



RURAL SETTLEMENT



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4.3.2 Rural Settlement Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Settlement Planning Area:

- maintain and enhance the natural or semi-rural character of these settlement areas;
- protect areas of vegetation, riparian corridors and wildlife corridors;
- identify and provide for low density rural residential living in a limited number of areas in the Shire; and
- ensure residential development remains subservient to the rural character of the area.

Applicability

This Code applies to assessable development in the Rural Settlement Planning Area for:

- Material Change of Use;
- 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; and
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.

Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The establishment of uses is consistent with the outcomes sought for the Rural Settlement Planning Area.	A1.1	Uses identified as inconsistent uses in the Assessment Table are not established in the Rural Settlement Planning Area.



Site Coverage

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	The built form is subservient to the natural environment or the rural character of the area.	A2.1	The maximum Site Coverage for all Buildings (including Outbuildings) contained on an allotment is 450 m ² .
		A2.2	An Outbuilding used for purposes ancillary to a House has a maximum Site Coverage not greater than 20% of the total Site Coverage specified in A2.1 above.

Building Setbacks

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Buildings are Setback to: <ul style="list-style-type: none"> • maintain the natural or rural character of the area; and • achieve separation from neighbouring Buildings and from Road Frontages. 	A3.1	Buildings are Setback not less than: <ul style="list-style-type: none"> • a minimum of 40 metres from the property boundary adjoining a State-Controlled Road; or • a minimum of 25 metres from the property boundary adjoining the Cape Tribulation Road Frontage; or • 20 metres from the property boundary adjoining any other Road; and • 6 metres from side and rear property boundaries.
P4	Buildings/structures are screened from any adjacent Road to maintain the natural or rural character of the area.	A4.1	At the time that a Site is developed for any purpose, the Road Frontage Setback areas are landscaped so that 10 metres of the Setback area immediately adjacent to any Road Frontage, where the minimum total Setback required is 20 metres or greater, is landscaped with Dense Planting.



Scenic Amenity

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	Buildings/structures are designed to maintain the low-density rural settlement character of the area and sited to minimise impacts on the environment and Scenic Amenity values of the area.	A5.1	White and shining metallic finishes are avoided on external surfaces in prominent view.
P6	Buildings/structures are sited to achieve the retention of native trees and protect existing Watercourses, riparian vegetation and wildlife corridors ²⁶ .		No Acceptable Solution. (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).

²⁶ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p>A7.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage. (Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



<p>P8 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p>A8.1 A split level building form is utilised.</p> <p>A8.2 A single plane concrete slab is not utilised.</p> <p>A8.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>
<p>P9 Development on sloping land minimises any impact on the landscape character of the surrounding area.</p>	<p>A9.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>
<p>P10 Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p>A10.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>



Sustainable Siting and Design of Houses on Sloping Sites and/or on land where the Natural Areas and Scenic Amenity Code is triggered

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing</p>	<p>A11.1 A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 800 m² and is sited clear of the High Bank of any Watercourse.</p> <p style="text-align: center;">EXCEPT</p> <p>In the World Heritage Areas and Environs Locality and the Settlement Areas North of the Daintree River Locality where the maximum clearing is limited to 700m².</p> <p>(The 800m²/700m² area of Clearing does not include an access driveway.)</p> <p>A11.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.</p>
<p>P12 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.</p>	<p>A12.1 A House is effectively screened from view by existing native trees planted in designated Setback area/s, or by the planting of additional native trees endemic to the local area.</p>
<p>P13 The exterior finishes of a House complements the surrounding natural environment.</p>	<p>A13.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.</p>
<p>P14 A House is designed to be energy efficient and functional in a humid tropical rainforest environment.</p>	<p>A14.1 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>