

6.2.2 Conservation zone code

6.2.2.1 Application

- (1) This code applies to assessing development in the Conservation zone.
- (2) When using this code, reference should be made to Part 5.

6.2.2.2 Purpose

- (1) The purpose of the Conservation zone code is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.
- (2) The local government purpose of the code is:
 - (a) to ensure the conservation, protection and restoration of the biological diversity, ecological integrity and scenic amenity values of land and provide for habitat connectivity;
 - (b) to recognise that land within this zone is generally not suitable for further development;
 - (c) to ensure that where development does occur in the zone, it does not adversely affect the environmental and scenic amenity values of the zone and is in keeping with the natural characteristics of the land.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) land within the Conservation zone is appropriately managed to protect and maintain biological diversity, water quality, ecological functioning, beach protection and coastal management, scenic amenity and historical and cultural values;
 - (b) the values of the Wet Tropics World Heritage Area are protected;
 - (c) development does not occur within the zone, with the exception of low intensity development based on the appreciation of the significant values of the area where a demonstrated need exists;
 - (d) areas which form part of the scenic rim are protected from adverse effects of development on their scenic values;
 - (e) development does not adversely affect the conservation or scenic values of the site or surrounding area;
 - (f) development does not adversely affect areas of environmental significance on the site or surrounding area;
 - (g) lot reconfiguration, other than amalgamations or boundary realignments to resolve minor, existing encroachments, does not occur;
 - (h) development reflects and responds to the natural features and constraints of the land.

Note – Planning scheme policy – Natural areas provides further guidance on meeting the overall outcomes.

6.2.2.3 Criteria for assessment

Part A - Criteria for assessable development

Table 6.2.2.3.a – Conservation zone code – assessable development

Performance outcomes	Acceptable outcomes
For assessable development	
Height	
<p>PO1 The height of buildings and structures is compatible with the character of the area and does not adversely affect the amenity of the area.</p> <p>Note – A visual impact assessment may be required where a proposed development exceeds the height stated in AO1.1. Planning scheme policy – Landscape values provides guidance on undertaking a visual impact assessment.</p> <p>Note – The setbacks stated in AO2.1 correspond with the height stated in AO1.1. Where a proposed development exceeds the height stated in AO1.1, the proposed development will also be assessed against PO2.</p>	<p>AO1.1 Buildings and structures are not more than 8.5 metres and 2 storeys in height.</p> <p>Note – Height is inclusive of the roof height.</p>
Setbacks	
<p>PO2 Buildings and structures are set back from the boundaries of the site to maintain the character and amenity of the area.</p>	<p>AO2.1 Buildings and structures are set back not less than:</p> <ul style="list-style-type: none"> (a) 40 metres from the frontage to a state controlled road; (b) 20 metres from the frontage to any other road; (c) 10 metres from the side and rear boundaries.
Uses and other development	
<p>PO3 Development is consistent with the purpose and overall outcomes sought for the zone.</p>	<p>AO3.1 No acceptable outcomes are provided.</p>
Site constraints	
<p>PO4 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.</p> <p>Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p>	<p>AO4.1 No acceptable outcomes are provided.</p>
Amenity	
<p>PO5 Development complements, and is subservient to, the surrounding environment and is in keeping with the unique ecological and scenic values of the area.</p>	<p>AO5.1 The exterior finishes and colours of development are non-reflective and complement the colours of the surrounding vegetation and view shed.</p>

Performance outcomes	Acceptable outcomes
<p>PO6 Development is screened from view from the boundaries of adjoining premises and roads through appropriate landscaping which ensures the native landscape character of the area dominates.</p> <p>Note - Planning scheme policy – Landscaping provides further guidance on meeting this Performance Outcome.</p>	<p>AO6.1 No acceptable outcomes are provided.</p>
Values	
<p>PO7 Development is located to:</p> <ul style="list-style-type: none"> (a) protect the ecological values of the site and surrounding land; (b) maintain the scenic values of the area; (c) maintain appropriate setbacks to waterways, watercourses, wetlands and tidal areas, and overland flow paths; (d) avoid areas that are vulnerable to natural hazards; (e) minimise to the greatest extent possible, on-site excavation and filling; (f) provide buffers to cultural, historical or ecological features; (g) minimise visibility from external sites or public viewing points; (h) minimise to the greatest extent possible the loss of native vegetation and fauna habitat. 	<p>AO7.1 No acceptable outcomes are provided.</p>
<p>PO8 Development does not result in adverse impacts on ecological function or values onsite, on surrounding land or waterways or wetlands.</p>	<p>PO8.1 No acceptable outcomes are provided.</p>
<p>PO9 Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.</p>	<p>AO9.1 No acceptable outcomes are provided.</p>
<p>PO10 Fencing is designed to not impede the movement of fauna through the site.</p>	<p>AO10.1 No acceptable outcomes are provided.</p>
Lot reconfiguration	
<p>PO11 Lot reconfiguration results in no additional lots, except where associated with a lease exceeding 10 years and associated with an existing or approved Telecommunications facility.</p>	<p>PO11.1 No acceptable outcomes are provided.</p>