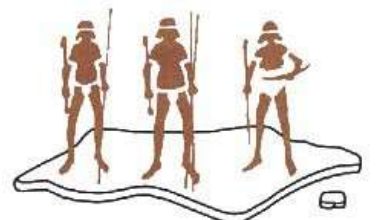




MORNINGTON SHIRE PLANNING SCHEME

# PLANNING SCHEME







## **Citation and commencement**

This planning scheme may be cited as Mornington Shire Planning Scheme.

A notice was published in the Government Gazette No. 72 on 11 April 2014, for the planning scheme for the Shire of Mornington.

The commencement date for the planning scheme was 17 April 2014.

Amendments to the planning scheme are included at Appendix 2.



## Community statement

The planning scheme acknowledges the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples, the traditional custodians of the land in the Mornington Shire Council area. The customs and traditions of these people have nurtured and managed the land and will continue to do so. The planning scheme pays respect to elders' past and present of the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples. In making planning decisions for Mornington Shire it will be remembered that the land is and always will be traditional Aboriginal land with which Aboriginal people have a special cultural relationship.

### The planning scheme is a living document

This planning scheme is the first planning scheme for Mornington Shire. It should be seen as a living document that builds upon the existing knowledge, practices, and responsibilities of caring for the country and the planning work that has already been done. This planning scheme reflects current local and State government policy.

The real effect of the planning scheme is when new development occurs. As things change, the planning scheme needs to be reviewed and updated to reflect:

- new development;
- changes in the amount of land available for development;
- changes in Council's planning policy;
- changes in State and Federal government; and policy.

### Fundamentals of the planning scheme

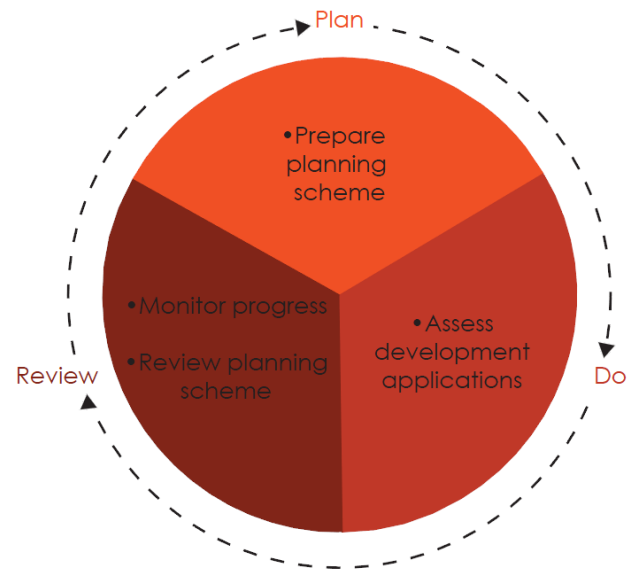
When developing in Mornington Shire, the following fundamental issues should be considered and recognised:

- all development in Mornington Shire concerns the community as change on the islands affects and forms part of the identity of the community.
- holding tenure over land in the Mornington Shire brings with it the expectation of contributing to the local community.
- all development must be undertaken in accordance with the duty of care, as required by the *Aboriginal Cultural Heritage Act 2003*.

Under the *Planning Act 2016*, Council's decision-making process about development must be accountable, effective and efficient; delivering sustainable outcomes by managing the effects of development on the environment and coordinating and integrating with planning at all regulatory levels. All decisions must also be made within the application of the precautionary principle.

In applying these mandatory requirements through the planning scheme, Council will seek to ensure that development contributes to real and ongoing benefits for the community. This means that a key outcome for Council of all future development will be the delivery of long-term benefits to the community.

Editor's note—the community statement is extrinsic material to the planning scheme.





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# 01 ABOUT THE PLANNING SCHEME





# Part 1 About the planning scheme

## 1.1 Introduction

- (1) The Mornington Shire Planning Scheme (planning scheme) has been prepared in accordance with the *Sustainable Planning Act 2009* (the SP Act) as a framework for managing development in a way that advances the purpose of the SP Act.
- (2) The planning scheme was amended for alignment with the *Planning Act 2016* (the Act) by the Minister's rules under section 293 of the Act on <insert date the alignment amendment was adopted>.
- (3) In seeking to achieve this purpose, the planning scheme sets out Mornington Shire Council's intention for the future development in the planning scheme area, over the next 10 years.
- (4) While the planning scheme has been prepared with a 10 years horizon, it will be reviewed periodically in accordance with the Act to ensure that it responds appropriately to the changes of the community at a local, regional and state level.
- (5) The planning scheme applies to the planning scheme area of Mornington Shire Council including all premises, roads, internal waterways and local government tidal areas.

Editor's note—State legislation may state that the planning scheme does not apply to certain areas, e.g. strategic port land under the land where there is a land use plan only to the extent of any inconsistency. In accordance with the provisions of section 24 of the *Sustainable Ports Development Act 2015* a port overlay for a master planned area prevails over the planning scheme, to the extent of any inconsistency

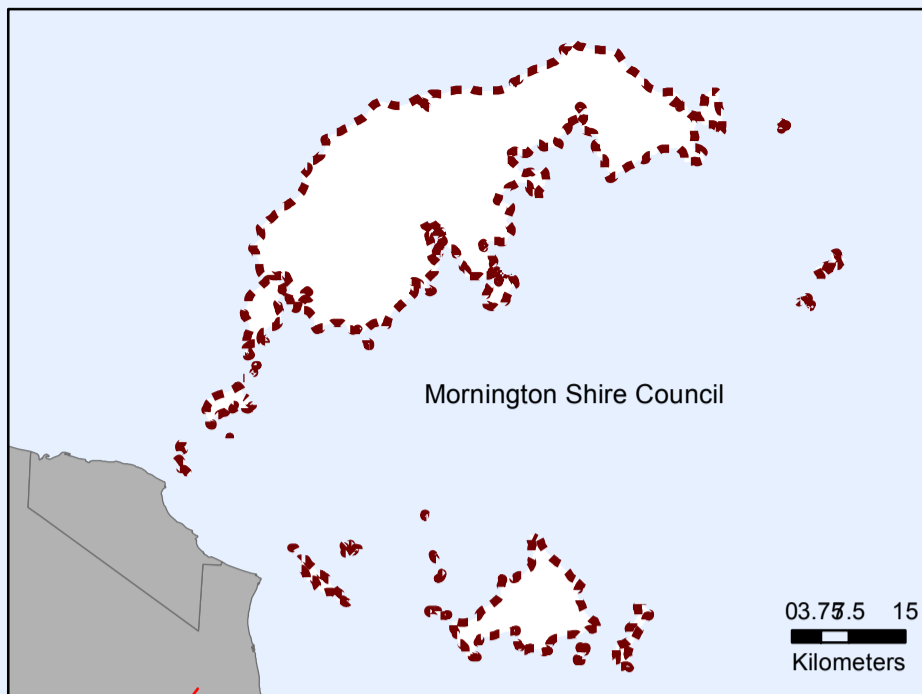




# Morrington Shire Planning Scheme

## Legend


 Local Government Area

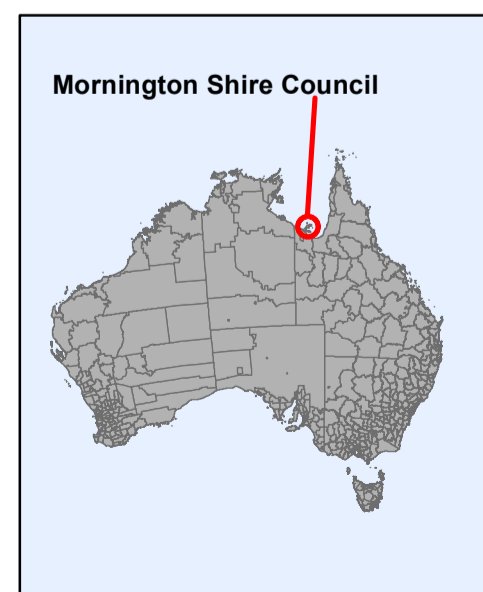
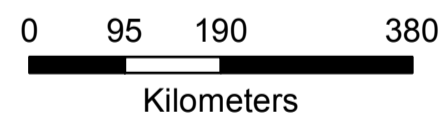


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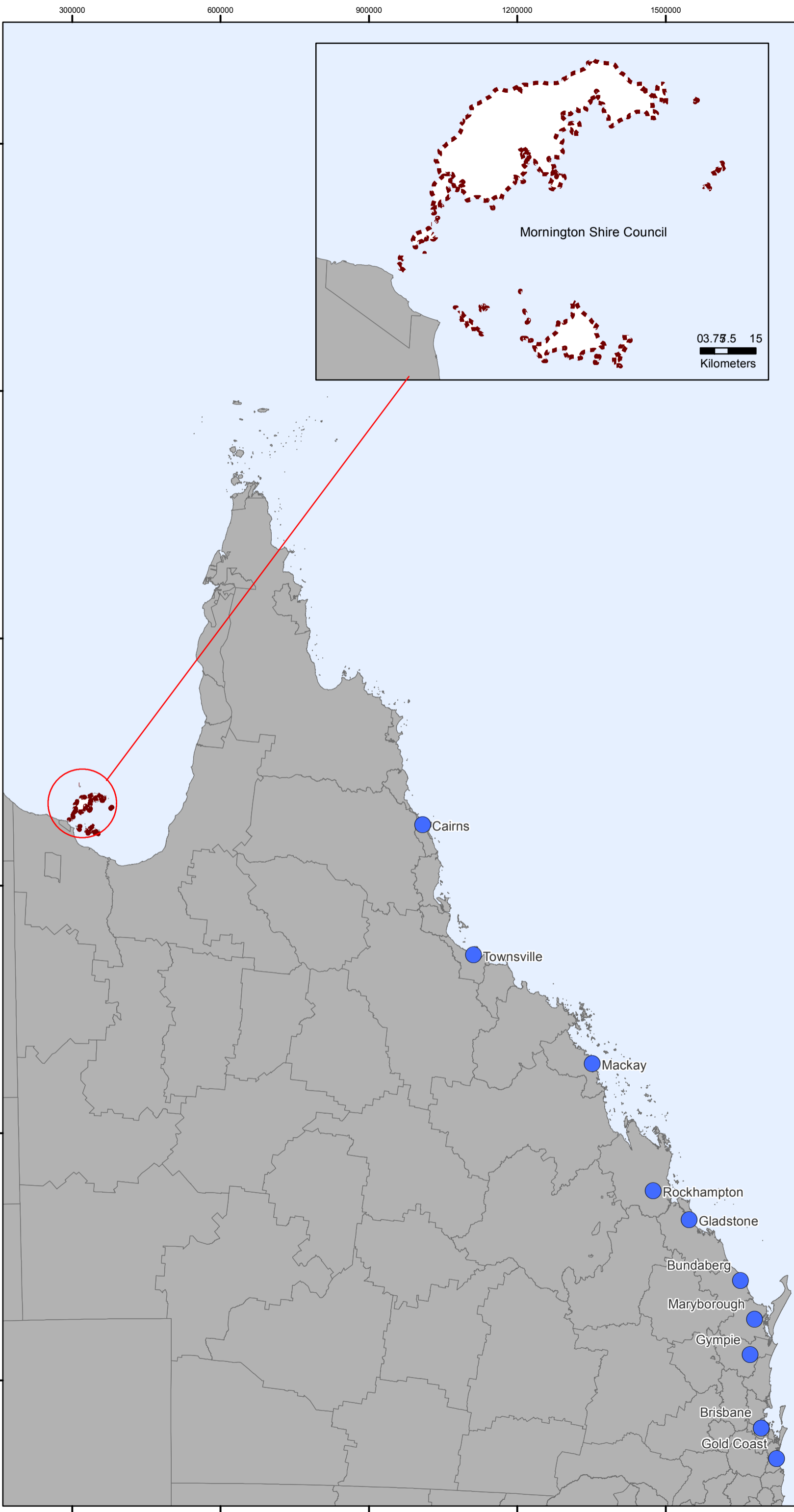
Coordinate System: GDA 1994 - MGA Zone 54

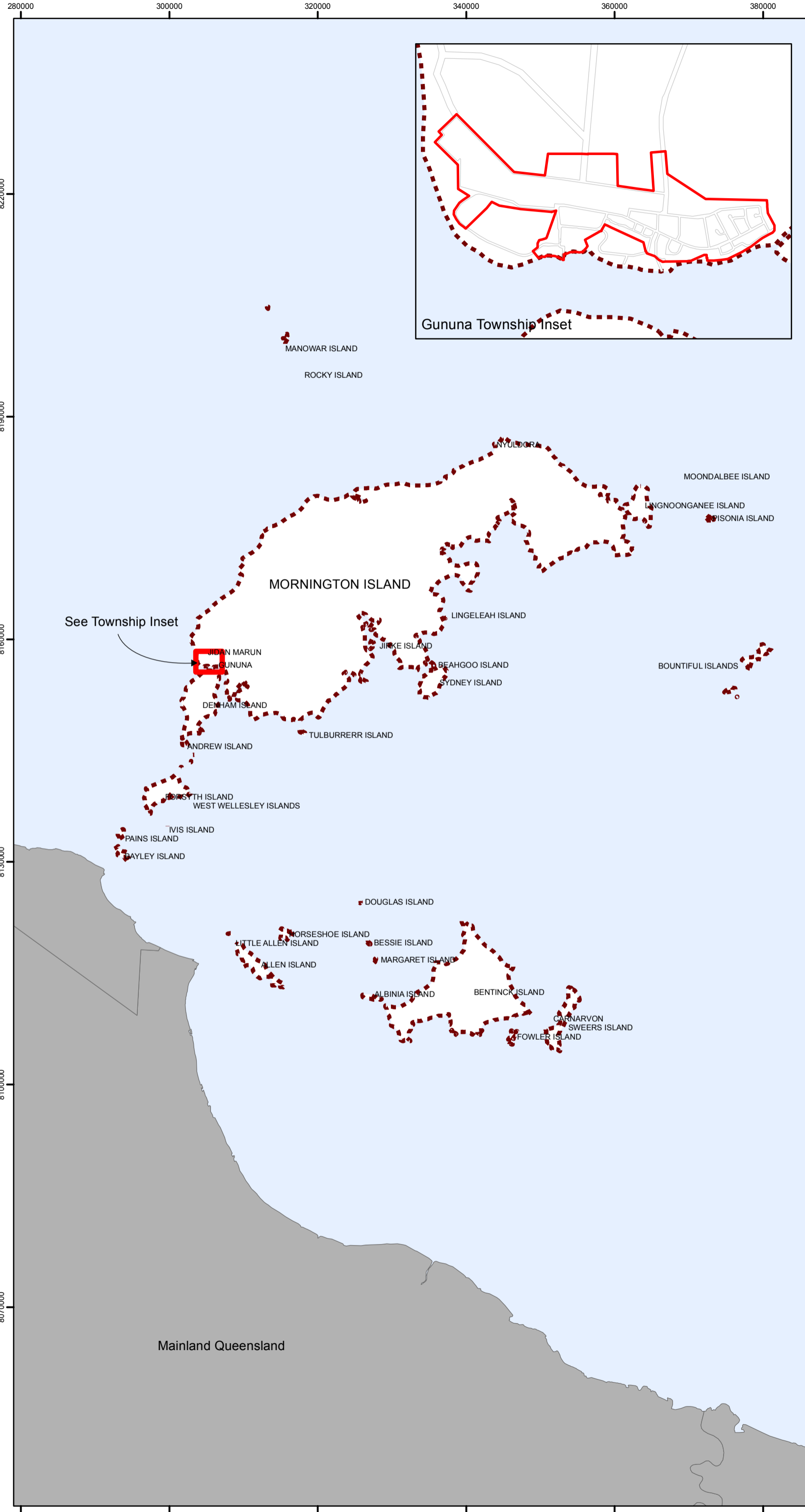
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**Morrington Shire Council**

Map 1: Planning Scheme Area





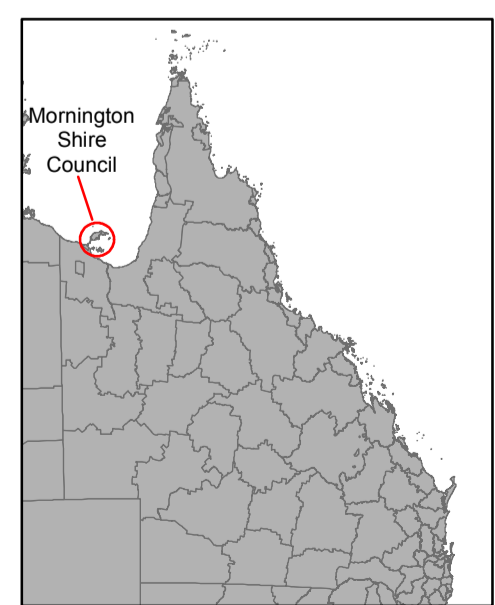
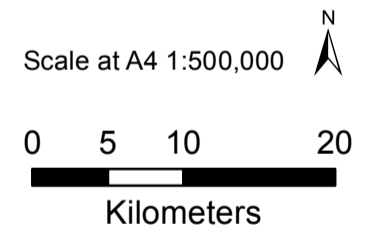
**Legend**

-  Township boundary
-  Road
-  Local Government Area

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Coordinate System: GDA 1994 - MGA Zone 54



Map 2: Local Government Context



## 1.2 Planning scheme components

- (1) The planning scheme comprises the following components:
  - (a) about the planning scheme;
  - (b) state planning provisions;
  - (c) the strategic framework;
  - (d) the local government infrastructure plan;
  - (e) tables of assessment;
  - (f) the following zones:
    - (i) General residential zone
    - (ii) Centre zone
    - (iii) Recreation and open space zone
    - (iv) Industry zone
    - (v) Community facilities zone
    - (vi) Environmental management and conservation zone
  - (g) the following overlays:
    - (i) Airport environs overlay
    - (ii) Coastal protection overlay
    - (iii) Interim floodplain assessment overlay
  - (h) schedules and appendices.

## 1.3 Interpretation

### 1.3.1 Definitions

- (1) A term used in the planning scheme has the meaning assigned to that term by one of the following:
  - (a) the *Planning Act 2016* (the Act);
  - (b) the Planning Regulation 2017 (the Regulation), other than the regulated requirements;
  - (c) the definitions in Schedule 1 of the planning scheme;
  - (d) the *Acts Interpretation Act 1954*; or
  - (e) the ordinary meaning where that term is not defined in any of the above.
- (2) In the event a term has been assigned a meaning in more than one of the instruments listed in sub-section 1.3.1(1), the meaning contained in the instrument highest on the list will prevail.
- (3) A reference in the planning scheme to any act includes any regulation or instrument made under it, and where amended or replaced, if the context permits, means the amended or replaced act.
- (4) A reference in the planning scheme to a specific resource document or standard, means the latest version of the resource document or standard.
- (5) A reference to a part, section, table or schedule is a reference to a part, section, table or schedule of the planning scheme.

Editor's note—the regulated requirements do not apply to this planning scheme.

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

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

Note—this is an example of a note.

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

Footnote<sup>1</sup>—see example at bottom of page.

---

<sup>1</sup> Footnote—this is an example of a footnote.  
Mornington Shire Planning Scheme



### 1.3.3 Punctuation

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

### 1.3.4 Zones for roads, closed roads, waterways and reclaimed land

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

Editor’s note—the boundaries of the local government area are described by the maps referred to within the Local Government Regulation 2012.

## 1.4 Categories of development

- (1) The categories of development under the Act are:
  - (a) accepted development<sup>2</sup>

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

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

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

- (c) prohibited development.

Editor’s note—A development application may not be made for prohibited development. Schedule 10 of the Regulation prescribes prohibited development.

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

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

---

<sup>2</sup> Accepted and accepted subject to requirements developments also need approval under the existing process for Traditional Owner consent, which is carried out through the Land Office. Note that this is outside of the IDAS process and *Planning Act 2016* control.



## 1.5 Hierarchy of assessment benchmarks

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

Editor's note—in this planning scheme there are no local area plans.

## 1.6 Building work regulated under the planning scheme

- (1) Section 17(b) of the Regulation identifies that a local planning instrument must not be inconsistent with the effect of the building assessment provisions stated in the *Building Act 1975*.
- (2) The building assessment provisions are listed in section 30 of the *Building Act 1975*.
- (3) This planning scheme, through Part 5, regulates building work in accordance with sections 32 and 33 of the *Building Act 1975*.

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

- regulate, for the Building Code of Australia (BCA) or the Queensland Development Code (QDC), matters prescribed under a regulation under the *Building Act 1975* (section 32). For example, building height and space for on-site parking. It may also regulate other matters such as flooding, bushfire prone areas, noise corridors and end-of-trip facilities;
- deal with an aspect of, or matter related or incidental to building work prescribed under a regulation under section 32 of the *Building Act 1975*;
- specify alternative planning scheme provisions under section 33 of the *Building Act 1975*. This relates to alternative design solutions for boundary clearance and site cover provisions MP 1.1, 1.2 and 1.3 of the QDC.

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

## 1.7 Local government administrative matters

- (1) Despite anything stated in the standard wording of the Queensland Planning Provisions on which this planning scheme is based, the possession and consumption of liquor in Mornington Shire is prohibited in accordance with the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984* except at Birri Fishing Paradise and Sweers Island Resort as provided for by existing licensing arrangements.
- (2) The planning scheme seeks to recognise the relationship that the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples of Mornington Shire have with their County. This relationship is based on traditional lore and customs passed down by their forefathers and includes the way people use local resources. The concept of Country and its resources is an important element of the planning scheme and for the purposes of the planning scheme is defined to include; land, plants, animals, minerals in the earth, saltwater, freshwater, the topography of the land, ecological process and all natural environments that are important to the people of Mornington Shire.
- (3) To ensure development in Mornington Shire acknowledges and respects the local people, culture and traditions, Council strongly recommends that any person or organisation proposing to develop in Mornington Shire consult with the traditional custodians, who are legally recognised as native title holders of the land. Council in its decisions about development will also consult with the native title holders of the land.



# 02 STATE PLANNING PROVISIONS



## Part 2 State planning provisions

### 2.1 State planning policy

The Minister has identified that the following state planning policy is integrated in the planning scheme:

#### **State interests in the state planning policy appropriately integrated**

- Temporary SPP 1/13: Planning for Prosperity
- SPP 5/10: Air, Noise and Hazardous Materials
- SPP 4/10: Healthy Waters
- SPP 3/10: Acceleration of compliance assessment
- SPP 2/02: Planning and Managing Development Involving Acid Sulfate Soils 1.0

Editor's note—in accordance with section 8(4)(a) of the Act the state planning policy applies to the extent of any inconsistency.

### 2.2 Regulated requirements

The regulated requirements as identified in section 5(2)(a) of the Planning Regulation 2017 are not reflected in this planning scheme.

Editor's note—The planning scheme reflects the Queensland Planning Provisions Version 4.0 dated January 2016.



# 03 STRATEGIC FRAMEWORK







## Part 3 Strategic framework

### 3.1 Preliminary

- (1) The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.
- (2) Mapping for the strategic framework is included in Schedule 2—Mapping.
- (3) For the purpose of describing the policy direction for the planning scheme the strategic framework is structured in the following way:
  - (a) There are 5 themes which include:
    - (i) Settlement and Housing;
    - (ii) Community and Culture;
    - (iii) Environment and Natural Resources;
    - (iv) Economic Development;
    - (v) Infrastructure and Transport.
  - (b) the strategic outcome/s proposed for development in the planning scheme area for each theme;
  - (c) the element/s that refine and further describe the strategic outcome/s;
  - (d) the specific outcomes sought for each, or a number of, elements;
  - (e) the land use strategies for achieving these outcomes.
- (4) Although each theme has its own section, the strategic framework in its entirety represents the policy intent for the planning scheme.

### 3.2 Strategic intent

- (1) Mornington Shire contains the 26 islands which comprise the Wellesley, South Wellesley, Bountiful and Forsyth Islands Groups in the Southern Gulf of Carpentaria. These islands are of great cultural and historical significance to the traditional Aboriginal owners, the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples.
- (2) The natural environment is a key element of the community's lifestyle and identity and is a resource that can contribute to the Shire's economic development. It is therefore important that the Shire's natural environment and resources, including its biodiversity, ecological processes, landscape and water are protected from negative impacts that may result from development. The management of the Shire's environment and resources will be cognisant of traditional knowledge and the local community to ensure the continued sustainability of the Mornington Shire.
- (3) While the Shire's natural environment is a key element of the community's cultural identity and economic prosperity, it also contributes to the Shire's vulnerability to the impacts of natural hazards and climate change. These hazards and impacts include sea level rise, storm tide inundation, coastal erosion, landslide, acid sulfate soils, and bushfire. The vulnerability of Mornington Shire to natural hazards reduces the amount of land able to accommodate development. Development should ensure that people and property are not at risk from natural hazards or the known impacts of climate change.
- (4) Economic development is the cornerstone of sustainability for the Mornington Shire community. The planning scheme seeks to build on the strengths of the skills of the local community, the opportunities provided by the local culture and environment and the existing service sector. Development ensures the ongoing sustainable use of the Shire's natural resources (including its extractive and marine resources). The ongoing existing economic activities and their viability to continue to operate in the long-term are protected. Development for economic activities, including small businesses and enterprises, that do not compromise the other planning objectives and contributes to the local economy in a sustainable manner is appropriate for the Shire.
- (5) Besides the natural environment, the identity and culture of the Mornington Shire community is also linked to places, objects, buildings and structures. The Council and the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples are committed to the protection and preservation of all Aboriginal cultural and historical heritage places. Development does not degrade, disturb, destroy or detract from places, objects or building that has import cultural, heritage or historic values. In addition, as required by the *Aboriginal Cultural Heritage Act 2003*, all development must undertake cultural duty of care.
- (6) The planning scheme considers the constraints and opportunities presented by the natural environment, cultural and historic elements, existing settlement pattern, current



and projected demographics, and State and local government policy to identify a strategy for development in Mornington Shire. The planning scheme identifies areas for housing, employment, retail, industry, open space, recreation and cultural activities. Due to the extent of the Council's infrastructure network, development is focussed in the already developed area of Gununa. In order to address emerging housing needs and future population growth, investigation of appropriate areas for the extension of Gununa is required. Development uses developable land wisely, recognising that it is a finite resource.

- (7) Gununa is the primary economic, administrative and service centre for the Shire and the majority of the Shire's resident population are consolidated within the town which has a compact urban form and provides residents with access to employment, services, infrastructure, open space and a range of housing choices. Gununa is both the air and sea transport hub for the Shire and an important node in the Gulf Region transport network that provides key connections to the region's communities, Mount Isa, Cairns and beyond.
- (8) Development for centre activities occurs in the Gununa town centre, reinforcing its role and providing a greater range of retail, commercial, service, cultural, entertainment and employment opportunities.
- (9) Outstations located on Mornington Island, Denham Island, Forsyth Island and Bentinck Island provide for the accommodation of small family-based groups to enable people to get back onto their 'country' to engage in traditional practices.
- (10) The airport and jetty/barge ramp are important social and economic infrastructure. Development does not compromise the ongoing operation or the potential for them to continue to operate or potential to expand.
- (11) Development is responsive to the natural landscape and character of the Mornington Shire as well as the tropical climate. It creates places and buildings that meet community needs and are comfortable and appropriate for the climate, culture and lifestyle and respect the aspects of the natural environment that are important to the community.

#### **Explanatory notes:**

Owners consent over the Mornington Shire Local Government local area:

1. In 2008, the Federal Court (Spender J, 9 December 2008) ordered, declared and determined that native title existed in relation to the determination area. This has consequences for the implementation of the planning scheme, particularly in relation to giving 'owner's consent' for development.

2. In relation to the Mornington Shire Local Government area, Native Title is held by:-

- Lardil people in that part of the determination area in Schedule 5(a);
- Yangkaal people in that part of the determination area in Schedule 5(b);
- Yangkaal and Gangalidda peoples in that part of the Determination Area in Schedule 5(c);
- Kaiadilt people in that part of the determination area in schedule 5(d);
- Kaiadilt, Yangkaal and Gangalidda peoples in that part of the determination area in Schedule 5(e)

3. The Lardil, Yangkaal, Gangalidda and Kaiadilt peoples (the native title holders) are those people described in Schedule 5(a) – (e) of the determination (see Schedule 5). The Gulf Region Aboriginal Corporation is the prescribed body corporate. It holds the native title in trust.

4. In any case, an applicant will need to work with the Native Title holders to gain landowner consent to lodge the application.



## 3.3 Settlement and Housing

### 3.3.1 Strategic outcomes

- (1) Gununa is the only settlement for Mornington Shire and is a major centre serving the needs of community and provides:
  - (a) the focus for urban growth;
  - (b) the primary residential area to satisfy the housing needs of the community;
  - (c) access to community services including health care, education, sport and recreation;
  - (d) opportunities for businesses including retail and commercial and industry;
  - (e) opportunities for local employment;
  - (f) opportunities for community development through social interaction, protection of the history and cultural activities; and
  - (g) regular and reliable air and sea links with Cairns and Mt Isa.
- (2) Development in Gununa:
  - (a) meets the economic social, community and housing needs of the community;
  - (b) locates on land intended for that use and has an amenity that is compatible with the surrounding area;
  - (c) connects with the infrastructure network;
  - (d) does not impede the delivery and operation of infrastructure networks and services;
  - (e) maintains access to the beach, bush and places that are environmentally or culturally important;
  - (f) integrates with the natural features of the land;
  - (g) does not have unacceptable impacts on the natural environment;
  - (h) contributes to the health and safety of the community; and
  - (i) does not put people or property at an unacceptable risk from natural hazards.
- (3) Future population growth is accommodated through the expansion of the Gununa urban area onto developable land to the north / north east.
- (4) Development contributes to the role of Gununa town centre by:
  - (a) focusing appropriate retail, commercial and community uses in the town centre;
  - (b) providing activities that increase the self-sufficiency of Gununa;
  - (c) using land and buildings efficiently, taking up infill opportunities before using land undeveloped land that is a logical extension of the urban area; and
  - (d) reflecting the needs, lifestyle, history and culture of Mornington Shire.
- (5) Native title rights and interests are protected and development is compliant with the *Native Title Act 1993*, *Aboriginal Cultural Heritage Act 2003*, including cultural duty of care, and any Native Title agreements including any Indigenous Land Use Agreement (ILUA).
- (6) Development is responsive to the island character and tropical climate. It creates places and buildings that meet community needs and are comfortable and appropriate for the climate, culture and lifestyle and respect the aspects of the natural environment that are important to the community.
- (7) The Shire's housing stock provides options for all residents in terms of affordability, adaptability and access to services.

#### **Explanatory notes:**

Mornington Shire is a group of 26 islands located in the southern Gulf of Carpentaria. The islands have a relatively pristine land and sea environment and are mostly undeveloped, with the exception of Mornington Island that contains the settlement of Gununa.

Located about 125km north-west of Burketown, 200km west of Karumba and 444km north of Mt Isa, Mornington Island is located in remote north-western Queensland. Gununa is the major centre within the Mornington Shire and provides accommodation and services for the majority of the Shire's residential population.

It is estimated that Gununa has a population of about 1,109 persons (2011 ERP) which reflects over 95% of the Shire's residents. Over the next 10 years (planning scheme time frame) Gununa is projected to grow by about 370 people to become a community of about



1,479. In 25 years (strategic framework time frame), it is projected that over 1,800 people will be living in the Mornington Shire.

Currently there is a housing shortage on Mornington Island. New housing will be required to accommodate the existing population as well as the projected growth. Table 1 sets out the housing and land requirements to accommodate the Gununa community using a target household size of 4, an average lot size of 800m<sup>2</sup> and an assumption that 15% of a development site will be used for roads, open space and services.

Table 1: Housing and land requirements

Year	Projected Population	Additional Population	Additional Housing Needed	Land Requirement
2011	1,109	-	-	-
2021	1,479	370 people	93 dwellings	6.3 hectares
2036	1,814	705 people	176 houses	11.9 hectares

Housing development must meet the needs of the community and provide a diverse range of type, size and tenure choices. Opportunities for infill and reuse of land within the urban boundary of Gununa should be explored in the short-term. Further residential land must be identified outside the current town boundaries to accommodate future growth. Identification of appropriate developable land will require investigations of environmental conditions, natural hazards, cultural heritage and native title before site(s) can be determined. Consideration of suitability for development will include consultation with native title holders. Outside the town boundary, the balance of Mornington Island (and the Shire) is subject to a native title determination for the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples. Therefore, the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples must be actively involved in decision making about land uses outside the town area.

The settlement pattern is based on a policy of adaption and retreat that seeks to reduce the amount of development occurring in areas that are projected to be inundated by sea level rise and severe storm tide inundation. An important part of the adaption policy is to ensure that the foreshore is public open space and that any development within areas vulnerable to coastal hazards be designed to withstand the impacts. Also, part of the adaption strategy is to consider moving the existing industrial area to the land near the existing tip.

While urban development is focused in Gununa, outstations provide an alternative housing option and enable people to live in their country. Housing development outside of Gununa is limited to the outstations defined by the planning scheme. All other development outside of Gununa must have a direct connection to natural environment, culture and traditions of the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples and the community of Mornington Shire.

Development in Mornington Shire must meet the needs of the community, reflect local character and be appropriate for the local lifestyle and climate.



### 3.3.2 Element – Growth Management

#### 3.3.2.1 Specific outcomes

- (1) Development in Gununa:
  - (a) is for urban purposes;
  - (b) does not cause conflicts by locating in an area not intended for the proposed use;
  - (c) is consistent with the planned amenity of the area;
  - (d) enables the sequential extension of the infrastructure network;
  - (e) reinforces the open space and trail networks by maintaining links and the provision of parks and trails in appropriate locations;
  - (f) contributes to the surveillance of surrounding areas especially public spaces such as trails, parks and roads;
  - (g) protects environmentally, historically and culturally important places;
  - (h) is not located in areas that will put people and property at an unacceptable risk from natural hazards;
- (2) Development outside the Gununa urban area may be appropriate if it:
  - (a) has a direct link to the environmental and cultural values of the area;
  - (b) allows people to carry out traditional and cultural practices, including hunting, fishing, gathering, camping and managing the land;
  - (c) does not restrict access to, distract from or result in the loss of access to the beach, bush, and places that are environmentally or culturally important;
  - (d) integrates with the natural environment;
  - (e) is for outstations in identified areas; and
  - (f) provides a benefit to the local people and the traditional owners.

#### 3.3.2.2 Land use strategies

- (1) Undertake investigation of environmental conditions, natural hazards, cultural heritage and native title for an area to the north-east of the existing Gununa urban area (delineated on strategic framework map SC2.2) for the purposes of defining developable land suitable for accommodating expected future population growth. These investigations are to include consideration of the significance of the medicinal, spiritual, and sustenance properties of the natural features of the area. Included in this process will be the negotiations with native title holders and the development of an Indigenous Land Use Agreement (ILUA).
- (2) Prepare a master plan for the investigation area on the basis of the investigations to provide for the development of new residential allotments and associated public open space in the area. The preparation of the master plan is to include consultation with native title holders and the community.

### 3.3.3 Element – Gununa town centre

#### 3.3.3.1 Specific outcomes

- (1) Gununa town centre (Figure 1) develops as the key activity centre for the Shire in accordance with the following principles:
  - (a) the centre has the role and function of a district activity centre providing for shops, offices, short-term accommodation, public open space and community uses;
  - (b) contributes to a safe and comfortable public space reinforcing its role as the focal meeting place for the local community;
  - (c) facilitates a safe pedestrian environment and is accessible to all members of the community including the young, the elderly and the disabled;
  - (d) supports the local character;
  - (e) mitigates the impacts of natural or other hazards on people and property; and
  - (f) results in a vibrant and safe place offering regular activity, greater public safety, community service and cultural experiences.



Figure 1 – Gununa town centre

### 3.3.3.2 Land use strategies

- (1) Prepare a master plan for the Gununa town centre that provides direction for builtform and identifies catalyst projects and infrastructure. Any master plan must ensure that development contributes to a high quality and safe public open space that reflect the history, culture and lifestyle of the community.
- (2) Council's offices, meeting rooms and the library are relocated within the Gununa town centre.

### 3.3.4 Element – Housing choice

#### 3.3.4.1 Specific outcomes

- (1) Development facilitates diverse housing choice, including adaptable and affordable housing that is responsive to the needs of the Shire's population in terms of lifestyle choice, physical ability and affordability.

#### 3.3.4.2 Land use strategies

- (1) Residential development:
  - (a) provides for a range of appropriate housing types to meet the changing needs of the community; and
  - (b) is designed to be useable by all residents, including facilities for aged occupants over their lifetime without the need for major adaptation or specialised design.

### 3.3.5 Element – Climate-responsive design

#### 3.3.5.1 Specific outcomes

- (1) Development is sited, designed and constructed to respond to the local climate in a manner which minimises reliance on non-renewable energy sources for cooling or ventilation.

### 3.3.6 Element – Compatible uses

#### 3.3.6.1 Specific outcomes

- (1) All residential land uses are sited, constructed and assessed on their potential impact on the operation of neighbouring land uses. Development contributes to existing character and is located in appropriate zones to support compatible uses.



### 3.3.6.2 Land use strategies

- (1) Residential development is located, designed and operated so as not to alter the functioning existing land uses. Residential development:
  - (a) avoids areas of significant ecological value; and
  - (b) is not located in proximity to areas of ecological sensitivity that could cause detrimental effects to the environment.
  - (c) is appropriately separated from existing areas of industrial importance, is not sited in areas that may impact on economic viability or future sustainable development of commercial facilities.
  - (d) should be of a scale and type that does not have a detrimental impact on the existing amenity of the surrounding area.
  - (e) where in proximity to the airport; is compatible with the safe operation of the aviation facilities; and is of an appropriate scale and design to function as a compatible use.

## 3.4 Community and Culture

### 3.4.1 Strategic outcomes

- (1) The quality of life for Shire residents is enhanced through the provision of a range of community services and facilities.
- (2) Social infrastructure is planned, coordinated, and delivered in a timely manner in coordination with service providers, including the State and Commonwealth governments to support the existing and emerging community's needs and expectations.
- (3) The Shire's rich landscape and scenic amenity is recognised and managed to maintain the character, culture and sense of place.
- (4) The values of places, features, and landscapes reflecting the Shire's history and culture are protected and enhanced by development.
- (5) The health, wellbeing, amenity and safety of the Shire's residents and visitors is protected through development that meets the physical, social, and cultural needs of the community with infrastructure and design that promotes physical activity, social interaction and inclusion, community connectedness, and a sense of place and identity.
- (6) Parks, public spaces, recreation areas, including a network of connected pedestrian links, and areas of environmental value are integrated, accessible, and provide high quality and memorable places.

#### **Explanatory notes:**

Most of the people that live in Mornington Shire are of Aboriginal or Torres Strait Islander descent. Local culture is built upon the heritage of its traditional owners, the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples. Although the community has a diverse heritage, the lifestyle, culture and identity reflects the Shire's natural environment and the people's connections to the land and sea.

The identity and culture of Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples is linked to the land and sea places of the Wellesley, South Wellesley, Bountiful and Forsyth Islands Groups and their land management obligations. There are many places that are important to them. As it is not appropriate for all important sites to be identified, all development must be undertaken with the duty of care required by the *Aboriginal Cultural Heritage Act 2003*.

Public access to the sea, beach and bush is important to the community. Development must not restrict access to the beach and ensure that links to the bush are maintained.

With 45% of the community under 25, access to safe open space, sport, recreation and education opportunities are important. One need that has been expressed is a safe swimming area. A safe pedestrian movement network that enables people who cannot or do not drive to get around is also important.



There are a range of community services that cater to the health, education and wellbeing of people living in Mornington Shire. New community services should locate in the town centre and use land efficiently.

Development will contribute to improved community safety through the application of the principles set out in *Crime Prevention through Environmental Design Guidelines for Queensland*.

Development will contribute to a healthy environment by ensuring that the impacts of air, noise or odour emissions or hazardous materials do not impact on the health and well being of people and the environment as required by *SPP 5/10 Air, Noise and Hazardous Materials*.

### **3.4.2 Element – Social infrastructure**

#### **3.4.2.1 Specific outcomes**

- (1) The provision of social infrastructure responds to community need and is established in accessible locations within Gununa.

#### **3.4.2.2 Land use strategies**

- (1) Social infrastructure:
  - (a) co-locates in or near the Gununa town centre; and
  - (b) is adaptable and responds to changing community needs.

### **3.4.3 Element – Scenic amenity**

#### **3.4.3.1 Specific outcomes**

- (1) Development does not detract from the scenic quality of the Shire's coastal landscape.

#### **3.4.3.2 Land use strategies**

- (1) Development maximises opportunities to maintain and/or enhance natural scenic amenity values through the maintenance and restoration of vegetated buffers between development and coastal waters.
- (2) Development minimises:
  - (a) scarring by exposed earthworks; or
  - (b) vegetation removal on prominent headlands, ridges and hillslopes; or
  - (c) modification of the natural environment which dominates the coastal landscape.

### **3.4.4 Element – Cultural heritage**

#### **3.4.4.1 Specific outcomes**

- (1) Development respects the culture and heritage of the traditional owners across the Shire including the Lardil, Yangkaal, Gangalidda and Kaiadilt Peoples.
- (2) Development conserves places, features and landscapes to ensure the heritage values, memories and history are maintained.

#### **3.4.4.2 Land use strategies**

- (1) Development does not degrade, disturb or destroy culturally important places, sites, objects and histories.
- (2) Development does not occur on sites that are culturally important. Not all culturally important places are known. Therefore, due diligence and reasonable precaution must be used before undertaking an activity that may harm culturally important places.
- (3) If development occurs in places that are culturally important, it:
  - (a) protects the parts of the site that is culturally important;
  - (b) does not remove the ability to manage the culturally important place or its ability to continue to be culturally important;
  - (c) provides the level of access considered appropriate by the owners;
  - (d) allows the community to carry out cultural practices and traditions; and





- (e) if damage occurs or access is restricted, appropriate compensation equal or greater value is given to the owners for the loss of that resource.

### **3.4.5 Element – Community safety**

#### **3.4.5.1 Specific outcomes**

- (1) All new development incorporates features that promote a safe community, including the streets, public places, and residential neighbourhood areas.

#### **3.4.5.2 Land use strategies**

- (1) Development reflects the principles of Crime Prevention through Environmental Design and provides:
  - (a) a range of complimentary land uses that encourage public presence at different times of the day and night;
  - (b) passive surveillance, clear boundaries between public and private areas, and strong sight lines;
  - (c) limited opportunities for vandalism;
  - (d) appropriate lighting; and
  - (e) safe pedestrian crossings.

### **3.4.6 Element – Public spaces and recreation**

#### **3.4.6.1 Specific outcomes**

- (1) Development maintains public access to the sea, beach, wetlands and the bush.
- (2) Development:
  - (a) does not restrict access or the ability to use open space; and
  - (b) contributes to the safety and surveillance of open space.
- (3) New residential development makes provision for adequate, highly visible and safe children's parks.
- (4) Development that occurs in open space areas meets the recreation, sport and entertainment needs of the community.

#### **3.4.6.2 Land use strategies**

- (1) The beach and the bush are community resources and development does not restrict ongoing access.
- (2) Where relevant, development provides walking paths that contribute to the public open space system and link the Gununa town centre, community facilities, the Mornington Island Airport and the residential areas.

## **3.5 Environment and Natural Resources**

### **3.5.1 Strategic outcomes**

- (1) Mornington Shire's biodiversity and natural environment are protected from the impacts of development including species or habitat loss, soil degradation and pollution due to clearing, erosion, contamination, acidification, salinity, waste disposal or other modification to natural processes.
- (2) Natural resources, including land, vegetation, wildlife, minerals, quarry materials, saltwater, freshwater and the atmosphere, are important to the Shire and are sustainably managed to allow the community to meet present needs while not compromising the ability of future generations to also satisfy their needs. Development respects culture and traditions and uses resources in a sustainable manner.
- (3) Development does not adversely affect the quality and quantity of water available both naturally and for consumptive uses in the Shire.
- (4) Development protects and enhances coastal and marine resources and maintains natural physical coastal processes.



- (5) Development does not put people, property and the environment at risk from natural hazards including known and forecast risks associated with climate change.

**Explanatory notes:**

The natural environment of the Mornington Shire, including the surrounding seas is a key element of the community's lifestyle and culture and can contribute to the Shire's economic development. It is important that Shire's natural environment is protected from negative impacts that may result from development.

The islands that comprise Mornington Shire provide globally significant habitat for seabirds and also support significant turtle nesting and basking sites and sea bird rookeries. The beaches provide vital habitat for nesting and foraging aggregations of water birds and roosting sites for migratory shorebirds. The Shire also contains important marine and estuarine habitats including vast saltmarshes, mangrove communities, intertidal flats of mud and sand, well-developed sandy beaches, isolated rocky shores and also boasts the most substantial seagrass beds within the Gulf of Carpentaria. The waters surrounding the Wellesley Islands supports the third largest dugong population in the world, significant flatback and green turtle populations, three threatened dolphin species, four threatened sawfish species and internationally and nationally significant seabird and shorebird populations.

The waters surrounding the Wellesley Islands are also home to the most complex and only significant coral reefs in the southern Gulf.

Wetlands and waterways are important features of the natural environment. The ongoing viability and the maintenance of water quality is protected with development setback from all wetlands and waterways.

The coastal environment of Mornington Shire also contributes to its vulnerability to the impacts of climate change and natural hazards such as sea level rise, storm tide inundation, acid sulfate soils and bushfire. Just as development must not negatively impact the Shire's natural environment, development must not put people or property at risk to the impacts of climate change or natural hazards. *SPP 1/03 Mitigating the Adverse Impacts of Flood, Bushfire, and Landslide* seeks to ensure that development does not result in an unacceptable risk to people or property. *SPP 3/11 Coastal Protection* seeks to manage development to avoid the impacts of coastal hazards, taking into consideration the effects of climate change. *SPP 2/02 Planning and Managing Development Involving Acid Sulfate Soils* seeks to avoid the release of acid and associated metal contaminants into the environment.

### **3.5.2 Element – Ecological values**

#### **3.5.2.1 Specific outcomes**

- (1) Ecologically significant areas across the Shire are protected, enhanced and connected in a manner that ensures the long-term sustainability of habitats and links.
- (2) The biodiversity of the Shire is protected from declared pest plants and animals.

#### **3.5.2.2 Land use strategies**

- (1) Development:
  - (a) avoids areas of ecological significance; and
  - (b) provides appropriate buffers between the development and areas of ecological significance; and
  - (c) contributes to connections between areas of ecological significance; and
  - (d) incorporates sustainable catchment and land management practices.
- (2) Development ensures that weeds and other pest species are not introduced and where these species already occur upon a development site, are managed to minimise environmental harm.



### **3.5.3 Element – Waterways and wetland values**

#### **3.5.3.1 Specific outcomes**

- (1) Waterway and wetland ecosystem processes and functions are maintained including:
  - (a) water quality;
  - (b) aquatic habitat;
  - (c) terrestrial habitat;
  - (d) physical processes.

#### **3.5.3.2 Land use strategies**

- (1) Development:
  - (a) avoids waterways and wetland ecosystems;
  - (b) is setback from the waterways and wetlands;
  - (c) maintains connectivity between connected fluvial and wetland ecosystems.
- (2) Where unavoidable, development mitigates impacts on:
  - (a) water quality,
  - (b) aquatic habitat, and
  - (c) terrestrial habitat, and
  - (d) physical processes; and
  - (e) bank stability.

### **3.5.4 Element – Native vegetation values**

#### **3.5.4.1 Specific outcomes**

- (1) Endangered, of concern and least concern regional ecosystems are conserved and viable corridors are maintained.

#### **3.5.4.2 Land use strategies**

- (1) Native Vegetation is not cleared in remnant endangered regional ecosystems and remnant of concern regional ecosystems in non-urban areas, essential habitat or in proximity to watercourses.
- (2) Vegetation corridors that provide passage for native fauna species are maintained to extent necessary to ensure regional ecosystem processes and functions.

### **3.5.5 Element – Coastal processes, riparian and marine resources**

#### **3.5.5.1 Specific outcomes**

- (1) Development and its consequences are managed ensuring that freshwater and estuarine fish habitat, seagrass communities and coral reefs and the integrity of the coastal zone are protected and maintained.
- (2) Access to the sea, wetlands and watercourses is maintained.
- (3) Significant turtle, seabird and shorebird breeding and nesting sites in the Shire are protected.
- (4) The environment and human health are not harmed by the production of acidic leachate resulting from development in areas that have a high probability of acid sulfate soils by:
  - (a) avoiding disturbance to areas of acid sulfate soils and potential acid sulfate soils that would produce or contribute to acidic leachate; or
  - (b) treating and managing the disturbance of acid sulfate soils and potential acid sulfate soils to minimise the generation of acidic leachate within manageable levels; or
  - (c) treating and managing surface and groundwater flows from areas of acid sulfate soils and potential acid sulfate soils to minimise environmental harm.

#### **3.5.5.2 Land use strategies**

- (1) Development is setback from the coastline, watercourses, wetlands, riparian areas and saltpans and does not interfere with the natural movement of the coastline and the banks of watercourses and wetlands.
- (2) Development does not remove vegetation along the coast, watercourses, wetlands and



- salt pans.
- (3) Development and its impacts do not contribute to the degradation of marine plants and fish habitats.
  - (4) Significant turtle, seabird and shorebird breeding and nesting sites are identified and protected from inappropriate development.

Development in areas that have a high probability of containing acid sulfate soils avoids or minimises disturbance of acid sulfate soils. Where disturbance cannot be avoided, development is consistent with mitigation measures which form part of a management regime developed in accordance with the State Planning Policy

Editor's note – Acid Sulfate Soils and Potential Acid Sulfate Soils apply to land under 5m AHD and 20m AHD respectively.

### **3.5.6 Element – Hazards**

#### **3.5.6.1 Specific outcomes**

- (1) Development is located and designed to ensure that people and property are not put at an unacceptable risk from hazards including storm tide inundation, watercourse flooding, coastal erosion, bushfire and disturbance of acid sulfate soils.

#### **3.5.6.2 Land use strategies**

- (1) Development in areas prone to hazards including storm tide inundation, watercourse flooding, coastal erosion, bushfire and disturbance of acid sulfate soils is:
  - (a) avoided where risks to property and human life are unacceptable; or
  - (b) where risks are acceptable, designed to mitigate the effects on property and human life, including the provision of multiple safe evacuation routes.

### **3.5.7 Element – Pollution**

#### **3.5.7.1 Specific outcomes**

- (1) Development does not contribute to an increase in soil and water degradation.
- (2) Public health and the environment are protected from environmental harm associated with the disturbance of contaminated soil.
- (3) The Shire's air quality and noise environment are protected from adverse impacts.

#### **3.5.7.2 Land use strategies**

- (1) Development is located, designed and operated so as not to alter the natural functioning of water catchments and underground aquifers.
- (2) In areas already affected by salinity, development will ensure that appropriate management measures are utilised to remediate saline areas and prevent any exacerbation.
- (3) Emissions from activities and works including pollutants released to the air, soil or water are at levels that do not risk the health of the community and the environment.

### **3.5.8 Element – Extractive resources**

#### **3.5.8.1 Specific outcomes**

- (1) Extractive resources are utilised in an efficient and sustainable manner and are protected for future use.

#### **3.5.8.2 Land use strategies**

- (1) Development ensures that extractive resources can be won in a manner that is efficient and sustainable and will not impact on the amenity or ecological values of the Shire.

### **3.5.9 Element – Water resources**

#### **3.5.9.1 Specific outcomes**

- (1) The watercourses, waterbodies and groundwater from which the Shire's potable water supplies are sourced are protected from degradation and not compromised by development.
- (2) The Shire's water resources are utilised in an efficient and sustainable manner.



### 3.5.9.2 Land use strategies

- (1) Development is setback from banks of watercourses, water bodies and riparian areas.
- (2) Development does not lead to a reduction in aquifer recharge.
- (3) Development ensures that the Shire's water resources are utilised in a manner that is efficient and environmentally sustainable.

### 3.5.10 Element – Climate change adaptation and mitigation

#### 3.5.10.1 Specific outcomes

- (1) People and property are protected from the forecast adverse impacts of climate change.

#### 3.5.10.2 Land use strategies

- (1) Development is located and designed in accordance with principles of adaptation and mitigation to minimise the adverse impacts of climate change.

## 3.6 Economic Development

### 3.6.1 Strategic outcomes

- (1) Mornington Shire has a robust local economy comprising sustainable businesses that provide diverse employment opportunities.
- (2) Economic activities, including fishing and tourism activities that use local resources do so in a sustainable manner, enabling people to continue traditional and cultural practices, including hunting and fishing. Development does not stop opportunities for local people from hunt, fish, gather or grow food or continue to manage their Country.
- (3) Low-impact tourism development is encouraged, strengthened and expanded based on the sustainable use of natural assets and where it is sensitive to the cultural heritage and values of the Shire.
- (4) Gununa town centre is the focus of retail, commercial, cultural and government services that reinforce its role as the principal service centre for Shire.
- (5) Low-impact and service industries are located on appropriately zoned land within Gununa and provide important services and jobs to the local community. The long-term viability of these uses is not compromised by the encroachment of incompatible uses.
- (6) The Mirndiyan Gununa Arts Centre provides a place for the local community to practice culture through art and dance. The practice of art and dance strengthens links to Country, culture and traditions and provides economic and employment opportunities for people living in Mornington Shire.
- (7) Development does not compromise the importance of the airport and barge ramp / jetty as gateways to Mornington Shire and links to the Far North Queensland Region and their:
  - (a) role as economic infrastructure;
  - (b) links to the town centre; and
  - (c) potential to expand to accommodate logistics and transport related industry.

#### **Explanatory notes:**

Economic development is a cornerstone of sustainability for the Mornington Shire community and seeks to build on the strengths of the skills of the local community, the opportunities provided by the local culture and environment and the existing service sector.

While the planning scheme cannot create economic development, it can protect the operation of existing economic activities, identify land for land new economic activities and have policies that support and encourage small businesses and enterprise.

Important economic infrastructure includes the Gununa town centre, the airport and barge ramp / jetty, the land and sea environment and the culture and art of the local people.



Development that enables these assets to be used in a sustainable manner for the economic benefit of the whole community will be supported.

## **3.6.2 Element – Robust and diverse local economy**

### **3.6.2.1 Specific outcomes**

- (1) The economic viability of the Gununa town centre and industrial land is maintained through the appropriate location of economic activities.
- (2) The protection of resources is important to establish a sustained local land and sea management economy.
- (3) The Mirndiyan Gununa Arts Centre continues to be an active part of the Shire community providing employment and training and economic development based on traditional arts, crafts and ceremonial dance practices.

### **3.6.2.2 Land use strategies**

- (1) Offices and shops that do not have a direct link with other employment activities are located in the Gununa town centre.
- (2) Industrial activities locate on serviced land identified for industrial uses that has an appropriate separation from places where people live.
- (3) The separation areas between industry and non-industrial uses are protected from incompatible development.
- (4) Council's offices, meeting rooms and the library are relocated to the Gununa town centre.
- (5) Development of business and industrial activities, benefit local people and allow them to continue their cultural and traditional practices, including hunting and fishing and obligations for land management.
- (6) Development does not damage the economic viability and future sustainable development of commercial, recreation and traditional fishing.
- (7) Any development of the Mirndiyan Gununa Arts Centre:
  - (a) is designed to meet the employment, community and cultural needs of the local people of Mornington Shire;
  - (b) is accessible to all;
  - (c) enables the display of art work and the ability to perform cultural practices and traditions; and
  - (d) integrates with other parts of Gununa especially the town centre and airport.

## **3.6.3 Element – Tourism**

### **3.6.3.1 Specific outcomes**

- (1) Development helps to attract tourists to enjoy the beauty, culture and traditions of Mornington Shire in a sustainable manner.

### **3.6.3.2 Land use strategies**

- (1) Tourism, cultural and arts economic activities are encouraged including those that:
  - (a) respect the natural environment, community resources, culture and traditions;
  - (b) use resources in a sustainable manner and enables ongoing use by local people; and
  - (c) benefit and provide employment opportunities to the people of the Shire.
- (2) Short term accommodation for visitors to the Shire is provided in Gununa. Development of such accommodation should be of a scale and type that does not have a detrimental impact on the amenity of the surrounding area.
- (3) Low-impact, nature-based tourism attractions and facilities may be appropriate in areas of the Shire that are included in the Environmental management and conservation zone subject to assessment of the potential impacts of such development.
- (4) On-site infrastructure supporting tourism activities meets visitor needs at an acceptable level of service and is sited, designed and operated to protect the environment.



## 3.7 Infrastructure and Transport

### 3.7.1 Strategic outcomes

- (1) Mornington Shire's economic growth and stability is underpinned by reliable, affordable and easy to maintain infrastructure.
- (2) Development is provided with water, sewerage, drainage, waste management, electricity, telecommunications and access to roads and footpaths. The type and design capacity of the infrastructure meets the needs of the intended occupier or user.
- (3) Mornington Shire residents have access to a clean and safe water supply. Development does not impact on the quality and quantity of the Shire's water supply.
- (4) Development is planned, designed, constructed and operated to manage stormwater and waste water in a way that helps protect the environmental values specified in the *Environmental Protection (Water) Policy 2009*.
- (5) Commonwealth, State and approved private infrastructure networks are delivered in an integrated and coordinated way that supports the settlement pattern.
- (6) Development of renewable energy generation leveraging the Shire's climate and marine location to replace the reliance on diesel power generation.
- (7) The Shire's transport system provides effective road, air and sea connections for the safe and efficient movement of people, the provision of services and distribution of goods within the Gulf Region and beyond.
- (8) Modes of transportation servicing the Shire keep pace with population growth, community expectations and economic growth demands. Investment in the transport system is based on minimising the impacts on the environment while addressing the accessibility needs of all community members.
- (9) The Shire is well-connected to surrounding communities and beyond, through enhanced air and sea services.
- (10) Residential roads can be safely used by pedestrians and cyclists.

#### **Explanatory notes:**

Infrastructure and utility services in Mornington Shire is focussed in Gununa. Outside the town, there are no utility services, and very few roads. Gununa is serviced by Council owned and maintained water supply, sewerage treatment, stormwater drainage and waste management systems. It is also serviced with power from Ergon and telecommunications from Telstra.

The capacity of the existing water supply and sewerage infrastructure is sufficient to accommodate projected future growth. However, upgrades are required to ensure the desired standards of service continue to be met. Development within Gununa is expected to connect to Council's infrastructure networks and may be required to make a monetary or infrastructure contribution. Development that cannot connect to the existing networks will be required to provide the required infrastructure on site.

Given the high quality surrounding marine environment, it is important that stormwater run-off from development does not impact the natural environment or the water supply used by the local people in accordance with *SPP 4/10 Healthy Waters*.

The transport infrastructure on Mornington Island is maintained by Council. Planning ensures that development on Mornington Island is always accessible and does not hinder access to

### 3.7.2 Element – Infrastructure networks

#### 3.7.2.1 Specific outcomes

- (1) Development provides infrastructure consistent with the standard acceptable to Council:



- (a) Within the Priority Infrastructure Area, infrastructure is connected to Council's networks and an infrastructure contribution may be required; or
  - (b) Outside the Priority Infrastructure Area, infrastructure is provided on site and at no cost to Council.
- (2) Development is sequenced in a way that ensures that Gununa is serviced efficiently and enables planned expansion of infrastructure to occur in an efficient way.
- (3) Telecommunications infrastructure meets the needs of the community and business by ensuring reliable connection to national and international markets.
- (4) Development provides for safe and efficient provision of energy infrastructure adequate to the community's needs and provides opportunities for sustainable energy options such as wind and solar.
- (5) A suitable site is identified for a renewable energy supply facility close to Gununa.

### **3.7.2.2 Land use strategies**

- (1) Investigate the potential for development of a renewable energy supply outside of Gununa with a view to supplementing power supply for the Mornington community. This space would allow for a large staged solar farm development and the potential relocation of the existing diesel power station.

## **3.7.3 Element – Waste management**

### **3.7.3.1 Specific outcomes**

- (1) Waste is recognised as a resource.
- (2) Integrated local solutions for waste management and resource recovery are developed.

### **3.7.3.2 Land use strategies**

- (1) Development integrates local solutions for waste management and resource recovery. Incorporating waste disposal and recycling in accordance with sustainable disposal methods:
  - (a) waste reduction;
  - (b) reuse;
  - (c) recycling;
  - (d) treatment or disposal.

## **3.7.4 Element – Local road network**

### **3.7.4.1 Specific outcomes**

- (1) Mornington Island has a legible and accessible local road network that balances the needs of all road users without compromising community amenity and safety.

### **3.7.4.2 Land use strategies**

- (1) Development is designed and located to support safe movement for all users and convenient access between individual properties and the road network.

## **3.7.5 Element – Air transport**

### **3.7.5.1 Specific outcomes**

- (1) Passenger and medical air services to and from Mornington Island Airport meet community expectations, aviation requirements and promote economic growth of the Shire.
- (2) Development does not impact on the operational airspace of the Mornington Island Airport.

### **3.7.5.2 Land use strategies**

- (1) Development in proximity to Mornington Island Airport and associated navigation and communication facilities:
  - (a) is compatible with the safe operation of the airport and aviation facilities; and





- (b) mitigates any emissions that might impact on aircraft operations; and
  - (c) mitigates the consequences of aircraft noise and safety hazards.
- (2) Aircraft approach and departure routes and key access routes to the Mornington Island Airport are protected from development that may compromise its safe and efficient operation.

### **3.7.6 Element – Sea transport**

#### **3.7.6.1 Specific outcomes**

- (1) Access to the Gununa Barge Ramp and Jetty for the shipping and distribution of goods is protected.

#### **3.7.6.2 Land use strategies**

- (1) Development does not compromise the safe and efficient operation of the Gununa Barge Ramp and Jetty and supports the potential for future expansion of these facilities to provide for expanded passenger and freight transport services.

### **3.7.7 Element – Pedestrian and cycle movement**

#### **3.7.7.1 Specific outcomes**

- (1) Pedestrian and cycle paths provide safe, convenient and accessible links between residential areas and key destinations for pedestrians, cyclists and other users of mobility devices.

#### **3.7.7.2 Land use strategies**

- (1) Development in Gununa makes provision for pedestrian and cycle paths. Development in and around the Gununa town centre:
- (a) contributes to a safe and convenient pedestrian environment; and
  - (b) promotes safe cycling.

### **3.7.8 Element – Waterways and wetlands – Stormwater and wastewater infrastructure**

#### **3.7.8.1 Specific outcomes**

- (1) Development of urban purposes including community infrastructure is planned, designed, constructed and operated to manage stormwater and waste water in ways that protect the environmental values, are consistent with any relevant total water cycle management plan, healthy waters management plan, and groundwater protection planning.
- (2) Community infrastructure is planned, designed, constructed and operated to manage stormwater and waste water in ways that help protect the environmental values specified in the *Environmental Protection (Water) Policy 2009*.
- (3) Receiving water environmental values are protected from the impacts of waste water on water quality.

#### **3.7.8.2 Land use strategies**

- (1) A total water cycle management plan is prepared and provides for sewerage management and for urban stormwater quality management.
- (2) Waste disposal activities and facilities are not located in areas with highly permeable soils or a high groundwater table and take account of topography and existing facilities.

# 04 LOCAL GOVERNMENT INFRASTRUCTURE PLAN





## Part 4 Local government infrastructure plan

### 4.1 Preliminary

- (1) This local government infrastructure plan has been prepared for our community in accordance with the requirements of the *Sustainable Planning Act 2009 (repealed)*.
- (2) The purpose of the local government infrastructure plan is to:
  - (a) integrate and coordinate land use planning and infrastructure planning
  - (b) ensure that trunk infrastructure is planned and provided in an efficient and orderly manner.
- (3) The local government infrastructure plan:
  - (a) states in Section 4.2 (planning assumptions) the projections of future urban growth and the assumptions of demand for each trunk infrastructure network, which have informed the preparation of the local government infrastructure plan
  - (b) identifies in Section 4.3 (priority infrastructure area) the prioritised area to accommodate urban growth for 10 to 15 years
  - (c) states in Section 4.4 (desired standards of service) for each network of development infrastructure the desired standard of performance of infrastructure
  - (d) identifies in Section 4.5 (plans for trunk infrastructure) the existing and planned trunk infrastructure for the following networks:
    - (i) water supply
    - (ii) wastewater

### 4.2 Planning assumptions

- (1) The planning assumptions form a logical and consistent basis for the planning of the trunk infrastructure networks and the determination of the priority infrastructure area.



## 4.2.1 Residential and non-residential projections

Table 4.2.1: Existing and projected population

PIA locality	LGIP projection	Existing and projected population			
		2011	2016	2021	2026
Total planning scheme area	Single dwelling				
	Multiple dwelling				
	Other dwelling				
	Total	1109	1340	1479	1579

*“Other dwelling” refers to caravan, cabin, improvised home, tent, sleepers out etc.*

Table 4.2.2 Existing and projected dwellings

PIA locality	LGIP projection	Existing and projected dwellings			
		2011	2016	2021	2026
Total planning scheme area	Single dwelling				
	Multiple dwelling				
	Other dwelling				
	Total	225	335	370	395

Note - Given the lack of reliable census and employment data for the Mornington Shire, projections have not been undertaken for employment and non-residential floor space.



### 4.3 Priority infrastructure area

- (1) The priority infrastructure area is the area where suitable and adequate development infrastructure exists, or where it can be provided most efficiently.
- (2) The priority infrastructure area identifies the area where Mornington Shire Council gives priority to provide trunk infrastructure for urban development up to 2026.
- (3) The priority infrastructure area is identified on Map SC2.3 Priority Infrastructure Area.

### 4.4 Desired standards of service

- (1) The desired standard of service details the standards that comprise an infrastructure network most suitable for the local context.
- (2) The desired standard of service is supported by the more detailed network design standards included in planning scheme policies, legislation, statutory guidelines and other relevant controlled documents about design standards identified below.

Table 4.4.1 Water supply

Measure	Planning criteria (qualitative standards)	Design criteria (quantitative standards)
Reliability/continuity of supply	Development receives a reliable supply of potable water with minimal interruptions to their service.	<ul style="list-style-type: none"> <li>• Compliance with the relevant design guidelines in the Far North Queensland Regional Organisation of Councils (FNQROC) Development Manual</li> </ul>
Adequacy of supply	Development is provided with a water supply that is adequate for the intended use.	<ul style="list-style-type: none"> <li>• Compliance with the relevant design guidelines in the FNQROC Development Manual</li> </ul>
Quality of supply	Provide a uniform water quality in accordance with recognised standards that safeguards community health and is free from objectionable taste and odour.	<ul style="list-style-type: none"> <li>• The <i>Australian Drinking Water Guidelines</i> developed by the National Health and Medical Research Council</li> </ul>
Environmental impacts	The environmental impacts of the water supply network are minimised in accordance with community expectations.	<ul style="list-style-type: none"> <li>• Compliance with the requirements of the <i>Environmental Protection Act 1994</i> and associated Environmental Protection Policies and the <i>Water Act 2000</i></li> </ul>
Pressure and leakage management	The water supply network is monitored and managed to maintain the reliability and adequacy of supply and to minimise environmental impacts.	<ul style="list-style-type: none"> <li>• System Leakage Management Plan (Chapter 3, Part 3, Division 1A <i>Water Act 2000</i>)</li> </ul>



Measure	Planning criteria (qualitative standards)	Design criteria (quantitative standards)
Infrastructure design /planning standards	Design of the water supply network will comply with established codes and standards	<ul style="list-style-type: none"> <li>• Water Supply Code of Australia – Water Services Association of Australia – WSA 03-2002</li> <li>• <i>The Australian Drinking Water Guidelines</i> developed by the National Health and Medical Research Council</li> <li>• <i>Planning Guidelines for Water Supply and Sewerage</i> – Department of Natural Resources and Water (NRW)</li> </ul>

Table 4.4.2 Sewerage

Measure	Planning criteria (qualitative standards)	Design criteria (quantitative standards)
Reliability	Development has access to a reliable sewerage collection, conveyance, treatment and disposal system	<ul style="list-style-type: none"> <li>• Compliance with the relevant design guidelines in the FNQROC Development Manual</li> </ul>
Quality of treatment	Ensures the health of the community and the safe and appropriate level of treatment and disposal of treated effluent.	<ul style="list-style-type: none"> <li>• <i>Queensland water quality guidelines 2006</i> – Department of Environment and Resource Management Agency (where local guidelines do not exist)</li> <li>• <i>National Water Quality Guidelines – national Water Quality Management Strategy</i> (where local or regional guidelines do not exist)</li> <li>• Compliance with the <i>Environmental Protection Policy (Water) 2009</i>.</li> </ul>
Environmental impacts	The environmental impacts of the sewerage network are minimised in accordance with community expectations.	<ul style="list-style-type: none"> <li>• Compliance with the requirements of the <i>Environmental Protection Act 1994</i> and associated Environmental Protection policies</li> </ul>
Infrastructure design / planning standards	Design of the sewerage network will comply with established codes and standards.	<ul style="list-style-type: none"> <li>• <i>Planning Guidelines for Water Supply and Sewerage</i> – NRW</li> <li>• <i>Sewerage Code of Australia</i> – Water Services Association of Australia – WSA 02 – 2002</li> <li>• <i>Sewerage Pumping Station Code of Australia</i> – Water Services Association of Australia – WSA 04 – 2005</li> <li>• Compliance with the relevant design guidelines in the FNQROC Development Manual</li> </ul>



## 4.5 Plans for trunk infrastructure

- (1) The plans for trunk infrastructure identify the existing and proposed trunk infrastructure networks intended to service the assumed development at the desired standard of service stated in the LGIP.
- (2) The plans for trunk infrastructure are identified on Map SC2.4 PFTI Map 1—Plans for water supply and Map SC2.5 PFTI Map 2—Plans for sewerage trunk infrastructure.

Table 4.5.1 defines the trunk infrastructure networks, systems and items identified in the local government infrastructure plan.

Table 4.5.1 Trunk infrastructure networks, systems and items

Network	System	Items
Water	Bulk supply	<ul style="list-style-type: none"> <li>• Water sources (dams, groundwater, bulk supply mains)</li> <li>• Raw water mains</li> <li>• Water treatment plants (including recycled water treatment plants)</li> <li>• Associated monitoring systems</li> </ul>
	Distribution	<ul style="list-style-type: none"> <li>• Reservoirs</li> <li>• Pump stations</li> <li>• Distribution mains</li> <li>• Associated monitoring systems</li> </ul>
Sewerage	Reticulation	<ul style="list-style-type: none"> <li>• Pump stations</li> <li>• Rising mains</li> <li>• Gravity sewers</li> <li>• Odour and corrosion control systems</li> <li>• Associated monitoring systems</li> </ul>
	Sewerage treatment	<ul style="list-style-type: none"> <li>• Sewerage treatment plants</li> <li>• Storage facilities</li> <li>• Release systems</li> <li>• Associated monitoring systems</li> </ul>



Editor's note - Extrinsic material

The documents identified in the following table assist in the interpretation of the LGIP, and are extrinsic material under the *Statutory Instruments Act 1992*.

Title of document	Date	Author or organisation who prepared document	Other relevant information
Mornington Island Infrastructure Project Design Report	September 2011	Aurecon	
Far North Queensland Regional Development Manual		Far North Queensland Regional Organisation of Councils	Available at <a href="http://www.fnqroc.qld.gov.au/drawings/manual_index.html">http://www.fnqroc.qld.gov.au/drawings/manual_index.html</a>
Population and Dwelling Profile – Mornington Shire Council	April 2012	Office of Economic and Statistical Research	Available at <a href="http://www.oesr.qld.gov.au">http://www.oesr.qld.gov.au</a>



# 05 TABLES OF ASSESSMENT





## Part 5 Tables of assessment

### 5.1 Preliminary

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

### 5.2 Reading the tables

The tables identify the following:

- (1) the category of development:
  - (a) prohibited;
  - (b) accepted, including accepted subject to requirements; and
  - (c) assessable development, that requires either code or impact assessment;
- (2) the category of assessment, code or impact, for assessable development in:
  - (a) a zone and where used, a precinct of a zone;
  - (b) an overlay where used.
- (3) the assessment benchmarks for assessable development including:
  - (a) whether a zone code or specific provisions in the zone code apply (shown in the 'assessment benchmarks' column);
  - (b) if there is an overlay:
    - (i) whether an overlay code applies (shown in Table 5.8); or
    - (ii) whether the assessment benchmarks as shown on the overlay map (noted in the 'assessment benchmarks' column) applies;
  - (c) any other applicable code/s (shown in the 'assessment benchmarks' column).
- (4) any variation to the category of assessment (shown as an 'if' in the 'categories of development and assessment' column) that applies to the development.

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

### 5.3 Categories of development and assessment

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

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

- (1) for a material change of use, establish the use by reference to the use definitions in Schedule 1;
- (2) for all development, identify the following:
  - (a) the zone or zone precinct that applies to the premises, by reference to the zone map in Schedule 2;
  - (b) if an overlay applies to the premises, by reference to the overlay map in Schedule 2.
- (3) determine if the development is accepted development under Schedule 6 and 7 of the Regulation or is assessable or prohibited development under Schedule 10 of the Regulation;

Editor's note—Schedule 6 of the Regulation prescribes development of a planning scheme cannot categorise as assessable. Schedule 7 of the Regulation identifies development the state makes accepted. Some development in schedule 7 may still be made assessable under this planning scheme.

- (4) Otherwise, determine the initial category of assessment by reference to the tables in:
  - section 5.4 Categories of development and assessment – Material change of use;
  - section 5.5 Categories of development and assessment – Reconfiguring a lot;
  - section 5.6 Categories of development and assessment – Building Work; and
  - section 5.7 Categories of development and assessment - Operational work;
- (5) a precinct of a zone may change the category of development or assessment and this



will be shown in the 'categories of development and assessment' column of the tables in section 5.4, 5.5, 5.6, 5.7;

- (6) if an overlay applies, refer to section 5.8 Categories of development and assessment – Overlays, to determine if the overlay further changes the category of development or assessment.

### **5.3.2 Determining the category of development and categories of assessable**

- (1) A material change of use is assessable development requiring impact assessment:
  - (a) unless the table of assessment states otherwise
  - (b) if a use is not listed or defined
  - (c) unless otherwise prescribed in the Act or the Regulation.
- (2) Reconfiguring a lot is assessable development requiring code assessment unless the tables of assessment state otherwise or unless otherwise prescribed in the Act or the Regulation.
- (3) Building work and operational work are accepted development, unless the tables of assessment state otherwise or unless otherwise prescribed in the Act or the Regulation.
- (4) Where an aspect of development is proposed on premises included in more than one zone, or overlay, the category of development or assessment for that aspect is the highest category under each of the applicable zones or overlays.
- (5) Where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay only relates to the part of the premises affected by the overlay.
- (6) For the purposes of Schedule 6, Part 2 Material change of use section (2)(2)(d)(i) or (ii) of the Regulation, an overlay does not apply to the premises if the development meets the acceptable outcomes that form the requirements for accepted development in the relevant overlay code.
- (7) If development is identified as having a different category of development or category of assessment under a zone than under an overlay, the highest category of development or assessment applies as follows:
  - (a) accepted development subject to requirements prevails over accepted development
  - (b) code assessment prevails over accepted development where subject to requirements and accepted development
  - (c) impact assessment prevails over code assessment, accepted development where subject to requirements and accepted development.
- (8) The Regulation prescribes development that the planning scheme cannot make assessable in schedule 6.

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

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

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

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

- (1) Accepted development does not require a development approval and is not subject to assessment benchmarks. However, certain requirements may apply to some types of development for it to be accepted development. Where nominated in the tables of assessment, accepted development must comply with the requirements identified as acceptable outcomes in the relevant parts of the applicable code(s) as identified in the relevant column;
- (2) Accepted development that does not comply with one or more of the nominated acceptable outcomes in the relevant parts of the applicable code(s) becomes code assessable development, unless otherwise specified.
- (3) The following rules apply in determining assessment benchmarks for each category of development and assessment.
- (4) Accepted subject to requirements:



- (a) is to be assessed against all the relevant acceptable outcomes in codes identified in the assessment benchmarks column.

Editor's note—if there is no acceptable outcome supporting a performance outcome in the specified code, there is no requirement.

(5) Code assessable development:

- (a) is to be assessed against all the assessment benchmarks identified in the assessment benchmarks column
- (b) that occurs as a result of development becoming code assessable pursuant to sub-section 5.3.3(2), must:
  - (i) be assessed against the assessment benchmarks for the development application, limited to the subject matter of the required acceptable outcomes that were not complied with or were not capable of being complied with under sub-section 5.3.3(2);
  - (ii) comply with all required acceptable outcomes identified in sub-section 5.3.3(1), other than those mentioned in sub-section 5.3.3(2);
- (c) that complies with:
  - (i) the purpose and overall outcomes of the code complies with the code
  - (ii) the performance or acceptable outcomes complies with the purpose and overall outcomes of the code;
- (d) is to be assessed against any assessment benchmarks for the development identified in section 26 of the Regulation.

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

(6) Impact assessable development:

- (a) is to be assessed against the identified assessment benchmarks in the assessment benchmarks column

Note—The whole of the planning scheme is the assessment benchmark for impact assessable development in this planning scheme.

- (b) is to be assessed against any assessment benchmarks for the development identified in Section 30 of the Regulation.

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



## 5.4 Categories of development and assessment – Material change of use

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

**Table 5.4.1—General Residential Zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Park Utility installation	<b>Accepted</b>	
	If on Council land	
	<b>Accepted subject to requirements</b>	
		General residential zone code
	<b>Code assessment</b>	
		General residential zone code
Community use Dual occupancy Home-based business Multiple dwelling Residential care facility Temporary use	<b>Code assessment</b>	
	If for a community hall	General residential zone code
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the 'categories of development and assessment' column. Any other undefined use.		The planning scheme.

**Table 5.4.2—Centre Zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Park Utility installation	<b>Accepted</b>	
	If on Council land	
Caretaker's accommodation Market Office Shop	<b>Accepted subject to requirements</b>	
	If in an existing building	Centre zone code
	<b>Code assessment</b>	
		Centre zone code
Car park Child care centre Community use Food and drink outlet Funeral parlour Health care services Office Shop Shopping centre Short-term	<b>Code assessment</b>	
	If involving a new building or extension to an existing building	Centre zone code



Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
accommodation Showroom Temporary use		
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the 'categories of development and assessment' column. Any other undefined use.		The planning scheme.

**Table 5.4.3—Recreation and Open Space Zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Park Utility installation	<b>Accepted</b> If on Council land	
	<b>Accepted subject to requirements</b>	
		Recreation and open space zone code
	<b>Code assessment</b>	
		Recreation and open space zone code
Caretaker's accommodation Community use Outdoor sport and recreation Temporary use	<b>Code assessment</b>	
		Recreation and open space zone code
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the 'categories of development and assessment' column. Any other undefined use.		The planning scheme.



**Table 5.4.4—Industry Zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Park Utility installation	<b>Accepted</b>	
	If on Council land	
Caretaker's accommodation Low impact industry Service industry Warehouse	<b>Accepted subject to requirements</b>	
	If in an existing building	Industry zone code
	<b>Code assessment</b>	
Bulk landscape supplies Funeral parlour Garden centre Hardware and trade supplies Low impact industry Service industry Service station Veterinary services Warehouse	<b>Code assessment</b>	
	If involving a new building or extension to an existing building	Industry zone Code
	<b>Impact assessment</b>	
	Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the 'categories of development and assessment' column. Any other undefined use.	
	The planning scheme.	

**Table 5.4.5—Community Facilities Zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Community use Educational establishment Emergency services Hospital Park Utility installation	<b>Accepted</b>	
	If on Council land	
	If on Lot 2 on Compiled Plan WLY2	
	If on Lot 8 on Compiled Plan WLY8 or Council land	
	If on Lot 10 on Compiled Plan WLY6	
	<b>Accepted subject to requirements</b>	
		Community facilities zone code
	<b>Code assessment</b>	
		Community facilities zone code
Air services Caretaker's accommodation Health care services Temporary use	<b>Code assessment</b>	
	If on the Mornington Airport site If on Lot 10 on Compiled Plan WLY6	Community facilities zone code
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the		The planning scheme.



Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
description listed in the 'categories of development and assessment' column. Any other undefined use.		

**Table 5.4.6—Environmental Management and Conservation Zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Park	<b>Accepted</b>	
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the 'categories of development and assessment' column. Any other undefined use.		The planning scheme.

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





## 5.5 Categories of development and assessment – Reconfiguring a lot

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

**Table 5.5.1—Reconfiguring a lot**

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
All zones	<b>Code assessment</b>	
	All ROL	Applicable zone code

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

## 5.6 Categories of development and assessment – Building work

The following table identifies the categories of development and assessment for building work regulated under this planning scheme.

**Table 5.6.1—Building work**

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
General residential zone	<b>Code assessment</b>	
	If exceeding 8.5 metres in height above natural ground level If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	General residential zone code Coastal protection overlay code
Centre zone	If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Centre zone code Coastal protection overlay code
Recreation and open space zone	If exceeding 8.5 metres in height above natural ground level If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Recreation and open space zone Code Coastal protection overlay code
Industry zone	If below 20 metres AHD where construction will involve:	Industry zone code Coastal protection overlay code



Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	
Community facilities zone	If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Community facilities zone code Coastal protection overlay code
Environmental management and conservation zone	If exceeding 8.5 metres in height above natural ground level If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Environmental management and conservation zone code Coastal protection overlay code
<b>Accepted</b>		
Development approval is not required for any other building work not listed in this table or any building work listed in this table and not meeting the description listed in the categories of development and assessment column.		

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



## 5.7 Categories of development and assessment – Operational work

The following table identifies the categories of development and assessment for operational work regulated under this planning scheme.

**Table 5.7.1—Operational work**

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
General residential zone	<b>Code assessment</b>	
	If associated with reconfiguring a lot  If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	General residential zone code Coastal protection overlay code
Centre zone	If associated with reconfiguring a lot  If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Centre zone code Coastal protection overlay code
Recreation and open space zone	If associated with reconfiguring a lot  If exceeding 8.5 metres in height above natural ground level  If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Recreation and open space zone code Coastal protection overlay code
Industry zone	If associated with reconfiguring a lot  If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Industry zone code Coastal protection overlay code
Community facilities zone	If below 20 metres AHD where construction will involve:	Community facilities zone code Coastal protection overlay code



Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	
Environmental management and conservation zone	If associated with reconfiguring a lot If exceeding 8.5 metres in height above natural ground level If below 20 metres AHD where construction will involve: <ul style="list-style-type: none"> <li>• excavation below 5 metres AHD and/or</li> <li>• removal of 100m<sup>3</sup> or more; and/or</li> <li>• fill with 500m<sup>3</sup> or more</li> </ul>	Environmental management and conservation zone code Coastal protection overlay code
<b>Accepted</b>		
Development approval is not required for any other operational work not listed in this table and any operational work listed in this table and not meeting the description listed in the categories of development and assessment column.		

Editor's note—the above categories of development and assessment apply unless otherwise prescribed in the Regulation

## 5.8 Categories of development and assessment – Overlays

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

**Table 5.8.1—Assessment benchmarks for overlays**

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Airport environs overlay</b>		
Any MCU (if not identified in part 5.4 as accepted) within the overlay area	Code assessment	Airport environs overlay code
<b>Coastal protection overlay</b>		
Any MCU or ROL (if not identified in part 5.4 as accepted) within the overlay area	Code assessment	Coastal protection overlay code
Any Building Work or Operational Work if in a Storm tide hazard area on the Coastal protection overlay map.	Code assessment	Coastal protection overlay code
<b>Interim floodplain assessment overlay</b>		
Any MCU or ROL (if not identified in part 5.4 as accepted) within the overlay area	Code assessment	Interim floodplain assessment overlay code



Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Bushfire hazard overlay</b>		
Any MCU or ROL that: <ul style="list-style-type: none"> <li>(a) increases the number of people living or working in the Medium Bushfire Hazard area except where the premises are occupied on a short-term or intermittent basis; or</li> <li>(b) involves institutional uses where evacuating people may be particularly difficult; or</li> <li>(c) involves the manufacture or storage of hazardous materials in bulk.</li> </ul>	Code assessment	Bushfire hazard overlay code

Note—some overlays may only be included for information purposes. This should not change the category of development or assessment or assessment benchmarks in the planning scheme.



# 06 ZONES





## Part 6 Zones

### 6.1 Preliminary

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

### 6.2 Zone codes

#### 6.2.1 General residential zone code

##### 6.2.1.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

##### 6.2.1.2 Purpose

- (1) The purpose of the zone is to provide for residential activities supported by a range of community uses and small-scale services and facilities that cater for local residents.
- (2) The purpose of the zone code is to achieve the overall outcomes.
- (3) The overall outcomes for the zone are:
  - (a) A range of residential uses such as dwelling houses, dual occupancies, multiple dwellings, community residences and residential care facilities that provide housing choice and meet the needs of the community and are consistent with the amenity of the residential areas of Gununa.
  - (b) Residential development:
    - (i) is appropriately separated from existing areas of industrial importance and is not sited in areas that may impact on economic viability or future sustainable development of commercial facilities;
    - (ii) is of a scale and type that does not have a detrimental impact on the existing amenity of the surrounding area; and
    - (iii) where in proximity to the airport, is compatible with the safe operation of the aviation facilities and is of an appropriate scape and design to function as a compatible use.
  - (c) The scale and density of development is consistent with existing residential uses and local housing needs.
  - (d) Development provides for a high standard of amenity, an appropriate level of privacy and well-designed private and public open space, including play and other recreational areas.



- (e) New development is designed to incorporate sustainable practices including maximising energy efficiency and water conservation.
- (f) Accommodation activities have access to infrastructure and services. New development is connected to all urban services.
- (g) Development provides appropriate vehicular access and on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.
- (h) Development:
  - (i) maintains access to the sea, beach and wetlands;
  - (ii) protects and enhances coastal and marine resources; and
  - (iii) maintains natural physical coastal processes.
- (i) Small scale non-residential uses are only provided where they cater directly to community needs, where the character and residential amenity is maintained and where they do not replicate the uses in the Gununa Town Centre.
- (j) Natural features and environmental corridors such as creeks, gullies, waterways, wetlands, habitats and vegetation are retained and enhanced through buffers that minimise the impact of existing and future land uses. Any impacts expected by new development are mitigated appropriately.
- (k) Low impact home based businesses operate within the residential area and provide for small scale and emerging business activities.
- (l) Development in areas that have a high probability of containing acid sulfate soils avoids or minimizes disturbance. Where disturbance cannot be avoided, development is consistent with the mitigation measures which form part of a management regime developed in accordance with the State Planning Policy.
- (m) New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.


### 6.2.1.3 Specific benchmarks for assessment

**Table 6.2.1.3 – Benchmarks for development accepted subject to requirements and assessable development**

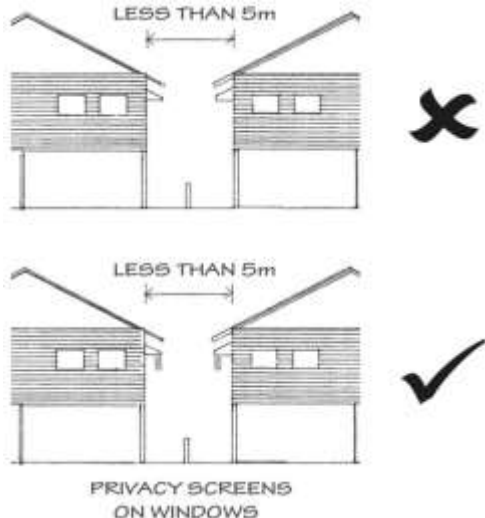
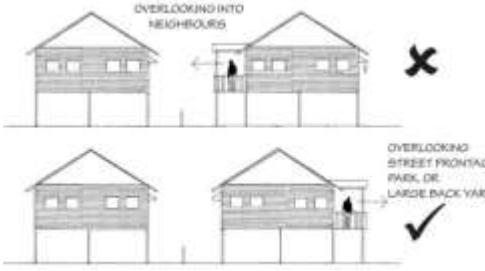
Performance Outcomes		Acceptable Outcomes	
Land Use			
PO1	Development allows for: <ul style="list-style-type: none"> <li>(a) a range of housing types including dwelling houses, dual occupancy, multiple dwellings, community residence and residential care facilities; and</li> <li>(b) flexibility and adaptability for changing household sizes and structures.</li> </ul>	AO1	No acceptable outcome is nominated.

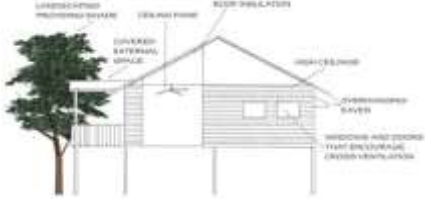




Performance Outcomes		Acceptable Outcomes	
PO2	Residential development: (a) is appropriately separated from existing areas of industrial importance and is not sited in areas that may impact on economic viability or future sustainable development of commercial facilities; (b) is of a scale and type that does not have a detrimental impact on the existing amenity of the surrounding area; and (c) where in proximity to the airport, is compatible with the safe operation of the aviation facilities and is of an appropriate scape and design to function as a compatible use.	AO2	No acceptable outcome is nominated.
PO3	Small scale non-residential uses are only provided where they cater directly to community needs, where the character and residential amenity is maintained and where they do not replicate the uses in the Gununa Town Centre.	AO3	No acceptable outcome is nominated.
<b>Built Form</b>			
PO4	Buildings and other structures are consistent with the scale and design of existing buildings and other structures in the residential area.	AO4	The maximum height of a building or other structure is 8.5 metres.  
PO5	Except for Dwelling Houses and Dual Occupancies site coverage: (a) ensures development maximises on-site infiltration and minimises the additional burden on drainage infrastructure; (b) reduces the visual impact of additional hard surface areas; and (c) respects the existing or preferred residential character and responds to the features of the site.	AO5	Site cover does not exceed 60%.
PO6	Non-residential uses are located, designed, constructed and operated to avoid significantly changing ambient conditions relating to light, noise, dust, odour traffic and other existing physical aspects in the surrounding area.	AO6	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
PO7	Landscaping utilises plant species native to the island.	A07	No acceptable outcome is nominated.
<b>Privacy and Safety</b>			
PO8	Development is located and designed to: (a) provide a safe environment for people using the property and those in neighbouring areas, including the open space network; (b) minimise the adverse impacts on privacy and amenity on neighbouring properties and uses; (c) provide a clear definition of boundaries between public and private space.	A08.1	Buildings address the road: (a) with the main entrance facing the road; or (b) for residential uses, a front door or living room windows facing the road.
		A08.3	Windows less than 5 metres away from windows in another residential building are provided with screening to retain privacy.  
		A08.4	Balconies or principle living areas on upper levels do not overlook adjoining property living areas or balconies  
		A08.5	(1) Site boundaries are defined by: (a) landscaping; or (b) fencing, not more than 1.2 metres high, between the building and the road.  (2) Side fencing is no greater than 1.5 metres high.

Performance Outcomes		Acceptable Outcomes	
<b>Design for Climate</b>			
PO9	<p>Buildings are designed and sited to:</p> <p>(a) maximise the thermal comfort achieved within the building using passive design measures; and</p> <p>(b) minimise the need for energy reliant cooling appliances to achieve accepted levels of thermal comfort.</p> 	AO9.1	<p>For other than a Dwelling House, residential buildings:</p> <p>(a) all door openings and windows in habitable rooms that face between north and south east and south west and north are fully shaded by adjustable external shutters or blinds, and</p> <p>(b) glazed windows or door assemblies have a minimum WERS Rating of 3 stars for cooling, and</p> <p>(c) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and</p> <p>(d) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0</p> <p><i>WERS means the Window Energy Rating Scheme®. For details about WERS, see <a href="http://www.wers.net">www.wers.net</a></i></p>
		AO9.2	<p>New buildings include a covered external space that:</p> <p>(a) provides a shaded area;</p> <p>(b) captures breezes; and</p> <p>(c) encourages natural ventilation through the building.</p>
<b>Hazards</b>			
PO10	<p>Development only occurs if people, buildings and infrastructure are not subject to unacceptable risks from acid sulfate soils or potential acid sulfate soils</p>		<p>Earthworks do not involve:</p> <p>(a) excavation or removal of 100m<sup>3</sup> or more of soil or sediment; or</p> <p>(b) filling land with 500m<sup>3</sup> or more of material with an average depth of 0.5 of a metre or greater.</p>
		AO10	<p>If acid sulfate soils or potential acid sulfate soils are disturbed, treatment and, if required, ongoing management of any disturbed acid sulfate soils and drainage waters must be undertaken in accordance with <i>Queensland Acid Sulfate Soil Technical Manual</i>.</p> <p>Editor's note – Acid Sulfate Soils and Potential Acid Sulfate Soils apply to land under 5m AHD and 20m AHD respectively. Council recommends that site-based investigations be undertaken to determine (1) whether the land is at or below this height and (2) whether there may be the presence of Acid Sulfate Soils on the land.</p>



Performance Outcomes		Acceptable Outcomes	
<b>Environment and Heritage Protection</b>			
PO11	Development is located and designed and operated to: <ul style="list-style-type: none"> <li>(a) not impact adversely on cultural values of the site;</li> <li>(a) integrate with the physical characteristics of the site; and</li> <li>(b) recognise and protect significance of prominent natural features and landmarks of the site, particularly those with medicinal, spiritual, and sustenance properties.</li> </ul>	AO11.1	Development is not located in an area containing cultural values or artefacts, including those identified in Schedule 8: Register of places and items of cultural heritage significance. .
		AO112	Development is designed, sited and built to retain natural features and environmental corridors including: <ul style="list-style-type: none"> <li>(a) creeks;</li> <li>(b) gullies;</li> <li>(c) waterways;</li> <li>(d) wetland habitats;</li> <li>(e) vegetation corridors;</li> <li>(f) mature trees; and</li> <li>(g) any significant landmarks.</li> </ul>
PO12	Development: <ul style="list-style-type: none"> <li>(a) maintains access to the sea, beach and wetlands;</li> <li>(b) protects and enhances coastal and marine resources; and</li> <li>(c) maintains natural physical coastal processes.</li> </ul>	AO12	No acceptable outcome is nominated.
<b>Access and Parking</b>			
PO13	Development provides appropriate vehicular access.	AO13	A driveway crossover is provided in accordance with the Design Guideline D1.17 of the <i>FNQROC Development Manual</i> .
PO14	Development provides for on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	AO14	For development other than a Dwelling House or Home-based Business, car parking is provided as follows: <ul style="list-style-type: none"> <li>(a) Community Residence: 2 spaces</li> <li>(b) Dual Occupancy: 1 space per dwelling unit;</li> <li>(c) Multiple Dwelling Unit: 1 space per dwelling unit;</li> <li>(d) Residential Care Facility: 0.3 spaces per lodging room</li> <li>(e) Other use: Applicant to provide parking report to justify provision.</li> </ul>



Performance Outcomes		Acceptable Outcomes	
<b>Infrastructure</b>			
PO15	(a) Development is provided with infrastructure appropriate to the use and the area.	AO15.1	Development is to be provided with connection to: (a) reticulated water supply without adversely affecting the capacity or pressure of the system; (b) the reticulated sewerage network without adversely affecting the capacity of the system; (c) electricity to the standard of infrastructure nominated by the relevant electricity supply authority; and (d) telecommunications to the standard of infrastructure nominated by the relevant telecommunications supply authority. (e) roads to Council's standards.
		AO15.2	Stormwater systems maximise the use of permeable surfaces to allow stormwater infiltration and minimise erosion.
<b>Where involving a Material Change of Use for a Dual Occupancy or Multiple Dwelling</b>			
PO16	Dual Occupancies and Multiple Dwellings are designed to a high aesthetic standard and complement or enhance the character of the residential area.	AO16	No acceptable outcome is nominated.
PO17	Adequate and suitable open space is provided to meet the needs of occupants for privacy, relaxation, entertainment and direct access to daylight and open air.	AO17.1	Dwelling units with their main living areas located at ground level have private open space that is: (a) a minimum of 16m <sup>2</sup> in area per dwelling unit; (b) a minimum dimension of 4 metres; (c) directly accessible from a living room; and (d) fenced to achieve privacy for occupants.
		AO17.2	Dwelling units with their main living areas located above ground level have private open space with: (a) a minimum of 8m <sup>2</sup> ; (b) a minimum dimension of 2.4 metres; and (c) directly accessible from a living room.
<b>Where involving a Material Change of Use for a Home Based Business</b>			
PO18	A Home Based Business is limited to a small scale operation and: (a) is located wholly or mainly within a dwelling and associated outbuildings; (b) is conducted by a resident or residents of the dwelling; (c) maintains a domestic scale and character; (d) is visually integrated with the residential use; and	AO18.1	The use is conducted entirely within the dwelling and/or any associated outbuilding on the site.
		AO18.2	The use is carried out by residents of the dwelling.
		AO18.3	The use involves no more than one (1) non-resident employee on site at any one time.
		AO18.4	Equipment, goods and materials associated with the use are stored inside the dwelling or outbuilding.



Performance Outcomes		Acceptable Outcomes	
	(e) does not impact adversely on the amenity of the surrounding area.	AO18.5	The use does not involve the display of goods or materials, whether or not generated by the use, to be visible from outside the dwelling or outbuilding.
		AO18.6	Home based business activities generating visitors or audible noises outside the dwelling or outbuilding (other than for a bed and breakfast) are not conducted outside the hours of 7:00 am to 7:00 pm, Monday to Saturday and 8:00 am to 7:00 pm Sunday and public holidays.
		AO18.7	Noise levels generated by the use do not exceed 5dB(A) above ambient background levels at the property boundary at any time.
<b>For Reconfiguring a Lot</b>			
PO19	New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.	AO19	The minimum size for new lots is 800m <sup>2</sup> and minimum frontage is 20 metres.
<b>For Operational Works – Filling and Excavation</b>			
PO20	Earthworks are undertaken in a manner that: <ul style="list-style-type: none"> <li>(a) maintains natural landforms;</li> <li>(b) minimises height of any retaining walls and batter faces;</li> <li>(c) does not create or worsen any flooding or drainage problems on the site or on neighbouring properties;</li> <li>(d) does not result in the contamination of land or water, and avoids risk to people and property</li> <li>(e) does not unduly impact on the amenity or privacy for occupants of the site or on adjoining land; and</li> <li>(f) does not unduly impact on the amenity of the streetscape.</li> </ul>	AO20	No acceptable outcome is nominated.



## 6.2.2 Centre zone code

### 6.2.2.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 6.2.2.2 Purpose

- (1) The purpose of the zone is to provide for a mix of uses and activities. These uses include, but are not limited to business, retail, professional, administrative, entertainment, cultural and residential activities. Centres are found at a variety of scales based on their location and surrounding uses.
- (2) The purpose of the zone is to achieve the overall outcomes.
- (3) The overall outcomes for the zone are:
  - (a) Gununa's role as the main business and community centre is consolidated through:
    - (i) the provision of an appropriate range of retail, commercial, community and short-term accommodation uses in the town centre;
    - (ii) providing activities that increase the self-sufficiency of Gununa;
    - (iii) using land and buildings efficiently, taking up infill opportunities before using undeveloped land that is a logical extension of the urban area; and
    - (iv) reflecting the needs, lifestyle, history and culture of Mornington Shire.
  - (b) New development is compatible with and enhances the local streetscape character and creates a pleasant and safe pedestrian environment, particularly in Lardil Street.
  - (c) Council's administration offices, meeting rooms and library are located within the zone.
  - (d) New development is designed to incorporate sustainable practices including maximising energy efficiency and water conservation.
  - (e) Buildings and other structures are consistent with the scale and design of existing buildings and other structures in the Gununa Town Centre.
  - (f) Development provides appropriate vehicular access and on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.
  - (g) Development has efficient and effective access to infrastructure and services. New development is connected to all urban services and enable a sequential extension of the infrastructure network.
  - (h) The Festival Ground has significant cultural value to the Traditional Owners and the local community and it is to be protected from impacts of inappropriate development.
  - (i) Natural features and environmental corridors such as creeks, gullies, waterways, wetlands, habitats and vegetation are retained and enhanced through buffers that minimise the impact of existing and future land uses. Any impacts expected by new development are mitigated appropriately.
  - (j) Development in areas that have a high probability of containing acid sulfate soils avoids or minimizes disturbance. Where disturbance cannot be avoided, development is consistent with the mitigation measures which form part of a management regime developed in accordance with the State Planning Policy
  - (k) New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.



### 6.2.2.3 Specific benchmarks for assessment

**Table 6.2.2.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Land Use</b>			
PO1	Gununa's role as the main business and community centre is consolidated through: (a) Focusing appropriate retail, commercial, community and short-term accommodation uses in the town centre; (b) Providing activities that increase the self-sufficiency of Gununa; (c) using land and building efficiently, taking up infill opportunities before using undeveloped land that is a logical extension of the urban area; and (d) reflecting the needs, lifestyle, history and culture of Mornington Shire.	AO1	No acceptable outcome is nominated.
PO2	Council's administration offices, meeting rooms and library are located within the zone	AO2	No acceptable outcome is nominated.
<b>Built Form</b>			
PO3	Buildings and other structures are consistent with the scale and design of existing buildings and other structures in the Gununa Town Centre.	AO3	The maximum height of a building or other structure is 8.5 metres.
PO4	The appearance and siting of buildings, other structures, carparking areas and signage is compatible with the local streetscape character, the design of nearby buildings and the open nature of the Festival Grounds.	AO4	No acceptable outcome is nominated.
PO5	New development is designed to incorporate sustainable practices including maximising energy efficiency and water conservation.	AO5	No acceptable outcome is nominated.
<b>Public Spaces and Pedestrian Areas</b>			
PO6	Development contributes to the creation of a safe and secure pedestrian environment within the Gununa Town Centre.	AO6	No acceptable outcome is nominated.
PO7	New development is compatible with and enhances the local streetscape character and creates a pleasant pedestrian environment, particularly in Lardil Street.	AO7	No acceptable outcome is nominated.





Performance Outcomes		Acceptable Outcomes	
<b>Parking, Servicing and Access</b>			
PO8	Development provides for on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	AO8	Car parking is provided as follows: (a) All uses, except accommodation activities: 1 spaces per 50m <sup>2</sup> of gross floor area (b) Accommodation activities: applicant to provide parking report to justify provision.
PO9	Development has acceptable access for vehicles.	AO9	A driveway crossover is provided in accordance with the Design Guideline D1.17 of the <i>FNQROC Development Manual</i> .
PO10	Car parking areas, service areas and access driveways are located where they will not unduly intrude upon pedestrian use of footpaths and will not dominate the streetscape.	AO10	No acceptable outcome is nominated.
<b>Landscaping</b>			
PO11	Street trees and landscaping treatment which incorporate vegetation species native to Mornington Island, contribute to the character, amenity, utility and safety of the streetscape.	AO11	No acceptable outcome is nominated.
<b>Hazards</b>			
PO12	Development only occurs if people, buildings and infrastructure are not subject to unacceptable risks from: (a) acid sulfate soils and potential acid sulfate soils	AO12.1	Earthworks do not involve: (a) excavation or removal of 100m <sup>3</sup> or more of soil or sediment; or (b) filling land with 500m <sup>3</sup> or more of material with an average depth of 0.5 of a metre or greater.
		AO12.2	If acid sulfate soils and potential acid sulfate soils are disturbed, treatment and, if required, ongoing management of any disturbed acid sulfate soils and drainage waters must be undertaken in accordance with <i>Queensland Acid Sulfate Soil Technical Manual</i> .  Editor's note – Acid Sulfate Soils and Potential Acid Sulfate Soils apply to land under 5m AHD and 20m AHD respectively. Council recommends that site-based investigations be undertaken to determine (1) whether the land is at or below this height and (2) whether there may be the presence of Acid Sulfate Soils on the land.
<b>Environment and Heritage Protection</b>			
PO13	Development is located and designed and operated to: (a) not impact adversely on cultural values of the site; (b) integrate with the physical characteristics of the site; and	AO13.1	Development does not negatively impact upon the cultural values of any place or item of cultural value, including those identified in Schedule 6: Register of places and items of cultural heritage significance.



	(c) recognise and protect significance of prominent natural features and landmarks of the site, particularly those with medicinal, spiritual, and sustenance properties.	AO13.2	Development is designed, sited and built to retain natural features and environmental corridors including: (a) creeks; (b) gullies; (c) waterways; (d) wetland habitats; (e) vegetation corridors; (f) mature trees; and (g) any significant landmarks.
PO14	The Festival Ground has significant cultural value to the Traditional Owners and the local community and it is to be protected from impacts of inappropriate development.	AO14	No acceptable outcome is nominated.
<b>Infrastructure</b>			
PO15	Development is provided with infrastructure appropriate to the use and the area.	AO15.1	Development is to be provided with connection to: (a) reticulated water supply without adversely affecting the capacity or pressure of the system; (b) the reticulated sewerage network without adversely affecting the capacity of the system; (c) electricity to the standard of infrastructure nominated by the relevant electricity supply authority; and (d) telecommunications to the standard of infrastructure nominated by the relevant telecommunications supply authority.
		AO15.2	(a) Stormwater systems maximise the use of permeable surfaces to allow stormwater infiltration and minimise erosion. (b) Stormwater and wastewater infrastructure is designed, built and maintained to the standard identified by the Local government infrastructure plan.
<b>Where involving a Material Change of Use for Caretaker's Accommodation</b>			
PO16	Caretaker's Accommodation is compatible with the scale and character desired for the local setting and acceptable levels of privacy and amenity are achieved for the resident/s.	AO16.1	The floor area of the Caretaker's Accommodation is not greater than 100m <sup>2</sup> .
		AO16.2	Private open space is provided that is: (a) a minimum of 16m <sup>2</sup> in area; (b) a minimum dimension of 4 metres; (c) directly accessible from a habitable room; and (d) fenced to achieve privacy for occupants.



Performance Outcomes		Acceptable Outcomes	
<b>Where involving a Material Change of Use for Short Term Accommodation</b>			
PO17	Short term accommodation is located on a site that has sufficient area to accommodate the building, associated land uses, necessary services and buffers.	AO17	No acceptable outcome is nominated.
<b>For Reconfiguring a Lot</b>			
PO18	New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.	AO18	No acceptable outcome is nominated.
<b>For Operational Works – Filling and Excavation</b>			
PO19	Earthworks are undertaken in a manner that: <ul style="list-style-type: none"> <li>(a) maintains natural landforms;</li> <li>(b) minimises height of any retaining walls and batter faces;</li> <li>(c) does not create or worsen any flooding or drainage problems on the site or on neighbouring properties;</li> <li>(d) does not result in the contamination of land or water, and avoids risk to people and property</li> <li>(e) does not unduly impact on the amenity or privacy for occupants of the site or on adjoining land; and</li> <li>(f) does not unduly impact on the amenity of the streetscape.</li> </ul>	AO19	No acceptable outcome is nominated.



## 6.2.3 Recreation and open space zone code

### 6.2.3.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 6.2.3.2 Purpose

- (1) The purpose of the zone is to provide for a range of sporting, recreation, leisure, cultural and educational activities. The zone provides for local, district and regional scale parks which serve the recreation needs of residents and visitors and may include areas for conservation. Areas within the zone such as parks, playing fields and playgrounds, are generally accessible to the public; however, access may be limited in certain areas and at certain times. Where required to meet community needs development may include built structures, such as shelters, amenity facilities, picnic tables, clubhouses, gymnasiums, public swimming pools and tennis courts, and other infrastructure to support the activities, provide safe access and support essential management.
- (2) The purpose of the zone is to achieve the overall outcomes.
- (3) The overall outcomes for the zone are:
  - (a) Areas within Gununa are accessible to the general public for active sport and recreation to meet community needs, including playing fields, outdoor cultural facilities and outdoor courts.
  - (b) Impacts on adjacent residential uses from development and activities within the zone are managed through buffering to adjacent sensitive land uses and appropriate design, siting and operation of facilities and infrastructure.
  - (c) Ancillary structures and buildings such as shelters, amenity facilities, picnic tables and playgrounds are provided where necessary.
  - (d) Development complements the style, scale and character of existing uses in the street and locality and contributes positively to the streetscape.
  - (e) Development is provided with infrastructure appropriate to the use and the area.
  - (f) Where sport and recreation areas include natural habitats such as bushland, wetlands or waterways, or act as a buffer between natural and developed areas adverse impacts on ecological values are avoided or minimised.
  - (g) Natural features and environmental corridors such as creeks, gullies, waterways, wetlands, habitats and vegetation are retained and enhanced through buffers that minimise the impact of existing and future land uses. Any impacts expected by new development are mitigated appropriately.
  - (h) Development maintains public access to the sea, beach, wetlands and the bush.
  - (i) Development in areas that have a high probability of containing acid sulfate soils avoids or minimizes disturbance. Where disturbance cannot be avoided, development is consistent with the mitigation measures which form part of a management regime developed in accordance with the State Planning Policy
  - (j) Development provides appropriate vehicular access and on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.
  - (k) New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.

### 6.2.3.3 Specific benchmarks for assessment



**Table 6.2.3.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Land Use</b>			
PO1	Areas within Gununa are accessible to the general public for active sport and recreation to meet community needs, including playing fields, outdoor cultural facilities and outdoor courts.	AO1	No acceptable outcome is nominated.
<b>Built Form</b>			
PO2	Development complements the style, scale and character of existing uses in the street and locality and contributes positively to the streetscape.	AO2	No acceptable outcome is nominated.
PO3	Development provides adequate separation, buffering and screening from land in the General Residential Zone so that the privacy and amenity of such premises are not adversely affected	AO3.1	Buildings are set back from any boundary adjoining land in the General Residential Zone a minimum of 3 metres or half the height of the building, whichever is the greater.
		AO3.2	Site access and car parking, servicing or outdoor storage areas are set back from any boundary adjoining land in the General Residential Zone a minimum of 3 metres.
PO4	The site layout responds sensitively to on-site and surrounding topography, drainage patterns, infrastructure services, access, vegetation and adjoining land use, such that: (a) any earthworks are minimised; (b) the retention of natural drainage lines is maximised; (c) the retention of existing vegetation is maximised; (d) damage or disruption to services is avoided; and there is adequate buffering, screening and separation to sensitive land uses.	AO4	No acceptable outcome is nominated.
PO5	Where appropriate, development facilitates pedestrian and open space connections through the locality.	AO5	No acceptable outcome is nominated.
PO6	Ancillary structures and buildings such as shelters, amenity facilities, picnic tables and playgrounds are provided where necessary.	AO6	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
<b>Amenity and Safety</b>			
PO7	The site layout facilitates the security of people and property having regard to: (a) opportunities for casual surveillance and sightlines; (b) exterior building designs which promote safety; (c) adequate definition of uses and ownership; (d) adequate lighting; (e) appropriate way finding mechanisms (e.g. signage); (f) minimisation of entrapment locations; and (g) building entrances, loading and storage areas being well lit and lockable after hours.	AO7	No acceptable outcome is nominated.
PO8	Where adjoining land within the General Residential Zone, the hours of operation are controlled so that the use does not impact on the amenity or privacy of adjoining residential land uses.	AO8	Uses do not create audible noise between the hours of 7:00 pm and 6:00 am.
PO9	Landscaping utilises species that are native to the island.	AO9	No acceptable outcome is nominated.
<b>Hazards</b>			
PO10	Development only occurs if people, buildings and infrastructure are not subject to unacceptable risks from acid sulfate soils and potential acid sulfate soils	AO10.1	Works do not: (a) excavate or remove 100m <sup>3</sup> or more of soil or sediment; or (b) fill land with 500m <sup>3</sup> or more of material with an average depth of 0.5 of a metre or greater.
		AO10.2	If acid sulfate soils and potential acid sulfate soils are disturbed, treatment and, if required, ongoing management of any disturbed acid sulfate soils and drainage waters must be undertaken in accordance with Queensland Acid Sulfate Soil Technical Manual.  Editor's note – Acid Sulfate Soils and Potential Acid Sulfate Soils apply to land under 5m AHD and 20m AHD respectively. Council recommends that site-based investigations be undertaken to determine (1) whether the land is at or below this height and (2) whether there may be the presence of Acid Sulfate Soils on the land.
<b>Environment and Heritage Protection</b>			
PO11	Development is located and designed and operated to: (a) not impact adversely on cultural values of the site; (b) integrate with the physical	AO11.1	Development is not located in an area containing cultural values or artefacts, including those identified in Schedule 8: Register of places and items of cultural heritage significance.



Performance Outcomes		Acceptable Outcomes	
	(c) characteristics of the site; and recognise and protect significance of prominent natural features and landmarks of the site; particularly those with medicinal, spiritual, and sustenance properties;	AO11.2	Development is designed, sited and built to retain natural features and environmental corridors including: (a) creeks; (b) gullies; (c) waterways; (d) wetland habitats; (e) vegetation corridors; (f) mature trees; and (g) any significant landmarks.
PO12	Development maintains public access to the sea, beach, wetlands and the bush.	AO12	No acceptable outcome is nominated.
<b>Outdoor Lighting</b>			
PO13	Light emissions do not have an adverse effect on the amenity of the surrounding area.	AO13	Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of AS4282-1997 – <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .
<b>Access, Servicing and Parking</b>			
PO14	Development provides for on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	AO14	No acceptable outcome is nominated.
PO15	Development has acceptable access for vehicles.	AO15	A driveway crossover is provided in accordance with the Design Guideline D1.17 of the <i>FNQROC Development Manual</i> .
PO16	Car parking areas, service areas and access driveways are located where they will not unduly intrude upon pedestrian use of footpaths and will not dominate the streetscape.	AO16	No acceptable outcome is nominated.
<b>Infrastructure</b>			
PO17	Development is provided with infrastructure appropriate to the use and the area	AO17.1	Development is to be provided with connection to: (a) reticulated water supply without adversely affecting the capacity or pressure of the system; (b) the reticulated sewerage network without adversely affecting the capacity of the system; (c) electricity to the standard of infrastructure nominated by the relevant electricity supply authority; and (d) telecommunications to the standard of infrastructure nominated by the relevant telecommunications supply authority. (e) roads to Council's standards.



Performance Outcomes		Acceptable Outcomes	
		AO17.2	(a) Stormwater systems maximise the use of permeable surfaces to allow stormwater infiltration and minimise erosion. (b) Stormwater and wastewater infrastructure is designed, built and maintained to the standard identified by the Local government infrastructure plan.
<b>Where involving a Material Change of Use for Caretaker's Accommodation</b>			
PO18	Caretaker's Accommodation is compatible with the scale and character desired for the local setting and acceptable levels of privacy and amenity are achieved for the resident/s.	AO18.1	The floor area of the Caretaker's Accommodation is not greater than 100m <sup>2</sup> .
		AO18.2	Private open space is provided that is: (a) a minimum of 16m <sup>2</sup> in area; (b) a minimum dimension of 4 metres; (c) directly accessible from a habitable room; and (d) fenced to achieve privacy for occupants.
<b>For Reconfiguring a Lot</b>			
PO19	New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.	AO19	No acceptable outcome is nominated.
<b>For Operational Works – Filling and Excavation</b>			
PO20	Earthworks are undertaken in a manner that: (a) maintains natural landforms; (b) minimises height of any retaining walls and batter faces; (c) does not create or worsen any flooding or drainage problems on the site or on neighbouring properties; (d) does not result in the contamination of land or water, and avoids risk to people and property; (e) does not unduly impact on the amenity or privacy for occupants of the site or on adjoining land; and (f) does not unduly impact on the amenity of the streetscape.	AO20	No acceptable outcome is nominated.





## 6.2.4 Industry zone code

### 6.2.4.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 6.2.4.2 Purpose

- (1) The purpose of the zone is to provide for a range of service, low, medium, or high impact industrial uses. It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.
- (2) The purpose of the zone is to achieve the overall outcomes.
- (3) The overall outcomes for the zone are:
  - (a) Within Gununa, land is identified and opportunities provided for industry activities that are consistent with the amenity of the local area.
  - (b) Industry activities are designed and managed to maintain safety to people and minimise impacts on adjacent non-industrial land.
  - (c) Development has access to development infrastructure and essential services.
  - (d) Development provides appropriate vehicular access and on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.
  - (e) Non-industrial uses which are ancillary to and directly support the industrial area are facilitated.
  - (f) Development is designed to incorporate sustainable practices including as maximising energy efficiency, water conservation and transport use.
  - (g) Adverse impacts on natural features and processes both on-site and from adjoining areas are minimised through location, design, operation and management of development.
  - (h) Development in areas that have a high probability of containing acid sulfate soils avoids or minimises disturbance. Where disturbance cannot be avoided, development is consistent with the mitigation measures which form part of a management regime developed in accordance with the State Planning Policy.
  - (i) Natural features and environmental corridors such as creeks, gullies, waterways, wetlands, habitats and vegetation are retained and enhanced through buffers that minimise the impact of existing and future land uses. Any impacts expected by new development are mitigated appropriately.
  - (j) Development maintains public access to the sea, beach, wetlands and the bush.
  - (k) New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.



### 6.2.4.3 Specific benchmarks for assessment

**Table 6.2.4.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Land Use</b>			
PO1	Within Gununa, land is identified and opportunities provided for industry activities that are consistent with the amenity of the local area.	AO1	No acceptable outcome is nominated.
PO2	Uses, other than industrial uses, are either associated with, or provide a service to existing industries or staff of those industries or have characteristic impacts or requirements that are similar to industrial uses.	AO2	No acceptable outcome is nominated.
<b>Built Form</b>			
PO3	Buildings are located, designed and constructed to ensure that the visual amenity of the street and the locality is not compromised.	AO3.1	Buildings do not exceed a height of 12 metres.
		AO3.2	A landscaped setback area averaging 6.0 m wide with a minimum dimension of 3 m is provided along the main street frontage of the site (apart from vehicle access points).
PO4	Development is designed to incorporate sustainable practices including as maximising energy efficiency, water conservation and transport use.	AO4	No acceptable outcome is nominated.
<b>Amenity</b>			
PO5	All outdoor storage areas and their contents and other unsightly areas are visually screened from view from public places (including the street) and from land not within the Industrial zone.	AO5	Unsightly areas are screened by a 1.8-metre-high solid fence.
PO6	Where adjoining land within the General Residential Zone, the hours of operation are controlled so that the use does not impact on the amenity or privacy of adjoining residential land uses.	AO6	Uses do not create audible noise between the hours of 7:00 pm and 6:00 am.
PO7	Landscaping utilises plant species native to the island.	AO7	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
<b>Hazards</b>			
PO8	Development only occurs if people, buildings and infrastructure are not subject to unacceptable risks from acid sulfate soils and potential acid sulfate soils	AO8.1	Works do not: (a) excavate or remove 100m <sup>3</sup> or more of soil or sediment; or (b) fill land with 500m <sup>3</sup> or more of material with an average depth of 0.5 of a metre or greater.
		AO8.2	If acid sulfate soils and potential acid sulfate soils are disturbed, treatment and, if required, ongoing management of any disturbed acid sulfate soils and drainage waters must be undertaken in accordance with <i>Queensland Acid Sulfate Soil Technical Manual</i> .  Editor's note – Acid Sulfate Soils and Potential Acid Sulfate Soils apply to land under 5m AHD and 20m AHD respectively. Council recommends that site-based investigations be undertaken to determine (1) whether the land is at or below this height and (2) whether there may be the presence of Acid Sulfate Soils on the land.
<b>Environment and Heritage Protection</b>			
PO9	Development is located and designed and operated to: (a) not impact adversely on cultural values of the site; (b) integrate with the physical characteristics of the site; and (c) recognise and protect significance of prominent natural features and landmarks of the site; particularly those with medicinal, spiritual, and sustenance properties.	AO9.1	Development is not located in an area containing cultural values or artefacts, including those identified in Schedule 6: Register of places and items of cultural heritage significance.
		AO9.2	Development is designed, sited and built to retain natural features and environmental corridors including: (a) creeks; (b) gullies; (c) waterways; (d) wetland habitats; (e) vegetation corridors; (f) mature trees; and (g) any significant landmarks.
PO10	Stormwater and wastewater is designed, constructed and maintained to minimise impacts on environmental values including water quality, ecosystem processes and biodiversity.	AO10	Stormwater and wastewater is designed, built and operated in accordance with the design objectives stated in chapter 4 of the <i>State Planning Policy Guideline for Healthy Waters</i> .
PO11	Development maintains public access to the sea, beach, wetlands and the bush.	AO11	No acceptable outcome is nominated.
<b>Outdoor Lighting</b>			
PO12	Light emissions do not have an adverse effect on the amenity of the surrounding area.	AO12	Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of AS4282-1997 – <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .



Performance Outcomes		Acceptable Outcomes	
<b>Access, Servicing and Parking</b>			
PO13	Development provides for on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	AO13	Car parking is provided as follows: All uses: 1 space per 50 m <sup>2</sup> of gross floor area and any outdoor use area up to 1000 m <sup>2</sup> and thereafter 1 space per 200 m <sup>2</sup> of gross floor area and any outdoor use area.
PO14	Development has acceptable access for vehicles.	AO14	A driveway crossover is provided in accordance with the Design Guideline D1.17 of the <i>FNQROC Development Manual</i> .
PO15	Car parking areas, service areas and access driveways are located where they will not unduly intrude upon pedestrian use of footpaths and will not dominate the streetscape.	AO15	No acceptable outcome is nominated.



## 6.2.5 Community facilities zone code

### 6.2.5.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 6.2.5.2 Purpose

- (1) The purpose of the zone is to provide for community related activities and facilities whether under public or private ownership. These may include provision of municipal services, public utilities, government installations, hospitals and schools, transport and telecommunication networks and community infrastructure of an artistic, social or cultural nature.
- (2) The purpose of the zone is to achieve the overall outcomes.
- (3) The overall outcomes for the zone are:
  - (a) Community activities and infrastructure is located within or in close proximity to Gununa and is sympathetic in scale, height and bulk with that of surrounding developments or designed to ensure that where of a greater scale, height and bulk to surrounding development the visual impacts are addressed through the use of setbacks, building form, landscaping and other means.
  - (b) Development provides opportunities for co-location of community activities to create identifiable community nodes.
  - (c) Development has access to development infrastructure and essential services.
  - (d) Development provides appropriate vehicular access and on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.
  - (e) Development is designed to incorporate sustainable practices including as maximising energy efficiency, water conservation and transport use.
  - (f) Adverse impacts on natural features and processes both on-site and from adjoining areas are minimised through location, design, operation and management of development.
  - (g) The primary use of land described as Lot 2 on Compiled Plan WLY2 is for an educational establishment being the Mornington State School.
  - (h) The primary use of land described as Lot 10 on Compiled Plan WLY6 is for hospital and allied health uses, including education and research uses and staff accommodation being the Mornington Island Hospital.
  - (i) The primary use of land described as Lot 8 on Compiled Plan WLY8 is for emergency purposes being the Mornington Island Police Station.
  - (j) The viability of community uses and other community infrastructure is protected by excluding development that may prejudice the on-going operation and expansion of existing uses or the development of new facilities.
  - (k) Development in areas that have a high probability of containing acid sulfate soils avoids or minimises disturbance. Where disturbance cannot be avoided, development is consistent with the mitigation measures which form part of a management regime developed in accordance with the State Planning Policy
  - (l) Development:
    - (i) maintains access to the sea, beach and wetlands;
    - (ii) protects and enhances coastal and marine resources; and
    - (iii) maintains natural physical coastal processes.
  - (m) Natural features and environmental corridors such as creeks, gullies, waterways, wetlands, habitats and vegetation are retained and enhanced through buffers that minimise the impact of existing and future land uses. Any impacts expected by new development are mitigated appropriately.
  - (n) Development maintains public access to the sea, beach, wetlands and the bush.
  - (o) New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.



### 6.2.5.3 Specific benchmarks for assessment

**Table 6.2.5.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Land Use</b>			
PO1	Development provides opportunities for co-location of community activities to create identifiable community nodes.	AO1	No acceptable outcome is nominated.
PO2	The primary use of land described as Lot 2 on Compiled Plan WLY2 is for an educational establishment being the Mornington State School.	AO2	No acceptable outcome is nominated.
PO3	The primary use of land described as Lot 10 on Compiled Plan WLY6 is for hospital and allied health uses, including education and research uses and staff accommodation being the Mornington Island Hospital.	AO3	No acceptable outcome is nominated.
PO4	The primary use of land described as Lot 8 on Compiled Plan WLY8 is for emergency purposes being the Mornington Island Police Station.	AO4	No acceptable outcome is nominated.
<b>Built Form</b>			
PO5	Buildings are located, designed and constructed to ensure that the visual amenity of the street and the locality is not compromised.	AO5	Buildings do not exceed a height of 8.5 metres.
PO6	The appearance and siting of buildings, other structures, carparking areas or signage is compatible with the local streetscape character, the design of nearby buildings and any culturally significant place.	AO6	No acceptable outcome is nominated.
<b>Amenity</b>			
PO7	Where adjoining land within the General Residential Zone, the hours of operation are controlled so that the use does not impact on the amenity or privacy of adjoining residential land uses.	AO7	Uses do not create audible noise between the hours of 7:00 pm and 6:00 am.
PO8	Landscaping utilises plant species native to the island.	PO8	No acceptable outcome is nominated.
PO9	Development is designed to incorporate sustainable practices including as maximising energy efficiency, water conservation and transport use	PO9	No acceptable outcome is nominated.
<b>Hazards</b>			
PO10	Development only occurs if people, buildings and infrastructure are not subject to unacceptable risks from acid sulfate soils and potential acid sulfate soils	aO10.1	Works do not: (a) excavate or remove 100m <sup>3</sup> or more of soil or sediment; or (b) fill land with 500m <sup>3</sup> or more of material with an average depth of 0.5 of a metre or greater.



		AO10.2	<p>If acid sulfate soils and potential acid sulfate soils are disturbed, treatment and, if required, ongoing management of any disturbed acid sulfate soils and drainage waters must be undertaken in accordance with <i>Queensland Acid Sulfate Soil Technical Manual</i>.</p> <p>Editor's note – Acid Sulfate Soils and Potential Acid Sulfate Soils apply to land under 5m AHD and 20m AHD respectively. Council recommends that site-based investigations be undertaken to determine (1) whether the land is at or below this height and (2) whether there may be the presence of Acid Sulfate Soils on the land.</p>
<b>Environment and Heritage Protection</b>			
PO11	Development is located and designed and operated to: <ul style="list-style-type: none"> <li>(a) not impact adversely on cultural values of the site;</li> <li>(b) integrate with the physical characteristics of the site; and</li> <li>(c) recognise and protect significance of prominent natural features and landmarks of the site, particularly those with medicinal, spiritual, and sustenance properties.</li> </ul>	AO11.1	Development is not located in an area containing cultural values or artefacts, including those identified in Schedule 6: Register of places and items of cultural heritage significance.
		AO11.2	Development is designed, sited and built to retain natural features and environmental corridors including: <ul style="list-style-type: none"> <li>(a) creeks;</li> <li>(b) gullies;</li> <li>(c) waterways;</li> <li>(d) wetland habitats;</li> <li>(e) vegetation corridors;</li> <li>(f) mature trees; and</li> <li>(g) any significant landmarks.</li> </ul>
PO12	Stormwater and wastewater is designed, constructed and maintained to minimise impacts on environmental values including water quality, ecosystem processes and biodiversity	AO12	Stormwater and wastewater is designed, built and operated in accordance with the design objectives stated in chapter 4 of the <i>State Planning Policy Guideline for Healthy Waters</i> .
PO13	Development: <ul style="list-style-type: none"> <li>(a) maintains access to the sea, beach and wetlands;</li> <li>(b) protects and enhances coastal and marine resources; and</li> <li>(c) maintains natural physical coastal processes.</li> </ul>	AO13	No acceptable outcome is nominated.
<b>Outdoor Lighting</b>			
PO14	Light emissions do not have an adverse effect on the amenity of the surrounding area.	AO14	Outdoor lighting is designed, installed and maintained in accordance with the parameters and requirements of <i>AS4282-1997 – Control of the Obtrusive Effects of Outdoor Lighting</i> .
<b>Access, Servicing and Parking</b>			
PO15	Development provides for on-site vehicle parking to meet the demand likely to be generated by the activity and to avoid on street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local	AO15	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
PO16	Development has acceptable access for vehicles.	AO16	A driveway crossover is provided in accordance with the Design Guideline D1.17 of the <i>FNQROC Development Manual</i> .
PO17	Car parking areas, service areas and access driveways are located where they will not unduly intrude upon pedestrian use of footpaths and will not dominate the streetscape.	AO17	No acceptable outcome is nominated.
Infrastructure			
PO18	Development is provided with infrastructure appropriate to the use and the area	AO18.1	Development is to be provided with connection to: (a) reticulated water supply without adversely affecting the capacity or pressure of the system; (b) the reticulated sewerage network without adversely affecting the capacity of the system; (c) electricity to the standard of infrastructure nominated by the relevant electricity supply authority; and (d) telecommunications to the standard of infrastructure nominated by the relevant telecommunications supply authority. (e) roads to Council's standards.
		AO18.2	(a) Stormwater systems maximise the use of permeable surfaces to allow stormwater infiltration and minimise erosion. (b) Stormwater and wastewater infrastructure is designed, built and maintained to the standard identified by the Local government Infrastructure Plan.
Where involving a Material Change of Use for Caretaker's Accommodation			
PO19	Caretaker's Accommodation is compatible with the scale and character desired for the local setting and acceptable levels of privacy and amenity are achieved for the resident/s.	AO19.1	The floor area of the Caretaker's Accommodation is not greater than 100m <sup>2</sup> .
		AO19.2	Private open space is provided that is: (a) a minimum of 16m <sup>2</sup> in area; (b) a minimum dimension of 4 metres; (c) directly accessible from a habitable room; and (d) fenced to achieve privacy for occupants.
For Reconfiguring a Lot			
PO20	New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.	AO20	No acceptable outcome is nominated.





Performance Outcomes		Acceptable Outcomes	
For Operational Works – Filling and Excavation:			
PO21	<p>Earthworks are undertaken in a manner that:</p> <ul style="list-style-type: none"> <li>(a) maintains natural landforms;</li> <li>(b) minimises height of any retaining walls and batter faces;</li> <li>(c) does not create or worsen any flooding or drainage problems on the site or on neighbouring properties;</li> <li>(d) does not result in the contamination of land or water, and avoids risk to people and property;</li> <li>(e) does not unduly impact on the amenity or privacy for occupants of the site or on adjoining land; and</li> <li>(f) does not unduly impact on the amenity of the streetscape.</li> </ul>	AO21	No acceptable outcome is nominated.



## 6.2.6 Environmental management and conservation zone code

### 6.2.6.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 6.2.6.2 Purpose

- (1) The purpose of the zone is to provide for areas identified as supporting significant biological diversity and ecological integrity.
- (2) The purpose of the zone is to achieve the overall outcomes.
- (3) The overall outcomes for the zone are:
  - (a) Areas identified as important for biological diversity, ecological functioning, and scenic amenity are protected from development.
  - (b) Development does not adversely affect and provides for the retention of:
    - (i) resources including land, plants, animals, extractive minerals in the earth, saltwater, freshwater and all natural environments and culturally important places;
    - (ii) access and use of resources by traditional owners and local people in pursuance of traditional and cultural lifestyle practices;
    - (iii) access to the sea, beach and wetlands
    - (iv) places for people to live in their Country and continue traditional practices and lifestyles;
  - (c) Development is designed, constructed and operated so that it:
    - (i) responds and respects the natural environment and potential risks from natural hazards and climate change;
    - (ii) maintains natural physical coastal processes and
    - (iii) does not detract from amenity, cultural importance or the ongoing practice of traditional activities;
  - (d) Development in areas that have a high probability of containing acid sulfate soils avoids or minimises disturbance. Where disturbance cannot be avoided, development is consistent with the mitigation measures which form part of a management regime developed in accordance with the State Planning Policy
  - (e) Low impact tourist uses that recognise and depend on the values of the cultural features or natural resources or features in an area may be located in the zone where there is a proven real and ongoing benefit to the community;
  - (f) Outstations located on Mornington Island, Denham Island, Forsyth Island and Bentinck Island provide for the accommodation of small family-based groups to enable people to get back onto their 'country' to engage in traditional practices;
  - (g) Natural features and environmental corridors such as creeks, gullies, waterways, wetlands, habitats and vegetation are retained and enhanced through buffers that minimise the impact of existing and future land uses. Any impacts expected by new development are mitigated appropriately.
  - (h) Development provides on-site infrastructure appropriate to intended use and site characteristics and which has no detrimental effects on the natural environment. Such infrastructure is provided and maintained at no cost to Council.
  - (i) Other uses may be located in this zone where it:
    - (i) Has a direct link to the environmental and cultural values of the area;
    - (ii) Allows people to carry out traditional and cultural practices, including hunting, fishing, gathering, camping and managing the land;
    - (iii) Does not restrict access to, distract from or result in the loss of access to the beach, bush, and places that are environmentally or culturally important;
    - (iv) Integrates with the natural environment;
  - (j) Provides a benefit to the local people and the traditional owners.
  - (k) Future urban development is accommodated efficiently and through the expansion of the Gununa urban area onto developable land in the



- Investigation Area to the north/north east in the location shown on Environmental management and conservation zone code Map 1.
- (l) Development that proposes to use or that result in the use of resources provides a real and ongoing benefit to the community.
  - (m) New lots are designed and developed with sufficient area and proportions for activities and works associated with the proposed use.

### 6.2.6.3 Specific benchmarks for assessment

**Table 6.2.6.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Land Use</b>			
PO1	Low impact tourist uses that recognise and depend on the values of the cultural features or natural resources or features in an area may be located in the zone where there is a proven real and ongoing benefit to the community.	AO1	No acceptable outcome is nominated.
PO2	Outstations located on Mornington Island, Denham Island, Forsyth Island and Bentinck Island provide for the accommodation of small family-based groups to enable people to get back onto their 'country' to engage in traditional practices.	AO2	No acceptable outcome is nominated.
PO3	Future urban development is accommodated efficiently and through the expansion of the Gununa urban area onto developable land in the Investigation Area to the north/north east in the location shown on Environmental management and conservation zone code Map 1.	AO3	No acceptable outcome is nominated.
<b>Built Form</b>			
PO4	Development is located, scaled and designed to ensure the dominance of the natural character of the coast and waters surrounding the Wellesley Islands is maintained and enhanced when viewed from the foreshore.	AO4	No acceptable outcome is nominated.
PO5	Development minimises: <ul style="list-style-type: none"> <li>(a) scarring by exposed earthworks; and</li> <li>(b) vegetation removal on prominent headlands, ridges and hillslopes; and</li> <li>(c) modification of the natural environment which dominates the coastal landscape.</li> </ul>	AO5	No acceptable outcome is nominated.













Performance Outcomes		Acceptable Outcomes	
<b>Native Title</b>			
PO6	Native title rights and interests are protected pursuant to the <i>Native Title Act 1993</i> .	AO6	No acceptable outcome is nominated.
<b>Environment and Heritage Protection</b>			
PO7	Uses and works are located, designed, constructed and operated to: <ul style="list-style-type: none"> <li>(a) not impact on cultural values of the site;</li> <li>(b) not result in the loss of flora and fauna species</li> <li>(c) integrate with the physical attributes of the site; and</li> <li>(d) not detract from the significance of prominent natural features and landmarks, particularly those with medicinal, spiritual and sustenance properties.</li> </ul>	AO7	No acceptable outcome is nominated.
PO8	Development does not adversely impact on the habitat for any of the following species where the habitat supports critical life stages of feeding, breeding or roosting: <ul style="list-style-type: none"> <li>(a) Crested Tern</li> <li>(b) Brown Bobby</li> <li>(c) Roseate Tern</li> <li>(d) Silver Gull</li> <li>(e) Lesser Frigatebirds</li> <li>(f) Green Turtle</li> <li>(g) Hawksbill Turtle</li> <li>(h) Flatback Turtle</li> </ul>	AO8	No acceptable outcome is nominated.
PO9	Development does not adversely impact the habitat value and ecological functionality of the waters surrounding the Wellesley Islands.	AO9	No acceptable outcome is nominated.
PO10	Development maintains access to saltmarshes, mangrove communities, inter-tidal flats, sandy beaches, rocky shores, watercourses or wetlands to facilitate Indigenous cultural activities and practices.	AO10	No acceptable outcome is nominated.
PO11	Landscaping utilises plant species native to the island.	AO11	No acceptable outcome is nominated.
PO12	Development maximises opportunities to maintain and/or enhance natural scenic amenity values through the maintenance and restoration of vegetated buffers between development and coastal waters.	AO12	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
PO13	Development is designed, constructed and operated so that it: (a) responds and respects the natural environment and potential risks from natural hazards and climate change; and (b) does not detract from amenity, cultural importance or the ongoing practice of traditional activities.	AO13	No acceptable outcome is nominated.
<b>Hazards</b>			
PO14	Development only occurs if people, buildings and infrastructure are not subject to unacceptable risks from acid sulfate soils and potential acid sulfate soils.	AO14.1	Works do not: (a) excavate or remove 100m <sup>3</sup> or more of soil or sediment; or (b) fill land with 500m <sup>3</sup> or more of material with an average depth of 0.5 of a metre or greater.
		AO14.2	If acid sulfate soils and potential acid sulfate soils are disturbed, treatment and, if required, ongoing management of any disturbed acid sulfate soils and drainage waters must be undertaken in accordance with <i>Queensland Acid Sulfate Soil Technical Manual</i> .  Editor's note – Acid Sulfate Soils and Potential Acid Sulfate Soils apply to land under 5m AHD and 20m AHD respectively. Council recommends that site-based investigations be undertaken to determine (1) whether the land is at or below this height and (2) whether there may be the presence of Acid Sulfate Soils on the land.
<b>Infrastructure</b>			
PO15	Infrastructure is provided to a standard considered appropriate by Council and is the responsibility of the developer.	AO15	No acceptable outcome is nominated.
<b>Reconfiguring a Lot</b>			
PO16	New lots are designed and developed with sufficient: (a) road frontage for safe and convenient vehicle and pedestrian access; and (b) area and proportions for activities and works associated with the proposed use.	AO16	No acceptable outcome is nominated.

**Legend**

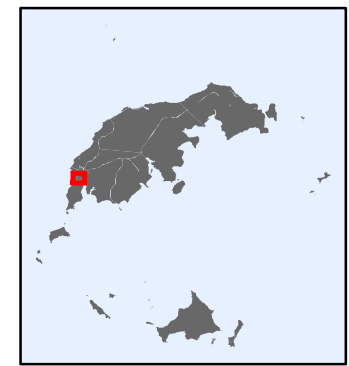
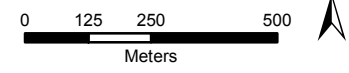
-  Local Government Area
-  District Centre
-  Major infrastructure
-  Airport
-  Port (Maritime Development)
-  Industrial Development
-  Tourism
-  Investigation\_Area
-  Road
-  Nature conservation and open space

Data Source:  
Based on or contains data provided by the (former) Department of Environment & Resource Management Queensland 2009 which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

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While every care is taken to ensure the accuracy of this product, Council makes no representations or warranties about the accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages, (including indirect or consequential damage) and costs you may incur as a result of the product being inaccurate or incomplete in any way for any reason.

Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:15,000





# 07 OVERLAYS





## Part 7 Overlays

### 7.1 Preliminary

- (1) Overlays identify areas within the planning scheme that reflect distinct themes that may include all or one of the following:
  - (a) sensitive to the effects of development;
  - (b) constrain land or development;
  - (c) subject to valuable resources;
  - (d) present opportunities for development.
- (2) Overlays are mapped and included in Schedule 2.
- (3) The changed category of development or assessment, if applicable, for development affected by an overlay are in Part 5.
- (4) Some overlays may be included for information purposes only. This should not result in a change to the category of development or assessment or any additional assessment benchmarks.
- (5) Assessment benchmarks for an overlay may be contained in one or more of the following:
  - (a) a map for an overlay;
  - (b) a code for an overlay.
- (6) Where development is proposed on premises partly affected by an overlay, the assessment benchmarks for the overlay only relates to the part of the premises affected by the overlay.
- (7) The overlays for the planning scheme are:
  - (a) Airport environs overlay
  - (b) Coastal protection overlay
  - (c) Interim floodplain assessment overlay
  - (d) Bushfire hazard overlay
- (8) The following are the overlay codes for the planning scheme:
  - (a) Airport environs overlay code
  - (b) Coastal protection overlay code
  - (c) Interim floodplain assessment overlay code
  - (d) Bushfire hazard overlay code

### 7.2 Overlay codes

#### 7.2.1 Airport environs overlay code

##### 7.2.1.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

##### 7.2.1.2 Purpose

- (1) The purpose of the Airport environs overlay code is to protect the existing and future operational requirements of the Mornington Island Airport and to provide the most compatible development of surrounding lands.
- (2) The purpose of the code is to achieve the overall outcomes.
- (3) The overall outcomes are:
  - (a) conflicts between the Mornington Island Airport, including the Non-Directional Beacon, and surrounding uses are avoided;
  - (b) development does not introduce or intensify uses that are sensitive to noise interference or nuisance unless, where practicable, adequate mitigation measures are incorporated into the development;
  - (c) development mitigates impacts to ensure an appropriate level of amenity; and
  - (d) safe and efficient airport operations, including operational airspace, are protected.





### 7.2.1.3 Specific benchmarks for assessment

**Table 7.2.1.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Height of buildings and other structures</b>			
PO1	The height of buildings or other structures does not affect the operational efficiency of the Mornington Island Airport or create a hazard to the safe navigation of aircraft using the airport.	AO1.1	Buildings or other structures in areas adjacent to the Mornington Island Airport shown on the Map SC2.22 - Airport Environs Overlay do not exceed the following heights: (a) Area A: 5 metres; (b) Area B: 8 metres.
		AO1.2	Any cranes or other equipment used during construction do not exceed the heights set out in AO1.1.
PO2	Development does not impair the function of the Non-Directional Beacon (ASA Reference No. 530) by creating physical obstructions, electrical or electro-magnetic interference and deflection of signals.	AO2	Works or uses are not located within the sensitive area of the Mornington Island Non-Directional Beacon site as depicted on the Map SC2.22 – Airport Environs Overlay (contained in Schedule 2) that involve any: (a) buildings, structures or other works within 60 metres of the site; or (b) metallic buildings or structures between 60 and 150 metres of the site; or (c) buildings or structures with a size greater than 2.5 metres in any dimension between 60 and 150 metres of the site; or (d) other works between 60 and 150 metres of the site which exceed 3 metres in height; or (e) buildings, structures or other works between 150 and 500 metres of the site which exceed 7.9 metres in height.
<b>Acoustic amenity</b>			
PO3	Development for any of the following uses within the area nominated on Map SC2.22 - Airport Environs Overlay incorporates effective noise attenuation measures which meet Australian Standard AS2021 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction: (a) caretaker’s accommodation; (b) child care centre (c) community residence (d) dual occupancy (e) dwelling house (f) educational establishment; (g) health care services; (h) hospital; (i) multiple dwelling; (j) non-resident workforce accommodation; (k) residential care facility; (l) short-term accommodation	AO3	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
<b>Lighting and emission hazards</b>			
PO4	Development does not cause an obstruction or other potential hazard to aircraft movement associated with the airport by way of: (a) introducing reflective surfaces, very bright lighting or lighting similar to aerodrome lighting which can distract or confuse aircraft pilots; (b) interfering with navigation or communication facilities; or (c) emissions that may effect pilot visibility or aircraft operations.	AO4.1	Street lighting and outdoor lighting within the area depicted on the Map SC2.22 – Airport Environs Overlay (contained in Schedule 2) does not involve: (a) lighting that shines light above the horizontal; (b) coloured or flashing lights; (c) sodium lights; or (d) flare plumes.
		AO4.2	Roofs of buildings within the within the area depicted on the Map SC2.22 – Airport Environs Overlay (contained in Schedule 2) are of non-reflective colour or material.
PO5	Development and operational activities do not generate emissions within the area depicted on the Map SC2.22 – Airport Environs Overlay (contained in Schedule 2) that may affect pilot visibility or aircraft operation by way of: (a) gas plumes; (b) particulate emissions (e.g., dust or smoke); or (c) electromagnetic field radiations.	AO5	In partial fulfilment of the performance outcome: (a) any cleared vegetation is mulched or removed from the site and not burnt on site; (b) any gas plumes do not have peak vertical velocities of more than 4.3m/sec and/or oxygen content of less than 50% of ambient levels.
<b>Potential bird or bat strikes</b>			
PO6	Development does not cause an obstruction or other potential hazard to aircraft movement associated with the airport by way of attracting birds and/or bats to the area which could cause or contribute to bird-strike hazard.	AO6	No acceptable outcome is nominated.



## 7.2.2 Coastal protection overlay code

### 7.2.2.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 7.2.2.2 Purpose

- (1) The purpose of the Coastal protection overlay code is to manage development in areas prone to coastal erosion and coastal hazards such that it is planned, constructed and operated to:
  - (a) avoid the social, financial and environmental costs arising from the impacts of natural hazards, taking into account the natural fluctuation of the foreshore and the predicted effects of climate change; and
  - (b) protect, conserve, rehabilitate and manage the coast, including its resources and biological diversity.
- (2) The purpose of the code is to achieve the overall outcomes.
- (3) The overall outcomes are:
  - (a) conservation of coastal resources, including the foreshore; and
  - (b) protecting the community, infrastructure and coastal ecosystems from adverse impacts of coastal hazards, including the predicted effects of climate change, by avoiding unacceptable risks to property and human life;
  - (c) where risks are acceptable, development is designed to mitigate the effects on property and human life, including the provision of multiple safe evacuation routes.

### 7.2.2.3 Specific benchmarks for assessment

**Table 7.2.2.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Erosion prone areas</b>			
PO1	Development in an area identified on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2) as an erosion prone area is for one or more of the following: <ol style="list-style-type: none"> <li>(a) coastal-dependent development</li> <li>(b) a use which is temporary, readily relocatable, or able to be abandoned, only if it:               <ol style="list-style-type: none"> <li>(i) demonstrates that it is not feasible to locate the development outside of the erosion prone area; and;</li> <li>(ii) locates built structures as far landward as practicable; or</li> <li>(iii) locates habitable building landward of an applicable coastal building line; or where there is no coastal building line, landward of the alignment of adjacent habitable buildings; or</li> <li>(iv) essential community service infrastructure that cannot feasibly be located elsewhere; and/or</li> </ol> </li> </ol>	AO1	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
	(c) development that does not increase the risk to people and property from exposure to adverse coastal hazard impacts.		
PO2	<p>Redevelopment or permanent development in an erosion prone area, as identified on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2), must:</p> <ul style="list-style-type: none"> <li>(a) locate/relocate built structures outside of the erosion prone area wherever feasible;</li> <li>(b) locate/relocate built structures as far landward as possible; and</li> <li>(c) provide sufficient space seaward of the development within the premises to allow for construction of erosion control structures such as a sea wall.</li> </ul>	AO2	No acceptable outcome is nominated.
PO3	<p>Redevelopment in an erosion prone area, as identified on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2), is to result in a reduction of risk for existing development from adverse coastal erosion impacts.</p>	AO3	<p>The development is designed and located to:</p> <ul style="list-style-type: none"> <li>(a) retain vegetation on the site where its absence, removal or damage may destabilise the area and increase the potential for erosion;</li> <li>(b) avoid water runoff erosion;</li> <li>(c) maintain physical characteristics of the dune systems and near shore coastal landforms including dune crest height and sand volume; and</li> <li>(d) not disrupt sediment transport processes and otherwise maintains these processes as close as possible to their natural state.</li> </ul>



Performance Outcomes		Acceptable Outcomes	
PO4	<p>Development in an erosion prone area as identified on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2):</p> <ul style="list-style-type: none"> <li>(a) maintains vegetation on coastal landforms where its removal or damage may: <ul style="list-style-type: none"> <li>(i) destabilise the area and increase the potential for erosion; or</li> <li>(ii) interrupt natural sediment trapping processes or dune or land building process;</li> </ul> </li> <li>(b) maintains sediment volumes of dunes and near shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design, construction and operating standards;</li> <li>(c) maintains physical coastal processes outside the development footprint for the development, including longshore transport or sediment along the coast; and</li> <li>(d) does not increase risk of shoreline erosion for areas adjacent to the development footprint.</li> </ul>	AO4	<p>The development is designed and located to retain vegetation on the site; and</p> <ul style="list-style-type: none"> <li>(a) not alter physical characteristics of dune systems including dune crest height and sand volume;</li> <li>(b) ensure activities associated within the operation of the development preserve the structure and condition of the vegetation communities to avoid wind and water runoff erosion;</li> <li>(c) not disrupt sediment transport processes and otherwise maintains these processes as close as possible to their natural state; and</li> <li>(d) mitigate against any adverse effects on the net volume of sediment delivered to the coast or transported along the coast.</li> </ul>
PO5	<p>Development that results in a new use or intensification of a use in the erosion prone area, as identified on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2), minimises the erosion threat to the development having regard to:</p> <ul style="list-style-type: none"> <li>(a) layout of the development so as to minimise the footprint of the development and locate the development as far landward as possible;</li> <li>(b) the practical design life of the development in the context of future erosion threat (refer to section 5 of the <i>Queensland Coastal Hazards Guideline</i>);</li> <li>(c) the ability for buildings or structures to be decommissioned, disassembled or relocated either on the site or to another site;</li> <li>(d) use of appropriate foundations for the building or structure; and</li> <li>(e) installing and maintaining of on-site protection works.</li> </ul>	AO5	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
Storm tide hazard areas			
PO6	<p>Development in a storm tide hazard area identified on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2) is for one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) coastal-dependent development</li> <li>(b) temporary, readily relocatable, or able to be abandoned;</li> <li>(c) essential community service infrastructure that cannot feasibly located elsewhere; and/or</li> <li>(d) redevelopment that does not increase the risk to people and property from exposure to adverse coastal hazard impacts.</li> </ul>	AO6	No acceptable outcome is nominated.
PO7	<p>Development in the urban zones in Gununa is not located in a medium storm tide hazard area shown on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2) unless:</p> <ul style="list-style-type: none"> <li>(a) it is of a type referred to in PO6 (for storm tide hazard areas) of this overlay zone code;</li> <li>(b) it does not result in an increase in intensity of development on the premises; or</li> <li>(c) a risk assessment demonstrates that adverse coastal hazard impacts from a defined storm tide event that affect the development (including its operation) can be mitigated through location design, construction and operating standards.</li> </ul>	AO7	No acceptable outcome is nominated.



Performance Outcomes		Acceptable Outcomes	
PO8	Development for essential community service infrastructure is to be located, designed and constructed to ensure it is able to function during and after defined storm tide event.	AO8	<ul style="list-style-type: none"> <li>(a) Essential community service infrastructure is located in an area that is above the recommended storm tide event level specified in Schedule 6;</li> <li>(b) any components of the infrastructure that are likely to fail to function or may result in contamination when inundated by storm tides (e.g. electrical switchgear and motors, water supply pipeline air valves are:               <ul style="list-style-type: none"> <li>(i) located above the recommended storm tide event level; or</li> <li>(ii) designed and constructed to exclude storm tide intrusion/infiltration; or</li> </ul> </li> <li>(c) essential community infrastructure that is emergency services and shelters, police facilities and hospitals and associated facilities has an emergency rescue area above the recommended storm tide event level.</li> </ul>
PO9	<p>Development in a storm tide hazard area as identified on the Maps SC2.19, SC2.20 and SC2.21 – Coastal protection overlay (contained in Schedule 2) is designed, constructed and operated to:</p> <ul style="list-style-type: none"> <li>(a) maintain dune crest heights, or where a reduction in crest heights cannot be avoided, mitigate risks to development from wave overtopping and storm surge inundation;</li> <li>(b) ensure structures can sustain flooding from a defined storm tide event; and</li> <li>(c) maintain the safety of people living and working on the premises from a defined storm tide event.</li> </ul>	AO9	<ul style="list-style-type: none"> <li>(a) Habitable rooms of all built structures (except areas used for car parking) are located above the defined storm tide event level;</li> <li>(b) development in the storm tide hazard area provides:               <ul style="list-style-type: none"> <li>(i) a safe refuge is for people within the development site during a defined storm tide event;</li> <li>(ii) at least one evacuation route above defined storm tide levels that remains passable for emergency evacuation during a defined storm tide event;</li> </ul> </li> <li>(c) development is designed and constructed to withstand hydrostatic and hydrodynamic forces during a defined storm tide event; and</li> <li>(d) structures used for the manufacture or storage of hazardous material in bulk are designed to prevent the intrusion of water from storm tide inundation.</li> </ul>



## 7.2.3 Interim floodplain assessment overlay code

### 7.2.3.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 7.2.3.2 Purpose

- (1) The purpose of the code is to manage development outcomes in the floodplain so that unacceptable risk to life, property, community and the environment during future flood events is avoided, and where risks are acceptable development is designed and located to minimise the potential for flood damage on site or to other property.
- (2) The purpose of the code is to achieve the overall outcomes.
- (3) The overall outcomes are:
  - (a) Development in flood prone areas is avoided where risks to property and human life are unacceptable;
  - (b) Where risks are acceptable, development is located and designed to:
    - (i) maintain the safety of people;
    - (ii) minimise potential damage to property and the environment;
    - (iii) not adversely impact on the capacity to use land within the floodplain; and
    - (iv) provide safe evacuation routes.

### 7.2.3.3 Specific benchmarks for assessment

**Table 7.2.3.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
PO1	Development in flood prone areas is avoided where risks to property and human life are unacceptable.	AO1.1	New buildings and lots are not located within the overlay area.
PO2	Where risks are acceptable, siting and layout responds to flooding potential and maintains personal safety at all times.	AO2.1	<p>New buildings are:</p> <ol style="list-style-type: none"> <li>(a) located on the highest part of the site to minimise entrance of floodwaters; or</li> <li>(b) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ol> <p>Note—If part of the site is outside the Interim Floodplain Assessment Overlay area, this is the preferred location for all buildings.</p>





Performance Outcomes		Acceptable Outcomes	
		AO2.2	<p>Where possible, new lots are located on the highest part of the site to minimise entrance of floodwaters.</p> <p>Note—If part of the site is outside the Interim Floodplain Assessment Overlay area, this is the preferred location for all lots (excluding parks or other relevant open space and recreation lots).</p> <p>Note—Buildings subsequently developed on the lots created will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>
		AO2.3	<p>Signage is provided on site indicating:</p> <p>(a) the position and path of all safe evacuation routes off the site; and</p> <p>(b) if the site contains or is within 100 metres of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as floodway crossings or entrances to low-lying reserves.</p>
PO3	Where risks are acceptable, development provides safe evacuation routes.	AO3	Road and/or pathway layout provides a safe and clear evacuation path by direct and simple routes to main carriageways.



Performance Outcomes		Acceptable Outcomes	
PO4	Development is resilient to flood events by ensuring design and built form account for the potential risk of flooding.	AO4.1	Residential buildings are designed and constructed to provide flood immunity of 300mm above 1% AEP.
		AO4.2	<p>Non-residential buildings and structures:</p> <p>(a) orient to the street by activating the street frontage through ground floor commercial uses or urban design treatments such as recess wall treatments, screening and or landscaping; and</p> <p>(b) allow for flow through of flood waters on the ground floor.</p> <p>Note—Businesses should ensure that they have the necessary continuity plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note—The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Interim Floodplain Assessment Overlay area and must take account of the flood potential within the area.</p> <p>Note—Resilient building materials for use within the Interim Floodplain Assessment Overlay area should be determined in consultation with Council, in accordance with the relevant building assessment provisions.</p>
PO5	Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level, and does not increase the potential for flood damage either on site or on other properties.	AO5.1	<p>Works inside the Gununa town boundary associated with a proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms).</p> <p>Note—Berms are considered to be an undesirable built form outcome are not supported.</p>



Performance Outcomes		Acceptable Outcomes	
		AO5.2	<p>Works outside the Gununa town boundary either:</p> <p>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</p> <p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <p>(i) loss of flood storage;</p> <p>(ii) loss of/changes to flow paths;</p> <p>(iii) acceleration or retardation of flows; or</p> <p>(iv) any reduction in flood warning times elsewhere on the floodplain.</p>
PO6	Development avoids the release of hazardous materials into floodwaters.	AO6	<p>Material manufacturing equipment and containers are located to provide flood immunity of 1% AEP.</p> <p>Note—Refer to the <i>Work Health and Safety Act 2011</i> and associated Regulation, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous substances.</p>



## 7.2.4 Bushfire hazard overlay code

### 7.2.4.1 Application

The code applies to assessing a material change of use or reconfiguring a lot where the code is shown as being applicable in the table of assessment.

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

### 7.2.4.2 Purpose

- (1) The purpose of the Bushfire hazard overlay code is to control development in bushfire prone areas so that unacceptable risk to life, property, community and the environment are avoided, and where risks are acceptable, development is designed and located to minimise danger to people and damage to property.
- (2) The purpose of the code is to achieve the overall outcomes.
- (3) The overall outcomes are:
  - (a) Development in bushfire prone areas is avoided where risks to property and human life are unacceptable;
  - (b) Where risks are acceptable, development is located and designed to:
    - (i) maintain the safety of people;
    - (ii) minimise risk to property and the natural environment;
    - (iii) not result in a material increase in the extent or severity of bushfire;
    - (iv) provide safe evacuation routes.

### 7.2.4.3 Specific benchmarks for assessment

**Table 7.2.4.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Water supply for fire fighting</b>			
PO1	Adequate and accessible water supply is provided in association with all new residential buildings for fire fighting purposes.	AO1.1	Each building has 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); OR Where there is no reticulated water supply, each building has a tank, or tank capacity, of not less than 5,000 litres dedicated exclusively for fire fighting purposes with fire brigade fittings.
		AO1.2	All water tanks on a site are fitted with fire brigade fittings.
<b>Access</b>			
PO2	Efficient, practical access to buildings for fire fighting appliances is constructed and maintained.	AO2	An unobstructed access at least 3 metres wide and with a clearance height of 3 metres is provided from a public road to any dwelling house.



Performance Outcomes		Acceptable Outcomes	
<b>Material change of use</b>			
PO3	Development in bushfire prone areas is avoided where risks to property and human life are unacceptable.	AO3	Development is not located on land that is subject to bushfire hazard as shown on the overlay map.
PO4	Where risks are acceptable, development is located and designed to: <ul style="list-style-type: none"> <li>(a) maintain the safety of people;</li> <li>(b) minimise risk to property and the natural environment;</li> <li>(c) not result in a material increase in the extent or severity of bushfire.</li> </ul>	AO4.1	<p>The use is sited on land that is determined as not having a bushfire hazard by a site-specific bushfire hazard assessment.</p> <p>Note—A site specific bushfire hazard assessment is necessary to demonstrate that although the site is identified on the Bushfire hazard overlay the bushfire risk is low having regard to a site-specific assessment of bushfire risk.</p> <p>OR</p> <ul style="list-style-type: none"> <li>(a) The use is sited on locations of lowest hazard on the lot;</li> <li>(b) The use is setback at least 1.5 times the predominant mature canopy tree height or 20 metres (which ever is the greater) from hazardous vegetation;</li> <li>(c) The use is sited at least 10m from any retained vegetation strips or small areas of vegetation;</li> <li>(d) The use is sited so that the elements of the development least susceptible to fire are located closest to the bushfire hazard;</li> <li>(e) For code, compliance or impact assessable development, the use has on site water storage of not less than 10,000 litres that is kept exclusively for fire fighting purposes and, if a tank, is fitted with approved fire fighting fittings;</li> <li>(f) Efficient, practical access to buildings and water supply for fire fighting appliances is constructed and maintained; and</li> <li>(g) The occupants of the development have more than one effective and reasonable route of escape by standard motor vehicle once they have exited the subject site.</li> </ul> <p>Note—SPP1/03 Guideline Appendix 7 sets out the principles for siting buildings in Medium bushfire hazard areas.</p>



Performance Outcomes		Acceptable Outcomes	
		AO4.2	<p>Development (except single dwellings on existing lots) complies with a Bushfire Management Plan for the premises.</p> <p>Note—where the assessment manager has not previously approved a Bushfire Management Plan (either by condition on a previous development approval or by incorporating it in the planning scheme or a planning scheme policy), the development proponent will be expected to prepare such a plan to the satisfaction of the assessment manager. See <i>SPP1/03 Guideline</i> Appendix 8 for more information on bushfire management plans.</p>
PO5	Community uses and infrastructure are able to function effectively during and immediately after bushfire events.	AO5	Community uses and infrastructure uses are not located in a bushfire hazard area.
PO6	Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	AO6	<p>No acceptable outcome is nominated.</p> <p>Note—Development complies with a Bushfire Management Plan for the premises.</p> <p>Note—Hazardous materials in bulk are defined in Section 9, Glossary of the <i>SPP 1/03 Guideline</i>. Where the assessment manager has not previously approved a Bushfire Management Plan, the development proponent will be expected to prepare such a plan to the satisfaction of the assessment manager. See <i>SPP 1/03 Guideline</i> Appendix 8 for more information on bushfire management plans.</p>



Performance Outcomes		Acceptable Outcomes	
<b>Reconfiguring a lot</b>			
PO7	The safety of people and property are maintained by locating house site areas and other sensitive land uses on that part of the land not affected by bushfire hazard.	AO7	<p>(a) Land that is subject to bushfire hazard is not subdivided for residential or rural residential purposes.</p> <p>OR</p> <p>(b) Proposed lots are sited on land that is determined as having low bushfire hazard by a site-specific bushfire hazard assessment.</p> <p>Note—A site specific bushfire hazard assessment is necessary to demonstrate that although the site is identified on the Bushfire hazard overlay the bushfire risk is low having regard to a site-specific assessment of bushfire risk.</p> <p>AND</p> <p>(c) Additional lots are not created where the only vehicular access route is through a bushfire hazard area; AND Lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> <li>(i) efficient emergency access to buildings for fire fighting appliances (i.e. by avoiding narrow lots with long access drives to buildings); and</li> <li>(ii) setbacks and building siting in accordance with AO3.1.</li> </ul> <p>Note—Building envelopes or similar mechanisms will be used to control the future siting of buildings where required to meet this AO.</p>



Performance Outcomes		Acceptable Outcomes	
PO8	Fire breaks or fire access tracks provide adequate access for fire fighting and other emergency vehicles and are of an adequate width to minimise the risk of fire crossover.	AO8	<p>Except in the case where the boundaries of existing lots are rearranged, when any lots with an area of less than 4 hectares are created fire breaks are provided by:</p> <p>(a) A cleared road reserve not less than 20 metres wide including a constructed road width of not less than 6 metres complying with local government standards located around the perimeter of the development between the new lots and surrounding vegetated land;</p> <p>OR</p> <p>(b) Fire access tracks between the new lots and the vegetated land that:</p> <ul style="list-style-type: none"> <li>(i) have a minimum cleared width of 6 metres;</li> <li>(ii) have a formed pavement;</li> <li>(iii) have formed width and gradient and erosion control devices to local government standards;</li> <li>(iv) have sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (e.g. creek corridors and other retained vegetation) to allow burning of sections and access for bushfire response;</li> <li>(v) have access at each end and in other locations where necessary;</li> <li>(vi) have passing areas and turning areas for fire fighting appliances and other vehicles;</li> <li>(vii) have clearly identified access points for emergency vehicles; and</li> <li>(viii) are located on public land or within access easements that are granted in favour of the Mornington Shire Council and the Queensland Fire and Rescue Service.</li> </ul> <p>Note—Fire maintenance trails should only be accepted if it is not practicable to provide the firebreak in the form of a perimeter road due to topographic or vegetation constraints, or because access to the proposed lots can be provided from an existing road and it would be unreasonable to require the construction of a new road.</p>





Performance Outcomes		Acceptable Outcomes	
PO9	Roads provide for the safe and effective evacuation of users of premises and access by emergency services.	AO9	No acceptable outcome is nominated.
PO10	Lot design and building siting minimises bushfire hazard to people and property having regard to slope, aspect, existing vegetation and adequate separation from hazardous vegetation.	AO10	No acceptable outcome is nominated.  Note— <i>SPP1/03</i> sets out the principles for siting buildings in High and Medium bushfire hazard areas.

# 08 DEVELOPMENT CODES





## Part 8 Development codes

### 8.1 Preliminary

- (1) Development codes are codes for assessment where identified as an applicable code in Part 5.
- (2) Use codes and other development codes are specific to each local government area.
- (3) There are no use codes for the planning scheme.
- (4) The following are the other development codes for the planning scheme:
  - (a) Healthy waters code

Editor's note—assessment benchmarks for certain assessable development and requirements for certain accepted development are also contained in the Planning Regulation.

### 8.2 Other development codes

#### 8.2.1 Healthy waters code

##### 8.2.1.1 Application

- (1) This code applies to assessing development that is:
  - (a) A material change of use for urban purposes that involves:
    - (i) a development site greater than 2,500m<sup>2</sup>; or
    - (ii) 6 or more additional dwellings; or
  - (b) Reconfiguring of a lot for urban purpose that
    - (i) would result in 6 or more residential lots or provide for 6 or more dwellings;
    - (ii) involves a development site greater than 2,500m<sup>2</sup> and results an increased number of lots; or
    - (iii) is associated with operational work disturbing more than 2,500m<sup>2</sup> of land; or
  - (c) Operational work for urban purposes that involves disturbing more than 2,500m<sup>2</sup> of land.
- (2) This code applies to assessing waste water management (other than contaminated stormwater and sewerage if the development is for industrial or business activities that is:
  - (a) a material change of use for urban purposes involving waste water discharge;
  - (b) reconfiguring a lot involving waste water discharge; or
  - (c) operation work involving waste water discharge.

Explanatory note: Urban purpose is defined by the Planning Regulation 2016 as meaning a purpose for which land is used in cities or towns, including residential, industrial, sporting, recreation and commercial purposes, but not including rural residential, environmental, conservation, rural, natural or wilderness area purposes.

Waste water is defined by the *Environmental Protection (Water) Policy 2009* as an aqueous waste, including contaminated stormwater.



### 8.2.1.2 Purpose

- (1) The purpose of the healthy waters code is to ensure development is planned, designed, constructed and operated to manage stormwater and wastewater in ways to that help protect environmental values specified in the *Environmental Protection (Water) Policy 2009*.
- (2) The purpose of the code is to achieve the overall outcomes. The overall outcomes are:
  - (a) Development:
    - (i) avoids and minimises impacts arising from altered stormwater quality and flow by providing for development and construction activities in accordance with acceptable design objectives;
    - (ii) avoids and minimises impacts of waste water other than contaminated stormwater; and
    - (iii) avoids and minimises impacts arising from the creation or expansion of non- tidal artificial waterways;
  - (b) Protect receiving water environmental values from waste water impacts (other than contaminated stormwater and sewerage) on water quality.
  - (c) Protect receiving water environmental values from development impacts arising from the creation or expansion of non-tidal artificial waterways such as urban lakes.

### 8.2.1.3 Specific benchmarks for assessment

**Table 8.2.1.3 – Benchmarks for development accepted subject to requirements and assessable development**

Performance Outcomes		Acceptable Outcomes	
<b>Protecting water quality</b>			
PO1	The development is compatible with the land use constraints for achieving stormwater design objects.	AO1	(a) The nature, design and stormwater management of the development is in accordance with design objectives that will achieve the environmental values specified in the <i>Environmental Protection (Water) Policy 2009</i> ; and (b) Prepare a stormwater quality management plan (SQMP) that: <ol style="list-style-type: none"> <li>(i) is consistent with any local area stormwater water management planning; and</li> <li>(ii) provides for achievable stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.</li> </ol>



Performance Outcomes		Acceptable Outcomes	
PO2	The entry of contaminants into, and transport of contaminants, in stormwater is avoided or minimised.	AO2	<p>(a) Development applications incorporates:</p> <ul style="list-style-type: none"> <li>(i) stormwater management measures to achieve the environmental values specified in the <i>Environmental Protection (Water) Policy 2009</i>; and</li> <li>(ii) management of nutrients of concern and acid sulfate soils; and</li> </ul> <p>(b) Prepare a site stormwater quality management plan (SQMP) that:</p> <ul style="list-style-type: none"> <li>(i) accounts for development type, construction phase, local landscape, climatic conditions and design objectives, in accordance with the <i>SPP 4/10 Guideline Healthy Waters</i>;</li> <li>(ii) is consistent with the <i>Queensland Acid Sulfate Soil Technical Manual</i>.</li> </ul>
PO3	Construction activities for the development avoid or minimise adverse impacts on stormwater quality.	AO3.1	<p>(a) Any development application is accompanied by an erosion and sediment control plan (ESCP) prepared in accordance with SPP 4/10 Guideline Healthy Waters that demonstrates release of sediment laden stormwater is avoided for the nominated design storm is exceed by addressing the design objectives in the SPP 4/10 Guideline Healthy Waters for:</p> <ul style="list-style-type: none"> <li>(i) drainage control;</li> <li>(ii) erosion control; and</li> <li>(iii) sediment control;</li> <li>(iv) water quality outcomes.</li> </ul>



Performance Outcomes		Acceptable Outcomes	
		AO3.2	<p>(a) Erosion and sediment control practices including any proprietary erosion and sediment control products are designed, installed, constructed, operated, monitored and maintained, and any other erosion and sediment control practices are carried out, in accordance with local conditions and appropriate recommendations from a suitably qualified person; or</p> <p>(b) The ESCP demonstrates how stormwater quality will be managed in accordance with an acceptable regional or local guideline so that large contaminates are treated to a design objective at least equivalent to AO3.1.</p>
PO4	Construction and operation activities for the development avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.	AO4	<p>(a) Development incorporates stormwater flow control measures to achieve at least the design objectives set out in the <i>SPP 4/10 Guideline Healthy Waterways</i>; and</p> <p>(b) Both the construction and operation phases for the development comply with advice and the design objectives of the <i>SPP 4/10 Guideline Healthy Waterways</i> including management of frequent flows, peak flows and construction phase hydrological impacts.</p>



Performance Outcomes		Acceptable Outcomes	
<b>Point source waste water management (other than contaminated stormwater and sewerage)</b>			
PO5	Development does not discharge waste water to a waterway or external to the site unless demonstrated to be best practice environmental management for the site.	AO5	<p>Waste water is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> <li>(a) avoids waste water discharge to waterways; or</li> <li>(b) if waste water discharge to waterways cannot practicably be avoided, minimises waste water discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.</li> </ul> <p>Note—A waste water management plan (WWMP) is to be prepared by a suitable qualified person. The WWMP accounts for waste water type, climatic conditions, WQO's and best practice environmental management.</p>
PO6	Any treatment and disposal of waste water to a waterway accounts for: <ul style="list-style-type: none"> <li>(a) the applicable water quality objectives for the receiving waters; and</li> <li>(b) adverse impact on ecosystem health or receiving waters; and</li> <li>(c) in waters mapped as being of high ecological value, the adverse impacts of such releases and their offset.</li> </ul>	AO6	<p>No acceptable outcome is nominated.</p> <p>Note—Compliance with this outcome can be demonstrated by developing a waste water management plan (WWMP) prepared by a suitably qualified person with content taking account of at least those factors listed in PO6.</p>
PO7	Waste water discharge to a waterway from nutrient hazardous areas or acid sulfate soil areas is managed in a way that maintains ecological processes, riparian vegetation, waterway integrity and downstream ecosystem health.	AO7.1	Waste water discharge to waterways is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of coastal algal blooms.



Performance Outcomes		Acceptable Outcomes	
		AO7.2	<p>Development in coastal catchments avoids, or minimised and appropriately manages soil disturbance or altering natural hydrology in nutrient hazardous areas and acid sulfate soil areas.</p> <p>Note—Compliance with this outcome can be demonstrated by following the management advice in the Implementing Policies and Plans for managing Nutrients of Concern for Coastal Algal Blooms in Queensland and associated technical guideline.</p>
		AO7.3	<p>Development in coastal catchments:</p> <ul style="list-style-type: none"> <li>(a) avoids lowering groundwater levels where potential or actual acid sulfate soils are present; and</li> <li>(b) manages waste water so that:               <ul style="list-style-type: none"> <li>(i) the PH of any waste water discharged is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and metals;</li> <li>(ii) holding times of neutralised waste waters ensures the flocculation and removal of any dissolved iron prior to release; and</li> <li>(iii) visible iron floc is not present in any discharge; and</li> <li>(iv) precipitated iron floc is contaminated and disposed of; and</li> <li>(v) waste water and precipitates that cannot be contained and treated for discharge on site and removed and disposed of through trade waste or to another lawful method.</li> </ul> </li> </ul>





Performance Outcomes		Acceptable Outcomes	
Non-tidal artificial waterways – protecting water quality in existing natural waterways			
PO8	The waterway is not designed only for stormwater flow management or stormwater quality management	AO8.1	The waterway is designed and managed for any of the following end use purposes: (a) amenity including aesthetics, landscaping and recreation; (b) flood management; (c) stormwater harvesting as part of an integrated water cycle management plan' and (d) aquatic habitat.
		AO8.2	The end purpose is designed and operated in a way that protects water environmental values
PO9	The waterway is located in a way that is compatible with the land use constraints of the site for protecting water environmental values in existing natural waterways.	AO9.1	Where relevant: (a) environmental values in downstream waterways are protected; (b) any groundwater recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of a catchment to an existing waterway (d) any existing area of ponded water are included.
		AO9.2	Waterways are located: (a) outside natural wetland and any associated buffer areas; (b) to avoid disturbing soils or sediments; and (c) to avoid alternating the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.
PO10	The waterway is located in a way that is compatible with existing tidal waterways.	AO10	Where the waterway is located adjacent to, or connected to, a tidal waterway by means of a weir, lock, pumping system or similar: (a) there is sufficient flushing or tidal range of >0.3m; (b) any tidal flow alternation does not adversely impact on the tidal waterway; or (c) there is not introduction of salt water into freshwater environments.
PO11	The constriction phase for the waterway is compatible with protecting water environmental values in exiting natural waterways	AO11	Erosion and sediment control measures are incorporated during construction to achieve the design objectives set out in <i>SPP 4/10 Guideline Healthy Waters</i> .



Performance Outcomes		Acceptable Outcomes	
PO12	Stormwater overflows from the waterway provide for the achievement of water quality objectives in existing natural waterways	AO12	Stormwater run-off that may enter the non-tidal waterway is pre-treated in accordance with the guideline design objectives, water quality objectives of local waterways and any relevant local area stormwater management plan.,
<b>Designing and operating the non tidal artificial waterway</b>			
PO13	The waterway is designed, managed and operated by suitably qualified persons.	AO13	To help achieve water quality objectives in and downstream of the waterway, the waterway is designed, constructed and managed under the responsibility of a suitably qualified registered professional engineer, Queensland with specific experience in establishing and managing artificial waterways.
PO14	The waterway is managed and operated in ways that demonstrate achievement of water quality objectives in natural waterways.	AO14.1	Monitoring and maintenance programs adaptively manage water quality in the waterway to achieve relevant water quality objectives downstream of the waterway.
		AO14.2	Aquatic weeds are managed in ways that achieve a low percentage of coverage of the water surface area (less than 10%). Pests and vectors (such as mosquitoes) are managed by avoiding stagnant ware areas, providing for native fish predators and, if necessary, other best practices for monitoring and treating of pests.
		AO14.3	The waterway is managed and operated by a responsible entity under agreement for the life of the waterway. The responsibility entity is to implement a deep of agreement for the management and operation of the waterway that: <ul style="list-style-type: none"> <li>(a) identifies the waterway;</li> <li>(b) states a period of responsibility for the entity for the management and operation of the waterway;</li> <li>(c) state a process for any transfer of responsibility for the waterway;</li> <li>(d) state required actions under the agreement for monitoring of the water quality of the waterway and receiving waters;</li> <li>(e) state required action under the agreement for maintain the waterway to achieve the outcomes of this policy and any relevant approval conditions of the development; and</li> <li>(f) identifies funding sources for the above including bonds, headworks charges or levies.</li> </ul>

SCHEDULE 1  
DEFINITIONS





# Schedule 1 Definitions

## SC1.1 Use definitions

- (1) Use definitions have a particular meaning for the purpose of the planning scheme.
- (2) Any use not listed in table SC1.1.2 column one is an undefined use.

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

- (3) A use listed in table SC1.1.2 column one has the meaning set out beside that term in column two.
- (4) Column three of table SC1.1.2 identifies examples of the types of activities which fall within the use identified in column one.
- (5) Column four of table SC1.1.2 identifies examples of activities which do not fall within the use identified in column one.
- (6) Columns three and four of table SC1.1.2 are not exhaustive lists.
- (7) Uses listed in table SC1.1.2 columns three and four which are not listed in column one form part of the definition and have their ordinary meaning.
- (8) The use definitions listed here are the definitions used in this planning scheme.

**Table SC1.1.1—Index of use definitions**

Air services	Emergency services	Park
Animal husbandry	Extractive industry	Place of worship
Animal keeping	Food and drink outlet	Residential care facility
Aquaculture	Hardware and trade supplies	Retirement facility
Bulk landscape supplies	Health care services	Rooming accommodation
Caretakers accommodation	High impact industry	Roadside stall
Cemetery	Home based business	Rural Industry
Child care centre	Indoor sport and recreation	Service industry
Club	Low impact industry	Service station
Community care centre	Medium impact industry	Shop
Community residence	Multiple dwelling	Shopping centre
Community use	Non-resident workforce	Short-term accommodation
Cropping	Special Industry	Telecommunications facility
Dual Occupancy	Office	Utility installation
Dwelling house	Outdoor sales	Warehouse
Educational establishment	Outdoor sport and recreation	



**Table SC1.1.2—Use definitions**

<b>Column 1 Use</b>	<b>Column 2 Definition</b>	<b>Column 3 Examples include</b>	<b>Column 4 Does not include the following examples</b>
<b>Air services</b>	<p>Premises used for the following:</p> <ul style="list-style-type: none"> <li>• the arrival and departure of aircraft;</li> <li>• the housing, servicing, maintenance and repair of aircraft;</li> <li>• the assembly and dispersal of passengers or goods on or from an aircraft;</li> <li>• any ancillary activities directly serving the needs of passengers and visitors to the use;</li> <li>• associated training and education facilities;</li> <li>• aviation facilities.</li> </ul>	Airport, airstrip, helipad, public or private airfield	
<b>Animal husbandry</b>	<p>Premises used for production of animals or animal products on either native or improved pastures or vegetation.</p> <p>The use includes ancillary yards, stables and temporary holding facilities and the repair and servicing of machinery.</p>	Cattle studs, grazing of livestock, non feedlot dairying	Animal keeping, intensive animal industry, aquaculture, feedlots, piggeries
<b>Animal keeping</b>	<p>Premises used for boarding, breeding or training of animals.</p> <p>The use may include ancillary temporary or permanent holding facilities on the same site and ancillary repair and servicing of machinery.</p>	Aviaries, catteries, kennels, stables, wildlife refuge	Aquaculture, cattle studs, domestic pets, feedlots, grazing of livestock, non-feedlot dairying, piggeries, poultry meat and egg production, animal husbandry
<b>Aquaculture</b>	<p>Premises used for the cultivation of aquatic animals or plants in a confined area that may require the provision of food either mechanically or by hand.</p>	Pond farms, tank systems, hatcheries, raceway system, rack and line systems, sea cages	Intensive animal industry
<b>Bulk landscape supplies</b>	<p>Premises used for bulk storage and sale of landscaping and gardening supplies, which may include soil, gravel, potting mix and mulch, where the majority of materials sold from the premises are not in pre-packaged form.</p>		Garden centre, outdoor sales, wholesale
<b>Caretaker's accommodation</b>	<p>A dwelling provided for a caretaker of a non-residential use on the same premises.</p>		Dwelling house



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Cemetery</b>	Premises used for interment of bodies or ashes after death.	Burial ground, crypt, columbarium, lawn cemetery, pet cemetery, mausoleum	Crematorium, funeral parlour
<b>Child care centre</b>	Premises used for minding, education and care, but not residence, of children.	Crèche, early childhood centre, kindergarten, outside hours school care	Educational establishment, home based child care, family day care
<b>Club</b>	Premises used by persons associated for social, literary, political, sporting, athletic or other similar purposes for social interaction or entertainment.  The use may include the ancillary preparation and service of food and drink.	Club house, guide and scout clubs, surf lifesaving club, RSL, bowls club	Hotel, nightclub entertainment facility, place of worship, theatre
<b>Community care centre</b>	Premises used to provide social support where no accommodation is provided. Medical care may be provided but is ancillary to the primary use.	Disability support services, drop in centre, respite centre, integrated Indigenous support centre	Child care centre, family day care, home based child care, health care services, residential care facility
<b>Community residence</b>	(a) means the use of premises for residential accommodation for- (i) no more than- A. 6 children, if the accommodation is provided as part of a program or service under the <i>Youth Justice Act 1992</i> ; or B. 6 persons who require assistance or support with daily living needs; and (ii) no more than 1 support worker; and (b) includes a building or structure that is reasonably associated with the use in paragraph (a).	Hospice	Dwelling house, dwelling unit, residential care facility, rooming accommodation, short-term accommodation
<b>Community use</b>	Premises used for providing artistic, social or cultural facilities and community support services to the public and may include the ancillary preparation and provision of food and drink.	Art gallery, community centre, community hall, library, museum	Cinema, club, hotel, nightclub entertainment facility, place of worship



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Cropping</b>	<p>Premises used for growing plants or plant material for commercial purposes where dependent on the cultivation of soil.</p> <p>The use includes harvesting and the storage and packing of produce and plants grown on the site and the ancillary repair and servicing of machinery used on the site.</p>	<p>Fruit, nut, vegetable and grain production, forestry for wood production, fodder and pasture production, plant fibre production, sugar cane growing, vineyard</p>	<p>Permanent plantations, intensive horticulture, rural industry</p>
<b>Dual occupancy</b>	<p>Premises containing two dwellings, each for a separate household, and consisting of:</p> <ul style="list-style-type: none"> <li>• a single lot, where neither dwelling is a secondary dwelling or</li> <li>• two lots sharing common property where one dwelling is located on each lot.</li> </ul>	<p>Duplex, two dwellings on a single lot (whether or not attached), two dwellings within one single community title scheme under the <i>Body Corporate and Community Management Act 1997</i>, two dwellings within the one body corporate to which the <i>Building Units and Group Title Act 1980</i> continues to apply.</p>	<p>Dwelling house, multiple dwelling</p>
<b>Dwelling house</b>	<p>A residential use of premises for one household which contains a single dwelling.</p> <p>The use includes domestic out-buildings and works normally associated with a dwelling and may include a secondary dwelling.</p>		<p>Caretaker's accommodation, dual occupancy, rooming accommodation, short- term accommodation, student accommodation, multiple dwelling</p>
<b>Educational establishment</b>	<p>Premises used for training and instruction designed to impart knowledge and develop skills.</p> <p>The use may include after school care for students or on-site student accommodation.</p>	<p>Pre-preparatory, preparatory and primary school, secondary school, special education, college, university, technical institute, outdoor education centres</p>	<p>Child care centre, home based child care, family day care</p>



<b>Column 1 Use</b>	<b>Column 2 Definition</b>	<b>Column 3 Examples include</b>	<b>Column 4 Does not include the following examples</b>
<b>Emergency services</b>	Premises used by government bodies or community organisations to provide essential emergency services, disaster management services including management support facilities for the protection of persons, property and the environment.	State emergency service facility, ambulance station, rural fire brigade, auxiliary fire and rescue station, urban fire and rescue station, police station, emergency management support facility, evacuation centres	Community use, hospital, residential care facility
<b>Extractive industry</b>	Premises used for the extraction and/or processing of extractive resources and associated activities, including their transportation to market.	Quarry	
<b>Food and drink outlet</b>	Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site.	Bistro, café, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, take-away, tea room	Bar, club, hotel, shop, theatre, nightclub entertainment facility
<b>Hardware and trade supplies</b>	Premises used for the sale, display or hire of hardware and trade supplies including household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like		Shops, showroom, outdoor sales and warehouse
<b>Health care services</b>	Premises for medical, paramedical, alternative therapies and general health care and treatment of persons that involves no overnight accommodation.	Dental clinics, medical centres, natural medicine practices, nursing services, physiotherapy clinic	Community care centre, hospital





Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>High impact industry</b>	<p>Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:</p> <ul style="list-style-type: none"> <li>• potential for significant impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;</li> <li>• potential for significant offsite impacts in the event of fire, explosion or toxic release;</li> <li>• generates high traffic flows in the context of the locality or the road network;</li> <li>• generates a significant demand on the local infrastructure network;</li> <li>• the use may involve night time and outdoor activities;</li> <li>• onsite controls are required for emissions and dangerous goods risks.</li> </ul>	<p>Abattoirs, concrete batching plant, boiler making and engineering and metal foundry</p> <p>Note—additional examples may be shown in SC1.1.2 industry thresholds.</p>	<p>Tanneries, rendering plants, oil refineries, waste incineration, manufacturing or storing explosives, power plants, manufacturing fertilisers, service industry, low impact industry, medium impact industry, special industry</p>
<b>Home based business</b>	<p>A dwelling used for a business activity where subordinate to the residential use.</p>	<p>Bed and breakfast, home office, home based childcare</p>	<p>Hobby, office, shop, warehouse transport depot</p>
<b>Indoor sport and recreation</b>	<p>Premises used for leisure, sport or recreation conducted wholly or mainly indoors.</p>	<p>Amusement parlour, bowling alley, gymnasium, squash courts, enclosed tennis courts</p>	<p>Cinema, hotel, nightclub entertainment facility, theatre</p>
<b>Low impact industry</b>	<p>Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:</p> <ul style="list-style-type: none"> <li>• negligible impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;</li> <li>• minimal traffic generation and heavy-vehicle usage;</li> <li>• demands imposed upon the local infrastructure network consistent with surrounding uses;</li> <li>• the use generally operates during the day (e.g. 7am to 6pm);</li> <li>• offsite impacts from storage of dangerous goods are negligible;</li> <li>• the use is primarily undertaken indoors.</li> </ul>	<p>Repairing motor vehicles, fitting and turning workshop</p> <p>Note—additional examples may be shown in SC1.1.2 industry thresholds.</p>	<p>Panel beating, spray painting or surface coating, tyre recycling, drum re-conditioning, wooden and laminated product manufacturing, service industry, medium impact industry, high impact industry, special industry</p>



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Medium impact industry</b>	<p>Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:</p> <ul style="list-style-type: none"> <li>• potential for noticeable impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;</li> <li>• generates high traffic flows in the context of the locality or the road network;</li> <li>• generates an elevated demand on the local infrastructure network;</li> <li>• potential for offsite impacts in the event of fire, explosion or toxic release;</li> <li>• onsite controls are required for emissions and dangerous goods risks;</li> <li>• the use is primarily undertaken indoors;</li> <li>• evening or night activities are undertaken indoors and not outdoors.</li> </ul>	<p>Spray painting and surface coating, transport depot, wooden and laminated product manufacturing (including cabinet making, joining, timber truss making or wood working)</p> <p>Note—additional examples may be shown in SC1.1.2 industry thresholds.</p>	<p>Concrete batching, tyre manufacturing and retreading, metal recovery (involving a fragmentiser), textile manufacture, chemically treating timber and plastic product manufacture, service industry, low impact industry, high impact industry, special industry</p>
<b>Multiple dwelling</b>	<p>Premises which contains three or more dwellings for separate households.</p>	<p>Apartments, flats, units, townhouses, row housing, triplex</p>	<p>Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility</p>
<b>Non-resident workforce Accommodation</b>	<p>Premises used to provide accommodation for non-resident workers.</p> <p>The use may include provision of recreational and entertainment facilities for the exclusive use of residents and their visitors.</p>	<p>Contractor's camp, construction camp, single person's quarters, temporary workers accommodation</p>	<p>Relocatable home park, short-term accommodation, tourist park.</p>



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Office</b>	Premises used for an administrative, secretarial or management service or the practice of a profession, where no goods or materials are made, sold or hired and where the principal activity provides for the following: <ul style="list-style-type: none"> <li>• business or professional advice;</li> <li>• service of goods that are not physically on the premises;</li> <li>• office based administrative functions of an organisation.</li> </ul>	Bank, real estate agent, administration building	Home based business, home office, shop, outdoor sales
<b>Outdoor sales</b>	Premises used for the display, sale, hire or lease of products where the use is conducted wholly or predominantly outdoors and may include construction, industrial or farm plant and equipment, vehicles, boats and caravans. The use may include ancillary repair or servicing activities and sale or fitting of accessories.	Agricultural machinery sales yard, motor vehicles sales yard	Bulk landscape supplies, market
<b>Outdoor sport and recreation</b>	Premises used for a recreation or sport activity that is carried on outside a building and which requires areas of open space and may include ancillary works necessary for safety and sustainability.  The use may include ancillary food and drink outlet(s) and the provision of ancillary facilities or amenities conducted indoors such as changing rooms and storage facilities.	Driving range, golf course, swimming pool, tennis courts, football ground, cricket oval	Major sport, recreation and entertainment facility, motor sport, park, community use



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Park</b>	Premises accessible to the public generally for free sport, recreation and leisure, and may be used for community events or other community activities.  Facilities may include children's playground equipment, informal sports fields and ancillary vehicle parking and other public conveniences	Urban common	Tourist attraction, outdoor sport and recreation
<b>Place of worship</b>	Premises used by an organised group for worship and religious activities. The use may include ancillary facilities for social, educational and associated charitable activities.	Church, chapel, mosque, synagogue, temple	Community use, child care centre, funeral parlour, crematorium
<b>Residential care facility</b>	A residential use of premises for supervised accommodation where the use includes medical and other support facilities for residents who cannot live independently and require regular nursing or personal care.	Convalescent home, nursing home	Community residence, dwelling house, dual occupancy, hospital, multiple dwelling, retirement facility
<b>Retirement facility</b>	A residential use of premises for an integrated community and specifically built and designed for older people.  The use includes independent living units and may include serviced units where residents require some support with health care and daily living needs.  The use may also include a manager's residence and office, food and drink outlet, amenity buildings, communal facilities and accommodation for staff.	Retirement village	Residential care facility
<b>Roadside stall</b>	Premises used for the roadside display and sale of goods in rural areas.	Produce stall	Market



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Rooming accommodation</b>	<p>Premises used for the accommodation of one or more households where each resident:</p> <ul style="list-style-type: none"> <li>• has a right to occupy one or more rooms</li> <li>• does not have a right to occupy the whole of the premises in which the rooms are situated</li> <li>• may be provided with separate facilities for private use</li> <li>• may share communal facilities or communal space with one or more of the other residents.</li> </ul> <p>The use may include:</p> <ul style="list-style-type: none"> <li>• rooms not in the same building on site</li> <li>• provision of a food or other service</li> <li>• on site management or staff and associated accommodation.</li> </ul> <p>Facilities includes furniture and equipment as defined in the <i>Residential Tenancies and Rooming Accommodation Act 2008</i>.</p>	Boarding house, hostel, monastery, off-site student accommodation	Hospice, community residence, dwelling house, short-term accommodation, multiple dwelling
<b>Rural industry</b>	<p>Premises used for storage, processing and packaging of products from a rural use.</p> <p>The use includes processing, packaging and sale of products produced as a result of a rural use where the processing and packaging is ancillary to a rural use on or adjacent to the site.</p>	Packing shed	Intensive animal husbandry, intensive horticulture, roadside stall, wholesale nursery, winery, abattoir, agricultural supply store
<b>Service industry</b>	Premises used for industrial activities that have no external air, noise or odour emissions from the site and can be suitably located with other non-industrial uses.	Audio visual equipment repair, film processing, bicycle repairs, clock and watch repairs, computer repairs, dry cleaning, hand engraving, jewellery making, laundromat, locksmith, picture framing, shoe repairs, tailor	Small engine mechanical repair workshop, cabinet making, shop fitting, sign writing, tyre depot, low impact industry, medium impact industry, high impact industry, special industry
<b>Service station</b>	<p>Premises used for the sale of fuel including petrol, liquid petroleum, gas, automotive distillate and alternative fuels.</p> <p>The use may include, where ancillary, a shop, food and drink outlet, maintenance, repair servicing and washing of vehicles, the hire of trailers, and supply of compressed air.</p>		Car wash



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Shop</b>	Premises used for the display, sale or hire of goods or the provision of personal services or betting to the public.	Hairdresser, liquor store, department store, discount department store, discount variety stores, betting agencies, supermarket, corner store	Adult shop, food and drink outlet, showroom, market
<b>Shopping centre</b>	Premises comprising two or more individual tenancies that is comprised primarily of shops, and that function as an integrated complex.		
<b>Short-term accommodation</b>	<p>Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.</p> <p>The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.</p>	Motel, backpackers accommodation, cabins, serviced apartments, hotel, farm stay	Hostel, rooming accommodation, tourist park
<b>Special industry</b>	<p>Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring, treating of products and have one or more of the following attributes:</p> <ul style="list-style-type: none"> <li>• potential for extreme impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;</li> <li>• potential for offsite impacts in the event of fire, explosion or toxic release;</li> <li>• onsite controls are required for emissions and dangerous goods risks;</li> <li>• the use generally involves night time and outdoor activities;</li> <li>• the use may involve the storage and handling of large volumes of dangerous goods;</li> <li>• requires significant separation from non-industrial uses.</li> </ul>	<p>Tanneries, rendering plants, oil refineries, waste incineration, manufacturing or storing explosives, power plants, manufacturing fertilisers</p> <p>Note—additional examples may be shown in SC1.1.2 industry thresholds.</p>	Low impact industry, medium impact industry, high impact industry, service industry



Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<b>Telecommunications facility</b>	Premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.	Tele-communication tower, broadcasting station, television station	Aviation facility, “low-impact telecommunications facility” as defined under the <i>Telecommunications Act 1997</i>
<b>Utility installation</b>	<p>Premises used to provide the public with the following services:</p> <ul style="list-style-type: none"> <li>• supply of water, hydraulic power, electricity or gas;</li> <li>• sewerage, drainage or stormwater services;</li> <li>• transport services including road, rail or water;</li> <li>• waste management facilities;</li> <li>• network infrastructure.</li> </ul> <p>The use includes maintenance and storage depots and other facilities for the operation of the use.</p>	Sewerage treatment plant, mail depot, pumping station, water treatment plant	Tele-communications tower, major electricity infrastructure, minor electricity infrastructure, substation, renewable energy facility, transport depot
<b>Warehouse</b>	<p>Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards.</p> <p>The use may include sale of goods by wholesale where ancillary to the storage.</p> <p>The use does not include retail sales from the premises or industrial uses.</p>	Self-storage sheds	Hardware and trade supplies, outdoor sales, showroom, shop



### SC1.1.1 Defined activity groups

- (1) Defined uses listed in SC1.1 are able to be clustered into activity groups.
- (2) An activity group listed in column one clusters the defined uses listed in column two.
- (3) An activity group is able to be referenced in Part 5.
- (4) The activity groups listed here are the defined activity groups for the purpose of the planning scheme.

**Table SC1.1.1.1—Index of defined activity groups**

Accommodation activities	Industry activities	Rural activities
Centre activities	Recreation activities	





**Table SC1.1.1.2—Defined activity groups**

<b>Column 1 Activity group</b>	<b>Column 2 Uses</b>
<b>Accommodation activities</b>	<ul style="list-style-type: none"> <li>• Caretaker's accommodation</li> <li>• Community residence</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> <li>• Home based business</li> <li>• Multiple dwelling</li> <li>• Non-residential workforce accommodation</li> <li>• Residential care facility</li> <li>• Retirement facility</li> <li>• Rooming accommodation</li> <li>• Short-term accommodation</li> </ul>
<b>Centre activities</b>	<ul style="list-style-type: none"> <li>• Caretaker's accommodation</li> <li>• Club</li> <li>• Child care centre</li> <li>• Community care centre</li> <li>• Community use</li> <li>• Educational establishment (where excluding exclusive outdoor recreation facilities)</li> <li>• Food and drink outlet</li> <li>• Health care services</li> <li>• Multiple dwelling</li> <li>• Office</li> <li>• Place of worship</li> <li>• Residential care facility</li> <li>• Retirement facility</li> <li>• Service industry</li> <li>• Service station</li> <li>• Shop</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> </ul>
<b>Industry activities</b>	<ul style="list-style-type: none"> <li>• Low impact industry</li> <li>• Medium impact industry</li> <li>• Special industry</li> <li>• Service industry</li> <li>• Warehouse</li> </ul>
<b>Recreation activities</b>	<ul style="list-style-type: none"> <li>• Indoor sport and recreation</li> <li>• Outdoor sport and recreation</li> <li>• Park</li> </ul>
<b>Rural activities</b>	<ul style="list-style-type: none"> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Cropping</li> <li>• Roadside stall</li> <li>• Rural industry</li> </ul>



## SC1.1.2 Industry thresholds

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

**Table SC1.1.2.1—Industry thresholds**

Use	Additional examples include
<b>low impact industry</b>	<p>(1) Repairing and servicing motor vehicles, including mechanical; components, radiators, electrical components, wheel alignments, exhausts, tyres, suspension or air conditioning, not including spray painting;</p> <p>(2) Repairing and servicing lawn mowers and outboard engines;</p> <p>(3) Fitting and turning workshop;</p> <p>(4) Assembling or fabricating products from sheet metal or welding steel, producing less than 10 tonnes a year and not including spray painting;</p> <p>(5) Assembling wood products not involving cutting, routing, sanding or spray painting;</p> <p>(6) Dismantling automotive or mechanical equipment, not including debonding brake or clutch components;</p> <p>(7) Service station, not including above ground tanks of class 2.1 (flammable gasses) or class 3 (flammable liquids) dangerous goods greater than 16kL;</p> <p style="text-align: center;"><small>Note—class 2.1 and class 3 dangerous goods are defined in the Australian Dangerous Goods Code.</small></p> <p>(8) Dangerous goods location not including the storage of toxic gases.</p>
<b>medium impact industry</b>	<p>(1) Metal foundry, metal casting, boiler making or engineering works, producing less than 10 tonnes per year;</p> <p>(2) Large dangerous goods location not including the storage of toxic gases;</p> <p>(3) Abrasive blasting workshop;</p> <p>(4) Spray painting, enameling, electroplating, anodising, galvanising or powder coating producing less than 5,000 tonnes per year;</p> <p>(5) Scrap metal yard (not including a fragmentiser), dismantling automotive or mechanical equipment including debonding brake or clutch components;</p> <p>(6) Manufacturing clay or ceramic products including bricks, tiles, pipes and pottery goods, less than 200 tonnes per year;</p> <p>(7) Processing, smoking, drying, curing, milling, bottling or canning food, beverages or pet food, less than 200 tonnes per year;</p> <p>(8) Vegetable oil or oilseed processing in works with a design production capacity of less than 1,000 tonnes per year;</p> <p>(9) Manufacturing wooden products including cabinet making, joinery, wood working, producing less than 500 tonnes per year;</p> <p>(10) Manufacturing chipboard, laminated board and wood veneer products, producing less than 250 tonnes per year;</p> <p>(11) Sawmilling, wood chipping and kiln drying timber and logs, producing less than 500 tonnes per year;</p>



Use	Additional examples include
	<ul style="list-style-type: none"> <li>(12) Recycling and reprocessing batteries;</li> <li>(13) Repairing or maintaining boats;</li> <li>(14) Manufacturing substrate for mushroom growing;</li> <li>(15) Manufacturing or processing plaster, producing less than 5,000 tonnes per year;</li> <li>(16) Recycling or reprocessing tyres including retreading;</li> <li>(17) Printing advertising material, magazines, newspapers, packaging and stationery;</li> <li>(18) Transport depot, distribution centre, contractors depot and storage yard;</li> <li>(19) Manufacturing plastic or plastic products (except fibreglass pools, tanks and boats) in works producing less than 5 tonnes per year;</li> <li>(20) Reconditioning metal or plastic drums.</li> </ul>
<b>high impact industry</b>	<ul style="list-style-type: none"> <li>(1) Metal foundry, metal casting, boiler making or engineering works, producing greater than 10 tonnes per year;</li> <li>(2) Major hazard facility for the storage and distribution of dangerous goods not involving manufacturing processes;</li> <li>(3) Scrap metal yard including a fragmentiser;</li> <li>(4) Manufacturing clay or ceramic products including bricks, tiles, pipes and pottery goods, greater than 200 tonnes per year;</li> <li>(5) Processing, smoking, drying, curing, milling, bottling or canning food, beverages or pet food, greater than 200 tonnes per year;</li> <li>(6) Vegetable oil or oilseed processing in works with a design production capacity of greater than 1,000 tonnes per year;</li> <li>(7) Manufacturing wooden products including cabinet making, joinery, wood working, producing greater than 500 tonnes per year;</li> <li>(8) Manufacturing chipboard, laminated board and wood veneer products greater than 250 tonnes per year;</li> <li>(9) Sawmilling, wood chipping and kiln drying timber and logs, producing greater than 500 tonnes per year;</li> <li>(10) Manufacturing or processing plaster, producing greater than 5,000 tonnes per year;</li> <li>(11) Spray painting, enameling, electroplating, anodising or galvanising of metal products greater than 5,000 tonnes per year;</li> <li>(12) Concrete batching and producing concrete products;</li> <li>(13) Treating timber for preservation using chemicals including copper, chromium, arsenic, borax and creosote;</li> <li>(14) Manufacturing soil conditioners by receiving, blending, storing, processing, drying or composting organic material or organic waste, including animal manures, sewage, septic sludges and domestic waste;</li> <li>(15) Manufacturing fibreglass pools, tanks and boats;</li> <li>(16) Manufacturing plastic or plastic products, including fibreglass products, in works producing greater than 5 tonnes per year or more of foam, composite plastics or rigid fibre-reinforced plastics;</li> <li>(17) Manufacturing tyres, asbestos products, asphalt, cement; glass or glass fibre, mineral wool or ceramic fibre;</li> <li>(18) Abattoir;</li> <li>(19) Recycling chemicals, oils or solvents;</li> </ul>



Use	Additional examples include
	(20) Waste disposal facility (other than waste incinerator); (21) Recycling, storing or reprocessing regulated waste; (22) Manufacturing batteries; (23) Manufacturing wooden products including cabinet making, joinery, wood working, producing greater than 500 tonnes per year; (24) Manufacturing chipboard, laminated board and wood veneer products, producing greater than 250 tonnes per year.
<b>Special industry</b>	(1) Oil refining or processing; (2) Producing, refining or processing gas or fuel gas; (3) Distilling alcohol in works producing greater than 2,500 litres per year; (4) Power station; (5) Producing, quenching, cutting, crushing or grading coke; (6) Waste incinerator; (7) Sugar milling or refining; (8) Pulp or paper manufacturing; (9) Tobacco processing; (10) Tannery or works for curing animal skins, hides or finishing leather; (11) Textile manufacturing, including carpet manufacturing, wool scouring or carbonising, cotton milling, or textile bleaching, dyeing or finishing; (12) Rendering plant; (13) Manufacturing chemicals, poisons and explosives; (14) Manufacturing fertilisers involving ammonia.



## SC1.2 Administrative definitions

- (1) Administrative definitions assist with the interpretation of the planning scheme but do not have a specific land use meaning.
- (2) A term listed in table SC1.2.2 column one has the meaning set out beside that term in column two under the heading.
- (3) The administrative definitions listed here are the definitions for the purpose of the planning scheme.

**Table SC1.2.1—Index of administrative definitions**

Access	Erosion prone area	Rear lot
Access strip	Gross floor area	Riparian vegetation
Access way	Ground level	Risk
Acid Sulfate Soils (ASS)	Form	Road
Adverse flooding	Habitat	Scale
Assessment benchmarks	Habitat values	Sensitive land use
Australian height datum (AHD)	Hazardous material	Setback
Biodiversity	Heritage place	Site
Buffer	Infill development	Site cover
Building	Legibility	Stormwater
Building frontage	Lot	Streetscape
Building height	Non-resident workers	Temporary use
Bushfire risk	Out-of-centre	Use
Connectivity	Outdoor lighting	Vegetation
Crime prevention through environmental design (CPTED)	Overland flow path	Waterway
Development footprint	Pick up / set down area	Wetland
Development	Premises	
Dwelling	Private open space	
Environmentally relevant activity	Public open space	



**Table SC1.2.2—Administrative definitions**

<b>Column 1 Term</b>	<b>Column 2 Definition</b>
<b>Access</b>	The entry of persons and vehicles onto a lot, either existing or proposed, from a road which abuts the frontage of that lot.
<b>Access strip</b>	That part of a site which is used for providing access to a road.
<b>Access way</b>	That part of a site which is used for providing access to a road.
<b>Acid Sulfate Soils (ASS)</b>	Soil or sediment containing highly acidic soil horizons or layers affected by the oxidation of iron sulfides ( <i>actual acid sulfate soils</i> ) and/or soil or sediment containing iron sulfides or other sulfidic material that has not been exposed to air and oxidised ( <i>potential acid sulfate soils</i> ).  Note—definition from <i>State Planning Policy</i>
<b>Adverse flooding</b>	Flooding which may adversely affect the amenity, safety or use of a premises
<b>Assessment benchmarks</b>	Those parts of the assessment provisions, comprising codes or otherwise, that establish the outcomes sought for self-assessable, assessable development and development requiring code assessment, including overall outcomes, performance outcomes and acceptable outcomes.
<b>Australian height datum (AHD)</b>	The survey height datum adopted by the National Mapping Council as the datum to which all vertical control for mapping is to be referred. 0.0 metres AHD approximates mean sea level.
<b>Biodiversity</b>	The natural diversity of fauna and flora, together with the environmental conditions necessary for their survival. The four levels of biodiversity are genetic, species, ecosystem and regional diversity.
<b>Buffer</b>	An area of the land, including waterways, required for maintaining separation distances: <ul style="list-style-type: none"> <li>• between different land uses; or</li> <li>• from a major noise source; or</li> <li>• from a conservation area or a public recreation area; or</li> <li>• from a wetland or waterway.</li> </ul> <p>A buffer is not exclusive of other uses and may incorporate lower intensity activities which assist in mitigating the overall impact on external uses.</p> <p>As a general principle a buffer is not extended over a third party's property without their consent.</p>
<b>Building</b>	A fixed structure that is wholly or partly enclosed by walls and is roofed, and includes a floating building and any part of a building.  Note—definition from the Act.
<b>Building frontage</b>	The façade of a building that fronts the street or other public space.



Column 1 Term	Column 2 Definition
<b>Building height</b>	If specified: <ul style="list-style-type: none"> <li>(a) in metres, the vertical distance between the ground level and the highest point of the building roof (apex) or parapet at any point, but not including load-bearing antenna, aerial, chimney, flagpole or the like</li> <li>(b) in storeys, the number of storeys above ground level or</li> <li>(c) in both metres and storeys, both (a) and (b) apply.</li> </ul>
<b>Bushfire risk</b>	The chance of a bushfire igniting, spreading and causing damage to assets of value to the community. Assets include life, property such as buildings, stock, crops and forests and the local government's natural and cultural heritage.
<b>Connectivity</b>	The extent to which a place or area is connected to other places and areas through a variety of transport means, or the ease with which connection with other places can be made.
<b>Crime prevention through environmental design (CEPT)</b>	<p>use of the built environment leading to a reduction in the fear and incidence of crime, as well as an improvement in quality of life.</p> <p>The use of CPTED is intended to reduce crime and fear by reducing criminal opportunity and fostering positive social interaction among legitimate users of space. The emphasis is on prevention rather than apprehension and punishment.</p>
<b>Development footprint</b>	The location and extent of all development proposed on a site. This includes all buildings and structures, setbacks, open space, all associated facilities, landscaping, preliminary stormwater drainage, all areas of disturbance, on-site parking, access and manoeuvring areas.
<b>Development</b>	<p>Any of the following:</p> <ul style="list-style-type: none"> <li>• carrying out building work;</li> <li>• carrying out plumbing or drainage work;</li> <li>• carrying out operational work;</li> <li>• reconfiguring a lot;</li> <li>• making a material change of use of premises.</li> </ul> <p>Note—definition from the Act. Each term in this definition is further defined in the Act.</p>
<b>Dwelling</b>	<p>A building or part of a building used or capable of being used as a self-contained residence which must include the following:</p> <ul style="list-style-type: none"> <li>• food preparation facilities;</li> <li>• a bath or shower;</li> <li>• a toilet and wash basin;</li> <li>• clothes washing facilities.</li> </ul> <p>This term includes outbuildings, structures and works normally associated with a dwelling.</p>



Column 1 Term	Column 2 Definition
<b>Environmentally relevant activity</b>	<p>Is:</p> <ul style="list-style-type: none"> <li>• an agricultural ERA as defined under section 75 of the <i>Environmental Protection Act 1994</i>; or</li> <li>• a mining activity as defined under section 147 of the <i>Environmental Protection Act 1994</i>; or</li> <li>• a chapter 5A activity as defined under section 309A of the <i>Environmental Protection Act 1994</i>; or</li> <li>• another activity prescribed under section 19 of the <i>Environmental Protection Act 1994</i> as an environmentally relevant activity.</li> </ul> <p>Note—definition from the <i>Environmental Protection Act 1994</i>.</p>
<b>Erosion prone area</b>	<p>An area declared to be an erosion prone area under section 70(1) of the <i>Coastal Protection and Management Act 1995</i>.</p> <p>Note—definition from the <i>Coastal Protection and Management Act 1995</i>.</p>
<b>Form</b>	<p>In a streetscape context, the two-dimensional shape, outline or silhouette of a building.</p>
<b>Gross floor area</b>	<p>The total floor area of all storeys of the building, including any mezzanines, (measured from the outside of the external walls or the centre of a common wall), other than areas used for the following:</p> <ul style="list-style-type: none"> <li>• building services, plant and equipment;</li> <li>• access between levels;</li> <li>• a ground floor public lobby;</li> <li>• a mall;</li> <li>• the parking, loading and manoeuvring of vehicles;</li> <li>• unenclosed private balconies, whether roofed or not.</li> </ul>
<b>Ground level</b>	<p>The level of the natural ground, or, where the level of the natural ground has been changed, the level as lawfully changed.</p>
<b>Habitat</b>	<p>The place where an organism lives, a physical area, some specific part of the earth's surface, air, soil, water, or another organism. More than one animal may live in a particular habitat.</p>
<b>Habitat values</b>	<p>Those characteristics of an area that make it suitable as a habitat or refuge for indigenous plants and animals. These characteristics include the physical structure, nutrient and energy flows, condition and extent of habitat and the location of the area in relation to other habitats.</p>
<b>Hazardous material</b>	<p>environment because of 1 or more of the following—</p> <ul style="list-style-type: none"> <li>• the chemical properties of the substance;</li> <li>• the physical properties of the substance;</li> <li>• the biological properties of the substance.</li> </ul> <p>Without limiting the first paragraph, all dangerous goods, combustible liquids and chemicals are hazardous materials.</p> <p>Note—definition from the <i>Dangerous Goods Safety Management Act 2001</i>.</p>





Column 1 Term	Column 2 Definition
<b>Heritage place</b>	A place, area, land, landscape, building or work which is of cultural heritage significance.
<b>Infill development</b>	Development in existing developed areas usually involving the use of vacant land or the replacement or removal of existing uses to allow for new uses.
<b>Legibility</b>	The extent to which people who are unfamiliar with an area are able to find their way to or around a place.
<b>Lot</b>	<p>Lot means—</p> <ul style="list-style-type: none"> <li>• a lot under the <i>Land Title Act 1994</i>; or</li> <li>• a separate, distinct parcel of land for which an interest is recorded in a register under the <i>Land Act 1994</i>; or</li> <li>• common property for a community titles scheme under the <i>Body Corporate and Community Management Act 1997</i>; or</li> <li>• a lot or common property to which the <i>Building Units and Group Titles Act 1980</i> continues to apply; or</li> <li>• a community or precinct thoroughfare under the <i>Mixed Use Development Act 1993</i>; or</li> <li>• a primary or secondary thoroughfare under the <i>Integrated Resort Development Act 1987</i> or the <i>Sanctuary Cove Resort Act 1985</i>.</li> </ul> <p>Note—definition from the Act.</p>
<b>Non-resident workers</b>	<p>Workers who reside in areas for extended periods when employed on projects directly associated with resource extraction, major industry, major infrastructure or rural uses, but have a permanent place of residence in another area.</p> <p>This includes workers engaged in fly-in/fly-out or drive-in/drive-out arrangements.</p>
<b>Out-of-centre</b>	<p>A location that is clearly separate from a centre.</p> <p>Note—land that is zoned with the word “centre” in the title is a centre for the purposes of the planning scheme.</p>
<b>Outdoor lighting</b>	Any form of permanently installed lighting system whether internal or external which emits light that may have impacts beyond the site.
<b>Overland flow path</b>	<p>Where a piped drainage system exists, the path where flood waters exceeding the capacity of the underground drainage system would flow. Where no piped drainage system or other form of defined waterway exists, the path taken by surface run-off from higher parts of the catchment.</p> <p>This does not include a waterway or wetland.</p>
<b>Pick up / set down area</b>	A parking space or spaces set aside for the picking up and setting down of vehicle passengers, preferably physically separate from any adjacent vehicle carriageway.



Column 1 Term	Column 2 Definition
<b>Premises</b>	<p>Means:</p> <ul style="list-style-type: none"> <li>• a building or other structure; or</li> <li>• land, whether or not a building or other structure is situated on the land.</li> </ul> <p>Note—definition from the Act.</p>
<b>Private open space</b>	An outdoor space for the exclusive use of occupants of a building
<b>Public open space</b>	Outdoor spaces that are generally accessible to the community and provide for a range of sport, recreation, cultural, entertainment or leisure pursuits.
<b>Rear lot</b>	A lot which has access to a road by means only of an access strip which forms part of the lot or by means only of an easement over adjoining land.
<b>Riparian vegetation</b>	Vegetation that grows on, below or adjacent to waterways.
<b>Risk</b>	A concept used to describe the likelihood of harmful consequences arising from the interaction of hazards, community and the environment.
<b>Road</b>	<p>An area of land, whether surveyed or unsurveyed:</p> <ul style="list-style-type: none"> <li>• dedicated, notified or declared to be a road for public use; or</li> <li>• taken under an Act, for the purpose of a road for public use.</li> </ul> <p>The term includes:</p> <ul style="list-style-type: none"> <li>• a street, esplanade, reserve for esplanade, highway, pathway, thoroughfare,</li> <li>• track or stock route;</li> <li>• a bridge, causeway, culvert or other works in, on, over or under a road;</li> <li>• any part of a road.</li> </ul> <p>Note—definition from the <i>Land Act 1994</i>.</p>
<b>Scale</b>	In a streetscape context, the relative size of a building compared to adjacent buildings or the relative size of components of a building when compared with similar components on adjacent buildings.
<b>Sensitive land use</b>	<p>Means each of the following defined uses: caretaker's accommodation, child care centre, community care centre, community residence, detention facility, dual occupancy, dwelling house, dwelling unit, educational establishment, health care services, hospital, hotel, to the extent the hotel provides accommodation for tourists or travelers, multiple dwelling, non-resident workforce accommodation, relocatable home park, residential care facility, resort complex, retirement facility, rooming accommodation, rural worker's accommodation, short-term accommodation, supervised accommodation service and tourist park.</p> <p>Note—definition from Planning Regulation 2017.</p>



<b>Setback</b>	For a building or structure, the shortest distance measured horizontally from the outer most projection of a building or structure to the vertical projection of the boundary of the lot.
<b>Site</b>	Any land on which development is carried out or is proposed to be carried out whether such land comprises the whole or part of one lot or more than one lot if each of such lots is contiguous.
<b>Site cover</b>	<p>The proportion of the site covered by a building(s), structure(s) attached to the building(s) and carport(s), calculated to the outer most projections of the building(s) and is expressed as a percentage.</p> <p>The term does not include:</p> <ul style="list-style-type: none"> <li>• any structure or part thereof included in a landscaped open space area such as a gazebo or shade structure;</li> <li>• basement car parking areas located wholly below ground level</li> <li>• eaves and sun shading devices.</li> </ul>
<b>Stormwater</b>	Rainfall which runs off roofs, roads and other surfaces and flows into gutters, streams and waterways where it eventually flows into the bays and ocean.
<b>Streetscape</b>	The collective combination of urban form elements that constitute the view of a street and its public and private domains. These elements include buildings, roads, footpaths, vegetation, open spaces and street furniture.
<b>Temporary use</b>	A use that is impermanent and may be irregular or infrequent that does not require the construction of a permanent building or the installation of permanent infrastructure or services.
<b>Use</b>	<p>In relation to premises, includes any use incidental to and necessarily associated with the use of the premises.</p> <p>Note—definition from the Act.</p>
<b>Vegetation</b>	<p>Is a native tree or plant other than the following:</p> <ul style="list-style-type: none"> <li>• grass or non-woody herbage;</li> <li>• a plant within a grassland regional ecosystem prescribed under a regulation;</li> <li>• a mangrove.</li> </ul> <p>Note—definition from the <i>Vegetation Management Act 1999</i>.</p>
<b>Waterway</b>	<p>Means any of the following:</p> <ul style="list-style-type: none"> <li>• a creek, river, stream or watercourse;</li> <li>• an inlet of the sea into which a creek, river, stream or watercourse flows;</li> <li>• a dam or weir.</li> </ul> <p>Note—definition from the <i>Land Title Act 1994</i>.</p>
<b>Wetland</b>	<p>An area shown as a wetland on “Map of referable wetlands”, a document approved by the chief executive (environment).</p> <p>Note—definition from the Planning Regulation 2017</p>

## SCHEDULE 2 MAPPING





## Schedule 2 Mapping





### SC2.1 Map index

The table below lists all strategic plan, zoning and overlay maps applicable to the planning scheme area.

**Table SC2.1.1—Map index**

Map number	Map title	Gazettal date
<b>Strategic plan maps</b>		
Map SC2.1	Shire Strategic Plan – Whole Shire	11 April, 2014
Map SC2.2	Shire Strategic Plan – Gununa	11 April, 2014
<b>Zone maps</b>		
Map SC2.8	Zoning - Overview Map	11 April, 2014
Map SC2.9	Zoning – Mornington Island (balance) and surrounding islands	11 April, 2014
Map SC2.10	Zoning – Gununa	11 April, 2014
Map SC2.11	Zoning – Denham and Andrew Islands	11 April, 2014
Map SC2.12	Zoning - Forsyth Island, Ivis Island, Pains Island and Bayley Island	11 April, 2014
Map SC2.13	Zoning – Allen Island, Little Allen Island and Horseshoe Island	11 April, 2014
Map SC2.14	Zoning – Bentinck Island, Albinia Island, Margaret Island, Bessie Island and Douglas Island	11 April, 2014
Map SC2.15	Zoning – Sweers Island	11 April, 2014
Map SC2.16	Zoning – Bountiful Islands	11 April, 2014
Map SC2.17	Zoning – Moondalbee Island and Pisonia Island	11 April, 2014
MapSC2.18	Zoning - Manowar Island	11 April, 2014
<b>Overlay maps</b>		
Map SC2.19	Overlay – Coastal Protection Overlay (Overview)	11 April, 2014
Map SC2.20	Overlay – Coastal Protection Overlay (Mornington Island balance and surrounding islands)	11 April, 2014
Map SC2.21	Overlay – Coastal Protection Overlay (Gununa)	11 April, 2014
Map SC2.22	Overlay – Airport Environs Overlay	11 April, 2014
Map SC2.23	Overlay – Interim Floodplain Assessment Overlay (Overview)	11 April, 2014
Map SC2.24	Overlay – Interim Floodplain Assessment Overlay (Mornington Island balance and surrounding islands)	11 April, 2014
Map SC2.25	Overlay – Interim Floodplain Assessment Overlay (Gununa)	11 April, 2014
Map SC2.26	Overlay – Bushfire Hazard Overlay (Overview)	11 April, 2014
Map SC2.27	Overlay – Bushfire Hazard Overlay (Mornington Island balance and surrounding islands)	11 April, 2014
Map SC2.28	Overlay – Bushfire Hazard Overlay (Gununa)	11 April, 2014

**Legend**

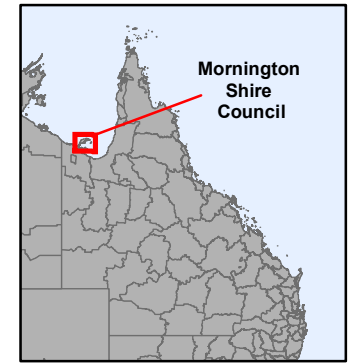
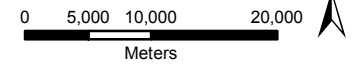
-  Port (Maritime Development)
-  Airport
-  Nature conservation and open space
-  Local Government Area

**Data Source:**  
Based on or contains data provided by the (former) Department of Environment & Resource Management Queensland 2009 which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

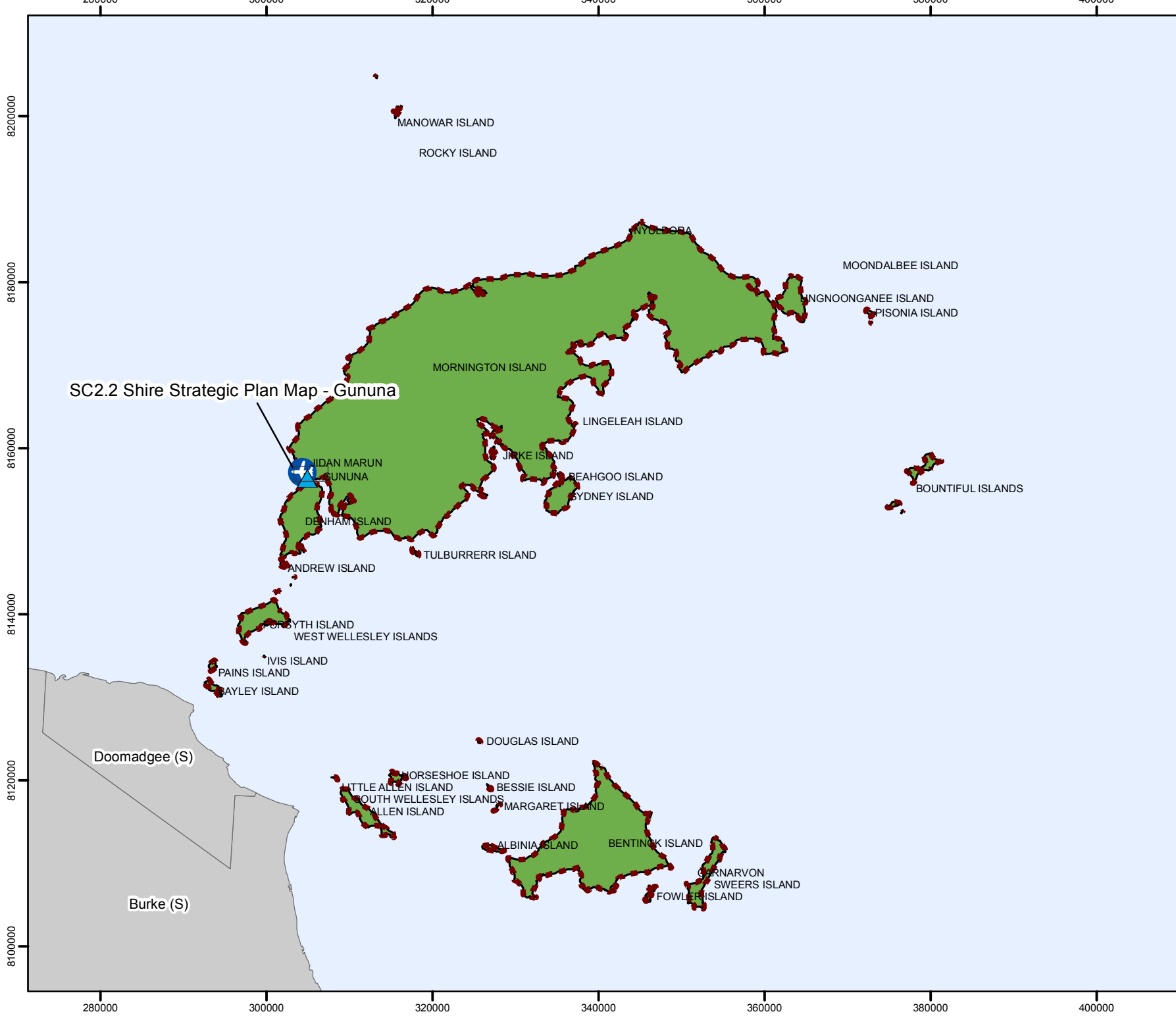
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Coordinate System: GDA 1994 - MGA Zone 54











Scale at A4 1:600,000



**SC2.1 Shire Strategic Plan Map  
Whole Shire**



**Legend**

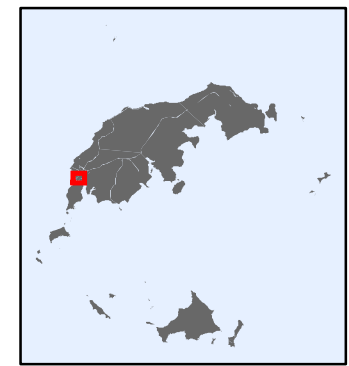
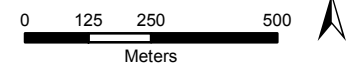
-  Local Government Area
-  District Centre
-  Major infrastructure
-  Airport
-  Port (Maritime Development)
-  Industrial Development
-  Tourism
-  Investigation\_Area
-  Road
-  Nature conservation and open space

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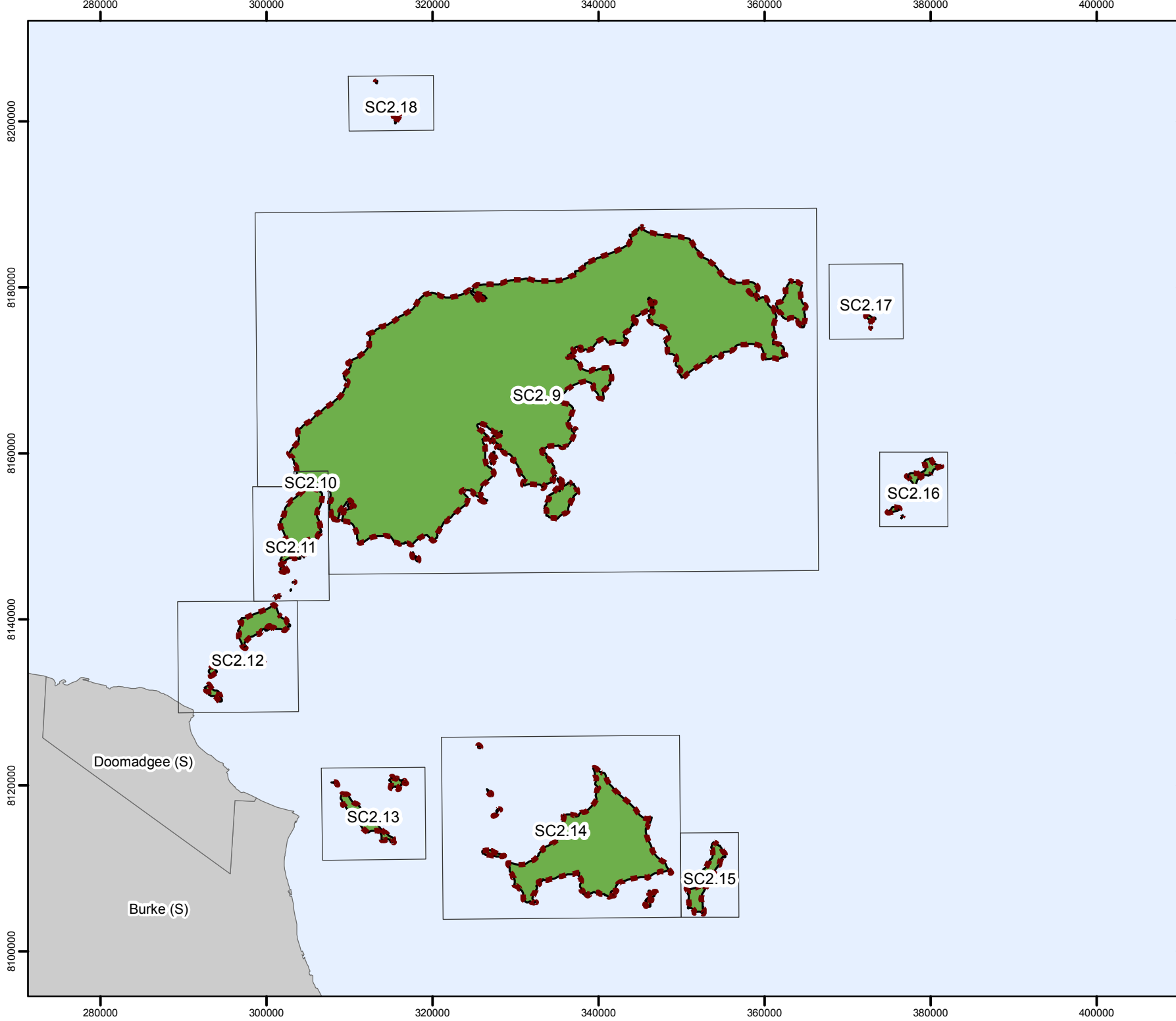
Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:15,000



**Legend**

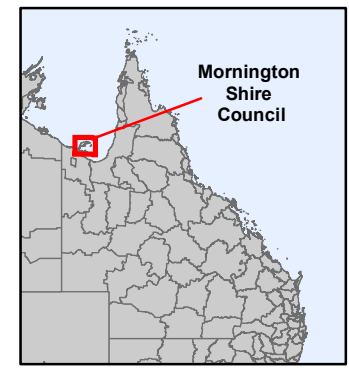
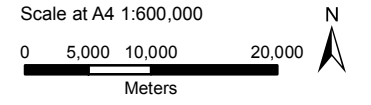
-  Nature conservation and open space
-  Local Government Area



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Coordinate System: GDA 1994 - MGA Zone 54



**SC2.8 Zoning Overview**





# Mornington Shire Planning Scheme

## Legend

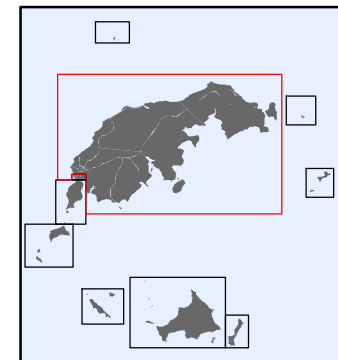
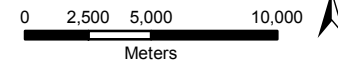
- Centre
- Community Facilities
- Environmental Management and Conservation
- General Residential
- Industry
- Recreation and Open Space

**Data Source:**  
Based on or contains data provided by the (former) Department of Environment & Resource Management Queensland 2009 which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

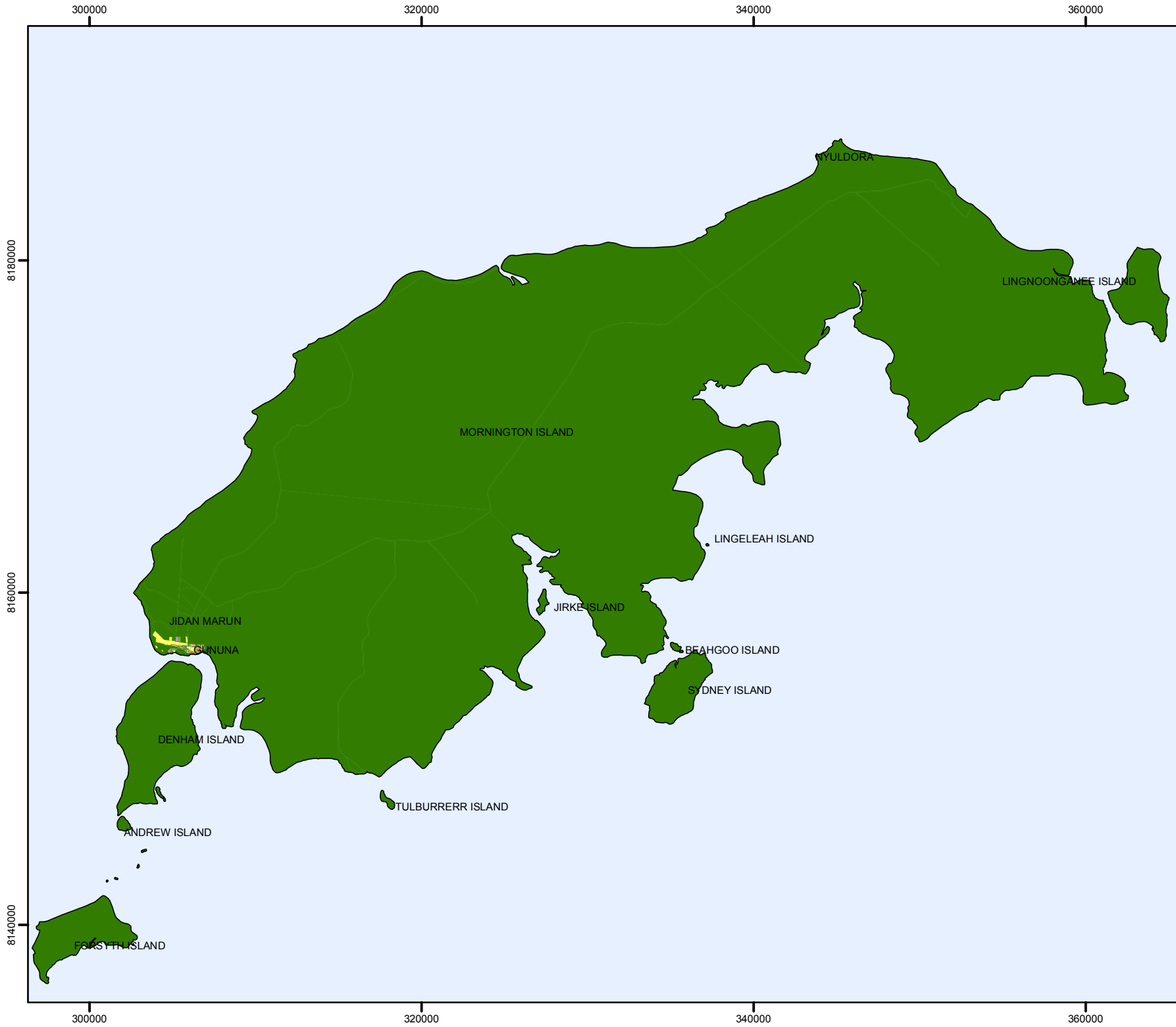
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:300,000



**SC2.9 Mornington (balance) and surrounding islands**





**Legend**

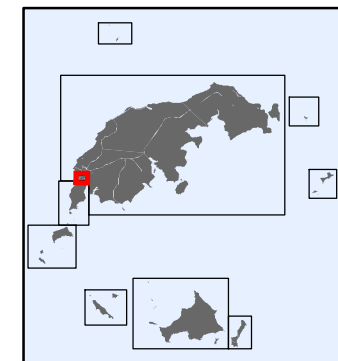
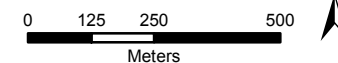
- Centre
- Community Facilities
- Environmental Management and Conservation
- General Residential
- Industry
- Recreation and Open Space
- Road

**Data Source:**  
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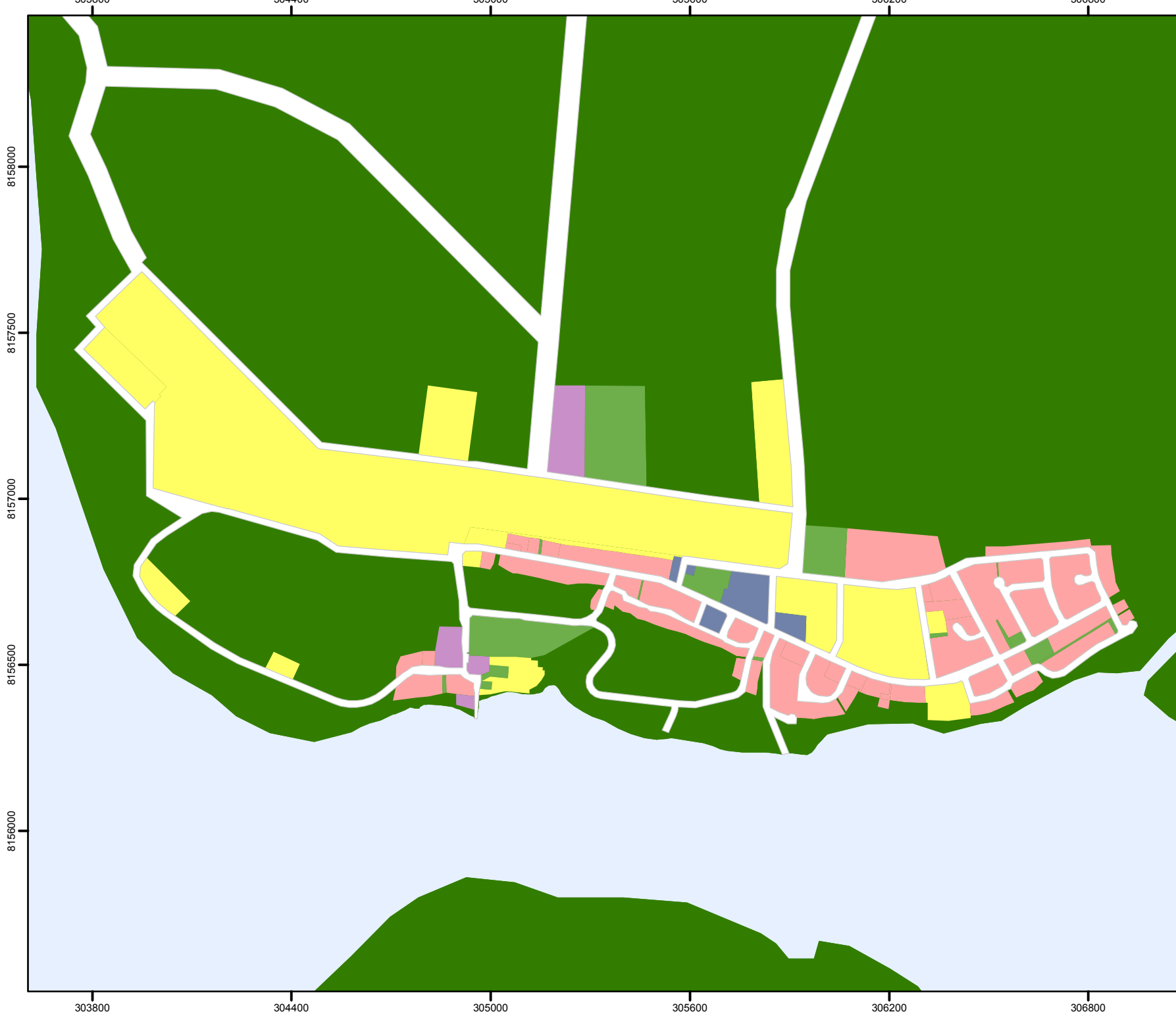
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:15,000



**SC2.10 Zoning - Gununa**



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8158000

8157500

8157000

8156500

8156000

8158000

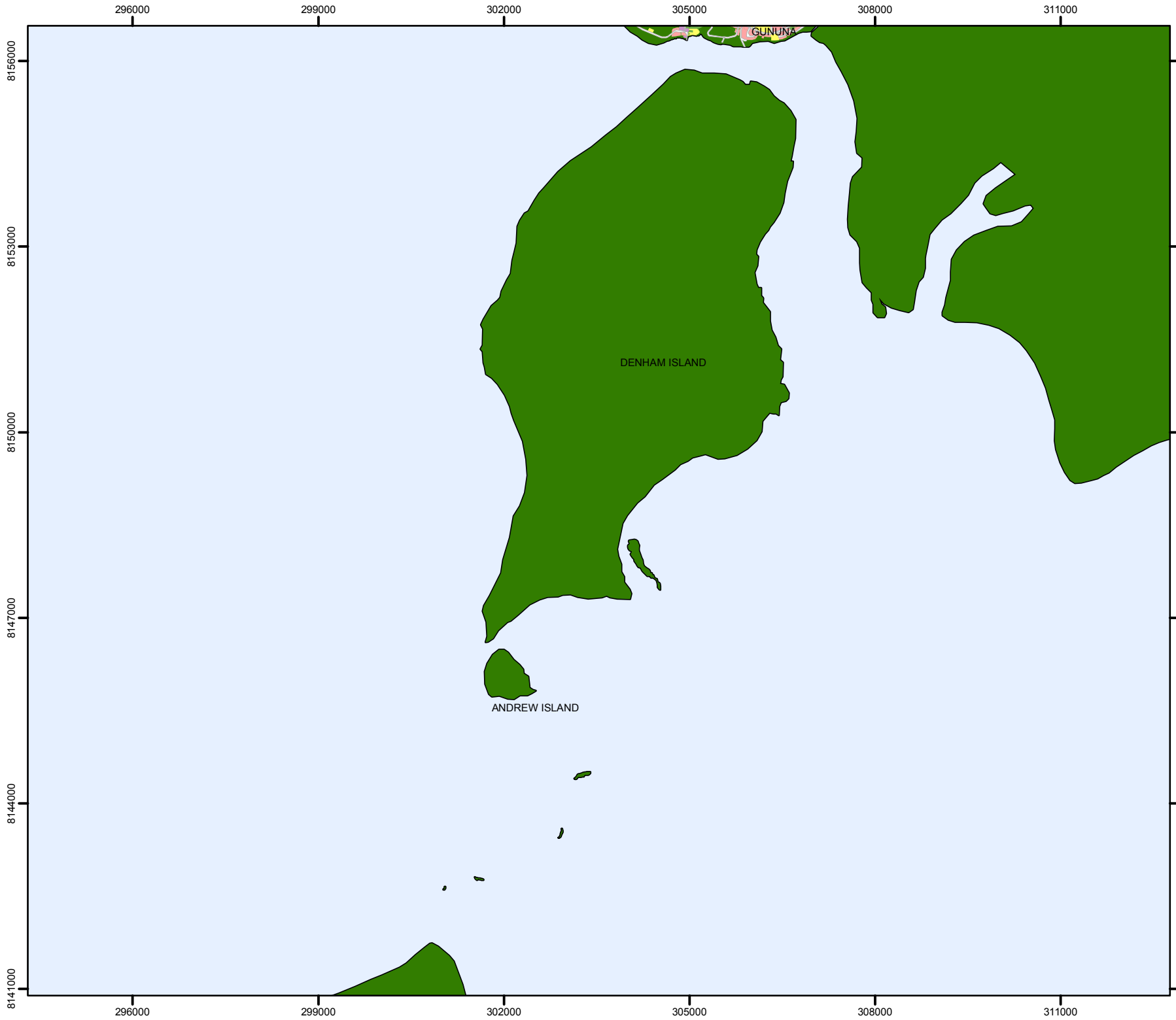
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# Mornington Shire Planning Scheme

## Legend

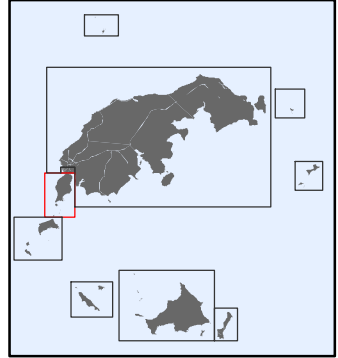
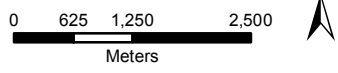
- Centre
- Community Facilities
- Environmental Management and Conservation
- General Residential
- Industry
- Recreation and Open Space
- Roads

**Data Source:**  
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Coordinate System: GDA 1994 - MGA Zone 54


Scale at A4 1:80,000

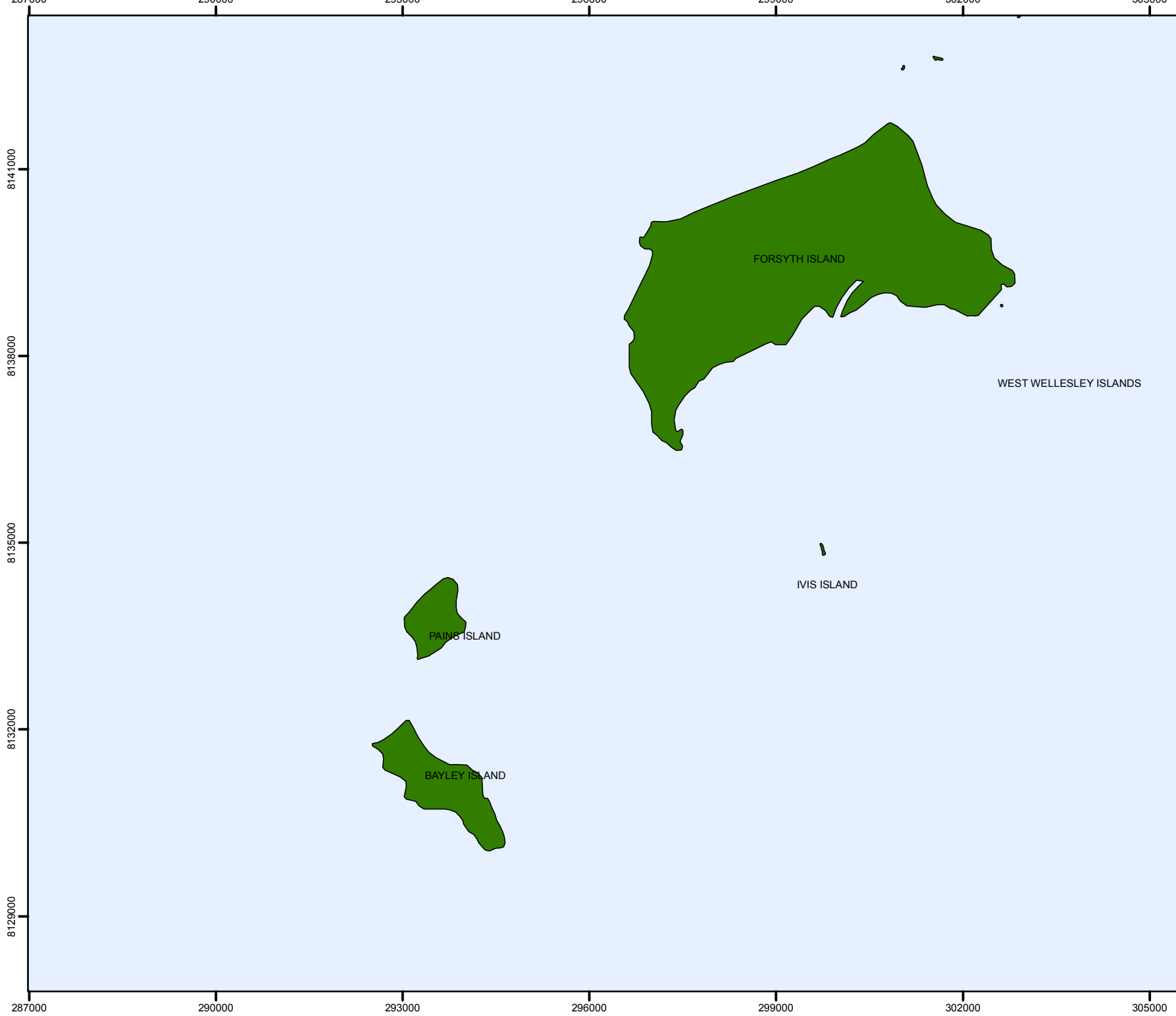


## SC2.11 Zoning Map Debham and Andrew Islands



**Legend**

 Environmental Management and Conservation

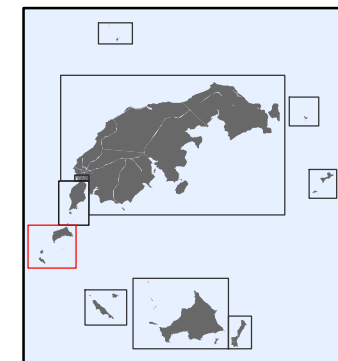
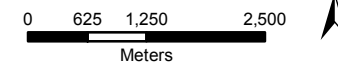


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Coordinate System: GDA 1994 - MGA Zone 54


Scale at A4 1:80,000



**SC2.12 Zoning Map  
Forsyth, Ivis, Pains and  
Bayley Islands**



**Legend**

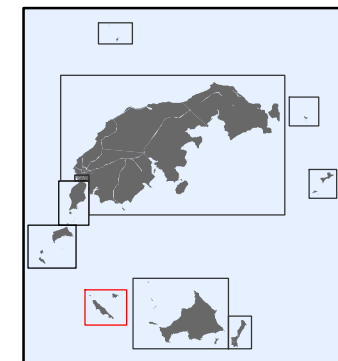
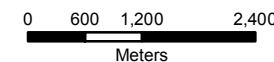
 Environmental Management and Conservation

**Data Source:**  
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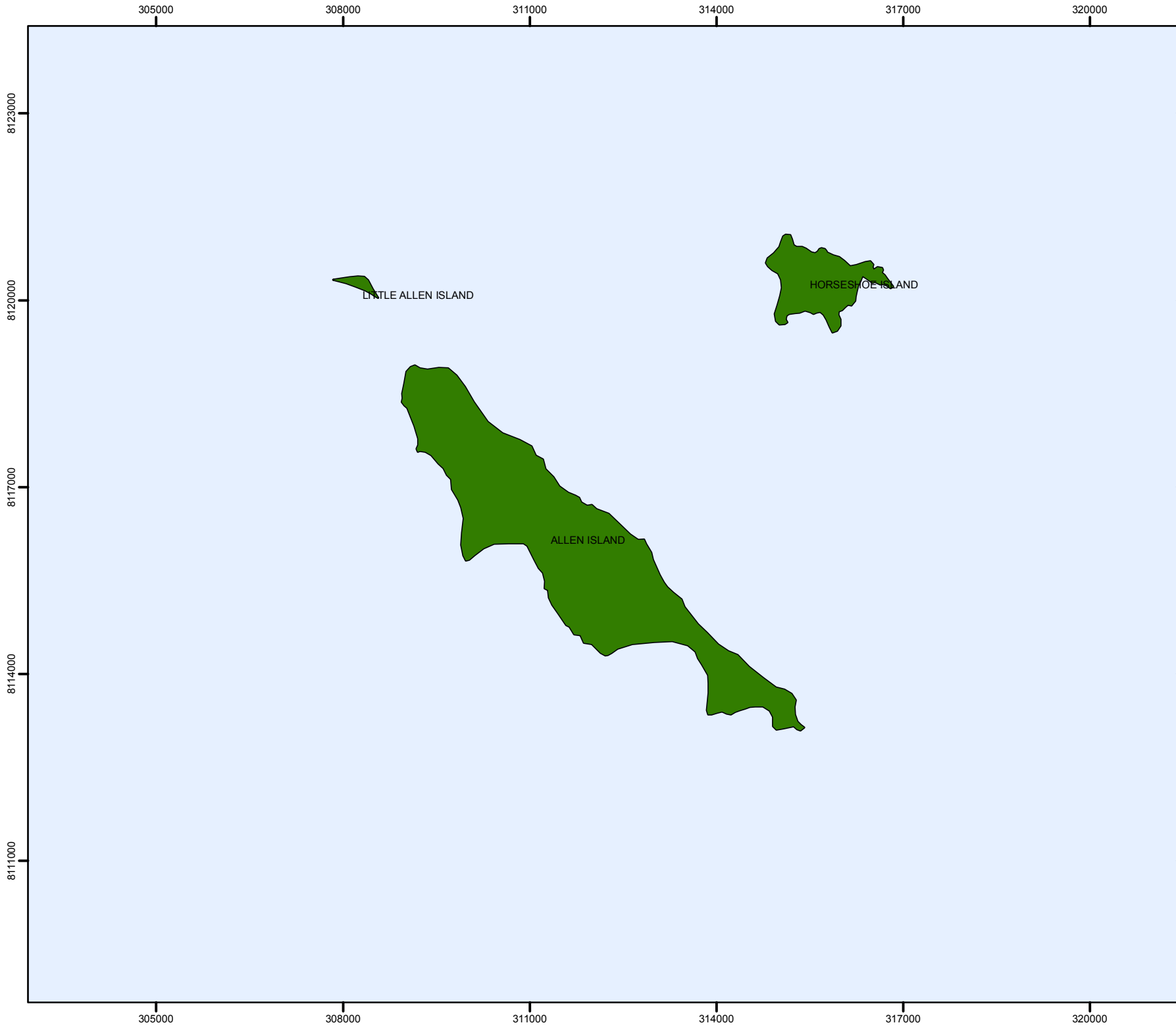
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:80,000




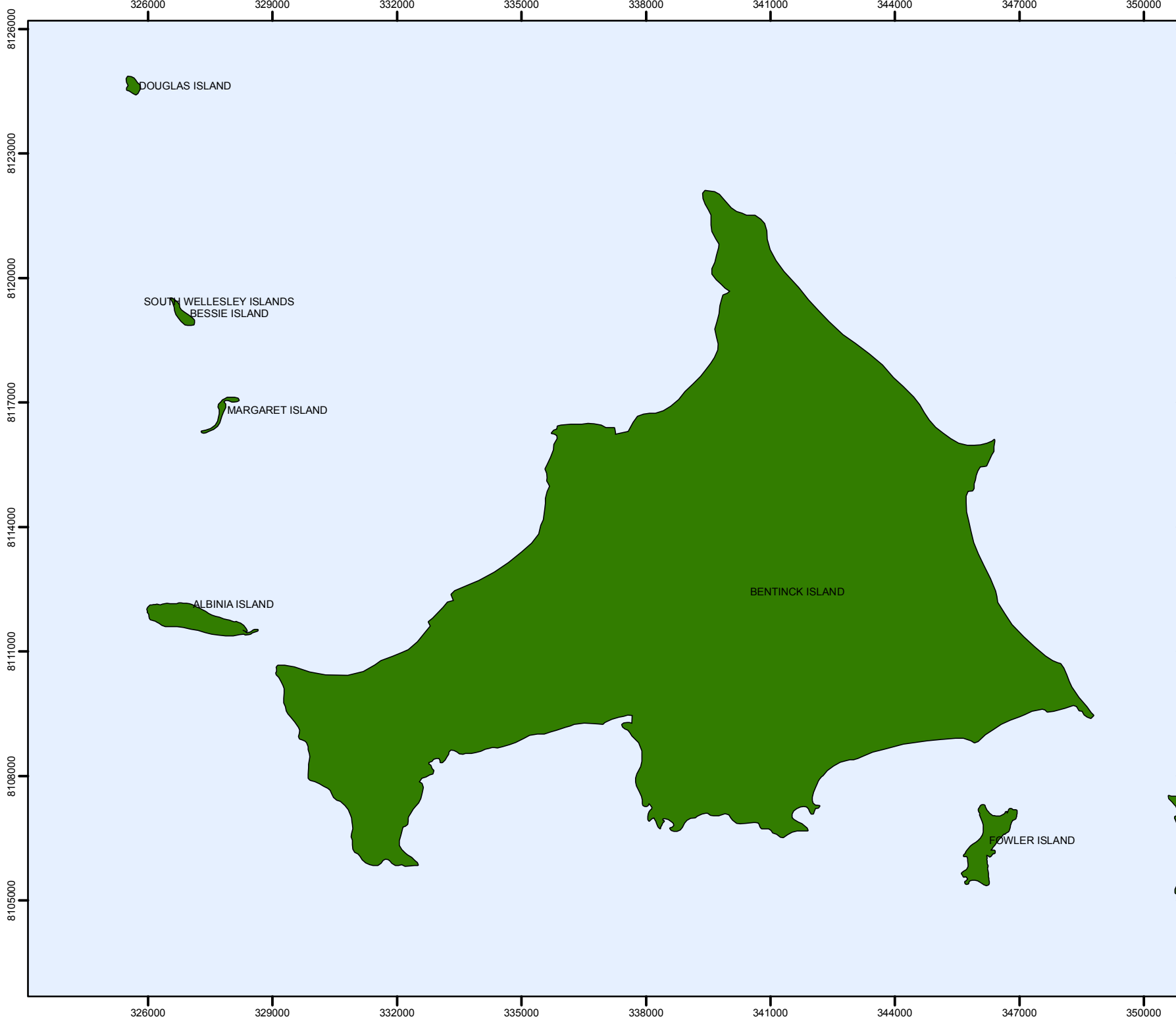
**SC2.13 Zoning Map  
Allen, Little Allen and  
Horseshoe Islands**





**Legend**

 Environmental Management and Conservation

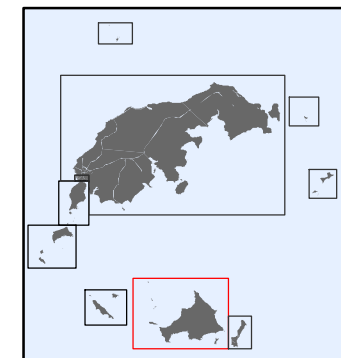
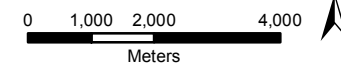


Data Source:  
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Coordinate System: GDA 1994 - MGA Zone 54


Scale at A4 1:120,000

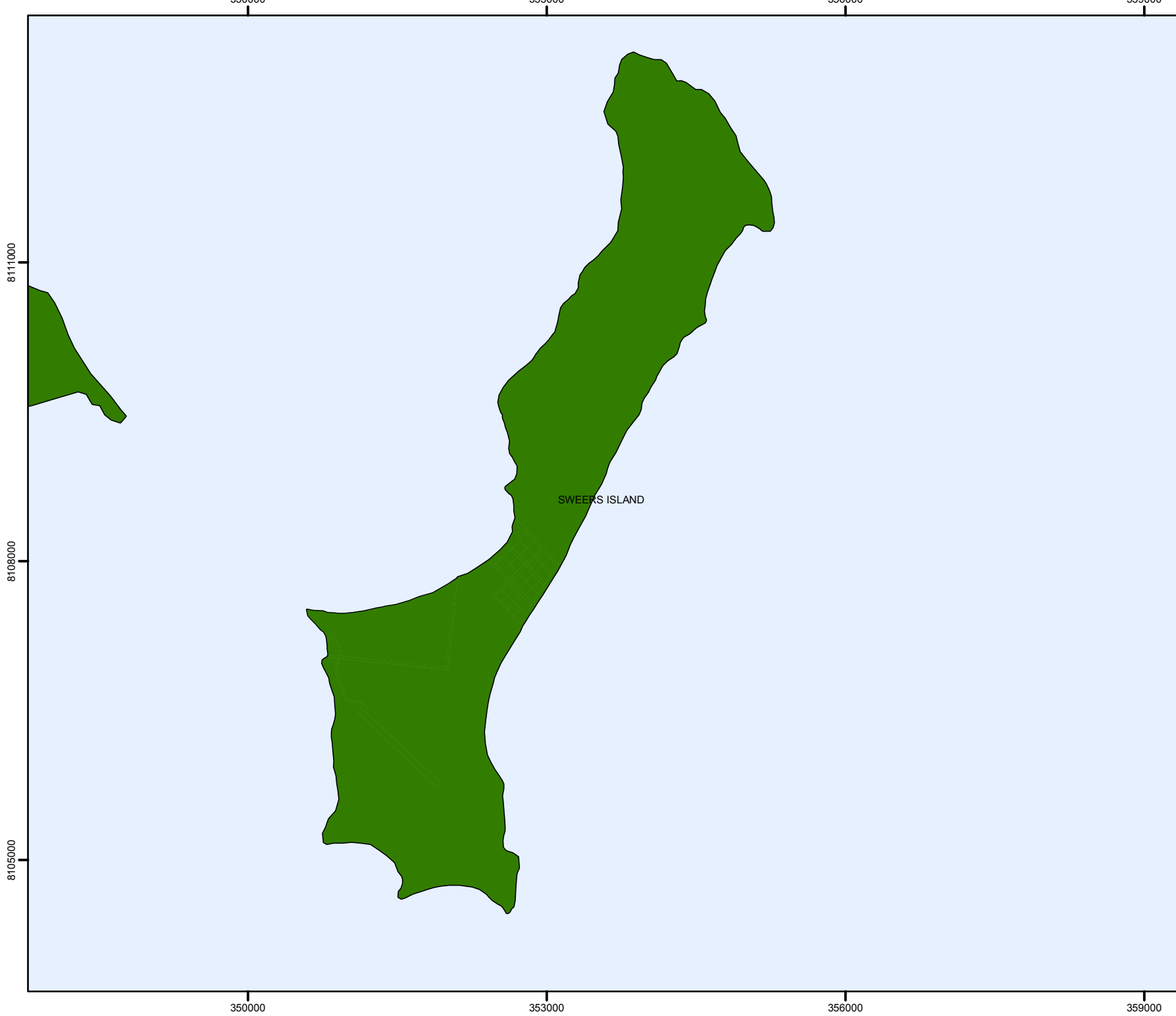


**SC2.14 Zoning Map Bentinck, Flower, Albinia, Margaret, Bessie and Douglas Island**



**Legend**

 Environmental Management  
and Conservation

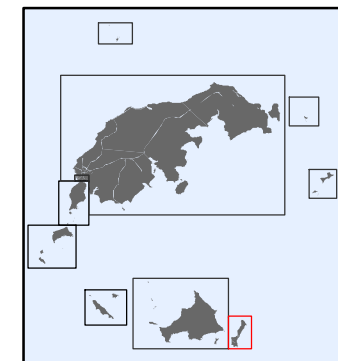
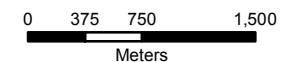


**Data Source:**  
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Coordinate System: GDA 1994 - MGA Zone 54


Scale at A4 1:50,000



**SC2.15 Zoning Map  
Sweers Island**



**Legend**

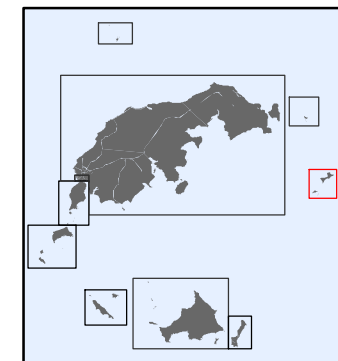
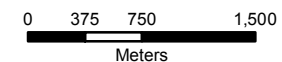
 Environmental Management  
and Conservation

**Data Source:**  
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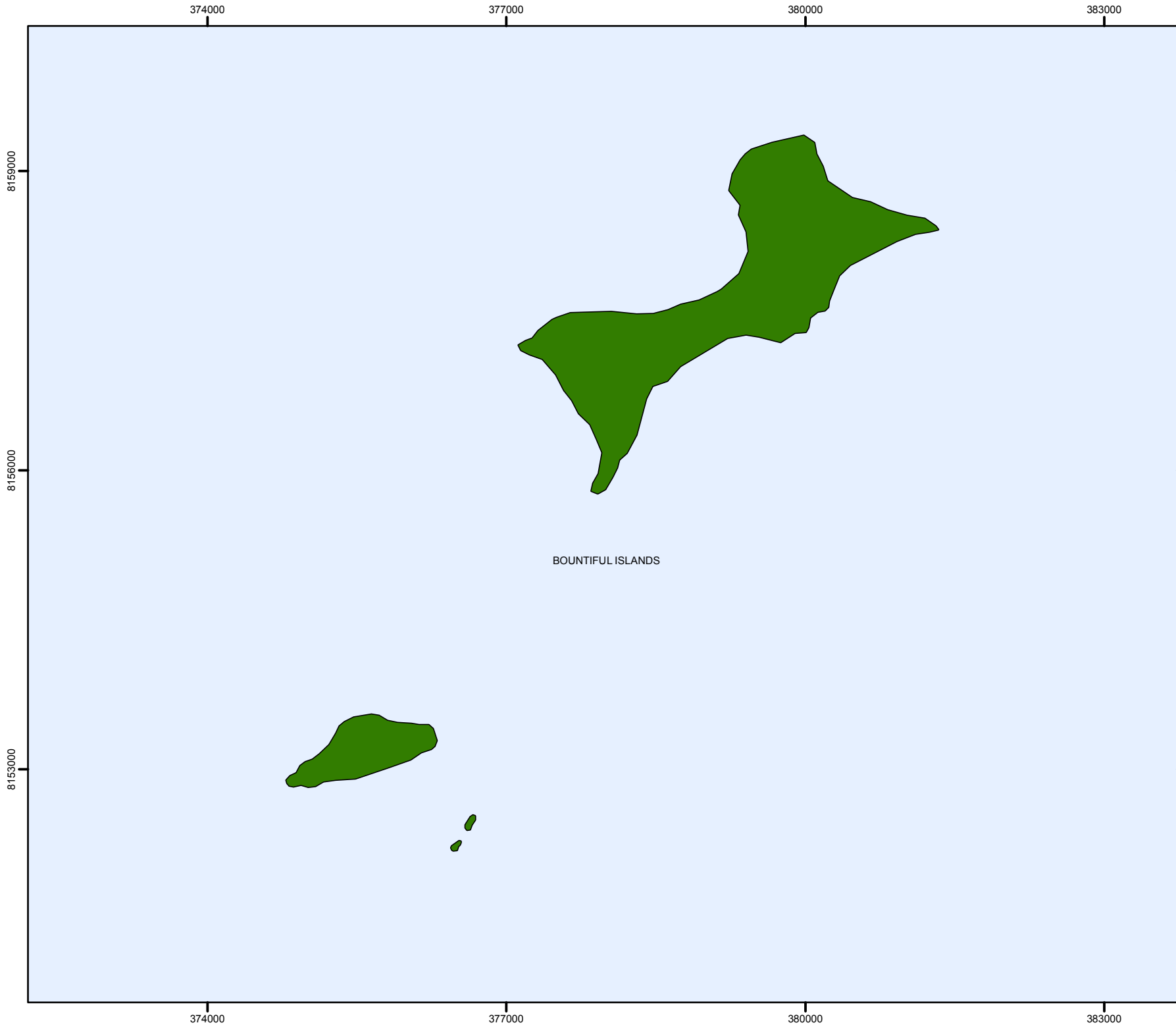
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:50,000




**SC2.16 Zoning Map  
Bountiful Islands**







**Legend**

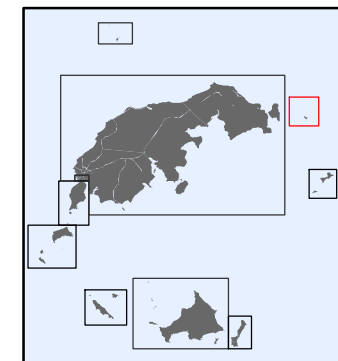
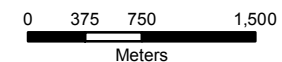
 Environmental Management  
and Conservation

**Data Source:**  
Based on or contains data provided by the (former) Department of Environment & Resource Management Queensland 2009 which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

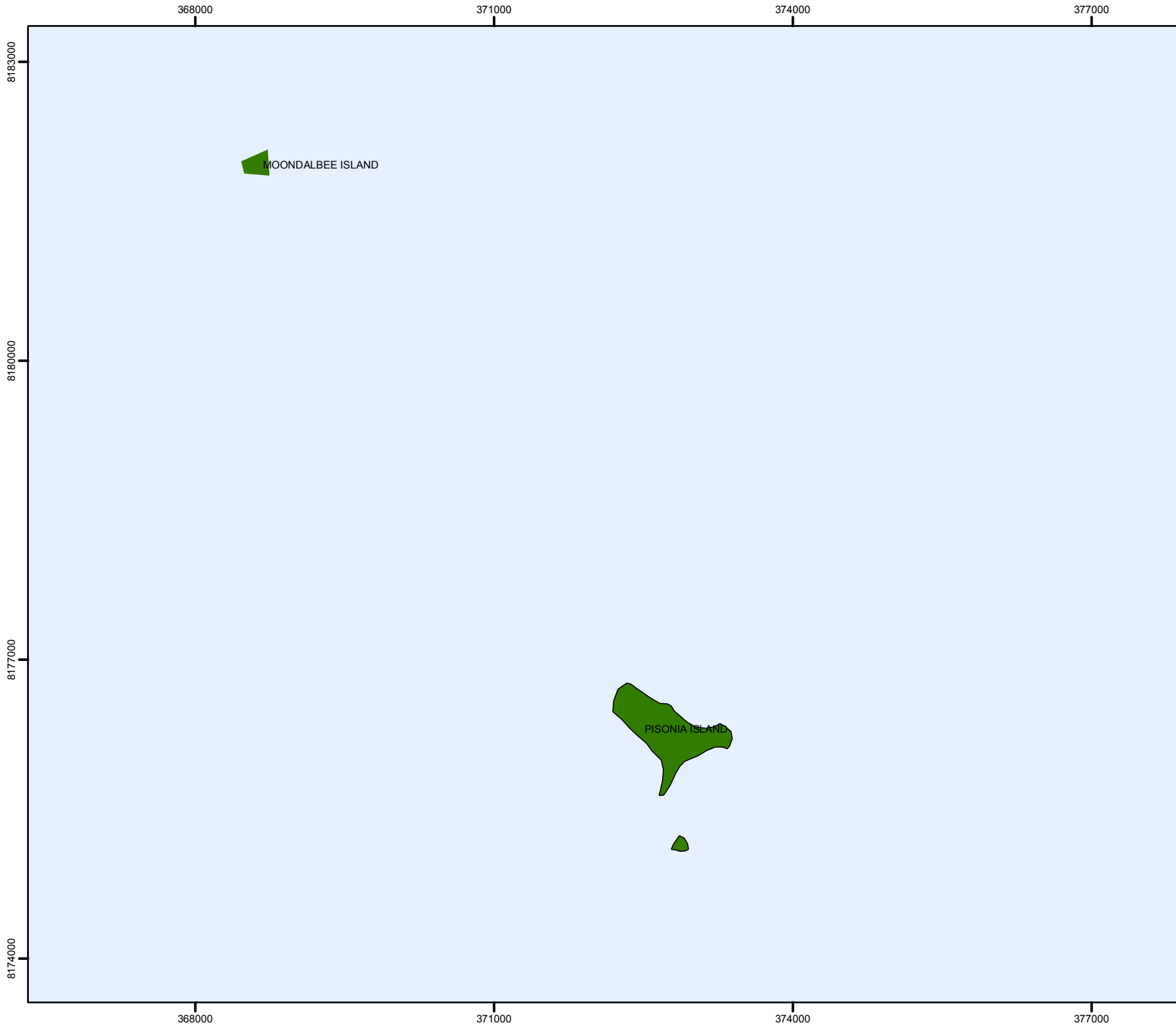
**Disclaimer:**  
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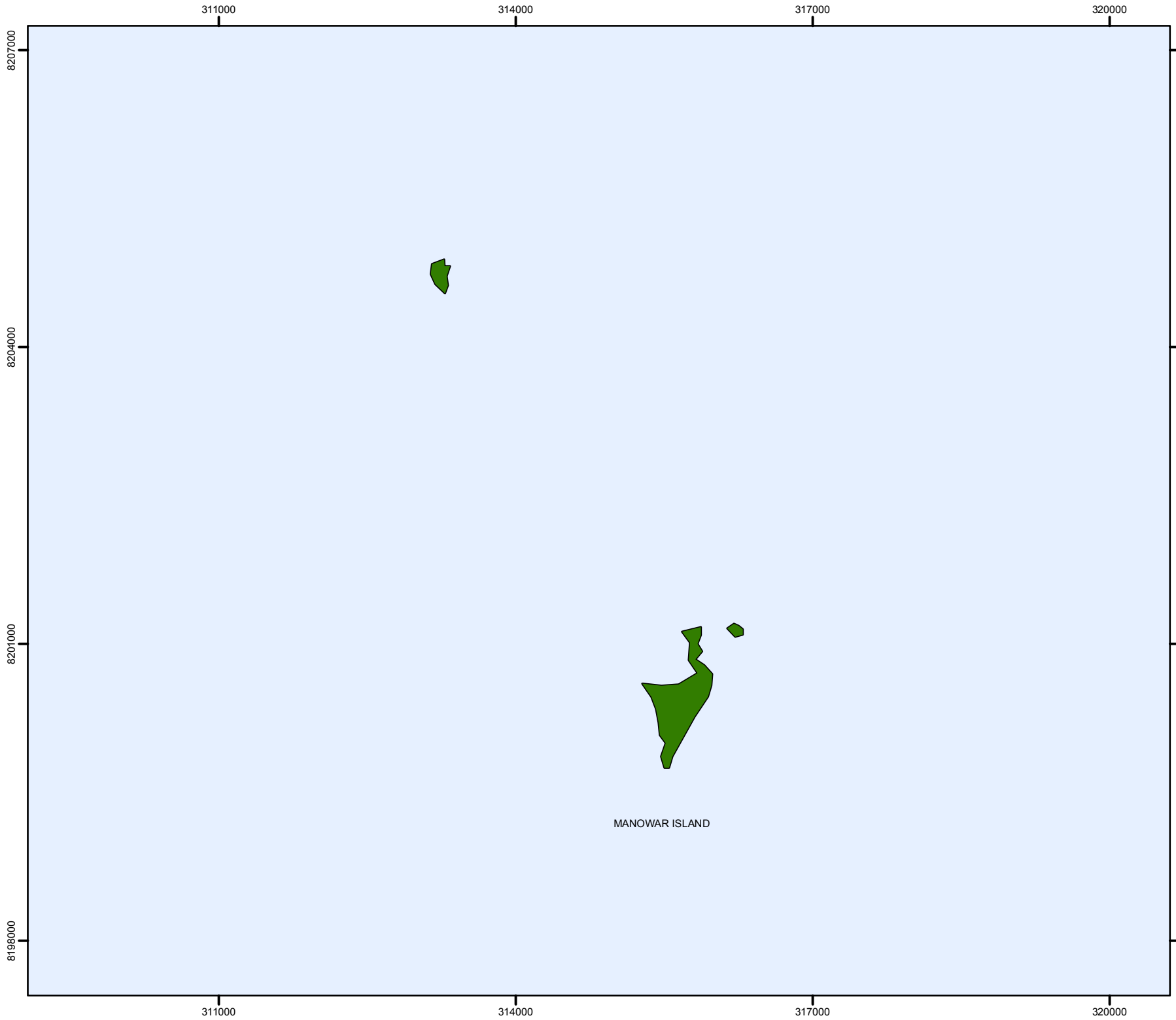
Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:50,000



**SC2.17 Zoning Map  
Moondalbee and Pisonia Islands**





**Morningside Shire  
Planning Scheme**

**Legend**

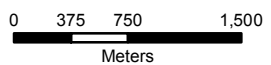
- Environmental Management and Conservation

**Data Source:**  
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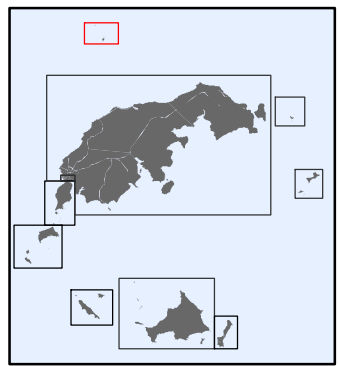
**Disclaimer:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:50,000







MANOWAR ISLAND



**SC2.18 Zoning Map  
Manowar Island**



**Legend**

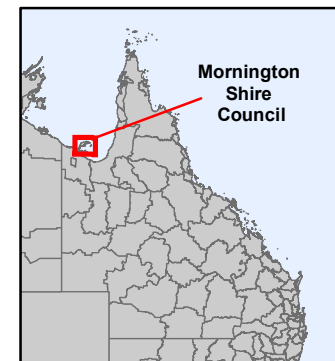
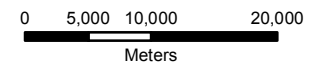
-  Erosion Prone Area
-  Sea Level Rise
-  High Storm Tide Hazard
-  Medium Storm Tide Hazard
-  Morningside Shire

**Data Source:**  
Based on or contains data provided by the Queensland Government which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

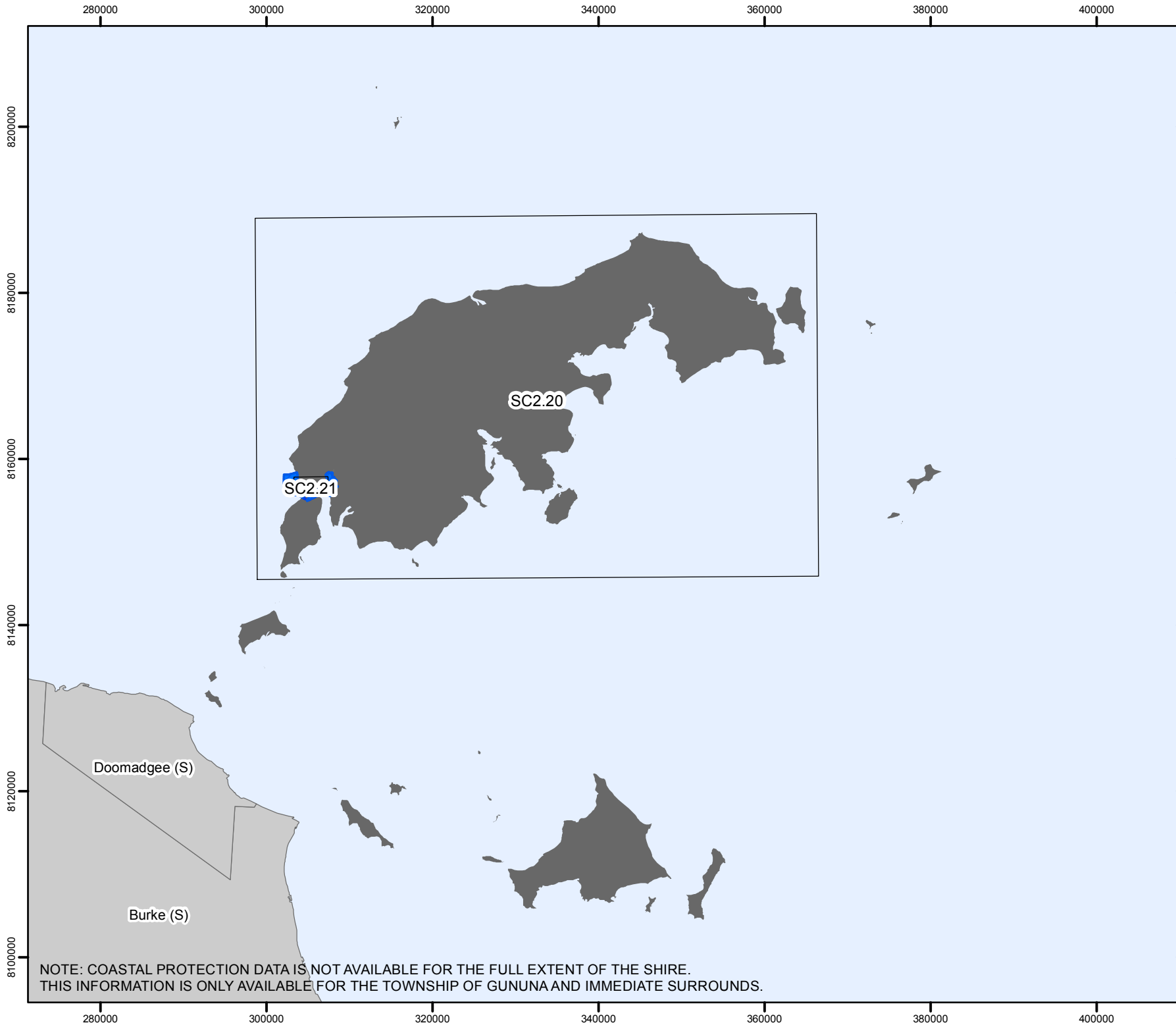
**Disclaimer:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:600,000







**SC2.19 Coastal Protection  
Overlay - Overview**



NOTE: COASTAL PROTECTION DATA IS NOT AVAILABLE FOR THE FULL EXTENT OF THE SHIRE.  
THIS INFORMATION IS ONLY AVAILABLE FOR THE TOWNSHIP OF GUNUNA AND IMMEDIATE SURROUNDS.

**Legend**

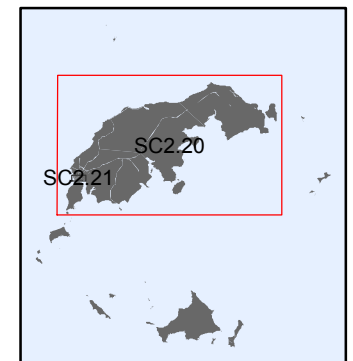
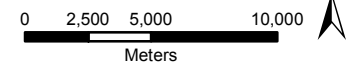
-  Erosion Prone Area
-  Sea Level Rise
-  High Storm Tide Hazard
-  Medium Storm Tide Hazard

**Data Source:**  
Based on or contains data provided by the Queensland Government which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

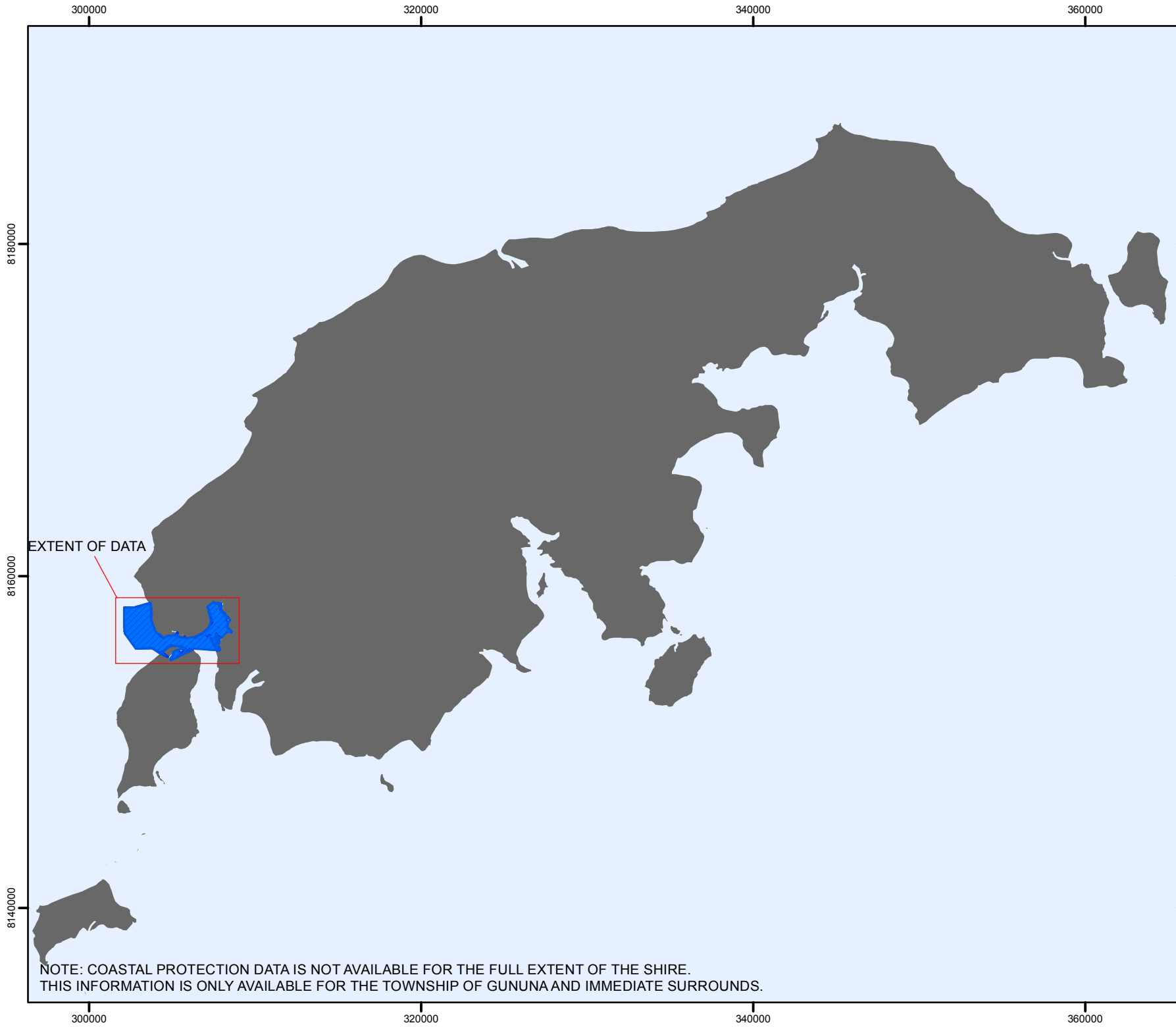
**Disclaimer:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:300,000



**SC2.20 Coastal Protection  
Overlay - Mornington and  
Surrounding Islands**

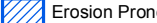


NOTE: COASTAL PROTECTION DATA IS NOT AVAILABLE FOR THE FULL EXTENT OF THE SHIRE.  
THIS INFORMATION IS ONLY AVAILABLE FOR THE TOWNSHIP OF GUNUNA AND IMMEDIATE SURROUNDS.



**Legend**

Urban

 Erosion Prone

 Sea Level Rise

 High Storm Tide Hazard

 Medium Storm Tide Hazard

Data Source:  
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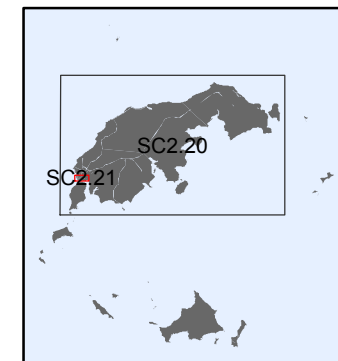
Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4: 15,000

0 120 240 480






Meters

N







**Protected Features**

-  Non-directional beacon
-  500 metre buffer
-  150 metre buffer
-  60 metre buffer
-  Take-off / approach path  
RWY 09/27

**Height Restrictions**

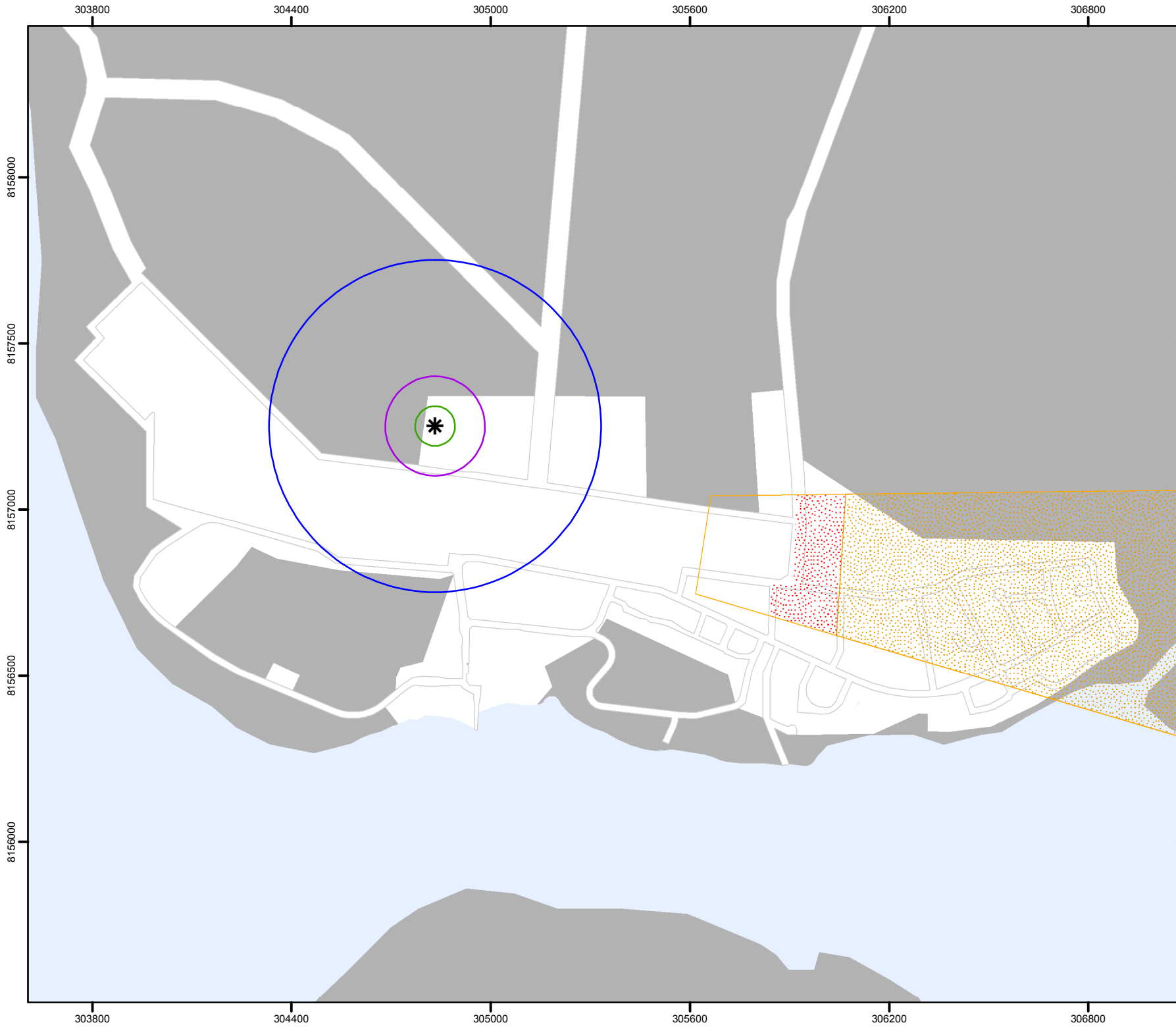
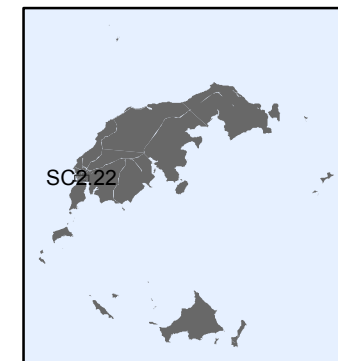
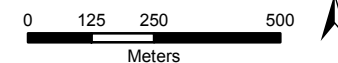
-  Area A: Maximum - 5 metres
-  Area B: Maximum - 8 metres

Data Source:  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:15,000





**Legend**

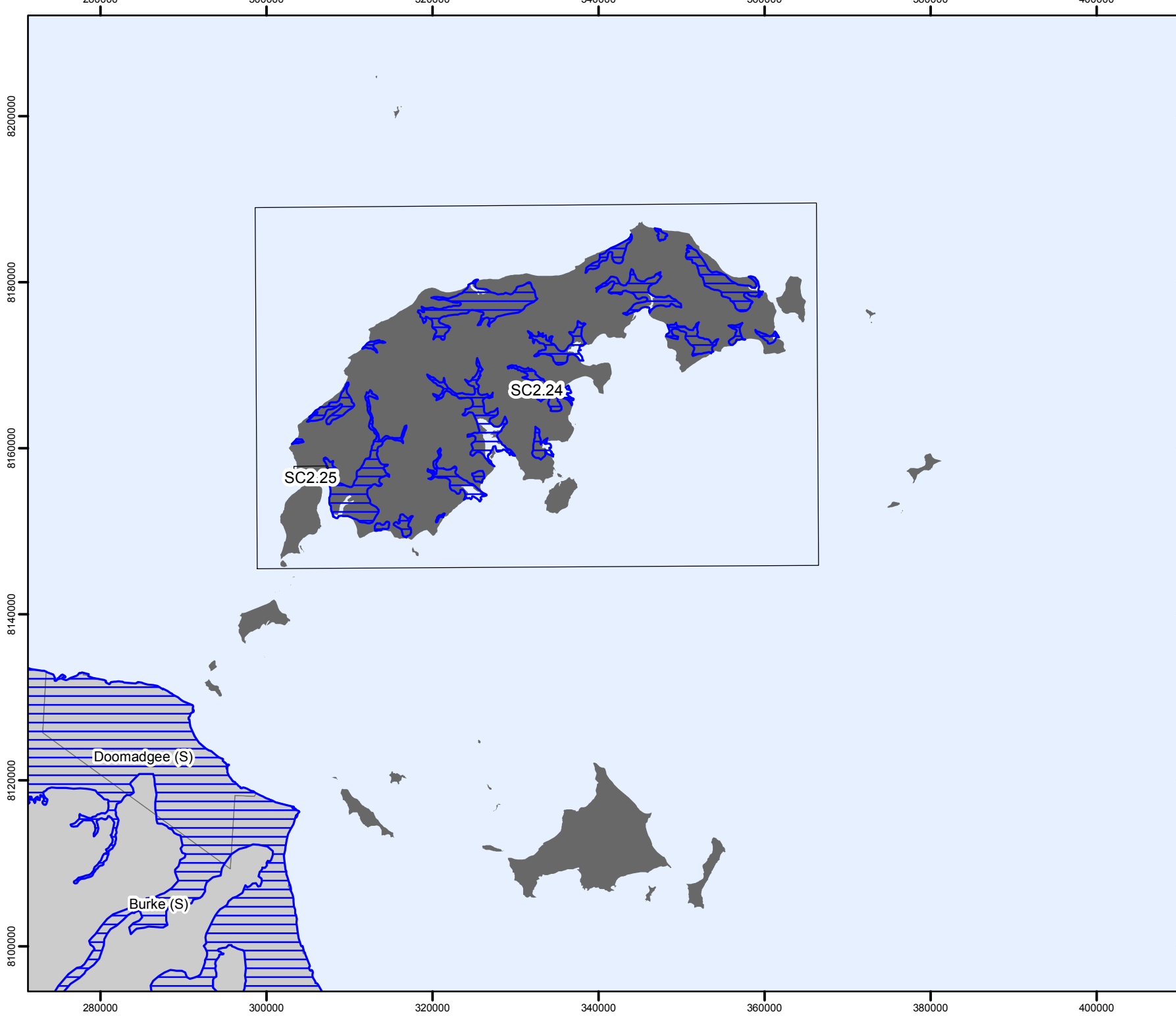
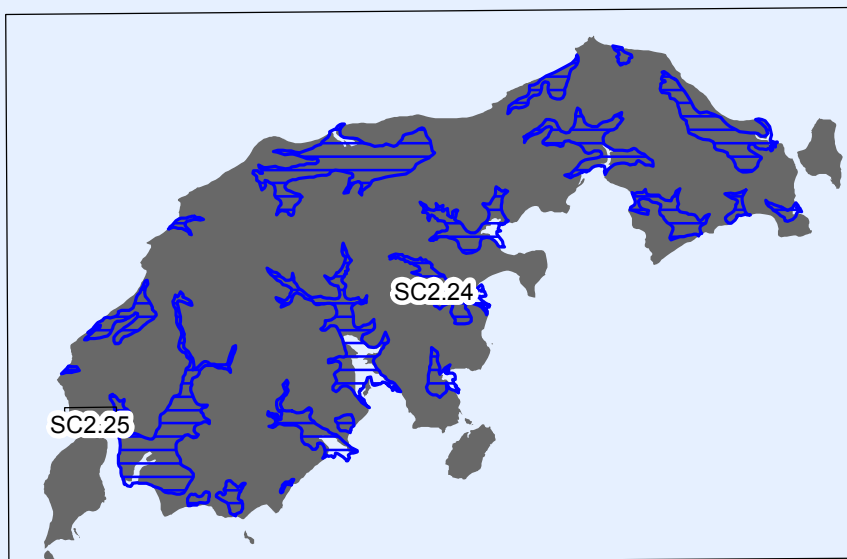
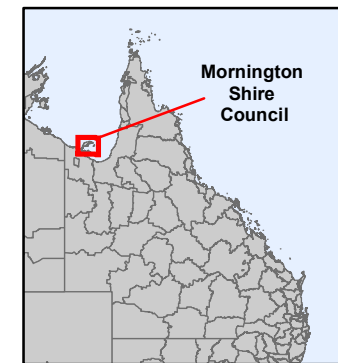
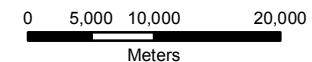
-  Interim Floodplain Area
-  Morningside Shire

**Data Source:**  
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Coordinate System: GDA 1994 - MGA Zone 54


Scale at A4 1:600,000

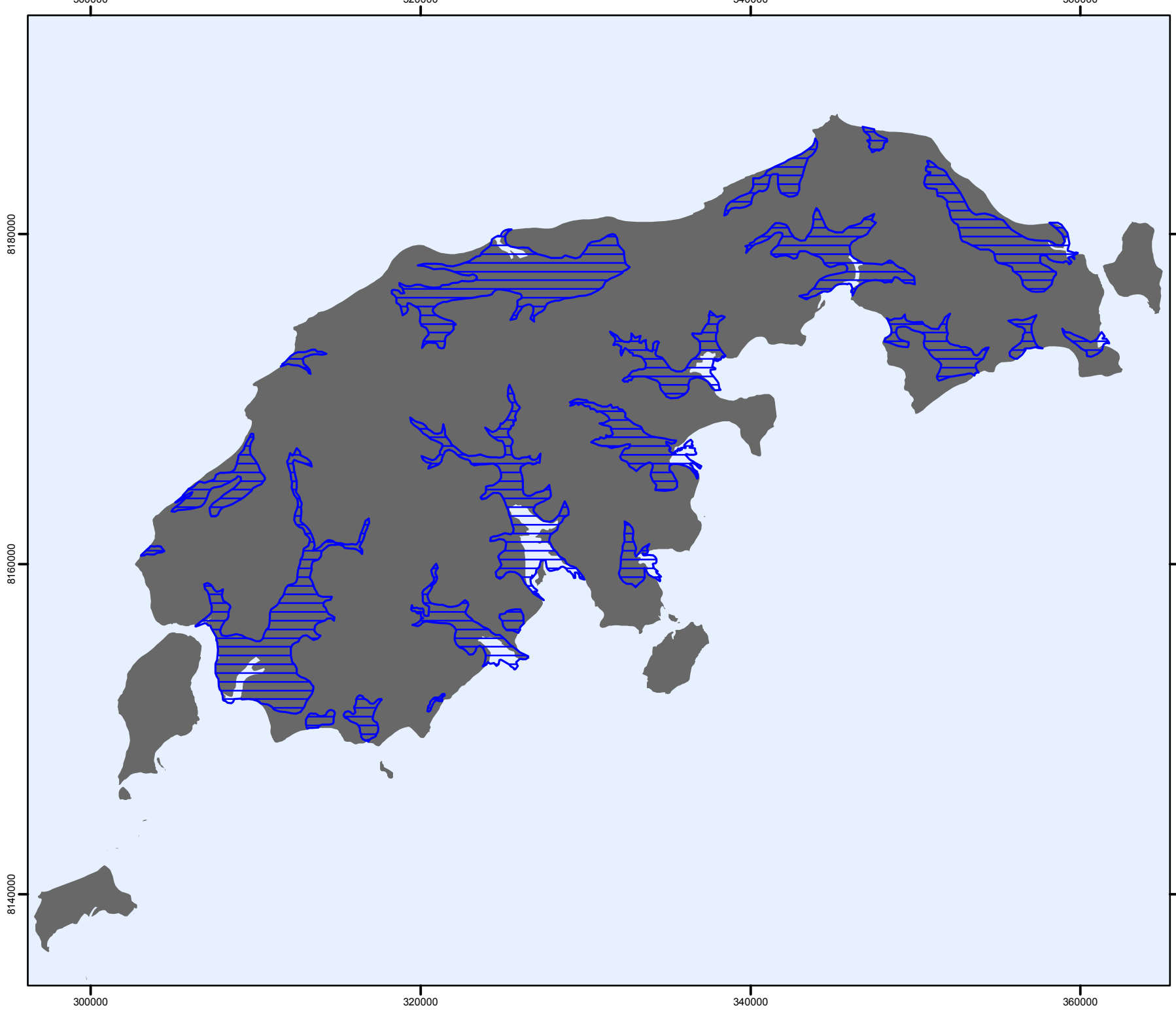


**SC2.23 Interim Floodplain Area  
Overlay - Overview**



**Legend**

 Interim Floodplain Area

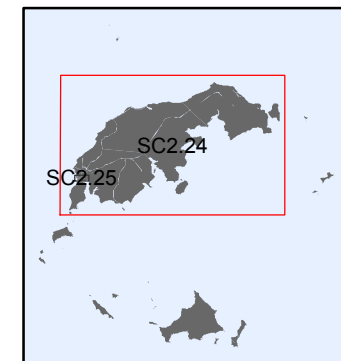
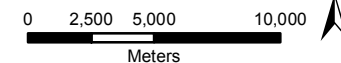


**Data Source:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:600,000





**SC2.24 Interim Floodplain Area  
Overlay - Morningside Island  
and Surrounding Islands**





**Legend**

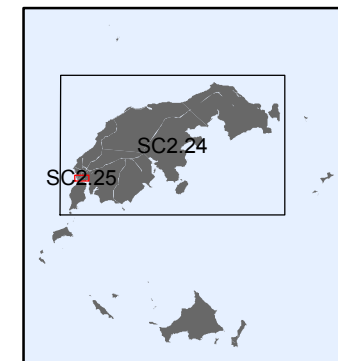
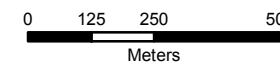
-  Interim Floodplain Area
-  Urban

**Data Source:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4: 15,000



**SC2.25 Interim Floodplain  
Area Overlay - Gununa**

8158000  
8157500  
8157000  
8156500  
8156000

8158000  
8157500  
8157000  
8156500  
8156000




303800 304400 305000 305600 306200 306800

303800 304400 305000 305600 306200 306800



# Morningside Shire Planning Scheme

## Legend

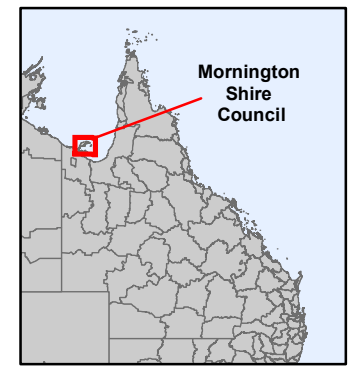
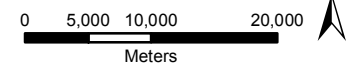
-  Morningside Shire
- Bushfire Risk**
-  Medium
-  High

**Data Source:**  
Based on or contains data provided by the Queensland Government which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

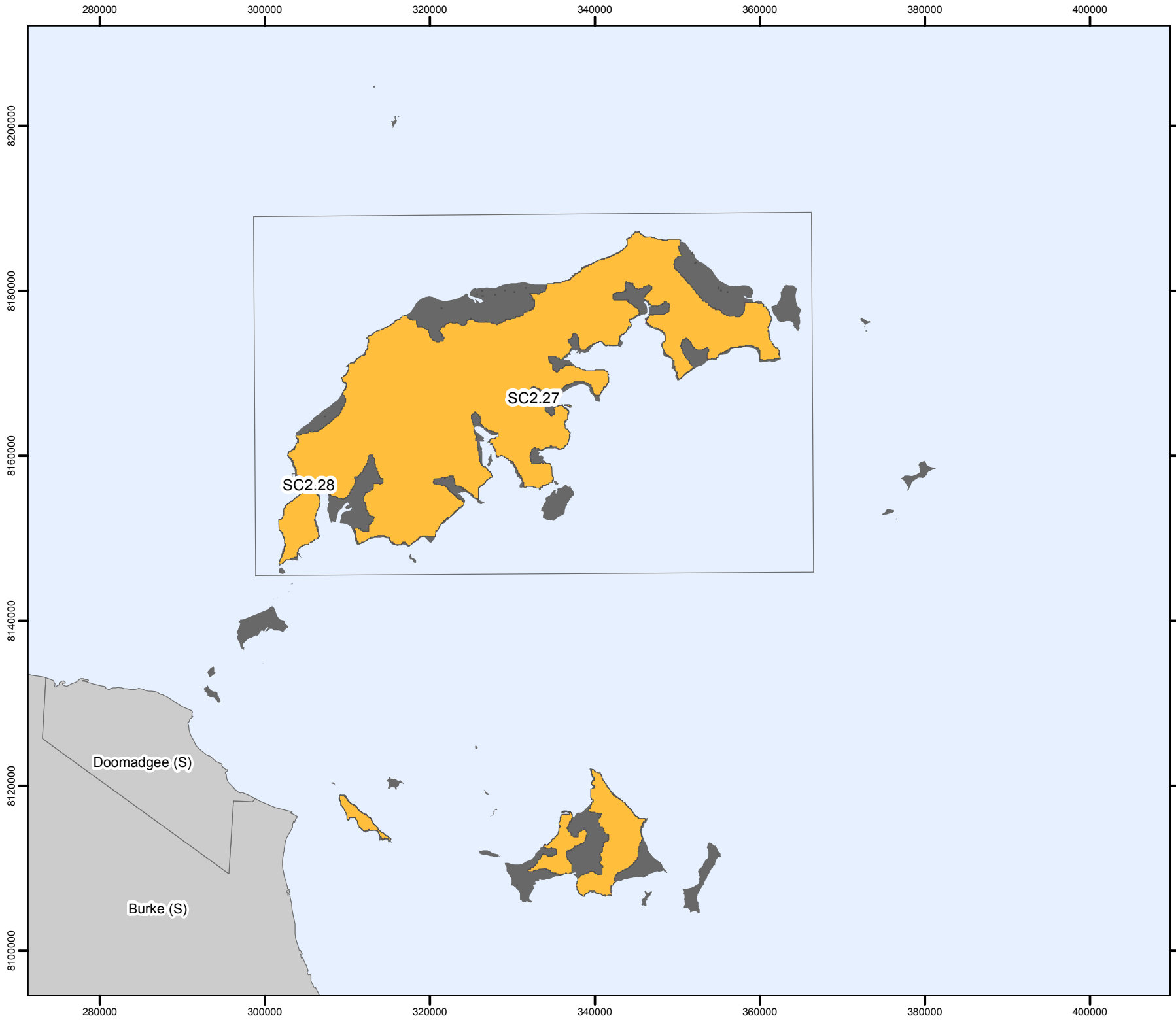
**Disclaimer:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:600,000



**SC2.26 Bushfire Risk  
Overlay - Overview**





**Legend**

**Bushfire Risk**

 Medium

 High

**Data Source:**  
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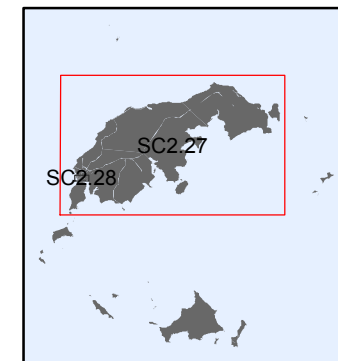
**Disclaimer:**  
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Coordinate System: GDA 1994 - MGA Zone 54

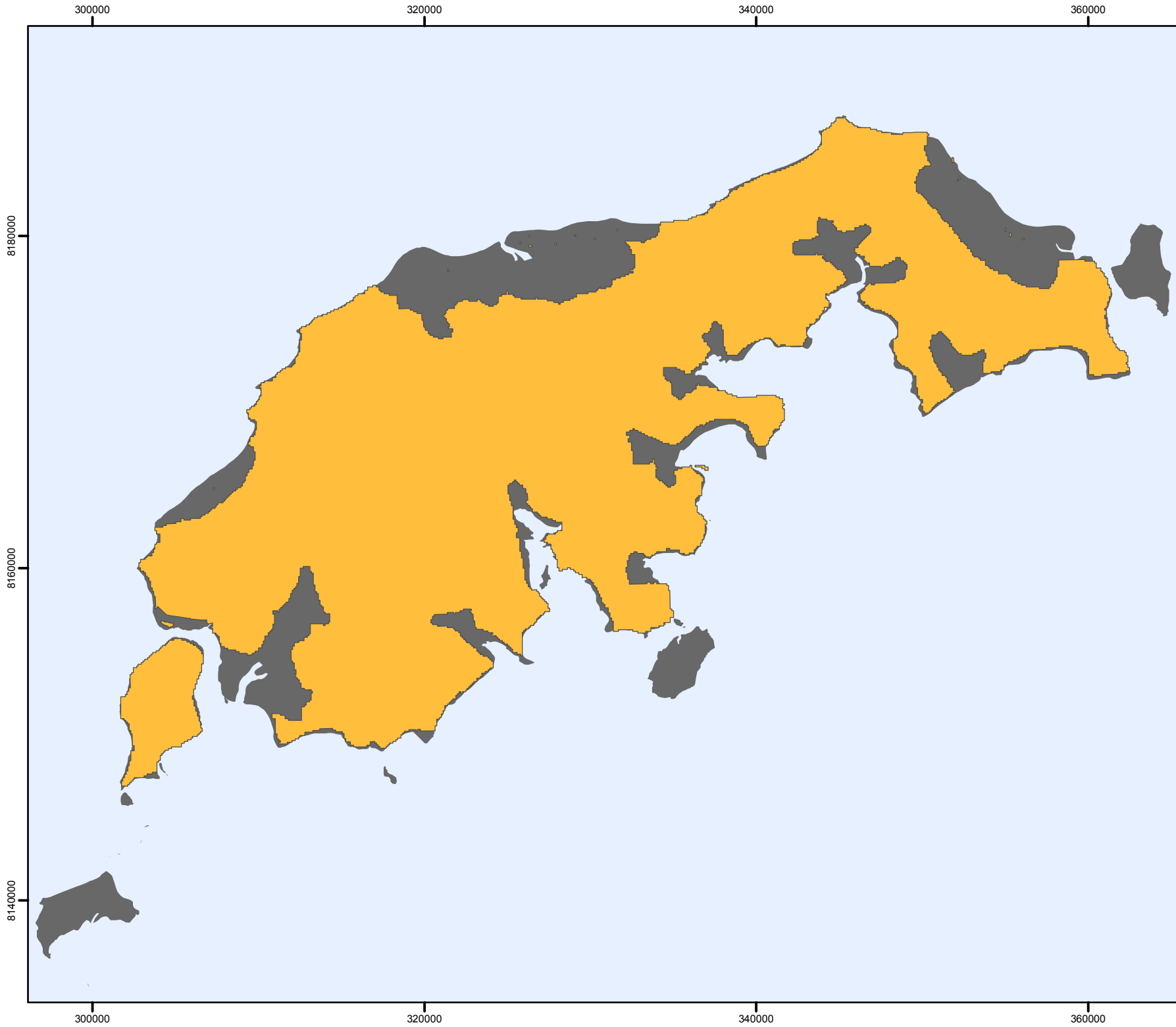
Scale at A4 1:300,000

0 2,500 5,000 10,000

Meters



**SC2.27 Bushfire Risk  
Overlay - Morningside Island  
and Surrounding Islands**





**Legend**

Urban

**Bushfire Risk**

Medium

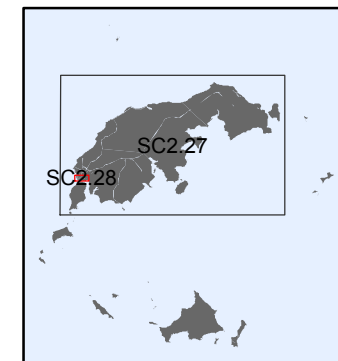
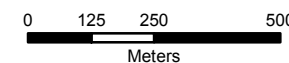
High

**Data Source:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4: 15,000



**SC2.28 Bushfire Risk  
Area Overlay - Gununa**






SCHEDULE 3  
LOCAL GOVERNMENT INFRASTRUCTURE  
PLAN MAPPING AND SUPPORTING  
MATERIAL





**Legend**

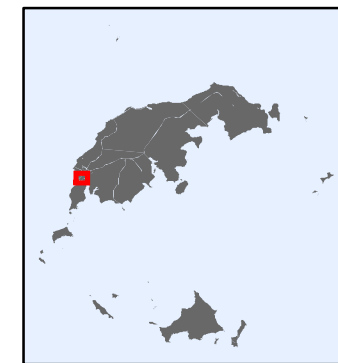
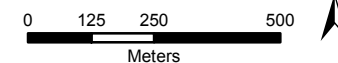
-  Road
-  Priority Infrastructure Area
-  Local Government Area

Data Source:  
Based on or contains data provided by the (former) Department of Environment & Resource Management Queensland 2009 which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

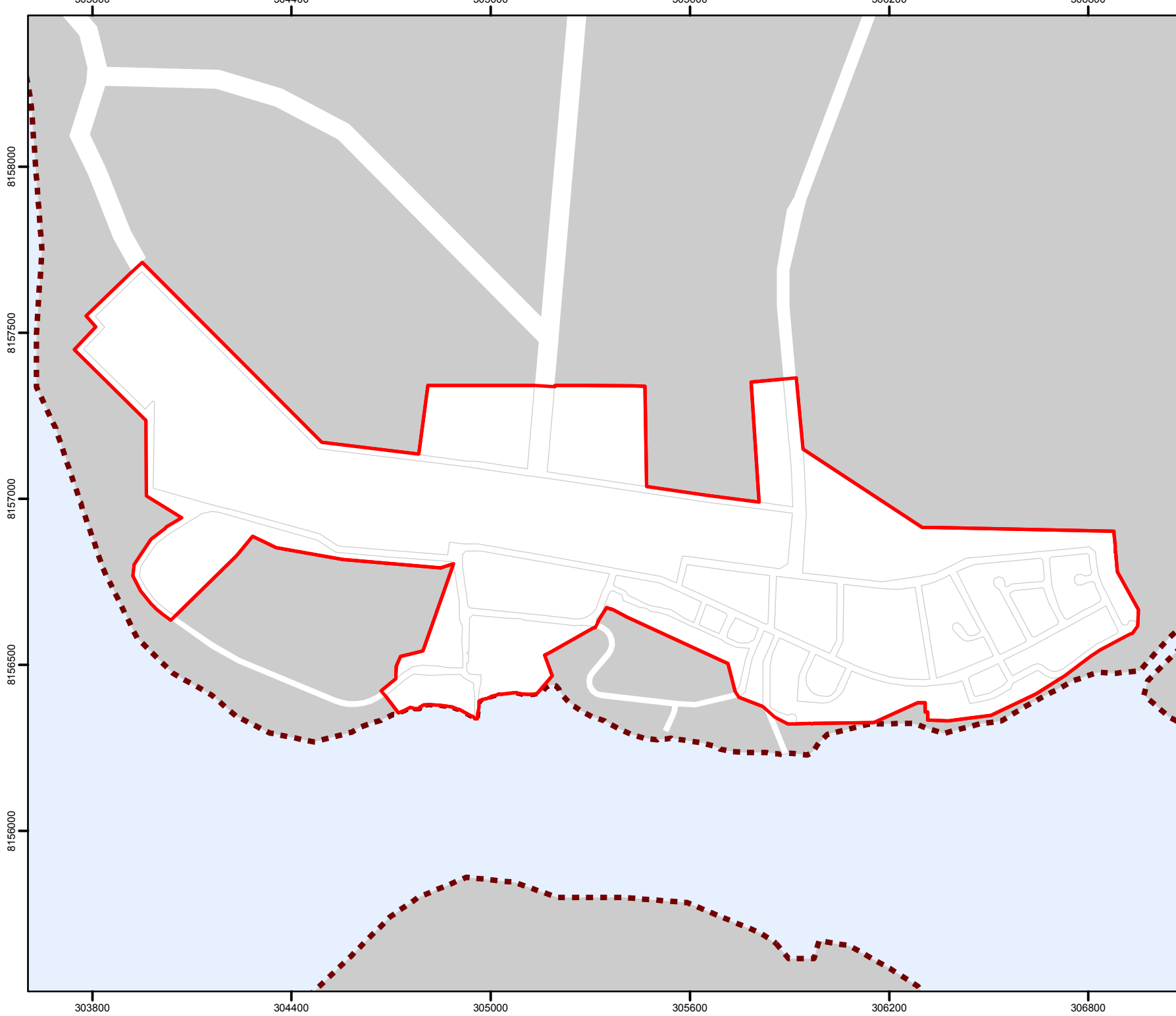
Disclaimer:  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:15,000






**SC2.3 Priority Infrastructure  
Area**





**Legend**

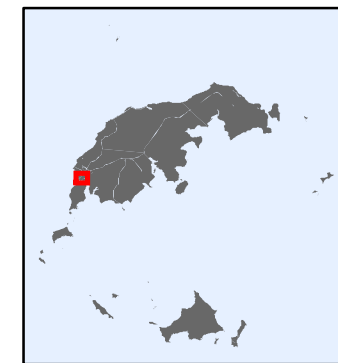
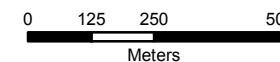
-  Existing Water Infrastructure (indicative only)
-  Priority Infrastructure Area
-  Local Government Area

**Data Source:**  
Based on or contains data provided by the (former) Department of Environment & Resource Management Queensland 2009 which gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data.

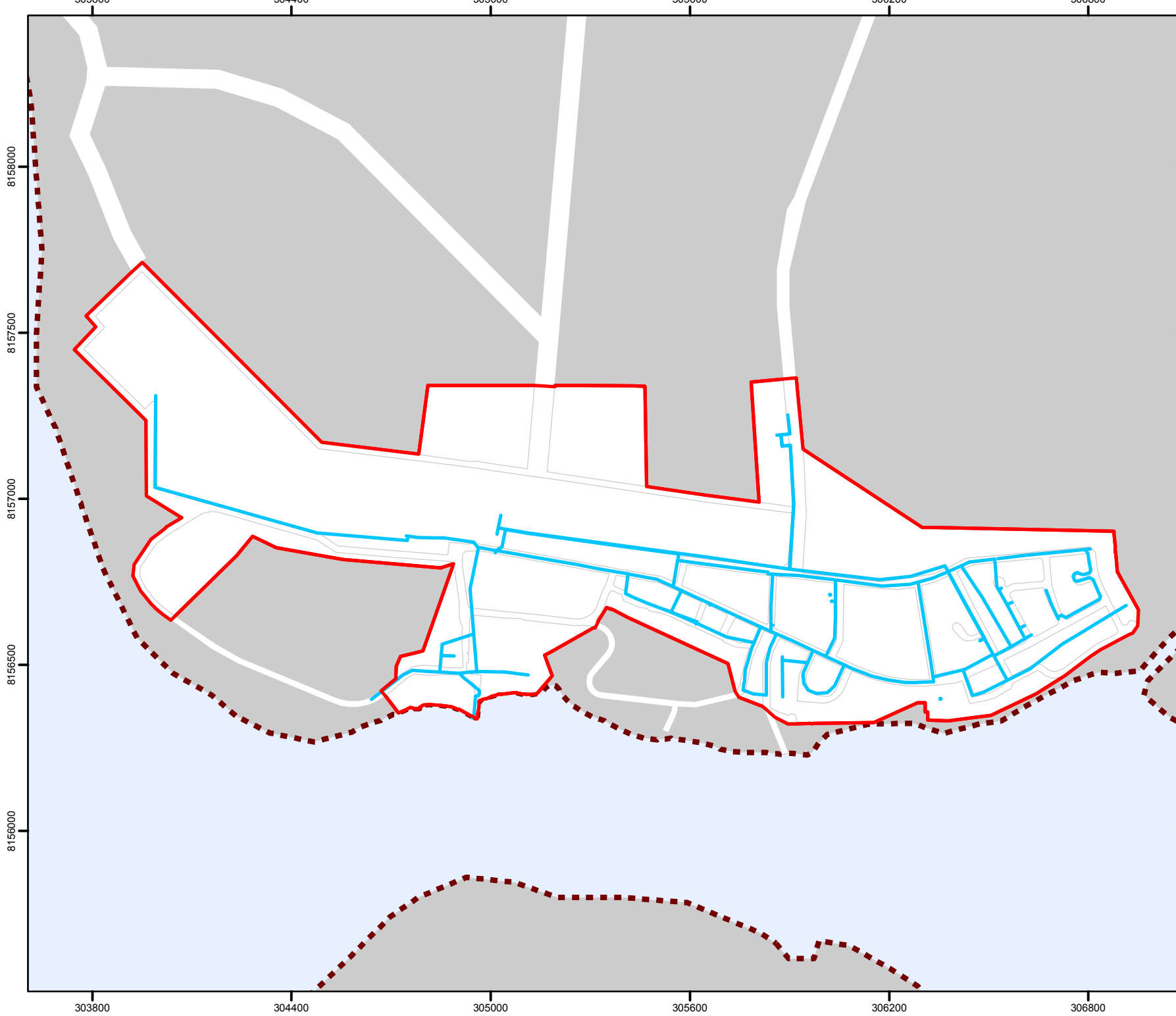
**Disclaimer:**  
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:15,000






**SC2.4 PFTI Map 1 - Plan for water supply trunk infrastructure**





**Legend**

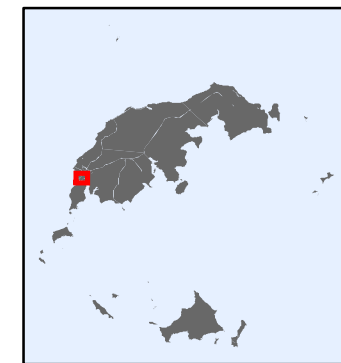
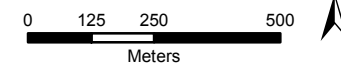
-  Existing sewerage infrastructure (indicative only)
-  Priority Infrastructure Area
-  Local Government Area

**Data Source:**  
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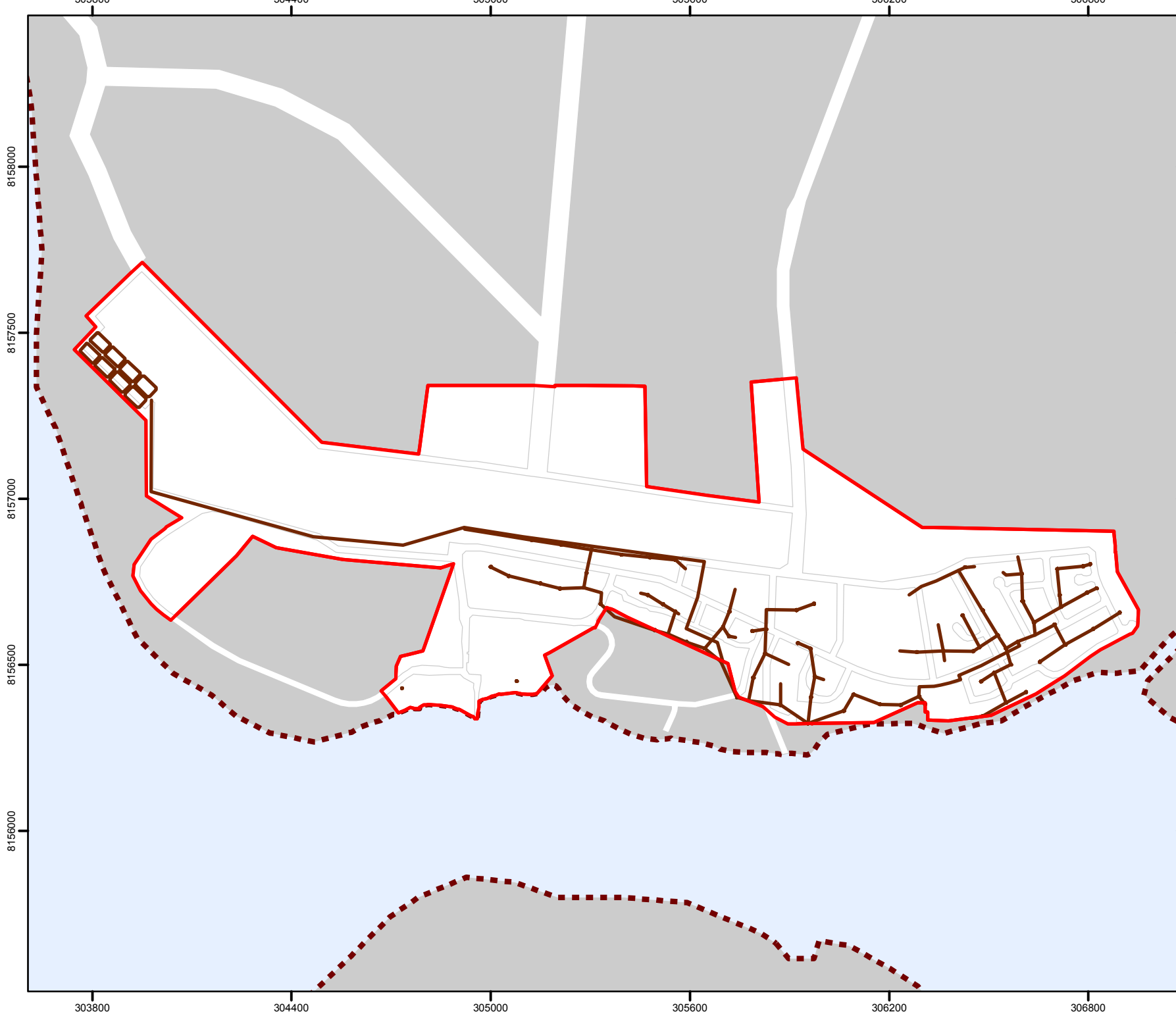
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Coordinate System: GDA 1994 - MGA Zone 54

Scale at A4 1:15,000



**SC2.5 PFTI Map 2 - Plans for sewerage trunk infrastructure**





SCHEDULE 4  
NOTATIONS REQUIRED UNDER THE  
*PLANNING ACT 2016*





## Schedule 4 Notations required under the *Planning Act 2016*

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

Table SC4.1.1—Notation of decisions under section 89 of the Act

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

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

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

SCHEDULE 5  
NATIVE TITLE DETERMINATION AREAS





## Schedule 5 Native Title Determination Areas

Schedule 5 is current as of the date of commencement of this scheme. Confirmation of the most up to date determinations may be sought from the National Native Title Tribunal.

### SCHEDULE 5

The Native Title Holders hold native title in respect of land and waters described in the following Schedules 5(a) - (e).

### SCHEDULE 5(A)

The Lardil people hold native title in respect of land and waters to the High Water Mark on:

Area	Other (language) name(s) where applicable	Lot/Plan Description	Determination Plan Description
Beahgoo Island		Part of Lot 2 on SC212	Lot 32 on AP14235
Bountiful Islands		Lot 1 on AP9478	Lot 27 on AP14235
Bountiful Islands		Lot 2 on AP9478	Lot 26 on AP14235
Bountiful Islands		Lot 3 on AP9478	Lot 24 on AP14235
Bountiful Islands		Lot 4 on AP9478	Lot 25 on AP14235
Lingleeah Island		Part of Lot 2 on SC212	Lot 33 on AP14235
Lingnoonganee (or Wallaby) Island	Lingunganji	Part of Lot 2 on SC212	Lot 34 on AP14235
Manowar Island	Delmerriya/Wudma	Part of Lot 2 on SC212	Lot 40 on AP14235
Moondalbee Island	Mundalbi	Part of Lot 2 on SC212	Lot 37 on AP14235
Part of Mornington Island		Part of Lot 2 on SC212	Lot 1 on AP14235
Part of Mornington Island		Part of Lot 2 on SC212	Lot 42 on AP14235
Part of Mornington Island		Part of Lot 2 on SC212	Lot 43 on AP14235
Pisonia (or Turtle) Island	Meldan/Meldanga	Part of Lot 2 on SC212	Lot 36 on AP14235
Rocky Island	Kalamburriya	Part of Lot 2 on SC212	Lot 38 on AP14235
Sydney Island	Langunganji	Part of Lot 2 on SC212	Lot 30 on AP14235
Tulburrerr Island	Bendaa	Part of Lot 2 on SC212	Lot 28 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 31 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 35 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 39 on AP14235



### SCHEDULE 5(B)

The Yangkaal people hold native title in respect of land and waters to the High Water Mark on:

Area	Other (language) name(s) where applicable	Lot/Plan Description	Determination Plan Description
Andrew Island	Walbadiin/Kuriyalkan	Part of Lot 2 on SC212	Lot 4 on AP14235
Denham Island	Bathungan	Part of Lot 2 on SC212	Lot 2 on AP14235
Forsyth Island	Mayiyanba/Mayenba	Part of Lot 2 on SC212	Lot 9 on AP14235
Ivis Island		Part of Lot 2 on SC212	Lot 11 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 3 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 5 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 6 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 7 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 8 on AP14235
Unnamed Island		Part of Lot 2 on SC212	Lot 10 on AP14235

### SCHEDULE 5(C)

The Yangkaal and Gangalidda peoples hold native title in respect of land and waters to the High Water Mark on:

Area	Other (language) name(s) where applicable	Lot/Plan Description	Determination Plan Description
Bayley (or Francis) Island	Jurrmanki	Part of Lot 2 on SC212	Lot 13 on AP14235
Pains (or Robert) Island	Marrangkarba	Part of Lot 2 on SC212	Lot 12 on AP14235

### SCHEDULE 5(D)

The Kaiadilt people hold native title in respect of land and waters to the High Water Mark on:

Area	Other (language) name(s) where applicable	Lot/Plan Description	Determination Plan Description
Albinia Island	Dalwayi	Lot 8 on CP865769	Lot 20 on AP14235
Bentinck Island		Lot 7 on CP865768	Lot 21 on AP14235
Bessie Island	Bildi-Kaarrku	Lot 13 on CP865821	Lot 18 on AP14235
Douglas Island	Nathayiwinda	Lot 14 on CP865821	Lot 17 on AP14235
Fowler Island	Barthayi	Lot 6 on CP865767	Lot 22 on AP14235
Margaret Island	Karndingarrbayi	Lot 12 on CP865821	Lot 19 on AP14235
Part of Sweers Island	Ringurrng	Lot 5 on CP865766	Lot 23 on AP14235
Part of Sweers	Ringurrng	Lot 16 on CP865766	Lot 23 on AP14235



Island			
Part of Sweers Island	Ringurrng	Lot 1 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 4 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 5 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 6 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 7 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 9 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 14 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 15 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 16 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 17 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 18 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 19 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 20 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 21 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 22 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 23 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 24 on C1351	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 1 on AP9105	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 2 on AP9105	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 3 on AP9105	Lot 23 on AP14235
Part of Sweers Island	Ringurrng	Lot 8 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 9 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 10 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Part of Lot 11 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 14 on AP11618	Lot 41 on AP14235



Part of Sweers Island	Ringurrng	Lot 15 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 16 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 17 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 18 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 19 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 20 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 21 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 22 on AP11618	Lot 41 on AP14235
Part of Sweers Island	Ringurrng	Lot 23 on AP11618	Lot 41 on AP14235

#### **SCHEDULE 5(E)**

The Kaiadilt, Yangkaal and Gangalidda peoples hold native title in respect of land and waters to the High Water Mark on:

<b>Area</b>	<b>Language Name</b>	<b>Lot/Plan Description</b>	<b>Determination Plan Description</b>
Allen Island	Dijara/Ngaarkinab/ Thaliwirndiwuru	Lot 9 on CP865820	Lot 15 on AP14235
Horseshoe Island	Dijir/Jawari/ Dararrbayi	Lot 11 on CP865820	Lot 16 on AP14235
Little Allen Island		Lot 10 on CP865820	Lot 14 on AP14235

SCHEDULE 6  
REGISTER OF CULTURAL HERITAGE







## Schedule 6 Register of places and items of cultural heritage significance

Place	Property Description	Address	Notes
NIL			

Editor's Note—Aboriginal sites and Aboriginal objects or cultural heritage items to be documented where stakeholders approve of the disclosure of this information.

**END OF PLANNING SCHEME**

APPENDIX 1  
INDEX AND GLOSSARY OF ABBREVIATIONS AND ACRONYMS



## Appendix 1 Index and glossary of abbreviations and acronyms

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

APPENDIX 2  
TABLE OF AMENDMENTS



## Appendix 2 Table of amendments

Date of adoption	Planning scheme version number	Amendment type	Summary of amendments
27 June 2018 (commenced 30 July 2018)	V1.1	Alignment Amendment in accordance with Section 293 of the <i>Planning Act 2016</i> .	Amendments to align the planning scheme with the <i>Planning Act 2016</i>



MORNINGTON SHIRE PLANNING SCHEME

