

MIRANI SHIRE PLAN 2007

PROPOSED AMENDMENTS NUMBER 1 of 2007

**FOR ADOPTION - INCLUDING MODIFICATIONS MADE AS A RESULT OF SUBMISSIONS AND AS A RESULT OF CONDITIONS FROM THE SECOND STATE INTEREST REVIEW
14 OCTOBER 2009**

No	Section/Page No	No	Details of Amendment
1	1.4.3 Page 4	A	Add Tourism Zone.
	1.4.5.2 Page 5	B	Add Dependant Person's Accommodation to Defined Use and Use Class Codes.
	1.4.5.2 Page 5	C	Add Operational Works to General Codes.
2	2.2.3 DEO 24 Page 10	A	<i>Discrete areas of low density residential uses in rural areas are located in close proximity to urban localities and such that an acceptable standard of infrastructure is provided.</i>
3	Table 3-1 Page 13	A	Insert a new Tourism Zone, with uses classified as follows: <ul style="list-style-type: none"> ○ Exempt development Conservation Area and Local Utility ○ Code assessable Bed and Breakfast Accommodation Caravan Park Tourist Accommodation ○ Impact Assessable (consistent uses) Indoor Recreation and Entertainment Licensed Premises Restaurant Shop/Shopping Centre Sport and Recreation ○ Impact Assessable (inconsistent uses) All other uses (including undefined uses).
		B	Delete Footnotes 2 and 3 and renumber the remaining footnotes accordingly.
4	Table 3-2 Page 14	A	Insert Tourism Zone
		B	Amend 1 and 2 under "Other Operational Works" as follows: <ul style="list-style-type: none"> ○ 1. <i>Private driveways and pathways within the Rural, Rural Residential and Residential Zones, including within a road reserve.</i> ○ 2. <i>Gravel, formed or unformed vehicle accesses within the Rural Locality, including within a road reserve.</i>
5	4.2.1 Page 21	A	Delete reference to Urban Locality Code and replace with Rural Locality Code.

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6	Part 5.1 Accommodation Units, Multiple Dwelling Units and Tourist Accommodation Code	A	<p>Delete S20.1 (1) and (2) and replace as follows:</p> <p>S20</p> <p>A dwelling unit, excluding any outbuilding, on a lot less than 10ha in extent is separated from nearby good quality agricultural land and agricultural uses as follows:</p> <p>1. where in proximity to good quality agricultural land, cane land or other horticultural activity:</p> <p>(i) a minimum 40m, where the distance incorporates vegetation; or</p> <p>(ii) a minimum 300m, where the distance is to be left as open ground.</p>
		B	Delete S20.1(2)(b)(ii).
		C	Delete Drawing 5-1(A) and any references to Drawing 5-1 (A).
7	Part 5.4 Dwelling House Code	A	<p>Delete S5.1 (1) and (2) and replace as follows:</p> <p>S5.1</p> <p>A dwelling house, excluding any outbuilding, on a lot less than 10ha in extent is separated from nearby good quality agricultural land and agricultural uses as follows:</p> <p>1. where in proximity to good quality agricultural land, cane land or other horticultural activity:</p> <p>(iii) a minimum 40m, where the distance incorporates vegetation; or</p> <p>(iv) a minimum 300m where the distance is to be left as open ground.</p>
		B	Delete Drawing 5-4(A) and any reference to Drawing 5-4 (A).
		C	<p>Amend S7.2 to provide as follows:</p> <p><i>In the Urban Locality:</i></p>

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			<i>a) a dwelling house does not comprise a pre-manufactured or relocatable dwelling.</i>
		D	Amend S 8.3 to apply only in the Urban Locality.
		E	Amend S9.1(a) to delete the words “ <i>and presents its smaller dimension towards the lot frontage.</i> ”
		F	Amend S9.1(b) by deleting the words “or carport.”
		G	Amend S9.1(c) to provide as follows: <i>Any garage or carport located forward of the rear building line(s) of the dwelling house is not more than 8m wide (street-facing elevation) and does not exceed a building height of 4.5m or a gross floor area of 54m².</i>
		H	Amend S9.1(f) to provide as follows: <i>f) Above ground water tanks are located entirely rearward of the rear building line(s) of the dwelling house, other than where the tank:</i> <i>i) is entirely contained below an eave or roof overhang, or is screened from view to the street by 1800mm fencing (solid barrier fencing if a gate is included) and landscaping (other than to any gate);</i> <i>ii) is not forward of the front building line or adjacent to a street-facing wall (other than a side wall); and</i> <i>iii) in the case of a tank contained below an eave or roof overhang, does not exceed dimensions of 900mm (measured perpendicular to the dwelling wall) x 2800mm (measured parallel to the dwelling wall) x 1600mm high.</i>
		I	Re-number Drawings 5-4(B) to 5-4(C) to 5.4(A) to 5-4(B).
		J	Amend S12.1 to provide as follows: <i>A dwelling house in an Urban Locality has an individual, underground connection to an electricity supply service provided by Ergon Energy.</i>
		K	Amend S14.1 to provide as follows: <i>Any dwelling house, including any associated structure (including any water tank whether above or below ground), outbuilding or driveway (other than as provided in S14.2), is located entirely outside the zone of influence of any sewer.</i>
		L	Insert a new S14.2 to provide as follows: <i>Where a sewer is located within a lot and adjacent to the frontage of such lot:</i> <i>a) A driveway traversing the zone of influence contains construction joints 1 metre either side of the sewer centreline; and</i>

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			<i>b) any sewerage connection (jump-up) and/or house drainage under the driveway is/are extended to the finished driveway surface and trap-screw openings are provided.</i>
8	Part 5.5 Dependant Person's Accommodation Code	A	Amend S5.1 as per Amendment 6A above to the Dwelling House Code.
		B	Delete Drawing 5-5(A) and any references to Drawing 5-5(A).
		C	Insert a new O13 and associated acceptable solutions as per O14 in the Dwelling House Code (as amended in Amendments 6K and L).
		D	Re-number Specific Outcome O13 to O14.
		E	Delete O14 (original numbering) and its associated acceptable/probable solutions.
9	Part 7.3 Vehicle Parking and Movement Code	A	Amend Table 7-3 as follows: <i>Tourist Accommodation</i> <i>One space per unit of accommodation, plus:</i> <ul style="list-style-type: none"> ○ <i>One space per two employees,</i> ○ <i>One visitor's space per two units of accommodation, plus</i> ○ <i>Provision as required for any hotel, commercial or recreation facilities or the like.</i>
10	Part 7.4 Infrastructure Code	A	Amend the typo in the probable solution for O6 to refer to O6 (as opposed to O5).
		B	Amend the typo in O12 to refer to a sewerage system (as opposed to water supply)
11	Part 7.6 Advertising Devices Code	A	Amend the list of land uses in S1.1 to include a restaurant.
12	Part 8.2 Defined Uses	A	Amend the definition of "Oversized Shed" to increase the height parameters listed in (a) to (c) inclusive to 4.5m and to increase the gross floor area parameters listed in (a) to (c) to 10% of the area of the lot or over 85m ² , whichever is the lesser
13	Part 8.3 Administrative Terms	A	Insert a definition of "Carport" as follows: <i>An outbuilding comprising a Class 10a building used for covered vehicle parking that is not fully enclosed (ie that is permanently open on two or more sides and over at least one third of its perimeter).</i>
		B	Insert a definition for "Garage" as follows: <i>An outbuilding comprising a Class 10a building used for covered vehicle parking that is enclosed or does not comprise a carport as separately defined.</i>

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		C	<p>Amend the definition of “Pre-Manufactured or Relocatable Dwelling” as follows:</p> <p><i>Includes the following:</i></p> <ul style="list-style-type: none"> ○ <i>a dwelling unit manufactured or assembled from a kit or components manufactured away from the site upon which the dwelling unit is to be erected, where the dwelling unit is transported to such site, either as an assembled whole or in its component parts, to be assembled or erected on such site.</i> ○ <i>A demountable building or a transportable building.</i> ○ <i>A shed-like dwelling (including a barn-style dwelling).</i> ○ <i>A re-site dwelling, where an existing dwelling unit is relocated from one site to another, either in whole or in part.</i>
14	Part 9 Zoning Maps		
		A	<p>Amend Map 11 by rezoning the following lots to Tourism Zone:</p> <ul style="list-style-type: none"> ○ 3 on SP167456 ○ 1 on E5722
		B	<p>Amend Map 22 by rezoning the following lots to Rural Zone:</p> <ul style="list-style-type: none"> ○ 57 on HLN130 ○ 67 on HLN44
15	Miscellaneous	A	Amendments to correct minor typographical errors throughout the planning scheme identified during the state interest check.