

4.5 Planning Area Codes

4.5.1 Rural 1 Planning Area Code

Purpose

The purpose of this code is to facilitate the achievement of the following desired development outcomes for the Rural 1 Planning Area:

- Areas for use for primary production, particularly areas of Good Quality Agricultural Land, are conserved and are not unnecessarily fragmented;
- The establishment of a wide range of agricultural and animal husbandry uses, together with other compatible primary production uses, is facilitated;
- The establishment of farm forestry in suitable locations is facilitated;
- The establishment of extractive industry operations is facilitated, provided that the significant environmental impacts of such operations are contained within the site;
- The establishment of outdoor recreation in suitable locations, particularly recreation based on appreciation of the natural or rural environments, is facilitated;
- Rural development contributes to the amenity and landscape of the area;
- Rural activities are protected from the intrusion of incompatible uses;
- Land which has limited agricultural potential, but which is important to the scenic landscape of the City, is retained with a natural character;
- Land which is susceptible to flooding or drainage problems, including difficulties associated with high ground water tables is protected from urban or other uses.
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Rural 1 Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Rural 1 Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A - For Self-Assessable and Assessable Development

Site Population Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be low to maintain the rural character and the visual qualities of the area.	A1.1 Site population density does not exceed 4 persons per hectare.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of all buildings must be in keeping with the rural character of the surrounding areas and the height of buildings must not adversely affect visual amenity.	A2.1 Buildings are not more than 8 metres in height.
P3 Buildings must be set back to: <ul style="list-style-type: none"> • maintain the rural character of the area; and • achieve separation from neighbouring buildings and from road frontages. 	A3.1 Buildings are set back not less than: <ol style="list-style-type: none"> a) 40 metres from the frontage to a State Controlled Road, as identified on the Road Hierarchy Overlay Maps; b) 10 metres from the frontage to a Rural Major Road, as identified on the Road Hierarchy Overlay Maps; c) 6 metres from the frontage to any other road; d) 6 metres from the side and rear boundaries of the site.

Part B – For Assessable Development Only

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P4 Rural activities are protected from the intrusion of incompatible uses.	A4.1 No acceptable measures are specified.
P5 Land which has limited agricultural potential, but which is important to the scenic landscape of the City, is retained with a natural character.	A5.1 No acceptable measures are specified.
P6 Land which is susceptible to flooding or drainage problems, including difficulties associated with high ground water tables are protected from urban or other uses	A6.1 No acceptable measures are specified.
P7 Development does not adversely affect the amenity of the: <ol style="list-style-type: none"> a) planning area; and b) adjoining land uses. 	A7.1 No acceptable measures are specified.

4.5.2 Rural 2 Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Rural 2 Planning Area:

- Areas currently utilised for primary production continue to be used for this purpose for as long as possible, at least for the life of this Planning Scheme, consistent with the indicative development sequence for future urban development established by the Regional Plan and this Planning Scheme;
- Rural character of the area and the visual qualities of the area are maintained.
- New uses which are potentially incompatible with urban development are not established in the Rural 2 Planning Area where the existence of such uses would constrain the efficient expansion of urban development in the future;
- New uses which are potentially incompatible with the future development of the Edmonton Business and Industry Centre are not established in the area identified for the Edmonton Business and Industry Centre on the White Rock – Edmonton District Plan;
- An effective buffer is maintained between the identified Extractive Resources Precinct and extractive industry operations located in the area at the southern end of Mount Peter Road (Map 3) and the areas identified for future urban development on the Structure Plan;
- Land which has limited agricultural potential, but which is important to the scenic landscape of the City, is retained with a natural character;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Rural 2 Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Rural 2 Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Site Population Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be low to maintain the rural character and the visual qualities of the area.	A1.1 Site population density does not exceed 4 persons per hectare.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of all buildings must be in keeping with the rural character of the surrounding areas and the height of buildings must not adversely affect visual amenity.	A2.1 Buildings are not more than 8 metres in height.
P3 Buildings must be set back to: a) maintain the rural character of the area; and b) achieve separation from neighbouring buildings and from road frontages.	A3.1 Buildings are set back not less than: a) 40 metres from the frontage to a State Controlled Road, as identified on the Road Hierarchy Overlay Maps; b) 10 metres from the frontage to a Rural Major Road, as identified on the Road Hierarchy Overlay Maps; c) 6 metres from the frontage to any other road; d) 6 metres from the side and rear boundaries of the site.

Part B – For Assessable Development Only

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P4 Development which would not constrain the efficient expansion of urban development or is compatible with urban development is established.	A4.1 No acceptable measures are specified.
P5 Development which is compatible with the future development of the Edmonton Business and Industry Centre is established.	A5.1 No acceptable measures are specified.
P6 Development does not adversely affect the amenity of the: a) planning area; and b) adjoining land uses.	A6.1 No acceptable measures are specified.

4.5.3 Low Density Residential Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Low Density Residential Planning Area:

- Predominantly detached dwellings on large lots catering for a rural or conservation style of residential living with a high standard of amenity;
- The allotment size, scale and density of development are consistent with the existing form of development in the low density residential neighbourhoods;
- Low density residential land that is constrained by factors such as slope, ecological values, vegetation or waterways may be appropriate for low density residential uses where a functional and practical building envelope can be established without compromising the integrity, stability and natural structure of those slopes, ecological values, vegetation or waterways;
- Provides a transitional buffer area between residential planning areas and the rural and conservation planning areas in a manner that complements the continued use of these areas;
- Located in proximity to employment opportunities and centres so that long commuter trips to work by motor vehicle are avoided;
- Development is primarily contained within areas already substantially committed to the use with good access to infrastructure and services and consolidates urban growth;
- Low density development is primarily contained within areas already substantially committed to the use in order to prevent the loss and further fragmentation of quality agricultural land;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Low Density Residential Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Low Density Residential Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be low to maintain the low density residential character and the landscape and visual qualities of the area.	A1.1 Site population density does not exceed 8 persons per hectare.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of all buildings must be in keeping with the rural residential character of the surrounding area and the height of buildings must not adversely affect visual amenity.	A2.1 Buildings are not more than 7.5 metres in height.
P3 Buildings must be setback to a) maintain the rural residential or conservation character of the area; b) achieve separation from neighbouring buildings and from road frontages.	A3.1 Buildings are set back not less than: a) 10 metres from the frontage to a State Controlled Road, Major Rural Road or Sub Arterial Road, as identified on the Road Hierarchy Overlay Maps; b) 6 metres from the frontage to any other road; c) 3 metres from the side and rear boundaries of the site.
P4 The site coverage of all buildings must not result in a built form that is bulky or visually obtrusive.	A4.1 The site coverage of all buildings is not greater than 15%.

Part B – For Assessable Development Only

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 Development does not adversely affect the amenity of the: a) planning area; and b) adjoining land uses.	A5.1 No acceptable measures are specified
P6 Land uses of a productive rural and agricultural nature are recognised and development seeks to minimise potential conflicts.	A6.1 No acceptable measures are specified
P7 Buildings, structures and associated services are responsive to the natural features and constraints of the land.	A7.1 The design of buildings, structures and associated services takes into account: a) established trees; b) significant vegetation; c) ecological values; d) slope; e) waterways; and A7.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P8 Buildings and structures are:</p> <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	<p>A8.1 Building and structures are sited having regard to:</p> <ul style="list-style-type: none"> a) significant views and vistas; b) predominate breezes; c) slope; d) solar orientation.

4.5.4 Residential 1 Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Residential 1 Planning Area:

- The predominant form of development is detached houses on single house lots;
- The residential character and amenity of these residential neighbourhoods is maintained and enhanced;
- The scale and density of development are consistent with the existing form of development in established residential neighbourhoods;
- The establishment of facilities which provide ancillary services to the local community is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Residential 1 Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Residential 1 Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be compatible with the desired development outcomes for this Planning Area.	A1.1 Site population density does not exceed 70 persons per hectare.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of all buildings must be in keeping with the residential character of the areas and the height of buildings must not adversely affect the amenity of residential neighbourhoods.	A2.1 Buildings are not more than 7.5 metres in height.

Part B – For Assessable Development Only

Built Form

P3 Buildings must be set back to: a) maintain the character of residential neighbourhoods; and b) achieve separation from neighbouring buildings and from road frontages.	A3.1 No acceptable measures are specified.
P4 The site coverage of all buildings must not result in a built form that is bulky or visually obtrusive.	A4.1 No acceptable measures are specified.

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 Development does not adversely affect the amenity of the: a) planning area; and b) adjoining land uses.	A5.1 No acceptable measures are specified.
P6 Buildings, structures and associated services are responsive to the natural features and constraints of the land.	A6.1 The design of buildings, structures and associated services takes into account: a) established trees; b) significant vegetation; c) ecological values; d) slope; e) waterways; and A6.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.
P7 Buildings and structures are: a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption.	A7.1 Buildings and structures are sited having regard to: a) significant views and vistas; b) predominant breezes; c) slope; d) solar orientation.

4.5.5 Residential 2 Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Residential 2 Planning Area:

- The development of a wider choice of housing in terms of form and size to meet the needs of a diverse population is facilitated;
- More innovative housing solutions are facilitated;
- Higher densities are located within reasonable walking distance to public transport, centres, community facilities and open space;
- Travel distances from residential uses and tourist and short term accommodation uses to public transport, centres, community facilities and open space should be minimised and walking and cycling encouraged;
- Efficiencies in the use of land and in the provision of physical and social infrastructure in developing residential neighbourhoods are facilitated through the orderly and sequential development of land;
- Consolidation and the more efficient use of existing infrastructure within the established residential areas included within this Planning Area are facilitated;
- The scale and density of development contributes to a high standard of residential amenity;
- The establishment of facilities which provide ancillary services to the local community is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Residential 2 Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Residential 2 Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be compatible with the desired development outcomes of this Planning Area.	A1.1 Site population density does not exceed 100 persons per hectare.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of all buildings must be in keeping with the residential character of the area and the height of buildings must not adversely affect the amenity of residential neighbourhoods.	A2.1 Buildings are not more than 7.5 metres in height.

Part B – For Assessable Development Only

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P3 Buildings must be setback to: a) maintain the character of residential neighbourhoods; and b) achieve separation from neighbouring buildings and from road frontages.	A3.1 No acceptable measures are specified.
P4 The site coverage of all buildings must not result in a built form that is bulky or visually obtrusive.	A4.1 No acceptable measures are specified..

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P5 Development does not adversely affect the amenity of the:</p> <ul style="list-style-type: none"> a) planning area; and b) adjoining land uses. 	<p>A5.1 No acceptable measures are specified.</p>
<p>P6 Buildings, structures and associated services are responsive to the natural features and constraints of the land.</p>	<p>A6.1 The design of buildings, structures and associated services takes into account</p> <ul style="list-style-type: none"> a) established trees; b) significant vegetation; c) ecological values; d) slope; e) waterways; and <p>A6.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.</p>
<p>P7 Buildings and structures are:</p> <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	<p>A7.1 Buildings and structures are sited having regard to:</p> <ul style="list-style-type: none"> a) significant views and vistas; b) predominant breezes; c) slope; d) solar orientation.
<p>P8 Provision of physical and social infrastructure in developing residential neighbourhoods are facilitated through the orderly and sequential development of land.</p>	<p>A8.1 Development adjoins existing or approved development.</p>
<p>P9 Provision of a wider choice of housing in form and size to meet the needs of a diverse population is facilitated.</p>	<p>A9.1 No acceptable measures are specified.</p>
<p>P10 Travel distances from residential uses and tourist and short term accommodation uses to public transport, centres, community facilities and open space should be minimised and walking and cycling encouraged.</p>	<p>A10.1 Dual Occupancy and Multiple Dwellings are located within 400m of public transport, centres, community facilities and open space.</p>

4.5.6 Residential 3 Planning Area Code

Purpose

The purpose of this code is to facilitate the achievement of the following desired development outcomes for the Residential 3 Planning Area:

- The development of medium density housing in a range of accommodation types, particularly in areas with a high level of accessibility to public transport, shopping facilities, community facilities and employment nodes is facilitated;
- Urban consolidation and the efficient use of physical and social infrastructure are facilitated;
- The scale and density of development contributes to a high standard of residential amenity
- Medium density housing achieves an attractive built form, creates a pleasant living environment and is appropriate for the tropical climate of Tropical North Queensland.
- The establishment of facilities which provide ancillary services to the local community is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Residential 3 Planning Area.

Applicability

- This Code applies to development that is:
- Self-assessable or assessable;
- In the Residential 3 Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be compatible with the desired development outcomes of this Planning Area.	A1.1 Site population density does not exceed 300 persons per hectare.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of all buildings must be compatible with the desired character and amenity of medium density residential areas and the height of buildings must not adversely affect visual amenity.	A2.1 Buildings are not more than 11.5 metres in height; or A2.2 Buildings are not more than 7.5 metres in height in the Gordonvale – Goldsborough District where the site is affected by the Cultural Heritage Area Overlay.

Part B – For Assessable Development Only

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P3 Buildings must be setback to: a) maintain the character of residential neighbourhoods; and b) achieve separation from neighbouring buildings and from road frontages.	A3.1 No acceptable measures are specified. Note: Except for Multiple Dwellings, Retirement Villages and Dual Occupancies, the design and siting of buildings shall satisfy the provisions of the relevant Land Use Code.
P4 The site coverage of all buildings must not result in a built form that is bulky or visually obtrusive.	A4.1 No acceptable measures are specified.

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 Development does not adversely affect the amenity of the: a) planning area; and b) adjoining land uses.	A5.1 No acceptable measures are specified.
P6 Buildings, structures and associated services are responsive to the natural features and constraints of the land.	A6.1 The design of buildings, structures and associated services takes into account: a) established trees; b) significant vegetation; c) ecological values; d) slope; e) waterways; and A6.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.
P7 Buildings and structures are: a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption.	A7.1 Buildings and structures are sited having regard to: a) significant views and vistas; b) predominant breezes; c) slope; d) solar orientation.
P8 Provision of physical and social infrastructure in developing residential neighbourhoods are facilitated through the orderly and sequential development of land.	A8.1 Development adjoins existing or approved development.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P9 Provision of a wider choice of housing in form and size to meet the needs of a diverse population is facilitated.	A9.1 No acceptable measures are specified.
P10 Travel distances from residential uses and tourist and short term accommodation uses to public transport, centres, community facilities and open space should be minimised and walking and cycling encouraged.	A10.1 Dual Occupancy and Multiple Dwellings are located within 400m of public transport, centres, community facilities and open space.

4.5.7 Tourist and Residential Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Tourist and Residential Planning Area:

- The development of tourist accommodation in a wide range of accommodation types is facilitated;
- Opportunities for the establishment of tourist facilities and services within or adjacent to tourist accommodation to complement the tourist accommodation and enhance the attractiveness of tourist accommodation areas are facilitated;
- The scale and density of development contributes to a high standard of amenity;
- Development achieves an attractive built form, creates a pleasant environment and is appropriate for the tropical climate of Tropical North Queensland and is sympathetic to the location
- The development of accommodation for permanent residents who are attracted by the particular location or by the proximity to a range of services and facilities is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Tourist and Residential Planning Area.

Applicability

- This Code applies to development that is:
- Self-assessable or assessable;
- In the Tourist and Residential Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be compatible with the desired development outcomes of this Planning Area.	<p>A1.1 <u>CBD – North Cairns District</u> No maximum site population density is prescribed.</p> <p>A1.2 <u>The Islands District</u> The site population density is not greater than 200 persons per hectare.</p> <p>A1.3 <u>All Other Districts</u> The site population density is not greater than 400 persons per hectare.</p>

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of buildings must be consistent with the desired character of the area and must not adversely affect the amenity of the area.	<p>A2.1 <u>CBD – North Cairns District</u> Buildings are not higher than 11.5 metres</p> <p>A2.2 <u>The Islands District</u> Buildings are not higher than 7.5 metres.</p> <p>A2.3 <u>All other Districts</u> Buildings are not more than 11.5 metres in height.</p>

Part B – For Assessable Development Only

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P3 Development does not adversely affect the amenity of the: a) planning area; and b) adjoining land uses.	A3.1 No acceptable measures are specified.
P4 Buildings, structures associated services are responsive to the natural features and constraints of the land.	<p>A4.1 The design of buildings, structures and associated services takes into account: a) established trees; b) significant vegetation; c) ecological values; d) slope; e) waterways; and</p> <p>A4.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.</p>
P5 Buildings and structures are: a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption.	A5.1 Buildings and structures are sited having regard to: a) significant views and vistas; b) predominant breezes; c) slope; d) solar orientation.

4.5.8 City Centre Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the City Centre Planning Area:

- The role of the City Centre, as the principal focus for Cairns, the region and the regional tourism industry, is maintained and strengthened;
- The widest range of higher order and specialised forms of retail, business, administrative, community, indoor entertainment and leisure facilities and cultural activities are established within the City Centre Planning Area;
- The provision of housing for permanent residents and additional accommodation for tourists is facilitated, provided a high standard of residential amenity can be achieved;
- A vibrant, engaging and active City Centre that is safe, comfortable and enjoyable for pedestrians;
- The City Centre's unique character is retained by conserving and maintaining local heritage places and character buildings within the City Centre Planning Area;
- A high standard of design complements the intrinsic character of the City Centre;
- The vistas to the surrounding Scenic Rim are maintained and where opportunities are presented are strengthened.
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the City Centre Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the City Centre Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 The height of buildings must be consistent with the established built form of the city centre and:</p> <ul style="list-style-type: none"> a) reinforce the City Centre Planning Area as the area accommodating the highest intensity of development; and b) ensure that there is a transition of building form from the core of the CBD to the perimeter of the CBD. 	<p>A1.1 Buildings are not higher than 11.5 metres.</p>
<p>P2 The design of buildings must be consistent with and reinforce the established built form and streetscape of the City Centre to the perimeter of the CBD.</p>	<p>A2.1 For buildings up to 11.5 metres in height no minimum or maximum plot ratio is prescribed.</p>
<p>P3 The design of buildings must ensure that:</p> <ul style="list-style-type: none"> a) the streetscape is cohesive; and b) pedestrians are afforded protection from the sun and from rain; and c) development allows for street trees to be planted. 	<p>A3.1 A non-transparent cantilevered awning is provided for the full length of the road frontage/s of the site. Posts may be included in the awnings design however these are to be non load bearing; and</p> <p>A3.2 The face of the awning is set back 1 metre from the face of the kerb/s; and</p> <p>A3.3 The underside of the awning is a minimum of 3 metres and a maximum of 4 metres above the finished level of the footpath.</p>

Part B – For Assessable Development Only

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P4 Site population density must be compatible with the desired development outcomes of this Planning Area.</p>	<p>A4.1 No maximum site population density is prescribed.</p>

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P5 The height of buildings or structures must be consistent with the established built form of the city centre and:</p> <ul style="list-style-type: none"> a) reinforce the City Centre Planning Area as the area accommodating the highest intensity of development; and c) ensure that there is a transition of building form from the core of the CBD to the perimeter of the CBD. 	<p>A5.1 The height of the building complies with the provisions of the Height and Impact of Buildings Code.</p>
<p>P6 Buildings identified as Local Heritage Places or within a Character Precinct on the CBD – Cairns North Cultural Heritage Significance Overlay are conserved and maintained.</p>	<p>A6.1 No acceptable measures specified</p>

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P7 Buildings are designed so that development addresses all road frontages and adjacent public spaces to encourage casual surveillance of these areas.	<p>A7.1 Residential units have balconies or living area windows that overlook all street frontages and adjacent public/civic areas; or</p> <p>A7.2 Other buildings provide windows or verandas that overlook all street frontages and adjacent public areas.</p>
P8 Buildings located in prominent positions, such as 'gateway' and corner sites or with frontages to public spaces are designed to express or emphasise the importance of their location.	<p>A8.1 Where a building is adjacent to a public place, the building's main entrance addresses the public place; or</p> <p>A8.2 Buildings on corner locations provide active frontages to both street frontages; and</p> <p>A8.3 The main entrance addresses the principal street or the street corner; and</p> <p>A8.4 Development on corner locations is taller than adjacent development except where the adjacent development is a tall building.</p>

Streetscape Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P9 The vertical rhythm, scale and architectural detail of the existing streetscape is complemented by infill development. Infill development has regard to features such as: Colonnades; Verandahs; Windows; Eaves; Parapet lines; Roof forms; Scale; And other features of adjacent development.	A9.1 No acceptable measures specified.
P10 Car parking (and associated infrastructure) ancillary to a development does not interface with the public realm.	<p>A10.1 Ground level and semi basement car parking is concealed by active frontages; or</p> <p>A10.2 Car parking is located on upper levels.</p>
P11 Where traditional frontages and facades set the architectural theme for streetscapes within the City Centre Planning Area, infill buildings or alterations respect and reflect the architectural qualities and traditional materials of those buildings, but do not necessarily imitate historical architectural styles.	A11.1 No acceptable measures specified.
P12 Where new development includes ground floor security, security devices are mounted internally and are visually permeable.	A12.1 Solid shutters, visually impermeable screens or roller doors are not used.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P13 Ground floor façades provide the pedestrian with a safe, interesting and comfortable place to walk and make a positive contribution to the streetscape through the use of Active Frontages.</p>	<p>A13.1 Ground floor façade has an active street frontage which:</p> <ul style="list-style-type: none"> a) is broken into smaller components by doors and display windows; and b) permits internal uses to be visible from the outside, and allows the opportunity for uses to functionally relate to the adjoining street; and c) avoids expanses of blank walls; and <p>A13.2 Ground floor façades are at a human scale; and</p> <p>A13.3 Façade design does not create opportunities for human concealment.</p>
<p>P14 The ground floor facade is free from uses that compromise the ability to provide active frontages.</p>	<p>A14.1 Retail Uses, Restaurants and Business Facilities are located at ground level with residential uses located on upper levels; and</p> <p>A14.2 Restricted Premises and uses that require screening to provide client confidentiality locate in Arcades or on upper levels of buildings; and</p> <p>A14.3 Windows are not painted or treated to obscure transparency.</p>
<p>P15 Development promotes an integrated streetscape and enhances the tropical character within the CBD.</p>	<p>A15.1 Development in the CBD (as identified on the CBD North Cairns Planning Area Map) is undertaken in accordance with the Planning Scheme Policy – Cairns CBD Streetscape Masterplan.</p>

Connectivity and Legibility

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P16 The pedestrian movement network in the City Centre Planning Area is at ground level and pedestrian linkages are enhanced.</p>	<p>A16.1 Existing street to street connections provided by arcades or thoroughfares are retained when sites are redeveloped; and</p> <p>A16.2 The redesign of an existing arcade or thoroughfare satisfies Council's General Policy 1:04:06 Crime Prevention Through Environmental Design; or</p> <p>A16.3 The design of a new arcade satisfies Council's General Policy 1:04:06 Crime Prevention Through Environmental Design.</p> <p>Note: Where a new development adjoins two streets, Council may request a pedestrian access in the form of an Arcade or thoroughfare between the two streets.</p>
<p>P17 Development does not adversely affect the pedestrian integrity of those parts of the Planning Area where the pedestrian has priority.</p>	<p>A17.1 Developments having frontage to the Cairns Esplanade, Shields Street and those sections of Lake Street bounded by Aplin and Spence Street, do not provide additional physical vehicle access points to those streets.</p>
<p>P18 Legibility is promoted through the design of buildings and spaces and assist users find their way.</p>	<p>A18.1 Where a building is adjacent to a public place, the building's main entrance addresses the public place; and</p> <p>A18.2 Buildings prominently display street numbers and building names.</p>

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P19 Development does not adversely affect the amenity or the character of the:</p> <ul style="list-style-type: none"> a) planning area; and b) adjoining land uses. 	<p>A19.1 No acceptable measures are specified.</p>
<p>P20 Buildings and structures are responsive to the natural features and constraints of the land.</p>	<p>A20.1 The design of buildings, structures and associated services takes into account and retains established trees.</p>
<p>P21 Buildings and structures are:</p> <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	<p>A21.1 No acceptable measures are specified.</p>

Function of the Centre

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P22 The CBD provides the principal focus for the City, the region and the regional tourism industry</p>	<p>A22.1 The CBD provides:</p> <ul style="list-style-type: none"> a) the widest range of higher-order and specialised forms of retail, business, commercial, administrative, community and indoor entertainment and leisure facilities and services; and b) a range of convenience retail services to meet the needs of the workforce, tourists and the inner City residential communities; and c) highly developed tourist retailing; and d) highly developed indoor entertainment and leisure facilities, such as restaurants, night clubs and amusement halls to cater for both residents and tourists.

4.5.9 Sub-Regional Centre Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Sub-Regional Centre Planning Area:

- Existing sub-regional and any new centres of similar form develop as major community focal points providing a range of services and as major employment nodes;
- The development and consolidation of sub-regional centres to provide shopping facilities, together with a broad range of business, professional, medical and similar services and community facilities is facilitated;
- The establishment of entertainment and recreational facilities, particularly indoor facilities, within or adjacent to sub-regional centres is facilitated;
- Uses of a service industry nature that serve the needs of the district community are accommodated;
- The scale and density of development contributes to a high standard of amenity;
- The establishment of medium density residential development, particularly within mixed use developments, where design and siting ensure that a high standard of residential amenity will be achieved is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Sub-Regional Centre Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Sub-Regional Centre Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 The height of buildings must contribute to the establishment of clearly recognisable commercial nodes without significantly affecting the character of the residential suburbs of the City.</p>	<p>A1.1 Buildings are not more than 15 metres in height.</p>
<p>P2 The siting of buildings must contribute to the desired amenity and character of the area and protect the amenity of other land uses.</p>	<p>A2.1 Buildings may be erected up to the road frontages of the site; and</p> <p>A2.2 Where the site adjoins land in a Residential 1, 2 or 3 Planning Area, the building is set back 2.5 metres or $\frac{1}{4}$ of the height of the building, whichever is the greater, from the common boundary; or</p> <p>A2.3 Where the site does not adjoin land in the Residential 1, 2 or 3 Planning Areas, the building is set back 0 metres from side and rear boundaries; otherwise the minimum setback from side and rear boundaries is 2.5 metres or $\frac{1}{4}$ of the height of the building whichever is the greater.</p>
<p>P3 The site coverage must ensure that there is sufficient space for landscaping, access and the provision of services.</p>	<p>A3.1 The site coverage does not exceed 80%.</p>
<p>P4 The design of buildings must ensure that:</p> <ul style="list-style-type: none"> a) the streetscape is cohesive; and b) pedestrians are afforded protection from the sun and the rain. 	<p>A4.1 Where a building is constructed up to or abutting to the road frontage/s of the site:</p> <ul style="list-style-type: none"> a) a cantilevered awning is provided for the full length of the building to the road frontage/s; and b) the face of the awning is set back 1 metre from the face of the kerb; and c) the underside of the awning is a minimum of 3 metres above the finished level of the footpath.

Part B – For Assessable Development Only

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 Site population density must be compatible with the desired development outcomes of this Planning Area.	A5.1 The site population density is consistent with the density identified for the dominant Residential Planning Area in proximity to the Centre.

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P6 Development does not adversely affect the amenity of the: a) planning area; and b) adjoining land uses.	A6.1 No acceptable measures are specified.
P7 Buildings and structures are responsive to the natural features and constraints of the land.	A7.1 No acceptable measures are specified.
P8 Buildings and structures are: a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption.	A8.1 No acceptable measures are specified.

Function of the Centre

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P9 Sub-regional centres provide highly developed, convenient and accessible retail facilities and a range of business, commercial or community or entertainment and leisure facilities.	A9.1 Sub-regional centres: a) Are established in the locations depicted on the structure plan map; and b) Serve a catchment population, generally ranging in size from 10000 to 20000 households; and c) have a retail floor area generally in excess of 20000 m ² gross leasable area (GLA) but generally not more than 30000 m ² GLA.; and d) provide a high level of comparison shopping through at least one discount department store, a number of national chain traders and a wide range of specialty shops; and e) provide a high level of food and grocery shopping through at least one full-line supermarket and a highly developed range of fresh produce shops and an extensive range of personal services; and f) Are highly accessible with direct access to the arterial road network and to the public transport system.

4.5.10 District Centre Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the District Centre Planning Area:

- Existing district centres and any new centres of similar form develop as community focal points providing a range of services and as employment nodes;
- The development and consolidation of district centres to provide shopping facilities, together with a broad range of business, professional, medical and similar services and community facilities is facilitated;
- The establishment of entertainment and recreational facilities, particularly indoor facilities, within or adjacent to district centres is facilitated;
- Uses of a service industry nature that serve the needs of the district community are accommodated;
- The scale and density of development contributes to a high standard of amenity
- The establishment of medium density residential development, particularly within mixed use developments, where design and siting ensure that a high standard of residential amenity will be achieved is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the District Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the District Centre Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 The height of buildings must contribute to the establishment of clearly recognisable commercial nodes without significantly affecting the character of the residential suburbs of the City.</p>	<p>A1.1 In the Gordonvale – Goldsborough District, buildings are not more than 10 metres in height; or</p> <p>A1.2 In other Districts, buildings are not more than 15 metres in height.</p>
<p>P2 The siting of buildings must contribute to the desired amenity and character of the area and protect the amenity of other land uses.</p>	<p>A2.1 Buildings may be erected up to the road frontages of the site; and</p> <p>A2.2 Where the site adjoins land in a Residential 1, 2 or 3 Planning Area, the building is set back 2.5 metres or ¼ of the height of the building, whichever is the greater, from the common boundary; or</p> <p>A2.3 Where the site does not adjoin land in the Residential 1, 2 or 3 Planning Areas, the building is set back 0 metres from side and rear boundaries; otherwise the minimum setback from side and rear boundaries is 2.5 metres or 1/4 of the height of the building whichever is the greater.</p>
<p>P3 The site coverage must ensure that there is sufficient space for landscaping, access and the provision of services.</p>	<p>A3.1 The site coverage does not exceed 80%.</p>
<p>P4 The design of buildings must ensure that:</p> <ul style="list-style-type: none"> a) the streetscape is cohesive; and b) pedestrians are afforded protection from the sun and the rain. 	<p>A4.1 Where a building is constructed up to or adjacent to the road frontage/s of the site:</p> <ul style="list-style-type: none"> a) a cantilevered awning is provided for the full length of the building to the road frontage/s; and b) the face of the awning is set back 1 metre from the face of the kerb; and c) the underside of the awning is a minimum of 3 metres above the finished level of the footpath.

Part B – For Assessable Development Only

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P5 Site population density must be compatible with the desired development outcomes of this Planning Area.</p>	<p>A5.1 No acceptable measures are specified.</p>

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P6 Development does not adversely affect the amenity of the:</p> <ul style="list-style-type: none"> a) planning area; and b) adjoining land uses. 	<p>A6.1 No acceptable measures are specified.</p>
<p>P7 Buildings and structures are responsive to the natural features and constraints of the land.</p>	<p>A7.1 No acceptable measures are specified.</p>
<p>P8 Buildings and structures are:</p> <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	<p>A8.1 No acceptable measures are specified.</p>

Function of the Centre

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P9 District Centres provide a high level of convenience and accessibility for weekly and other high frequency shopping, commercial and community services needs.</p>	<p>A9.1 District centres:</p> <ul style="list-style-type: none"> a) Are established in the locations depicted on the Structure Plan Map; and b) Serve a catchment population, generally ranging in size from 5000 to 8000 households; and c) Range in size from approximately 5000 m2 GLA to 15000 m2 GLA. This is an indicative range only and some District Centres invariably will be somewhat smaller or somewhat larger, depending upon their location and their ability to cater to a catchment.; and d) Provide for day-to-day and weekly food and other convenience shopping needs of households. District centres generally offer a major supermarket as anchor tenant, the size of which will depend upon the catchment the centre expects to serve. District Centres may also accommodate a range of restaurants (dine-in or take away) and professional or commercial services (e.g. doctor's surgery, post office, real estate agency, local accountant or solicitor) as part of the tenancy mix; and e) Are accessible from a road of collector level or higher function and access to public transport, as well as to pedestrian and cycleway networks.

4.5.11 Local Centre Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Local Centre Planning Area:

- The establishment of local shopping facilities, together with business and professional services, which serve the surrounding residential community is facilitated;
- The establishment of community facilities which serve the surrounding residential community is facilitated;
- The scale and density of development contributes to a high standard of amenity;
- The establishment of medium density residential development, where design and siting ensure that a high standard of residential amenity will be achieved, is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Local Centre Planning Area.

Availability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Local Centre Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 The height of all buildings must be in keeping with the character of the surrounding residential neighbourhood and must not adversely affect the amenity of the neighbourhood.	A1.1 Buildings are not more than 10 metres in height.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P2 The siting of buildings must contribute to the desired amenity and character of the area and protect the amenity of other land uses.</p>	<p>A2.1 Buildings may be erected up to the road frontages of the site; and</p> <p>A2.2 Where the site adjoins land in a Residential 1, 2 or 3 Planning Area or land used for residential purposes, the building is set back 2.5 metres or ¼ of the height of the building, whichever is the greater, from the common boundary; and</p> <p>A2.3 Where the site does not adjoin land in the Residential 1, 2 or 3 Planning Areas, the building is set back 0 metres from side and rear boundaries; otherwise the minimum setback from side and rear boundaries is 2.5 metres or 1/4 of the height of the building whichever is the greater.</p>
<p>P3 The site coverage must ensure that there is sufficient space for landscaping, access and the provision of services.</p>	<p>A3.1 The site coverage does not exceed 80%.</p>
<p>P4 The design of buildings must ensure that:</p> <ul style="list-style-type: none"> a) the streetscape is cohesive; and b) pedestrians are afforded protection from the sun and the rain. 	<p>A4.1 Where a building is constructed up to or adjacent to the road frontage/s of the site:</p> <ul style="list-style-type: none"> a) a cantilevered awning is provided for the full length of the building to the road frontage/s; and b) the face of the awning is set back 1 metre from the face of the kerb; and c) the underside of the awning is a minimum of 3 metres above the finished level of the footpath.

Part B – For Assessable Development Only

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P5 Site population density must be compatible with the desired development outcomes of this Planning Area.</p>	<p>A5.1 The site population density is consistent with the density identified for the dominant Residential Planning Area in proximity to the Centre.</p>

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P6 Development does not adversely affect the amenity of the:</p> <ul style="list-style-type: none"> a) planning area; and b) adjoining land uses. 	<p>A6.1 No acceptable measures are specified.</p>
<p>P7 Buildings and structures are responsive to the natural features and constraints of the land.</p>	<p>A7.1 No acceptable measures are specified.</p>
<p>P8 Buildings and structures are:</p> <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	<p>A8.1 No acceptable measures are specified.</p>

Function of the Centre

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P9 Local Centres provide a highly convenient range of goods and services for the daily and weekly needs of discrete residential communities.</p>	<p>A9.1 Local Centres</p> <ul style="list-style-type: none"> a) are consolidated within the areas included in the Local Centre Planning Area on the District Plan Maps; and b) Serve a catchment generally less than 2500 household; and c) are less than 5000 m² GLA; and d) Are accessed via a collector level road and via pedestrian and cycleway networks; and e) have no direct access to highways or to arterial roads in order to achieve convenience and to maintain efficient road functions; and f) do not to attract or rely upon passing highway trade or tourist trade. However, some Local Centres will invariably serve visitors as well as residents by virtue of their established locations.

4.5.12 Cityport North Planning Area Code

Identification of Affected Premises

The Cityport North Planning Area comprises a number of precincts – being Precincts 8, 10, 11 and 12 as depicted on the Cityport Planning Area Map – CBD North Cairns Planning Area – Map 1.

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Cityport North Planning Area:

- Cityport is integrated with the city centre, the waterfront and the Esplanade;
- The establishment a range of tourist related activities, along with commercial and retail activities, along the waterfront and within the development sites is facilitated;
- The establishment of tourist accommodation and associated development achieves an attractive built form which complements and enhances this waterfront location;
- The establishment of mixed-use development is facilitated at appropriate locations to promote activity and vitality (restaurants, outdoor dining areas, retail uses, bars on ground level and various accommodation types on upper levels);
- A high level of urban and streetscape amenity is facilitated via utilisation of themed landscaping and streetscape elements, as well as the encouragement of a high standard of design in built forms and finishes to reflect the maritime nature of the Planning Area;
- Development of tourist accommodation in a wide range of accommodation types is facilitated;
- The establishment of key tourist facilities (i.e. Reef Fleet Terminal) and high standard marina facilities to service the needs of commercial and recreational vessels is facilitated;
- A uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the CBD – North Cairns District are not established in the Cityport North Planning Area.

Applicability

This Code applies to development that is:

- Assessable;
- In the Cityport North Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
None	None

Part B – For Assessable Development Only

Requirements applicable to all Precincts

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
ALL PRECINCTS:	
P1 Development is of a scale and density that is appropriate, given its waterfront location.	A1.1 Development within Cityport North Planning Area has a maximum residential density of 800 persons per hectare.

Design and Layout

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 Building height is alternated along the waterfront to provide a varied skyline and to provide views to the waterfront, City and surrounding mountains.	<p>A2.1 Tall buildings are setback from the waterfront and the historic wharves to maintain a low-scale development along the waterfront; and</p> <p>A2.2 High and low building masses are alternated along the length of Cityport and are divided by extensively paved and landscaped pedestrian ways that also function as shared vehicular access; and</p> <p>A2.3 A distinctive podium height is created along the length of Cityport with upper portions progressively setback with increasing height; and</p> <p>A2.4 The scale of buildings is reduced through emphasising horizontal proportions and framing and fenestration where possible.</p>
P3 Building design across Cityport is distinctive and reflects the maritime character of the area.	<p>A3.1 Building design incorporates lightweight cladding and extensive sun-shading and shadowing devices to improve aesthetics and energy efficiency; and</p> <p>A3.2 Lightweight building materials such as metallic coloured, pre-fabricated sheet, timber boarding are the dominant building material; and</p> <p>A3.3 Landscape terraces are provided at the podium level and other lower roof levels; and</p> <p>A3.4 Roof structures are designed to conceal any roof plant equipment from ground level view.</p>

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P4 Development integrates with the City centre.	<p>A4.1 A continuous streetscape is developed to Wharf Street; and</p> <p>A4.2 A continuous waterfront pedestrian link is provided from the Esplanade to Cityport; and</p> <p>A4.3 Landscape design and other features reflect the character of the City.</p>
P5 Awnings are provided to all facades of any building.	<p>A5.1 Awnings are of the same design and height as those in adjoining areas.</p> <p>A5.2 Where provided along the wharf sheds, awnings are of a character which is sympathetic with the architecture of the sheds</p>
P6 Vehicle accesses and service areas do not dominate the streetscape.	<p>A6.1 Car park entrances are suitably designed and located to minimise the impact of these areas on adjoining uses; and</p> <p>A6.2 Loading docks and other service areas are concealed within buildings.</p>

View Corridors

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P7 Key views to and from the waterfront are retained and enhanced through the future re-development of Cityport.	<p>A7.1 Buildings and structures are suitably located to maintain view corridors as depicted on the CBD – North Cairns Connectivity Overlay; or If the boundary between two precincts is altered, buildings and structures are located to provide a view corridor (of a similar size to the existing corridor) between the two precincts; and</p> <p>A7.2 Buildings do not protrude into view corridors; and</p> <p>A7.3 Where possible, existing buildings within these view corridors are removed; and</p> <p>A7.4 The view corridors are enhanced by appropriate landscape design and planting.</p>

Landscaping & Open Space

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P8 A combination of pedestrian linkages and open space areas is provided as a key feature of Cityport. These open space areas ensure Cityport is highly accessible.	<p>A8.1 An integrated and enlarged open space and pedestrian movement network is provided as depicted on the CBD – North Cairns Pedestrian and Cycle Movement Overlay; or If the boundary between two precincts is altered, buildings and structures are located to provide a pedestrian connection and view corridor (of a similar size to the existing corridor) between the two separate precincts.</p>
P9 Development complements the open space and pedestrian movement systems.	A9.1 No buildings or structures are located within the view corridors or open space areas as depicted on the CBD – North Cairns Connectivity Overlay.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P10 A continuous waterfront promenade/boardwalk is provided, linking Cityport with The Esplanade.	<p>A10.1 Continuous pedestrian access is provided adjoining the waterfront as depicted on CBD – North Cairns Pedestrian and Cycle Movement Overlay; and</p> <p>A10.2 Shields Street is extended to include a boulevard to the waterfront; and</p> <p>A10.3 The waterfront promenade links the pedestrian boulevard (from Shields Street) to the balance of Cityport.</p>
P11 A major public square is provided adjoining the Reef Fleet Terminal (Precinct 10). This square will be multi-functional and provide pedestrian and limited vehicular access.	<p>A11.1 A major public square is provided adjoining the Reef Fleet Terminal (Precinct 10); and</p> <p>A11.2 The public square functions as a working square with vehicular access provided during peak periods.</p>
P12 Artworks and other similar features are provided in suitable locations	A12.1 Artworks and other features are provided in pedestrian areas.

Access and Movement Networks

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P13 Development provides convenient pedestrian links between the City Centre and Cityport.	A13.1 An integrated and efficient pedestrian movement network is provided as depicted on CBD – North Cairns Pedestrian and Cycle Movement Overlay.
P14 Vehicular access to Cityport is safe, efficient and provides for the needs of all users of Cityport.	<p>A14.1 An efficient traffic network is provided as depicted on the CBD – North Cairns Road Hierarchy; and</p> <p>A14.2 Development along Shields Street provides suitable linkages between The Esplanade and Cityport marina facilities. Such linkages provide efficient pedestrian and vehicular access and suitable car parking facilities.</p>
P15 Car parking, servicing and set down areas do not dominate the streetscape.	A15.1 Car park entrances, loading/unloading areas and setdown areas are designed to minimise the impact of these areas on the streetscape.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
PRECINCT SPECIFIC:	
PRECINCT 8	
P16 Future development is of a design and scale which is consistent with surrounding buildings.	<p>A16.1 Building height is a maximum of 10 storeys; and</p> <p>A16.2 Above podium level, development has a maximum site coverage of 60%; and</p> <p>A16.3 Development has a maximum plot ratio of 3:1.</p>

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
PRECINCT 10	
P17 Future development is of a bulk and scale which is compatible with surrounding buildings.	<p>A17.1 The Reef Fleet Terminal Building (Precinct 10B) is a maximum of 2 storeys; or</p> <p>A17.2 Building height for all other buildings (Precinct 10A) is a maximum of 12 storeys (including a podium level); and</p> <p>A17.3 Podium level is limited to three storeys.</p> <p>A17.4 Above podium level, buildings are setback 9 metres from Marlin Parade, 9 metres from the precinct boundary to the pedestrian promenade and 3 metres from the Reef Fleet Terminal to maintain views to Trinity Inlet; and</p> <p>A17.5 Above podium level, the maximum site coverage within this precinct is 60%;</p> <p>A17.6 The total plot ratio for development within this Precinct is 3.0:1; and</p> <p>Note: the plot ratio will be calculated as the sum of the plot ratios for each development in the precinct at any one time.</p> <p>A17.7 Basement car parks are below finished ground level and are designed to ensure an attractive streetscape.</p> <p>Figure 1</p>
P18 Building setbacks to the waterfront are at a similar alignment to those in adjoining precincts.	A18.1 No acceptable measures are specified.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
PRECINCT 11	
P19 Building height and design steps down from the adjoining precincts to complement the waterfront and the adjoining low scale buildings.	<p>A19.1 Building height is limited to a maximum of 6 storeys (including the podium level); and</p> <p>A19.2 The maximum site coverage within this precinct is 100%; and</p> <p>A19.3 The total plot ratio for development within this precinct is 3.0:1; and</p> <p>Note: plot ratio will be calculated as the sum of the plot ratios for each development in the precinct at any one time.</p> <p>A19.4 Car park structures and areas are designed to complement the existing built form.</p>
P20 Buildings are setback to the waterfront on a similar alignment to buildings in adjoining precincts.	A20.1 No acceptable measures are specified.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
PRECINCT 12	
P21 Development is low scale and an attractive landmark when viewed from the water, the Esplanade and adjoining precincts.	<p>A21.1 Building height is a maximum of three storeys, where the third storey is split level/mezzanine; or</p> <p>A21.2 Marine operation facilities may exceed this height.</p>
P22 Building design provides for public access to the waterfront.	A22.1 No acceptable measures are specified.

Circulation and Access

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
ALL PRECINCTS	
P23 Car parking areas are not visually dominant from the road frontage or the waterfront.	<p>A23.1 Car parking is limited to one basement or semi-basement level; or</p> <p>A23.2 Where in Precinct 10, car parking is provided above podium level or at basement level (or a combination of both), where the podium level parking is not visually obtrusive from the precinct boundaries; and</p> <p>A23.3 Building design incorporates only minor level changes in accordance with AS 1428 – Design for Access and Mobility.</p>
P24 Vehicle parking and manoeuvring areas are designed to be safe and functional and minimise pedestrian vehicle conflict.	A24.1 No acceptable measures are specified.
SPECIFIC PRECINCT:	
PRECINCT 10:	
P25 Reef Fleet Square is a shared pedestrian and vehicular access way.	<p>A25.1 Access and coach setdown is provided adjoining the proposed Reef Fleet Terminal through an extension of Spence Street – the Reef Fleet Square; and</p> <p>A25.2 Access and setdown areas for all other buildings are provided as low key access from Marlin Parade.</p>
PRECINCT 11:	
P26 Development provides for vehicular movement and access to the waterfront.	A26.1 Vehicular access, including service vehicle access, is provided via a modified Pier Point Road.
PRECINCT 12:	
P27 Access to this area is provided for marina vehicles and service vehicles only.	A27.1 Vehicular access is provided via Spence Street and Pier Point Road. Service vehicle access is provided to the rear of the building adjoining the waterfront.

4.5.13 Cityport South Planning Area Code

Identification of Affected Premises

The Cityport South Planning Area comprises a number of precincts – being Precincts 1 – 7 as depicted on the Cityport Planning Area Map CBD North Cairns Planning Area – Map 1.

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Cityport South Planning Area:

- Cityport is integrated with the city centre;
- The major entertainment, indoor sporting and cultural requirements of the City are provided for and the establishment of ancillary outdoor recreation and various entertainment uses to complement the Convention Centre is facilitated;
- The conservation of the heritage integrity of those parts of Cityport South which have cultural significance is facilitated via the re-use of historic structures where feasible;
- Tourism potential is optimised by encouraging a range of compatible public and commercial activities and facilities along the waterfront and within development sites;
- Tourist accommodation and associated development achieve an attractive built form which is sympathetic to the location and enhances the character of established tourist accommodation and development;
- The establishment of mixed-use development is facilitated at appropriate locations to promote activity and vitality (restaurants, outdoor dining areas, retail uses, bars on ground or podium levels and various accommodation types on upper levels);
- A high level of urban and streetscape amenity is facilitated via utilisation of “themed” landscaping and streetscape elements;
- Development of tourist accommodation in a wide range of accommodation types is facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the CBD – North Cairns District are not established in the Cityport South Planning Area.

Applicability

This Code applies to development that is:

- Assessable;
- In the Cityport South Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
None	None

Part B – For Assessable Development Only

Requirements applicable to all Precincts

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
ALL PRECINCTS:	
P1 Development is of a scale and density that is appropriate, given its key location on the waterfront.	A1.1 Development within Cityport North Planning Area has a maximum residential density of 800 persons per hectare.

Design and Layout

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 Building height is alternated along the waterfront to provide a varied skyline and to provide views to the waterfront, City and surrounding mountains.	<p>A2.1 Tall buildings are setback from the waterfront and the historic wharves to maintain a low-scale development along the waterfront; and</p> <p>A2.2 High and low building masses are alternated along the length of Cityport and are divided by extensively paved and landscaped pedestrian ways that also function as shared vehicular access; and</p> <p>A2.3 A distinctive podium height is created along the length of Cityport with upper portions progressively setback with increasing height; and</p> <p>A2.4 The scale of buildings is reduced through emphasising horizontal proportions and framing and fenestration where possible.</p>

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P3 Building design across Cityport is distinctive and reflects the tropical character of Cairns area.	<p>A3.1 Building design incorporates lightweight cladding and extensive sun-shading and shadowing devices to improve aesthetics and energy efficiency; and</p> <p>A3.2 Lightweight building materials such as metallic coloured, pre-fabricated sheet, timber boarding are the dominant building material.; and</p> <p>A3.3 Landscape terraces are provided at the podium level and other lower roof levels; and</p> <p>A3.4 Roof structures are designed to conceal any roof plan equipment from ground level view.</p>
P4 Development integrates with the City centre.	<p>A4.1 A continuous streetscape is developed to Wharf Street; and</p> <p>A4.2 Landscape design, and other features reflect the character of the City.</p>
P5 Awnings are provided to all facades of any building.	<p>A5.1 Awnings are of the same design and height as those in adjoining precincts.</p> <p>Were provided along the wharf sheds, awnings are of character which is sympathetic with the architecture of the sheds.</p>
P6 Vehicle accesses and service areas do not dominate the streetscape.	<p>A6.1 Car park entrances are suitably designed and located to minimise the impact of these areas on adjoining uses; and</p> <p>A6.2 Loading docks and other service areas are concealed within buildings.</p>

View Corridors

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P7 Key views to and from the waterfront are retained and enhanced.	<p>A7.1 Buildings and structures are suitably located to maintain view corridors as depicted on the CBD – North Cairns Connectivity Overlay.</p> <p>If the precinct boundary between two precincts is altered, buildings and structures are located to provide a view corridor (of a similar size to the existing corridor) between the two precincts; and</p> <p>A7.2 Buildings do not protrude into view corridors; and</p> <p>A7.3 Where possible, existing buildings within these view corridors are removed (excluding White's Shed); and</p> <p>A7.4 The view corridors are enhanced by appropriate landscape design and planting.</p>

Landscaping and Open Space

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P8 A combination of pedestrian linkages and open space areas are provided as a key feature of Cityport. These open space areas ensure Cityport is highly accessible.	<p>A8.1 An integrated and enlarged open space and pedestrian movement network is provided as depicted on the CBD – North Cairns Pedestrian and Cycle Movement Overlay; or</p> <p>If the precinct boundary between two precincts is altered, buildings and structures are located to provide a pedestrian connection and view corridor (of a similar size to the existing corridor) between the two separate precincts; and</p> <p>A8.2 The design of these areas is consistent with Council's landscape requirements.</p>
P9 Development complements the open space and pedestrian movement systems.	A9.1 No buildings or structures are located within the open space areas as depicted on the CBD – North Cairns Connectivity Overlay.
P10 A continuous waterfront promenade/boardwalk is provided, linking Cityport with The Esplanade.	<p>A10.1 Continuous pedestrian access is provided adjoining the waterfront as shown on the CBD – North Cairns Pedestrian and Cycle Movement Overlay; and</p> <p>A10.2 An alternative pedestrian route is provided for occasions when access to the wharf at the southern end of Cityport is restricted by cruise operations; and</p> <p>A10.3 The design of the waterfront promenade is consistent with the Landscape Design Code.</p>
P11 Artworks and other similar features are provided in suitable locations and reflect the heritage feel of Cityport South.	A11.1 Artworks and other features are provided in the pedestrian areas and adjoining the Wharf Sheds
P12 Where possible, any existing significant vegetation is retained.	A12.1 Significant vegetation is retained where possible.

Access and Movement Networks

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P13 Development provides convenient pedestrian links between the City Centre and Cityport.	A13.1 An integrated and efficient pedestrian movement network is provided as depicted on the CBD North Cairns Pedestrian and Cycle Movement Overlay.
P14 Vehicular access to Cityport is safe, efficient and provides for the needs of all users of Cityport.	A14.1 An efficient traffic network is provided as depicted on the CBD North Cairns Road Hierarchy Overlay.
P15 Car parking, servicing and set down areas do not dominate the streetscape.	A15.1 Car park entrances, loading/unloading areas and setdown areas are designed to minimise the impact of these areas on the streetscape.

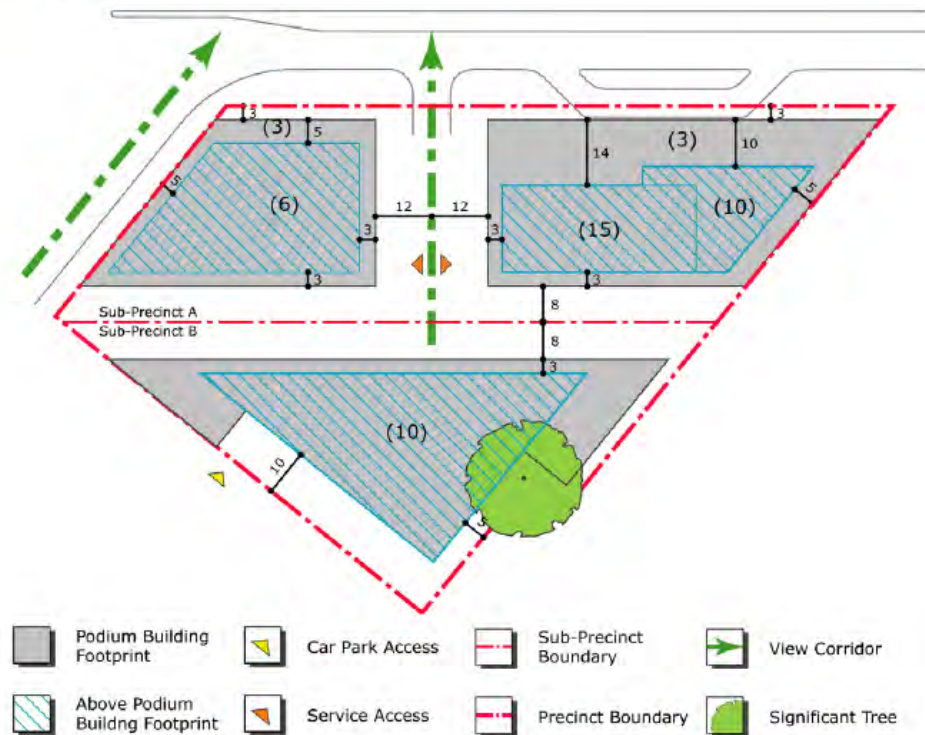
Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
PRECINCT SPECIFIC:	
PRECINCT 1	
P16 Future development is of a design and scale which complements the existing Convention Centre.	<p>A16.1 Building setbacks do not extend beyond those of the existing Convention Centre; and</p> <p>A16.2 Building height is no greater than that of the existing Convention Centre.</p>
P17 Future development reinforces the views to the waterfront and the City and creates useable pedestrian and open space areas.	A17.1 No buildings or significant structures are located within the view corridors or open space areas.

PRECINCT 2	
P18 The precinct is developed as two separate but interrelated “sub-precincts” which address the pedestrian plazas and open spaces areas, as well as the streetscape.	<p>A18.1 The precinct is developed as two “sub-precincts” (Refer to Figure 1 below) connected by attractive and useable pedestrian plazas; and</p> <p>A18.2 This precinct may comprise three separate buildings separated by pedestrian thoroughfares and open space areas. Pedestrian spaces are provided –</p> <ol style="list-style-type: none"> From the Lake and Hartley Street intersections through to the Cairns Convention Centre; From Wharf Street <p>The pedestrian areas also link with the pedestrian plaza in Grafton Street.</p> <p>A18.3 Outdoor dining, entertainment and other similar activities occur within and adjoining the pedestrian ‘plaza’ area.</p>
P19 All buildings are designed to address the street frontages, as well as the pedestrian plaza	A19.1 Shops, restaurants and other similar uses front Wharf Street and the pedestrian link from Lake Street to the Convention Centre.
P20 Building bulk within this precinct is greatest at ground level and podium levels, graduating to less bulky towers above.	<p>A20.1 Ground and podium levels are be set back at least 3 metres from the Wharf Street frontage; or</p> <p>In all other instances the ground and podium levels of the building are built to the road frontage; and</p> <p>A20.2 Development is in accordance with the control guidelines shown in Figure 1 above. Setbacks and building envelopes will be generally in accordance with those specified in this figure; and</p> <p>A20.3 Podium level is a maximum of 3 storeys.</p>

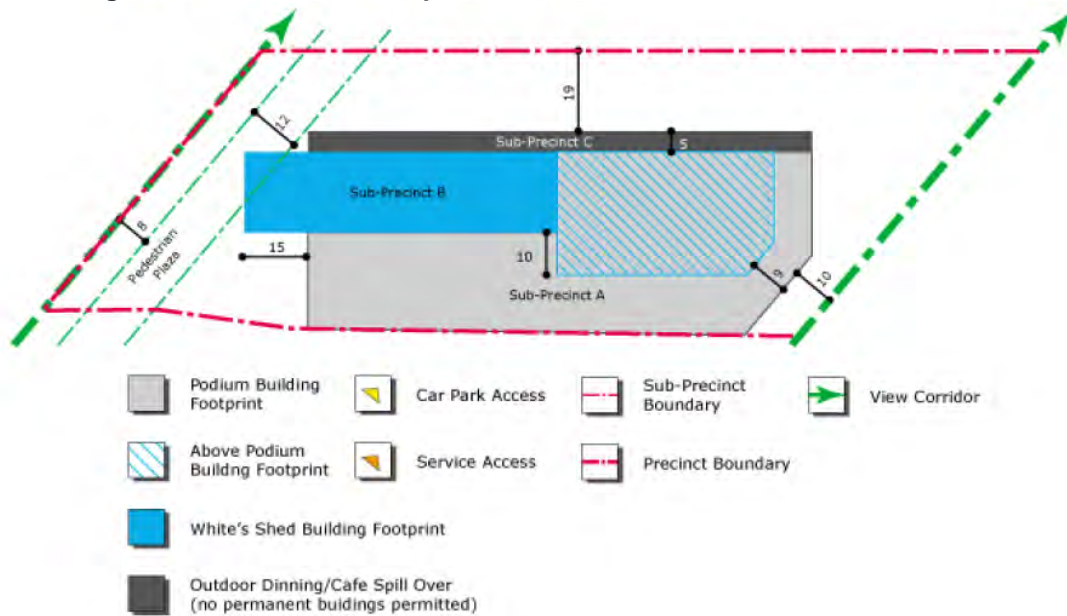
<p>PRECINCT 2</p> <p>P21 Building height and form is varied to reduce the bulk and mass of the precinct.</p>	<p>A21.1 Building height is no greater than the development guidelines specified in Figure 1 below; and</p> <p>A21.2 The height of buildings in sub-precinct 2a is interchangeable providing at least one building does not exceed the 6 storey height limit; and</p> <p>A21.3 A maximum height of 15 storeys is applicable to either the southern or western buildings where this height is “staggered” and where only one building is 15 storeys; and</p> <p>A21.4 Balconies, curved and stepped facades and other similar treatments are used to reduce the bulk of the building.</p> <p>A21.5 Future buildings upon Portion 2B are curved in design so as to open up to the south-west towards the Convention Centre.</p>
<p>P22 The bulk and scale of buildings is consistent with surrounding development and steps down to compliment the open space areas.</p>	<p>A22.1 The maximum site coverage within this Precinct is no greater than :</p> <p>a) 80% for the podium (up to the first 3 levels);</p> <p>b) 45% for all levels above the podium; and</p> <p>A22.2 Development within this precinct has a maximum plot ratio of 3.5:1; and</p> <p>A22.3 Basement car parks are located below finished ground level and do not create an undesirable streetscape; and</p> <p>A22.4 Landscaped terraces are provided at the podium level and other lower roof levels.</p>

Figure 1: Precinct 2 Development Controls



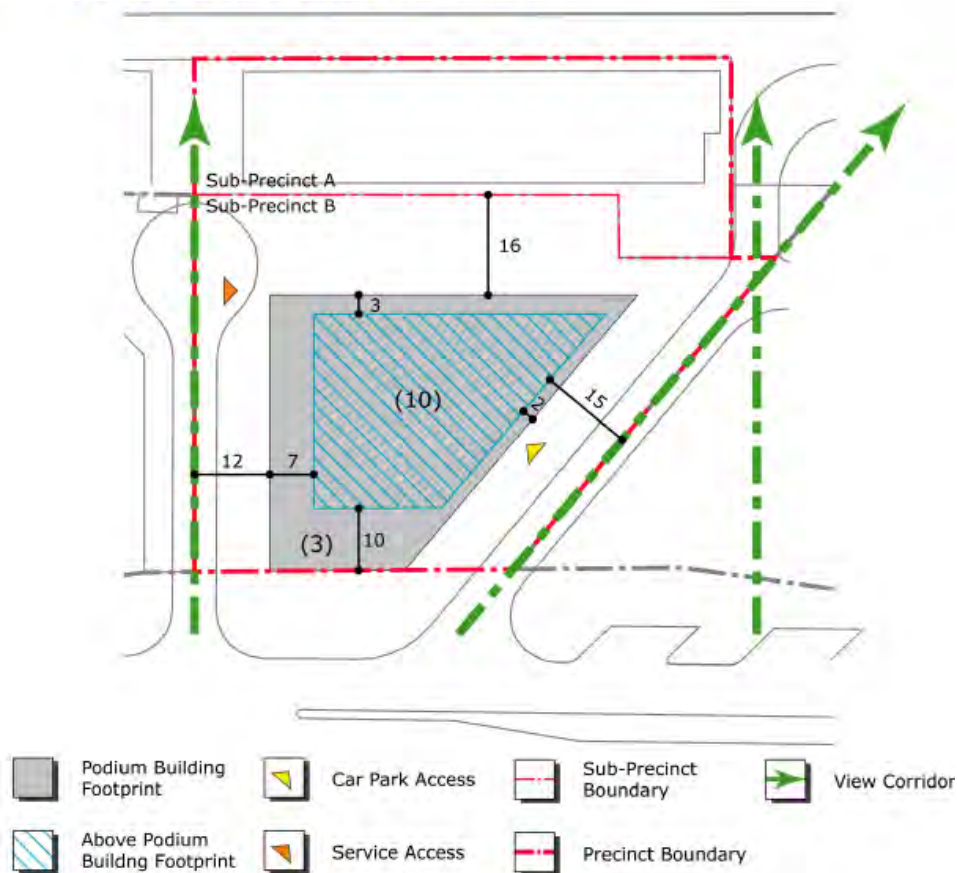
PRECINCT 3	
P23 Development is of a bulk and scale that is compatible with surrounding buildings.	A23.1 Development within the precinct has a maximum (cumulative) gross floor area of 20,000m ² . A23.2 Above podium level, the site coverage is a maximum of 15%. A23.3 Basement car parks are located below finished ground level and do not create an undesirable streetscape.
P24 Future development within this Precinct is of a scale and design that is consistent with the existing White's Shed.	A24.1 No acceptable measures are specified.
P25 Building bulk is greatest at the ground level where podium levels graduating to less bulky towers.	A25.1 Building height is no greater than the development guidelines specified in Figure 2 ; and
P26 Buildings are designed to provide pedestrian spaces and to retain and enhance views to Trinity Inlet	A26.1 Development is in accordance with the control guidelines shown in Figure 2 . Setbacks and building envelopes will be generally in accordance with those specified in this figure; and A26.2 No buildings or structures are located within the view corridors and the waterfront boardwalk (excluding the existing White's shed).
P27 Development in this precinct does not impact on the operation of the adjoining Seaport.	A27.1 No acceptable measures are specified.

Figure 2: Precinct 3 Development Controls



PRECINCT 4	
<p>P28 Buildings are visually appealing and present to all precinct frontages.</p>	<p>A28.1 Development is in accordance with the control guidelines shown in Figure 3. Setbacks and building envelopes are specified in this figure; and</p> <p>A28.2 Given the high visual exposure of this area, all building facades are treated as 'front' elevations and are of the highest design standard.</p>
<p>P29 Development is of a bulk and scale that is consistent with surrounding buildings.</p>	<p>A29.1 Above podium level, site coverage within this precinct is a maximum of 60%; and</p> <p>A29.2 Development within this precinct has a maximum plot ratio of 3.0:1; and</p> <p>A29.3 The podium level of the building/s is on a similar alignment to adjoining developments (refer to Figure 3); and</p> <p>A29.4 Basement car parks are located below finished ground level and do not create an undesirable streetscape.</p>
<p>P30 Building bulk is greatest at the ground level with podium levels graduating to less bulky towers.</p>	<p>A30.1 Building height is a maximum of 10 storeys; and</p> <p>A30.2 Podium level is a maximum of three storeys.</p>
<p>P31 Future development protects the heritage significance of White's Shed.</p>	<p>A31.1 No acceptable measures are specified.</p>

Figure 3: Precinct 4 Development Controls

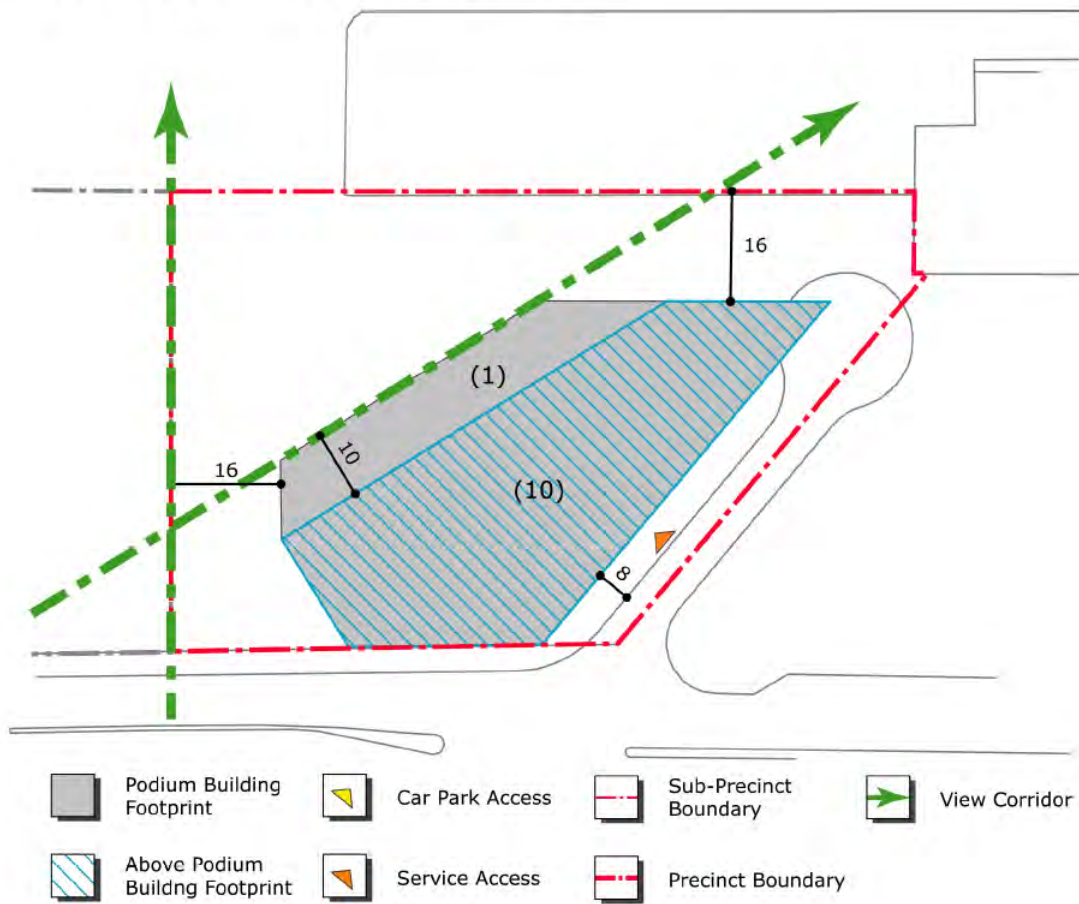


PRECINCT 5	
P32 Building design and bulk “steps down” to complement the existing heritage structures.	<p>A32.1 Building height is staggered from a maximum of 10 storeys to the north to a maximum of 6 storeys to the south and adjoining the heritage buildings.</p> <p>Note: this maximum height includes the podium level; and</p> <p>A32.2 Podium level is a maximum of three storeys; and</p> <p>A32.3 Above podium level, the tower steps back from the pedestrian areas, Wharf Street and the waterfront. The tower is to be stepped in at least 3 metres (greater setbacks are provided where the overall height of the building exceeds 6 storeys).</p>
P33 Future development is of a bulk and scale which is compatible with surrounding buildings.	<p>A33.1 Above podium level, the maximum site coverage within this precinct is 60%; and</p> <p>A33.2 Development has a maximum plot ratio of 3.0:1; and</p> <p>A33.3 Basement car parks are below finished ground level and are designed to provide an attractive streetscape.</p>
P34 Buildings are setback from pedestrian spaces and boulevards to provide open space areas and views to adjoining precincts and the water.	<p>A34.1 The following setbacks are applicable to the podium level of all buildings:</p> <ul style="list-style-type: none"> a) 16m from Wharf Shed No. 2; and b) 12m from the precinct boundary between this precinct and Precinct 4; and c) a minimum of 8m from the precinct boundary between this precinct and Precinct 6. <p>No minimum setback is required to Wharf Street; and</p> <p>A34.2 Shops and restaurants are located adjoining the public areas.</p>

PRECINCT 6	
P35 Building design and bulk are “scaled down” to be an appropriate scale when viewed from the water-side.	<p>A35.1 Building height is staggered from a maximum of 10 storeys</p> <p>Note: this maximum height includes the podium level); and</p> <p>A35.2 Podium level is a maximum of one storey;</p>
P36 Development is of a bulk and scale that is compatible with surrounding buildings.	<p>A36.1 Above podium level, the maximum site coverage is 30%; and</p> <p>A36.2 Development has a maximum gross floor area of 17,050m²; and</p> <p>A36.3 Car parking is provided at basement or semi-basement level (below Q100); and</p> <p>A36.4 Basement car parks are below finished ground level and the level of the wharves and are designed to ensure an attractive streetscape.</p>
P37 Buildings are designed to provide pedestrian spaces and boulevards and to enhance the views to adjoining precincts and the water.	<p>A37.1 Buildings are setback (at podium level) a minimum of:</p> <ul style="list-style-type: none"> a) 8m from the precinct boundary between precinct 5 and 6; and b) 16m from the precinct boundary between precincts 6 and 7; and c) 16m from the eastern property boundary with the pedestrian promenade. <p>Refer to Figure 4</p>

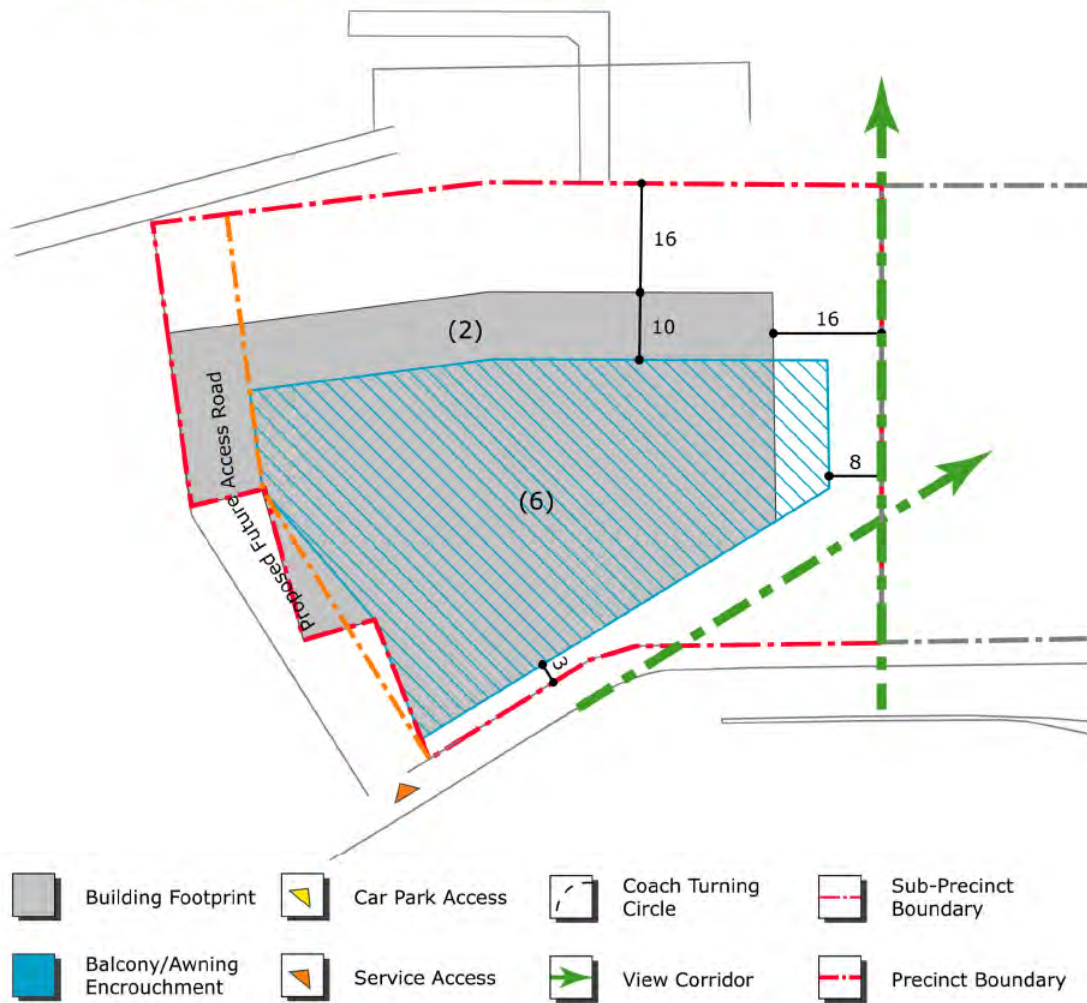
<p>PRECINCT 6</p>	<p>A37.2 Above podium level, the tower steps back a minimum of 10m from the view corridor frontage; and</p> <p>A37.3 Shops and restaurants are located adjoining the waterside and Wharf Street frontages.</p>
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Figure 4: Precinct 6 Development Controls



<p>PRECINCT 7</p> <p>P38 Building design and bulk is limited to provide a “staggered” building appearance throughout Cityport.</p>	<p>A38.1 Building height is a maximum of 6 storeys (including the podium level); and</p> <p>A38.2 Podium level is a maximum of:</p> <ul style="list-style-type: none"> a) two storeys where retail and residential uses are proposed on podium level; or b) Three storeys where office uses are proposed on podium level.
<p>P39 Development is of a bulk and scale which is compatible with surrounding buildings</p>	<p>A39.1 Above podium level, the maximum site coverage within this Precinct is 45%; and</p> <p>A39.2 Development has a maximum gross floor area of 17,050m²; and</p> <p>A39.3 Car parking is provided at basement or semi-basement level (below Q100); and</p> <p>A39.4 Basement car parks are below finished ground level and are designed to ensure an attractive streetscape.</p>
<p>P40 Buildings are designed and sited to provide view corridors and shared pedestrian/open space and movement areas in a suitable location.</p>	<p>A40.1 Buildings are setback (at podium) a minimum of:</p> <ul style="list-style-type: none"> a) 16m from the precinct boundary between precincts 6 and 7; and b) 3m from Esplanade Street frontage; and c) 16m from the eastern property boundary with the pedestrian promenade; and <p>Refer to Figure 5</p> <p>A40.2 Above podium level, the tower may overhang the podium level where the tower is setback a minimum of:</p> <ul style="list-style-type: none"> a) 8m from the precinct boundary between precincts 6 and 7; b) 3m from the Esplanade Street frontage; and c) 26m from the eastern property boundary with the pedestrian promenade <p>Refer to Figure 5</p>

Figure 5: Precinct 7 Development Controls



Circulation and Access

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
ALL PRECINCTS	
P41 Car parking areas are not visually dominant from the road frontage or the waterfront.	<p>A41.1 Car parking is limited to basement or semi-basement level; and</p> <p>A41.2 Building design incorporates only minor level changes in accordance with 'AS1428 – Design for Access and Mobility'.</p>
PRECINCT SPECIFIC:	
PRECINCT 1	
P42 Vehicle parking and manoeuvring areas are conveniently located, are sufficient to meet user requirements and minimise pedestrian vehicle conflict.	A42.1 Drop off and set down areas are provided at either Wharf or Hartley Street. No vehicular access is provided from Grafton Street.

<p>PRECINCT 2</p> <p>P43 Vehicle parking and manoeuvring areas are conveniently located, are sufficient to meet user requirements and minimise pedestrian vehicle conflict.</p>	<p>A43.1 Vehicular access to the northern building in sub-precinct 2A is via Lake Street. A set down area (porte cochere) is provided from Wharf Street where it is also a shared pedestrian way; and</p> <p>A43.2 Vehicular access to the southern building in sub-precinct 2A is via Grafton Street. A set down area (porte cochere) is provided on Wharf Street where it is also a shared pedestrian way; and</p> <p>A43.3 All vehicular access within Portion 2B is from Hartley Street. No vehicular access is provided from Wharf Street.</p>
<p>PRECINCT 3</p> <p>P44 Vehicle parking and manoeuvring areas are conveniently located, are sufficient to meet user requirements and minimise pedestrian vehicle conflict.</p>	<p>A44.1 A coach set down and parking area is provided between White's Shed and Trinity Inlet; and</p> <p>A44.2 Service vehicle access is provided from the shared pedestrian way between Precincts 3 & 4.</p>
<p>PRECINCT 4</p> <p>P45 The Gateway Plaza is designed to accommodate coach, taxi and service vehicle movement when cruise vessels are in port.</p>	<p>A45.1 Buildings are suitably located to provide for vehicular access from the shared zone with Precinct 5 to the north; and</p> <p>A45.2 A setdown area (porte cochere) is provided adjoining the Gateway Plaza; and</p> <p>A45.3 No vehicle access is provided from Wharf Street.</p>
<p>PRECINCT 5</p> <p>P46 View corridors and shared pedestrian and vehicular access ways are provided to the north and south of the precinct.</p>	<p>A46.1 All vehicular access, including set down areas, service vehicle access and car park access is provided from the northern or southern shared access ways; and</p> <p>A46.2 The northern shared access way incorporates service vehicle access to the development; and</p> <p>A46.3 The southern shared access way provides car park access and set down areas.</p>
<p>PRECINCT 6</p> <p>P47 Buildings are appropriately located to provide view corridors and shared pedestrian and vehicular access ways to the north and south.</p>	<p>A47.1 A shared set down area (e.g. porte cochere) is provided of Wharf Street to services development in both precincts 6 & 7; and</p> <p>All vehicular access, including service vehicle access and car park access is provided from the extension of Abbot Street; and</p> <p>A47.2 No vehicular access is provided from Wharf Street.</p>
<p>PRECINCT 7</p> <p>P48 Setbacks at ground level provide for view corridors and shared pedestrian and vehicular access ways.</p>	<p>A48.1 A shared set down area (e.g. porte cochere) is provided off Wharf Street to services development in both precincts 6 & 7; and</p> <p>A48.2 All vehicular access, including service vehicles access and car park access is provided via the proposed future access road off the Esplanade road; and</p> <p>A48.3 No vehicular access is provided from Wharf Street (including porte cochere).</p>

4.5.14 Commercial Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Commercial Planning Area:

- The establishment of commercial, business and professional activities which serve the needs of the District community is facilitated;
- The establishment of commercial uses, such as showrooms and display facilities, which due to their size or nature cannot be accommodated in the City Centre or Sub-Regional Centre Planning Areas is facilitated;
- The scale and density of development contributes to a high standard of amenity;
- The operation of smaller scale tourist attractions and facilities, particularly in the Cairns Beaches District is facilitated;
- The establishment of short term accommodation, particularly within the CBD-North Cairns and Inner Suburbs Districts, is facilitated, provided the accommodation is afforded a high level of amenity;
- The establishment of medium density residential development, particularly within the CBD-North Cairns and Inner Suburbs Districts, is facilitated, provided the accommodation is afforded a high level of amenity;
- The establishment of a Commercial Centre at Smithfield, which compliments and integrates with the Sub-regional Centre, University and surrounding residential uses and tourist and short term accommodation uses;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Commercial Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Commercial Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 The height of buildings and structures must be consistent with the desired character of the area and must not adversely affect the amenity of the area.	<p>A1.1 <u>CBD-North Cairns District</u> Buildings and structures are not higher than 11 metres;</p> <p>A1.2 <u>In All Other Districts</u> Buildings and structures are not more than 10 metres in height.</p>
P2 The siting of buildings must contribute to the desired amenity of the area and protect the amenity of other land uses.	<p>A2.1 Buildings are set back 6 metres from the road frontage/s; and</p> <p>A2.2 Where the site has a common boundary with land in a City Centre, Sub-Regional Centre, District Centre, Local Centre, Commercial or Industry Planning Area, the building is set back 0 metres from side and rear boundaries; otherwise the minimum setback from side and rear boundaries is 2.5 metres or 1/4 of the height of the building, whichever is the greater; and</p> <p>A2.3 In other cases, the building is set back 2.5 metres or 1/4 of the height of the building, whichever is the greater, from the common boundary.</p>
P3 Building Design contributes to the desired amenity of the area and protects the amenity of adjoining land uses ensuring sight lines from adjoining land uses are not obscured.	<p>A3.1 Building works do not encroach into the building setback; and</p> <p>A3.2 Fire protection measures do not extend beyond the façade of the building</p>

Part B – For Assessable Development Only

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P4 Site population density must be compatible with the desired development outcomes of this Planning Area.	<p>A4.1 <u>CBD-North Cairns District</u> No maximum site population density is prescribed;</p> <p>A4.2 <u>In All Other Districts</u> The site population density is not greater than 400 persons per hectare</p>

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 Development does not adversely affect the amenity of the planning area.	A5.1 No acceptable measures are specified.
P6 Development does not affect the amenity of the adjoining land uses.	A6.1 A minimum of 2 metres buffer of dense planting is provided along the full length of the boundary where adjoining land in the Residential 1, 2 or 3 Planning Areas.
P7 Buildings, structures and associated services are responsive to the natural features and constraints of the land.	<p>A7.1 The design of buildings, structures and associated services takes into account:</p> <ul style="list-style-type: none"> a) established trees; b) significant vegetation; c) ecological values; d) slope; e) waterways; and <p>A7.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.</p>
P8 Buildings and structures are: <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	A8.1 No acceptable measures are specified.

4.5.15 Industry Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Industry Planning Area:

- The establishment of a wide range of industrial uses to support the economy of the City and the region is facilitated;
- The establishment of employment nodes within reasonable proximity to residential areas is facilitated;
- Uses and works for industrial purposes are located, designed and managed to maintain the safety of people, avoid significant adverse effects on the natural environment and minimise impacts on adjacent non-industrial land;
- The scale, character and built form of development contributes to a high standard of amenity;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Industry Planning Area.

Applicability of the Code

This Code applies to development that is:

- Self-assessable or assessable;
- In the Industry Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Building Height

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 The height of buildings must be compatible with the existing and desired character of the area.	<p>A1.1 In the Portsmouth-Woree Industrial District and in the White Rock-Edmonton District, the height of buildings is not more than 15 metres; and</p> <p>A1.2 In all other Districts the height of buildings is not more than 10 metres.</p>

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The siting of industrial buildings contributes to the desired amenity of the area and protect the amenity of other land uses.	<p>A2.1 In the case of a corner site which has frontage to two higher order roads i.e. State-Controlled Road, existing or proposed Arterial Road or existing or proposed Sub-Arterial Road, as identified on the Road Hierarchy Overlay Maps, buildings are set back 6 metres from both road frontages; or</p> <p>A2.2 In other cases, buildings are set back:</p> <ol style="list-style-type: none"> a) 6 metres from the main road frontage; and b) 3 metres from any secondary road frontage; and <p>A2.3 Where the site has a common boundary with land in an Industry Planning Area, the building is set back 0 metres from side and rear boundaries; otherwise the minimum setback from side and rear boundaries is 2.5 metres or ¼ of the height of the building, whichever is the greater; and</p> <p>A2.4 Where the site adjoins land not in an Industry Planning Area or land containing an existing residential use, the building is set back 2.5 metres or ¼ of the height of the building, whichever is the greater, from the common boundary.</p>
P3 Building Design contributes to the desired amenity of the area and protects the amenity of adjoining land uses ensuring sight lines from adjoining land uses are not obscured.	<p>A3.1 Building works do not encroach into the building setback; and</p> <p>A3.2 Fire protection measures do not extend beyond the façade of the building</p>

Part B – For Assessable Development Only

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P4 Development does not adversely affect the amenity of the planning area.	A4.1 No acceptable measures are specified.
P5 Development does not affect the amenity of the adjoining land uses.	A5.1 A minimum of 2 metres buffer of dense planting is provided along the full length of the boundary where adjoining land in the Residential 1, 2 or 3 Planning Areas.
P6 Buildings, structures and associated services are responsive to the natural features and constraints of the land.	<p>A6.1 The design of buildings, structures and associated services takes into account:</p> <ul style="list-style-type: none"> a) established trees; b) significant vegetation; c) ecological values; d) slope; e) waterways; and <p>A6.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.</p>
P7 Buildings and structures are: <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	A7.1 No acceptable measures are specified.

Development in the East Woree Development Precinct

Provision for External Works

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P8 Sites within the East Woree Development Precinct, identified on the Portsmouth-Woree Industrial District Plan, must be provided with external works to allow for orderly development of the Precinct.	<p>A8.1 No acceptable measures are specified.</p> <p>Note: Contributions towards the cost of provision of external works for roadworks, drainage, sewerage and water supply are paid in accordance with the Rate of Contributions and the Time for Payment set out in the Planning Scheme Policy, East Woree Development Strategy.</p>

4.5.16 Community Facilities Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Community Facilities Planning Area:

- The establishment of community facilities such as schools, churches, community centres, State and Local Government facilities and major public utility depots or operations which are important to a District or to the City in locations which are convenient and accessible to the communities which the facilities serve is facilitated;
- The ongoing operation of existing community facilities as important community resources is facilitated;
- Any expansion or redevelopment of community facilities is in keeping with the purpose and character of the facility and with community needs;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Community Facilities Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Community Facilities Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Building Height

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 The height of all buildings must be in keeping with the intended character of the area and the height of buildings must not adversely affect the amenity of residential neighbourhoods.</p>	<p>A1.1 <u>CBD – North Cairns District</u> Buildings are not higher than 11 metres.</p> <p>A1.2 <u>The Islands District</u> Buildings are not higher than 7.5 metres.</p> <p>A1.3 <u>All other Districts</u> The buildings are not more than 10 metres in height.</p>

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P2 Buildings must be set back to ensure that they are compatible with the character of the area and do not adversely affect other uses, particularly residential uses and tourist and short term accommodation uses.</p>	<p>A2.1 In the CBD North Cairns District and the Inner Suburbs District, buildings are set back not less than:- 6 metres from the road frontage/s of the site;</p> <p>a) 4.5 metres from side and rear boundaries; and</p> <p>A2.2 In all other Districts, buildings are set back not less than:</p> <p>a) 10 metres from the frontage to a State-Controlled Road, existing or proposed Arterial Road or existing or proposed Sub-Arterial Road, as identified on the Road Hierarchy Overlay Maps; or</p> <p>b) 6 metres from the frontage to any other road; and</p> <p>c) 4.5 metres from side and rear boundaries.</p>

Parking and Access

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P3 Car parking areas must be setback from the boundaries of the site to ensure a high standard of amenity and to ensure that the amenity of residential land and residential uses and tourist and short term accommodation uses are protected.</p>	<p>A3.1 Car parking areas are set back:</p> <p>a) 6 metres from the road frontage/s of the site;</p> <p>b) 4.5 metres from any boundary with land included in a Residential 1, 2 or 3 Planning Area.</p>
<p>P4 The setbacks to car parking areas must be landscaped to enhance the amenity of the site and to provide a buffer to residential land and residential uses and tourist and short term accommodation uses.</p>	<p>A4.1 The setback between the road frontage/s and the car parking area is landscaped with dense planting; and</p> <p>A4.2 The setback between the boundary with land included in a Residential 1, 2 or 3 Planning Area and the car parking area is landscaped to provide a buffer to the residential land.</p>

Part B – For Assessable Development Only

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P5 Development does not adversely affect the amenity of the:</p> <p>a) planning area; and</p> <p>b) adjoining land uses.</p>	<p>A5.1 No acceptable measures are specified.</p>
<p>P6 Buildings, structures and associated services are responsive to the natural features and constraints of the land.</p>	<p>A6.1 The design of buildings, structures and associated services takes into account:</p> <p>a) established trees;</p> <p>b) significant vegetation;</p> <p>c) ecological values;</p> <p>d) slope;</p> <p>e) waterways; and</p> <p>A6.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.</p>

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P7 Buildings and structures are:</p> <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	<p>A7.1 No acceptable measures are specified.</p>

4.5.17 Sport and Recreation Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Sport and Recreation Planning Area:

- Areas are available for active and sporting parkland, and recreational pursuits;
- Opportunities for commercial recreation facilities are established;
- Sporting clubs using playing fields or courts may establish ancillary club facilities with a focus on multi-use;
- The use of recreational or club facilities does not affect the amenity of adjacent areas, particularly residential areas, through the sensitive design and siting of facilities and infrastructure and through buffering of facilities from sensitive land uses;
- Opportunities for the establishment of facilities such as kiosks and small scale restaurants which complement the use and enjoyment of park land with a City wide focus are facilitated;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Sport and Recreation Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Sport and Recreation Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 The height of all buildings and structures must be compatible with the character of the area and must not adversely affect the amenity of the area.	A1.1 Buildings and structures are not more than 8 metres in height.
P2 The siting of buildings and structures must contribute to the design amenity of the area and protect the amenity of other land uses.	A2.1 Buildings and structures are set back not less than: <ul style="list-style-type: none"> a) 10 metres from the frontage to a State-Controlled Road, existing or proposed Arterial Road or existing or proposed Sub-Arterial Road, as identified on the Road Hierarchy Overlay Maps; and b) 6 metres from the frontage to any other road; and c) 6 metres from a boundary with land in a Residential 1, 2 or 3 Planning Area; and d) 4.5 metres from a boundary with land in any other Planning Area.

Parking and Access

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P3 Car parking areas must be setback from the boundaries of the site to ensure that they do not dominate the open space character of the site or impact upon residential land or uses.	A3.1 Car parking areas are set back: <ul style="list-style-type: none"> a) 6 metres from the road frontage/s of the site; and b) 4.5 metres from any boundary with land included in a Residential 1, 2 or 3 Planning Area.
P4 The setbacks to car parking areas must be landscaped to reinforce the open space character of the site and provide a buffer to residential land and residential uses and tourist and short term accommodation uses.	A4.1 The setback between the road frontage/s and the car parking area is landscaped with dense planting; and A4.2 The setback between the boundary with land included in a Residential 1, 2 or 3 Planning Area and the car parking area is landscaped to provide a buffer to the residential land.

Part B – For Assessable Development Only

Night Lighting

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 Night lighting of playing fields and club facilities must not adversely affect the amenity of residential areas or uses.	A5.1 Where the site adjoins land included in a Residential 1, 2 or 3 Planning Area, illumination levels parallel to, and at a distance of 1.5 metres outside the site for a height of 10 metres do not exceed 8 lux in either the vertical or horizontal plane.

Character and Community Design

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P6 Development does not adversely affect the amenity of the:</p> <ul style="list-style-type: none"> a) planning area; and b) adjoining land uses. 	<p>A6.1 No acceptable measures are specified.</p>
<p>P7 Buildings and structures are responsive to the natural features and constraints of the land.</p>	<p>A7.1 The design of buildings, structures and associated services takes into account and retains established trees; and</p> <p>A7.2 On land steeper than 25% (1 in 4) alternative construction methods to slab on ground are utilised.</p>
<p>P8 Buildings and structures are:</p> <ul style="list-style-type: none"> a) responsive to the tropical climate by taking into account prevailing breezes and solar orientation; and b) designed to minimise energy consumption. 	<p>A8.1 No acceptable measures are specified.</p>

4.5.18 Open Space Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Open Space Planning Area:

- A range of functional open space, including local and district parks, major areas of parkland with a City-wide focus and open space links are available for the use and enjoyment of residents of, and visitors to, the City;
- Open Spaces are predominantly undeveloped premises which provide for a variety of social, environmental, access and infrastructure functions;
- Areas are retained for aesthetic appreciation and contribute to the character and amenity of neighbourhoods and the region;
- The retaining of areas with environmental functions including riparian corridors, vegetated areas, gullies, wildlife corridors, lakes and natural drainage paths;
- The use of Open Space does not affect the amenity of adjacent areas, particularly residential areas;
- Provision of facilities in Open Space for the enjoyment and convenience of users, which may include boardwalks, pedestrian and cycle paths, viewing platforms, interpretive signage and facilities will not compromise the integrity of environmental functions including established trees, significant vegetation, ecological values, slope, or waterways;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Open Space Planning Area.

Applicability

This Code applies to development that is:

- Self-assessable or assessable;
- In the Open Space Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 The height of all buildings and structures must be in keeping with the open space character of the site.	A1.1 Buildings and structures are not more than 8 metres in height.
P2 Buildings must be set back to ensure that they do not dominate the open space character of the site.	A2.1 Buildings are set back not less than: <ul style="list-style-type: none"> a) 10 metres from the frontage to a State-Controlled Road, existing or proposed Arterial Road or existing or proposed Sub-Arterial Road, as identified on the Road Hierarchy Overlay Maps; and b) 6 metres from the frontage to any other road; and c) 4.5 metres from side and rear boundaries.

Parking and Access

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P3 Car parking areas must be setback from the boundaries of the site to ensure that they do not dominate the open space character of the site or impact upon residential land or uses.	A3.1 Car parking areas are set back: <ul style="list-style-type: none"> a) 6 metres from the road frontage/s of the site; and b) 4.5 metres from any boundary with land included in a Residential 1, 2 or 3 Planning Area.
P4 The setbacks to car parking areas must be landscaped to reinforce the open space character of the site and provide a buffer to residential land and residential uses and tourist and short term accommodation uses.	A4.1 The setback between the road frontage/s and the car parking area is landscaped with dense planting; and A4.2 The setback between the boundary with land included in a Residential 1, 2 or 3 Planning Area and the car parking area is landscaped to provide a buffer to the residential land.

4.5.19 Conservation Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Conservation Planning Area:

- Areas identified as having significant values for biological diversity, ecological integrity and scenic amenity, as well as declared Fish Habitat Areas, are protected from development or from the effects of development that impact on those values;
- Areas including Hillslopes Category 2 (Urban) which form part of the scenic rim are protected from development or from the effects of development that impact on those values;
- Any recreational use of the significant areas within the Planning Area that are in the control of the Crown or the Council, such as Reserves, National Parks and the Wet Tropics World Heritage Area, is consistent with the management plans of the controlling authority so that the conservation and scenic values of these areas are not affected;
- Any use of land in private ownership in the Planning Area does not affect the conservation or scenic values, is in keeping with the natural characteristics and is not further developed;
- Any low intensity development based on an appreciation of the natural environment or on nature based recreation which may be located within the Planning Area, where a demonstrated community need exists, do not have any detrimental effects on the conservation or scenic values of the area;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the respective Districts are not established in the Conservation Planning Area.

Applicability

This Code applies to development that is:

- Assessable;
- In the Conservation Planning Area; and
- Identified in the table below.

APPLICABLE DEVELOPMENT
Material Change of Use
Reconfiguring a Lot

Elements of the Code

Part A – For Self-Assessable and Assessable Development

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
None	None

Part B – For Assessable Development Only

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Site population density must be compatible with the desired development outcomes of this Planning Area.	A1.1 No acceptable measures are specified.

Built Form

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 The height of all buildings must be in keeping with the natural characteristics of the site and the height of buildings must not affect visual amenity.	A2.1 Buildings are not higher than 7.5 metres.
P3 Buildings must be set back from the boundaries of the site so that buildings are screened from view from the boundaries of adjoining properties and of adjoining roads and so that the scenic values of the area are not adversely affected.	A3.1 No acceptable measures are specified.
P4 The site coverage of all buildings must not have an adverse effect on the conservation or scenic values of the site.	A4.1 No acceptable measures are specified.

Declared Fish Habitat

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 Development does not adversely impact upon the Declared Fish Habitat Areas identified on the Desired Environmental Outcome Map 1.	A5.1 No acceptable measures specified.