

PART 7 - ISLANDS LOCALITY	1
DIVISION 1 – PRELIMINARY	1
7.1 <i>Description</i>	1
7.2 <i>Islands Locality</i>	1
DIVISION 2 – GENERAL PROVISIONS FOR ASSESSMENT TABLES	2
7.3 <i>Assessment Categories for Zones</i>	2
7.4 <i>Relevant Assessment Criteria for Self-Assessable Development and Assessable Development in Each Zone</i>	2
7.5 <i>Consistent and Inconsistent Uses in Each Zone</i>	2
DIVISION 3 – ASSESSMENT TABLES FOR EACH ZONE IN THE ISLANDS LOCALITY	3
DIVISION 4 – ASSESSMENT TABLES FOR THE ISLANDS LOCALITY – OTHER DEVELOPMENT	4
DIVISION 5 – GENERAL PROVISIONS FOR THE ISLANDS LOCALITY CODE	6
7.6 <i>Description</i>	6
7.7 <i>Islands Locality Code</i>	6
7.8 <i>Compliance with Islands Locality Code</i>	6
7.9 <i>Overall Outcomes for the Islands Locality</i>	7
7.10 <i>Specific Outcomes and Acceptable and Probable Solutions for the Islands Locality</i>	8

PART 7 - ISLANDS LOCALITY

Division 1 – Preliminary

7.1 Description

The extent of the Islands Locality is shown on the Locality Plan Map OD

7.2 Islands Locality

The provisions in this part comprise the following:

- (a) Preliminary Provisions for the Islands Locality (**Division 1**);
- (b) General Provisions for Assessment Tables (**Division 2**);
- (c) Assessment Table for each Zone in the Islands Locality for a Material Change of Use (**Division 3**) as follows:
 - (i) Conservation Zone
- (d) Assessment Table for Other Development (**Division 4**);
- (e) General Provisions for the Islands Locality Code (**Division 5**);
- (f) Overall Outcomes for the Islands Locality Code (**Section 7.9**);
- (g) Specific Outcomes and Probable and Acceptable Solutions for the Islands Locality Code (**Section 7.10**).

Division 2 – General Provisions for Assessment Tables

7.3 Assessment Categories for Zones

- (1) The assessment categories are identified for development in each zone in of **Table 7-1** and **Table 7-2**, as follows:
 - (a) **Table 7-1** – Making a Material Change of Use¹ for a defined use.
 - (b) **Table 7-2** – Other Development listed in Column 1, including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) erection of advertising sign on premises not associated with a material change of use;
 - (iii) carrying out operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling and excavation of land;
 - (iv) reconfiguring a lot;
 - (v) carrying out operational work for reconfiguring a lot; and
 - (vi) other.

7.4 Relevant Assessment Criteria for Self-Assessable Development and Assessable Development in Each Zone

- (1) The relevant assessment criteria in each zone in the Islands Locality are referred to in **Table 7-1** and **Table 7-2**.
- (2) For self-assessable development and development requiring code assessment, the relevant assessment criteria are the applicable codes.

7.5 Consistent and Inconsistent Uses in Each Zone

- (1) A defined use that is an inconsistent use in the relevant zone is noted in brackets as “inconsistent use” in **Table 7-1**.
- (2) If a defined use is not noted as an inconsistent use, it is a consistent use in the relevant zone.

¹ Works associated with an application for a material change of use may be assessed together with the material change of use.

Division 3 – Assessment Tables for Each Zone in the Islands Locality

Table 7-1 Assessment Categories and Relevant Assessment Criteria for the Conservation Zone – Making a Material Change of Use

Note:

- The Islands Locality Code applies to all assessable development in this locality.
- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see Section 1.13(3) explaining how the higher assessment category prevails.

Conservation Zone	Relevant assessment criteria – applicable if code is self assessable or requires code assessment
All uses are Impact Assessable except for Minor Infrastructure which is Exempt.	For Impact Assessable development the relevant criteria includes the provisions for the whole of the planning scheme.

Division 4 – Assessment Tables for the Islands Locality – Other Development

Table 7-2 Assessment Categories and Relevant Assessment Criteria for the Islands Locality – Other Development

Note:

- The Islands Locality Code applies to all assessable development in this locality.
- Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see Section 1.13(3) explaining how the higher assessment category prevails.

Column 1	Column 2	Column 3
Type of Development	Assessment Category	Relevant assessment criteria ² - applicable code if development is self-assessable or requires code assessment
Carrying out building work not associated with a material change of use	Self Assessable	Islands Locality Code Environment and Infrastructure Code
Erection of an advertising device (operational works) on premises not associated with a material change of use	Self Assessable	Advertising Devices Code Islands Locality Code Environment and Infrastructure Code Operational Works (Earthworks) Code Note: For Self Assessable development the relevant assessment criteria is the Advertising Devices Code.
Carrying out operational work not associated with a material change of use and not associated with reconfiguring a lot and including earthworks involving filling or excavation	Code where involving more than 100m ³ of earthworks • Otherwise Exempt	Operational Works (Earthworks) Islands Locality Code Environment and Infrastructure Code

² For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 3.5.5 of the IPA.

Column 1 Type of Development	Column 2 Assessment Category	Column 3 Relevant assessment criteria ³ - applicable code if development is self-assessable or requires code assessment
Reconfiguring a lot ⁴	Code Assessable	Reconfiguring a Lot Code Environment and Infrastructure Code
Carrying out operational work for reconfiguring a lot	Code Assessable	Reconfiguring a Lot Code Islands Locality Code Operational Works (Earthworks) Code Environment and Infrastructure Code
Other	Code	Environment and Infrastructure Code Islands Locality Code

³ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 3.5.5 of the IPA.

⁴ Under IPA, Schedule 9, Table 3 reconfiguring of a lot is exempt and cannot be made self-assessable or assessable by a planning scheme if the proposal is for amalgamating two or more lots, for a building format plan that does not subdivide land, as well as other purposes listed in the Schedule.

Division 5 – General Provisions for the Islands Locality Code

7.6 Description

The Islands Locality includes the harbour islands and those within the Capricorn Group of Offshore Islands within the Shire, excluding those that have been included within other localities. The islands of the locality include:

Erskine Island	One Tree Island
Heron Island	Tryon Island
North Reef Island	Wilson Island
North West Island	Wreck Island
Mast Head Island	

7.7 Islands Locality Code

The following provisions comprise the Islands Locality Code:

- (a) Compliance with the Islands Locality Code (**Section 7.8**).
- (b) Overall Outcomes for the Islands Locality (**Section 7.9**).
- (c) Specific Outcomes and Probable and Acceptable Solutions for Islands Locality (**Section 7.10**).

7.8 Compliance with Islands Locality Code

Development that is consistent with the following complies with the Islands Locality Code:

- (a) The Specific Outcomes for the Locality (**Section 7.10**).

7.9 Overall Outcomes for the Islands Locality

- (1) The overall outcomes are the purpose of the Islands Locality Code:
- (2) The overall outcomes sought for the Islands locality are as follows:
 - (a) protection of the overriding character of the locality as that of a marine wilderness with outstanding natural and conservation areas on a global scale.
 - (b) preservation of the ecological, landscape recreational and maritime values of the islands by ensuring land within the Conservation Zone provides for the multiple functions of open space, buffer areas, conservation and recreation.
 - (c) small scale and low intensity development, subservient to the maintenance of ecological processes and the outstanding conservation and landscape values of the Great Barrier Reef World Heritage Area.
 - (d) ecological sustainability through the “precautionary principle” with respect to impacts and management.
 - (e) protection of coastal processes.

7.10 Specific Outcomes and Acceptable and Probable Solutions for the Islands Locality

- (a) Development on Heron Island (**Table 7-3**)
- (b) Development within the Conservation Zone (**Table 7-4**)
- (c) Infrastructure (**Table 7-5**)
- (d) Inconsistent Uses (**Table 7-6**)

Table 7-3 Development on Heron Island

Note: Where a specific outcome does not have an acceptable solution but which would otherwise be applicable to a particular self assessable development, that part of the code does not apply to self assessable development.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O1	<p>Development on Heron Island will provide for:</p> <ul style="list-style-type: none"> (i) minimal impact and be low intensity; (ii) location within the existing island settlement; (iii) accommodation and servicing of the daily needs of residents and tourists with limited entertainment, dining and convenience shopping facilities only where there is a demonstrated need for such facilities; and (iv) building designs and siting measures which are sensitive to the low impact character and landscape values of the island. 	S1	No solution specified.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O2	<p>Development on Heron Island will provide for:</p> <p>(i) effective management of stormwater runoff and liquid or solid waste disposal</p> <p>Note: Guidelines are provided in the Heron Island Management Agreement, the Great Barrier Reef Marine Park Authority and the Environmental Protection Agency with respect to the construction and operation phases of such development.</p> <p>(ii) building and structures do not exceed more than one storey in height except where:</p> <p>(a) provided for in the master plan for future development of tourism infrastructure on Heron Island</p> <p>(b) for conservation, navigation, scientific or communications purposes; or</p> <p>(c) involving light and transparent forms of construction such as lattice towers.</p>	S2	No solution specified.

Table 7-4 Development within the Conservation Zone

Note: Where a specific outcome does not have an acceptable solution but which would otherwise be applicable to a particular self assessable development, that part of the code does not apply to self assessable development.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O1	<p>The ecological, landscape, recreational and maritime values of the Islands will be maintained by confining development, other than for the management of the environmental values; to within the existing settlements.</p>	S1	No solution specified.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O2	<p>Development within the Conservation Zone provides for:</p> <p>(i) the retention of vegetation, particularly where such vegetation provides locally significant habitat;</p> <p>(ii) the sensitive use of materials, site responsible design and siting of buildings and structures such that buildings, structures or works are not visible for the mainland or public areas on surrounding islands;</p> <p>(iii) development appropriate to the location, having regard to the risk of cyclonic events, storm surge and erosion;</p> <p>(iv) development which will not lead to beach erosion or destabilisation of the coast;</p> <p>(v) development which does not result in unsustainable demands of the ecological processes or disrupt the recreational experiences of the island;</p> <p>(vi) management of stormwater drainage to avoid erosion and to maintain ecological processes; and</p> <p>(vii) structures which do not exceed the height of the tree canopy of the vegetation on the surrounding land.</p>	S2	No solution specified.
O3	Building materials and colours blend in with the existing vegetation on the site and the surrounding area.	S3	No solution specified
O4	Buildings are set back from the foreshore of an island.	S4	No solution specified
O5	Each construction site is rehabilitated and landscaped with endemic plant species immediately following the completion of all works prior to the commencement of the use.	S5	No solution specified
O6	Access to the site is from a safe approved landing facility.	S6	No solution specified

Table 7-5 Infrastructure

Note: Where a specific outcome does not have an acceptable solution but which would otherwise be applicable to a particular self assessable development, that part of the code does not apply to self assessable development.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O1	<p>Development is provided with adequate and appropriate infrastructure including:</p> <p>(i) a reliable supply of potable water for domestic purposes, and an adequate supply of water for fire fighting purposes;</p> <p>(ii) adequate provision for the collection, treatment and disposal of wastes;</p> <p>(iii) adequate emergency access for the intended population of the development, including access to a recognised evaluation point; and</p> <p>(iv) adequate power supply and telecommunications services for the needs of the development.</p>	S1	No solution specified
O2	Premises have direct access to an all weather road.	S2	No solution specified

Table 7-6 Inconsistent Use

Note: Where a specific outcome does not have an acceptable solution but which would otherwise be applicable to a particular self assessable development, that part of the code does not apply to self assessable development.

Specific Outcomes		Probable and Acceptable Solutions	
Assessable Development			
O1	All uses and use classes referred to in the Assessment Tables as “inconsistent use” are not located in the relevant zone in which those inconsistent uses or use classes are referred.	S1	No solution specified.