wind farms.
- (c) Wind farm assessment utilises and takes comprehensive account of recognised applicable standards and is commensurate with the significance, magnitude and extent of both positive and negative direct and non-direct impacts.
- (d) Wind farms and associated infrastructure mitigate adverse impacts on existing uses on the subject land, existing urban and rural development and future preferred settlement patterns.
- (e) Where located in areas of state environmental significance, wind farms do not have significant adverse impacts on ecological values and processes or on the sustainability of fauna populations.
- (f) Any variation to existing amenity, visual, light, noise, electromagnetic interference and aircraft safety conditions or circumstances as a result of the wind farm is maintained within acceptable limits.
- (g) Identified council-controlled roads directly associated with the transportation of infrastructure and equipment during construction and operation are of a suitable standard and are maintained during the life of the wind farm.
- (h) The operation of wind farms is controlled by site-specific management plans that adequately control and monitor variable impacts such as turbine noise, shadow flicker, bird strike, maintenance and environmental management over the operational life of the wind farm.
- (i) Wind farms are readily connected to existing high-voltage electricity transmission lines.
- (j) Comprehensive site rehabilitation is carried out at the end of operational life to restore the site to its pre-development state.

6.4 Specific outcomes and probable solutions for Wind Farm Code

The specific outcomes sought for the Wind Farm Code are included in column 1 of Table 1 and probable solutions in column 2 of Table 1.

¹⁷ Future preferred settlement patterns means land designated or identified in the regional plan or a council planning scheme for development other than rural purposes eg residential, rural residential, commercial development.

TABLE 1

Specific Outcomes	Probable Solutions (code assessable)
<p>S1 Ecologically sustainable development</p> <p>Wind farms have environmental, economic and social benefits at both a local and regional scale throughout its operational life.</p>	<p>PS1 No probable solution provided.</p>
<p>S2 Location & Site Suitability</p> <p>(a) Wind farm location and siting takes sufficient account of direct, non-direct and cumulative impacts in relation to environment, economic and social impacts.</p> <p>(b) Wind farms are readily connected to existing high-voltage electricity transmission lines without significant environment, social or amenity impact.</p> <p>(c) The siting of wind farms and associated infrastructure takes account of and is sensitive to existing urban and rural development, environment, heritage, landscape and scenic values.</p> <p>(d) Wind turbines and associated infrastructure are located at a suitable distance from existing uses on the subject land and future preferred settlement patterns to avoid unacceptable conflict.</p> <p>(e) Wind farms do not adversely impact on aircraft or airport operations.</p> <p>(f) Wind farms are located in areas with a viable wind resource.</p>	<p>PS2 No probable solution provided.</p>
<p>S3 Visual & Landscape Impacts</p> <p>(a) Wind farms do not result in unacceptable visual impacts (including cumulative impacts) on locally, regionally and nationally significant view scapes.</p> <p>(b) The material, finish and colour of wind turbines and associated facilities and infrastructure minimises visual impacts.</p> <p>(c) Connections between wind turbines and substation/s are located underground within internal access roads, along with other co-located services where possible and desirable.</p>	<p>PS3 No probable solution provided.</p>
<p>S4 Ecological Impact</p> <p>Wind farms do not have significant adverse impacts on ecological values and processes or on the sustainability of fauna populations in</p>	<p>PS4</p> <p>a) Where possible, wind farms should not be located in areas of state environmental significance.</p> <p>b) Where a wind farm or part of a wind farm is located in</p>

Specific Outcomes	Probable Solutions (code assessable)
areas of state environmental significance.	an area of state environmental significance, any significant adverse impacts on ecological values and processes or on the sustainability of fauna populations are minimised.
<p>S5 Noise Impact</p> <p>(a) Wind farm turbines and associated infrastructure are located, designed, constructed and operated in accordance with recognised standards with respect to noise emissions.</p> <p>(b) Audible and inaudible noise emissions resulting from wind farms that potentially impact on existing urban and rural development does not result in unacceptable levels (including cumulative impacts) of:</p> <ul style="list-style-type: none"> (i) nuisance (ii) risk to human health or wellbeing (iii) ability to sleep or relax. 	<p>PS5 No probable solution provided.</p> <p>Editors Note-development should consider the Environment Protection (Noise) Policy 2008 and the New Zealand Standard Acoustics – Wind farm noise (NZS6808:2010).</p>
<p>S6 Blade Shadow Flicker Impact</p> <p>(a) Wind farm turbines are located to comply with recognised standards in relation to blade shadow flicker impact.</p> <p>(b) Blade shadow flicker from wind turbines that potentially impacts on an existing dwelling does not result in an unacceptable level of annoyance.</p>	<p>PS6</p> <p>a) The modelled blade shadow flicker impact on any existing dwelling does not exceed 30 hours per annum and 30 minutes per day.</p> <p>b) The measured blade shadow flicker at any existing dwelling does not exceed 10 hours per annum.</p>
<p>S7 Radio & Television Impact</p> <p>The wind farm has no adverse effect on pre-existing television or radio reception or transmission.</p>	<p>PS7 No probable solution provided.</p>

Specific Outcomes	Probable Solutions (code assessable)
<p>S8 Wind farm access</p> <p>(a) The identified council-controlled external access route to the site is via roads that are of a suitable standard of construction for turbine transportation purposes.</p> <p>(b) Identified council-controlled roads utilised during construction and maintenance are of a suitable standard for the transportation of associated infrastructure and equipment, and are maintained to that standard during the life of the wind farm.</p> <p>(c) Noise, safety and dust impacts on land uses adjacent to the external access route do not cause nuisance.</p> <p>(d) Internal accesses are designed, located and constructed to avoid drainage lines and soil erosion.</p> <p>(e) Internal accesses are designed located, constructed and rehabilitated post-construction to a standard that ensures visual impact, earthworks, gradients, environmental impact and maintenance are minimised to acceptable levels.</p>	<p>PS8.1 Internal access gradients are no steeper than 1:5; or</p> <p>PS8.2 Internal accesses that are steeper than 1:5, or which cause nuisance or environmental degradation, are sealed.</p> <p>PS8.3 Where located in environmentally or visually sensitive areas the cleared width of accesses does not exceed 7m.</p> <p>PS8.4 Construction of accesses does not significantly alter the existing natural drainage pattern.</p> <p>PS8.5 Services are co-located within accesses where possible and desirable.</p> <p>PS8.6 Access impacts are controlled and minimised by a Construction Management Plan.</p> <p>PS8.7 Ongoing access impacts are controlled and minimised by a Maintenance Management Plan.</p>
<p>S9 Wind Farm Construction Management</p> <p>Wind farm construction is managed to ensure that all associated impacts are controlled and maintained at acceptable levels and carried out at acceptable times.</p>	<p>PS9.1 Construction and maintenance impacts are controlled and minimised to acceptable levels, times and site conditions by a Construction Management Plan and a Maintenance Management Plan.</p> <p>PS9.2 On-site construction activities that cause noise or nuisance are limited to 6:00 am to 6:00 pm, Monday to Saturday, with no construction activities on Sundays and Public Holidays.</p> <p>PS9.3 Transportation of infrastructure and equipment to the site on identified council controlled roads is controlled and impacts minimised to acceptable levels and times by a Management Plan.</p> <p>PS9.4 Filling and excavation does not result in cut or fill batters with heights or depths of more than 4 metres.</p> <p>PS9.5 Excavated material is not retained in stockpiles of more than 50 cubic metres for longer than one (1) month.</p>
<p>S10 Wind Farm Operational and Maintenance Management</p> <p>Wind farm management, maintenance and operations are managed to ensure that all associated impacts are controlled and maintained at acceptable levels and carried out at acceptable times.</p>	<p>PS10 The following controls are developed and implemented:</p> <p>(i) management plans based on condition-pressure-response adaptive management techniques;</p> <p>(ii) specified ongoing monitoring programs;</p>

Specific Outcomes	Probable Solutions (code assessable)
Escalating, adaptive management techniques and ongoing monitoring programs will be used to achieve this.	(iii) a Maintenance Management Plan.
<p>S11 Signage</p> <p>Signage and advertising devices are limited in scale and confined to site and development interpretation.</p>	PS11 No probable solution provided.
<p>S12 Decommissioning & Rehabilitation</p> <p>Comprehensive site decommissioning and rehabilitation is carried out when the use is discontinued to substantially restore the site to its pre-development state.</p>	<p>PS12</p> <p>The site is rehabilitated such that:</p> <ul style="list-style-type: none"> (i) it is suitable for other uses compatible with the locality and the site's designations in the planning scheme; and (ii) the visual amenity of the site is restored; (iii) the sustainable ecological functioning of the site is maintained or improved; (iv) any agricultural function is restored; (v) wind farm infrastructure is removed from the site.

PART 7

SCHEDULES

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PART 7 - SCHEDULES

SCHEDULE 1 - SUMMARY OF DEFINED USES

Abattoir	Motel
Accommodation units	Motor home park
Adult product shop	Motor showroom - light
Agribusiness	Motor showroom - heavy
Agriculture	Noxious, offensive or hazardous industry
Agriculture - intensive	Outdoor sport and entertainment facility
Aircraft facility	Passenger transport terminal
Animal husbandry - general	Place of worship
Animal husbandry - intensive	Plant hire facility
Aquaculture (minor impact)	Plant nursery
Aquaculture (significant impact)	Recreation facility
Bed and breakfast accommodation	Residential units
Bulk store	Restaurant
Business	Retirement village
Car park	Roadside stall
Caretaker's residence	Road transport terminal
Caravan park	Rural industry
Child care centre	Sawmill
Communication facility	Shop
Community facility	Service station
Drive through fast food outlet	Stock selling centre
Dwelling house	Tourist facility
Educational establishment	Transport depot
Extractive industry	Utility installation
Forestry	Vehicle repair station
Freight depot	Veterinary clinic
Heliport	Warehouse
Home business	Waste management facility
Home occupation	Wind farm
Hospital	Workers cottager
Host farm	
Hotel	
Indoor recreation facility	
Industry	
Institution	
Light industry	
Liquid fuel depot	
Material recycling facility	

SCHEDULE 2 - Dictionary Other Development Definitions

Building work has the meaning assigned by the IPA.

Clearing of vegetation means the cutting down and removing vegetation from a site.

Excavation means the act of excavating a hollow or cavity formed by removing substance.

Filling means to put in as to occupy a space.

Landscaping is the treatment of the areas surrounding a building for the purpose of enhancing and protecting the amenity of the site containing the building as well as the amenity of adjoining properties and the streetscape.

Landscaping includes the following:

- (a) planting of trees, hedges, shrubs and lawn;
- (b) laying out gardens;
- (c) paving of pathways and courtyards; and
- (d) water features.

Operation works for reconfiguring a lot means construction works associated with the subdivision of land.

Vegetation means any plants, and includes any trees, shrubs, bushes, seedlings, saplings and reshoots and grasses, but does not include planted vegetation for the purposes of forestry.

SCHEDULE 3 - Dictionary- Defined Uses

Abattoir means the use of premises for the commercial slaughter of animals or for the processing of animal bodies or by-products.

Accommodation units means the use of premises for use as a boarding house, guest house, hostel, hotel (unlicensed or private), residential club (unlicensed), serviced rooms, back packers or the like where residential accommodation is provided in a room or rooms where food preparation or cooking facilities are limited. The term does not include premises used for a purpose elsewhere defined in this section.

Adult product shop means a shop in which adult products are sold. The term does not include a shop where the business of a newsagent, registered pharmacist or video hire is carried out.

Agribusiness means the use of premises associated with food and fibre industries, including research and development, production, processing, marketing, promotion, distribution and associated service industries.

Agriculture means the use of premises for the cultivation of soil, for the production of pasture or crops, including cereals, fruit and vegetables, shrubs and flowers, but does not include a use ancillary to a dwelling house. The term does not include "agriculture -intensive" as otherwise defined.

Agriculture - intensive means the use of premises for commercial or other non-domestic operations involving the cultivation of plants, or the raising or handling of animals, if one or more of the following apply:

- (a) if an activity requiring irrigation water - a water licence or permit is required under the *Water Resources Act 1989*;
- (b) if an activity involving the application of fertilisers, herbicides or pesticides - more than one application is required during the lifecycle of a crop and the area of application exceeds 20 ha.

The term does not include "agriculture" as otherwise defined.

Aircraft facility means the use of premises for the taking off and landing of aircraft, whether or not it includes:

- (a) a terminal building, or
- (b) facilities for the parking, storage, refuelling, maintenance or repair of aircraft.

Animal husbandry – general means the use of premises for the keeping or breeding of animals, birds, and insects. The term does not include animal husbandry - intensive, nor the keeping of domestic pets as a use ancillary to a dwelling house.

Animal husbandry – intensive means the use of premises including buildings, structures, pens, storage areas and effluent treatment areas for commercial activities involving the breeding, keeping or depasturing of animals where animals are reliant on prepared or manufactured feed for production purposes and/or are held at high densities pending transportation or marketing. The term includes:

"Cattery" - the keeping, boarding or breeding of 4 or more cats (excluding kittens under the age of 3 months);

"Crocodile farms" – the keeping of more than two crocodiles;

"Cattle feedlots or lot feeding";

"Goat Farm" - the keeping or breeding of 2 or more goats per hectare;

"Kennel" - the keeping, boarding or breeding of 4 or more dogs (excluding pups under the age of 3 months);

"Piggery" - the keeping of 1 or more pigs;

"Poultry farm" - the keeping and breeding of poultry for sale, exchange, egg production or slaughtering;

"Stable" - the keeping or stabling of more than two horses per hectare.

Aquaculture (minor impact) means the use of premises for:

- (a) the cultivation of live fisheries resources for sale where the premises involve freshwater tanks with a total production area of < 2000m² (or <750m² where oxygen injection is used),or
- (b) freshwater ponds with a total surface area of < 5 hectares, and no offsite discharge of wastes from the tanks or ponds to natural waters; or

- (c) the culture of aquarium species within a shop, commercial premises or existing building, for sale to the public in ponds or tanks with a total surface area of 20 m² where oxygen injection is used.

For the purposes of this definition:

“Ponds” mean structures for holding water formed by hollowing, excavating or embanking natural earthen surfaces. They can be clay based or lined with artificial water holding materials.

“Tanks” mean water containing structures not formed by hollowing, excavation or embanking natural surfaces.

Aquaculture (significant impact) means the use of premises for the cultivation of live fisheries resources for sale where the premises are other than as defined as Aquaculture (minor impact).

Bed and breakfast accommodation means the use of a dwelling house where the permanent residents of the dwelling house or another dwelling house on the same land provide short term accommodation, and breakfast for paying guests.

Bulk store means use of premises for the bulk storage of goods where the goods stored are not required for use in a shop or commercial premises on the same parcel of land. The term includes a group of separate storage units but does not include a warehouse as defined herein.

Business means the use of premises for commercial purposes, including the following types:

- (a) medical or dental practice;
- (b) office;
- (c) service industries (such as printing workshops or saddle making);
- (d) bakeries.

Car park means the use of premises for the parking of vehicles, and any manoeuvring space and access to it, whether operated for gain or not.

Caravan park means the use of premises for the parking of caravans, recreational vehicles or relocatable homes and the like, holiday cabins (and other moveable dwellings) and camping sites for use by both the travelling public and long term park residents. The term does not include Motor Home Park as otherwise defined.

Caretaker's residence means a dwelling house used for caretaking purposes in connection with a non-residential use on the same site. This term includes a dwelling house provided for an employee who is required to be accommodated on the same site as the particular purpose in which he or she is employed, together with his or her family.

Child care centre means the use of premises for the minding or care, but not residence of children. The use includes facilities commonly described as a kindergarten, creche or pre-school centre.

Commercial buildings means adult product shop, business, car park, child care centre, community facility, drive through fast food outlet, educational establishment, hotel, motel, motor showroom – light, motor showroom – heavy, passenger transport terminal, restaurant, retirement village, service station, shop, vehicle repair station or veterinary clinic.

Communications facility means the use of premises for primarily transmitting or receiving signals for the purpose of communications, including radio masts, transmission towers, satellite dish and the like.

Community facility means the use of premises by a public authority, an organisation, commercial operation or group of persons for the physical, social, cultural, religious or intellectual development or welfare of the local community, but does not include a building or place elsewhere specifically defined in this plan.

Drive through fast food outlet means the use of premises for serving take away food to motorists in their vehicles.

Dwelling house means any building or part of a building comprising a self contained unit intended for the exclusive residential use of one (1) household on one allotment, and may include Family Accommodation and Home Based Child Care as provided for under the Dwelling House Code. The term includes the keeping of up to three dogs over the age of six months and three cats over the age of six months as domestic pets for the interest, enjoyment or protection of residents therein.

Educational establishment means the use of premises principally for education and training and includes:

- (a) a school;
- (b) a tertiary institution, including a university or TAFE college, providing formal education which is constituted by or under an Act;
- (c) adult or community education;
- (d) training facilities;

whether or not accommodation for staff or students is provided there and whether or not it is used for the purpose of gain.

Extractive industry means any industry involving and consisting of the extraction or quarrying of sand, gravel, rock, soil, stone and the like from the land. The term includes the primary treatment and storage of such material when carried out on the same site as the use.

The term does not include:

- (a) the removal of material outlined in Chapter 11 Part 2, Section 656 of the Local Government Act, as amended;
- (b) a mine as defined in the Mineral resources Act;
- (c) the removal of material with or as a consequence of:
 - (i) an approval to subdivide land and to open a new road in accordance with that approval;
 - (ii) an approval in accordance with the Building Act, where such works comply with that approval;
 - (iii) works associated with farming practices where the amount of material extracted does not exceed 200 cubic metres per annum.

Forestry means land used for a form of agriculture typified by the establishment, silviculture and harvesting of either native or exotic tree species that have been planted in a regular spacing on agricultural land for the primary purpose of producing and extracting fibre/non fibre products and services.

NOTE: non-fibre services may include environmental services (e.g. salinity control, carbon trading etc).

The term includes the primary processing of trees grown upon a property to produce products such as pulp, piles, poles, posts, sawlogs, seed, leaf and/or bark. The term also includes limited secondary processing such as portable sawmilling, kiln drying and oil extraction techniques.

Freight depot means the use of premises for a purpose in connection with the transportation of goods by air, road or water including the reception, loading, unloading, transfer, distribution and collection of such goods. The term includes a carrier's depot and a delivery depot and where carried out in association with the above it includes the garaging, cleansing and servicing but not repair of road transport vehicles with a capacity of two (2) tonnes or less.

Heliport means the use of premises for the taking off and landing of helicopters, whether or not it includes:

- (a) a terminal building; or
- (b) facilities for the parking, storage or repair of helicopters.

Home business means the use of a dwelling house, an outbuilding or the land within the curtilage of a dwelling house, for the purpose of an office, light industry, trade, sale of aquarium fish, business or occupation and does not involve prostitution.

Home occupation means the use of a dwelling house for any occupation or profession by a person resident therein. The term includes the use of the dwelling house or dual occupancy building for the reception and the minding or care of children for a day or part of a day for fee or reward by a person residing on the premises and which is conducted in accordance with "The Family Day Care Regulations", as amended from time to time.

Hospital means the use of premises for the purpose of providing professional health care services (such as preventative or rehabilitative care, diagnosis, medical or surgical treatment, care for people with disabilities, psychiatric care or counselling and services provided by health care professionals) to people who are admitted as in-patients (whether or not out-patient services are also provided), including any:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or restaurants and ancillary accommodation for persons receiving health care or for their visitors; and

- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers and whether or not any such use is a commercial use;

and includes a building or place that is used exclusively as a day surgery or day procedure centre.

Host farm means the use of premises for tourist accommodation in conjunction with agriculture, animal husbandry or forestry purposes. The term also includes accommodation on rural allotments which are non bona fide farms but which have wilderness areas or areas of ecological or cultural significance.

Hotel means the use of premises for the sale of liquor consumption on the premises subject to a general licence issued under the Liquor Act 1992. The use includes facilities for the sale of liquor for consumption off the premises, dining activities, entertainment activities and short term residential accommodation.

Indoor recreation facility means any premises used or intended for use for:

- (a) a purpose listed in Table 2;
- (b) viewing or partaking in a sport or game where the use is conducted primarily indoors;
- (c) a meeting place or club for a group or association engaged in social, sporting, athletic, literary, political or like purposes; or
- (d) a licensed club.

The term includes an ancillary TAB agency.

TABLE 1

Amusement halls and parlours
 Art galleries
 Billiards saloons
 Bowling centre
 Cinemas
 Circuses (indoors)
 Concert halls
 Indoor swimming pools (public)
 Dance halls
 Exhibitions (indoor)
 Gymnasiums
 Meeting halls other than places of public worship
 Museum
 Music halls
 Schools of art
 Side shows (indoor)
 Skating rinks (indoor)
 Squash courts (indoor)
 Stadiums (indoor)
 Tennis Courts (covered)
 Theatres (indoor)
 Youth centres

Industry means the use of premises for the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods, articles, materials, liquids or gases for commercial purposes, but does not include a purpose elsewhere specifically defined in this plan.

Institution means the use of premises for a penal or remand centre, or reformatory facility.

Light industry means;

Any industry which includes uses that:

- (a) imposes a demand on Council's water supply not in excess of 550 litres per square metre site area per annum or a peak flow demand in excess of 3 litres per day square metre of site area;

- (b) produces liquid or solid waste that does not require special treatment or transport of which would impose a load on Council's sewage treatment plant different in type to domestic wastes;
- (c) requires buildings or structures of a height not in excess of nine (9) metres;
- (d) generates traffic at rates not in excess of 100 movements of vehicles in excess of 4 tonnes (gross) per hectare per day or 300 movements of all types of vehicles per hectare per day;
- (e) does not result in dust, fumes, odours or other omission other than that contained at all times within the site;
- (f) generate noise when measured at the boundary of the site not exceeding the noise levels set out in **Table LI** below:

Table LI

Level/Time	Weekdays	Weekdays	All Night
		0700-1800	1800-2100
	Saturday	Saturday	Saturday
	0700-1200	1200-1800	1800-2100
	Sunday	Sunday	
	0700-1800	1800-2100	
L10dB(A)	50	45	40
L90dB(A)	45	40	38

The term may include by is not limited to industries listed in Table 2 provided they comply with the preceding provisions of this definition.

TABLE 2

- Boat building and repairing
- Bookbinding
- Glass cutting or silvering
- Making any of the following -
- Aids and appliances for disabled persons
- Artificial flowers
- Blinds
- Brooms, brushes, bristle or hair goods
- Cameras
- Clocks, watches
- Cork goods
- Drawing or writing goods
- Felt goods
- Fur goods
- Leadlights
- Musical instruments
- Optical goods (other than spectacles or the like)
- Paper goods, paper board goods
- Scientific instruments
- Sports equipment (other than ammunition, vehicles and water craft)
- String, string goods
- Textile Bags
- Therapeutic and life support aids, appliances, garments and equipment
- Travelling bags
- Twine, twine goods

Umbrellas
Wire goods (other than barbed wire, wire mesh, wire netting, wire rope and cable)
Mixing, blending or packing any -
Food for human consumption, drink or tobacco
Stock or poultry foods
Printing
Repairing any -
Furniture
Gas appliances for domestic use
Shop fitting
Stereo equipment making
Upholstering vehicles or furniture

Liquid fuel depot means the use of premises for the purposes of:

- (a) bulk storage for whole sale distribution of petrol, oil, petroleum products or other flammable fuels; or
- (b) retail distribution of drums containing petrol, oil, petroleum products or other flammable fuels.

Materials recycling facility means the use of premises for collecting, dismantling, storing, or recycling of second-hand or scrap materials for the purpose of resale or reuse.

Motel means the use of premises for overnight or short term accommodation of travellers and their vehicles whether or not meals are also provided to those travellers or the general public but excludes a building or place elsewhere specifically defined in this plan.

Motor home park means the use of premises for the parking of self-contained motor homes for short stays without requiring facilities normally associated with a caravan park. The term does not include Caravan park as otherwise defined.

Motor showroom - light means the use of premises for the display or sale of motor vehicles, caravans, or boats, whether or not accessories are also sold or displayed there.

Motor showroom - heavy means the use of premises for the display or sale of heavy duty vehicles, trucks and agricultural machinery, whether or not accessories are also sold or displayed there.

Noxious, offensive or hazardous industry means the use of premises for the purpose of conducting any activity described in Table 3 and includes the ancillary use of such premises for:

- (a) the storage of articles used in connection with or resulting from any such activity;
- (b) the provision of amenities for persons engaged in any such activity;
- (c) the sale of articles resulting from any such activity; and
- (d) any work of administration or accounting in connection with any such activity.

The term does not include an “extractive industry” or “utility installation”, “service station”, or “shop” as herein defined.

TABLE 3

Bacon Factory
 Battery Smelting
 Boiling-down works
 Crushing or screening stone, gravel or sand other than an “extractive industry” as herein defined
 Extraction of Fat
 Disposal of radioactive material
 Handling of coal, gravel, sand or crushed stone other than an “extractive industry” as herein defined by a mechanical installation except where all such materials are fully enclosed whether or not such handling is ancillary to some other purpose
 Hot dip galvanising
 Incinerator – where such is capable of consuming in excess of one (1) tonne of material per hour and whether or not the use of such is ancillary to some other purpose not being a crematorium
 Manufacture of:-
 Acid
 Animal by-products including glue
 Caustic soda
 Cement or lime
 Flock
 Zinc oxide by the continuation of a smelting process
 Nightsoil depot
 Preserving meat, fish or oysters other than by cold storage
 Processing natural rubber
 Sandblasting except where carried out in an enclosed site
 Storage of: -
 bones
 hides, skins or tallow
 Tannery
 Manufacture of:
 ammonia
 ammunition
 calcium carbide
 celluloid or celluloid products
 chemicals where there is any risk of explosion or the escape of dangerous gas
 disinfectants
 explosives
 fertilisers
 fireworks
 flammable liquid
 gas as defined in the Gas Act 1965-1981 but not included carburetted water gas, producer gas or water gas where those gases are used immediately in a gas engine
 germicides
 matches
 pesticides
 photographic film other than non-flammable film poisons except where non-hazardous in the opinion of Council
 raw plastic
 Production of oxygen
 Refining of flammable liquid
 Storage of:-

ammonia except where stored in a cylinder or cylinders being of not more than a total capacity of five hundred (500) kilograms water capacity

ammunition except where ancillary to the sale of ammunition where such sale is under a license issued pursuant to "The Explosives Regulation 1955"

calcium carbide where more than fifty (50) kilograms are stored

Explosives

Fireworks

Gas as defined in the Gas Act 1965-1981 except where stored in a cylinder or cylinders being of not more than a total capacity of forty-six thousand (46,000) kilograms water capacity

Radioactive material.

Woolscouring

Outdoor sport and entertainment facility means the use of premises used or intended for use for any outdoor activity, purpose or pursuit for commercial purposes or for community based, not-for-profit groups and organisations, which affords interest or amusement. Without limiting the generality of the foregoing, the term includes the use of any premises for any of the activities, purposes or pursuits included in, but not limited to, Table 4 hereto and temporary facilities for providing refreshments to those engaged in the activity.

The term does not include premises used for a purpose elsewhere defined in this section.

TABLE 4

Boating
Circus
Commercial or community swimming pool (outdoor)
Coursing track
Drive in theatre
Exhibition (outdoor)
Fair (outdoor)
Mini golf course (outdoor)
Model car, boat or aeroplane operation
Picnic race
Pleasure fair(outdoor)
Race track
Showground
Side show(outdoor)
Speedway
Sporting arena(outdoor)
Sports fields
Stadium (outdoor)
Theatre (outdoor)
Trotting track
Velodrome
Waterslide
Zoological garden

Park means the use of premises normally open to the public without charge, which-

- (a) has been ornamentally laid out or prepared;
- (b) is maintained so as to preserve or enhance its beauty, including its flora, fauna and geological or physiological features;
- (c) has been prepared or is maintained as a grassed area either with or without trees or shrubbery;
- (d) has been prepared or is maintained other than according to (a) to (c) above, but in such a way as to be, in the opinion of the Council, suitable for informal outdoor recreation.

The term includes but is not limited to any of the following facilities, provided for the enjoyment or convenience of the public at such premises and any other buildings, structures or uses, which are ancillary to the predominant use:

- (a) kiosks or facilities for the supply of refreshments to patrons on the premises;
- (b) picnic places, scenic lookouts, routes for nature study, carparking areas, footways;
- (c) information and display areas or facilities for promotion, study and interpretation of such land;
- (d) shelters and other public conveniences;
- (e) children's play areas;
- (f) structures, surfacing or equipment for informal sport or physical exercise;
- (g) sculptures, fountains, ponds or other decorative devices;
- (h) band stands.

The term includes a botanical garden and a fauna and flora sanctuary, but does not include an "outdoor sport and entertainment facility" as herein defined.

Passenger transport terminal means the use of premises for the assembly and dispersal of passengers travelling by any form of transport, not being railway activities, including any facilities required for parking, manoeuvring, storing or routine servicing of any vehicle forming part of that undertaking.

Place of worship means the use of premises for the purpose of religious worship, whether or not the building or place is also used for counselling, social events or religious training by a congregation or religious group.

Plant hire facility means the use of premises for the hire out tools, plant and equipment and for the service and maintenance of the tools, plant and equipment.

Plant nursery means the use of premises for selling plants, whether or not plants are grown or propagated on the premises, or landscape supplies or other landscape and horticultural products are also sold there.

Residential units means the use of premises for residential purposes comprising more than two dwelling houses which may be attached or detached.

Restaurant means the use of premises for the principal purpose of providing food for consumption on the premises, including take-away facility, but does not include a drive through fast food outlet.

Retirement village means the use of premises for residential units where persons of retiring age can live an independent life with the support of medical and personal services supplied by the management of the village.

Road side stalls means the use of premises for the purpose of displaying or offering for sale agricultural products where such products are grown on the same site.

Road transport terminal means the use of premises for the bulk handling of goods for transport by motor vehicle and includes a building or place used for the loading and unloading of containers.

Rural industry means the use of premises for a business undertaking involving:

- (a) the handling, treating, processing or packing of primary products; or
- (b) regular servicing or repairing of plant or equipment used for the purpose of agriculture or a business referred to in paragraph (a).

Sawmill means the use of premises for handling, cutting and processing timber from forestry operations.

Service station means the use of premises for the fuelling of vehicles and retail sale of petrol, oil and other petroleum products, whether or not the building or place is also used for any one or more of the following:

- (a) the sale by retail of spare parts and accessories for motor vehicles;
- (b) the cleaning of motor vehicles;
- (c) installation of accessories;
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating or spray painting);
- (e) vehicle and trailer hire;
- (f) the retail selling or hiring of small consumer goods.

Shop means the use of premises selling items, whether by retail or auction, or for hiring or displaying items for the purpose of selling or hiring, but does not include a building or place specifically defined elsewhere in this plan.

Stock selling centre means the use of premises for the purpose of offering livestock for sale.

Tourist facility means the use of premises for providing accommodation and other services and facilities for visitors, including a caravan park and camping ground and attractions. The term does not include the use of premises for "host farm" or "bed and breakfast" and "residential units".

Transport depot means the use of premises for the parking or storage of motor vehicles used in connection with a business, industry or shop.

Utility installation means the use of premises for the purpose of carrying out any undertaking in relation to:

- (a) road, air transport, wharf or river undertakings,
- (b) the provision of sewerage or drainage services,
- (c) the supply of water, sewerage treatment, hydraulic power, electricity or gas.

Vehicle repair station means the use of premises for the purpose of carrying out repairs, body building, panel beating or spray painting, or selling and fitting of accessories to vehicles, agricultural or mining machinery.

Veterinary clinic means the use of premises for diagnosing, surgically or medically treating animals, whether or not animals are also kept on the premises for the time required for their treatment.

Warehouse means the use of premises for storing, handling or displaying items (whether goods or materials) for distribution to other premises for retail sale or for use in agriculture, business or industries.

Waste management facility means the use of premises to dispose of, store, sort or treat waste by any method and which may include a station used for the temporary storage of waste for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse.

Wind farm means premises used for any turbines, building or other structure used in or in conjunction with the generation of electricity by wind force.

Workers cottage means the use of premises for the purpose of providing accommodation for farm or other workers engaged in bona fide rural occupations on the same premises.

SCHEDULE 4- Administrative Terms

Acceptable solutions are the assessment criteria for self-assessable development.

Act is the Integrated Planning Act 1997, as amended.

Amenity when favourable, means an attractive, agreeable, pleasant and valuable environment or surrounds.

Assessment category means the type of assessment identified for development in accordance with the IPA, including one or other of the following:

- (a) exempt;
- (b) self-assessable;
- (c) assessable requiring code assessment, referred to as code assessable;
- (d) assessable requiring impact assessment, referred to as impact assessable.

Assessment criteria are those parts of the assessment provisions, comprising codes or otherwise, that establish the outcomes sought for self-assessable and assessable development, including overall outcomes, acceptable solutions, specific outcomes and probable solutions.

Beds and banks used with reference to any waterway and river the bed and banks thereof as defined in the *Water Act 2000* and where elevations or slopes of land contiguous to the bed and banks as hereinbefore in this definition defined of any waterway and river confine or tend to confine the waters flowing in, into or out of such waterway and river during the period of any flood or cyclone, the term "bed and banks" shall include all land covered by the waters so confined or tending to be so confined.

Building has the meaning assigned by the IPA.

Buildings and places of national cultural heritage significance means all buildings and places entered on or nominated on the Register of the National Estate.

Buildings and places of state cultural heritage significance means all buildings and places entered on or nominated to the Queensland Heritage Register

Building envelope means a diagram drawn defining the limits for the siting and wall height of a dwelling house, outbuildings, private open space, driveways and carparking on a site.

Conservation Key Sites means Buildings and Places of Local Historical Interest and includes:

- (a) Cemeteries and Grave sites;
- (b) Historic public infrastructure and works -Bridges/drains/rail and tram-ways;
- (c) WW2 Airfields, camp grounds and training areas.

Council is the Mareeba Shire Council.

Declared plants means plants declared under the Land Protection (Pest and Stock Route Management) Act 2002.

Development has the same meaning as in the IPA.

Electricity works has the same meaning as "Works" in the *Electricity Act 1994*.

(Note: This is: "Works" are anything used for, or in association with, the generation, transmission or supply of electricity.

This would include electric lines, substations, generating plant and radio repeater stations and associated equipment).

Electric line has the same meaning as in the *Electricity Act 1994*.

(Note: This is: "Electric line" is a wire, conductor or associated equipment used for transmitting, transforming or supplying electricity.)

Environmental harm has the same meaning as in the Environmental Protection Act 1994, as amended.

Frontage is the boundary line(s) of a site or lot that coincide with the alignment of a public road.

Gross floor area (GFA) means the sum of the floor areas of all storeys and mezzanines of every building located on a site, excluding areas used for:

- (i) building services;

- (ii) open balconies;
- (iii) a public mall in a shopping centre; and
- (iv) the access, parking, loading and manoeuvring of motor vehicles.

Height is the measured distance in a vertical plane between the natural ground level and the uppermost part of a building or structure.

Historic mining infrastructure and works and historic public infrastructure and works means works within those categories constructed before 1930.

Indigenous cultural heritage area, indigenous occupation site and indigenous site of spiritual significance means a site so identified by indigenous traditional owners.

IDAS has the same meaning as in the IPA.

Impact assessable see "assessment category".

IPA means the *Integrated Planning Act 1997*.

Lot has the meaning assigned by the IPA.

Main street frontage means the frontage to the widest road, or where both roads are the same width, the road frontage of the least length.

Material change of use has the same meaning as in the IPA.

Natural ground level is for any location on a site, the ground level that exists prior to the commencement of any building or operational works.

Natural hazard means a naturally occurring situation or condition with the potential for loss or harm to the community or environment. The natural hazards addressed in the State Planning Policy for Natural Disaster Mitigation are flood, bushfire and landslide

Noise sensitive development means:

- (a) a dwelling house; or
- (b) a library, child care centre, kindergarten, school, college, university, or other educational institution; or
- (c) a hospital, surgery, or other medical centre; or
- (d) a protected area, or an area identified under a conservation plan, as critical habitat or an area of major interest under the Nature Conservation Act; or
- (e) a public park or garden that is open to the public (whether or not on payment of a fee) for use other than for sport or organised entertainment.

Operational work has the same meaning as in the IPA.

Operation air space has the same meaning as in State Planning Policy 1/02.

Overall outcomes are statements of desired outcomes that apply to the whole of a zone or overlay, and are the purpose of a code.

Overlay means the secondary set of planning scheme provisions based on areas, places or sites having special attributes that may:

- (a) make those areas, places or sites sensitive to effects of development; or
- (b) constrain development due to an environmental hazard or the value of a resource.

Person has the same meaning as in the IPA.

Population density means the population density of a site used for a multiple dwelling based upon:

- one point seven (1.7) persons per single bedroom unit;
- two point four (2.4) persons per two bedroom unit;
- three point three (3.3) persons per three bedroom unit;
- four (4) persons per unit containing four (4) or more bedrooms and expressed in terms of the equivalent number of persons per hectare (eg a multiple dwelling containing 2 two (2) bedroom and 2 three (3) bedroom units on a one thousand (1,000) square metre site would accommodate eleven point four (11.4) persons which be equivalent to one hundred and fourteen (114) persons per hectare.

Probable solutions are precise criteria or standards that provide a guide for achieving a specific outcome in whole or in part.

Reconfiguring a lot has the same meaning as in the IPA.

Road has the meaning assigned by the IPA.

Significant landscape features means topographic features above 600m AHD in elevation and riparian zones within 100m of waterways and wetlands.

Site means the land on which development is carried out or is proposed to be carried out whether such land comprises:

- (i) the whole of any one lot, or parcel of land; or
- (ii) part of one lot; or
- (iii) more than one lot where each lot is contiguous to the other or another lot; or
- (iv) conjointly used lands that are not adjoining lands.

Site area means the part of a lot where development is proposed to occur or where a use is conducted or works are located.

Site cover means the proportion of the site covered by buildings.

Specific outcomes are statements of desired outcomes that contribute to the achievement of overall outcomes and may relate to the use of the land, the provision of infrastructure, or specified effects of use or development on aspects of the environment.

Storey means that space within a building between one floor level and the next floor level above, or if there is no floor above, the ceiling or roof above.

Structure has the meaning assigned by the IPA.

Supply network has the same meaning as in the *Electricity Act 1994*.

Note: This is: (“**supply network**” is a system, or part of a system, of electric lines, substations and associated equipment, other than a transmission grid, for distributing electricity to customers, whether or not generating plant is connected to it.)

Waterway is a waterway mapped on any of the Planning Scheme Maps.

Wetland means an area of permanent or periodic inundation, whether natural or artificial, static or flowing, fresh, brackish or saline, and includes an area of marine water the depth of which at low tide is less than 6 m .,as defined in the Environment Protection Act

Zone means:

- (i) The primary layer for organising the provisions of a planning scheme based on land use allocations.
- (ii) All parts of the planning scheme area are included in one zone only.

Schedule 5- Special Facilities

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

The terms used in the following Schedule include:

Code – this refers to the notation indicating the subject land and use on the Planning Scheme Maps.

Tenure – FH refers to Freehold, RE refers to Reserve, LL refers to Leased Land.

SCHEDULE OF PROPERTIES – “SPECIAL FACILITIES”

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 103 NR7409	F1	Market, Motel, Refreshment Facilities, Tourist Shop & Laundrette	FH	7~11 Therwine Street	KURANDA
Lot 104 NR7409	F1	Market, Motel, Refreshment Facilities, Tourist Shop & Laundrette	FH	7~11 Therwine Street	KURANDA
Lot 105 NR7409	F1	Market, Motel, Refreshment Facilities, Tourist Shop & Laundrette	FH	7~11 Therwine Street	KURANDA
Lot 2 M9162	F10	Church	FH	57 Marsterson Street	DIMBULAH
Lot 406 NR7409	F10	Church	FH	7 Coondoo Street	KURANDA
Lot 64 NR7364	F10	Church	FH	7 Wirramo Street	KURANDA
Lot 817 NR7424	F10	Church	FH	16~20 Barang Street	KURANDA
Lot 2 RP736332	F11	Tourist Facilities, Museum, Historic Display, Market Stalls, Kiosk, Restaurant, Reception Area, Manager's Residence, Recreation Area, Art Centre, Accommodation for Artists, Staff & Participants, Wildlife Display and Souvenir Shop	FH		KURANDA
Lot 2 RP740256	F12	Service Station, General Store, Take-away Food Shop & Retail Plant Nursery	FH	2 Koah Road	KOAH
Lot 2 RP750090	F13	Holiday Complex comprising up to 70 Accommodation Units and 160 Hostel Beds, Restaurant, General Store, Caretaker's Residence and other Ancillary Uses	FH	3 Greenhills Road	KURANDA
Lot 3 M35643	F14	Aged Persons Home	FH	37 Walsh Street	MAREEBA
Lot 853 NR6836	F14	Aged Persons Home	RE		MAREEBA
Lot 877 NR4849	F14	Aged Persons Home	FH	5 Macrae Street	MAREEBA
Lot 441 RP861048	F15	Skyrail Terminal	FH	15 Arara Street	KURANDA
Lot 490 NR6669	F16	Saleyard Railway Access	FH		MAREEBA
Lot 803 C5041	F17	Hotel	FH	2~8 Tower Street	CHILLAGOE
Lot 810 C5041	F17	Hotel	FH	15~17 Queen Street	CHILLAGOE
Lot 811 C5041	F17	Hotel	FH	15~17 Queen Street	CHILLAGOE
Lot 701 NR7409	F17	Hotel	FH	2~4 Arara Street	KURANDA
Lot 702 NR7409	F17	Hotel	FH	2~4 Arara Street	KURANDA
Lot 711 NR7409	F17	Hotel	FH		KURANDA
Lot 712 NR7409	F17	Hotel	FH		KURANDA
Lot 713 NR7409	F17	Hotel	FH		KURANDA
Lot 719 NR7409	F17	Hotel	FH	2~4 Arara Street	KURANDA
Lot 720 NR7409	F17	Hotel	FH	2~4 Arara Street	KURANDA
Lot 74 M35645	F19	Service Station & Shop	FH	319 Byrnes Street	MAREEBA

THE MAREEBA SHIRE PLANNING SCHEME

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 108 RP852235	F2	Tourist Resort and Accommodation generally in accordance with Plan of Development - Parts A & B	FH	358 Pinnacle Road	JULATTEN
Lot 81 NR7364	F20	Q.C.W.A. Purposes	RE	20 Thongon Street	KURANDA
Lot 8 RP862223	F21	Tourist Facilities, Market Stalls, Shops, Carparking, Refreshment Establishments & Manager's Residence	FH	13 Therwine Street	KURANDA
Lot 903 I3142	F22	Post Office & Hotel	FH	2656 Herberton-Petford Road	IRVINEBANK
Lot 904 I3142	F22	Post Office & Hotel	FH	2656 Herberton-Petford Road	IRVINEBANK
Lot 314 NR5792	F24	Rodeo Grounds & Race Course	FH	614~636 Mareeba - Dimbulah Road	MAREEBA
Lot 315 NR5792	F24	Rodeo Grounds & Race Course	FH	614~636 Mareeba - Dimbulah Road	MAREEBA
Lots 8 & 9, RP910471	F24	Mako Track	FH	Springs Road	MAREEBA
Lot 12 RP700515	F25	4 X 1 Bedroom Single Storey Units	FH	32 Atherton Street	MAREEBA
Lot 1 RP716383	F25	4 X 1 Bedroom Single Storey Units	FH	32 Atherton Street	MAREEBA
Lot 33 NR5055	F26	Mona Mona Reserve	RE	Mona Mona Road	MONA MONA
Lot 12 RP732900	F3	Commercial Premises, General Store, Service Station, Health Care Institution, Hotel, Outdoor Recreation Centre, Park, Refreshment Establishment, Shops & Veterinary Surgery	FH	44 Speewah Road	SPEEWAH
Lot 0 GTP70228	F4	Group Title (3 Lots)	FH		SPEEWAH
Lot 1 GTP70228	F4	Group Title (3 Lots)	FH		SPEEWAH
Lot 2 GTP70228	F4	Group Title (3 Lots)	FH	293 Speewah Road	SPEEWAH
Lot 21 MPH25205	F5	Church & School	FH		DIMBULAH
Lot 2 MPH3490	F5	Church & School	FH		DIMBULAH
Lot 4 MPH14333	F5	Church & School	FH		DIMBULAH
Lot 5 MPH14333	F5	Church & School	FH		DIMBULAH
Lot 6 MPH14333	F5	Church & School	FH		DIMBULAH
Lot 7 MPH14333	F5	Church & School	FH		DIMBULAH
Lot 8 MPH14333	F5	Church & School	FH		DIMBULAH
Lot 1 RP711771	F5	Church & School	FH	65 Constance Street	MAREEBA
Lot 2 RP711771	F5	Church & School	FH	61~63 Constance Street	MAREEBA
Lot 2 RP734542	F5	Church & School	FH	55~59 Constance Street	MAREEBA
Lot 3 RP700516	F5	Church & School	FH	55~59 Constance Street	MAREEBA
Lot 4 RP700516	F5	Church & School	FH	55~59 Constance Street	MAREEBA
Lot 1 RP700517	F6	Church & Hall	FH	49~51 Constance Street	MAREEBA
Lot 1 RP734542	F6	Church & Hall	FH	53 Constance Street	MAREEBA
Lot 1 RP748307	F7	Nursing Home, Aged Person's Hostel & Caretaker's Residence	FH	62 Mt Kooyong Road	JULATTEN
Lot 2 RP748307	F7	Nursing Home, Aged Person's Hostel & Caretaker's Residence	FH	62 Mt Kooyong Road	JULATTEN
Lot 20 NR7652	F8	Stables & Dwelling	FH	8 Gibbins Lane	MAREEBA
Lot 21 NR7652	F8	Stables & Dwelling	FH	6 Gibbins Lane	MAREEBA
Lot 22 NR7652	F8	Stables & Dwelling	FH	4 Gibbins Lane	MAREEBA
Lot 23 NR7652	F8	Stables & Dwelling	FH	12 Hales Street	MAREEBA
Lot 24 NR7652	F8	Stables & Dwelling	FH	14 Hales Street	MAREEBA
Lot 25 NR804457	F8	Stables & Dwelling	FH	16 Hales Street	MAREEBA
Lot 26 NR804457	F8	Stables & Dwelling	FH	18 Hales Street	MAREEBA
Lot 485 NR6571	F8	Stables & Dwelling	FH	10 Hales Street	MAREEBA
Lot 491 NR6571	F8	Stables & Dwelling	FH	8 Hales Street	MAREEBA
Lot 492 NR6571	F8	Stables & Dwelling	FH	6 Hales Street	MAREEBA
Lot 493 NR6571	F8	Stables & Dwelling	FH	4 Hales Street	MAREEBA
Lot 494 NR6571	F8	Stables & Dwelling	FH	2 Hales Street	MAREEBA
Lot 495 NR6571	F8	Stables & Dwelling	FH	46 Chewko Road	MAREEBA

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PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 496 NR6571	F8	Stables & Dwelling	FH	5 Gibbins Lane	MAREEBA
Lot 49 NR804457	F8	Stables & Dwelling	FH	22 Hales Street	MAREEBA
Lot 50 NR804457	F8	Stables & Dwelling	FH	20 Hales Street	MAREEBA
Lot 24 M35672	F9	Pre School	FH	4 Stewart Street	MAREEBA

Schedule 6- Land Designated for Community Infrastructure

This Table lists all the properties designated as Community Infrastructure in accordance with the IPA. These designations commence on the day the planning scheme comes into effect.

The terms used in the following Schedule include:

Code – this refers to the notation indicating the subject land and use on the Planning Scheme Maps.

Tenure – FH refers to Freehold, RE refers to Reserve, LL refers to Leased Land.

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 18 LD96	P2	Camping & Water Reserve	RE		ALMADEN
Lot 3 LD109	P4	Reserve for Local Government Purposes	RE		ALMADEN
Lot 128 HG665	P12	Reserve for Department & Official Purposes	RE	232 McBean Road	ARRIGA
Lot 129 HG646	P12	Reserve for Department & Official Purposes	RE		ARRIGA
Lot 130 HG552	P12	Reserve for Department & Official Purposes	RE		ARRIGA
Lot 168 HG671	P12	Reserve for Department & Official Purposes	FH	170 McBean Road	ARRIGA
Lot 864 NR5315	P46	Department of Corrective Services – Correctional Centre	FH		ARRIGA
Lot 866 NR5315	P46	Department of Corrective Services – Correctional Centre	FH	729 Chettle Road	ARRIGA
Lot 3 WRM2	P11	Police Reserve	RE		BELLEVUE
Lot 2 WRM2	P19	Hospital Reserve	RE		BELLEVUE
Lot 5 WRM2	P34	Reserve for Water Supply Purposes	RE		BELLEVUE
Lot 136 DA384	P3	Pasturage Reserve	RE		BIBOOHRA
Lot 134 NR6723	P9	School Reserve	RE		BIBOOHRA
Lot 43 LD129	P1	Sanitary Reserve	RE		CHILLAGOE
Lot 1 CP847027	P2	Camping & Water Reserve	RE		CHILLAGOE
Lot 34 LD99	P3	Pasturage Reserve	RE		CHILLAGOE
Lot 48 LD151	P5	Cemetery Reserve	RE		CHILLAGOE
Lot 16 LD148	P9	School Reserve	RE	Cathedral Street	CHILLAGOE
Lot 16 LD32	P11	Police Reserve	RE		CHILLAGOE
Lot 201 M4872	P11	Police Reserve	RE		CHILLAGOE
Lot 202 M4872	P11	Police Reserve	RE		CHILLAGOE
Lot 219 M4872	P11	Police Reserve	RE		CHILLAGOE
Lot 220 M4872	P11	Police Reserve	RE		CHILLAGOE
Lot 21 LD92	P19	Queensland Health - Chillagoe Hospital	RE	Hospital Road	CHILLAGOE
Lot 46 LD151	P22	Rubbish Reserve	RE		CHILLAGOE
Lot 8 C5048	P28	QAS – Ambulance Reserve	RE	15 Frew Street	CHILLAGOE
Lot 72 C5041	P31	Public Hall	RE		CHILLAGOE
Lot 73 C5041	P31	Public Hall	RE		CHILLAGOE
Lot 147 C5041	P32	Queensland Fire and Rescue Service	FH	6–8 King Street	CHILLAGOE
Lot 148 C5041	P32	Queensland Fire and Rescue Service	FH	6–8 King Street	CHILLAGOE
Lot 149 C5041	P32	Queensland Fire and Rescue Service	FH	10–18 King Street	CHILLAGOE
Lot 150 C5041	P32	Queensland Fire and Rescue Service	FH	10–18 King Street	CHILLAGOE
Lot 151 C5041	P32	Queensland Fire and Rescue Service	FH	10–18 King Street	CHILLAGOE
Lot 152 C5041	P32	Queensland Fire and Rescue Service	FH	10–18 King Street	CHILLAGOE
Lot 153 C5041	P32	Queensland Fire and Rescue Service	FH	10–18 King Street	CHILLAGOE
Lot 51 LD108	P34	Reserve for Water Supply Purposes	RE		CHILLAGOE
Lot 1 C50414	P47	Queensland Parks and Wildlife Service	RE	22 Queen Street	CHILLAGOE
Lot 1 C50415	P47	Queensland Parks and Wildlife Service	RE	2–4 Knowe Street	CHILLAGOE
Lot 24 LD105	P47	Queensland Parks and Wildlife	RE	Frew Street	CHILLAGOE

THE MAREEBA SHIRE PLANNING SCHEME

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
		Service			
Lot 7 C50416	P47	Queensland Parks and Wildlife Service	RE	14 Atherton Street	CHILLAGOE
Lot 211 C5041	P47	Queensland Parks and Wildlife Service	RE	17 Atherton Street	CHILLAGOE
Lot 191 HG38	P4	Sanitary Reserve	RE		DIMBULAH
Lot 7 HG25	P1	Sanitary Reserve	RE		DIMBULAH
Lot 14 D81518	P4	Reserve for Local Government Purposes	RE		DIMBULAH
Lot 166 HG449	P4	Reserve for Local Government Purposes	RE		DIMBULAH
Lot 2 RP747757	P4	Mareeba Shire Council - Local Government Purposes	FH		DIMBULAH
Lot 448 HG351	P4	Reserve for Local Government Purposes	RE		DIMBULAH
Lot 501 HG558	P4	Reserve for Local Government Purposes	RE		DIMBULAH
Lot 9 HG29	P5	Cemetery Reserve	RE		DIMBULAH
Lot 469 HG509	P6	Gravel Reserve	RE	232 Chisari Road	DIMBULAH
Lot 1 D8157	P8	Reserve for Electrical Purposes	RE		DIMBULAH
Lot 196 HG591	P9	School Reserve	RE	39 Marsterson Street	DIMBULAH
Lot 452 HG514	P9	School Reserve	RE	Hambling Street	DIMBULAH
Lot 5 HG721	P9	School Reserve	RE	48-56 Kennedy Street	DIMBULAH
Lot 1 D81529	P11	Police Reserve	RE	13 Hambling Street	DIMBULAH
Lot 459 HG455	P15	Reserve for Boy Scouts	LL		DIMBULAH
Lot 161 HG642	P18	Airport & Aviation Purposes	RE	1190 Leasingham Creek Road	DIMBULAH
Lot 200 HG380	P19	Queensland Health – Dimbulah Hospital	FH	1-5 Stephens Street	DIMBULAH
Lot 462 HG462	P23	Telecommunication Purposes	FH	8 Hyde Street	DIMBULAH
Lot 7 D8155	P24	Public Hall & Park	RE		DIMBULAH
Lot 1 D81528	P28	Queensland Ambulance Service – Ambulance Station	FH	13 Brickley Street	DIMBULAH
Lot 1 D81514	P29	Reserve for Aged Persons Homes	RE	40-44 Stephens Street	DIMBULAH
Lot 8 D81513	P29	Reserve for Aged Persons Homes	RE	4 Hay Street	DIMBULAH
Lot 9 D81513	P29	Reserve for Aged Persons Homes	RE	6 Hay Street	DIMBULAH
Lot 16 D8156	P30	Reserve for Health Purposes	RE	22 Brickley Street	DIMBULAH
Lot 17 D8156	P30	Reserve for Health Purposes	RE	22 Brickley Street	DIMBULAH
Lot 454 HG431	P32	Queensland Fire and Rescue Service – Fire Station	FH	1 Raleigh Street	DIMBULAH
Lot 18 HG 761	P32	Fire Brigade Reserve	RE	Masterson Street	DIMBULAH
Lot 158 HG239	P34	Reserve for Water Supply Purposes	RE		DIMBULAH
Lot 181 HG347	P34	Reserve for Water Supply Purposes	RE		DIMBULAH
Lot 1 D8159	P34	Reserve for Water Supply Purposes	RE		DIMBULAH
Lot 85 HG239	P34	Reserve for Water Supply Purposes	RE		DIMBULAH
Lot 86 HG237	P34	Reserve for Water Supply Purposes	RE		DIMBULAH
Lot 87 HG237	P34	Reserve for Water Supply Purposes	RE		DIMBULAH
Lot 5 HG24	P37	Rubbish & Sanitary Reserve	RE		DIMBULAH
Lot 8 TE14	P2	Camping & Water Reserve	RE		FOSSILBROOK
Lot 906 I3142	P4	Mareeba Shire Council - Local Government Purposes	FH		IRVINEBANK
Lot 9 HG683	P5	Cemetery Reserve	RE		IRVINEBANK
Lot 62 RP846882	P9	School Reserve	RE	11 High Street	IRVINEBANK
Lot 2 I31412	P25	School of Arts Reserve	RE	2633 Herberton-Petford Road	IRVINEBANK
Lot 16 I3149	P48	Reserve for Historic, Heritage & Cultural Purposes	RE	5 Simpson Gully Road	IRVINEBANK
Lot 11 C157378	P2	Camping & Water Reserve	RE		JULATTEN
Lot 9 DA37	P2	Camping & Water Reserve	RE		JULATTEN

THE MAREEBA SHIRE PLANNING SCHEME

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 49 DA200	P9	Education Queensland	FH	2090 Rex Highway	JULATTEN
Lot 50 CP851551	P9	Education Queensland	FH	1141 Rex Highway	JULATTEN
Lot 271 DA423	P33	Camping Reserve	RE		JULATTEN
Lot 36 DA156	P38	Reserve for Library	RE		JULATTEN
Lot 254 NR5766	P34	Reserve for Water Supply Purposes	RE		KOAH
Lot 255 NR5766	P34	Reserve for Water Supply Purposes	RE		KOAH
Lot 256 NR5766	P34	Reserve for Water Supply Purposes	RE		KOAH
Lot 128 NR7407	P4	Reserve for Local Government Purposes	RE	33 Rob Veivers Drive	KURANDA
Lot 555 NR5975	P4	Reserve for Local Government Purposes	RE		KURANDA
Lot 741 NR5961	P4	Reserve for Local Government Purposes	RE		KURANDA
Lot 127 NR1736	P5	Cemetery Reserve	RE		KURANDA
Lot 354 NR7287	P5	Cemetery Reserve	RE		KURANDA
Lot 150 NR4991	P8	Reserve for Electrical Purposes	RE		KURANDA
Lot 752 NR5189	P8	Reserve for Electrical Purposes	RE		KURANDA
Lot 2 RP737768	P9	Education Queensland – School	FH	284 Myola Road	KURANDA
Lot 82 NR7983	P9	Education Queensland – School	RE	4 Caroon Street	KURANDA
Lot 17 K40118	P11	Police Reserve	RE	42 Coondoo Street	KURANDA
Lot 770 NR7529	P11	Police Reserve	RE	27 Coondoo Street	KURANDA
Lot 51 NR7364	P20	Recreation Reserve	RE	2 Wirramo Street	KURANDA
Lot 15 N157283	P20	Recreation Reserve	RE		KURANDA
Lot 715 NR7409	P23	Telecommunication Purposes	FH	38 Coondoo Street	KURANDA
Lot 7 RP857692	P28	Queensland Ambulance Service – Ambulance Station	FH	Fallon Road	KURANDA
Lot 19 SP120190	P32	Queensland Fire and Rescue Service – Fire Station	FH	Coondoo Street	KURANDA
Lot 391 NR3324	P34	Reserve for Water Supply Purposes	RE		KURANDA
Lot 1 K40113	P49	Department of Housing	FH	2 Barron Falls Road	KURANDA
Lot 2 K40113	P49	ATSIIC Housing	RE	4 Barron Falls Road	KURANDA
Lot 3 K40113	P49	Department of Housing	FH	6 Barron Falls Road	KURANDA
Lot 533 NR7032	P1	Sanitary Reserve	RE		MAREEBA
Lot 109 NR6627	P4	Reserve for Local Government Purposes	RE		MAREEBA
Lot 441 NR5150	P4	Reserve for Local Government Purposes	RE		MAREEBA
Lot 888 NR7943	P4	Reserve for Local Government Purposes	RE		MAREEBA
Lot 20 NR7137	P4	Reserve for Local Government Purposes	RE		MAREEBA
Lot 513 NR6400	P4	Reserve for Local Government Purposes	RE		MAREEBA
Lot 19 M35636	P4	Reserve for Local Government Purposes	RE	65 Rankin Street	MAREEBA
Lot 1 M356129	P4	Reserve for Local Government Purposes	RE		MAREEBA
Lot 1 M35636	P4	Reserve for Local Government Purposes	RE	65 Rankin Street	MAREEBA
Lot 20 M35636	P4	Reserve for Local Government Purposes	RE	65 Rankin Street	MAREEBA
Lot 2 M35636	P4	Reserve for Local Government Purposes	RE	65 Rankin Street	MAREEBA
Lot 561 NR810260	P4	Reserve for Local Government Purposes	RE	35 Hickling Avenue	MAREEBA
Lot 858 NR7516	P4	Reserve for Local Government Purposes	RE		MAREEBA
Lot 1 M356205	P5	Cemetery Reserve	RE		MAREEBA
Lot 2 M35660	P5	Cemetery Reserve	RE		MAREEBA
Lot 391 CP851524	P5	Cemetery Reserve	RE		MAREEBA
Lot 481 CP896893	P6	Gravel Reserve	LL		MAREEBA
Lot 10 M356157	P8	Reserve for Electrical Purposes	RE	7 Reynolds Street	MAREEBA

THE MAREEBA SHIRE PLANNING SCHEME

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 1 RP736603	P8	Powerlink Queensland - Transformers	FH	Kennedy Highway	MAREEBA
Lot 884 NR4531	P8	Reserve for Electrical Purposes	RE	Kennedy Highway	MAREEBA
Lot 10 M356195	P9	School Reserve	RE	37 Atherton Street	MAREEBA
Lot 157 NR5658	P9	School Reserve	RE		MAREEBA
Lot 1 M356212	P9	School Reserve	RE	27 Constance Street	MAREEBA
Lot 376 NR4053	P9	School Reserve	RE	17-37 Jasper Street	MAREEBA
Lot 10 M35636	P10	Court House Reserve	RE	167-169 Walsh Street	MAREEBA
Lot 11 M35636	P10	Court House Reserve	RE	167-169 Walsh Street	MAREEBA
Lot 12 M35636	P10	Court House Reserve	RE	167-169 Walsh Street	MAREEBA
Lot 9 M35636	P10	Court House Reserve	RE	167-169 Walsh Street	MAREEBA
Lot 16 NR810260	P12	Reserve for Department & Official Purposes	RE		MAREEBA
Lot 198 NR3355	P12	Reserve for Department & Official Purposes	RE	6 Costin Street	MAREEBA
Lot 2 M356206	P12	Reserve for Department & Official Purposes	RE	28 Peters Street	MAREEBA
Lot 366 NR804467	P15	Boy Scouts	LL	7 Kilpatrick Street	MAREEBA
Lot 1 RP714240	P18	Airport & Aviation Purposes	FH	37 Vicary Road	MAREEBA
Lot 20 RP748320	P18	Airport & Aviation Purposes	FH	Ray Road	MAREEBA
Lot 382 NR5929	P19	Queensland Health – Mareeba Hospital	FH	9-31 Lloyd Street	MAREEBA
Lot 514 NR6400	P20	Recreation Reserve	RE		MAREEBA
Lot 156 NR2175	P21	Racecourse	FH		MAREEBA
Lot 3 RP742480	P23	Telecommunication Purposes	FH	122 Byrnes Street	MAREEBA
Lot 867 NR4553	P26	Air Training Corps	FH		MAREEBA
Lot 13 M356148	P28	Qld Ambulance Service – Ambulance Station	FH	5 Lloyd Street	MAREEBA
Lot 2 M356154	P32	Queensland Fire and Rescue Service – Fire Station	LL	126 Byrnes Street	MAREEBA
Lot 479 NR6102	P32	Fire Brigade Reserve	RE	16-22 Mammino Street	MAREEBA
Lot 49 NR4573	P33	Camping Reserve	RE		MAREEBA
Lot 558 NR665	P34	Reserve for Water Supply Purposes	RE	33-35 Constance Street	MAREEBA
Lot 559 NR664	P34	Reserve for Water Supply Purposes	RE		MAREEBA
Lot 377 NR6046	P39	Caravan Park	RE	11 Egan Street	MAREEBA
Lot 41 NR1839	P41	Rifle Range	SL	81 Roiko Road	MAREEBA
Lot 13 CP861033	P42	Sportsground	LL		MAREEBA
Lot 43 CP861033	P42	Sportsground Reserve	RE		MAREEBA
Lot 18 NR5388	P43	Reserve for Stock Truck Parking	RE		MAREEBA
Lot 1 RP746342	P44	Rest Room	FH		MAREEBA
Lot 9 DA180	P1	Sanitary Reserve	RE		MOUNT CARBINE
Lot 8 DA39	P5	Cemetery Reserve	RE		MOUNT CARBINE
Lot 5 DA180	P22	Rubbish Reserve	RE		MOUNT CARBINE
Lot 273 DA347	P4	Reserve for Local Government Purposes	RE		MOUNT MOLLOY
Lot 8 DA434	P5	Cemetery Reserve	RE		MOUNT MOLLOY
Lot 219 DA219	P8	Reserve for Electrical Purposes	RE		MOUNT MOLLOY
Lot 39 DA203	P9	School Reserve	RE	30-40 Frazer Road	MOUNT MOLLOY
Lot 274 DA22	P11	Police Reserve	RE	3 Frazer Road	MOUNT MOLLOY
Lot 5 DA237	P19	Hospital Reserve	RE	Peninsula Developmental Road	MOUNT MOLLOY
Lot 214 DA461	P20	Recreation Reserve	RE		MOUNT MOLLOY
Lot 2 M9652	P20	Recreation Reserve	RE	12-14 Frazer Road	MOUNT MOLLOY
Lot 7 DA456	P25	School of Arts Reserve	RE		MOUNT MOLLOY

THE MAREEBA SHIRE PLANNING SCHEME

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 213 DA198	P29	Reserve for Aged Persons Homes	RE		MOUNT MOLLOY
Lot 275 DA344	P30	Reserve for Health Purposes	RE		MOUNT MOLLOY
Lot 276 DA344	P32	Queensland Fire and Rescue Service – Fire Station	RE	Main Street	MOUNT MOLLOY
Lot 2 DA36	P37	Rubbish & Sanitary Reserve	RE		MOUNT MOLLOY
Lot 45 CP851407	P2	Camping & Water Reserve	RE		ROOKWOOD
Lot 5 LD151	P2	Camping & Water Reserve	RE		ROOKWOOD
Lot 10 DA214	P2	Camping & Water Reserve	RE		SOUTHEDGE
Lot 7 DA298	P2	Camping & Water Reserve	RE		SOUTHEDGE
Lot 185 NR8040	P37	Rubbish and Sanitary Reserve	RE	Kennedy Highway	SPEEWAH
Lot 12 C882	P5	Cemetery Reserve	RE		THORNBOROUGH
Lot 15 C8104	P5	Cemetery Reserve	RE		THORNBOROUGH
Lot 19 K2352	P19	Hospital Reserve	RE		THORNBOROUGH
Lot 13 K2352	P20	Reserve for Recreation	RE		THORNBOROUGH
Lot 6 T2132	P22	Rubbish Reserve	RE		THORNBOROUGH
Lot 3 T2132	P33	Camping Reserve	RE		THORNBOROUGH
Lot 2 CP891168	P32	Queensland Fire and Rescue Service – Rural Fire Brigade	RE	Walsh River Road	WATSONVILLE
Lot 539 SP136194	P17	Pasturage Reserve	RE		MAREEBA
Lot 91 SP129891		Railway Corridor Land	LL		
Lot 111 SP129892		Railway Corridor Land	LL		
Lot 21 SP129893		Railway Corridor Land	LL		
Lot 31 SP129894		Railway Corridor Land	LL		
Lot 41 SP129895		Railway Corridor Land	LL		
Lot 61 SP129896		Railway Corridor Land	LL		
Lot 71 SP129897		Railway Corridor Land	LL		
Lot 121 SP129898		Railway Corridor Land	LL		
Lot 122 SP129898		Railway Corridor Land	LL		
Lot 131 SP129899		Railway Corridor Land	LL		
Lot 151 SP129900		Railway Corridor Land	LL		
Lot 161 SP129901		Railway Corridor Land	LL		
Lot 162 SP129901		Railway Corridor Land	LL		
Lot 171 SP129902		Railway Corridor Land	LL		
Lot 181 SP129903		Railway Corridor Land	LL		
Lot 182 SP129903		Railway Corridor Land	LL		
Lot 201 SP129905		Railway Corridor Land	LL		
Lot 202 SP129905		Railway Corridor Land	LL		
Lot 203 SP129905		Railway Corridor Land	LL		
Lot 211 SP129906		Railway Corridor Land	LL		
Lot 221 SP129907		Railway Corridor Land	LL		
Lot 231 SP129908		Railway Corridor Land	LL		
Lot 232 SP129908		Railway Corridor Land	LL		
Lot 241 SP129909		Railway Corridor Land	LL		
Lot 251 SP129910		Railway Corridor Land	LL		
Lot 252 SP129910		Railway Corridor Land	LL		
Lot 261 SP129911		Railway Corridor Land	LL		
Lot 271 SP129912		Railway Corridor Land	LL		
Lot 281 SP129913		Railway Corridor Land	LL		
Lot 282 SP129913		Railway Corridor Land	LL		
Lot 283 SP129913		Railway Corridor Land	LL		
Lot 284 SP129913		Railway Corridor Land	LL		
Lot 291 SP129914		Railway Corridor Land	LL		
Lot 292 SP129914		Railway Corridor Land	LL		
Lot 301 SP129915		Railway Corridor Land	LL		
Lot 302 SP129915		Railway Corridor Land	LL		
Lot 303 SP129915		Railway Corridor Land	LL		
Lot 311 SP129916		Railway Corridor Land	LL		
Lot 312 SP129916		Railway Corridor Land	LL		
Lot 313 SP129916		Railway Corridor Land	LL		
Lot 314 SP129916		Railway Corridor Land	LL		
Lot 331 SP129918		Railway Corridor Land	LL		
Lot 371 SP129919		Railway Corridor Land	LL		

THE MAREEBA SHIRE PLANNING SCHEME

PROPERTY DES	CODE	PURPOSE	TENURE	ADDRESS	LOCALITY
Lot 401 SP129920		Railway Corridor Land	LL		
Lot 421 SP129921		Railway Corridor Land	LL		
Lot 461 SP129922		Railway Corridor Land	LL		
Lot 521 SP129923		Railway Corridor Land	LL		
Lot 591 SP129924		Railway Corridor Land	LL		
Lot 611 SP129925		Railway Corridor Land	LL		
Lot 671 SP129926		Railway Corridor Land	LL		
Lot 672 SP129926		Railway Corridor Land	LL		
Lot 751 SP129927		Railway Corridor Land	LL		
Lot 771 SP129928		Railway Corridor Land	LL		
Lot 801 SP129929		Railway Corridor Land	LL		
Lot 813 SP129930		Railway Corridor Land	LL		
Lot 821 SP129931		Railway Corridor Land	LL		
Lot 831 SP129932		Railway Corridor Land	LL		
Lot 841 SP129933		Railway Corridor Land	LL		
Lot 851 SP129934		Railway Corridor Land	LL		
Lot 861 SP129935		Railway Corridor Land	LL		
Lot 871 SP129936		Railway Corridor Land	LL		
Lot 881 SP129937		Railway Corridor Land	LL		
Lot 49 SP136290		Railway Corridor Land	LL		
Lot 44 SP136291		Railway Corridor Land	LL		
Lot 48 SP136291		Railway Corridor Land	LL		
Lot 60 SP136295		Railway Corridor Land	LL		
Lot 61 SP136295		Railway Corridor Land	LL		
Lot 7 SP136297		Railway Corridor Land	LL		
Lot 44 SP136298		Railway Corridor Land	LL		
Lot 45 SP136298		Railway Corridor Land	LL		
Lot 216 HG233		Railway Corridor Land	LL		
Lot 814 NR8085		Railway Corridor Land	LL		
Lot 70 SP136296		Railway Corridor Land	LL		
Lot 60 SP136295		Railway Corridor Land	LL		
Lot 67 SP136294		Railway Corridor Land	LL		
Lot 46 SP136298		Railway Corridor Land	LL		
Lot 47 SP136298		Railway Corridor Land	LL		
Lot 3 LD109	P50	Waste Management Facilities	RE	Burke Development Road	ALMADEN
Lot 191 HG38	P50	Waste Management Facilities	RE	Mareeba/Dimbulah Road	MUTCHILBA
Lot 501 HG558	P50	Waste Management Facilities	RE	Raleigh Street	DIMBULAH
Lot 5 DA180	P50	Waste Management Facilities	RE	Peninsula Development Road	MOUNT CARBINE
Lot 2 DA36	P50	Waste Management Facilities	RE	Bakers Road	MOUNT MOLLOY
Lot 185 NR8040	P50	Waste Management Facilities	RE	Kennedy Highway	SPEEWAH
Lot 517 CP851523	P50	Waste Management Facilities	RE	Vaughan Street	MAREEBA
Lot 569 CPM3568	P50	Waste Management Facilities	RE	Vaughan Street	MAREEBA
Lot 223 DA353	P50	Waste Management Facilities	RE	Euluma Creek Road	JULATTEN
Lot 15 CP852249	P50	Waste Management Facilities	RE	Herberton/Petford Road	IRVINEBANK
Lot 130 LD155	P50	Waste Management Facilities	RE	Burke Development Road	CHILLAGOE

PART 8

PLANNING SCHEME POLICIES

Integrated Planning Act 1997

Planning Scheme Policies for the Shire of Mareeba

Adoption

The local government for Mareeba Shire adopted the following planning scheme policies on 21 December 2004;

- Planning Scheme Policy 1- Water Supply (Outside Reticulated Water Supply Area);
- Planning Scheme Policy 2- Headworks Charges for Water Supply and Sewerage;
- Planning Scheme Policy 3- Information Local Government May Request;
- Planning Scheme Policy 4- Development Manual;
- Planning Scheme Policy 5- Open Space Contributions;
- Planning Scheme Policy 6- Augmentation of the Road Network Contribution;
- Planning Scheme Policy 7- Car Parking Contributions;
- Planning Scheme Policy 8- Extractive Industry;
- Planning Scheme Policy 9- Landscaping;
- Planning Scheme Policy 10- Structure Planning Guidelines.

Commencement

The planning scheme policies took effect on and from 10 January 2005.

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PART 8 –

PLANNING SCHEME POLICIES

PLANNING SCHEME POLICY 1 Water Supply (Outside Reticulated Water Supply Area)

APPLICABILITY

This Policy applies to development within the Shire and sets down the requirement for subdivision of land not connected to a reticulated water supply and outside the reticulated water supply areas, as delineated on Maps CGO_Water, DIM_Water, MOL_Water, KUR_Water, MBA_Water.

Statement

Before the survey plan for the subdivision of land is signed and sealed by Council, each allotment created has an adequate water supply, either by water rights to a perennial stream, chemically suitable for human consumption, in accordance with standards required by the National Health and Research Council's guidelines for Drinking Water Quality in Australia, or via water bore constructed to the following standards:

- (i) A water bore shall be constructed on each proposed lot.
- (ii) The bores must produce a sustainable yield of no less than one (1) litre per second, as determined by a four (4) hour pump test in accordance with AS2368-1990 "Test Pumping of Water Wells" and pump test analysis, including observations of potential interference between bores, by a person qualified in groundwater hydrology.
- (iii) Water samples shall be collected from the bores in accordance with AS2368-1990 and analysed by a NATA registered laboratory or other laboratory as approved by Council. Water must be chemically suitable for human consumption in accordance with the "Australian Drinking Water Guidelines" issued by the National Health and Medical Research Council.
- (iv) The casement of the bores shall not exceed 125mm in diameter.
- (v) The placement of the bores shall be determined by a qualified person satisfactory to Council in conjunction with the placement of any wastewater disposal system to be used on the allotment.
- (vi) The bore holes shall be cased and sealed at its surface to prevent the inflow of contaminated surface water to the satisfaction of Council's Plumbing Inspector.
- (vii) The bores shall be sunk to a minimum depth of 60 metres, or until the bore reaches bedrock.

PLANNING SCHEME POLICY 2

Headworks Charges for Water Supply and Sewerage

Application

This policy details current methodology for calculating headworks charges for water supply and sewerage and also works external for water supply and sewerage in the Mareeba Shire

- (i) applies to all assessable development (code and impact assessment) and to Reconfiguring a Lot where the subject land is currently served by reticulated water supply or sewerage works or where the land is capable of being served by augmentation of the existing schemes;
- (ii) specifies the methods for determining the amount of any contribution to be made towards the cost of water supply headworks, sewerage headworks, water supply works external or sewerage works external;
- (iii) specifies the works, structures or equipment which Council determines to be water supply headworks, sewerage headworks, water supply works external and sewerage works external;
- (iv) specifies the amount of the headworks contribution per Equivalent Domestic Connection (EDC) for water supply and sewerage for each scheme area as adopted by the Mareeba Shire Council.

8.1 DEFINITION OF HEADWORKS AND WORKS EXTERNAL

8.1.1 Water Supply Headworks

Water supply headworks are defined to be those existing works or works proposed in an augmentation of that scheme that are associated with:

- (i) providing potable water from a source of water;
- (ii) distributing the water from the source to the "water districts", between "water districts", and to the reticulation system within each "water district";
- (iii) providing security of distribution between "water districts" (eg high level and low level zones);

More specifically, these works shall include:

A. Water Source and Treatment Headworks

Site acquisition, dams, weirs, bores, intake structures, road access, communication systems, electric power supply and electrical fittings and accessories, control facilities, communication facilities, measurement devices, intake mains, raw water storages, treatment plant, chlorinators and chemical dosing facilities, environmental controls, valves and fittings, laboratories, pipework, buildings, staff facilities, trunk mains connecting the sources to the distribution system, and associated works.

B. Reservoir Headworks

Site acquisition, storage reservoirs, interconnecting pipework, trunk mains, pump stations and valves connecting the sources of water to the reticulation system and/or to any reservoirs, communication and control facilities, and associated works.

C. Distribution Headworks

Pipework and associated control valves, meters and fittings required to convey potable water from the treatment or source headworks or intermediate storage to the local reticulation.

8.2 SEWERAGE HEADWORKS

Sewerage headworks are defined to be those existing works or works proposed in an augmentation of the scheme that are associated with providing:

- (i) a collection system within sewerage districts/catchments to convey sewage to the trunk main system;
- (ii) trunk mains to convey sewage from the sewerage districts/catchments to the treatment plant;
- (iii) treatment of sewage to create an environmentally acceptable effluent for discharge;

More specifically, these works shall include:

8.2.1 Collection Headworks

Site acquisition, gravity mains, pressure mains, man-holes, pump stations, electrical power supply, electrical fittings and accessories, overflows works, environmental controls, communication and control systems, and associated works.

8.2.2 Trunk Main Headworks

Site acquisition, gravity mains, pressure mains, pumps stations, electrical power supply, electrical fittings and accessories, pump stations, control systems, communication systems, environmental controls, buildings, and associated works.

8.2.3 Treatment Headworks

Site acquisition, road access, pump stations, preliminary treatment works, environmental controls, pipework, valving, treatment plant, ponds, outlet mains, outfall structures, buildings, control systems, communication systems, electric power supply, electrical fittings and accessories, measurement devices, chlorinators and chemical dosing facilities, environmental controls, laboratories, buildings, staff facilities, and associated works.

8.3 WATER SUPPLY WORKS EXTERNAL

Water supply works external are defined as all works, structures or equipment that will provide water supply at the capacity required to service the subject land/development from the headworks to the subject land/development

8.4 SEWERAGE WORKS EXTERNAL

Sewerage works external are defined as all works, structures or equipment with the necessary capacity required by the subject land/development, to convey the sewage generated by the subject land/development to the sewerage headworks.

Determination of Contribution

8.5 GENERAL

Where the Council is prepared to make available water and/or sewerage to the subject land, the applicant shall pay to Council the contribution towards the cost of headworks and works external as determined in accordance with the following sub-sections of this policy.

The amount of the contributions for water supply and sewerage headworks and works external shall be determined through:

- (i) An assessment of the likely water supply needs and likely sewerage loading attributed to the development/subject land is based on the determination of Equivalent Domestic Conditions (EDC's).

The number of equivalent domestic connections shall be determined through consideration of the proposed use of the land and the proposed land use for each new lot created as part of the development.

In assessing such demand/loading the following are considered -

- the type and intensity of the proposed development;
- relevant information provided by the applicant as part of the application;
- the potential impact of peak flows or loadings including the timing of such peaks and when necessary the nature of liquid waste;
- Equivalent Domestic Connection Ratios adopted by Council for selected land use/development in the Mareeba Shire as listed in Schedule A of this policy;

No equivalent domestic connections shall be calculated for lots that are to be transferred to the crown for park purposes, or to the Council for other reserve purposes including drainage reserves. Balance areas, titled or otherwise shall be counted as a new allotment irrespective of the size of the area, except where Council determines otherwise by resolution.

- (ii) Application of the formulae contained in sections 8.6.1 and 8.7.1 of this policy, based on the information contained in Schedule A.

8.6 WATER SUPPLY CONTRIBUTIONS

8.6.1 Calculation of Water Supply Headworks Contributions

A contribution towards Water Supply Headworks is payable for application for assessable development (code and impact assessment) or reconfiguring a lot, is calculated based on the following formula:-

$$\text{Headworks Contribution Water, } HW = (C_w \times R_w) - P_w$$

Where:

- C_w** = The dollar amount of the water supply headworks contribution per equivalent domestic connection applicable to the service area in which the subject land is located
- R_w** = The Equivalent Domestic Connection Ratio for water applicable if the application is approved (Refer Schedule A).
- P_w** = The amount of contribution previously made towards Water Supply Headworks in respect of the subject land recorded in the Council's "Register of Developer Contributions".

8.6.2 Calculation of Water Supply Works External

Where an application relates to land situated outside the Water Area, a contribution towards Water Supply Works External, is paid. Such payment is made in addition to the payment to towards Water Supply Headworks.

Council may require the applicant to construct or pay for construction of Water Supply Works External of a size and to the extent necessary to service the subject land only; and/or

Council may decide to provide or require the provision of Water Supply Works External of a larger capacity or to an extent greater than that required to service the subject land. In such a case, the amount of the contribution towards Water Supply Works External payable by the applicant for approval shall be equal to the Council's estimate of cost of the construction of Water Supply Works External of a size and to the extent necessary to service the subject land only, provided however that, notwithstanding the nature and extent of the proposed development no water pipe used in the construction of the Water Supply Works External shall be less than 100 mm in diameter.

8.7 SEWERAGE CONTRIBUTIONS

8.7.1 Calculation of Sewerage Headworks Contributions

A contribution towards Sewerage Headworks is payable for application for assessable development(code and impact assessment) or reconfiguring a lot, and is calculated based on the following formula:-

$$\text{Headworks Contribution Sewerage, } HS = (C_s \times R_s) - P_s$$

Where:

- C_s** = The dollar amount of the sewerage headworks contribution per equivalent domestic connection applicable to the service area in which the subject land is located.
- R_s** = The Equivalent Domestic Connection Ratio for sewerage applicable if the application is approved (Refer Schedule A).
- P_s** = The amount of contribution previously made towards Sewerage Headworks in respect of the subject land recorded in the Council's "Register of Developer Contributions".

8.7.2 Calculation of Sewerage Works External

Where an application relates to land situated outside the Sewerage Area, a contribution towards Sewerage Works External, is paid. Such payment is made in addition to the payment to towards Sewerage Headworks.

Council may require the applicant to construct or pay for construction of Sewerage Works External of a size and to the extent necessary to service the subject land only; and/or

Council may decide to provide or require the provision of Sewerage Works External of a larger capacity or to an extent greater than that required to service the subject land. In such a case, the amount of the contribution towards Sewerage Works External payable by the applicant for approval shall be equal to the Council's estimate of cost of the construction of Sewerage Works External of a size and to the extent necessary to service the subject land only, provided however that, notwithstanding the nature and extent of the proposed development no sewerage pipe used in the construction of the Water Supply Works External shall be less than 150 mm in diameter.

8.7.3 Time for Payment of Contributions

- (i) In cases where Council, pursuant to this policy, requires payment of, or contribution towards, the cost of Water Supply and/or Sewerage Headworks, and/or or Water Supply and/or Sewerage Works External, security in the form of a cash bond (which shall be held in Council's Trust Fund) or unconditional bank guarantee, from a Bank or Financial Institution acceptable to the Council, of the amount of the payment or contribution shall be lodged with Council in accordance with the following:
 - (a) where it is proposed to reconfigure the relevant land and the development requires operational works:
 - within 14 days after the date of receipt by the local government of notification by the applicant of the applicant's intention to commence works, and
 - prior to commencement of operational works.
 - (b) where it is proposed to reconfigure the relevant land and the development does not require operational works
 - prior to the signing and sealing of the lot plan by Council.
 - (c) where it is proposed not to reconfigure the relevant land and the development has associated building works:
 - within 14 days after the date of the granting of approval under the Building Act 1975; and
 - prior to the commencement of the use
 - (d) where it is proposed not to reconfigure the relevant land and where there is no building work, prior to the commencement of the use.
- (ii) Council may decide to enter into an agreement with any applicant where payment of a contribution towards Water Supply and/or Sewerage Works External is required in accordance with this policy and deviation from item 1 above is considered desirable by Council.
- (iii) Where there is an amount recorded against a parcel of land in the Council's "Register of Developer Contributions" indicating a Headworks contribution made previously in respect to that parcel, then, in the event that the whole or part of that parcel is the subject of a subsequent application for a material change of use, the amount of the contribution previously made is

taken into account in determining the contribution towards Headworks payable by the applicant for such material change of use.

- (iv) In all cases, the actual amount of the contribution payable is calculated at the rates current at the time payment is made.

8.8 REGISTER OF CONTRIBUTIONS FOR LANDS

The Council shall continue to maintain a register of headworks contributions for lands for both water supply and sewerage. This register shall record the number of equivalent domestic connections for which contributions have been paid in respect to individual properties within the scheme areas. The information contained in the Register of Contributions for Land shall be used in the assessment of the increase in equivalent domestic connections for each subsequent application.

Where the land comprises two or more allotments (excluding those lots to be transferred to the Crown, or to Council as reserves, etc), the Headworks contribution shall be apportioned to each allotment in the ratio which the area of each allotment bears to the total area of the subject land, and entry shall be made in the "Register of Developer Contributions" accordingly.

8.9 ANNUAL REVIEW OF EDC VALUE

A review of charges will be carried out annually by Council and will be included in the Council Fees and Charges.

This review may incorporate but shall not be limited to the following: -

- Change in the value of headworks due to inflation;
- Updated or new planning studies;
- Works completed;
- Proposed new works;
- Revisions to the works programme and the financial programme;
- Analysis of consumption records and their effect on EDC (Equivalent Domestic Connection) ratios;
- Other Council policies and decisions.

NOTE: Maps available for perusal at Council Office.

Schedule A

Equivalent Domestic Connection (EDC) Ratios for Determination of Headworks Contributions in the Mareeba Shire

USE		EDC RATIO WATER	EDC RATIO SEWERAGE
1	Single Family Dwelling or New Residential Allotment a) Detached house on lots, or new lot < 3,000m ² b) Detached house on lots 3,000m ² or greater, or new lot Kuranda All Other Schemes	1.0 1.0 1.5	1.0 1.0 1.0
2	Multi-Unit Accommodation a) Semi-detached < 3 bedrooms 3 or more bedrooms b) Flats or Units < 3 bedrooms 3 or more bedrooms	0.6 0.7 0.5 0.6	0.7 0.8 0.7 0.8
3	Hotel/Motel Rooms, Dormitories a) Per room b) Backpacker or boarding house style accommodation (per bed)	0.50 0.20	0.60 0.20
4	Caravan Parks/Cabins For each site registered as a tourist site or each 40 m ² of camping area	0.50	0.60
5	Schools a) Primary – for each 90 pupils enrolled b) Secondary – for each 50 pupils enrolled c) Kindergarten (or daycare) – for each 50 children enrolled	1.0 1.0 1.0	1.0 1.0 1.0
6	Restaurants, Licensed Premises Restaurant – per 50 m ² gross floor area (includes outdoor dining areas)	1.0	1.0
7	Shops/Offices Per 275 m ² gross floor area	1.0	1.0
8	Warehouse	1.0	1.0
9	Garage/Service Station	1.0	1.0
10	Church	0.5	0.5
11	Laundromat (per machine)	0.5	0.5
12	Café	1.0	1.0
13	Butcher's Shop	3.0	3.0
14	Other	To be assessed by Council based on individual application	To be assessed by Council based on individual application

PLANNING SCHEME POLICY 3

Information Local Government May Request

Information Local Government May Request

The local government may request the following information from the applicant to assist the assessment of a development application:

(1) Mineral resources

If an application for use or works located within 1 km of an identified mineral resource-information identifying the nature and location of resources in the vicinity and assessment of how the proposed use and associated works may affect extraction of the resources;

(2) Other overlay assessment

If an application requiring assessment against an overlays code:

- (i) an assessment of how the development or effects of the development may affect the values of the relevant feature or resource; or
- (ii) an assessment of how the development may create or increase a risk of significant adverse effects on the natural or built environment or human health or safety; and
- (iii) if applicable, an assessment of measures proposed to adequately manage the potential significant adverse effects arising from the development;

(3) Infrastructure work

If an application involving infrastructure works, including works for reconfiguring a lot:

- (i) an assessment of the capacity of existing infrastructure and the effect of the proposed use;
- (ii) an assessment of any proposed variation of the standards stated in the {Planning Scheme Policy 4-Development Manual}.

(4) Zone assessment

If an application requiring assessment against a zone code

- (i) an assessment of how the development may contribute to or detract from achievement of the outcomes sought for the zone;
- (ii) if applicable, an assessment of measures proposed to adequately manage the potential detraction from achievement of the outcomes.

(5) Development within the Myola Zone

Detailed Planning studies are required to be undertaken prior to urban development occurring within the Myola zone to ensure adequate planning and design consideration being given to the provision of infrastructure and to the environmental characteristics of the area.

(6) This section has been deleted.

(7) This section has been deleted.

(8) Noise Mitigation

This Policy applies to assessable development for a Material Change of Use and Reconfiguring a Lot, of land adjacent to State Controlled Roads and Rail Corridors within the Future Residential zone and the Myola Precinct E as identified on Map Z7.

To assist in the assessment of development an acoustical report is required to be submitted to Council with the application. Such a report, prepared by a suitably qualified Acoustic Engineer prepared. In accordance with the maximum recommended design sound levels specified in Table 1 of *Australian Standard 2107: Acoustics – Recommended design sound levels and reverberation times for building interiors* and *Australian Standard 2671-1989: Acoustics – Road traffic noise intrusion – Building sitting and construction*. *Alternative methods may be used where they can be justified as being appropriate to the circumstances of the particular situation and location.*

Proposed Noise Sensitive development¹ must seek to achieve acceptable levels of amenity for inhabitants and visitors and protect the dame from unacceptable road and rail traffic noise levels.

¹ ¹ See definition of “Noise sensitive development” in Part 7 –Schedule ;Division 2 –Other development definitions

PLANNING SCHEME POLICY 4 Development Manual

Purpose

Mareeba Shire Council has adopted the FNQROC Development Manual. The Development Manual details the Shire's requirements for the design and construction of works which are subject to approvals by the Council and for works which will be in the ownership and maintenance responsibility of the Mareeba Shire Council.

Applicability

- (1) This policy applies to development within the Shire.
- (2) Schedule 1 to this Policy sets out:
 - (a) The previous policy under the Local Government Act 1936-1976, Local Law - Chapter 43 Subdivision of Land.

Statement

The Development Manual comprises of the following elements;

- User Guide
- Development Principles
- Application Procedures
- Construction Procedures
- Design Guidelines
- Specifications
- Local Authority Specific Requirements
- Definitions
- Standard Drawings

Schedule 1 - Administration Details

Local Government Act 1936-1976	Local Law- Chapter 43-, Subdivision of Land	
IPA version	Adopted	21 December 2004
	Commenced	10 January 2005 (Version 2 commenced 17 October 2005)
	Amended	Version 2 adopted 4 October 2005

PLANNING SCHEME POLICY 5 Open Space Contributions

Purpose

The purpose of this policy is to establish the amount of monetary contribution to be paid in lieu of providing land for open space and recreation purposes when land is subdivided or when the population density of a development is increased as a result of development.

Applicability

- (1) This policy applies to development within the Shire.
- (2) Schedule 1 to this Policy sets out:
 - (a) The previous policy under the Local Government Act 1936-1976; Local Law - Chapter 43 Subdivision of Land;
 - (b) The details of the adoption, commencement and amendment of this Policy.

Statement

- (1) Where Council agrees or require a monetary contribution to be paid in lieu of provision of land for open space or recreation purposes, the amount payable per allotment or accommodation unit created by the development is the amount specified in Council's Schedule of Fees and Charges at the date of commencement of the use unless otherwise specified in the conditions of approval for the use.

Schedule 1 - Administration Details

Local Government Act 1936-1976	Local Law- Chapter 43-, Subdivision of Land	
IPA version	Adopted	21 December 2004
	Commenced	10 January 2005
	Amended	

PLANNING SCHEME POLICY 6 Augmentation of the Road Network Contribution

Purpose

The purpose of this policy is to establish the amount of monetary contribution to be paid for the augmentation of the road network associated with assessable development and reconfiguring a lot.

Applicability

- (1) This policy applies to development within the Shire.
- (2) Schedule 1 to this Policy sets out:
 - (a) the previous policy under the Local Government(Planning and Environment) Act; if any; and
 - (b) the details of the adoption, commencement and amendment of this Policy.

Statement

- (1) Where Council agrees or require a monetary contribution to be paid for road works external to a site associated with Assessable Development and Reconfiguring a Lot, the amount payable is the amount specified in Council's Schedule of Fees and Charges at the date of commencement of the use unless otherwise specified in the conditions of approval for the use.

Schedule 1 - Administration Details

Local Government (P&E) Act version	Council's resolution 1990	
IPA version	Adopted	21 December 2004
	Commenced	10 January 2005
	Amended	

PLANNING SCHEME POLICY 7 Car Parking Contributions

Purpose

The purpose of this policy is to establish the amount of monetary contribution to be paid in lieu of provision of car parking spaces in the business, commercial and village zones of Mareeba and Kuranda.

Applicability

- (1) This policy applies to development within the business, commercial and village zones of Mareeba and Kuranda.
- (2) Schedule 1 to this Policy sets out:
 - (a) the previous policy under the Local Government (Planning and Environment) Act .if any; and
 - (b) the details of the adoption, commencement and amendment of this Policy.

Statement

- (1) Where Council agrees or require a monetary contribution to be paid in lieu of provision of on site car parking spaces, the amount payable per car parking space is the amount specified in Council's Schedule of Fees and Charges at the date of commencement of the use unless otherwise specified in the conditions of approval for the use.

Schedule 1 Administration Details

Local Government Act 1936-1976	Council resolution for the adoption of Fees and Charges. 2002/3	
IPA version	Adopted	21 December 2004
	Commenced	10 January 2005
	Amended	

PLANNING SCHEME POLICY 8

Extractive Industry

Applicability

The purpose of this Policy is to set out the information that may be required by Council to assist in the assessment of Material Change of Use applications for Extractive Industry within the Shire.

Information Local Government May Request

The local government may request the following information from the applicant to assist the assessment of a development application in relation to the Extractive industry code:

- (a) In order to ensure that the specific outcome of Part 6 Division 8, section 6.4 S1 can be met, Council will require the following:
 - An assessment of the geological and geo-technical characteristics of the resource.
 - Information regarding the need for the extractive industry, including markets and proposed rates of extraction.
 - Details of the proposed method of removal of material.
- (b) In order to ensure that the specific outcome of Part 6 Division 8, section 6.4 S3 can be met, Council will require an assessment of the following:
 - All transport options and the relative impacts of these options.
 - Anticipated traffic movements for the extractive industry.
- (c) The standards of roads (if any) to be used:
 - The proposed access demonstrating that it is the most efficient and economical route.
 - The impacts on amenity and safety along the chosen route.
 - The impact of the operation on the road (cost recovery charge/rate for additional road maintenance).
- (d) In order to ensure that the specific outcome in of Part 6 Division 8, section 6.4 S2 can be met, Council will require an assessment identifying:
 - Parts of the site that can be viewed from surrounding land.
 - Existing vegetation and vegetation to be retained.
 - Proposals for screening various components of the site.
- (e) In order to ensure that the specific outcome of Part 6 Division 8, section 6.4 S4 can be met, Council will require the following:
 - An evaluation of the ecology of the site.
 - The description of the vegetation and habitat values of the site.
 - Implementation of management methods to ensure that any significant values are retained.
- (f) In order to ensure that the specific outcome in of Part 6 Division 8, section 6.4 S4 can be met, Council will expect the applicant to:
 - Outline proposed water management practices.
 - Identify any potential impacts on down stream properties.
 - Evaluate existing water quality and potential water quality.
 - Evaluate existing ground water and potential ground water quality.
 - Outline methods proposed to ensure that the extractive industry will not significantly impact on surface and ground water quality.

- (g) In order to ensure that the specific outcome in of Part 6 Division 8, section 6.4 S4 can be met, the applicant will be required to:
- Identify all noise and vibration sources and noise and vibration levels including background noise levels.
 - Identify the hours of operation.
 - Outline proposed attenuation devices.
 - Identify sensitive land uses
 - Evaluate noise and vibration impacts.
- (h) In order to ensure that the specific outcome of Part 6 Division 8, section 6.4 S4 can be met, Council will expect the applicant to:
- Identify measures to contain air pollution, including an evaluation of alternative measures to contain air pollution.
 - Outline details of the equipment to be used in the operation of the extractive process.
 - Identify land uses that may be affected by air pollution.
- (i) In order to ensure that the specific outcome of Part 6 Division 8, section 6.4 S5 can be met, Council will require the applicant to prepare a rehabilitation management plan demonstrating:
- The progressive revegetation of the site including proposed flora species (this should include species that are endemic to the area).
 - That water quality of downstream properties will not be impacted upon in the future.
 - That the site will be stable and not susceptible to erosion.
 - The final levels of the rehabilitated site.
 - That the site will be clear of contaminants.

PLANNING SCHEME POLICY 9 Landscaping

Purpose

The purpose of this policy is to:

- (a) provide further guidance on landscaping required by the landscaping code in the planning scheme; and
- (b) provide information on trees and shrubs that are peculiar to the locality and generally suitable in the urban areas of Mareeba and surrounds; and
- (c) provide further guidance on landscaping works, vegetation species and other design and construction standards required by the landscaping code in the planning scheme.

Applicability

- (1) This policy applies to assessable development where a code in the planning scheme requires that landscaping be provided.
- (2) Schedule B sets out the details of the adoption, commencement and amendment of this Policy.

Statement

List of suitable plants for the Mareeba and Kuranda region

- (1) The plants listed in Schedule A indicate some of the species suitable for the region and that are widely available at commercial nurseries. It is important that professional advice be sought regarding the appropriate selection for individual site conditions and usage. Correct plant choice can result in an attractive and lasting landscape that can reduce maintenance and the need for costly refurbishment.
- (2) Noxious weeds and declared weeds, including Privet and Celtis, will not be accepted as part of any landscape plan.
- (3) Tall, Medium and Small Trees, Climbers and some Large Shrubs, Palms and Ferns are not suitable for growing under or near electric lines, because their maximum height at maturity will exceed 4 metres.
- (4) The plants should be located to comply with the provisions of the Part 6 Division 15 Landscaping Code.

Schedule A - Plant List

Species	Form	Height	Flower Colour	Survival
<i>Abelmoschus manihot</i>	Shrub	1-2 m	Yellow	5
<i>Abroma fastuosa</i>	Shrub	2-3 m	Maroon	5
<i>Acacia crassicarpa</i>	Tree	5-10 m	Yellow	5
<i>Acacia mangium</i>	Tree	6-15 m	Cream/White	5
<i>Acanthus ilicifolius</i>	Shrub	1 m	Pink/Mauve	3
<i>Aceratium megalospermum</i>	Tree/Shrub	3-8 m	Cream/Yellow/P	2
<i>Acmena hemilampra</i>	Tree/Shrub	3-10 m	White	5
<i>Acmena hemilampra</i>	Tree/Shrub	3-10 m	White	5
<i>Acmena mackinnoniana</i>	Tree/Shrub	3-8 m	Cream	5
<i>Acmena mackinnoniana</i>	Tree/Shrub	3-8 m	Cream	5
<i>Acmenosperma claviflorum</i>	Tree/Shrub	6-10 m	White	5
<i>Acmenosperma claviflorum</i>	Tree/Shrub	6-10 m	White	5

Species	Form	Height	Flower Colour	Survival
<i>Acronychia acuminata</i>	Shrub	1-3 m	White/Yellow	3
<i>Acronychia laevis</i>	Shrub	3-6 m	Cream	5
<i>Acronychia vestita</i>	Tree/Shrub	3-6 m	Cream/Lemon	5
<i>Aglaiia euryanthera</i>	Tree/Shrub	3-6 m	Cream/Yellow	3
<i>Aglaiia meridionalis</i> (<i>Amoora ferruginea</i>)	Shrub	2-3 m	Brown/Cream	3
<i>Aidia racemosa</i> (<i>Randia cochinchinensis</i>)	Shrub	2-4 m	White	4
<i>Alchornea rugosa</i>	Shrub	3-5 m	Cream	5
<i>Alectryon coriaceus</i>	Shrub	3-5 m	Pink	5
<i>Aleurites moluccana</i>	Tree	8-15 m	White	5
<i>Aleurites rockinghamensis</i>	Tree	8-15 m	White	5
<i>Allophyllus cobbe</i>	Shrub	3-5 m	White	5
<i>Allophyllus</i> sp.	Shrub	2 m	White	5
<i>Alphitonia petriei</i>	Tree	8-20 m	White	3
<i>Alstonia actinophylla</i>	Tree	4-10 m	White	5
<i>Alstonia muelleriana</i>	Tree	8-15 m	White	5
<i>Alstonia scholaris</i>	Tree	8-15 m	White	5
<i>Alyxia ilicifolia</i>	Shrub	1-2 m	White	2
<i>Alyxia ruscifolia</i>	Shrub	1-2 m	White	5
<i>Ancana hirsuta</i>	Shrub	0.5-1 m	Yellow	2
<i>Anthocephalus chinensis</i>	Tree	15-20 m	Yellow	5
<i>Antidesma bunius</i>	Tree	3-6 m	Green	5
<i>Antidesma erostre</i>	Shrub	2-6 m	Cream	5
<i>Aphananthe philippinensis</i>	Tree	4-10 m	Cream	5
<i>Archidendron grandiflorum</i>	Shrub/Tree	4-8 m	Cream/Red	3
<i>Archidendron hirsutum</i>	Shrub	3-5 m	Pale pink	5
<i>Archidendron lucyi</i>	Shrub	3-5 m	White	2
<i>Archidendron ramiflorum</i>	Shrub	3-5 m	White	2
<i>Archidendron whitei</i>	Shrub/Tree	3-8 m	White	1
<i>Archirhodomyrtus beckleri</i>	Shrub	2-4 m	White	2
<i>Ardisia pachyrrachis</i>	Shrub	1-2 m	Cream	2
<i>Argophyllum lejourdanii</i>	Shrub	2-3 m	White	2
<i>Arytera bifoliolata</i>	Shrub/Tree	3-6 m	Cream	5
<i>Arytera divaricata</i>	Tree/Shrub	4-8 m	White	4
<i>Arytera pauciflora</i>	Shrub/Tree	3-6 m	White	3
<i>Asteromyrtus magnifica</i>	Shrub	2-4 m	Cream/Yellow	5
<i>Austromyrtus bidwillii</i>	Shrub	3-5 m	White	5
<i>Austromyrtus bidwillii</i>	Shrub	3-5 m	White	5
<i>Austromyrtus dellachiana</i>	Shrub	3-5 m	White/Cream	2
<i>Austromyrtus floribunda</i>	Shrub	2-5 m	White	5
<i>Austromyrtus</i> sp.	Shrub/Tree	3-6 m	White	5
<i>Backhousia bancroftii</i>	Tree	6-12 m	White	2
<i>Backhousia hughesii</i>	Tree/Shrub	5-10 m	Green/Cream	3
<i>Baloghia inophylla</i>	Shrub/Tree	3-6 m	Cream/Pink	5
<i>Banksia spinulosa</i>	Shrub	2 m	Yellow/Gold	3

Species	Form	Height	Flower Colour	Survival
<i>Barringtonia acutangula</i>	Shrub	2-4 m	Red	3
<i>Barringtonia asiatica</i>	Tree	3-5 m	White	2
<i>Barringtonia calyptrata</i>	Tree	5-10 m	Cream	3
<i>Blepharocarya involucrigera</i>	Tree	6-10 m	Cream	5
<i>Boehmeria platyphylla</i>	Shrub	2 m	Cream	1
<i>Brachychiton bidwillii</i>	Shrub	2-4 m	Red	5
<i>Brachychiton chillagoensis</i>	Shrub/Tree	6-8 m	Pink	5
<i>Brachychiton diversifolius</i> subsp. <i>orientalis</i>	Tree	5-10 m	Brown	5
<i>Brachychiton muellerianus</i>	Shrub/Tree	3-6 m	Red	5
<i>Brachychiton velutinosus</i>	Shrub/Tree	3-6 m	Red/Pink	5
<i>Brombya platynema</i>	Shrub	2-3 m	White	3
<i>Buchanania arborescens</i>	Tree	4-10 m	White	4
<i>Buckinghamia celsissima</i>	Shrub/Tree	3-8 m	Cream	5
<i>Buckinghamia ferruginiflora</i>	Shrub/tree	3-6 m	Cream/Rusty	3
<i>Bursaria tenuifolia</i>	Shrub	3-5 m	White	5
<i>Caldcluvia australiensis</i>	Tree/Shrub	3-8 m	White/Red	2
<i>Callicarpa brevistyla</i>	Shrub	3-6 m	Mauve/Purple	5
<i>Callicarpa penunculata</i>	Shrub	2-3 m	Purple/Mauve	5
<i>Calophyllum sil</i>	Tree/Shrub	3-8 m	White/Yellow	3
<i>Canthium odoratum</i>	Shrub	3-5 m	Cream/White	4
<i>Carallia brachiata</i>	Tree/Shrub	4-8 m	Cream	4
<i>Carissa lanceolata</i>	Shrub/Vine	2 m	White	5
<i>Carissa laxiflora</i>	Shrub/Vine	2-4 m	White/Pink	5
<i>Carissa ovata</i>	Vine/Shrub	2 m	White	5
<i>Carnarvonia</i> sp.	Shrub/Tree	3-8 m	White	3
<i>Cassia queenslandica</i>	Tree	5-10 m	Yellow	5
<i>Cassia</i> sp. <i>Paluma Range</i>	Shrub	4-5 m	Yellow	5
<i>Cassia tomentella</i>	Shrub	2-4 m	Yellow	5
<i>Castanospermum australe</i>	Tree	8-20 m	Red/Orange/Yellow	3
<i>Celtis philippinensis</i>	Tree	3-8 m	Cream/Green	5
<i>Chionanthus ramiflorus</i>	Shrub/Tree	3-6 m	White	5
<i>Chisocheton longistipitatus</i>	Tree	6-15 m	Cream	3
<i>Choriceras majus</i>	Shrub	2-4 m	White	3
<i>Choriceras tricornis</i>	Shrub	3-5 m	White	5
<i>Claoxylon tenerifolium</i>	Shrub/Tree	3-6 m	Cream	3
<i>Clausena brevistyla</i>	Shrub	3-5 m	White	5
<i>Cleidion javanicum</i>	Shrub/Tree	3-6 m	Cream	3
<i>Cleistanthus discolor</i>	Shrub	2-4 m	Cream	2
<i>Cleistanthus hylandii</i>	Shrub	2-4 m	Yellow	5
<i>Cleistanthus myrianthus</i>	Shrub/Tree	3-6 m	Cream	3
<i>Commersonia bartramia</i>	Tree	5-10 m	White	4
<i>Cordia dichotoma</i>	Shrub/Tree	3-8 m	White	5
<i>Cordia subcordata</i>	Tree	4-8 m	Orange	2
<i>Crateva religiosa</i>	Shrub	2-5 m	Cream/Purple	3

Species	Form	Height	Flower Colour	Survival
<i>Crispiloba disperma</i>	Shrub	1-2 m	White	1
<i>Croton insularis</i>	Shrub	3-5 m	Cream	5
<i>Cryptocarya laevigata</i>	Shrub/tree	3-6 m	White	3
<i>Cryptocarya murrayi</i>	Tree	5-15 m	Cream	3
<i>Cryptocarya triplinervis</i>	Tree	5-10 m	Cream	4
<i>Cupaniopsis flagelliformis</i>	Tree/Shrub	5-8 m	Pink	2
<i>Cupaniopsis flagelliformis</i>	Tree/Shrub	5-8 m	Pink	2
<i>Decaspermum humile</i>	Tree/Shrub	4-10 m	White	3
<i>Decaspermum humile</i>	Shrub/Tree	4-8 m	Pink/White	3
<i>Delarbrea michieana</i>	Shrub	3-5 m	Cream	3
<i>Deplanchea tetraphylla</i>	Tree/Shrub	3-6 m	Yellow	5
<i>Desmodium ormocarpoides</i>	Shrub	1-2 m	White	4
<i>Dillenia alata</i>	Shrub/Tree	3-10 m	Yellow	2
<i>Dimocarpus australiensis</i>	Tree/Shrub	4-8 m	Cream	4
<i>Dimocarpus australiensis</i>	Tree/Shrub	4-8 m	Cream	4
<i>Dimorphocalyx australiensis</i>	Shrub	2-4 m	White	5
<i>Diospyros calycantha</i>	Shrub	3-5 m	White	5
<i>Diospyros hebecarpa</i>	Shrub/Tree	3-6 m	White	5
<i>Diospyros humilis</i>	Shrub/Tree	3-5 m	White	5
<i>Diploglottis bracteata</i>	Shrub/Tree	4-8 m	White	2
<i>Diploglottis diphyllostegia</i>	Tree	3-8 m	Cream	4
<i>Diploglottis macrantha</i>	Shrub	2-3 m	Cream	5
<i>Diploglottis pedleyi</i>	Shrub	3-5 m	Cream	3
<i>Diploglottis smithii</i>	Tree	5-10 m	Cream	5
<i>Dissiliaria laxinervis</i>	Tree	4-10 m	White	5
<i>Drypetes deplanchei (lasiogyna)</i>	Shrub/Tree	3-8 m	Cream	5
<i>Dysoxylum arborescens</i>	Tree	6-15 m	White	2
<i>Dysoxylum oppositifolium</i>	Tree	4-15 m	White/Cream	4
<i>Dysoxylum pettigrewianum</i>	Tree	10-20 m	Cream	2
<i>Elaeocarpus bancroftii</i>	Tree	6-15 m	Cream	4
<i>Elaeocarpus coorangooloo</i>	Tree	5-15 m	Pink/White	4
<i>Elaeocarpus eumundi</i>	Tree	5-10 m	White	4
<i>Elaeocarpus grahamii</i>	Tree	5-10 m	White	3
<i>Elaeocarpus largiflorens</i>	Tree	6-15 m	Brown	3
<i>Endiandra montana</i>	Shrub/Tree	5-10 m	Cream	2
<i>Endiandra sankeyana</i>	Tree	8-20 m	Cream	3
<i>Eucalyptus ptychocarpa</i>	Tree	5-10 m	Red/Pink/White	5
<i>Eugenia reinwardtiana</i>	Shrub	1-3 m	White	5
<i>Euodia haplophylla</i>	Shrub	2-4 m	White	3
<i>Euphorbia plumerioides</i>	Shrub	2-3 m	Cream	5
<i>Euroschinus falcata</i>	Tree	6-12 m	Cream	5
<i>Evodiella meulleri</i>	Shrub	2-4 m	Pink	4
<i>Ficus albipila</i>	Tree	10-30 m		3
<i>Ficus virgata</i>	Tree/Shrub	3-5 m	Yellow/Red	5
<i>Fitzalania heteropetala</i>	Shrub	1-2 m	Black	3

Species	Form	Height	Flower Colour	Survival
<i>Flacourtia</i> sp.	Shrub	3-5 m	Cream	4
<i>Flacourtia territorialis</i>	Shrub	1-3 m	Cream	5
<i>Flindersia brassii</i>	Tree	8-20 m	White	5
<i>Flindersia brayleyana</i>	Tree	6-12 m	White	3
<i>Flindersia iffalana</i>	Tree	10-20 m	White	5
<i>Flindersia laeviscarpa</i>	Tree/Shrub	3-8 m	Red	2
<i>Flindersia oppositifolia</i>	Tree	6-10 m	Red	4
<i>Flindersia pimentelliana</i>	Tree	5-10 m	Red	2
<i>Flindersia schottiana</i>	Tree	10-20 m	White	5
<i>Fragraea berteriana</i>	Shrub	2-3 m	White/Apricot	5
<i>Fragraea racemosa</i>	Shrub	2-4 m	White	2
<i>Francisodendron laurifolium</i>	Tree	8-15 m	Cream/Brown	3
<i>Ganophyllum falcatum</i>	Tree	6-12 m	Cream	4
<i>Garcinia gibbsiae</i>	Shrub/Tree	3-6 m	Yellow	2
<i>Gardenia macgillivraei</i>	Shrub	2-3 m	White/Apricot	5
<i>Gardenia ochreatea</i>	Shrub	1-3 m	White/Apricot	5
<i>Gardenia ovularis</i>	Shrub	2-5 m	White/Apricot	3
<i>Gardenia rupicola</i>	Shrub	0.5-1 m	White	5
<i>Gardenia scabrella</i>	Shrub	1-2 m	White	5
<i>Gardenia tessellaris</i>	Shrub	2-3 m	White	5
<i>Gardenia vilhelmii</i>	Shrub	2-4 m	White	5
<i>Geissois biagiana</i>	Tree	6-15 m	White/Cream	2
<i>Gmelina dalrympleana</i>	Shrub/Tree	3-6 m	Pink/Mauve/Yell	5
<i>Graptophyllum excelsum</i>	Shrub	1-2 m	Red	5
<i>Graptophyllum ilicifolia</i>	Shrub	2 m	Red	5
<i>Grevillea hilliana</i>	Tree/Shrub	5-10 m	Cream/Green	5
<i>Guettardella tenuiflora</i>	Shrub/tree	3-5 m	White	3
<i>Guioa lasioneura</i>	Shrub	3-5 m	Cream	3
<i>Gymnostoma australiana</i>	Shrub/Tree	4-8 m	Brown	2
<i>Halfordia kendack</i>	Shrub	2-5 m	White/Cream	3
<i>Halfordia scleroxyla</i>	Shrub/Tree	3-8 m	White	3
<i>Harpulli arhythicarpa</i>	Shrub	2-3 m	White	3
<i>Harpullia arborea</i>	Tree	5-10 m	White	3
<i>Harpullia ramiflora</i>	Shrub	3-6 m	White	5
<i>Helicia australasica</i>	Shrub/Tree	3-6 m	Cream/Purple	3
<i>Helicia blakei</i>	Shrub	2-4 m	Yellow	1
<i>Helicia nortoniana</i>	Shrub	3-8 m	Cream	3
<i>Helicteres isoria</i>	Shrub	1-2 m	Orange/Yellow	5
<i>Helicteres semiglauca</i>	Shrub	1 m	Mauve	5
<i>Hemandia bivalvis</i>	Tree/Shrub	4-8 m	White	5
<i>Hibiscus tiliaceus</i>	Shrub/Tree	3-6 m	Yellow	5
<i>Hollandaea sayeriana</i>	Shrub/Tree	3-6 m	Pink	3
<i>Homalium brachybotrys</i>	Shrub/Tree	3-6 m	Cream	5
<i>Homalium circumpinnatum</i>	Shrub/Tree	3-8 m	White	5
<i>Hypoestes floribunda</i>	Shrub/Herb	1 m	Purple	5

Species	Form	Height	Flower Colour	Survival
<i>Intsia bijuga</i>	Tree	6-15 m	White/Green	3
<i>Jagera pseudorhus</i>	Tree	4-8 m	Cream	5
<i>Lagerstroemia archeriana</i>	Shrub	3-6 m	Purple	5
<i>Leea indica</i>	Shrub	2-3 m	Cream	5
<i>Leea rubra</i>	Shrub	1-2 m	Cream/Red	5
<i>Lepiderema hirsuta</i>	Shrub	3-5 m	Pink	3
<i>Lepiderema largiflorens</i>	Shrub/Tree	3-5 m	Cream	3
<i>Lepiderema sericolignis</i>	Shrub/Tree	3-6 m	White	3
<i>Leptospermum amboinensis</i>	Shrub	2-4 m	White/Pink	5
<i>Lindsayomyrtus racemoides</i>	Tree	5-15 m	Yellow/White	3
<i>Litsea breviumbellata</i>	Shrub/Tree	3-6 m	Brown	5
<i>Litsea glutinosa</i>	Shrub	3-4 m	Cream	5
<i>Lysiphyllum hookeri</i>	Tree	4-8 m	White	5
<i>Macadamia claudiensis</i>	Tree	4-10 m	White	3
<i>Macadamia grandis</i>	Tree	4-10 m	White	3
<i>Macadamia whelanii</i>	Tree	5-10 m	White/Cream	4
<i>Macaranga polyadenia</i>	Shrub	3-5 m	Red	3
<i>Macaranga subdentata</i>	Shrub/Tree	3-6 m	Cream	3
<i>Macaranga tenarius</i>	Tree	5-10 m	Cream	5
<i>Macrostelia</i> sp.	Shrub	1 m	Red	5
<i>Mallotus ficifolius</i>	Shrub	2-5 m	Yellow	3
<i>Manilkara kauki</i>	Shrub/Tree	3-6 m	White	5
<i>Maytenus fasciculiflora</i>	Shrub	2-4 m	White	5
<i>Maytenus fasciculiflora</i>	Shrub	2-4 m	White	5
<i>Medicosma fareana</i>	Shrub	2-3 m	White	3
<i>Melaleuca dealbata</i>	Tree	5-15 m	Cream	5
<i>Melicope (Euodia) sp.</i>	Tree/Shrub	5-8 m	White	4
<i>Melicope melanophloia</i>	Shrub/Tree	4-10 m	White	5
<i>Melochia umbellata</i>	Shrub/Tree	3-8 m	Pink	5
<i>Melodorum leichhardtii</i> (<i>Rauwenhoffia</i>)	Vine/Shrub	Large	Yellow	5
<i>Micromelum minutum</i>	Shrub	1-2 m	White/Cream	5
<i>Mischocarpus exangulatus</i>	Shrub/Tree	3-5 m	Cream	2
<i>Mischocarpus lachnocarpus</i>	Shrub	3-5 m	Cream	3
<i>Morinda reticulata</i>	Vine/Shrub	1-5 m	White	3
<i>Murraya paniculata</i>	Shrub	2-5 m	White	5
<i>Musgravea stenostachya</i>	Tree/Shrub	5-15 m	Cream	1
<i>Myristica muelleri</i>	Tree	5-15 m	Cream/Brown	2
<i>Nauclea orientalis</i>	Tree	6-20 m	White/Yellow	3
<i>Neonauclea glabra (gordoniana)</i>	Shrub/Tree	3-8 m	White/Yellow	3
<i>Neorites kevediana</i>	Tree	5-15 m	White	3
<i>Noahdendron nicholasii</i>	Shrub	2-5 m	Pink	2
<i>Ochrosia elliptica</i>	Shrub	2-4 m	White	4
<i>Opisthiopsis heterophylla</i>	Tree	6-15 m	White	3
<i>Ormosia ormondii</i>	Tree	5-10 m	Red	3
<i>Orthosiphon aristatus</i>	Herb/Shrub	0.5-1 m	Purple/White	4

Species	Form	Height	Flower Colour	Survival
<i>Pararchidendron pruinatum</i>	Tree	8-15 m	Cream/Apricot	5
<i>Paraserianthes toona</i>	Tree	8-20 m	Cream	5
<i>Pavetta granitica</i>	Shrub	2-3 m	White	5
<i>Phaleria clerodendron</i>	Shrub	3-5 m	White	2
<i>Phaleria octandra</i>	Shrub	2-4 m	White	4
<i>Phyllanthus cuscutiflorus</i>	Shrub	3-5 m	Pink/White	5
<i>Pilidostigma tropicum</i>	Shrub	3-5 m	Cream	1
<i>Pittosporum rubiginosum</i>	Shrub	1-3 m	White	3
<i>Planchonia careya</i>	Shrub/Tree	3-6 m	White	5
<i>Pleomele angustifolia</i>	Shrub	2-3 m	White	3
<i>Podocarpus smithii</i>	Tree/Shrub	4-10 m	Green	2
<i>Pongamia pinnata</i>	Tree	5-10 m	White/Green/Pink	5
<i>Pouteria castanosperma</i>	Tree/shrub	4-10 m	Cream	3
<i>Premna serratifolia</i>	Shrub	3-5 m	Cream	5
<i>Pseuduvaria froggattii</i>	Shrub	3-5 m	Purple/cream	2
<i>Psychotria loniceroides</i>	Shrub	1-2 m	White	5
<i>Pullea stutzeri</i>	Tree/Shrub	4-10 m	White	2
<i>Quassia</i> sp.	Shrub	1-2 m	Pink	1
<i>Randia fitzalanii</i>	Shrub	3-5 m	White	5
<i>Randia sessilis</i>	Shrub	2-4 m	White	5
<i>Randia sessilis</i>	Shrub	2-4 m	White	5
<i>Rhodamnia blairiana</i>	Shrub	3-5 m	Cream	2
<i>Rhodamnia spongiosa</i>	Shrub	2-4 m	Cream/Yellow	4
<i>Rhodomyrtus canescens</i>	Shrub	2-4 m	White	3
<i>Rhus taitensis</i>	Tree	5-10 m	White	5
<i>Sarcomelicope simplicifolia</i>	Shrub/Tree	4-8 m	Lemon/Cream	5
<i>Sarcotochia serrate</i>	Shrub	3-5 m	Cream	3
<i>Schefflera versteeghii</i>	Shrub	2-3 m	Cream	5
<i>Scolopia braunii</i>	Shrub/Tree	3-8 m	Cream/Brown	5
<i>Senna magnifolia (Cassia)</i>	Shrub	1-2 m	Yellow	5
<i>Stenocarpus angustifolius</i>	Shrub	1-3 m	Cream	5
<i>Stenocarpus davallioides</i>	Shrub/Tree	3-10 m	Cream	3
<i>Stenocarpus sinuatus</i>	Tree	5-10 m	Red	4
<i>Synima cordierorum</i>	Tree/Shrub	4-8 m	Cream	3
<i>Syzygium alliiignum</i>	Tree	6-12 m	White	3
<i>Syzygium angophoroides</i>	Tree	6-15 m	White	3
<i>Syzygium apodophyllum</i>	Tree/Shrub	3-10 m	White	2
<i>Syzygium aqueum</i>	Shrub/Tree	4-8 m	White	2
<i>Syzygium australe</i>	Shrub	3-5 m	White	5
<i>Syzygium banksii</i>	Shrub	3-5 m	Cream/White	2
<i>Syzygium boonjee</i>	Shrub	2-4 m	Apricot	3
<i>Syzygium branderhorstii</i>	Tree/Shrub	3-5 m	White	5
<i>Syzygium cormiflorum</i>	Tree	5-8 m	White	5
<i>Syzygium endophloium</i>	Tree/Shrub	3-8 m	White	3
<i>Syzygium erythrocalyx</i>	Tree/Shrub	5-10 m	Green	2

Species	Form	Height	Flower Colour	Survival
<i>Syzygium eucalyptoides</i> spp. <i>eucalyptoides</i>	Shrub/Tree	3-8 m	White	5
<i>Syzygium fibrosum</i>	Shrub	3-5 m	White/Apricot	5
<i>Syzygium forte</i>	Tree	6-15 m	White	5
<i>Syzygium gustavioides</i>	Tree	5-15 m	White	2
<i>Syzygium kuranda</i>	Tree	8-15 m	White	3
<i>Syzygium luehmannii</i>	Tree	5-10 m	White	5
<i>Syzygium macilwraithianum</i>	Tree	5-10 m	White	4
<i>Syzygium malaccense</i>	Tree	5-10 m	Pink/White	3
<i>Syzygium nervosum</i>	Tree	5-8 m	Cream	2
<i>Syzygium oleosum</i>	Shrub	2-4 m	White	5
<i>Syzygium papyraceum</i>	Tree/Shrub	3-10 m	Purple	3
<i>Syzygium pseudofastigiatum</i>	Tree	5-15 m	White	4
<i>Syzygium puberulum</i>	Shrub	3-5 m	White	2
<i>Syzygium rubrimolle</i>	Shrub	3-5 m	White	5
<i>Syzygium suborbiculare</i>	Tree	5-10 m	White	5
<i>Syzygium tierneyanum</i>	Tree	5-10 m	White	5
<i>Syzygium trachyphloium</i>	Tree/Shrub	3-8 m	White	2
<i>Syzygium wilsonii</i> subsp. <i>cryptophlebium</i>	Shrub/Tree	2-8 m	White/Pink	2
<i>Syzygium wilsonii</i> subsp. <i>wilsonii</i>	Shrub	1-3 m	Red	3
<i>Tabemaemontana orientalis</i>	Shrub	1-2 m	White	5
<i>Tasmannia membranea</i>	Shrub/Tree	3-10 m	White	2
<i>Terminalia muelleri</i>	Tree	6-10 m	White	5
<i>Terminalia sericocarpa</i>	Tree	5-10 m	White	5
<i>Ternstroemia cherryi</i>	Tree/Shrub	3-6 m	Cream	3
<i>Thryptomene oligandra</i>	Shrub	3-4 m	White	3
<i>Toechima daemelianum</i>	Shrub/Tree	3-6 m	Cream	5
<i>Toechima pterocarpum</i>	Shrub	3-5 m	White	3
<i>Toona ciliata (australis)</i>	Tree	8-15 m	White	5
<i>Uvaria membranacea</i>	Vine/Shrub	Medium	Orange	5
<i>Uvaria rufa</i>	Vine/Shrub	Medium	Orange	5
<i>Waterhousea hedraiophylla</i>	Tree/Shrub	3-10 m	White	3
<i>Welchiodendron longivalve</i>	Shrub/Tree	3-8 m	Yellow	5
<i>Wrightia pubescens</i>	Shrub/Tree	3-5 m	White	3
<i>Xanthostemon chrysanthus</i>	Shrub/Tree	3-8 m	Yellow	5
<i>Xanthostemon crenulatus</i>	Shrub/Tree	3-10 m	Brown/Cream	3
<i>Xanthostemon graniticus</i>	Shrub	2-4 m	Cream	3
<i>Xanthostemon youngii</i>	Shrub	2-4 m	Red/Yellow	1

Survival Rating with 1 being Soft and 5 Hardy

Schedule B - Administration Details

IPA version	Council's resolution	
	Adopted	21 December 2004

THE MAREEBA SHIRE PLANNING SCHEME

	Commenced	10 January 2005
	Amended	

PLANNING SCHEME POLICY 10

Structure Planning Guidelines

Purpose

The purpose of this policy is to provide guidelines for the preparation of a Structure Plan for development of land within the Myola and Future Residential zones.

Applicability

- (1) This policy applies to assessable development where a relevant zone code in the planning scheme requires that a Structure Plan be prepared.
- (2) Schedule B sets out the details of the adoption, commencement and amendment of this Policy.

Planning Framework

Council may adopt a Structure Plan by:

- (a) preparing, on its own initiative or in partnership with others, a Structure Plan that is incorporated into the Plan; or
- (b) granting a preliminary approval to a development application that incorporates a Structure Plan.

A Structure Plan provides a planning framework to guide the development of individual sites within the intended zone and integrate them with developments on surrounding properties. A Structure Plan is developed as a precursor to the development of land within the Myola and Future Residential zones

The major components of the site are to be designed with consideration of this broader context. It should be clear how the proposed development will integrate into the existing or proposed planning framework of the surrounding community. However, at the Structure Plan stage, site development is only to be shown conceptually with flexibility to allow the proposal to be refined and improved as detailed design considerations come to light.

Scope of Structure Plans

The scope of a Structure Plan is to be tailored to match the scale and likely impact of the individual development. All Structure Plans are to initially establish the broader physical and planning issues pertinent to the site, including environmental issues such as flooding, soil contamination, noise, air quality, health and safety, and urban infrastructure.

Future Residential -Structure Plan

Future Residential Structure Plan is intended to implement the Overall Outcomes of the Future Residential zone.

Land in these areas is not serviced and cannot be developed until coordinated planning for development and servicing has been undertaken.

Well co-ordinated and planned development is also important where it is proposed to develop a large site without subdivision; a Residential Structure Plan will still be required.

Reconfiguration of a lot will only be permitted in accordance with an adopted or approved Structure Plan for the zone.

In addition to the general requirements for a Structure Plan, a Residential Structure Plan is to demonstrate:

- integration of the site with the surrounding road system
- retaining land with environmental or scenic constraint
- integration of the site with surrounding development including any necessary buffering
- that any subdivision proposal is appropriate for the intended residential use for the locality.

Residential Structure Plans are to be consistent with the intent of the Planning Scheme.

Myola- Structure Plan

The Myola Structure Plan is intended to implement the Overall Outcomes of the Myola zone.

Land in this zone cannot be developed until a structure plan guiding the development and management of the Myola area over the next 10-15 years has been adopted or approved by Council.

Accordingly, the preparation of a Structure Plan may require investigations, studies relating to environmental management, sewerage disposal and land use planning

These are to include:

Sewerage and Water Quality Study

- Detailed investigations into the disposal of sewerage necessary to determine the most appropriate location and form of a sewerage treatment plant for the whole of the Myola zone.
- The identification of sewerage catchments to determine the most suitable staging, timing and cost for the provision of sewerage infrastructure for the whole of the Myola zone.
- The likely impact of existing septic tank usage on water quality of the Barron River and creeks in the Myola area.
- The appropriate means of sewerage disposal on larger residential allotments that are not proposed to be connected to a reticulated sewerage system.
- In addition the Structure Plan should also include detailed planning, design and layout (such as a Local Area Plan) for the whole of the zone, as referred to in Myola Study.

Water Supply Study

- Detailed investigation into the required infrastructure for water supply, including the location and form of the intake works from the Barron River.
- The identification of water supply catchments and the most suitable staging timing and cost for the provision of water supply infrastructure.

Environmental Management Study

- On-site investigations to more clearly define areas of environmental significance, particularly in Precincts A and C of the Myola zone.
- Investigations into binding and non-binding options to protect the environmental values of the Myola area, such as environmental covenants.
- Investigations into the most appropriate management tools to ensure habitat movement is maintained
- Investigating suitable management tools to adequately manage the impacts from domestic pets on environmental values in the Myola area.

Protection and Rehabilitation of Creeklines and Ridgelines

- Investigating options to protect and rehabilitate natural creeklines and area of scenic importance, such as ridgelines.

The creeklines and ridgelines that exist in the study area are of both environmental and scenic importance. These areas should be protected and maintained and, where necessary, rehabilitated to a natural state. Wherever possible, these areas should form part of a planned open space system for the Myola areas to be achieved at the time of subdivision and development.

Information Required in a Structure Plan

Each Structure Plan is to contain the degree of detail appropriate to the particular proposal and its circumstances. At a minimum, it is to include a plan and/or statement that:

- (a) provides a site description of the land;
- (b) addresses key issues including:
 - topography, landscape and significant vegetation;
 - existing environmental constraints and opportunities;

- existing streets and localities;
 - existing land uses of surrounding sites and their compatibility with the proposed development;
 - Flooding ,Landslide and Bush fire
- (c) indicates an approximate lot or dwelling yield for the proposed development;
- (d) shows the location, mix and density of the range of proposed land uses;
- (e) illustrates how the proposal fits into the overall road hierarchy and transport network;
- (f) demonstrates that consideration has been given to potential subdivision and development of adjoining allotments;
- (g) illustrates, where applicable, the approximate location and extent of facilities proposed eg, emergency services etc;
- (h) illustrates the general location of public open space including open space linkages and networks;
- (i) shows, where applicable, the notional pedestrian/cycle network and links to internal facilities, adjacent neighbourhoods and facilities, ie, schools, retail and commercial centres, recreation areas, railway stations, public transport interchanges and places of employment;
- (j) addresses environmental, cultural and heritage issues;
- (k) broadly show physical infrastructure to be provided;
- (l) shows the location of major stormwater flow paths;
- (m) illustrates the initial concept for staging of the development; and
- (n) demonstrates that consideration has been given to all relevant environmental issues, including those pertaining to any short term and cumulative impact on biodiversity and cultural heritage values.

Later Stages of Development

Once the Structure Plan has been adopted or approved, it is used to guide the design of subdivision stages and components of development.

Subsequent reconfiguration of a lot or material change of use applications that are consistent with the preliminary approval will be facilitated through faster approvals and less onerous levels of assessment where:

- (a) the Structure Plan is sufficiently detailed; and
- (b) there is an applicable Code for the intended development.

Development would be assessed against the relevant zone Code and the Structure Plan.

Community Consultation

The preparation of a Structure Plan will normally entail the level of consultation required by the Integrated Planning Act 1997 for impact assessable development. However, where the site or the proposal entails complex issues and the Structure Plan is inadequately detailed to facilitate informed public submissions, Council may require additional material and consultation as part of an information request. This may include community consultation procedures for plan preparation and testing before the Structure Plan is submitted for consideration or adoption.

Schedule B - Administration Details

IPA version	Council's resolution	
	Adopted	21 December 2004
	Commenced	10 January 2005
	Amended	

PART 9

PERFORMANCE INDICATORS

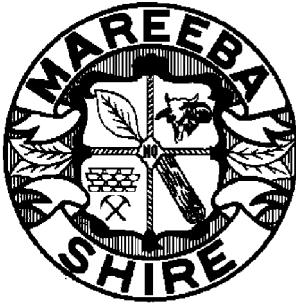
9.1 Performance Indicators

The performance indicators for the Planning scheme are stated in column 2 in the table opposite the corresponding desired environmental outcome.

Column 1 Desired Environmental outcome	Column 2 Performance indicator
(a) Significant natural features such as the dense tropical rainforest adjoining the Wet Tropics area, the savannas, the major river systems, wetlands and wildlife corridors, areas identified in the Areas of Regional significance for the Conservation of Biodiversity are protected.	(a) Where development has occurred, has is adversely affected the significant natural features in the local government area?
(b) The values of significant cultural heritage features and heritage conservation, the components of which include aesthetic, architectural, historic, social or spiritual significance are conserved and protected.	(b) Where development has occurred, has is adversely affected the significant cultural heritage features?
(c) Adverse effects from development on the natural environment are minimised with respect to the loss of natural vegetation, soil degradation, air and water pollution due to erosion, dust and chemical contamination, dispersal of pollutants, effluent disposal and the like.	(c) Where development has occurred, has it resulted in inappropriate clearing of natural vegetation, soil degradation and water pollution?
(d) Good quality agricultural land is conserved and protected from fragmentation and alienation.	(d) Where development has occurred, has it resulted in the fragmentation of good agricultural land?
(e) Agricultural and forestry resources, mining, extractive activity in the rural sector are encouraged, facilitated and protected.	(e) Where development has occurred, has is adversely affected the productivity and availability of resources?
(f) The amenity and safety of land uses adjoining industrial estates and agricultural areas adjoining urban centres are protected from potential noise and air pollution.	(f) Where non-residential development has occurred, has it been designed and located to minimise impacts on adjoining residential uses?
(g) The standard and location of the built environment, particularly in Mareeba and Kuranda, minimise the use of non-renewable resources, having regard to associated wastewater and effluent disposal infrastructure.	(g) Where development has occurred, has it avoided adverse impacts on the environment?
(h) All members of the community have appropriate access to relevant services and facilities that meet their needs and create a sense of community satisfaction.	(h) Where new housing, services or facilities have been provided, do they reflect community need?
(i) The efficient use, extension and safe operation of infrastructure are maximised, including roads, rail, aerodromes, water and sewerage systems.	(i) Where development has occurred, is it within the preferred areas provided for future development, and has it avoided adverse affects on transport and urban infrastructure?

THE MAREEBA SHIRE PLANNING SCHEME

(j) Threats to public safety and health associated with the natural and built environments.	(j) Where development has occurred, has it ignored public safety?
(k) Communities of Biboohra, Chillagoe, Dimbulah, Irvinebank, and Julatten, Mount Molloy, and Watsonville will continue to be maintained and provided with appropriate levels of services and facilities, as secondary to the primary residential settlements of Mareeba and Kuranda.	(k) Where development has occurred, has it adversely affected the level of services and facilities within these townships?
(l) Residential uses are consolidated in identified urban nodes, including the existing townships and settlements and the rural landscape is protected from encroachment of urban uses.	(l) Where development has occurred, has it created a precedent for urban sprawl and encroachment into the agricultural sector?
(m) Integrated Open Space networks comprising of national parks, botanical gardens river esplanades, pedestrian and bicycle pathways and wetlands provide a pleasant and safe public environment for aesthetic enjoyment, cultural, recreational and social interaction. Natural public open space areas are integrated into a network with conservation and natural resources areas such as State Forests to maximise habitat and corridor protection.	(m) Where development has occurred, has it adversely impacted on access to, and the availability of, public spaces or places?
(n) Mareeba's role and identity as the main business, economic centre and regional service centre and gateway to the Cape is consolidated.	(n) Has development which contributes to the economic growth of the Shire occurred in appropriate locations?
(o) The Mareeba township and the Myola district, as identified by the Myola Feasibility Study are the primary residential nodes to accommodate future urban growth in accordance with the FNQ Regional Plan.	(o) Has the scheme provisions been successful in preserving the Myola district for future urban growth?
(p) The Kuranda Village's role and identity not only as an international tourist destination but as a residential centre and a functional service location for the wider district is protected and enhanced whilst ensuring the community's harmony and a sense of place is maximised through ensuring that the mix between tourists and residents meets the needs of both groups.	(p) Where development has occurred, has it adversely affected the tourist potential of the village and ignored the needs of the wider community of Kuranda?
(q) The establishment of new industries such as value adding agricultural industries as well as ecotourism and tradeable services beyond agriculture.	(q) Has new industries contributing to the economic development of agriculture been established?
(r) The identification and protection of the amenity of noise sensitive development and liveability of residential areas.	(r) Where development has occurred, has it met established standards to mitigate against noise?
(s) The provision of pedestrian and bicycle facilities in urban areas.	(s) Has new development provided safe access?



MAREEBA SHIRE COUNCIL
PLANNING SCHEME

**EXPLANATORY
NOTES**

**EXPECTATIONS FOR
THE MAREEBA SHIRE
AND
HOW THE PLANNING
SCHEME RESPONDS**

1 OVERVIEW

1.1 Regional and Local Context

Mareeba Shire which covers some 53,457km² is located in Far North Queensland.

The Far North Queensland local government areas of Atherton, Cairns Cardwell, Douglas, Eacham, part of Herberton and part of Mareeba form the boundaries of the FNQ Regional Planning process.

Geographically this region is comprised of two distinct land forms, the narrow coastal plains and the elevated tablelands and open country to the west.

The natural areas of the region are characterised by their quality, diversity and scarcity. Many plants and animals, as well as the ecosystems and habitats which support them are unique and of major significance to both Australia and the world.

There are two world heritage areas in the region - the Wet Tropics rainforest and the Great Barrier Reef Marine Park.

The region is well endowed with natural resources which underpin the region's substantial economic activity.

These include the vast areas of good quality agricultural land, extensive surface and underground water resources, commercial and natural timber resources and a diversity of marine and fresh water commercial fish stocks.

Primary industry activities include agriculture, horticulture, dairy and beef cattle, fishing, aquaculture, mining, quarrying and forestry.

The main agricultural areas are located on the coastal plains and on the tablelands around Atherton and the Mareeba-Dimbulah Irrigation Area, where sugar cane and other agricultural products such as tobacco, mangoes, cereals, peanuts, bananas, vegetables and

other tropical fruits are grown. Tourism has been the fastest growing industry over the past decade.

Cairns accommodates the region's major commercial, retail entertainment and educational and tourism centre and is the hub for major road, rail, air and sea connections. Other significant urban centres include Mossman, Innisfail, Tully on the coastal plains and Mareeba and Atherton on the Tablelands.

The population of the region was estimated at 192,000 with an annual growth rate of 2.4 percent. Approximately 60 percent of the population resides in Cairns.

The Far North Queensland Regional Plan which provides a strategic framework to ensure the continued growth, prosperity and economic development of the region estimated a growth projection for the region to be in the order of 287,000 by the year 2016.

For Mareeba, however, the 2001 Census shows a slightly declining population, although housing growth remains steady. Sufficient land is identified within the planning scheme, to accommodate expected housing and business growth for at least 10 years.

Mareeba Shire is one of the largest Shires in Queensland, with its principle townships being Mareeba, Kuranda, Chillagoe, Dimbulah Mount Molloy and Irvinebank.

The diverse economy of the Shire is built on agriculture, horticulture, tourism, grazing, mining and light industry.

The Mareeba Dimbulah Irrigation Scheme which covers an area of approximately 43,600 hectares provides for a diverse range of agricultural and horticultural crops such as sugar cane, mangoes, coffee, lychees and a host of other tropical fruits including the recent introduction of bananas.

2 MAREEBA SHIRE CHARACTERISTICS

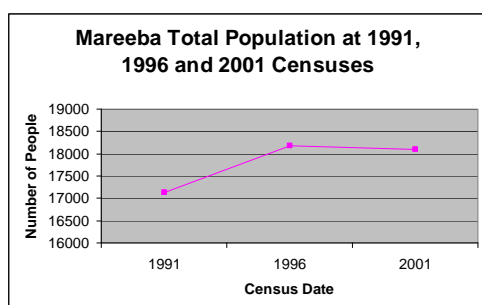
2.1 Population Characteristics and Demographics

2.1.1 Projections and Census Data

The total number of people counted in the Mareeba Shire on the census night of 7 August 2001 was 18,096. This included 135 overseas visitors and 961 domestic visitors.

The total enumerated population in the Mareeba Shire decreased by 92 people between the 1996 and 2001 censuses, representing negative growth of -0.51%.

This population decline is a new trend, following population growth up to 2001, as shown in the following table:



The usually resident population of Mareeba as at 7 August 2001 was 17,592 persons. This included 16,731 counted at home and 861 persons counted elsewhere in Australia on that day (ABS, 2003).

This is much lower than the resident population estimate of 18,417 persons at June 2001 made by the DLGP PIFU (August 2002).

The latest population projections available from the DLGP PIFU are based on this estimate (Table 1) and on the assumption of a continuation of the growth trend shown up to 1996. These projections are shown in Table 1.

Table 1
Population projections for the Mareeba Shire

	Projected Population		
	Low	Medium	High
2006	19,506	19,954	20,230
2011	19,886	20,759	21,280
2016	20,184	21,473	22,220
2021	20,410	22,102	23,066

Source: Planning Information and Forecasting Unit (PIFU), Department of Local Government and Planning (DLGP), August 2002.

Using the low series projections and the usually resident population of Mareeba at 7 August 2001, expected increases in population are as follows:

	Expected increase
2001 - 2006	+ 1914
2001 - 2011	+ 2294
2001 - 2016	+ 2592
2001 - 2021	+ 2818

This is an average increase of 141 persons per year over the 20 years.

Under the medium series projection, average increase would be 226 persons per year.

Under the high series projection, average increase would be 274 persons per year.

These projections will be revised by DLGP PIFU later this year. Any projections must take into account the recent negative growth trend.

Population change between 1996 and 2001.

The total enumerated population in the Mareeba Shire decreased by 92 people between the 1996 and 2001 censuses, representing negative growth of -0.51%. As natural increase (births – deaths) between 1996 and 2001 contributed 548 extra people to the Mareeba Shire (DLGP PIFU, 2003) it can be assumed that net migration (including visitors) was responsible for the loss of 640 people from the shire between 1996 and 2001, leading to an overall decrease of 92 people.

The number of males decreased by 466 in this period while the number of females increased by 374. The largest decline occurred in the male age group 25-44 years.

This age group decreased by 548 men. Some of this decrease could be accounted for by the difference between the size of the 20-24 age group moving into the 25-44 yr group and the size of the 40-44 yr group moving into the 45-49 group over the five years. Some would be accounted for by deaths during the five years. The rest has to be accounted for by out migration.

A possible explanation is that males have been moving out of the shire due to decreased employment opportunities, particularly related to the impacts of the downturn in agriculture, and the closure of the Red Dome and Kidston mining operations.

2.1.3 Age Structure

Table 2

- **Ages of People in Mareeba Shire**
- **People Enumerated in Mareeba Shire (Excluding Overseas Visitors)**
- **Age by Sex (in 2001 and 1996)**

	Census Year	0-14 years	15-24 years	25-44 years	45-64 years	65 years+	Total
Total	2001	3,915	2,036	5,068	4,672	2,273	17,964
	1996	4,272	2,103	5,428	4,269	1,972	18,044
Percentage	2001	22%	11%	28%	26%	13%	100%
	1996	23.5%	12%	30%	23.5%	11%	100%

Ageing of the Population

The population is ageing, consistent with state and national trends.

The median age of the Mareeba Shire population increased from 35 years in 1996 to 37 years in 2001. It is projected this will increase to 46 years in 2021 (DLGP PIFU, 2002). The proportion of the population under 45

years will decline and the proportion over 45 years will increase.

Mareeba Shire is ageing at a greater rate than the Queensland population (expected median 40 yrs in 2021) but at a lesser rate than neighbouring shires.

2.1.4 Aboriginal and Torres Strait Islander People

12% of people who completed the Census form in Mareeba Shire in 2001 identified themselves as of Indigenous origin - 2,099 people (881 males and 1,218 females). In 1996 the proportion was 9.9% (977 males and 830 females), and in 1991 it was 8.8% (768 males

and 722 females). Table 4 shows numbers of people who identified themselves as of Aboriginal, Torres Strait Islander, and both Aboriginal and Torres Strait Islander origin.

Table 4

People Identifying Themselves as of Indigenous Origin in the 2001 Census

	Males	Females	Total
Aboriginal Origin	762	1,082	1,844
Torres Strait Islander Origin	68	91	159
Aboriginal/Torres Strait Islander Origin	51	45	96
Total Indigenous People	881	1,218	2,099

It is interesting to note the steady increases in proportions of people, particularly females, identifying themselves as of Indigenous origin. It is possible that this phenomenon can be explained, at least partially, as follows:

- A higher birth rate among people of Indigenous origin as compared to other Australians (although this is likely to be balanced out, to a certain extent, by a higher mortality rate amongst these people).

- Increased pride in Indigenous heritage as Indigenous cultures and languages are increasingly recognised and valued in education, arts and media sectors.

The increased numbers of people identifying themselves as of indigenous origin has implications for service access and provision, and in the longer term possible implications for increasing demand for facilities and housing on traditionally owned and managed land, under Native Title.

2.1.5 People Not Born in Australia

In the 2001 Census 3,090 people enumerated in Mareeba Shire stated that they were born in a country other than Australia (17% of the total population). Over 39 different countries of birth were recorded. The three highest countries of birth were Italy, United Kingdom and New Zealand.

75% of these migrants arrived in Australia before 1986.

Proportions of people born in Italy have been steadily decreasing over the past ten years, while proportions of people born in the United Kingdom and New Zealand have remained constant, as shown in Table 6.

Table 6**Main Countries of Birth (other than Australia) in Mareeba Shire in the 1991, 1996 and 2001 Census**

Census Year	Italy	United Kingdom	New Zealand
1991	978 (5.8%)	619 (3.6%)	268 (1.6%)
1996	910 (5.0%)	658 (3.6%)	305 (1.7%)
2001	823 (4.6%)	643 (3.6%)	320 (1.8%)

2.1.6 People who Spoke a Language other than English at Home

According to the 2001 Census, the most common language other than English spoken at home in Mareeba Shire was Italian, while the second most common language was German. This is consistent with 1996 and 1991 Census data, as shown in Table 7. Interestingly, Croatian has overtaken Spanish as the

third most commonly spoken language other than English.

10% of those who spoke another language stated they did not speak English well or at all.

Table 7**Numbers and Proportions of People - Most Commonly Spoken Languages Spoken at Home in Mareeba Shire - 1991, 1996 and 2001**

	1991	1996	2001
Italian	1667 (9.8%)	1441 (8.0%)	1278 (7.1%)
German	154 (0.91%)	184 (1.0%)	145 (0.81%)
Spanish	107 (0.63%)	112 (0.62%)	
Croatian			119 (0.66%)

Note that in 1991 and 1996, these figures did not include people under the age of 5 years. In 2001 these people were included.

2.1.7 Income

The median weekly income for people aged 15 years and over in Mareeba Shire in 2001 was \$200 to \$299. It is emphasised that this statistic is not directly comparable to the statistics for 1996 and 1991 due to differences in methodologies across the Census years,

and lack of accounting for inflationary factors. However, it is perhaps significant that the median income statistic for Mareeba Shire has remained the same over all three Census years (1991, 1996 and 2001) while Consumer Price Indices have risen.

2.1.8 Implications of Demographic Profiles

The Shire is characterised by a population which will require lower cost housing options and easily accessible services and community infrastructure, both in Mareeba and the Shire's smaller townships. Client groups within the population are in high needs categories, with service demand growing as the population ages.

New employment opportunities need to be made available to stem the out-migration of people of working age.

2.2 SETTLEMENTS**2.2.1 Building Activity**

Dwelling house construction activity decreased in Mareeba Shire in the year ending June 2001 with 50 approvals, as compared to 113 approvals in the previous year.

In the subsequent period to March 2002, however, approvals increased to 60 for the part year, indicating that the previous recorded decrease may have been a temporary response to the impacts of GST.

A comparison of the uncompleted lots within the Shire indicates that there has been strong take up in rural residential allotments between September to December 2001.

Lot approvals are mainly concentrated in and around the Mareeba township, Kuranda environs and Julatten.

2.2.2 Mareeba Township

The existing land bank of approved (but not yet developed) allotments in and around the Mareeba township consists of 893 Residential Low Density lots, 222 Park Residential lots and 103 Rural Residential allotments.

At the current slow take up rate there is a sufficient land bank for residential low density development for the life of the planning scheme. Whilst the long term strategy

of the 1994 Strategic Plan indicated the future development of some 2800 hectares for urban use, it would now appear unrealistic to set aside such large tracks of land for urban development within the life time of the proposed planning scheme. This land allocation has been reduced by the introduction of a Future Residential zone.

2.2.3 Kuranda

The second largest urban node within the Shire is Kuranda. This node includes the village of Kuranda and its immediate environs and comprises mainly of rural residential allotments ranging in size from 4000m² to two hectares and beyond. The population of the "Kuranda" district, which includes the Kuranda township, Myola and Speewah, is in the vicinity of 3500 including 350 persons residing in the Village proper.

This area of the Shire is under development growth pressure mainly because of its strategic location on the western escarpment of the coastal range and its close proximity to Cairns. It also adjoins the Wet Tropics World Heritage Area. Between 1991 and 1996 the growth rate in the Kuranda region accounted for 60 to 70% of the growth rate within the Shire. The growth rate

in the Kuranda region as in the wider Cairns region has, however slowed down in the last two years.

Approved lots in the Kuranda region amount to 218. Allocation of further land for Rural Residential or Residential Low Density in the Kuranda region depends largely on the outcome of the Myola Feasibility Study which itself depends on the State Government's decision to upgrade the Kuranda Range. It appears that there is a sufficient land bank of residential land within these two urban nodes to satisfy the short-term demand within the life of the Planning Scheme with Mareeba having sufficient land bank to satisfy the longer term.

2.2.4 Other settlements

Dimbulah is the third largest settlement in the Shire and was established as a service centre in the Mareeba Dimbulah Irrigation Area. This small township has not experienced growth since the reduction in tobacco production.

Other small townships such as Chillagoe, Jullatten and Mount Molloy, Bibbohra, Mount Carbine, Irvinebank, and Watsonville are centres with growth dependent on tourist opportunities.

2.2.5 Mona Mona and Associated Communities

Mona Mona Reserve, situated within the Wet Tropics area, is under pressure by its community for expansion. In 1913, a Mission was built at Mona Mona and over the years Aboriginal people from different places in North Queensland came to live there. By the 1950's there were more than 45 buildings and up to 500 persons live at the mission. In 1962 the mission was closed and the families were dispersed to Kowrowa, Koah, Mantaka, Kuranda, Cairns, Mareeba, Yarrabah and Palm Island.

Many kept visiting the reserve after its closure and other families moved back as caretakers. Today there are 90 permanent residents of Mona Mona and many more would like to return to their traditional place.

The Mona Mona Community and Djabugay Tribal Aboriginal Corporation have been involved in the preparation of a Development Plan for the future of the

reserve for the past two years with the assistance of the Wet Tropics Authority, the Environmental Protection Agency, the Council and various State agencies.

An application has been approved by the Council to rezone the entire reserve to a Special Development Zone in accordance with a Plan of Development, which will cater for an expected population growth of about 500 persons.

The communities at Kowrowa, Koah, Mantaka also have aspirations for growth and development of housing, associated infrastructure and employment opportunities. ATSIH are currently investigating growth and upgrading options for housing, associated infrastructure at these localities.

2.2.6 Industrial Land

With respect to land allocation for Industrial development, Council has developed an industrial precinct at North Mareeba. This new area will supplement the established Chewko Road industrial estate, which has potential for further expansion. The Commonwealth Government Sustainable Regions Programme is providing up to \$18 million to the Atherton Tablelands over the next three years. The Atherton Tablelands Sustainable Region Advisory Committee (ATSRAC) is currently developing strategies for new initiatives which fulfil the requirements of this

program and which meet regional priorities. It is expected that large scale industry will be substantial beneficiaries of this Programme.

The remainder of the Shire is not experiencing growth or development problems requiring special focus in the proposed scheme. However it must be recognised that areas such as Dimbulah may be experiencing an economic decline caused by the failure of the Tea Tree industry and the decline in the tobacco industry.

3 EXPECTED GROWTH AND CHANGE

3.1 Housing

Based on previous building activity, it is reasonable to expect housing growth of between 80 and 100 dwelling houses per year over the next five (5) years. This figure may increase slightly if development proceeds in Mona Mona and other associated Aboriginal settlements. Mona Mona is expected to house a population of some 500 within the next decade.

Kuranda can expect to absorb a significant proportion of that growth as forest and rural residential living in cooler and less humid climatic conditions continues to increase in popularity.

Programming of upgrading works to the Kuranda Range Rd would generate significant additional interest in land sales and an increase in applications for subdivision of land and reconfiguration of allotments.

The Myola area is identified in the FNQ Regional Plan as an urban node, with timing of development dependent on the Kuranda Range upgrading. The precincts identified in the Myola Development Feasibility Study [DLGP] have been adopted and

integrated into the Planning Scheme. The Shire can expect some interest in speculative land development in response to these provisions.

Future housing growth in Mareeba will be dependent on significant changes to the employment structure of the area. Council is expecting significant economic development opportunities to arise from the Sustainable Regions program. The allocation of land for major industrial development on the edge of Mareeba provides potential for large scale enterprises to establish; particularly those which can value add to agricultural production.

Mareeba has substantial social infrastructure investment in education, hospital/emergency services and essential family support services with capacity to accommodate growth.

Kuranda is currently deficient in a similar range of services, particularly in relation to health and essential family support services.

3.2 Agriculture

The construction of the sugar mill at Arriga stimulated changes in agricultural production in the Mareeba Dimbulah irrigation area, with substantial areas of land now in cane production. There has been a significant downturn in the productivity of the cane industry in recent years, largely due to the low world price of sugar.

The Federal/State initiative for Sugar Industry Restructure is considered to have comparatively little potential impact on the agricultural profile of the Tablelands cane industry. Most producers are relatively recent entrants to this industry and have started production in the light of more recent returns to the industry. In the event that cane production declines, other agricultural production will take its place within the irrigation area.

Continued interest is expected in horticulture and fruit production with two major stakeholder relocation of

pineapples and bananas. Transport linkages and costs are of vital interest to this primary production sector, given the need to access interstate and international export markets.

Beef cattle grazing on large pastoral properties in the north of the Shire, with fattening on irrigated pastures in areas of high rainfall or with irrigated pastures, will continue to be a significant part of agricultural enterprise. These producers also need good quality transport linkages to ensure livestock condition is sustainable to point of sale.

In the medium term, those with access to irrigated pastures in the south of the Shire, may consider expansion of dairy cattle production. The Dairy Farmers Co-operative requires continued high volumes of milk to service Malanda cheese production.

3.3 Tourist Facilities

Projections for growth in tourist facilities are significant at the local enterprise scale. The Kuranda locality benefits from the international profile of Skyrail which delivers substantial numbers of tourists to the markets and town centre.

The locality will increasingly be known as an accessible access point to the Wet Tropics World Heritage area with a substantial short distance walking track network, partially complete.

Significant tourist attractions situated on the Kennedy Highway from the range to Mareeba currently provide local employment opportunities and spin off benefits of passing trade. There are suitable sites for further development of this type, and continued interest in the upgrading of existing tourism infrastructure is expected.

The Queensland Heritage Trails Network projects will generate interest in Tableland locations, with increasing numbers of self-drive visitors to the Tableland Food Trail and network of mining heritage sites.

The townships of Irvinebank, Chillagoe and Dimbulah can expect some localised small business investment in facilities and accommodation.

Outside township locations, steady demand for bed and breakfast and host farm type accommodation is also anticipated. The impact of the Savannahlander tourist train is already significant for businesses in Almaden.

To the north of Mareeba township, tourist attractions are less suited to short stay self drive market; however the upgrading of the Peninsula Developmental Road and the continued interest in the trip to the Cape will result in slowly increasing tourism travel. The heritage tourism potential of the Mount Molloy/Julatten stock route is a future opportunity. The Mareeba Wetlands now attract passing trade through Mareeba and together with attractions in the vicinity of the town such as the Mareeba Heritage Centre, Rodeo Ground, the Beck Military Museum and the international go-kart circuit, establish a critical mass of tourism product that may start to generate additional overnight stays.

3.4 Industrial Areas

Increasing demand for large industry associated with rural agricultural production.

Examples include:

- Banana fibre processing;
- Pineapple, Corn canning/processing;
- Packing sheds for treating of perishable fruits and vegetables;
- Processing of cane products;
- Cattle sales and meat trade.

Transport industry initiatives are also anticipated, meeting the service needs of Cape York Peninsula and the Gulf.

Examples include:

- Small aviation related industries;
- Heavy vehicle servicing and repair;
- Bulk services associated with road train activity.

Mareeba can anticipate becoming an industrial hub in the long term as transport services improve, and available land in Cairns declines and becomes more costly.

Land has been set aside for industry in close proximity to essential services to encourage industrial employment.

3.5 Business

The Central Business District of Mareeba will retain its existing size and composition with spare capacity for expansion when the need arises. It is not anticipated that substantial demand for new retail or commercial business will arise in the life of this Planning Scheme.

Small scale shop front businesses can be accommodated in existing premises, both in Mareeba and smaller townships. Home based businesses will continue to provide localised employment opportunities for sole operators or those employing family members.

4 PLANNING SCHEME RESPONSE

4.1 Introduction

The following sections provide a summary of the planning scheme response to the expectations for growth and change, and to particular issues in the Shire. The discussion includes references to the 16

ecological sustainability principles derived from the Integrated Planning Act (IPA).

4.2 Principles Guiding Preparation of Planning Scheme

Planning schemes are prepared under the IPA as a framework for managing development in a way that advances the purpose of IPA, which is to seek to achieve ecological sustainability by:

- (a) co-ordinating and integrating planning at the local, regional and State levels; and
- (b) managing the process by which development occurs; and
- (c) managing the effects of development on the environment (including the use of premises).

In determining the provisions of the planning scheme, each ecological sustainability principle is sought to be advanced to the extent practicable in the context of seeking to achieve all the other principles given the particular circumstances of the local government area.

The 16 ecological sustainability principles are as follows:

ES1 Air Quality

Air pollution is minimised, both overall and in terms of the human population affected.

ES2 Nature Conservation

Areas having high value in terms of ecology or biodiversity at local, regional or State levels are conserved, enhanced or restored as much, as practicable, and effects of development on these areas are minimised so there is no net loss of biodiversity or habitat areas.

ES3 Land Maintenance

Land degradation is minimised and repair of degraded areas is encouraged and facilitated.

ES4 Water Quality

Water quality in the Shire's waterways is of a standard suitable for human and ecological needs and pollution is minimised.

ES5 Sustainable Economic Activity

Economic activity within the Shire, the region and State, now and in the long term, is encouraged and facilitated.

ES6 Resource Availability

Economically useful extractive and mineral resources, good quality agricultural land, forestry resources, fisheries and sources of non-renewable energy are available for ongoing use as far as practicable.

ES7 Energy Efficiency

Energy is used as efficiently as practicable and the use of non-renewable energy resources is minimised.

ES8 Resource Usage

The use of water and biological resources is ecologically sustainable, and the use of biological resources and extractive and mineral resources generally, is minimised.

ES9 Affordability

Standards for the built environment are affordable and cost effective in terms of allocating land to be developed at a higher population density close to

transportation nodes, essential community services and shops.

ES10 Community Needs

All members of a community have appropriate access to services and facilities that meet their needs.

ES11 Infrastructure Efficiency

The use of existing and committed infrastructure is maximised and future infrastructure is provided efficiently.

ES12 Public Safety

Threats to public safety and health associated with the natural and built environments, including climatic, physical, biological, chemical, structural, traffic and fire hazards, are minimised.

ES13 Heritage Conservation

Areas and places of special aesthetic, architectural, cultural, historic, scientific, social or spiritual significance are conserved or enhanced.

ES14 Public Spaces

Integrated networks of pleasant and safe public areas for aesthetic, enjoyment and cultural, recreational and social interaction are provided.

ES15 Amenity

General amenity of the natural and built environment, including visual amenity is maximised.

ES16 Community Harmony

Community harmony and the sense of community are maximised.

4.3 Features of the Planning Scheme

The Mareeba Shire Planning Scheme manages development by using structural features such as zones, overlays, development assessment tables and codes, to specify:

- the broad outcomes sought to be achieved for the Shire; and
- the types of development that requires an application (assessable) or must meet certain criteria (self-assessable); and
- more detailed outcomes for different parts of the Shire; and
- other criteria for assessing the suitability of a proposal.

All the land within the Shire area is contained in a zone. There are 12 zones representing the broad land use allocations in the Shire.

In addition to a zone, land may be covered by one or more overlays. The overlays recognise special features or resources that the local government seeks to protect from development that may significantly reduce their value, or that may constrain development.

There are four types of overlays in the planning scheme, ie, the Natural and Cultural Heritage Features Overlay, and the Airport and Aviation Facilities Overlay. Significant Vegetation Overlay and the Natural Disaster-Bushfire Overlay.

The criteria for assessing development are contained in codes. Each zone and overlay has its own code. Stated purposes or types of development may also have an individual code.

4.4 Planning Response to Expected Growth and Change

4.4.1 Housing

The Residential zone in the Mareeba township and the Kuranda Village require full urban servicing that maximises the efficiency of access and power generation (ES7) including connection to reticulated water and sewerage (ES11).

Preferred Area No 1 (Mareeba) and Preferred Area No 5 (Kuranda) provide for a higher population density of residential development close to and accessible to essential services (ES10) to meet community needs and provide affordable housing (ES 9). Planning provisions will allow for establishment of Retirement villages or the like where appropriate in Residential zones and where connected to essential services advancing community needs.

Land is released in an orderly manner as to improve the market's ability to provide affordable housing (ES9).

Land to the north and east of Mareeba has been set aside for Future Residential rather than Rural Residential. This will reduce the impact of bore water extraction from the aquifer, by requiring provision of reticulated water supply (ES8). It will also enable an improved standard of stormwater management and improved potential water quality outcomes for run off to Granite Creek and the Barron River (ES4).

In Rural Residential zones, nature conservation outcomes (ES2) are secured through vegetation clearing controls. Public safety (ES12) is assured through restriction of building in flood prone (under the Building Code of Australia), steep land or land slip prone locations. Water quality outcomes (ES4) are secured through requirements relating to the provision of reticulated water supply with smaller rural residential lots sizes and the requirement for nominated effluent disposal areas in accordance with State legislation and guidelines.

4.3.2 Agriculture

The scheme identifies categories of agricultural land (Maps S2-S4) and the Mareeba Dimbulah Irrigation Area infrastructure (Map S1) to support to advance the economic efficiency (ES11) and resource availability (ES6) of the Mareeba region.

Provisions are in place to limit the fragmentation of agricultural land by restricting Rural Residential subdivisions to already approved sites (ES6) reflecting State Planning Policy 1/92. New residential land is confined to areas which have previously been zoned as Rural Residential.

The integrity of the Mareeba Dimbulah Irrigation Area for cropping is protected by ensuring that applications for aquaculture and animal husbandry - intensive are code assessable.

Minimum allotment areas of 60 hectares are established within areas of Good Quality Agricultural Land, or a minimum area of 30 hectares if outside areas of Good Quality Agricultural Land.

Land degradation is minimised (ES3) by requiring impact assessment for extractive industries of significant scale.

4.3.4 Tourist Facilities

To support tourist-based economic activity in the local government area, the establishment of tourist facilities including low key activities such as bed and breakfast, host farm stays are provided for in appropriate areas. The required level of assessment reflects the likely scale of activity. The same range of tourist facilities will however be considered inconsistent with the Conservation Zone objectives.

The achievement of economic activity (ES5), amenity (ES15) and community harmony (ES16) are achieved by seeking to focus development in localities with

existing infrastructure, away from more sensitive environmental constraints.

The Tourist Facility Code seeks to minimise the localised environmental impacts of development through controlling site development intensity. Siting and design decisions should be able to maximise the advancement of nature conservation (ES2), land maintenance (ES3), water quality (ES4), resource availability (ES6), public safety (ES12) and heritage conservation (ES13) as much as practicable through the consideration of individual development proposals.

4.3.5 Industry

To provide for economic activity (ES5), the scheme provides an allocation of additional land immediately north of the township of Mareeba for light and heavy industry.

The Planning Scheme intent is to secure this locality for Noxious, Offensive and Hazardous Industry. To this end, uses requiring a higher level of amenity or buffering in proximity to industrial uses, are designated as inconsistent with the purpose of the zone.

Design criteria within the zone code and relevant industry assessment criteria will ensure maximisation of public safety (ES12) and amenity (ES15); through buffering requirements and high standards of waste disposal. Efficient access (ES7) is required through requirements for contributions to road upgrading. Extension of infrastructure (ES11), is secured through headworks contributions.

4.3.6 Business

Business zones are identified in the townships of Mareeba, Dimbulah and Kuranda. The establishment of a broad range of business and retail activities are exempt, self or code assessable. Uses which might conflict with business activity such as those with off site impact (waste disposal noxious industry etc) are impact assessable.

This supports the recognition of Mareeba as the principal Shire business centre, maximising use of existing infrastructure (ES11); whilst recognising the

attractiveness of potential business locations such as Kuranda, in terms of travel distance to Cairns.

Within the Village zones, which cover the "township" areas of the settlements of Kuranda, Dimbulah, Bibohra, Chillagoe, Mount Molloy, Irvinebank, the similar range of business activities are code or impact assessable, reflecting reduced infrastructure availability and the potential impact of larger scale commercial uses within small communities. This balances the economic activity (ES5) and community harmony (ES16) principles.

4.3.7 Community Infrastructure

Community infrastructure is identified by Schedules to the planning scheme and on relevant township and village zone maps.

5 RESPONSE TO PARTICULAR ENVIRONMENTAL ISSUES

5.1 Overview of Scheme Provisions

The Mareeba Planning Scheme has taken the approach of collating significant data relating to the natural, economic and social environment, in map form.

- Scenic Areas and Ridgeline Overlay - Map N1
- Significant Vegetation Overlay Maps - V1 and V2
- Natural & Cultural Heritage Features - Maps H1 to H10
- MDIA infrastructure - Map S1
- Agricultural Land Quality -Map S2 to S5
- Heavy vehicles and Roads - Maps R1 to R2
- Mining Interests – Maps M1 to M5
- Airport Overlay – Maps A1 to A4

- OLS – Map MA29
- Water and sewerage Maps

The user of the Scheme can review attributes as diverse as natural and cultural heritage constraints, the location of good quality agricultural land and the extent of current mining interest.

This map series identifies localities or situations where special development requirements apply, either in the form of overlay code provisions or in assessment criteria relating to particular use and development.

5.2 Identification of Natural and Cultural Heritage Features

In compiling the Natural and Cultural Heritage Features Overlay, resource information has been used from Environment Australia, Environment Protection Agency, Queensland National Trust and local historical books and mapping.

Consultation has been undertaken with the Environment Protection Agency, local historical societies and the North Queensland Land Council in relation to indigenous cultural heritage.

The approach recommended in the State Interest Planning Policies for Cultural Heritage in Planning Schemes has been adopted, as follows.

Potential areas or sites of historical cultural heritage value have been identified spatially as Cultural Heritage Features in the Planning Scheme.

The planning scheme requires appropriate investigation of likely impacts on historical values where development is proposed in a place of potential historical value.

Where the areas are broad scale, the recommended alternative approach which identifies broad areas of potential cultural heritage value as 'triggers' for more detailed survey at the development assessment stage, has been used to protect the State and local interest in historical cultural heritage values.

The "zone of sensitivity" approach recommended in the State Interest Planning Policies for Indigenous Cultural Heritage has been used to introduce the concept of cultural heritage site clearances for land zoned Rural, Conservation and Public Open Space. These zones cover the majority of the Mareeba Shire area. The North Queensland Land Council suggested this approach.

In summary, all uses are code assessable in identified and mapped categories of cultural heritage interest and where they affect defined significant land landscape features.

Operational Works and Reconfiguration are code assessable in both the above categories with provisions for conservation and natural resources assessments, conservation management plans and cultural heritage site clearances, dependent on the likely significance of the feature.

Any application requiring overlay assessment triggers a request to the applicant for an assessment of risks of adverse environmental or human health risks. This requirement, together with requirements for annual resource assessments for impacts on significant landscape features, enables the local government to request input or assessment by third parties, including natural resource management agencies.

5.3 Native Title

Substantial areas of land are under Native Title Claim or potentially claimable, exist within the Rural, Conservation and Public Open Space Zones. This in part reflects the underlying State land tenures, either for pastoral leases, protected areas or timber reserves.

State Legislation provides for a system of Cultural Heritage Site Clearances in relation to operational

works in Rural, Conservation and Public Open Space zones.

Parallel processes under Native Title legislation may be underway, with the potential for Indigenous Land Use Agreements to resolve issues relating to land allocations, appropriate material changes of use and the appropriate extent and nature of operational works.

5.4 State Leasehold Land

A substantial proportion of the Rural Zone comprises pastoral leases. Use entitlements associated with those leases are existing use rights that cannot be affected by the planning scheme. Assessment categories in the Rural zone make Agriculture an self assessable activity.

Scheme provisions ensure that expansions of leasehold activity within rural land uses categories will not be impeded.

Any altered lease provisions require approval of the Department of Natural Resources and Mines (DNRM) and must take into account local planning policies and strategies. DNRM must take into account the views of the local government, providing a safeguard that new lease provisions are consistent with planning scheme provisions.

5.5 Mineral Resources

Existing mining interests are identified in Maps M1 to M5. Extractive Industry permits, Mining Leases, Mineral Development Licences are recorded. Additional declared or permitted areas under the *Minerals Resources Act 1989* may be added by amendment to the scheme (ES6).

The planning scheme seeks to protect identified resources by incorporating a policy that seeks additional information with applications for assessable

development within 500 metres of those areas, to establish implications for the security of access to the resource.

This balances the need to ensure ongoing access to resources (ES6) against land use allocation, amenity and environmental protection.

5.6 Protected Areas

National Parks and other areas declared under the *Nature Conservation Act 1992* are included within the Conservation zone.

The zone provisions recognise that acceptable development is likely to limited to visitor and site

management infrastructure, with uses outside those categories nominated as inconsistent.

Specific siting and operational works guidelines ensure that development respects sensitive environmental locations.

5.7 Airport and Aviation Facilities Overlay

Mareeba aerodrome and aviation facilities at Biboohra, Saddle Mountain and Hahn Tableland are of state-significance having regard to State Planning Policy 1/02.

The site area that is within the Operational Airspace of the Mareeba Aerodrome is delineated in Airport and Aviation Facilities Overlay Map A1 - Mareeba Aerodrome Buffer Zones.

The site area that is within the sensitive area around state significant aviation facilities at Biboohra, Saddle Mountain and Hahn Tableland is delineated in Aviation Facilities Overlay Map A2.

The site area that is within the sensitive area around the Chillagoe and Dimbulah aerodromes is delineated on Aviation Facilities Overlay Maps A3 and A4.

Development is located and designed to avoid adverse effects on safe aircraft operation in the vicinity of aerodromes due to:

- (i) physical intrusions; or
- (ii) reduced visibility; or
- (iii) collisions with birds or bats; or
- (iv) Air turbulence; or
- (v) other functional problems for aircraft (including artificial lighting, smoke and dust hazards); or
- (vi) Electrical or electromagnetic interference with aircraft navigation systems.

5.8 Rivers, Creeks and Water Quality

Outcomes for the Rural Zone seek to ensure that agricultural uses do not adversely impact on natural resources such as waterways and wetlands.

Similar outcomes relevant to extractive industries require that water from around and within the area of the extractive industry does not impact upon the quality of the ground water or receiving surface waters.

In the Rural, Rural Residential, Myola zone, and within land covered by the Significant Vegetation Overlay, vegetation is required to be retained within:

- (i) fifty (50) metres from the high bank of waterways and wetlands for Rural lots of two (2) hectares and above; and
- (ii) twenty-five (25) metres from the high bank of waterways and wetlands for Rural Residential lots of 2 hectares and above and lots in the Myola zone; and

- (iii) within ten (10) metres from the high bank of waterways and wetlands for Rural and Rural Residential lots below 2 hectares; and
- (iv) on land with a slope greater than 15%

limiting the erosion potential of land that might contribute to adverse water quality outcomes.

Allotments are also required to be of suitable size to allow on-site disposal of effluent that does not have an adverse impact on the quality of surface and underground water resources.

Within the Natural and Cultural Heritage Features Overlay, development on land located within 50 metres from a mapped waterway or wetland may become code assessable and no operational works would be allowed unless a natural resource assessment indicates no potential for environmental harm.

5.9 Major Transport Infrastructure

Major Heavy Vehicle Routes are identified on Maps R1 and R2. Specific requirements for access construction are invoked under the Mareeba Shire Development Manual. Mareeba Shire Council:

- recognises the regions primary tourism transport network;
- need to protect and identify options for future transport systems;
- support and facilitate the development of Strategic regional freight hubs, (Cairns, Innisfail and Mareeba);

- Plan for the development of future freight bypass for Mareeba;
- Protect the efficiency and integrity of the region's freight infrastructure and facilities;
- Designate and provide appropriate road freight parking facilities that coordinate with the freight and major network.

5.10 Relationship Between DEO's & Measures

The following table seeks to explain how the measures of the planning scheme seek to facilitate the achievement of each of the desired environmental outcomes (DEOs).

Under each DEO, the related overall outcomes for the zones and overlays are listed in the left-hand column and the other measures corresponding to each overall outcome are included opposite that outcome in the right-hand column.

Desired Environmental Outcome	
The values of significant natural features such as the dense tropical rainforest adjoining the Wet Tropics area, the savannas, the major river systems, wetlands and wildlife corridors are not compromised.	
State Departmental Interests/Other Agency/NGO Interests	
Department of Natural Resources and Mines, Wet Tropics Management Authority, Environmental Protection Agency/Qld Parks & Wildlife Service	
ES Principle	Scheme Response
<i>ES2 Nature Conservation</i>	<p>Uses are code assessable where they affect defined significant landscape features, within the Natural and Cultural Heritage Features Overlay.</p> <p>Operational Works and Reconfiguration are code assessable where they affect defined significant landscape features, with provisions for natural resources assessments and cultural heritage site clearances, dependent on the likely significance of the feature.</p> <p>Any application requiring overlay assessment triggers a request to the applicant for an assessment of risks of adverse environmental or human health risks. This requirement, together with</p>

	<p>requirements for natural resource assessments for impacts on significant landscape features, enables the local government to request input or assessment by third parties, including natural resource management agencies.</p> <p>In the Rural, Rural Residential, Myola zone, and within land covered by the Significant Vegetation Overlay, vegetation is required to be retained within:</p> <ul style="list-style-type: none"> (i) fifty (50) metres from the high bank of waterways and wetlands for Rural lots of two (2) hectares and above; and (ii) twenty-five (25) metres from the high bank of waterways and wetlands for Rural Residential lots of 2 hectares and above and lots in the Myola zone; and (iii) within ten (10) metres from the high bank of waterways and wetlands for Rural and Rural Residential lots below 2 hectares; and (iv) on land with a slope greater than 15%. <p>National Parks and other areas declared under the Nature Conservation Act 1992 are included within the Conservation zone. (see maps H4 - H8). The Conservation zone provisions recognise that acceptable development is limited to visitor and site management infrastructure, with uses outside those categories nominated as inconsistent.</p> <p>Specific siting and operational works guidelines ensure that development respects sensitive environmental locations.</p>
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Desired Environmental Outcome	
The values of significant cultural and heritage features, the components of which include aesthetic, architectural, historic, social or spiritual significance, are conserved and protected as much as practicable.	
State Departmental/Other Agency/NGO Interests	
Environmental Protection Agency/Qld Parks & Wildlife Service, Traditional Aboriginal Land Owners, Land Councils	
ES Principle	Scheme Response
<i>ES13 Heritage Conservation</i>	<p>Potential areas or sites of historical cultural heritage value have been identified spatially as Cultural Heritage Features in the planning scheme.</p> <p>The planning scheme requires appropriate investigation of likely impacts on historical values where development is proposed in a place of potential historical value.</p> <p>Where the areas are broad scale, the recommended alternative approach identifying broad areas of potential cultural heritage value as 'triggers' for more detailed survey at the development assessment stage, has been used to protect the State and local interest in historical cultural heritage values.</p> <p>The "zone of sensitivity" approach recommended in the State Interest Planning Policies for Indigenous Cultural Heritage has been used to introduce the concept of cultural heritage site clearances for land zoned Rural, Conservation and Public Open Space. These zones cover the majority of the Mareeba Shire area. The North Queensland Land Council suggested this approach.</p>

Desired Environmental Outcome	
Adverse effects from development on the natural environment are minimised with respect to the loss of natural vegetation, soil degradation, air and water pollution due to erosion, dust and chemical contamination, dispersal of pollutants, effluent disposal and the like.	
State Departmental/Other Agency/NGO Interests	
Environmental Protection Agency, Department of Natural Resources and Mines	
ES Principle	Scheme Response
<i>ES1 Air Quality</i>	Non-industrial uses are protected from the impacts of the Offensive and Hazardous Industries by provisions of buffers.
<i>ES 4</i>	Emission of contaminants to surface or ground water (including contaminated stormwater) must not result in environmental harm or nuisance. To achieve this, all liquid wastes are contained and

<i>Water Quality</i>	discharged to a sewer or removed from the site. Storage areas of potentially contaminating substances or areas where potentially contaminating activities are conducted must be covered and contained to prevent ingress of rainfall or runoff and to control spillage.
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Desired Environmental Outcome	
Good agricultural land within the Mareeba Dimbulah Irrigation Area is conserved, and other good quality agricultural land outside the MDIA is protected from fragmentation.	
State Departmental/Other Agency/NGO Interests	
Department of Primary Industries	
ES Principle	Scheme Response
<i>ES6 Resource Availability</i>	Provisions are in place to limit the fragmentation of agricultural land by restricting Rural Residential subdivisions to already approved sites (ES6) reflecting State Planning Policy 1/92. New residential land is confined to areas which have previously been zoned as Rural Residential, where such land can be fully serviced. Ensuring that applications for aquaculture and animal husbandry – intensive are code assessable to protect the integrity of the Mareeba Dimbulah Irrigation Area for cropping. Minimum Rural allotment areas of 60 hectares are established within areas of Good Quality Agricultural Land, or a minimum area of 30 hectares if outside Good Quality Agricultural Land.

Desired Environmental Outcome	
Agricultural and forestry resources, mining, extractive activity in the rural sector are encouraged, facilitated and protected.	
State Departmental/Other Agency/NGO Interests	
Department of Primary Industries, Department of Natural Resources and Mines	
ES Principle	Scheme Response
<i>ES8 Resource Usage</i>	Existing mining interests are identified on Maps M1 to M5. Extractive Industry permits, Mining Leases, Mineral Development Licences are recorded. Additional declared or permitted areas under the <i>Minerals Resources Act 1989</i> may be added by amendment to the Scheme (ES6). The planning scheme seeks to protect identified resources by incorporating a policy that seeks additional information with applications for assessable development within 500 metres of those areas, to establish implications for the security of access to the resource. This balances the need to ensure ongoing access to resources (ES6) against land use allocation, amenity and environmental protection.

Desired Environmental Outcome	
The amenity and safety of land uses adjoining major industrial estates are protected from potential noise and air pollution.	
State Departmental/Other Agency/NGO Interests	
Environmental Protection Agency	
ES Principle	Scheme Response
<i>ES1</i>	Non industrial uses are protected from the impacts of the Noxious, Offensive and Hazardous

<i>Air Quality</i>	Industries by provisions of buffers
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Desired Environmental Outcome	
The standard and location of the built environment, particularly in Kuranda and Mareeba, having regard to associated wastewater and effluent disposal infrastructure, minimise the use of non-renewable energy resources.	
State Departmental/Other Agency/NGO Interests	
Environmental Protection Agency, Department of Natural Resources and Mines	
ES Principle	Scheme Response
<i>ES8 Resource Usage</i>	Selected rural residential zoning is converted to residential zones, where full infrastructure servicing can be provided. Reticulated water supply is required for smaller rural residential lots sizes together with nominated effluent disposal areas in accordance with State legislation and guidelines.

Desired Environmental Outcome	
All members of the community have appropriate access to relevant services that meet their needs and create a sense of community satisfaction.	
State Departmental/Other Agency/NGO Interests	
Department of Families, Department of Local Government and Planning, Department of State Development	
ES Principle	Scheme Response
<i>ES10 Community Needs</i>	Community infrastructure is identified by Schedules in the planning scheme and on relevant township and village zone maps. Mareeba is provided with scope for services expansion within the main retail/business area, through flexible assessment provisions and significant land availability. Townships are consolidated as village zones to facilitate accessibility to community facilities.

Desired Environmental Outcome	
The efficient use, extension and safe operation of infrastructure such as roads, aerodromes, water and sewerage systems are maximised.	
State Departmental/Other Agency/NGO Interests	
Department of Primary Industries, Department of Natural Resources and Mines, Main Roads, Queensland Transport	
ES Principle	Scheme Response
<i>ES11 Infrastructure Efficiency</i>	Major irrigation, road, rail and aerodrome infrastructures are identified on planing scheme maps. Airport operations are protected by Aerodrome Buffer Zones, with uses located and designed to avoid significant adverse effects on safe aircraft operation. Specific access and vehicle standards apply to specified routes within the Shire.

Desired Environmental Outcome	
Threats to public safety and health associated with the natural and built environments, including flooding in the catchments of the Barron River and Mitchell River are minimised.	
State Departmental/Other Agency/NGO Interests	
Department of Primary Industries, Department of Natural Resources and Mines, Environmental Protection Agency	

ES Principle	Scheme Response
ES12 <i>Public Safety</i>	Public safety (ES12) is assured through restriction of building in flood prone land (under Building Code of Australia), steep land or land slip prone locations, in Rural and Rural Residential zones. Within the Natural and Cultural Heritage Features Overlay, certain development on land located within 50 metres of a mapped waterway or wetland becomes code assessable and no operational works are allowed unless a natural resource assessment indicates no potential for environmental harm.

Desired Environmental Outcome	
Communities of Bibohra, Chillagoe, Dimbulah, Irvinebank, and Julatten, Mount Molloy, and Watsonville will continue to be maintained as secondary to the primary residential settlements of Mareeba and Kuranda.	
State Departmental/Other Agency/NGO Interests	
Department of Families, Department of Local Government and Planning, Department of State Development	
ES Principle	Scheme Response
ES10 <i>Community Needs</i>	Business zones are identified in the townships of Mareeba, Dimbulah and Kuranda. The establishment of a broad range of business and retail activities is exempt, self or code assessable. Uses which might conflict with business activity such as those with off site impact (waste disposal, noxious industry are impact assessable). This supports the recognition of Mareeba as the principal Shire business centre, maximising use of existing infrastructure, (ES11); whilst recognising the attractiveness of potential business locations such as Kuranda, in terms of travel distance to Cairns. Within the Village zones, which cover the "township" areas of the settlements of Kuranda, Dimbulah, Bibohra, Chillagoe, Mount Molloy, Irvinebank , the similar range of business activities are code or impact assessable, reflecting reduced infrastructure availability and the potential impact of larger scale commercial uses within small communities. This balances the economic activity (ES5) and community harmony (ES16) principles.

Desired Environmental Outcome	
Urban settlements, are consolidated in existing townships of Dimbulah, Chillagoe, Mareeba and Kuranda and no further expansion of the Rural Residential zone proposed.	
State Departmental/Other Agency/NGO Interests	
Department of Families, Department of Local Government and Planning, Department of State Development	
ES Principle	Scheme Response
ES9 <i>Affordability</i> ES11 <i>Infrastructure Efficiency</i>	Preferred Area No 1 (Mareeba) and Preferred Area No 5 (Kuranda) provide for a higher population density of residential development close to and accessible to essential services (ES10) to meet community needs and provide affordable housing (ES9). Planning provisions will allow for establishment of Retirement villages or the like where appropriate and where connected to essential services advancing community needs (ES9). Land to the north and east of Mareeba has been set aside for Future Residential rather than Rural Residential. This will reduce the impact of bore water extraction from the aquifer, by requiring provision of reticulated water supply (ES8). It will also enable an improved standard of stormwater management and improved potential water quality outcomes for run off to Granite Creek and the Barron River (ES4).

Desired Environmental Outcome
Integrated Open Space networks comprising of national parks, botanical gardens, river esplanades and wetlands provide a pleasant and safe public environment for aesthetic enjoyment and cultural, recreational and social interaction.

State Departmental/Other Agency/NGO Interests	
Department of Natural Resources and Mines	
ES Principle	Scheme Response
<i>ES15 Amenity</i>	<p>National Parks and other areas declared under the Nature Conservation Act 1992 are included within the Conservation zone.</p> <p>The Conservation zone provisions recognise that acceptable development is limited to visitor and site management infrastructure, with uses outside those categories nominated as inconsistent.</p> <p>Specific siting and operational works guidelines ensure that development respects sensitive environmental locations.</p> <p>Parkland and reserves are identified as public open space across the Shire area.</p>

Desired Environmental Outcome	
Mareeba's role and identity as the main business, economic centre and regional service centre and gateway to the Cape is consolidated.	
State Departmental/Other Agency/NGO Interests	
Department of Local Government and Planning, Department of State Development	
ES Principle	Scheme Response
<i>ES10 Community needs</i>	<p>Business zones are identified in the townships of Mareeba, Dimbulah and Kuranda. The establishment of a broad range of business and retail activities is exempt, self or code assessable.</p> <p>Uses which might conflict with business activity such as those with off site impact (waste disposal, noxious industry) are impact assessable.</p> <p>This supports the recognition of Mareeba as the principal Shire business centre, maximising use of existing infrastructure (ES11); whilst recognising the attractiveness of potential business locations such as Kuranda, in terms of travel distance to Cairns.</p>

Desired Environmental Outcome	
The Mareeba township and the Myola district, as identified by the Myola Feasibility Study are the primary residential nodes to accommodate future urban growth in accordance with the FNQ Regional Plan.	
State Departmental/Other Agency/NGO Interests	
Department of Local Government and Planning	
ES Principle	Scheme Response
<i>ES10 Community Needs E8 Resource Usage</i>	<p>The full provisions of the Myola Feasibility Study are incorporated into the Scheme.</p> <p>Land to the north and east of Mareeba has been set aside for Future Residential rather than Rural Residential. This will reduce the impact of bore water extraction from the aquifer, by requiring provision of reticulated water supply. It will also enable an improved standard of stormwater management and improved potential water quality outcomes for run off to Granite Creek and the Barron River (ES4).</p>

Desired Environmental Outcome	
The Kuranda Village's role and identity not only as an international tourist destination but as a residential centre and a functional service location for the wider district is protected and enhanced whilst ensuring the community's harmony and a sense of place is maximised through ensuring that the mix between tourists and residents meets the needs of both groups.	
State Departmental/Other Agency/NGO Interests	
Department of Families, Department of Local Government and Planning, Department of State Development	
ES Principle	Scheme Response
<i>ES10 Community Needs</i>	The provisions of the Business zone in relation to Kuranda , accommodates a range of business uses mainly associated with tourism, retail and a mix of business uses serving the needs of the residents of the village and surrounds. Community uses are situated throughout the residential areas in hubs of small scale activity.

Desired Environmental Outcome	
The use of water from the Barron River catchment, including the extraction of water from aquifers, is consistent with sustainable yields.	
State Departmental/other Agency/NGO Interests	
Department of Natural Resources and Mines	
ES Principle	Scheme Response
<i>ES6 Resource availability</i>	Land to the north and east of Mareeba has been set aside for Future Residential rather than Rural Residential. This will reduce the impact of bore water extraction from the aquifer, by requiring provision of reticulated water supply (ES8). It will also enable an improved standard of stormwater management and improved potential water quality outcomes for run off to Granite Creek and the Barron River (ES4).

Desired Environmental Outcome	
The establishment of new sustainable rural industries or activities are facilitated in order to broaden the economic base of the Shire.	
State Departmental/Other Agency/NGO Interests	
Department of State Development, Department of Natural Resources and Mines, Department of Primary Industries	
ES Principle	Scheme Response
<i>ES5 Economic Activity</i>	A range of new rural industrial uses including tourism may be established in rural zones.



MAREEBA SHIRE PLANNING SCHEME

USER GUIDES

USER GUIDE 1

Features of the Mareeba Shire Planning Scheme and Its Relationship to State Legislation

USER GUIDE 2

Complying with Self Assessable and Code Assessable Development and Making an Application in Mareeba Shire

USER GUIDE 3

Assessing an Application against the Mareeba Shire Planning Scheme

USER GUIDE 4

Acting on a Development Approval

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Commenting on an Application

Assessment Checklist

USER GUIDE 1

Features of the Mareeba Shire Planning Scheme and Its Relationship to State Legislation

Introduction

This user guide provides an overview of the Mareeba Shire Planning Scheme. The guide is designed to help people understand how the Planning Scheme applies to development within Mareeba Shire and how it works with the *Integrated Planning Act 1997* (commonly referred to as IPA) and other State legislation.

The Mareeba Shire Planning Scheme regulates the development of all land within the boundaries of Mareeba Shire. The outcome statements and assessment criteria contained in the Planning Scheme reflect the views and interests of the residents of Mareeba and the desires of the Mareeba Shire Council to provide an appropriate environment for current and future Mareeba Shire residents and visitors.

The previous Planning Scheme dating back to 19 June 1982 and various Local Laws controlled land use and development throughout the Shire. The Planning Scheme under IPA, replaces the 1982 Planning Scheme and any aspects of local laws dealing with development. Some issues remain outside the scope of the Planning Scheme and continue to be regulated through local laws, including:

- Animal Control
- Commercial Use of Roads
- Camping and Caravan Parks
- Cemeteries
- Entertainment Venues
- Control of Nuisances
- Parks and Reserves
- Pest Control
- Regulated Parking
- Rental Accommodation
- Water Supply.

Features of the Planning Scheme

The Mareeba Shire Planning Scheme manages development by using features such as zones, overlays, assessment tables and codes to identify:

- the broad outcomes sought to be achieved for the Shire and more detailed outcomes for particular parts of the Shire;
- the type of development that requires approval (assessable) or that can be carried out without approval (self assessable) if certain requirements are met;
- detailed criteria to be used together with the detailed outcomes for assessing the suitability of a proposal;
- areas or places where development is constrained due to their environmental value.

Following is a brief explanation of the features of the Mareeba Shire Planning Scheme.

Desired Environmental Outcomes

The desired environmental outcomes (DEOs) express what is sought to be achieved by the Planning Scheme

and cover a broad range of issues such as community needs, economic activity and nature conservation. The DEO's are detailed in Part 3 of the Planning Scheme.

Zones

All land within Mareeba Shire is contained within one of the following zones:

- Business
- Commercial
- Residential
- Rural Residential
- Village
- Industry
- Noxious, Offensive and Hazardous
- Public Open Space
- Rural
- Conservation
- Myola
- Future Residential

Preferred Areas

The scheme contains eight "preferred areas":

- **Area No. 1** on Zoning Maps Z2 and Z3 indicates areas preferred for the development of residential units. This designation eliminates the High Density Residential zone of the 1982 Planning Scheme.
- **Area No. 2** on Zoning Map Z10 is the Mona Mona development site under a Management Plan adopted Council.
- **Area No. 3** on Zoning Maps Z8, Z9 and Z10 is the Clohesy River designation for long term potential urbanisation as per the FNQ Regional Plan.
- **Area No. 4** on zoning Map Z5 covers the Mareeba Airport and indicates areas preferred for aviation related industries and uses.
- **Area No. 5** on Zoning Map Z6 indicates areas preferred for the development of residential units in Kuranda.
- **Area No. NOX1, Area No. NOX2 and Area No. NOX3** on Zoning Maps Z2 and Z5 provide for the separation and management of potentially conflicting industrial uses within the Noxious, Offensive and Hazardous Industry zone.

Overlays

In addition to the zones, land in Mareeba Shire is covered by four overlays:

- The Natural and Cultural Heritage Features Overlay;
- The Airports and Aviation Facilities Overlay;
- The Significant Vegetation Overlay; and
- The Natural Disaster - Bushfire Overlay.

These overlays recognise special features or resources within the Shire that the Council seeks to protect from development that may significantly reduce their value or that may adversely affect development.

The overlay provisions are detailed in Part 5 of the Planning Scheme.

To determine if land is affected by an overlay, refer to the overlay maps specified in Part 5 – Overlays.

Assessment Tables

Separate assessment tables are provided for each zone and overlay contained in the Planning Scheme. These tables are the way to determine, for a specific proposal on a parcel of land:

- if an application is needed for a land use, works or reconfiguration; or
- if the development must meet specified criteria.

Codes

The criteria for assessing development are contained in codes. Codes relate to each of the zones (contained in Part 4 of the Planning Scheme), the Overlays (contained in Part 5 of the Planning Scheme) and Stated Purpose or Type of Development (contained in Part 6 of the Planning Scheme).

In addition to each of the zone codes, the following codes are included in Part 6 – Assessment Criteria for Development of a Stated Purpose or of a Stated Type:

6.2	Adult product shop code
6.3	Deleted
6.4	Bed and breakfast code
6.5	Car parking code
6.6	Child care centre code
6.7	Communication facilities code
6.8	Extractive industry code
6.9	Home occupation code
6.10	Home business code
6.11	Host farm code
6.12	Reconfiguring a lot code
6.13	Dwelling house code
6.14	Tourist facility code
6.15	Deleted
6.16	Landscaping code
6.17	Filling and excavation code
6.18	Short term accommodation code
6.19	Forestry code
6.20	Animal husbandry - intensive code
6.21	Aquaculture (minor impact) code
6.22	Caretaker's residence code
6.23	Wind farm code

Defined Uses

Definitions are necessary for using the Assessment Tables. Part 7 - Schedule 3 contains the definitions of all uses or

activities likely to be subjected to the controls of the Planning Scheme.

In order to assess the effect of a use on the environment, it is necessary for any use to be properly defined in the context of the Shire.

Schedule 4 also includes administrative definitions for other terms used in the Planning Scheme (eg, assessment category, population density, zone).

Maps

The Planning Scheme contains maps that cover all parcels of land in the Shire and reinforce the various provisions or written statements of the Scheme.

Maps precisely identify sites, zones, preferred areas and overlays applicable to the various elements of the zone codes or Overlays or Planning Scheme Policies. They are an integral part of the Planning Scheme.

Planning Scheme Policies

Planning Scheme Policies provide support to the local dimension of the Planning Scheme and do not regulate or prohibit development on or the use of premises.

Planning Scheme Policies support the Planning Scheme in providing details which are not or cannot be included in a scheme.

For example, Planning Scheme Policy 8 - Extractive Industry, sets out a list of requirements an applicant may have to supply to Council to assist in the assessment of an application for an Extractive Industry.

Like Planning Scheme Policy 3, it enables Council to request further information to assist in the assessment of applications.

Planning Scheme Policies can be amended by Council more easily than amending a Planning Scheme if circumstances change.

The relationship between the Planning Scheme and the *Integrated Planning Act 1997 (IPA)*

As previously discussed, the Planning Scheme is the way the Mareeba Shire Council identifies the circumstances when development must meet certain criteria (self assessable) or a development application is required (code assessable or impact assessable).

The Mareeba Shire Planning Scheme is unique to Mareeba Shire and the assessment criteria and the triggers for an application may be different from those in another Shire.

Schedule 8 of the IPA is the way the State government identifies self assessable and assessable development. For example assessment of building work against the Standard Building Regulation (SBR) is determined by Schedule 8. Unlike planning schemes, Schedule 8 of IPA applies consistently across the State of Queensland.

The Planning Scheme and Schedule 8 complement each other. However, if there is any inconsistency between them, Schedule 8 prevails.

A proposal may involve development identified as requiring a development application by both the Planning Scheme (e.g. to establish a new shop) and by Schedule 8 (e.g. for erecting the building). In this case the application may be made to Mareeba Shire Council to assess both aspects of the proposal or the building work can be assessed by a private building certifier.

A more complex proposal assessable under both the Planning Scheme and Schedule 8 of the IPA may require the assessment arising from Schedule 8 to be undertaken by a State government department. In this instance, the application is made to Mareeba Shire Council and the State government department becomes involved as a "referral agency".

Alternatively, the applicant may choose to make separate applications (ie, one for the Planning Scheme and one for

Schedule 8). Where the application is triggered by Schedule 8 only, the assessment manager for the application may be either Mareeba Shire Council or, as is more often the case, a State government department such as the Department of Main Roads (DMR), the Environmental Protection Agency (EPA) or Department of Natural Resources and Mines (DNR&M).

If an application is required, it will be assessed and decided using the Integrated Development Assessment System (IDAS) established under the IPA. This is the case regardless of whether the application is required by the Planning Scheme or Schedule 8, and regardless of whether the assessment manager is Mareeba Shire Council, a State government department or a private building certifier.

WHAT OTHER GUIDANCE IS AVAILABLE?

To provide further assistance, the following user guides have been prepared:

Assessment Checklist

User Guide 2	Complying with Self assessable and Code Assessable Development and Making an Application in Mareeba Shire
User Guide 3	Assessing an application against the Mareeba Shire Planning Scheme
User Guide 4	Acting on an Approval
User Guide 5	Commenting on an Application

USER GUIDE 2

Complying with Self Assessable and Assessable Development and Making an Application in Mareeba Shire

This guide is designed to assist and guide proponents of development to complete the **Assessment Checklist**.

The checklist assists in determining:

- (1) the development activities involved in a proposal;
- (2) if one or more proposed development activities is self assessable or assessable under the Mareeba Shire Planning Scheme and /or Schedule 8 of the *Integrated Planning Act 1997 (IPA)*; and
- (3) the application forms required to be completed for assessable development.

Central to determining assessment requirements is the definition of “development” and the assessment categories under the IPA.

What Development Activities are involved in the Proposal?

To require assessment a proposal must first involve an activity, which falls within the definition of “**development**” under the IPA.

The Definition of ‘Development’ under IPA

Development is broadly defined in IPA as one or more of the following activities:

- Carrying out **building work** – including building, repairing, altering, underpinning (whether by vertical or lateral support), moving or demolishing a builder or other structure on the premises (eg, designing/constructing/extending a building);
- Carrying out **plumbing or drainage work** – including on site, privately owned water and sewerage services (eg, domestic plumbing and house drainage);
- Carrying out **operational work** – including filling, excavating or otherwise undertaking work in, on, over or under premises (eg, engineering works required by the subdivision of land including the construction of a new road, the provision of water reticulation etc);
- **Reconfiguring a lot** – including subdivision, rearranging lot boundaries, subdivision by lease (exceeding 10 years), creating an access easement;
- Making a **material change of use** – including starting a new use, increasing the intensity of use, and re-establishing an abandoned use.

A proposal will generally involve at least two (2) of the above development activities. For example:

The erection of a new industry or business involves:

- Material change of use for the start of the new use on the premises;
- Building work to erect the new building;
- Plumbing and drainage works for water and sewerage fixtures; and
- Operational works if a new access point or car parking area is proposed.

Subdividing land for new housing development involves:

- Material change of use for the change or intensification of the use of the land;
- Reconfiguring a lot to subdivide the land;
- Operational work if the subdivision involves a new road or the provision of new services such as water and sewerage reticulation.

Determining if Development is Self Assessable or Assessable

Not all development activities associated with a proposal necessarily require an application. There are 3 categories of development:

- Exempt;
- Self Assessable; and
- Assessable.

Exempt Development

Exempt development does not require an application and no codes apply. All development is exempt unless it is made self assessable or assessable by either a planning scheme or Schedule 8 of the IPA.

Self Assessable Development

For self assessable development, the person undertaking the development activity is responsible for ensuring compliance with the applicable State codes (Standard Building Regulation (SBR) or zone codes of the scheme.

Any activity listed as being “Self Assessable” in the Assessment Category column of the Tables of Zones, must comply with the “Acceptable Solution” listed in column 2 of the Table of Zones. If it cannot, the development is not “**self assessable**” but becomes “**assessable**” development.

Assessable Development

Within the category of assessable development, there are two sub-categories:

- **Code Assessment**; and
- **Impact Assessment**.

Code Assessment

If a development activity requires code assessment, that activity is assessed by the assessment manager (generally the Mareeba Shire Council, a State government department or a private building certifier with respect to assessment against the SBR) or against the applicable codes and the common material.

Impact Assessment

If a development activity requires impact assessment, the application requires formal public notification and a broader assessment of the activity is carried out by the assessment manager, having regard to:

- the common material;
- the Planning Scheme;

- any State planning policies not identified in the Planning Scheme as being appropriately reflected in the Planning Scheme; and
- any development approval for, and lawful use of, premises the subject of the application or adjacent.

Any “impact assessment” development requires public notification and attracts third party appeal rights, whereas self assessment and code assessment development do not.

Staging Applications for a Proposal

A proposal may involve one or more assessable development activities (eg, material change of use and building work). A single application need not deal with all development activities at once. The person making the application may choose to stage the proposal by making two or more applications. For example, the first application may be for the material change of use and any associated works under the Planning Scheme, followed by a second application for the building work assessed against the Standard Building Regulation (SBR).

Making an Application

If a development activity is assessable an application is required to be made. The application is assessed by an assessment manager (ie, the Mareeba Shire Council, a State government department or a private building certifier with respect to assessment against the SBR).

A Well-Prepared Application

Early identification of the relevant assessment requirements under both the Planning Scheme and other legislation will help to ensure a well-prepared application. A well-prepared application consists of:

- the completed relevant Parts of the application form;
- the consent of **all** the registered owners of the subject site;
- the application fee; and
- supporting information, including scaled plans and a written explanation of the proposal along with details of any consultation that has occurred during the preparation of the application.

Completing the Application Form

Form 1 - Development Application is the standard form for making an application. This application form applies across the State regardless of whether the application is made to Mareeba Shire Council, another Queensland local government, a State government department or a private building certifier.

The form has a modular structure enabling it to be tailored by the applicant according to the nature of the proposal. Some of the parts include:

- Part A - Common Material;

- Part B - for building work assessed against the Building Act;
- Part D - for an application for material change of use (under a planning scheme, etc); and
- Parts C, G etc; and
- a Referrals Checklist.

Only those components of the form relevant to the particular proposal need to be completed.

The **Assessment Checklist** assists in determining the Parts of the application form that apply to a particular application.

Form 1 is available at Mareeba Shire Council or on the IPA website at www.ipa.qld.gov.au

Guide 1 - Making an IDAS Application, accompanies the form and provides assistance on tailoring the form to a proposal and filling out the required details. Guide 1 is one of a series of guides prepared to assist in the completion of the application forms.

Completing the Referrals Checklist

The Form 1 - Referrals Checklist has been designed to assist in the identification of the referral agencies applicable to a particular application. A referral agency is usually a State government department that has a statutory responsibility to assess certain development activities (eg, the Environmental Protection Agency for environmentally relevant activities or the Department of Natural Resources and Mines for clearing native vegetation on freehold land).

Where to Lodge an Application

Where to lodge an application depends on the assessable development activities involved:

- An application assessable under the Planning Scheme (whether or not the application also includes other assessable development) is made to Mareeba Shire Council.
- An application assessable under Schedule 8 of the IPA for:
 - building work under the *Building Act 1975* **only** is made to Mareeba Shire Council or a private building certifier;
 - clearing of native vegetation on freehold land **only** is made to the Department of Natural Resources and Mines;
 - an Environmentally Relevant Activity (ERA) **only** is made to the Environmental Protection Agency (unless the ERA is devolved to Mareeba Shire Council or delegated to the Department of Primary Industries).

For applications made to Mareeba Shire Council, the application may be made in person at the Council Office in Rankine Street, Mareeba. Alternatively, the application may be mailed to PO Box 154, Mareeba, Qld, 4880.

WHAT OTHER GUIDANCE IS AVAILABLE?

To provide further assistance, the following user's guides have been prepared:

Assessment Checklist

User Guide 1	Features of the Mareeba Shire Council Planning Scheme and Its Relationship to State Legislation
User Guide 3	Assessing an Application against the Mareeba Shire Planning Scheme
User Guide 4	Acting on an Approval
User Guide 5	Commenting on an Application

USER GUIDE 3

Assessing an Application against the Mareeba Shire Planning Scheme

Assessment Categories

A single proposal may involve several development activities and each activity may have a different assessment category determined by the Planning Scheme or Schedule 8 of the *Integrated Planning Act 1997* (IPA). For further information regarding the IPA, refer to User Guides 1 and 2 and Step 4 of the Assessment Checklist.

Under the Planning Scheme, assessment categories are assigned as follows:

- Exempt;
- Self Assessment;
- Code Assessment;
- Impact Assessment.

Zones

- Making a material change of use;
- Carrying out building work not associated with a material change of use;
- Carrying out operational work not associated with a material change of use:
 - (a) Excavation or filling of land;
- Carrying out operational works for reconfiguring a lot;
- Reconfiguring a lot.

Overlays

- Making a material change of use;
- Carrying out building work not associated with a material change of use;
- Carrying out operational work not associated with a material change of use:
 - (a) Excavation or filling of land;
- Carrying out operational works for reconfiguring a lot;
- Reconfiguring a lot.

Self Assessable Development

For self assessment, the person undertaking the development activity is responsible for ensuring compliance with the applicable code.

Code Assessment

For code assessment, Mareeba Shire Council assesses the application against the:

- “Common material” – all material about the application the assessment manager has received and any current development approval; and
- Applicable Planning Scheme zone code or codes – listed in Column 3 of the relevant development tables.

Impact Assessment

For impact assessment, the Mareeba Shire Council assesses the application having regard to:

- the “common material” for the application;
- the Planning Scheme;
- any “State Planning Policy” not reflected in the Planning Scheme;
- any approval for the land or adjacent land;
- any “lawful use” of the land or adjacent land; and
- any submissions received during the public notification period.

Under the Mareeba Shire Planning Scheme, development applications for a material change of use for an undefined purpose requires impact assessment.

Determining the Assessment Category under the Planning Scheme

To determine if a proposal involves self assessable or assessable development under the Mareeba Shire Planning Scheme, first determine the zone applying to the land from the zoning maps (Z1 to Z18) - then refer to the “assessment table” for that zone. (*The definitions of uses in Schedules 2, 3 & 4 of Part 7 of the Planning Scheme will assist in using the assessment table for a material change of use*).

Next check the overlay maps (H1 to H10, N1, V1, V2, M1 to M5, F1 to F3, A1 to A4 and MA29) to determine if the property is affected by one or more overlays. If it is, refer to the assessment table for the relevant type of overlays, ie, Natural Features and Cultural Heritage Feature Overlays and the Airport and Aviation Facilities Overlay. (*Refer to User Guides 1 and 2 for further information regarding zones and overlays, self assessment and making an application*). The higher assessment category prevails if the categories for the zone and overlay(s) differ, as shown in the table below:

Zone Category	Overlay Category		
	Exempt	Self assessable	Code
Exempt	Exempt	Self assessable	Code
Self assessable	Self assessable	Self assessable	Code
Code	Code	Code	Code
Impact	Impact	Impact	Impact

Assessment against an Applicable Code

The Mareeba Shire Planning Scheme contains codes relating to:

- Each Zone (Part 4);
- Each type of Overlay (Part 5); and
- Development for a Stated Purpose or of a Stated Type (Part 6).

The format of the codes differs based on whether it is applicable to self assessable or code assessable development. A code for **self assessable** development contains a list of precise criteria called “**acceptable solutions**”. These allow the person proposing the development to readily determine if the proposal complies with the code.

A code for **code assessable** development contains statements of the overall outcomes or purpose of the code. These are supported by specific outcomes and sometimes “**probable solutions**” (P1) for achieving the specific outcomes (S1). In some codes in Part 6, the specific outcomes and solutions are presented differently.

The **specific outcomes** may relate to all development to which the code relates, or may be specific to a type of development activity, certain uses, the location of the proposal, etc, in which case only the outcomes relevant to the proposal are applicable.

A **probable solution** provides a guide for achieving all or part of the applicable specific outcome. The applicant may demonstrate achievement of the specific outcomes in another way and the Council may vary or add to the specific criteria in an approval by the imposition of conditions.

For Example

(3) Elements of the Commercial Code

Specific Outcomes	Acceptable Solution (Self assessable) Probably Solution (Code Assessable)
Amenity and Townscape Character	
S1. The attractiveness and amenity of the Central Business District of Mareeba	P2. Building height and the height of other structures does not exceed 12 metres

Broader Assessment against the Scheme

Impact assessment involves a broader assessment having regard to all relevant provisions of the Planning Scheme. Any “impact assessment” development requires public notification and attracts third party appeal, whereas self assessment and code assessment development do not.

The Development Assessment Process

An application must be assessed using the Integrated Development Assessment System (IDAS) established under IPA. IDAS is the step-by-step process for making, assessing and deciding applications in Queensland.

The Provision of Additional Information

Depending on the level of information submitted with an application, the Mareeba Shire Council may consider it necessary to request the applicant to provide further information to assist in the assessment. A well-prepared application may reduce the need for the Council to request further information during the assessment of the application. Planning Scheme Policy 3 identifies the nature of information that may be requested.

Consultation

A significant amount of applications made to Mareeba Shire Council will be code assessable. A code assessable application is not required to be “publicly notified”. However, under Planning Scheme Policy 3, the Council may seek advice about the application from any person considered to have specialist knowledge or a special interest in the development application. This consultation may occur for any code assessable development application but particularly in those instances where the development is proposed, for example:

- Within 500 metres of identified mineral resources;
- On land known to be of Cultural Heritage significance;
- On development requiring assessment against an overlay.

Any “impact assessment” development requires public notification and attracts third party appeal, whereas self assessment and code assessment development do not.

Deciding the Application

The assessment manager (eg, the Mareeba Shire Council) must decide the application based on the assessment.

Decision for Code Assessable Development

The assessment manager’s decision may conflict with an applicable code if there are sufficient grounds to justify the decision, having regard to the purpose of the code.

However, if the application is:

- for **building work** – the decision must not conflict with the *Building Act 1975*;
- assessable against the Planning Scheme – the decision must not compromise the achievement of the desired environmental outcomes and cannot be inconsistent with any State Planning Policy.

The assessment manager may only refuse the application if:

- the development does not comply with the applicable code/s; and
- compliance with the applicable code/s cannot be achieved by imposing conditions.

Decision for Impact Assessable Development

The assessment manager's decision must not:

- compromise the achievement of the desired environmental outcomes for the Planning Scheme;
- conflict with the Planning Scheme unless there are sufficient grounds to justify the decision;
- be inconsistent with any State planning policy.

Direction by a Concurrence Agency

If an application is referred to a concurrence agency (eg, the Environmental Protection Agency for an environmentally relevant activity) and the concurrence agency requires the application to be refused, the assessment manager must refuse it. Alternatively, if a concurrence agency requires certain conditions to be imposed, the assessment manager must impose these conditions in any approval.

The Type of Decision

The assessment manager may:

- (a) approve the application:
- in full, with or without conditions; or

- in part, with or without conditions; or

- (b) refuse the application.

The Type of Approval

These are two (2) types of approvals that may be given:

- **“Development Permit”** - The final approval which must be obtained for each assessable development activity (eg, If a proposal involves material change of use assessable against the Planning Scheme and building work assessable against the Standard Building Regulation (SBR), a development permit must be obtained for both development activities, through either a single or multiple applications).
- **“Preliminary Approval”** – A legally binding approval that does not authorise assessable development to occur. It is not necessary to obtain a preliminary approval prior to making an application for development permit¹ but it may assist in the staging of the applications.
- Unless application for building work under the *Building Act 1975* is made to a private certifier and the building work is also assessable under the Planning Scheme, in which case a preliminary approval for the building work under the Planning Scheme is necessary prior to the certifier issuing the development permit.

WHAT OTHER GUIDANCE IS AVAILABLE?

To provide further assistance, the following user's guides have been prepared:

Assessment Checklist

User Guide 1	Features of the Mareeba Shire Planning Scheme and Its Relationship to State Legislation
User Guide 2	Complying with Self assessable and Code Assessable Development and Making an Application in Mareeba Shire
User Guide 4	Acting on an Approval
User Guide 5	Commenting on an Application

USER GUIDE 4

Acting on a Development Approval

When the Approval may be Acted Upon

A development approval may be acted upon once the approval has taken effect.

Acting on an approval means:

- For development that is material change of use – starting or intensifying the use of the premises.
- For development that is reconfiguring a lot – lodging the surveyor plan authorised by the development permit with Mareeba Shire Council for endorsement prior to registration.
- For other development – substantially starting the works.

When the Approval Takes Effect

For a code assessable application, the approval takes effect if:

- The applicant does not appeal the decision – from the day the decision is given.
- The applicant appeals the decision – when the decision of the Court or Tribunal is made (and subject to the decision of the Court or Tribunal). Development may not start until the appeal is decided, unless permission is granted from the Court.

For an application involving impact assessment, the approval takes effect if:

- There is no submitter for the application and the applicant does not appeal the decision – from the day the decision is given.
- There is a submitter for the application and both the submitters and applicant do not appeal the decision – from the day both the submitter's and applicant's appeal period end.
- There is a submitter for the application and the submitter appeals the decision – from the day the appeal is decided.
- The applicant appeals the decision, regardless of whether there is a submitter – from the day the appeal is decided.

How Long the Approval Lasts

Once an approval is given, it remains current for a specified period (ie. the currency period). If an approval is

not acted on before expiry of the currency approval, the approval lapses and can no longer be acted upon.

The currency period for an approval starts the day the approval takes effect and ends at the time started in the approval. If the approval does not state a currency period, the default currency periods apply, which are:

- 4 years
 - For a material change of use;
 - For reconfiguring a lot requiring operational works (roads, etc).
- 2 years
 - For other development (not requiring any operational works).

When an Approval Lapses

A development approval lapses at the end of the currency period unless:

- For development that is a material change of use – the change of use happens before the end of the currency period.
- For development that is reconfiguring a lot – the survey plan authorised by the development permit is given to Mareeba Shire Council for endorsement before the end of the currency period.
- For other development – development under the approval substantially starts before the end of the currency period.

In addition, if a condition of an approval requires the development or part of the development to be completed within a particular time, the approval lapses unless the development or part of the development is completed by the given time.

Making Changes to an Existing Approval

If an approval is issued but the applicant(s) wish to change the approved plans, the conditions of approval or the length of time available to start the development, a request can be made to change the approval, provided it is still current.

The request is made to the assessment manager for the original application, using Form 2 - Request to Change an Existing Approval.

WHAT OTHER GUIDANCE IS AVAILABLE?

To provide further assistance, the following user guides have been prepared:

Assessment Checklist

- | | |
|---------------------|---|
| User Guide 1 | Features of the Mareeba Shire Planning Scheme and Its Relationship to State Legislation |
| User Guide 2 | Complying with Self assessable and Code Assessable Development and Making an Application in Mareeba Shire |
| User Guide 3 | Assessing an Application against the Mareeba Shire Planning Scheme |
| User Guide 5 | Commenting on an Application |

USER GUIDE 5

Commenting on an Application

Anyone may comment (ie, make a submission) about an application being assessed by the Mareeba Shire Council or any other assessment manager (eg, the Environmental Protection Agency or Department of Natural Resources and Mines).

Submissions may be sought in relation to impact assessable development in accordance with the provisions of the *Integrated Planning Act 1997* (IPA). In this situation, a submitter is notified of the decision in relation to the application and may appeal against it to the Planning and Environment Court.

In Mareeba Shire, development applications that require public notification are for a material change of use for a purpose defined in the Planning Scheme and identified as Impact Assessment in Column 2 of the Tables of Zones, and any purpose not defined by the Scheme.

However, Mareeba Shire Council may seek community input in relation to development requiring code assessment. In this situation, the submissions will be considered by the Council during the determination of the application but there are no associated appeal rights.

Preparing a Submission

When preparing a submission, it is important to have a basic understanding of the proposed development as well as the development provisions applying to the land. Any comments made should be relevant to the application and in a format that provides all the necessary information for the assessment manager (eg, Mareeba Shire Council) to fully consider the submission during the assessment of the application.

How to find out the Details of a Development Application

The details of all development applications are available through the public scrutiny process. This information is available while the application is being assessed and decided. Anyone can access this information by visiting the offices of the assessment manager (eg, Mareeba Shire Council) either at Mareeba or for development in the Kuranda area, in the Kuranda Shire Library.

This enables any person to view the application form, the plans and any reports submitted in support of the application and any comments about the application received by Mareeba Shire Council.

How to find out how Development on the Land is Regulated

The Mareeba Shire Planning Scheme regulates the development of all land within the boundaries of Mareeba Shire. The Planning Scheme contains the Mareeba Shire Council's policy direction for the area and specifies what kinds of development requires an application to be made and the assessment criteria used to assess the suitability of development proposed in the Shire.

The Planning Scheme is also available for viewing at the Mareeba Shire Council office.

Schedule 8 of the IPA also identifies the kinds of development that the State government has determined requires an application.

Other state government legislation contains the criteria for assessing these applications.

Other State government legislation contains the criteria for assessing these applications (eg, the *Environmental Protection Act 1994* includes assessment criteria for environmentally relevant activities).

Existing use rights and prior approvals over land that are still current will also provide certain development entitlements for the land.

Contents of a Submission

A submission should express concerns or support or both for a proposal. To ensure the assessment manager can consider the issues raised, the submission should be based on the assessment criteria for the application (eg, the applicable provisions of the Planning Scheme or those contained in other legislation against which the application is being assessed.)

The code assessment of an application under the Planning Scheme will include an assessment of whether the proposal is consistent with the outcomes sought by:

- a zone code (whichever is applicable);
- an overlays code if applicable;
- any code for development for the purpose or of the type proposed.

The types of issues that may be dealt with during the assessment of an application under the Planning Scheme may include whether:

- a proposed use in a zone is located according to the preferred use areas identified on one of the zone maps;
- a proposed use in that zone is compatible with, say, primary industries;
- a proposal minimises adverse effects on nearby uses;
- proposed buildings and other works are consistent with the scale and design of existing buildings and other works in the area;
- a proposal maintains the value of a nearby cultural heritage feature or natural feature;
- a proposal maintains the health and safety of residents and visitors, and the amenity they enjoy.

How to Format a Submission

Mareeba Shire Council may seek community input in any form, but to the most effective a submission should:

- be expressed in writing;
- state in reasons for the submission;
- contain the names and addresses of each person making the submission;
- be signed by each person making the submission;
- be given to the assessment manager (ie, the authority responsible for assessing and determining the application, eg, Mareeba Shire Council or a State government department);
- be given prior to the application being decided.

For submissions on impact assessable development, they must be received by the date specified on the public notices.

Consideration of Submissions

When deciding the application, the assessment manager (eg, Mareeba Shire Council) must consider the issues raised in the submissions. This consideration may result in the proposal being modified to address the issues.

Availability of Submitter's Details

Submissions are not confidential; however, the Council may choose to delete the names and addresses of submitters from the submission. Submissions form part of the material available for public scrutiny so that the applicant has the opportunity to address the issues raised.

Contact Details

Mareeba Shire Council
65 Rankin Street
MAREEBA QLD 4880

Phone: (07) 40 303 900
Facsimile: (07) 40 303 978
Email: ceo@msc.qld.gov.au

Postal Address

Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

WHAT OTHER GUIDANCE IS AVAILABLE?

To provide further assistance, the following user's guides have been prepared:

Assessment Checklist

- | | |
|---------------------|---|
| User Guide 1 | Features of the Mareeba Shire Planning Scheme and Its Relationship to State Legislation |
| User Guide 2 | Complying with Self Assessable Codes and Making an Application in Mareeba Shire |
| User Guide 3 | Assessing an Application Against the Mareeba Shire Planning Scheme |
| User Guide 4 | Acting on an Approval |

ASSESSMENT CHECKLIST

This checklist is designed to assist in determining:

- The development activities involved in a proposal;
- Whether one or more proposed development activities is “self assessable” or require application under the Planning Scheme or under Schedule 8 of the Integrated Planning Act 1997 (IPA) or under both the planning scheme and schedule 8; and
- If necessary, the application forms required to be completed.

This checklist is to be read in conjunction with User’s Guide 2.

Step 1 Zone	
Determine the zone of the land by referring to the zoning maps Z1 to Z18	<ul style="list-style-type: none"> • Residential? • Commercial? • Myola? etc
Step 2 Preferred Areas	
Determine if land is within a preferred area on Maps Z1 to Z18	<ul style="list-style-type: none"> • None • Preferred Area No 1 - Residential High Density on Maps Z2 or Z3; or • Preferred Area No 2 - Mona Mona Reserve on Map Z10; or • Preferred Area No 3 - Clohesy River Area on Maps Z8, Z9 and Z10; or • Preferred Area No 4 - Mareeba Airport on Map Z5; or • Preferred Area No 5 - Residential High Density (Kuranda) on Map Z6; or • Preferred Area No NOX1 - Noxious, Offensive and Hazardous Industry on Maps Z2 and Z5; or • Preferred Area No NOX2 - Noxious, Offensive and Hazardous Industry on Maps Z2 and Z5; or • Preferred Area No NOX3 - Noxious, Offensive and Hazardous Industry on Maps Z2 and Z5.
Step 3 Overlay	
Determine which (if any) overlay applies to the land by referring to Part 5 Overlays and the relevant overlay Maps Refer to any relevant note on the maps	<ul style="list-style-type: none"> • None • Natural and Cultural Heritage Features Overlay; • Airport and Aviation Facilities Overlay; • Significant Vegetation Overlay; • Natural Disaster - Bushfire Overlay.
Step 4 Type of Development	
Identify all the development activities involved in your proposal	<ul style="list-style-type: none"> • Material change of use? • Building Work? • Operational works? • Reconfiguring a lot? • Plumbing and drainage works? <i>(currently exempt from both IPA and schedule 8)</i>

Step 5 Assessment category under Schedule 8 of IPA	
Development assessment category (a) Building work assessable under schedule 8 of IPA	<ul style="list-style-type: none"> • Code Assessment (Applicable codes: Standard Building Regulation)
(b) Operational work	<ul style="list-style-type: none"> • Exempt
(c) Plumbing and drainage work	<ul style="list-style-type: none"> • Exempt (currently not integrated under IDAS and therefore not assessable under schedule 8 of IPA; <i>(Note: an application will be required under the Plumbing and Drainage Act 2002)</i>)
Step 6 Assessment category under the planning scheme	
Go to the Assessment Table of relevant zone (say Residential zone) Find the use that best describes your proposal in Column 1; Find the corresponding assessment category in Column 2; Find the relevant assessment criteria or Code in Column 3.	For an explanation of each defined use go to Part 7 – Schedules. For some proposals more than one use may be involved. If the land is zoned Residential go to Table 5, Table of Zones - Residential.
For Material change of use	
(a) Go to the assessment table for material change of use	If the land is included in the Residential zone go to Table 5 ; If the land is included in the Industry zone go to Table 9 ; For ease of reference go to Table of contents for the various Divisions and Tables.
(b) If self assessable, identify\y the applicable code in Column 3.	The applicable code/s are listed in Column 3.
(c) If code assessable, identify the applicable code/s in column 3	The applicable code/s are listed in Column 3.
(d) If the site is also affected by an overlay , go to the relevant overlay assessment table and find the use in column 1 and any other applicable criteria in column 2 to determine the assessment category. Note: for land affected by an overlay, the assessment category for the overlay may be different for the assessment category of the zone. If code assessable, identify the applicable code in column 3.	If the land is affected by the Airport and Aviation Facility Overlay go to Part 5 - Division 3, Table 27. The applicable code is the relevant code for the overlay.
(e) if the material change of use is assessable development, complete Form 1Development Application: <ul style="list-style-type: none">• Part A; and• Part D; and The Referral Checklist.	An application for material change of use requiring assessment against the planning Scheme must be made to the Mareeba Shire
Step 7 Does application trigger a referral to a Referral Agency?-(concurrence or advice)	
Code Assessment and Impact Assessment development may trigger a referral to a Referral Agency such as a State Controlled road matters and development involving an Environmentally Relevant Activity (ERA)	Refer to the various Guides 3 of the IDAS guidelines and the referrals checklist to determine if the application requires referral.
Step 8 Does the Application trigger the referral coordination process?	
There are two ways in which referral coordination may be	Refer to Guide 6 of the IDAS guidelines which accompanies

<p>triggered for an application:</p> <ol style="list-style-type: none"> 1. If it involves three or more concurrence agencies; or 2. If it is for or involves a facility or area prescribed in Schedule 6 or 7 of the Integrated Planning Regulation 1998 (IP Regulation)-transitional provisions. 	<p>Form 1 - Development Application and the referrals checklist.</p>
<p>For reconfiguring a lot</p>	
<p>(a) Go to the assessment Table for “other development” that applies to the zone in which the land is located and find Reconfiguring a Lot in column 1 and the corresponding assessment category in column 2.</p>	
<p>(b) Complete Form 1 Development Application: Part A and Part F</p>	<p>An application for Reconfiguring a lot requiring assessment against the planning Scheme must be made to the Mareeba Shire.</p>