

PART 7 OFF-SHORE ISLANDS LOCALITY

Division 1 Preliminary

7.1 Description

The extent of the Off-Shore Locality Code and each precinct is shown on Key Map 2 – Locality Key Map.

7.2 Off-Shore Islands Locality

- (1) The provisions of this part comprise the following:
 - (a) preliminary provisions for the locality (**Division 1**);
 - (b) general provisions for assessment tables (**Division 2**);
 - (c) assessment table for each zone in the Off-Shore Islands Locality – Making a Material Change of Use (**Division 3**);
 - (d) assessment table for Off-Shore Islands Locality – Other Development (**Division 4**);
 - (e) general Provisions for the Off-Shore Islands Locality (**Division 5**);
 - (f) overall Outcomes for the Off-Shore Islands Locality (**Division 6**);
 - (g) specific outcomes and probable and acceptable solutions for the Off-Shore Islands Locality (**Division 7**);
 - (h) overall outcomes, specific outcomes and probable and acceptable solutions for each zone in the Off-Shore Islands Locality, as follows:
 - (i) Special Activities (Tourism) Zone (**Division 8**); and
 - (ii) Open Space Zone (**Division 9**).

Division 2 General Provisions for Assessment Tables

7.3 Assessment Categories for Zones

- (1) The assessment categories¹ are identified for development in each zone in **Table 7-1** and **Table 7-2**, as follows:
 - (a) **Table 7-1** making a material change of use; or
 - (b) **Table 7-2** other development including:
 - (i) carrying out building work not associated with a material change of use;
 - (ii) reconfiguring a lot;
 - (iii) carrying out operational work for reconfiguring a lot;
 - (iv) carrying out operational work not associated with a material change of use or reconfiguring a lot and involving earthworks filling or excavation of land; and
 - (v) other.

7.4 Relevant assessment criteria for self-assessable development and assessable development in each zone

- (1) The relevant assessment criteria in each zone 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 Operational Works associated with a Material Change of Use

- (1) If assessable development for a material change of use includes assessment of associated works, codes applicable to the assessment of such works identified in Column 3 of **Table 7-2** also apply to the assessment of the assessable development.

7.6 Consistent and inconsistent uses in each zone

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

¹ Information about assessment categories is provided in the Mackay City Council Planning Scheme User's Guide.

Division 3 Assessment Categories and Relevant Assessment Criteria for Making A Material Change Of Use – Offshore Islands Locality

- Assessment categories may also be affected by overlay assessment tables. See overlay maps to determine whether the land is affected. Also see Section 1.11(3) explaining how the higher assessment category prevails.
- Planning scheme policies [Part 13] indicate when the local government may undertake consultation or seek further information from the applicant about an application.

Table 7-1 - Assessment Categories and Relevant Assessment Criteria for Making a Material Change of Use - Offshore Islands Locality

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|--|-----------------------------------|-------------------|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Accommodation Units | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Multiple Dwellings Accommodation units and Dual Occupancy Code Tourist Accommodation Resorts Code Environment and Infrastructure Code 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 |
| Agriculture (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Airport | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Animal Husbandry (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Aquaculture (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Bed and Breakfast Accommodation | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Bed and Breakfast Accommodation Code Environment and Infrastructure Code 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 |
| Bulk Landscape Supplies (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Bulk Store (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Car Park | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|--|-----------------------------------|-------------------|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Car Repair Workshop (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Caravan Park | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Caretaker's Residence | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Environment and Infrastructure Code 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 |
| Catering Shop | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |
| Cemetery (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Child Care Centre | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Child Care Centre Code Environment and Infrastructure Code 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 |
| Commercial Premises | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |
| Concrete Batching Plant (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Crematorium (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|--|-----------------------------------|-------------------|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Dependent Persons' Accommodation | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Dependent Persons' Accommodation Code Environment and Infrastructure Code 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 |
| Dual Occupancy | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Multiple Dwellings Accommodation Units and Dual Occupancy Code Environment and Infrastructure Code 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 |
| Dwelling House | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Dwelling House Code Environment and Infrastructure Code 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 |
| Educational Establishment | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Environment and Infrastructure Code 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 |
| Extractive Industry (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Family Day Care | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Environment and Infrastructure Code 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 |
| Forestry | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| General Industry (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Hardware Store | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|---|-----------------------------------|-------------------|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Health Care Centre | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |
| Heavy Vehicle Parking (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Home Occupation | Exempt | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Home-based business | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Home-Based Business and Home Occupation Code Environment and Infrastructure Code 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 |
| Hospital | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Hotel | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |
| Indoor Entertainment | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |
| Institution (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Intensive Animal Husbandry (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Junk Yard (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|---|-----------------------------------|---|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Kennels (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Local Community Facility | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Local Community Facilities Code Environment and Infrastructure Code 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 |
| Machinery and Vehicle Sales Showroom (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Marina | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Maritime Services (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Motel | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Motel Code Environment and Infrastructure Code 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 |
| Multiple Dwelling Units | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Multiple Dwellings Accommodation Units and Dual Occupancy Code Environment and Infrastructure Code 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 |
| Noxious, Offensive or Hazardous Industry (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Outdoor Entertainment | Code Assessable | Impact Assessable except where no building work or operational work is required, which is Code Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |
| Outdoor Sales Premises (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Park | Exempt | Exempt | |

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|--|--|-------------------|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Place of Worship | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Plant Nursery | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |
| Public Utility | Code Assessable | Code Assessable | If code or impact assessable: Off-Shore Islands Locality Code Environment and Infrastructure Code |
| Rail Transport Terminal (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Residential Storage Shed | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Residential Storage Sheds Code Environment and Infrastructure Code 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 |
| Retail Showroom (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Roadside Stall (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Rural Industry (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Service Industry (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Service Station | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Shop | Impact Assessable except where: Premises used for the purpose of shop comprise a GFA of 100 m ² or less: which is Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Environment and Infrastructure Code 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 |

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|------------------------------------|-----------------------------------|--|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Shopping Centre (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Special Purposes | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Sport and Recreation | Code Assessable | Impact Assessable except: where no building work or operational work is required, which is Code Assessable | If code or impact assessable: Off-Shore Islands Locality Code Recreation Facilities Code Environment and Infrastructure Code 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 |
| Stable (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Stockyard (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Telecommunications Facilities | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Tourist Facility | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Retail and Commercial Code Tourist Accommodation Resorts Code Environment and Infrastructure Code 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 |
| Transport Depot (Inconsistent Use) | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Transport Terminal | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Industrial Code Environment and Infrastructure Code 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 |
| Vehicle Hire Premises | Code Assessable | Impact Assessable | If code or impact assessable: Off-Shore Islands Locality Code Industrial Code Environment and Infrastructure Code 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 |

| Use | Assessment Category | | Relevant Assessment Criteria – applicable code if development is self-assessable or requires code assessment |
|---|-----------------------------------|-------------------|--|
| | Special Activities (Tourism) Zone | Open Space Zone | |
| Veterinary Hospital | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Warehouse | Impact Assessable | Impact Assessable | For impact assessable development, regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA |
| Other Uses Not Defined by the Planning Scheme | Impact Assessable | Impact Assessable | |

Division 4 Assessment Categories and Relevant Assessment criteria for the Off-Shore Islands Locality – Other Development

Table 7-2 Other Development

Notes –

(1) Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected. Also see section 1.11(3) explaining how the higher assessment category prevails.

(2) Planning scheme policies Part 13 indicate when the local government may undertake consultation or seek further information from the applicant about an application.

| Column 1 | Column 2 | Column 3 |
|---|--|---|
| Type of Development | Assessment Category (All Zones) | Relevant Assessment Criteria |
| RECONFIGURING A LOT | | |
| Reconfiguring a lot | Code Assessable | Reconfiguration of a Lot Code Environment & Infrastructure Code Locality Code Zone Code |
| OPERATIONAL WORK | | |
| Placing an advertising device on premises | Exempt ¹ | |
| Minor Works | Exempt ² | |
| Carrying out operational work where associated with Reconfiguring a Lot. | Code Assessable | Operational Works (Earthworks) Code Environment & Infrastructure Code Reconfiguration of a Lot Code |
| Carrying out operational work where associated with a Material Change of Use | Code Assessable | Operational Works (Earthworks) Code Environment and Infrastructure Code |
| Carrying out operational work not associated with a Material Change of Use or Reconfiguring a Lot or Building Work. | <p>Exempt where:</p> <ul style="list-style-type: none"> ▪ The excavation or filling of land is: <ul style="list-style-type: none"> - to a depth of less than 200mm and less than 20m³. ▪ The operational works is not to facilitate a future Material Change of Use or Reconfiguration of a Lot. <p>Code Assessable where the criteria for being Exempt does not apply.</p> | Operational Works (Earthworks) Code Environment & Infrastructure Code |
| | | |

Note 1: Placing an advertising device on premises is controlled by the Control of Advertisements Local and Subordinate Law (Local Law Policy No. 78).

Note 2: Minor works associated with an invert crossing, concrete driveway and stormwater connections are controlled by Council's Road Local Law (Local Law No. 74).

Note 3: Development which is exempt from assessment under the Planning Scheme may be subject to assessment under other legislation or regulations (e.g. Building Code of Australia, Vegetation Management Act or Water Act). Under IPA, exempt development is identified in Schedule 9 and includes Operational Works associated with management practices for the conduct of an agricultural use.

Division 5 General Provisions for the Off-Shore Islands Locality Code

7.7 Off-Shore Islands Locality Code

- (1) The following provisions comprise the Off-Shore Islands Locality Code:
 - (a) compliance with the Off-Shore Islands Locality Code (**Section 7.7**);
 - (b) overall outcomes for the Off-Shore Islands Locality (**Division 6**);
 - (c) specific outcomes and acceptable/probable solutions for the Off-Shore Islands Locality (**Division 7**);
 - (d) specific outcomes and acceptable/probable solutions for each zone in the Off-Shore Islands Locality (**Division 8 to Division 9**).

7.8 Compliance with the Off-Shore Islands Locality Code

- (1) Development that is consistent with the following complies with the Off-Shore Islands Locality Code:
 - (a) the specific outcomes for the locality in **Division 7**; and
 - (b) the specific outcomes for the relevant zone (**Division 8 to Division 9**).

Division 6 Overall Outcomes and Probable and Acceptable Solutions for the Off-Shore Islands Locality

- (1) The overall outcomes for the Off-Shore Islands Locality ² Code are the purpose of the Code.
- (2) The overall outcomes for the Off-Shore Islands Locality are as follows:
 - (a) Off-Shore islands provide opportunities for island living as part of a range of living and lifestyle options across the City.
 - (b) Off-Shore islands provide opportunities for tourism development to support the growth and development of hospitality and business services sectors of the economy.

² The Off-Shore Islands Locality boundaries coincide with that of the Islands as listed below¹. The boundaries are shown on key Map 2 - Locality Key Map².

| | | |
|------------------------|-------------------------|--------------------|
| Lindeman Island Group | Sir James Smith Group | Bullion Rocks |
| Lindeman Island | Blacksmith Island | Brampton Island |
| Shaw Island | Landysmith Island | Carlisle Island |
| Pentecost Island | Bellows Island | Wigton Island |
| Ann Island | Pincer Island | Helvellyn Rocks |
| Cole Island | Hammer Island | Maryport Islets |
| Little Lindeman Island | Anvil Island | Codkermouth Island |
| Sydney Island | Anchor smith Island | Silloth Rocks |
| Seaforth Island | Silver smith Island | Calder Island |
| Chrome Rock | Copper smith Island | Scawfell Island |
| Yellow Rock | Goldsmith Island | Tern Island |
| Counston Island | Linne Island | Bush Island |
| Triangle Island | Farrier Island | Redbill Island |
| Baynham Island | Locksmith Island | Keswick Island |
| Mansell Island | Tin smith Island | St. Bees Island |
| Thomas Island | Solder Island | Aspatria Island |
| Dead Dog Island | Ingot Islets | Round Top Island |
| Long Rock | Allonby Island | Flat Top Island |
| Keyser Island | Coffin Island | Snare Peak Island |
| Volskow Island | Finger and Thumb Island | Penrith Island |

- 1 *Note that the list of Islands is not a complete list of all land above high water mark within the Mackay City Council area and is primarily provided for descriptive purposes.*
- 2 *Development approvals within the Off-shore Islands Locality are controlled by a variety of agencies.*
 1. *The Commonwealth Marine Park boundary extends to mean low water and is administered by the Great Barrier Reef Marine Park Authority;*
 2. *Terrestrial (islands) and State Marine Parks (to high water mark) are administered by the State Environmental Protection Agency (Queensland Parks and Wildlife Service);*
 3. *The Mackay City Council administers land above the high water mark within its local authority boundaries and which has not been specifically excluded from its administrative jurisdiction by an Act of Parliament.*
 4. *The Great Barrier Reef World Heritage Area extends to mean low water and is administered by the Commonwealth Department of Environment and Heritage. The provisions of the Environment Protection and Biodiversity Conservation Act 1999 may apply.*

- (c) Development in island locations is limited in scale.
- (d) Infrastructure services to the islands are designed and constructed having regard to the sensitivity of the environment and the finite nature of resources available.
- (e) Open space areas on the islands remain in their natural state and are protected from the adverse effects of development.
- (f) Accessibility to major community facilities is maintained and enhanced to optimise their value to the community.

Division 7 Specific Outcomes and Probable and Acceptable Solutions for the Off-Shore Islands Locality:

| Specific Outcomes | | Acceptable / Probable Solutions | |
|------------------------|--|---------------------------------|------------------------|
| Assessable Development | | | |
| P1 | Development on the islands is restricted to the Special Activities (Tourism) zone on those Islands which have been previously subject to development, in particular, Keswick Island, Brampton Island and Lindeman Island. | S1 | No solution specified. |
| P2 | <p>Development:</p> <ul style="list-style-type: none"> (i) Does not adversely affect ecological processes, high level habitat and biodiversity values and landscape values of the islands systems and the outstanding conservation values of the Great Barrier Reef World Heritage Area; Commonwealth and State Marine Parks; Marine Wildlife Sanctuaries and any other designated areas of environmental or conservation value; (ii) is subservient to the landscape and within the environmental and recreational carrying capacity of the site and the setting; (iii) is in keeping with any outstanding cultural, ecological, biodiversity, landscape or recreation values of the site and the setting; (iv) maintains the stability of the coast and the quality of receiving waters; (v) avoids unacceptable built forms or excessive removal of coastal vegetation; (vi) incorporates 'clean and green' methods of waste disposal and utilises renewable sources of energy where ever possible, e.g. solar; (vii) incorporates planning for hazards such as cyclones to ensure the safety of visitors and other occupants of the islands; and (viii) is sustainable and self-sufficient in terms of infrastructure requirements and emergency access. | S2 | No solution specified. |

Division 8 Overall & Specific Outcomes and Probable & Acceptable Solutions for the Off-Shore Islands Locality - Special Activities (Tourism) Zone

- (1) The overall outcomes of the zone are the purpose of the Code.
- (2) The overall outcomes for the **Special Activities (Tourism) zone** are:
 - (a) Tourist facilities:
 - (i) are restricted to the Special Activities (Tourism) zone on those Islands which have been previously subject to development, in particular, Keswick Island, Brampton Island and Lindeman Island;
 - (ii) have a low-impact form, scale and intensity with the setting which is sympathetic to the natural environment;
 - (iii) maintain the landscape character of the islands to ensure the continued attractiveness of the Islands for tourists;
 - (iv) ensure recreation-based developments, including boat launching facilities, do not adversely affect ecological processes and conservation values;
 - (v) provide attractions, services and facilities for visitors to support their appreciation of outstanding conservation values of the islands and to support the ongoing development of the tourist industry in the region;
 - (vi) minimise clearing of remnant native vegetation, marine plants or any other type of vegetation;
 - (vii) minimise impacts such that the composition and distribution of the area's natural communities and species of conservation significance are not threatened;
 - (viii) minimise waste and incorporate best-practice environmentally sustainable waste disposal practices;
 - (ix) do not release unacceptable emissions or contaminants to the environment; and
 - (x) do not need a large workforce or create a large resident or live-in workforce.
 - (b) Tourist accommodation and related facilities are designed and sited to minimise the risk of property damage or loss through flooding, inundation or bushfire hazard.
 - (c) Development is either
 - (i) supported by existing infrastructure (including roads, water supply, sewerage disposal and stormwater disposal) or
 - (ii) provides infrastructure to a standard or capacity which meets the needs of the development.
- (3) The specific outcomes and acceptable/probable solutions for the Off-Shore Islands - Special Activities (Tourism) Zone are as follows:

| Specific Outcomes | | Acceptable / Probable Solutions | |
|------------------------|---|---------------------------------|---|
| Assessable Development | | | |
| P1 | Development on the islands is restricted to land included within the Special Activities (Tourism) Zone. | S1 | No solution specified. |
| P2 | The accommodation component of tourist development is located on land suitable for the intended use such that the land: (i) is stable and not susceptible to excessive soil erosion; and (ii) can be developed without requiring benching earthworks. | S2 | The accommodation component of tourist related development: (i) does not include land steeper than 15% gradient, or (ii) includes an area of at least 250 m ² with an average gradient less than 15% for the siting of any accommodation component of buildings. |
| P3 | Any accommodation component of tourist related developments is protected from the adverse consequences of flooding and inundation hazards. | S3 | No solution specified. |
| P4 | The on-going development of the existing tourist facilities on Brampton, Keswick and Lindeman Islands achieves site sensitive design which takes into consideration the high landscape character and natural environmental values of the islands and the surrounding World Heritage Area. | S4 | No solution specified. |
| P5 | The accommodation component of tourist related developments is protected from the adverse consequences of bushfire and acid sulfate soils hazards. | S5 | No solution specified. |
| P6 | Tourist development minimises the impacts on the surrounding sensitive environment by : (i) limiting disturbance of natural areas; (ii) minimising the need for earthworks; (iii) avoiding development on steep land; (iv) providing adequate and appropriate levels of services having regard to the Island nature of the site; (v) providing for the utilisation of alternative energy sources and renewable methods of waste disposal; (vi) minimising contamination of soil or waterways; and (vii) does not result in loss of significant vegetation. | S6 | No solution specified. |
| P7 | Recreational based development: (i) is of a low key and small scale nature; (ii) has a focus on nature based activities; (iii) is appropriate to the setting; and (iv) minimises the need for physical infrastructure. | S7 | No solution specified. |
| P8 | Infrastructure required to service tourism development is of a low key and small scale nature. | S8 | No solution specified. |

| Specific Outcomes | | Acceptable / Probable Solutions | |
|------------------------|---|---------------------------------|------------------------|
| Assessable Development | | | |
| P9 | Rural residential or Urban Residential Development does not occur. | S9 | No solution specified |
| P10 | Land in the Special Activities (Tourism) zone is used for tourism purposes. | S10 | No solution specified. |

Division 9 Overall & Specific Outcomes and Probable & Acceptable Solutions for the Open Space Zone in the Off-Shore Islands Locality

- (1) The overall outcomes for the zone are the purpose of the Code.
- (2) The overall outcomes for the **Open Space zone** are:
 - (a) The open space areas of the islands remain in their natural state and accommodate nature based, low key and low intensity activity and works to:
 - (i) protect the significant natural environmental values of the open space;
 - (ii) provide for the continued enjoyment and attraction for visitors to the region; and
 - (iii) avoid works or buildings which visually dominate the landscape.
 - (b) Development respects the need for conservation measures and community facilities and incorporates:
 - (i) mitigation measures to limit any adverse effects of development;
 - (ii) effective buffer areas; and
 - (iii) limited, if any, clearing of vegetation or any earthworks.
- (3) The specific outcomes and acceptable/probable solutions for the Off-Shore Islands - Open Space Zone are as follows:

| Specific Outcomes | | Acceptable / Probable Solutions | |
|------------------------|--|---------------------------------|------------------------|
| Assessable Development | | | |
| P1 | Open space areas remain in their undeveloped natural state to protect the environmental and landscape character values of the Islands. | S1 | No solution specified. |
| P2 | Development: <ol style="list-style-type: none"> (i) is of a low key and small scale nature; (ii) has a focus on nature based activities; (iii) is appropriate to the setting; and (iv) minimises the need for physical infrastructure. | S2 | No solution specified. |
| P3 | Community and recreation facilities are appropriately located. | S3 | No solution specified. |
| P4 | Buffer areas protect the sensitive surrounds particularly the coastal area. | S4 | No solution specified. |
| P5 | Vegetation clearing and earthworks are minimised. | S5 | No solution specified. |
| P6 | Rural residential development does not occur. | S6 | No solution specified. |