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Local plan - HILP - 01 (Heights plan)

Part 7 Local plans

7.1 Preliminary

- (1) Local plans address matters at the local or district level and may provide more detailed planning for the zones.
- (2) Local plans are mapped and included in Schedule 2 (Mapping).
- (3) A precinct may be identified for part of a local plan.
- (4) The levels of assessment for development in a local plan are in Part 5 (Tables of assessment).
- (5) Assessment criteria for local plans are contained in a local plan code.
- (6) Each local plan code identifies the following:
 - (a) the application of the local plan code
 - (b) the purpose of the local plan code
 - (c) the overall outcomes that achieve the purpose of the local plan code;
 - (d) the purpose and overall outcomes for each precinct
 - (e) the performance outcomes that achieve the overall outcomes of the local plan code
 - (f) the acceptable outcomes that achieve the performance outcomes of the local plan code
 - (g) the performance and acceptable outcomes of a precinct that achieve the overall outcomes of the precinct.
- (7) The following are the local plan codes for the planning scheme:
 - (a) Hamilton island local plan

7.2 Local plan codes

7.2.2 Hamilton island local plan code

7.2.2.1 Application

This code applies to self-assessable and assessable development within the Hamilton island local plan as identified on the zoning maps contained within Schedule 2 (Mapping).

Note – Applicants should seek guidance from Hamilton Island Enterprises prior to lodging a development application.

Editor's note – To the extent any inconsistency between the Hamilton island local plan code and any other part of the Planning scheme, the Hamilton island local plan code prevails.

7.2.2.2 Purpose and overall outcomes

- (1) The purpose of the Hamilton island local plan code is to provide a development framework that facilitates growth to sustain and strengthen the tourist centre of Hamilton Island, while retaining its valuable natural assets.
- (2) The purpose of the Hamilton island local plan code will be achieved through the following overall outcomes:
 - (a) Hamilton Island provides for an integrated tourist resort community, comprising Hamilton and Dent Islands;
 - (b) Dent Island functions as an integrated part of Hamilton Island;
 - (c) Dent Island provides low impact, small scale resort Accommodation and Recreational activities, which is less intensively developed than Hamilton Island;
 - (d) Hamilton Island's role and use as an offshore gateway to the Whitsunday Islands is maintained and enhanced;
 - (e) development does not compromise the ongoing operation of existing tourist facilities and attractions with uses contributing to the vitality and experience of Hamilton Island as a tourist destination, residential community and a cultural focal point;
 - (f) development provides for a clusters of appropriately located low and low-medium density Accommodation activities in both traditional neighbourhood and mixed use formats, providing for and supporting the residential and tourist function of the island, optimising premium hillside views to the ocean and maintaining the privacy of existing residential sites;
 - (g) development is located on ridgelines and vegetated gullies to remain generally recessive through existing vegetation and foreshore features as viewed from surrounding marine waters by way of suitable aesthetic building design, treatments and colours;
 - (h) development for Business, Entertainment, Recreation activities provide for both resident and visitor needs and support day and night time economies, being established where they are compatible with the character and amenity of surrounding development, optimise public accessibility to and visibility of waterfront areas and natural features or support marina functions and provide services to boats and boat users;

- (i) development of Community, Industry and Other activities may be established where they support tourist, marina or aviation functions and services, and are compatible with the scale, nature, character and amenity of surrounding development;
- (j) the character and individual identity of each development, evident in the style of buildings, landscaping and views to (and from) the surrounding waterbodies and natural features/landscapes is maintained;
- (k) development incorporates a high standard of architecture, urban design and landscaping that creates attractive and functional buildings, streets and places;
- (l) development provides for a built form that is predominately low-rise and compatible in theme, scale and character with the existing or desired form of development within the island;
- (m) development provides for an architectural character which reflects an open and relaxed lifestyle centred on the outdoors and designed to be responsive to the tropical maritime climate and environment;
- (n) development provides and maintains a high level of residential and visitor amenity;
- (o) development is linked by a series of circulation and open space networks that are designed to provide pedestrian, cyclists and other resort transport modes with direct, integrated, safe and pleasant access to centres, waterfront, marina and recreation activities;
- (p) development is located, designed and operated in a manner that does not unreasonably impact on the amenity of surrounding premises, having regard to matters such as traffic, noise, lighting, waste, fumes, odours, hours of operation, privacy, overlooking and public health and safety;
- (q) the tourism and recreation significance and the environmental and landscape values of Hamilton Island is recognised and protected with the accessibility of the surrounding marine and national parks (or other areas of conservation or scenic value) maintained for visitors and residents;
- (r) development avoids or mitigates any adverse impacts on areas of cultural heritage significance or environmental significance (including creeks, gullies, waterways, wetlands, coastal areas, habitats and vegetation) through sensitive location, design, operation and management;
- (s) development is provided with the full range of urban services, including reticulated water, sewerage, stormwater drainage, sealed roads, electricity and telecommunications infrastructure;
- (t) development is located and designed to maximise the efficient extension and safe operation of infrastructure;
- (u) the safety and efficiency of existing and future infrastructure is protected, and the amenity and safety of development is not adversely affected by proximity to such infrastructure; and
- (v) risks to people and property as a result of bushfire, coastal and landslide hazards are considered. Development should only be carried out in hazard areas where it is demonstrated that impacts are suitably avoided and managed.

7.2.2.3 Assessment criteria

Table 7.2.2.3.1 Criteria for self-assessable and assessable development

Performance Outcomes		Acceptable Outcomes	
All zones			
Minimum lot size			
PO1	Reconfiguring a lot provides for the size, dimensions and orientation of lots to: <ul style="list-style-type: none"> (a) be appropriate for their intended use; (b) be compatible with the existing or preferred character and identity of the zone and local area in which the land is located; (c) provide for the efficient use of for appropriate, landscaping, convenient vehicle access and manoeuvrability and on-site parking; (d) provide for the efficient use of land whilst including sufficient area for suitable and useable private open space; and (e) take account of and respond sensitively to site constraints. 	AO1.1	Land is retained in lots with a minimum lot size of: <ul style="list-style-type: none"> (a) 500m² within the Mixed use zone; (b) 1,000m² within the Low density residential zone; (c) 500m² within the Low-medium density residential zone; and (d) 1,000m² within the Low impact industry zone.
Built form			
PO2	The height of a building does not unduly: <ul style="list-style-type: none"> (a) overshadow adjoining dwellings; or (b) obstruct the outlook from adjoining lots; or (c) dominate the intended streetscape character. 	AO2.1	Development has a maximum building height: <ul style="list-style-type: none"> (a) consistent with that provided in Local plan - HILP - 01 (Hamilton island local plan: Heights plan); or (b) where not specified in the Local plan - HILP - 01 (Hamilton island local plan: Heights plan): <ul style="list-style-type: none"> (i) 8.5m above ground level, or (ii) 10.0m above ground level where located on slopes exceeding 15%.
		AO2.2	The maximum building height of a garage, carport or shed is: <ul style="list-style-type: none"> (a) 4.5m above ground level to the highest point; and (b) 3.6m to the eaves.
PO3	Development is sited and designed so as to: <ul style="list-style-type: none"> (a) provide amenity for users of the premises whilst preserving the privacy and amenity of adjoining and nearby properties; (b) preserve any existing vegetation that will buffer the proposed building; 	AO3.1	For dwelling houses and dual occupancy buildings the: <ul style="list-style-type: none"> (a) front boundary is setback a minimum of 3m; and (b) rear boundary is setback a minimum of: <ul style="list-style-type: none"> (i) 6m; or (ii) 3m where the lot backs onto Recreation and open space or non-

Performance Outcomes		Acceptable Outcomes							
	(c) allow for landscaping to be provided between buildings and street frontages and between neighbouring buildings; and (d) maintain the visual continuity and pattern of buildings and landscape elements within the street.		residential areas; (c) side boundaries are setback: (i) a minimum of 3m for lots 550m ² or less; or (ii) a minimum of 4m for lots greater than 550m ² .						
		AO3.2	For all other Accommodation activities the: (a) front boundary is setback a minimum of: (i) 6m from the primary road frontage; or (ii) 3m where fronting an internal private road; and (iii) side and rear boundaries are setback a minimum of 4m.						
		AO3.3	For Accommodation activities fronting a waterbody (including ocean), buildings are setback a minimum of 20m from the waterbody.						
		AO3.4	The integrity of natural vegetation and ground is retained and left predominantly undisturbed in boundary setback areas.						
PO4	Buildings are sited and designed so as to: (a) provide adequate building separation distance from adjoining uses; and (b) optimise visual permeability of the built form.	AO4.1	New buildings or any new building levels are separated from any existing building in the following manner: (a) habitable rooms in any new building is separated from any existing building in accordance with the table below: <table border="1" data-bbox="1002 1339 1230 1435"> <tr><td>Building height</td></tr> <tr><td>7m</td></tr> <tr><td>12</td></tr> </table> (b) non-habitable rooms in an existing building is separated from the existing building in accordance with the table below: <table border="1" data-bbox="1002 1592 1230 1688"> <tr><td>Building height</td></tr> <tr><td>7m</td></tr> <tr><td>9m</td></tr> </table>	Building height	7m	12	Building height	7m	9m
Building height									
7m									
12									
Building height									
7m									
9m									
PO5	The building is sited and designed to: (a) provide a visibly clear pedestrian entrance to and from the building; and (b) minimise the potential for pedestrian and vehicular conflict.	AO5.1	The building is sited and designed such that: (a) the main pedestrian entrance to the building (or group of buildings) is located on the primary street frontage; and (b) pedestrian access to the entrance of the building(s) or individual dwellings is easily discerned.						
PO6	Buildings are sited and designed	AO6.1	The building incorporates most or						

Performance Outcomes		Acceptable Outcomes	
	<p>in a manner which:</p> <p>(a) minimises visual bulk and scale of the building mass;</p> <p>(b) provides visual interest through building articulation and architectural design features; and</p> <p>(c) allows sufficient area at ground level for communal open space, site facilities, resident and visitor parking, landscaping and maintenance of a residential streetscape where required.</p>		<p>all of the following design features:</p> <p>(a) vertical and horizontal articulation such that no unbroken elevation is longer than 15m; or</p> <p>(b) variations in plan shape, such as curves, steps, recesses, projections or splays; or</p> <p>(c) variations in the treatment and patterning of windows, sun protection and shading devices, or other elements of a facade treatment at a finer scale than the overall building structure; or</p> <p>(d) balconies, verandahs or terraces; or</p> <p>(e) planting, particularly on podiums, terraces and low level roof decks.</p>
		AO6.2	Any projection above the podium level outside the boundaries of the building envelope is limited to balconies that do not project more than 1.5m into the setback.
		AO6.3	Roof forms include pitches or skillions with a substantial portion of the roof plane parallel to the ground slope.
Privacy and amenity			
PO7	Development does not unreasonably impact upon the amenity or environmental quality of its environs and especially any nearby sensitive uses.	AO7.1	<p>Undesirable visual, noise and odour impacts on public spaces and sensitive uses, are avoided or reduced by:</p> <p>(a) providing vehicle loading/unloading and refuse storage/collection facilities within enclosed service yards or courtyards; and</p> <p>(b) providing an enclosed, roofed, vermin and fauna proof refuse area, incorporating cross ventilation, enclosing doors and located at driveway entries.</p>
PO8	<p>Fencing ensures the protection of new landscaping and existing vegetation from indigenous and introduced fauna and is designed having regard to:</p> <p>(a) privacy and overlooking;</p> <p>(b) views and vistas;</p> <p>(c) building character and appearance; and</p> <p>(d) safety and surveillance of street and entry areas, the natural landscape.</p>	AO8.1	<p>Street front fencing:</p> <p>(a) does not exceed 1.5 metres in height and:</p> <p>(i) is screened by landscaping for the entire length; or</p> <p>(ii) where street front fencing is not screened with landscaping, the length of the fence does not exceed 75% of the frontage or 15 metres.</p>

Performance Outcomes		Acceptable Outcomes	
		AO8.2	Side and rear boundary fencing: (a) does not exceed 1.8 metres in height; (b) is constructed of masonry, timber or chain wire coated in black or grey PVC; and (c) is screened by extensive landscaping.
PO9	Buildings and structures maintain the visual prominence of any significant landmarks and conserve important views and vistas.	AO9.1	Development ensures: (a) views from the mainland to Dent Island are of the natural landscape; (b) views from the surrounding waters and islands of the Whitsundays to both Hamilton and Dent Islands are primarily of the natural landscape; (c) views of development on Hamilton Island are available from Dent Island; and (d) views of development on Dent Island from Hamilton Island are minimised.
PO10	Building and structures do not dominate the natural landscape.	AO10.1	Buildings on sloping lots are: (a) orientated so that the longer axis is parallel to the contours; or (b) have a stepped profile following the slope of the site.
		AO10.2	Buildings and structures consist of lightweight and framed construction including the use of functional elements such as: (a) shaded verandahs; or (b) balconies, or (c) pergolas.
		AO10.3	Where the underfloor surface, services and foundation structures are visible, these are screened with physical (e.g. timber battens) or landscape elements.
		AO10.4	The design of garages or covered parking buggy areas and storage areas is integrated with the architecture, including materials and landscaping of each lot.
PO11	The design, size, frequency and location of wayfinding signage does not detract from the character and amenity of the area.	AO11.1	Building names and other property identification are prominently displayed and illuminated at night.
		AO11.2	Signage complements the architecture of the development and streetscape.
Open space and landscaping			
PO12	The development provides communal and private open space and landscaping such that	AO12.1	Multiple dwellings ensure that: (a) at least 30% of the site area at ground level is provided as

Performance Outcomes		Acceptable Outcomes	
	residents have sufficient area to engage in communal activities, enjoy private and semi-private spaces, and accommodate visitors.		communal open space for clothes drying and communal recreation facilities; and (b) at least 50% of this communal open space area is landscaped with planting spaces to achieve total ground cover at maturity.
		AO12.2	Each ground floor dwelling or rooming unit has a courtyard or similar private open space area with: (a) a minimum of 25m ² ; (b) a minimum dimension of 4m; and (c) direct access from a main living area.
		AO12.3	Each dwelling or rooming unit above ground floor level has a balcony or similar private open space area with: (a) a minimum area of 10m ² ; (b) a minimum dimension of 2m; and (c) direct access from a main living area.
PO13	Landscaping complements the existing or desired character of the island, contributing to the amenity, accessibility and safety of public areas and integrating well with the natural landscape.	AO13.1	A minimum of 30% of the site is to be landscaped with soft landscaping exclusive of service areas, pools, paving, retaining structures and driveways.
		AO13.2	Accommodation activities provide for a landscaped area with a minimum width of 3m along all boundaries, exclusive of pools, paving, driveways, and retaining structures.
		AO13.3	Where buildings with elevated or pole construction is proposed, the open ground beneath and immediately surrounding the building is extensively revegetated where light penetrates.
		AO13.4	Landscaped areas in all developments are designed to integrate open space networks and the built form through use of a combination of the following: (a) provision of landscaped physical and visual connections through the site; and (b) use of a variety of plants and planting structure to provide comfortable use of public and semi-public spaces.
		AO13.5	Existing trees are retained where

Performance Outcomes		Acceptable Outcomes	
			removal is not required to site new buildings.
		AO13.6	Significant vegetation removed as a result of the development is replaced with vegetation of advanced size and maturity that contributes to the individual character of the surrounding area.
Access and parking			
PO14	Roads, driveways and pathways within residential areas are finished to a high visual standard with sufficient parking facilities provided.	AO14.1	Driveways are sealed and constructed of concrete or clay pavers or coloured or exposed aggregate finished concrete.
		AO14.2	On-site parking spaces are provided for a maximum of 2 buggy carts per dwelling unit.