

PART 6 – DEVELOPMENT CODES

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Division 1 – Land use codes

6.1 Introduction to Land Use Codes

The codes set out in this section apply to identified (in the relevant ‘assessment framework tables’ in Part 4 – Zones) self assessable land uses and land uses that require code or impact assessment.

If a self assessable development does not comply with the identified acceptable solutions then it will default to code assessment.

The land uses have in some cases been grouped together to avoid repetition for uses with similar potential impacts. These include the commercial use, community activities, extraction/ quarry, multiple unit residential residential, industry uses and intensive agriculture.

6.1.1 Agriculture code

Purpose:

The purpose of this code is to ensure that development of agriculture has a minimal impact on existing land uses and the farm forestry uses are protected.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
<p>S1. The amenity of <i>sensitive receptors</i> is protected from rural uses.</p>	<p>P1. No commercial fruit and vegetable production within 50 metres of a <i>sensitive receptor</i>.</p> <p>P2. No commercial sugar cane production within 20 metres of a <i>sensitive receptor</i>.</p> <p>P3. Chemical spraying within 100 metres or burning of sugar cane including trash within 150 metres of an educational establishment or child care centre does not occur between 7.30am and 4.00pm school days.</p> <p>P4. A 5 metre wide cleared buffer that is trafficable by a four wheel drive vehicle is provided along the full length of the common boundary between sugar cane or vegetated buffer and the <i>sensitive receptor</i>.</p>

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
S2. The harvest rights of farm forestry are maintained through public awareness of the land use.	<p>P5. The details of the farm forestry are provided to Council including:</p> <ul style="list-style-type: none"> (a) Real property description; (b) Road address and locality; (c) Date of planting; (d) Number and species to be planted; (e) Extent of area to be planted; and (f) Expected year of harvest. <p>P6. A sign 1.5m² in area is located on all constructed road frontages containing the following information: <i>"This farm forestry plantation was planted in 20?? and is expected to be harvested between 20?? and 20??."</i></p>
S3. Farm forestry is adequately distanced from adjacent land uses and public and private infrastructure	<p>P7. The following separation distances are applied:</p> <ul style="list-style-type: none"> (a) <i>Habitable Building</i> 30m (b) Boundaries 10m (c) <i>Watercourses</i> 10m (d) Wetlands 40m (e) Native Forests 10m (f) Heritage sites¹ 40m (g) Transmission Lines Twice tree height at harvest
S4. Farm forestry and adjoining land uses are protected from the threat of bushfire.	<p>P8. A 10 metre wide cleared buffer that is trafficable by a four wheel drive vehicle is provided along the full length of the boundary of the farm forestry area.</p> <p>P9. No part of the plantation is more than 250m from an <i>access</i> road</p>

¹ Heritage sites are sites identified in Schedule 2.

6.1.2 Caravan park code

Purpose:

The purpose of this code is to ensure that development of caravan park protects the amenity of the area in which they are proposed and provides acceptable levels of amenity to residents.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
S1. Development provides high quality facilities for short and long term residents of caravan parks including convenient access to services and facilities.	P1. No probable solution prescribed.
S2. The <i>lot</i> size is sufficient to enable the siting and construction of buildings, sites, open space, vehicle access and associated infrastructure.	P2. No probable solution prescribed.

6.1.3 Commercial use code

Purpose:

The purpose of this code is to ensure development for car park, commercial activities, funeral parlour, hotel, indoor recreational facility, showroom and display facilities and veterinary facilities:

1. Consolidates these uses in the central business and business frame precinct of Innisfail and local business precincts of Mission Beach and the Villages;
2. Uses located outside the central business, business frame and local business precincts are of a small scale so as not to erode the viability of these precincts; and
3. Minimises any detrimental affect on the amenity of the area in which they are proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Amenity	
S1. The proposed <i>lot</i> must be of sufficient size and dimensions having regard to the nature of the use, the potential impact on the amenity on adjoining uses and the protection of the environment.	P1. No probable solution prescribed.
S2. Development for is designed and operated to minimise any detrimental affect on the amenity of the area.	P2. No probable solution prescribed. P3. <i>Access</i> must be via a sealed, constructed road. P4. Buildings and activities on the site are orientated away from adjoining <i>residential uses</i> ² .
Commercial Activity	
S3. Development involving commercial activities contributes to the consolidation of existing Central Business, Business Frame and Local Business Precincts.	P5. The location of commercial activities: <ol style="list-style-type: none"> a) In the Innisfail zone, involving over 1,500m² of <i>gross floor area</i> whether in one shop or a group of shops must be located within the central business precinct of the Innisfail zone; b) In the Mission Beach or village zones, involving over 1,000m² of <i>gross floor area</i> whether in one shop or a group of shops are located within the local business precinct of the Mission Beach or village zone.

² For definition of 'residential uses' refer to Schedule 1 –1.1.2 *Defined administrative terms*.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
	<p>P6. The location of commercial activities (except for road side agricultural produce stalls and uses in existing commercial buildings) outside the central business, business frame and local business precincts must:</p> <ul style="list-style-type: none"> a) Have a <i>gross floor area</i> of less than 100m²; and b) Be located at least 2,000 metres by road from the local business precinct of the Mission Beach or village zone; or c) Be located at least 2,000 metres by road from the central business and business frame precincts of the Innisfail zone; and d) Directly service the local community (within 500 metres of the site)
Commercial Activities (Adult Product Shop)	
<p>S4. Development involving the sale, hire, display, exchange or distribution of any article device, publication which is concerned with or intended to be used in connection with sexual behaviour (not including premises where such activity in ancillary to a lawful use eg. newsagent, pharmacy) does not detract the amenity of the area.</p>	<p>P7. The site is within the central business precinct.</p> <p>P8. No public display of goods and display windows and access doors must be screened to prohibit viewing of the interior of the premises when goods are on display; and</p> <p>P9. Public access to the premises is limited to the main street frontage and is to be fitted with an automatic closing device (so that the door remains closed except while persons are entering or leaving).</p> <p>P10. A sign is displayed adjacent to the access doors stating "Persons Under 18 Not Permitted".</p> <p>P11. No more than one sign is located on the site and:</p> <ul style="list-style-type: none"> a) does not exceed 3 metres by 0.3metre; and b) involves static lighting only; and c) only displays the registered business name of the premises. <p>P12. The colours and materials for the external walls are to be unobtrusive eg. not red, pink, purple.</p>

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Commercial Activities (Road Side Agricultural Produce Stall)	
<p>S5. Development involving the sale of agricultural produce from a rural zoned site does not adversely affect the amenity of the area.</p>	<p>P13. The area of the proposed stall does not exceed 100m² in <i>gross floor area</i>.</p> <p>P14. Only agricultural produce in its whole and natural form is displayed and sold (ie no cutting or preparing of fruit and vegetables and no display and sale of pre-packaged foods).</p> <p>P15. No wholesale of agricultural produce.</p> <p>P16. Hours of operation 7am to 7pm, seven days a week.</p> <p>P17. No more than two signs are located on the site and each does not exceed 3m² in area.</p> <p>P18. Vehicle access must be via the same access point as the existing residence/ rural access.</p> <p>P19. Access must be via a formed, constructed road.</p>
Hotels & Indoor Recreational Facilities	
<p>S7. Development for hotels and indoor recreational facilities must be located, designed and operated to minimise any detrimental affect on the amenity of the area.</p>	<p>P21. No probable solution prescribed.</p>

6.1.4 *Community activities code*

Purpose:

The purpose of this code is to ensure the development and operation of cemetery, child care centre³, correctional facility, educational establishment, hospital and place of assembly, protects the health of the intended user and is compatible with the amenity and character of the area in which they are proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Amenity	
S1. Development for <i>community activities</i> must be designed and operated to minimise any detrimental affect on the amenity of the area.	P1. No probable solution prescribed. P2. Access must be via a sealed, constructed road. P3. Buildings and activities on the site are orientated away from adjoining <i>residential uses</i> .
S2. To ensure the proposal does not result in the exposure of users to harmful pollution.	P4. No probable solution prescribed.

³ If the premises is used for home-based child care refer to section 6.1.7. home business code.

6.1.5 Community installation code

Purpose:

The purpose of this code is to ensure that development involving community installations minimise the potential amenity, community safety and environmental impacts.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Site Suitability	
S1. The location of the installation must ensure minimal visual obtrusiveness.	P1. No probable solution prescribed.
Amenity	
S2. The <i>height</i> , shape, form, and <i>bulk</i> of the installation must minimise any visual amenity impacts.	P2. No probable solution prescribed.
S3. The materials, finish and colour of the installation must minimise any visual amenity impacts.	P3. No probable solution prescribed.
S4. The area surrounding the installation is landscaped to screen and/or soften the view of the installation, where existing vegetation does not already do so.	P4. No probable solution prescribed.
S5. Development must be designed and operated to minimise any detrimental affect on the amenity of the area.	P5. No probable solution prescribed.
Public Safety	
S6. The immediate site of the installation must be enclosed by fencing to prohibit public access where necessary to do so to ensure public safety.	P6. No probable solution prescribed.
S7. Warning or information signs must be erected at installation sites, where necessary to do so to ensure public safety.	P7. No probable solution prescribed.
Environment	
S8. <i>Areas of significant conservation value</i> must be retained during the construction and operation of the site.	P8. No probable solution prescribed.
Rehabilitation	
S9. If the use is abandoned, the site must be rehabilitated to a level that achieves the following: a) The site is suitable for agricultural production, agroforestry, native vegetation, water storage or other use compatible with the locality; and b) Restores the visual amenity of the site.	P9. No probable solution prescribed.

6.1.6 Extraction/ quarry code

Purpose:

The purpose of this code is to ensure that development involving extraction or quarrying minimises the potential visual, community safety and environmental impacts⁴.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Site Suitability	
S1. The proposed site must be suitable for the efficient extraction or quarrying of the material with respect to: a) Geological and geo-technical characteristics of the site; and b) Proposed methods of extraction/ quarrying.	P1. No probable solution prescribed.
S2. The proposed <i>lot</i> must be of sufficient size and dimensions having regard to the nature of the use, the potential impact on the amenity on adjoining uses and the protection of environmentally sensitive areas.	P2. The extraction or quarry site has sufficient area and dimensions to accommodate: a) The extraction or quarrying use; b) Storage and stockpiling areas; c) Vegetated buffers on the perimeter of the extraction and stockpiling area to ensure that there is no unacceptable impacts on adjoining uses due to dust or visual impacts; d) Minimum <i>separation distance</i> for extraction is 200 metres and the minimum for quarrying is 1,000 metres from <i>sensitive receptors</i> ; e) Any environmentally sensitive land, for example riparian corridors, remnant vegetation; f) Sediment and erosion control measures; g) Buildings and parking areas in a safe location; h) Vehicle access and egress onto and around the site.
S3. Extraction and quarrying uses not identified on Maps 1a to 1j are separated from <i>sensitive receptor/s</i> so as not to adversely impact on nearby properties in terms of noise and dust.	P3. The <i>separation distance</i> between <i>sensitive receptors</i> and quarry uses is a minimum of 1000 metres. P4. The <i>separation distance</i> between <i>sensitive receptors</i> and extraction uses is a minimum of 200 metres.

⁴ Refer to Environmental Protection Act to see if the proposed use is an Environmental Relevant Activity.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Site Access	
S4. The proposed access to and from the <i>lot</i> must be adequate to cater for the haulage of extracted material and other associated traffic while not creating a nuisance or safety concern for adjoining land uses or users of the roads along the route.	P5. No probable solution prescribed.
S5. Extraction and quarrying haul routes are separated from <i>sensitive receptor/s</i> so as not to adversely impact on nearby properties in terms of noise and dust.	P6. The <i>separation distance</i> between <i>sensitive receptors</i> and extraction and quarrying haulage routes is a minimum of 50 metres from proposed or constructed road centreline.
Environment	
S6. <i>Areas of significant conservation value</i> are to be retained during the operation and rehabilitation of the site.	P7. No probable solution prescribed.
S7. Water from within or adjacent to the site must not adversely impact on the quality or quantity of the receiving ground or surface waters.	P8. No probable solution prescribed.
Rehabilitation	
S8. Development integrates rehabilitation into the operation of the site and progressively restores the site to a standard that achieves the following: a) The site is suitable for use for agricultural production, agroforestry, native vegetation, water storage or other use compatible with the locality; and b) Restores the visual amenity of the site; or c) The site is suitable for use of community, recreation, open space, refuse station or other like uses compatible with the locality; and d) Restores the visual amenity of the site.	P9. No probable solution prescribed.

6.1.7 Home business code

Purpose:

The purpose of this code is to ensure that development of home business⁵ protects the amenity of the area in which they are proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
<p>S1. Development involving the provision of accommodation with or without meals provided to the travelling public⁶, must not:</p> <ul style="list-style-type: none"> a) adversely affect the amenity of the area; b) alienate good quality agricultural land. 	<p>P1. In all zones except the rural zone:</p> <ul style="list-style-type: none"> a) a maximum of six (6) guests; and b) not more than three (3) bedrooms in the dwelling house are to be used for guests. <p>P2. In the rural zone:</p> <ul style="list-style-type: none"> a) a maximum of eight (8) guests; and b) not more than two (2) separate buildings; and <p>P3. Where new buildings are proposed they must be located so they do not restrict agricultural operations on the site in the rural zone.</p> <p>P4. Vehicle access must be via the same access point as the existing residence.</p> <p>P5. Access must be via a formed, constructed road.</p> <p>P6. One car parking space per four (4) guests in addition to single residential requirement is required.</p> <p>P7. Not more than one advertisement device is located on the site and does not exceed:</p> <ul style="list-style-type: none"> a) 0.3m² except the rural zone; or b) 2m² if in the rural zone.
<p>S2. Development involving carrying out an occupation, industry or profession (excluding home-based child care) does not adversely affect the amenity of the area.</p>	<p>P8. Employs no more than one person who is not a permanent resident of the dwelling.</p> <p>P9. No more than one-third of the dwelling and outbuildings are to be used for the business.</p> <p>P10. Goods on display must not be visible from public land including roads.</p> <p>P11. No more than one advertisement device is located on the site and does not exceed 0.3m² in area and detailing the name and occupation of the resident.</p> <p>P12. Only goods manufactured or fabricated on site can be sold from the site.</p>

⁵ Building Classification of the dwelling may change under the *Standard Building Regulations 1993*.

⁶ Premises may be required to be licensed by Council's Health Department.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
	<p>P13. Hours of operation is between 6am to 6pm Monday to Saturday, no work Sunday or public holidays.</p> <p>P14. The use does not:</p> <ul style="list-style-type: none"> a) involve an Environmentally Relevant Activity as defined by the Environmental Protection Act 1994; or b) involve the hiring of materials, goods or vehicles. <p>P15. Vehicle access must be via the same access point as the existing residence.</p> <p>P16. Access must be via a formed, constructed road.</p> <p>P17. One car parking space in addition to single residential requirement is required.</p> <p>P18. No more than one commercial vehicle associated with the home business is at the site at any one time.</p>
<p>S3. Development involving carrying out a home-based child care⁷ or home based residential care for people with special needs, does not adversely affect the amenity of the area.</p>	<p>P19. Employs no more than one person who is not a permanent resident of the dwelling.</p> <p>P20. No more than one advertisement device is located on the site and does not exceed 0.3m² in area and detailing the name and occupation of the resident.</p> <p>P21. Home-based child care caters for a maximum of seven (7) children (note that this includes children residing in the dwelling).</p> <p>P22. Home-based care for people with special needs caters for a maximum of two (2) persons (note that this does not include persons permanently residing in the dwelling).</p> <p>P23. The use does not:</p> <ul style="list-style-type: none"> a) involve an Environmentally Relevant Activity as defined by the Environmental Protection Act 1994; or b) involve the hiring of materials, goods or vehicles. <p>P24. Vehicle access must be via the same access point as the existing residence.</p> <p>P25. Access must be via a formed, constructed road.</p> <p>P26. For home based child care no more than one commercial vehicle associated with the home business is at the site at any one time.</p>
<p>S4. To ensure the proposal for home-based child care or home based residential care for people with special needs does not result in the exposure of uses to harmful pollution.</p>	<p>P27. No probable solution prescribed.</p>

⁷ If the premises is used for home-based child care refer to the *Child Care Act 1999*.

6.1.8 *Industry uses code*

Purpose:

The purpose of this code is to ensure development of heavy industry, light industry, rural service industry and service station minimising the effect on the amenity of the area in which they are proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Amenity	
S1. Development for light industry, heavy industry, rural service industry and service station must be designed and operated to minimise any detrimental affect on the amenity of the area. ⁸	P1. No probable solution prescribed.
Development on Allotments Adjoining or Opposite Residential Uses	
S2. Development for light industry, medium industry, heavy industry, rural service industry and service station on allotments adjoining or opposite <i>residential uses</i> must be designed and operated to minimise any detrimental affect on the amenity of the area.	P2. Buildings and activities on the site are orientated away from adjoining <i>residential uses</i> . P3. The use must be of a scale and intensity that has minimal impacts on the surrounding area.
Site Access	
S3. The proposed access to and from the site must be adequate to cater for the number and type of vehicles and other traffic associated with the use while not creating a nuisance or safety concern for adjoining land uses or users of the roads along the route.	P4. No probable solution prescribed.
Environmental Impacts	
S4. Emission of contaminants to surface or ground water (including contaminated stormwater) must not result in environmental harm or nuisance.	P5. All liquid wastes are contained and discharged to a sewer ⁹ or removed from the site. P6. Storage areas of potentially contaminating substances or areas where potentially contaminating activities are conducted are covered and contained to prevent ingress of rainfall or run-off and to control spillage.
Light Industry	
S5. The light industry is designed and operated to ensure that vibration and air quality impacts on the surrounding area are at a level that would be reasonably expected.	P7. No probable solution prescribed.

⁸ Refer to Environmental Protection Act to see if the proposed use is an Environmental Relevant Activity.

⁹ No discharge to sewer should occur without a trade waste permit from Council's Environmental Section.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
S6. Development involving a light industry is not located in residential precincts.	P8. Light industries are not located in the residential precinct of the Innisfail, Mission Beach or village zones or the rural residential zone.
Heavy Industry¹⁰	
S7. Heavy industry must be located to ensure the risk to public safety and property from hazards such as fire, explosion, chemical release are minimised.	P9. No probable solution prescribed.
S8. The heavy industry must be designed and operated to ensure that, vibration and air quality impacts on the surrounding area are minimal and at a level that would be reasonably expected.	P10. No probable solution prescribed.
S9. Development involving a heavy industry does not be located in residential precincts and must be located sufficient distance from <i>sensitive receptors</i> to maintain acceptable level of public safety.	P11. Heavy industries are not located in the residential precinct of the Innisfail, Mission Beach or village zones or the rural residential zone. P12. The site is not located within 50 metres of a <i>sensitive receptor</i> .
Rural Service Industry	
S10. The operation of the rural service industry does not adversely affect the amenity of the area.	P13. Access is via a formed, constructed road. P14. Hours of operation are limited to between 6am to 6pm, seven days a week in the Innisfail, Mission Beach or Village zones.
Service Station	
S11. Development involving a service station is located on a primary road, as identified in Schedule 4.	P15. No probable solution prescribed.
S12. Service station must be located to ensure the risk to public safety and property from hazards such as fire, explosion, chemical release are minimised.	P16. No probable solution prescribed.

¹⁰ Refer to the *Transport Infrastructure Act* and the *Dangerous Goods Safety Management Act*.

6.1.9 *Intensive agriculture code*

Purpose:

The purpose of this code is to ensure that animal keeping, aquaculture, intensive agriculture and plant production minimises the impact on the amenity and environment of the area in which they are proposed¹¹.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Site Suitability	
S1. Development involving animal keeping, aquaculture, intensive agriculture or plant production must have regard to the: a) Topographical and geo-technical characteristics of the site; and b) Availability and proximity to a suitable water supply.	P1. No probable solution prescribed.
S2. The proposed <i>lot</i> must be of sufficient size and dimensions having regard to the nature of the use, the potential impact on the amenity on adjoining uses and the protection of the environment.	P2. No probable solution prescribed.
Site Access	
S3. The proposed access to and from the site must be adequate to cater for the proposed vehicle access while not creating a nuisance or safety concern for adjoining land uses or users of the roads.	P3. No probable solution prescribed.
Environment	
S4. The use must be designed and operated to minimise any detrimental affect on the amenity of the area, including vibration and air quality (odours, dust, fumes, smoke, ash).	P4. No probable solution prescribed.
S5. <i>Areas of significant conservation value</i> must be retained during the construction and operation of the site.	P5. No probable solution prescribed.
S6. Water from within or adjacent to the site must not adversely impact on the quality or quantity of the receiving ground or surface waters.	P6. No probable solution prescribed.
S7. Waste water, including animal effluent, pond discharges and irrigation water run off, must be treated to ensure the amount of pollutants entering the receiving ground or surface waters is limited to a minimal, reasonable level. Alternatively, waste water must be	P7. No probable solution prescribed.

¹¹ Aquaculture, animal keeping and intensive agriculture may be an Environmentally Relevant Activity under the Environmental Protection Act 1994.

<p>disposed of to the sewer system or to waste water holding tanks for pump out.</p>	
<p>S8. Non-indigenous animals and plant material must be restricted from entering into <i>areas of significant conservation value</i> or off the site of the development.</p>	<p>P8. No probable solution prescribed.</p>
<p>Rehabilitation</p>	
<p>S9. If the use is abandoned the site is to be rehabilitated to a level that achieves the following: a) The site is suitable for agricultural production, agroforestry, native vegetation, water storage or other use compatible with the locality; and b) Restores the visual amenity of the site.</p>	<p>P9. No probable solution prescribed.</p>

6.1.10 Multiple rural occupancy code

Purpose:

The purpose of this code is to facilitate the establishment of one multiple rural occupancy per lot while protecting the amenity of the area.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
<p>S1. Multiple Rural Occupancy accommodation occurs only where it will not have an adverse impact on:</p> <ul style="list-style-type: none"> a) good quality agricultural land, b) natural environment, and c) public infrastructure 	<p>P1. Multiple Rural Occupancy accommodation is only provided in the following circumstances:</p> <ul style="list-style-type: none"> a) For a person/s employed full time (minimum of 30 hours per week) on an agricultural use, the accommodation is provided on the same lot or lots as the agricultural use and the lot or lots are in the same ownership as the land containing the agricultural use; and b) Physical access and public utilities are adequate; and c) Vehicle access must be via the same access point as the existing residence; and d) The proposed accommodation will not alienate good quality agricultural land; e) The proposed accommodation will not impact upon the scenic amenity of the area; f) Where on a lot that could be reconfigured to create two lots under the provisions of section 4.2.2; and g) The proposed accommodation will be located on an existing cleared area and no native vegetation will be cleared.

6.1.11 Multiple unit residential code

Purpose:

The purpose of this code is to ensure development involving *multiple unit residential uses* (dual occupancy residential, holiday accommodation, multiple residential, retirement/ Supported residential and budget accommodation) do not adversely affect the amenity of the area in which they are proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Amenity	
S1. The <i>lot</i> size is sufficient to enable the sitting and construction of buildings, vehicle access, open space and associated infrastructure.	P1. Holiday accommodation and budget accommodation complies if the <i>lot</i> has the following dimensions: a) Minimum lot area: 1,000m ² ; and b) Minimum <i>frontage</i> of 20 metres. P2. Multiple Residential and Dual occupancy residential complies if the <i>lot</i> has the following dimensions: a) Minimum lot area: 800m ² ; and b) Minimum <i>frontage</i> of 20 metres. P3. Retirement/ Supported Residential complies if the <i>lot</i> has the following dimensions: a) Minimum lot area: 1,000m ² ; and b) Minimum <i>frontage</i> of 20 metres.
S2. The development complies with the "Performance Criteria" contained in Section 1.4 Part 2 of the 'Queensland Residential Design Guidelines'.	P6. Development complies with the "Acceptable Solutions" contained in Section 1.4 of Part 2 of the 'Queensland Residential Design Guidelines' elements: • A4 except for Acceptable Solution A1 (parking provisions); • A5; • A6; • A7; • B1; • B2; and • C3.
S3. Development is designed and operated to minimise any detrimental affect on the amenity of the area.	P7. No probable solution prescribed.
S4. Development provides significant landscape and recreation areas to enhance the amenity of the locality and the site.	P8. A minimum 35% of site area is to landscape and recreation area with a minimum 50% of this area to be deep plantings
Development on Allotments Adjoining or Opposite Residential Uses	
S5. Development for <i>multiple unit residential uses</i> on allotments adjoining or opposite residential uses must be designed and operated to minimise any detrimental affect on the amenity of the area.	P9. Buildings and activities on the site are designed and located to avoid overlooking of <i>habitable rooms</i> . P10. The use is of a scale and intensity that has minimal impacts on the surrounding area.

6.1.12 Outdoor recreational facilities code

Purpose:

The purpose of this code is to ensure that the development and operation of outdoor recreational facility is compatible with the desired amenity and character of the area in which it is proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Amenity	
S1. The proposed <i>lot</i> must be of sufficient size and dimensions having regard to the nature of the use, the potential impact on the amenity of adjoining uses and the protection of the environment.	P1. No probable solution prescribed.
S2. Development for outdoor recreational facility must be designed and operated to minimise any detrimental affect on the amenity of the area.	P2. No probable solution prescribed.

6.1.13 Single residential code

Purpose:

The purpose of this code is to facilitate the development of one (1) single residential use per lot, while protecting the amenity of the area in which it is proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Amenity	
S1. Development involving single residential does not adversely affect the amenity of the area.	P1. <i>Outbuildings</i> (total site coverage) do not exceed 100m ² in area and a maximum <i>height</i> of 3.5 metres.
S2. Any business being conducted on the site must not adversely affect the amenity of the area by changing the appearance of the dwelling.	P2. Employs only persons who are the permanent residents of the dwelling. P3. No more than one-third of the dwelling and out buildings are to be used for the business. P4. No customers or delivery persons attend the site. P4. Goods on display must not be visible from public land including roads. P5. No signage is to be on or in front of the site. P6. The use does not involve an Environmentally Relevant Activity as defined by the Environmental Protection Act 1994. P7. Vehicle access must be via the same access point as the existing residence. P8. Access must be via a formed, constructed road. P9. No commercial vehicles are required for the business.

6.1.14 Telecommunications facility code

Purpose:

The purpose of this code is to ensure that telecommunications facilities minimise the potential visual, community safety and environmental impacts.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Site Suitability	
S1. The location of the telecommunications facilities must ensure minimal visual obtrusiveness.	P1. Facility is located in or on an existing building or structure (and if on the building in a location of minimal prominence on that building or structure) where possible. P2. Facility is co-located with an existing telecommunications facilities where this will be less visually intrusive than other sites, where possible. P3. Facility is located in areas where the predominant land uses are community installations, industrial or commercial uses, where possible.
S2. The location of the telecommunications facilities must not conflict with existing uses on the site or adjoining sites, including not impeding access to and movement through the site required by the uses.	P3. No probable solution prescribed.
S3. The location of the telecommunications facilities must not affect airport operations at the Innisfail aerodrome or aerial crop spraying operations.	P4. No probable solution prescribed.
Visual Amenity	
S4. The <i>height</i> , shape, form, and <i>bulk</i> of the telecommunications facilities must minimise any visual amenity impacts.	P5. No probable solution prescribed.
S5. The materials, finish and colour of the telecommunications facilities must minimise any visual amenity impacts.	P6. Telecommunications facility is painted: a) 'sherbrook green' with a matt finish where the facility is located within or silhouetted against existing vegetation; or b) 'rain cloud' with a matt finish where the facility is silhouetted against the sky.
S6. The area surrounding the telecommunications facilities is landscaped to screen and/or soften the view of the installation, where existing vegetation does not already do so.	P7. No probable solution prescribed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Public Safety	
S7. Electromagnetic emissions from any telecommunications facilities are as low as possible to ensure public health.	P8. Power outputs levels from any telecommunications facilities do not exceed the maximum exposure limit set by AS 2772.1 – <i>Radio Frequency Radiation – Maximum Exposure Levels</i> .
S8. The site of the telecommunications facilities must be managed to ensure public safety.	P9. The telecommunications facilities will be fenced with two (2) metre high fence. Gates in the fence will be padlocked. P10. All electrical and telecommunications cabling from the existing network to the facility must be provided underground.
S9. Warning or information signs must be erected at telecommunications facilities sites, where necessary to do so to ensure public safety.	P11. No probable solution prescribed.
Site Access	
S10. The proposed access to and from the site must be adequate to cater for the proposed vehicle access while not creating a nuisance or safety concern for adjoining land uses or users of the roads.	P12. No probable solution prescribed.
Environment	
S11. Telecommunications facilities are not to have an adverse impact on <i>areas of significant conservation value</i> , particularly clearing of vegetation for the site and access.	P13. No probable solution prescribed.

6.1.15 Tourist facility code

Purpose:

The purpose of this code is to ensure that tourist facilities do not adversely affect the amenity of the area in which they are proposed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Site Suitability	
S1. The proposed <i>lot</i> must be of sufficient size and dimensions having regard to the nature of the use, the potential impact on the amenity on adjoining uses and the protection of environmentally sensitive areas.	P1. The tourist facility site has sufficient area and dimensions to accommodate: <ul style="list-style-type: none"> a) The tourist attraction/s and associated uses and buildings; b) Car parking areas; c) Vehicle access and egress onto and around the site, including access for service and delivery vehicles d) Landscaping; e) Buffers around the perimeter of the tourist facility to ensure that there are no unacceptable noise or visual impacts; f) <i>Separation distance</i> between potential conflicting uses from <i>sensitive receptors</i>; and g) Any environmentally sensitive land (for example riparian corridors, remnant vegetation).
S2. The site must have proximity to infrastructure and services adequate to meet the needs of the tourist population likely to be generated by the tourist facility	P2. No probable solution prescribed.
Visual Amenity	
S3. Development for tourist facilities must be designed and operated to minimise any detrimental affect on the amenity of the area, including the landscape and setting of areas adjacent to National Parks or World Heritage Areas.	P3. No probable solution prescribed.
S4. The visual impact of tourist facilities must be mitigated by: <ul style="list-style-type: none"> a) comprehensive site landscaping; and b) maintenance of human scale in design of buildings and other structures. 	P4. No probable solution prescribed.
Site Access	
S5. The proposed access to and from the site must be adequate to cater for the proposed number of visitors to the tourist facility and other associated	P5. No probable solution prescribed.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
traffic while not creating a nuisance or safety concern for adjoining land uses or users of the roads along the route.	
Environment	
S6. Tourist facilities in proximity to and / or utilising <i>areas of significant conservation value</i> does not adversely affect the environmental values of these areas.	P6. No probable solution prescribed.
S7. Where tourism facilities involve farm tourism it must be ensured that: <ul style="list-style-type: none"> a) the viability of the farm will not be adversely affected; and b) visitors will be protected from any adverse impacts of agricultural activities on the site. 	P7. No probable solution prescribed.

6.1.16 Transport facility code

Purpose:

The purpose of this code is to ensure that development of transport facilities maintains an acceptable level of amenity for the area in which they are proposed, while providing a safe environment for the public.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Site Suitability	
<p>S1. The proposed <i>lot</i> must be of sufficient size and dimensions having regard to the nature of the use, the potential impact on the amenity on adjoining uses and the protection of environmentally sensitive land.</p> <p>This includes the Transport Facility site having sufficient area and dimensions to accommodate:</p> <ul style="list-style-type: none"> a) The transport facility and any buildings; b) Car parking areas; c) Vehicle access and egress onto and around the site, including access for service and delivery vehicles; d) Landscaping; e) Buffers around the perimeter of the transport facility to ensure that there are no unacceptable noise or visual impacts; f) <i>Separation distance</i> between potential conflicting uses from <i>sensitive receptors</i>; and g) Any environmentally sensitive land or marine environment. 	P1. No probable solution prescribed.
<p>S2. The site must have proximity to infrastructure and services adequate to meet the needs of the transport facility and its users.</p>	P2. No probable solution prescribed.
Visual Amenity	
<p>S3. Development for Transport Facilities must be designed and operated to minimise any detrimental affect on the amenity of the area.</p>	P3. No probable solution prescribed.
<p>S4. The visual impact of Transport Facilities must be mitigated by comprehensive site landscaping.</p>	P4. No probable solution prescribed.
Site Access	
<p>S5. The proposed pedestrian, cycle and motor vehicle access to and from the site must be adequate to cater for the</p>	P5. No probable solution prescribed.

<p>proposed number and type of movement likely to be associated with the transport facility while not creating a nuisance or safety concern for adjoining land uses or pedestrians, cyclists or motorists along the route.</p>	
<p>Environment</p>	
<p>S6. Where transport facilities are proposed for <i>areas of significant conservation value</i> these conservation values must not be adversely affected during the construction and operation of the transport facility.</p>	<p>P6. No probable solution prescribed.</p>
<p>S7. Transport facility involving vehicles that are used in transport of animals or earthworks operations, include sufficient facilities to clean vehicles so not to cause any nuisance and to prevent the spread of weeds</p>	<p>P7. No probable solution prescribed.</p>

Division 2 – Reconfiguration code

6.2 Introduction to the reconfiguration code

The codes set out in this section apply to identified (in the relevant 'assessment framework tables' in Part 4 – Zones) reconfigurations that require code assessment.

6.2.1 Reconfiguration code

Purpose:

The purpose of this code is to ensure residential subdivisions result in safe, convenient functional and attractive communities.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Residential Subdivision	
S1. Reconfigurations provide for a high level of connectivity for pedestrians, motorists and cyclists within the development, to existing development and to future developments.	P1. Subdivision design addresses the approach described in the Queensland Residential Design Guidelines Part 4 – Subdivision.
S2. Subdivision layout and design provides for a strong neighbourhood identity through responding to site characteristics, retention of significant vegetation and features, community focal points and landscaping.	P2. Subdivision design addresses the approach described in the Queensland Residential Design Guidelines Part 4 – Subdivision.
S3. Reconfigurations provides for public access to watercourses and foreshores and protection from natural processes.	P3. A minimum 20-metre esplanade is provided along all watercourses and foreshores.

Division 3 – Operational works codes

6.3 Introduction to operational works codes

The codes set out in this section apply to identified (in the relevant 'assessment framework tables' in Part 4 – Zones) self assessable operational works and operational works that require code or impact assessment.

If a self assessable development does not comply with the identified acceptable solutions then it will default to code assessment.

6.3.1 Advertisement devices code

Purpose:

The purpose of this code is to regulate the location, siting and design of advertisement devices^{12,13} to ensure minimal impact on public safety and visual amenity.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
All advertising devices	
S1. The erection of advertisement devices must not detract from the visual amenity of a locality.	P1. Advertisement devices: <ul style="list-style-type: none"> a) are not animated and do not incorporate revolving/ flashing light; and b) are not mounted on or attached to stationary cars or trailers; and c) do not incorporate bunting; and d) if mounted or painted on walls or buildings, do not project more than 50 millimetres beyond the walls of the building; and e) if mounted or painted on walls or buildings, do not have an area greater than 15m², or 25% of the area of the wall on which they are mounted or painted, whichever is lesser.
S2. The erection of freestanding advertisement devices must not endanger public safety by obscuring motorists' views of vehicles, pedestrians or potentially hazardous road features.	P2. Freestanding advertising devices have a minimum setback of 1.5 metres from any road frontage. P3. Freestanding advertisement devices are located at least 100 metres from the intersection of any two state controlled or collector roads identified on Schedule 6.

¹² Note the content of advertising devices is controlled by AANA Advertiser Code of Ethics by the Australian Standards Bureau.

¹³ Note a Development Permit for Building work may be required for many advertising devices, including freestanding devices over 3m² and below awning devices.

	P4. Freestanding advertisement devices are located at least 20 metres from the intersection of any other constructed roads not mentioned in P3 above.
S3. The erection of advertisement devices above the footpath area must not result in visual clutter or hinder, impede or endanger pedestrian or vehicular traffic entering, exiting or passing the site.	<p>P5. Above awning advertisement devices:</p> <ol style="list-style-type: none"> are attached <i>flush</i> to a commercial or industrial building but the advertisement increases the <i>bulk</i>; are not within 2.5 metres of any other above awning advertisement devices. <p>P6. Below awning advertisement devices:</p> <ol style="list-style-type: none"> are attached <i>flush</i> to a commercial or industrial building but the advertisement increases the <i>bulk</i>; do not project within 0.4m of the vertical projection of the kerb; and Are not within 2.5 metres of any other below awning advertisement devices.
Advertisement devices in the Innisfail, Village, Rural Residential and Industry zones	
S4. The erection of freestanding advertisement devices must not result in visual clutter.	<p>P7. Freestanding advertisement devices in the Innisfail, Village zone residential precincts and Rural Residential zone do not exceed:</p> <ol style="list-style-type: none"> 1m² in area where located in the medium density areas of residential precincts shown on maps 2, and 4; and 0.3m² in other areas; and two (2) metres in <i>height</i> from natural ground level.. <p>P8. Freestanding advertisement devices in the industry zone does not exceed:</p> <ol style="list-style-type: none"> 3m² in area; and three (3) metres in <i>height</i> from natural ground level.. <p>P9. Freestanding advertisement devices are only erected on <i>allotments</i> used for other than single residential.</p> <p>P10. Not more than one freestanding advertisement device is erected per <i>lot</i>.</p> <p>P11. Advertisement devices and/or supporting posts do not obscure or partially obscure other signs.</p>
Advertisement devices in the Mission Beach Zone	
The erection of an advertising device must not detract from the intimate village character or detract from the streetscape character.	<p>P?. Advertising devices:</p> <ol style="list-style-type: none"> must not be internally lit or neon signs, must include only external illumination of an intimate nature must not exceed 3 m² in the Local Business or Industry Precinct must not exceed 1m² in the Residential or Recreational Precincts

Advertisement devices in the Rural Zone	
<p>S5. The erection of advertisement devices must not mar a scenic view or cause a dominating effect on the landscape.</p>	<p>P12. The total area of each advertisement device does not exceed 18m².</p> <p>P13. Freestanding advertisement devices do not occur more frequently than one advertisement every 500 metres on the same side of the road, where located adjacent to the Bruce Highway and within two (2) kilometres of the intersection of the highway and Clifford Road, River Avenue (Innisfail – Japoon Road), Mourilyan Harbour Road, Murdering Point Road or El Arish – Mission Beach Road.</p> <p>P14. Freestanding advertisement devices do not occur more frequently than one advertisement every two (2) kilometres on the same side of the road, where not located within that areas specified in P13 above.</p> <p>P15. Freestanding advertisement devices are not greater than six (6) metres in <i>height</i> from <i>ground level (natural)</i>.</p>
Advertisement devices in the Conservation/ Open Space Zone	
<p>S6. The erection of advertisement devices must not mar a scenic view or cause a dominating effect on the landscape.</p>	<p>P16. The total area of each advertisement device does not exceed 1m².</p> <p>P17. Freestanding advertisement devices do not occur more frequently than one advertisement every two (2) kilometres on the same side of the road where not located in the areas specified in P13.</p> <p>P18. Freestanding advertisement devices are not greater than two (2) metres in <i>height</i> from <i>ground level (natural)</i>.</p>

6.3.2 Filling and excavation code

Purpose:

The purpose of this code is to ensure that filling and excavation¹⁴ does not cause stability, flooding or drainage problems, reduction in the visual amenity of an area or environmental harm.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Stability	
S1. Filling and excavation is carried out in a way that does not impact adversely on the stability of land.	P1. Material is compacted in layers not exceeding 200 millimetres to the requirements of AS1289. P2. No filling or excavation is carried out within 1.5 metres of the site boundary. P3. Where the level of filling or excavation at the rear or sides of the proposed lot differs from the level of adjoining <i>lots</i> by more than 100 millimetres, either: a) A retaining wall ¹⁵ entirely within the development site is provided with at least a 50mm parapet above the allotment fill to ensure water is deflected from the adjoining land; or b) A batter with a slope not exceeding one in five is provided with the bottom of the batter at least one (1) metre from the site boundary.
Flooding and Drainage	
S2. Filling or excavation does not result in a change to the run off characteristics of a site that will have a detrimental affect upon the site, surrounding land, ground water and/ or infrastructure.	P4. Filling and excavation does not result in the ponding of water on the site, surrounding land and/ or infrastructure. P5. Filling and excavation does not result in an increase in the flow of water across a site, surrounding land and/ or infrastructure. P6. Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.
Environment	
S3. Filling or excavation does not result in a reduction of the water quality of receiving waters.	P7. Filling and excavation does not occur within 25 metres of a <i>watercourse</i> or wetland. P8. A sediment erosion control plan is developed and implemented for all filling

¹⁴ Note that for code and impact assessable development creating an artificial lake with a total surface area of 5,000m² or greater requires Referral Coordination under section 3.3.5 of IPA.

¹⁵ Note the construction of a retaining wall needs to comply with Section 4 of Schedule 5 of the Standard Building Regulations if it is over one (1) metre high.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
S4. Filling or excavation does not result in the disturbance of contaminated and/ or acid sulphate soils.	and excavation. P9. No contaminated material or soil that is not treated from a saline environment is used as fill. P10. No contaminated material or acid sulphate soil is excavated ¹⁶ .
Visual Amenity	
S5. Filling and excavation must be undertaken to ensure that the visual amenity of the adjoining lots and the area is not compromised.	P11. Filling and excavation is no greater than two (2) metres in <i>height</i> or depth. P12. Soil used for filling is not stockpiled in locations that can be visible roads or adjoining lots for a period exceeding one (1) month.

¹⁶ Refer to part 5, division 4 for shire wide measure on acid sulphate soils and contaminated land.

6.3.3 *Native vegetation* clearing code

Purpose:

The purpose of this code is to ensure that the clearing of *native vegetation*¹⁷ is undertaken in a manner that does not destabilise soil resources, result in a reduction in water quality or fragment wildlife corridors¹⁸.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Stability	
S1. <i>Native vegetation</i> clearing resulting in the exposure of soil during high rainfall events is reduced.	P1. Clearing of <i>native vegetation</i> does not occur between 1 October and 30 April the following year.
S2. Sediment and erosion controls measures are incorporated prior to the commencement of clearing.	P2. No probable solution prescribed.
S3. <i>Native vegetation</i> is retained outside the immediate area required to facilitate the development.	P3. All <i>native vegetation</i> outside the <i>development footprint</i> of an approved development is retained and <i>native vegetation</i> greater than 300 millimetres in diameter measured one (1) metre above ground level inside the development footprint is retained except where it would be in unsafe to do so.
S4. <i>Native vegetation</i> is retained on areas that are unstable or potentially unstable.	<p>P4. The <i>native vegetation</i> is retained on any area in or within:</p> <ul style="list-style-type: none"> a) 25 metres from the high bank of a <i>watercourse</i>; and b) 50 metres from the high bank of a major watercourse or wetland; and c) 100 metres of the <i>high water mark</i>; and <p>P5. The <i>native vegetation</i> on land steeper than 15% <i>slope</i> is retained.</p>

¹⁷ Prior to clearing native vegetation reference should be made to the *Vegetation Management Act 1999*, *Water Resources Act 2000*, *Environmental Protection, Biodiversity and Conservation Act*, *Nature Conservation Act* and the *Fisheries Act 1994* to determine if there is any additional requirements or restrictions for the clearing of native vegetation.

¹⁸ Refer to part 5, division 3 for shire wide measure on habitat protection.

Division 4 – General development codes

6.4 Introduction to general development codes

The codes set out in this section apply to identified (in the relevant 'assessment framework tables' in Part 4 – Zones) self assessable development and development that require code or impact assessment.

If a self assessable development does not comply with the identified acceptable solutions then it will default to code assessment.

6.4.1 Crime prevention code

Purpose:

The purpose of this code is to ensure developments incorporate design features that reduce the opportunities for crimes to be committed within a site (and on neighbouring sites and public areas) and enhance perceived safety for site users.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Car Parks	
S1. Car parking areas are sited and designed to permit maximum opportunities for surveillance from users of the development and passers-by.	P1. Car parking areas are located where they can be made secure or where passive surveillance is possible. P2. Multi-storey car parks use open railings in place of concrete side walls.
S2. Car parks with greater than 150 car parking spaces incorporate additional measures to enhance public safety.	P3. Car parks with greater than 150 car parking bays incorporate a public telephone adjacent to the main building entrance from the car park.
Landscaping	
S3. Landscaping does not restrict opportunities for passive surveillance within and of a site from the street, particularly around high traffic areas such as car parks, walkways and pathways.	P4. Landscaping between the street <i>frontage</i> and building entrances, between the street <i>frontage</i> and car parking areas, between building entrances and car parks, and within car parks must consist only of: a) shrubs or ground cover plants that when fully grown will not exceed one (1) metre in height from ground level; and b) trees or palms that when fully grown will not feature branches or foliage at a height of less than two (2) metres from ground level.

Lighting	
<p>S4. Development sites include external security lighting to enhance public safety. In particular, car parking and bike parking areas, communal courtyards, cycle ways and walkways must be well lit, however light must not be so bright as to prevent car park and path users observing people approaching in the dark. The lighting is not to distract motorists on adjoining roads.</p>	<p>P5. Car parking and bike parking areas, communal courtyards cycle ways and walkways are lit with light levels between 18 to 24 lux and in compliance with AS1158.3.1 – <i>Road Lighting – Pedestrian Area Lighting</i>.</p> <p>P6. Possible 'entrapment' locations including any loading bays, rubbish bin bays and alleys are lit with vandal resistant lighting.</p> <p>P7. Car park lighting operates continuously during the hours of darkness or will operate on a sensor system basis.</p> <p>P8. All external lighting is to be orientated so that the light is not beamed directly towards a road reserve or <i>residential uses</i>.</p>
<p>S5. Where toilet facilities have external access, the toilet facilities and entrances are well lit externally and internally.</p>	<p>P9. Toilet facilities that have external access are:</p> <ul style="list-style-type: none"> a) lit internally with vandal resistant lighting; and b) incorporate one vandal resistant light fixed to the exterior of the building within one metre of any external entrance. <p>P10. Lighting must be operational at all times during the hours of darkness.</p>
Built Form	
<p>S6. Built form is designed to avoid creation of possible sites for assault or other criminal or abnormal behaviour.</p>	<p>P11. The design does not incorporate external alleys or access-ways between buildings; or External alleys or access-ways between buildings are made inaccessible to the public by security gates:</p> <ul style="list-style-type: none"> a) with no horizontal palings or railings (chain wire is acceptable); and b) with a minimum <i>height</i> of two (2) metres; and c) that are locked or padlocked at all times. <p>P12. Communal courtyards:</p> <ul style="list-style-type: none"> a) adjoin a minimum of one (1) <i>habitable room</i> that has a window a minimum of 1.5m² in area overlooking the communal courtyard; or b) adjoin a street or pedestrian thoroughfare; and c) incorporate a minimum of two exit points from the courtyard; or d) incorporate one side that is entirely unwallled and unfenced..

Recreation Space	
S7. Recreation space is sited and designed to permit maximum opportunities for surveillance from passers-by.	P13. 25% of the perimeter of the open space fronts public road. P14. Open space has a maximum length to width ratio of 2:1.

6.4.2 Infrastructure code

Purpose:

The purpose of this code is to ensure that developments include provision of infrastructure which complies with the standards of road construction, street lighting water supply, treatment and disposal of effluent, storm water drainage, electricity supply, bike lanes and pedestrian paths which will provide for the needs of users, maintain high environmental standards and are safe and efficient.¹⁹

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
General	
S1. The location and design of operational works is carried out with minimal disturbance to soils and with the careful management of any run off or dust to prevent off site impacts during and after construction.	P1. Development is designed and constructed in accordance with the requirements of planning scheme policy 5 (Sections CP1, D2, D4, and D5).
S2. Operational works associated with a development must not affect the efficient functioning of any <i>public utilities</i> .	P2. Public utilities are altered or repaired to ensure their continued efficient functioning in accordance with the relevant specifications set out in planning scheme policy 5.
Road design and construction	
S3. Roads are designed and constructed to be efficient and safe for the intended usage of the road.	P3. The road is designed and constructed in accordance with the requirements of planning scheme policy 5 (Sections CP1, D1, D2, D3, and D4).
Street Lights	
S4. Development involving the opening of new road or construction of a new road must provide street lights for the safety of the community.	P4. Street lights are installed in accordance with the requirements of planning scheme policy 5 (Sections CP1 and D8).
Water supply	
S5. In areas serviced by a reticulated water supply new development must connect to that supply system.	P5. The site is connected to Council's reticulated water supply system in accordance with the requirements of planning scheme policy 5 (Sections CP1 and D6).
S6. In areas not serviced by a reticulated water supply new development must be provided with sufficient quantity and quality of water supply.	P6. On site water supply and storage is provided for each new <i>residential use</i> .

¹⁹ Please note that reference to Local Authority Specific Requirements within the FNQROC Development Manual may also be required.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Treatment and Disposal of Effluent	
S7. In areas serviced by a reticulated sewerage system new development must connect to that system.	P7. The site is connected to Council's sewerage system. P8. The extension of and/ or connection to the sewerage system is designed and constructed in accordance with the requirements of planning scheme policy 5 (Sections CP1 and D7).
S8. In areas not serviced by a reticulated sewerage system the development site must be suitable to dispose of effluent without adversely affecting the public health and safety, amenity or environment of the area.	P9. The proposed disposal system meets the requirements of Section 33 of the Environmental Protection Policy (Water) 1997. P10. The proposed on site effluent disposal system is located on the lot in accordance with the On Site Sewerage Code.
Stormwater drainage and stormwater quality	
S6. Development is provided with sufficient stormwater management infrastructure that provides suitable management of stormwater runoff in terms of: a) maintaining natural drainage systems; b) protecting water quality; c) minimising erosion potential; and d) avoid the risk of landslip and subsidence.	P11. The stormwater management infrastructure is designed and constructed in accordance with the requirements of planning scheme policy 5 (Sections CP1, D2, D4 and D5).
Electricity supply	
S7. Development is provided with an electricity supply.	P12. The electricity supply is designed and constructed in accordance with the requirements of planning scheme policy 5 (Sections CP1 and D8).
Bike lanes and Pedestrian paths	
S8. Bike lanes are designed and constructed to be efficient and safe for the intended usage.	P13. The bikeway paths are designed and constructed in accordance with the requirements of requirements of planning scheme policy 5 (Sections CP1, D1 and D3).
S9. Developments provide parking or storage facilities for bicycle riders.	P14. Bicycle parking is provided in accordance Table 10.1 of AUSROADS, Part 14 - Bicycles.
S10. Pedestrian paths are designed and constructed to be efficient and safe for the intended usage.	P15. The pedestrian paths are designed and constructed in accordance with the requirements of requirements of planning scheme policy 5 (Sections CP1, D1 and D3).

6.4.3 Landscaping code

Purpose:

The purpose of this code is to ensure that:

1. Landscaping enhances the appearance of developments and contributes to an attractive streetscape.
2. Landscaping buffers provide effective screening.
3. Landscaping provides shade where required.
4. Landscaping accommodates the retention of existing significant on-site vegetation.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Landscaping Strips	
S1. Landscaping strips (such as along a front boundary and around car parking areas) must enhance the appearance of the site from the street and be complimentary to the building/s in terms of height of plants.	P1. The landscaping incorporates: <ol style="list-style-type: none"> a) low level shrubs and/or ground covers planted (minimum 150 millimetre pots) at a maximum spacing of 750 millimetres²⁰; and b) palm trees planted (minimum 150 millimetre pots) at a maximum spacing of three (3) metres; or c) rounded or spreading canopy trees planted (minimum 150 millimetre pots) at a maximum spacing of six (6) metres.
S2. Landscaping buffers along a boundary with an adjoining residential use must: <ol style="list-style-type: none"> a) maximise visual privacy of the adjoining residence; b) minimise light spill and acoustic impacts; and c) screen visually obtrusive activities (such as service courts and storage areas) d) soften the appearance of the building.. 	P2. The landscaping incorporates shrubs or clumping palms or compact trees that: <ol style="list-style-type: none"> a) are planted at a maximum spacing of one (1) metre; and b) will grow to a <i>height</i> of at least two (2) metres; and c) will grow to form a dense screen of no less than two (2) metres in height. P3. The landscaping incorporates trees or palms that will grow to be similar in <i>height</i> to the building.
S3. Landscaping must be designed and carried out to ensure ease of maintenance and to ensure success of the landscaping.	P4. Landscaped areas incorporate automatic, reticulated irrigation systems to water all plants. P5. Turfed areas are accessible externally by standard lawn maintenance equipment. P6. Planted areas incorporate a 100 millimetre thick layer of organic mulch. P7. Trees are planted in gardens with minimum widths of one (1) metre.

²⁰ The Crime Prevention Code indicates the height requirements for landscaping along front boundaries to ensure passive surveillance of sites from adjacent streets is maintained.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
	P8. Landscaping areas adjacent to car parking areas or driveways are protected from motor vehicles by 100 millimetres concrete wheel stops or garden bed edges.
S4. Landscaping must retain any vegetation of environmental or aesthetic significance where not affected by the operational works approved for the development.	P9. Existing trees greater than five (5) metres in <i>height</i> must be retained where located: a) greater than five (5) metres from the building footprint; and b) clear of driveway, car parking areas, storage or services areas.
S5. Plants species selected for landscaping must not include declared or potential weed species.	P10. Plant species selected do not include weed species identified in the 'Johnstone Shire Council Pest Management Plan 2002 – 2006.'

6.4.4 Non-discriminatory access code

Purpose:

The purpose of this code is to ensure that public sites and uses are accessible to and useable by a person with a disability.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
S1. Non-discriminatory access must be provided to the site from the road.	P1. Changes in level at the site boundary allow access to the development from the road in compliance with AS 1428 – <i>Design for Access and Mobility</i> .
S2. Non-discriminatory access to all infrastructure (such as bus shelters, jetties, marina or wharves, beaches) required on public land (such as on roads, parks, malls or beaches) in association with the development.	P2. Access to the infrastructure must be compliant with AS 1428 – <i>Design for Access and Mobility</i> .

6.4.5 Open space code

Purpose:

The purpose of this code is to facilitate the orderly development of open space in conjunction with the reconfiguration of a lot/s and to ensure that open space provided is compatible with the desired amenity and character of the area in which it is proposed, and the likely use of the open space.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Amenity	
S1. Total open space provision must be equivalent to ten percent of total <i>development area</i> .	P1. Total open space provision is equivalent to 10% of total <i>development area</i> .
S2. The open space must be of sufficient size, dimensions, shape and slope to accommodate recreational activities and the protection of the environment.	P2. Proposed recreational, open space area/s have: <ul style="list-style-type: none"> a) minimum area no less than the average area of the lots proposed on the <i>development area</i>; and b) minimum road <i>frontage</i> of 25% of the perimeter of the open space area; and c) maximum length to width ratio of 2:1; and d) maximum <i>slope</i> of 15%. P3. Proposed environmental protection, open space area/s have minimum road <i>frontage</i> of 10% of the perimeter of the open space area or 20 metres which ever is the greater.
Useability	
S3. Land for open space must be a true representation of the site (pre-development) in terms of vegetative cover.	P4. No probable solution prescribed.
S4. Open space must not be frequently rendered unusable due to flooding.	P5. Land for open space is above the 1 in 2 year frequency flood height.
S5. Open space must not be encumbered by services that will affect its useability or amenity.	P6. No probable solution prescribed.
S6. Open space must be left in a fair and reasonable condition so it can be used by the public and easily maintained.	P7. No probable solution prescribed.

6.4.6 Vehicle access, parking and loading code

Purpose: The purpose of this code is to ensure that:

1. Uses have sufficient on site car parking spaces designated in a manner to meet the requirements of the intended user;
2. The number of spaces provided does not impact on the functioning of the surrounding road network;
3. Vehicles can access and move within the site in a safe and efficient manner.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Car Parking Design	
S1. Car parking spaces must have acceptable dimensions to meet user requirements.	P1. Car parking spaces meet the design requirements of Australian Standards AS 2890.1 – 1986 and AS 2890.2 – 1989 (as amended) provided that the minimum parking bay width is no less than 2.6 metres.
S2. Car parking spaces must be used for their intended purpose.	P2. Car parking spaces being kept and used exclusively for parking and maintained in a useable condition for parking. P3. Visitor car parking spaces being accessible and available for parking at all times. P4. Disabled car parking spaces must be sign posted. P5. Disabled car parking spaces must be the closest car parking spaces to the entrance of the use serviced by the car park.
S3. Adequate shading must be provided for car parking areas containing over 10 spaces.	P6. Trees that will grow to provide shade are planted at regular intervals throughout the car park area and/or around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof. P7. Shade structures are provided over 40% of the car parking spaces.
Car Parking Numbers	
S4. Sufficient car parking spaces must be provided to accommodate the demand likely to be generated by the use ²¹ .	P8. Car parking spaces being provided for the uses is in accordance with Schedule 3.
S5. Where a new use is proposed in an existing building/s without any increase in the <i>gross floor area</i> and the site is incapable of accommodating all the additional car parking spaces required for S4, a credit for the spaces that would have been required for the previous use can be used.	P9. Car parking space credits only apply if all of the following applies: a) A new use is proposed in an existing building/s; and b) There is no increase in the <i>gross floor area</i> of the building/s or new buildings on the site; and c) The site is incapable of

²¹ For impact assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in Schedule 5, having regard to the particular use.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
	<p>accommodating all the additional car parking spaces required for S4; and</p> <p>d) The car parking spaces that the site can accommodate are constructed.</p> <p>P10. The credit is calculated by the following method:</p> <p>a) The number of car parking spaces that would have been required for the previous use (use current definitions, Schedule 1) is calculated using the <i>gross floor area</i> of the existing building/s and Schedule 3; and</p> <p>b) The number of car parking spaces that the site can accommodate is subtracted from the number required for the previous use. The resulting figure is the amount of car parking spaces credited to the previous use; and</p> <p>c) Where there is a shortfall in the car parking spaces required in S4. then additional spaces must be provided or a contribution paid to Council in accordance with the Planning Scheme Policy 6.</p>
<p>S6. Sufficient car parking spaces must be provided for disabled drivers or passengers to accommodate the demand likely to be generated by the use.</p>	<p>P11. Disabled car parking spaces are provided, if over five (5) spaces are required, at the rate of one (1) disabled space for each 50 spaces, or part thereof.</p>
Vehicle Loading and Unloading	
<p>S7. Vehicle loading and unloading bays must have acceptable dimensions to accommodate the vehicles expected to use the site.</p>	<p>P12. Vehicle loading and unloading bays must meet the design requirements of Australian Standards AS 2890.1 – 1986 and AS 2890.2 – 1989.</p>
Vehicle Access	
<p>S8. The design of the car parking and vehicle loading and unloading bays must:</p> <p>a) Allow vehicles expected to use the site [including delivery, collection (garbage)] to enter and exit the site in a forward gear (except home business and single residential);</p> <p>b) Enable all vehicles to access the site and move within the site in a safe and efficient manner; and</p> <p>c) Provide adequate queuing areas that will not restrict the movement of vehicles on the site or external to the site.</p>	<p>P13. Vehicle access and circulation meets the design requirements of Australian Standards AS 2890.1 – 1986 and AS 2890.2 – 1989.</p>

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
Car Parking, Access and Loading Construction	
<p>S9. All car parking spaces, loading bays and access thereto must be useable and functional in all weather conditions, considering the amount of usage of the site.</p>	<p>P14. All car parking spaces, loading bays and access thereto in the Innisfail, Mission Beach, Village and Industry Zones must be constructed, paved (bitumen sealed gravel, concrete, asphalt or paving blocks), drained to a lawful point of discharge and maintained at all times.</p> <p>P15. All car parking spaces, loading bays and access in the Rural, Conservation/ Open Space and Rural Residential Zones must be constructed, hardstand (150 millimetres of gravel pavement), drained to a lawful point of discharge and maintained at all times.</p>

6.4.6 Steep land code

Purpose: The purpose of this code is to ensure that:

1. Development maintains the safety of people property and hazardous materials in areas at risk of landslide.

Specific Outcomes	Acceptable Solution (Self Assessment) Probable Solution (Code Assessment)
<p>S1. Development on or adjacent to land with a slope of 15% or greater maintains the safety of people, property and hazardous materials manufactured or stored in bulk from the risk of landslide.</p>	<p>P1. The development site is demonstrated not to be not subject to landslide hazard, either internally or from sloping land above the site.</p> <p>P2. The development does not:</p> <ul style="list-style-type: none"> • involve any new building work other than a minor extension (<20 m2 Gross Floor Area) to an existing building; or • involve vegetation clearing; or • alter ground levels or stormwater conditions. <p>P3. The development includes measures that ensure:</p> <ul style="list-style-type: none"> • the long term stability of the development site; and • the development site will not be adversely affected by landslide activity originating on sloping land above the development site.