



## **RURAL AREAS & RURAL SETTLEMENT LOCALITY**



THIS PAGE SHOULD BE BLANK



#### **4.2.6 Rural Areas and Rural Settlements Locality Code**

##### **Purpose**

The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Areas and Rural Settlement Locality:

- retain rural areas for primary industry;
- conserve the rural character and rural landscape elements as important and distinctive to the scenic value of the Shire;
- protect rural areas from encroachment by incompatible urban development;
- protect and conserve valuable riverine vegetation and systems in rural areas;
- retain the rural lifestyle opportunities and amenity of rural settlement areas with no further compromise to surrounding productive rural areas;
- ensure rural settlement areas remain unobtrusive and have no detrimental impact on the Scenic Amenity of surrounding rural areas; and
- facilitate any future land use aspirations of the local Indigenous communities which are compatible with achieving the other planning outcomes for the Area.

##### **Applicability**

This Code applies to self assessable and assessable development in the Rural Areas and Rural Settlements Locality for:

- Material Change of Use:

Except for:

- Primary Industry in the Rural Planning Area;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the Conservation Planning Area.

For self assessable development assessment against this Code, the applicable Acceptable Solutions are A1.1 and A2.1 a), c) and e).

Self assessable development which does not comply with Acceptable Solution as listed above, outlined in this Code will require Code Assessment.



## Elements of the Code

### *General Requirements*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P1 Buildings and structures complement the Height of surrounding development and/or are subservient to the surrounding environment and are in keeping with the character of the Locality.</p>	<p>A1.1 In all Planning Areas in this Locality the maximum Height of Buildings/structures is 6.5 metres and 2 Storeys. In addition, the roof or any ancillary roof features do not exceed a maximum Height of 3.5 metres.</p>
<p>P2 Development is connected to all urban services or to sustainable on Site infrastructure services.</p>	<p>A2.1 Development is connected to available urban services by underground connections, wherever possible.</p> <p style="text-align: center;">AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p> <p style="text-align: center;">OR</p> <p>Water storage tank/s with a minimum capacity of not less than 30 000 litres to service the proposed use, including fire fighting capacity and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and screened with Dense Planting.</p> <p style="text-align: center;">AND</p> <p>An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p style="text-align: center;">AND</p> <p>On-site sewerage facilities are provided in accordance with the On-site Sewerage Code</p>



<p>P3 Landscaping of development Sites complements the existing rural character of the Locality.</p>	<p>A3.1 Landscaping utilises predominantly native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality.</p> <p style="text-align: center;">AND</p> <p>A minimum of 60% of the total proposed species are endemic or native species.</p>
<p>P4 Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.</p>	<p>A4.1 All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



***Protecting Rural/Rural Settlement Amenity – General***

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P5 Industrial development in a rural area relies on or has a strong nexus with the primary rural activity undertaken on Site or in the surrounding area.</p>	<p>A5.1 Any industrial development is limited to rural industrial activities which, by necessity, are related to primary industries in the surrounding area and require a rural location and where an urban location is inappropriate.</p>
<p>P6 Any community facilities or service infrastructure located in a rural area or rural settlement areas are sited to protect the general amenity and the visual amenity of the surrounding rural area/rural settlement area.</p>	<p>A6.1 Community facilities are only sited in a rural area or a rural settlement area by necessity and where an urban location is inappropriate.</p> <p>A6.2 Community facilities are screened from adjacent Roads by landscape buffers of Dense Planting a minimum of 5 metres in width.</p> <p style="text-align: center;">AND</p> <p>All side and rear boundaries are provided with Dense Planting for a minimum width of 1.5 metres.</p>
<p>P7 Rural settlement areas are visually unobtrusive in the rural landscape to protect the integrity of the rural areas as a dominant landscape element of high quality<sup>21</sup>.</p>	<p>A7.1 The old Rocky Point School Site is developed for residential purposes in accordance with the following:</p> <ul style="list-style-type: none"> <li>• reconfiguration is in accordance with the Rural Settlement Planning Area requirements specified in Table 1 of the Reconfiguring a Lot Code and all the relevant requirements of the Reconfiguring a Lot Code, taking account of the existing topography of the Site.</li> </ul> <p style="text-align: center;">AND</p> <p>The remnant vegetation on the western boundary of the Site is dedicated as public park.</p>

<sup>21</sup> Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



<p>P8 Areas at Rocky Point included in the Residential 1 Planning Area maintain the integrity of the dominant landscape qualities of the area and ensure safe Access onto Mossman-Daintree Road.</p>	<p>A8.1 The minimum lot size in this area is 3500 m<sup>2</sup>.</p> <p style="text-align: center;">AND</p> <p>Any proposed reconfiguration of existing lots in this area only occurs utilising the Access driveway servicing the existing lot, by including reciprocal Access easements over the existing Access driveway for any additional lots.</p> <p>A8.2 Any new lots are included in a Designated Development Area (DDA) identified on the proposal plan of reconfiguration and ultimately, on the registered survey plan.</p> <p>A8.3 Development located within a Designated Development Area is sited where Clearing is limited to a maximum area of 800 m<sup>2</sup> of the Site or 4% Site Coverage of the Site, whichever is the lesser. (The 800m<sup>2</sup> area of Clearing does not include an access driveway.)</p> <p style="text-align: center;">OR, ALTERNATIVELY</p> <p>If a greater part of the Site is to be cleared, that part of a Site not cleared is to be included in a Conservation Covenant to protect the integrity of the natural environment<sup>22</sup>.</p> <p>A8.4 Clearing is limited to the DDA and the DDA is sited on that part of the lot which is least constrained by slope, vegetation or Access constraints, and does not require extensive cut and fill and/or complex geotechnical solutions.</p>
--	---

---

<sup>22</sup> Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



	<p>A8.5 The DDA is sited so that the development of a House does not obstruct the views from any adjacent existing Houses.</p> <p style="text-align: center;">AND</p> <p>Ensures the new House is not visually prominent from adjacent public viewing points, such as Mossman-Daintree Road and Rocky Point.</p>
<p>P9 Development of Lot 32 on RP 850495, Vixies Road, Wonga Beach is connected to urban services.</p>	<p>A9.1 Any future reconfiguration of Lot 32 on RP 850495 for Rural Settlement purposes only occurs in association with connection to reticulated sewerage and water supply servicing Wonga Beach.</p>
<p>P10 The development of part of Lots 10 and 11 on SP 132055 for residential purposes is undertaken to protect the environmental values of the site and the scenic amenity of the local area.</p>	<p>A10.1 Residential development occurs on the more gently sloping part of the site, elevated above the steep bank adjacent to Mossman-Daintree Road.</p> <p style="text-align: center;">AND</p> <p>The area appropriate for residential development is determined on the basis of contour and vegetation surveys of the site.</p> <p style="text-align: center;">AND</p> <p>Only one access point from the site to the State-Controlled Road is permitted.</p> <p style="text-align: center;">AND</p> <p>At reconfiguration stage a broad vegetation screen is provided along the elevated frontage of the site to the Mossman-Daintree Road so that the residential development is screened from the road.</p> <p style="text-align: center;">AND</p> <p>The balance of the site is protected from clearing to maintain the forested mountain landscape and no further reconfiguration of the balance area occurs.</p>





*Protection of Scenic Amenity and Natural Values*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P11 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality<sup>23</sup>.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

*Indigenous Interests*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P12 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p>	<p>A12.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.</p>

---

<sup>23</sup> The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.



THIS PAGE SHOULD BE BLANK