

ORDINARY MEETING 31 OCTOBER 2012	15
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NORTH QUEENSLAND AIRPORTS CAIRNS AIRPORT LAND USE PLAN

Sean Lisle SL: 8/27/3: #3757213

RECOMMENDATION:

That Council resolves to:

- A. Provide comments on the proposed Cairns Airport Land Use Plan to the Minister for State Development, Infrastructure and Planning;**
- B. Acknowledge the significant role of the Cairns Airport to the regional economy and request that Cairns Airport Pty Ltd work in active partnership with Council during the ongoing planning and development at the Cairns Airport; and**
- C. Request that the Minister for State Development, Infrastructure and Planning in his consideration of the Land Use Plan acknowledges Council's concerns and suggested resolutions, as detailed in Attachment 4, particularly:**
 - i. that non-aviation commercial development within the Commercial Enterprise Precinct be informed by economic impact studies to ensure the development aligns with the activity centre and retail hierarchy for Cairns;**
 - ii. that off-site traffic impacts associated with the airport redevelopment on the local road network be considered;**
 - iii. that the loss of areas of ecological significance throughout the development of the LUP process and the impact of development on areas identified in the LUP of 'high ecological significance' be considered; and**
 - iv. that the protection of key vistas and vegetation through the establishment of a vegetation buffer along Airport Avenue be considered.**

EXECUTIVE SUMMARY:

On 14 September 2012, Cairns Airport Pty Ltd (CAPL) submitted their revised Land Use Plan 2012 (LUP) to the Minister for State Development, Infrastructure and Planning for approval. In approving the LUP, the Minister must be satisfied the local government does not have a substantial objection to the plan.

Council has previously considered the draft LUP and has actively participated in the development of the LUP by providing comments to the State Government and CAPL throughout the process. Throughout the development of the LUP Council has raised significant concerns regarding the establishment of non-aviation commercial uses on the airport site, in particular the commercial enterprise precinct to the west of the runway adjacent to the Cook Highway.

Despite the concerns raised by Council, the LUP continues to promote non-aviation commercial development within this precinct. The impacts on the activity centres and retail hierarchy in the Cairns region remain unknown. CAPL undertook an economic analysis of the airport development on the whole. Council requested this report to gain a more detailed understanding of the retail floorspace proposed and its impact on the broader activity centres and retail hierarchy and these requests have been declined.

Council officers raise the following aspects for consideration:

- i the extent of non-aviation commercial development within the Commercial Enterprise Precinct should be informed by economic impact studies to ensure the development aligns with the activity centre and retail hierarchy for Cairns;
- ii. consideration should be given to the off-site traffic impacts the airport development will have on the local road network;
- iii. consideration should be given to the loss of areas of ecological significance throughout the development of the LUP and the impact development has on areas identified in the LUP of 'high ecological significance' should be minimised; and
- iv. that consideration be given to the protection of key vistas and vegetation through the establishment of a vegetation buffer along Airport Avenue.

Council officers also acknowledge the local and regional significance of Cairns Airport and the recommendation of this report seeks to advise the Minister of Council concerns to ensure appropriate outcomes for the Cairns region.

INTRODUCTION:

On 14 September 2012, CAPL submitted their LUP to the Minister for State Development, Infrastructure and Planning for approval. In approving the LUP, the Minister must be satisfied the local government does not have a substantial objection to the plan.

BACKGROUND:

The *Airport Assets (Restructuring and Disposal) Act 2008 (AAA 08)* requires that CAPL prepare a LUP. The LUP must:

- Include details of airport land;
- Identify the current and intended uses of the airport land;

- Coordinate and integrate the core matters relevant to the land use plan;
- Identify desired environmental outcomes for the airport land;
- Include measures that will help achieve the desired environmental outcomes; and
- Include a schedule of charges (a charges schedule) the local government may levy for infrastructure provided by the local government in relation to development that - is on the airport land; and is consistent with the LUP; and include a priority infrastructure interface plan for the airport land.

CAPL released their 'First LUP' in January 2009. In April 2010 CAPL released a Statement of Proposals for a new LUP for public consultation. The draft LUP was prepared and released for public consultation in December 2010. Council has submitted comments to CAPL and the Minister at each stage of the development of the LUP.

Most recently, Council submitted comments surrounding the following aspects of the draft LUP on 23 February 2012;

- Acknowledged the significant role of the Cairns Airport to the regional economy;
- Raised concern in relation to the establishment of non-aviation retail / commercial development that is not informed by economic analysis;
- Raised concern with the levels of assessment contained within the Draft LUP;
- Raised concern in relation to the establishment of the parallel runway and the associated impacts;
- Raised concern with the removal of a large area of green space as indicated under the First Land Use Plan 2009; and
- Stated the importance of Airport Avenue is an important contributor to the arrival experience in Tropical Far North Queensland.

The State Government subsequently notified Council and requested a response by 26 October 2012. Council officers requested an extension to this deadline to allow a report on the matter to be considered by Council which was granted until 31 October 2012.

COMMENT:

Council Officers have reviewed the LUP and a table of officer comments in full are attached to this report. The significant matters raised are as follows:

Local and Regional Significance of Cairns Airport

The LUP details the economic and community significance of the Cairns Airport. Additional information provided to Council details in brief the significant economic benefits associated with the airport development. Council acknowledges this information and supports plans to expand airport operations in order to support the Cairns economy, particularly those developments that improve and expand aviation related operations.

Council officers continue to raise concern with aspects of the LUP surrounding the nature of activity within the commercial enterprise precinct. The LUP promotes commercial and retail development within the precinct; in particular the establishment of internet based retail and E-commerce based facilities. However, the levels of assessment and development codes contained in the LUP (described in more detail below) do not restrict the establishment of other uses in the precinct which do not align with the activity centre and retail hierarchy in Cairns.

This is of significant concern to Council, and Council officers recommend that development focus on expanding, improving and strengthening aviation related business and industry.

The Proposed Commercial Enterprise Precinct, Strategic Outcomes and Planning Framework

The Far North Queensland Regional Plan 2009-2031 encourages the airport to diversify and strengthen its aviation and aviation related activities. The provisions do not include diversification into commercial and retail activities.

The statements contained in the Draft LUP relating to the nature of the proposed Commercial Enterprise Precinct such as providing for *"major weekly/fortnightly retail shopping trips"*, *"Main Street" Activity Centre* and *"The gross lettable area of the precinct is more than 10,000m²"* have been removed from the LUP.

The LUP now states that the precinct will provide for compatible retail, commercial and industrial uses to support economic growth and viability of the airport. Development in this precinct will include E-commerce distribution centres, retail warehouses, shopping centres, showrooms. This will facilitate the assembly, packaging, storage and distribution of goods, whether or not in a building, where the goods are purchased or ordered electronically.

Additional development in this zone may include: convenience retailing / supermarket, take-away food outlets, specialty shops offering convenience goods and services; showrooms and retail warehouse-style shopping outlets; industrial, storage and distribution activities including E-commerce distribution centres and shop-front retail outlets for goods made, assembled, packaged or stored on-airport, whether on the same premises or elsewhere within the airport.

A wide range of potential uses have been identified for the precinct and are not limited to internet retail and E-commerce. The potential to fracture the activity centre and retail hierarchy in Cairns is still significant.

Council previously identified the lack of supporting economic investigation to support the proposed development in the Draft LUP. In the preparation of the LUP, Cairns Airport undertook an economic analysis of the broader airport development. Council officers requested to view relevant reports which was declined. The Briefing Notes supplied to Council with the LUP and associated documents included excerpts from that report. The comments concentrated on the wider regional and local benefits to the economy associated with the development and did not specifically detail the impact the proposed development within the commercial enterprise precinct would have on the activity centre and retail hierarchy in Cairns. This information is considered crucial given the potential development within the commercial enterprise precinct. It is still considered that the type of development proposed within the commercial enterprise precinct as listed in the LUP has the potential to fracture the activity centre and retail hierarchy in Cairns.

Given the wide range of uses that may be established for the commercial enterprise precinct, Council looks to the levels of assessment and development codes to understand how those uses will be controlled. Under the LUP, the level of assessment for all uses (unless it is identified as an inconsistent use) is Self-Assessable Development where it complies with the self-assessable acceptable outcomes of the applicable code(s), otherwise it becomes Code Assessable Development. There are no uses listed as Impact Assessable Development.

The self-assessable acceptable outcomes of the Development Code are devoid of provisions concerning built form or scale and as such, development that *'is compatible with the desired character of the area'* can be considered Self Assessable Development. This criteria is very broad and the LUP does not provide any detail on the desired character of the airport.

Council officers raise concerns regarding the levels of assessment and the associated development codes. Coupled with the proposed development outcomes for the economic enterprise precinct, the LUP establishes a planning regime which supports relatively uncontrolled development within the economic enterprise precinct.

In addition, the levels of assessment proposed in the LUP would eliminate the appeal rights of any *'Advice Agency'* (Council) as outlined in the *Sustainable Planning Act 2009*.

Council officers recommend that Cairns Airport undertake an economic study which would provide baseline economic figures and information to inform future land uses within the airport site, in particular the commercial enterprise precinct. The study will need to include: an assessment of the existing centres hierarchy within the Cairns region including role, mix of uses and catchment area for key centres; and an economic assessment of the demand and need for commercial floorspace (retail, bulky goods and office) in the airport and recommendation of floorspace thresholds.

Following the receipt of the economic study detailed above the levels of assessment and development codes could be revised. Levels of assessment should appropriately reflect the outcomes of the economic study in terms of suitable land uses for the airport site. Development codes should also appropriately reflect the outcomes of the economic study in terms of scale of development.

Off Site Traffic Effects

Concerns regarding the off-site traffic impacts on the local road network associated with the airport redevelopment should be addressed.

Cairns Airport undertook a traffic study for the airport development in the preparation of the LUP, primarily for review by the Department of Transport and Main Roads. Council requested a copy of that report which was declined. An analysis of proposed development on the airport site and projected traffic impacts on local traffic would inform Council's own planning for the local network.

The Loss of Green Space

The LUP contains statements that seek to manage ecologically significant sites and conserve the habitat of endangered flora and fauna. However, Green Space identified in the First LUP and Draft LUP has been lost in the expansion of the Commercial Enterprise Precinct and Aviation Enterprise Precinct in the LUP.

Map OM - 004 Coastal Management & Biodiversity Overlay show areas of 'high ecological significance' which fall within proposed development areas shown on ZM 001 – Zone and Precinct Plan

The area of high ecological significance that falls within the proposed development areas is substantial. Council officers recommend that development avoid the areas of high ecological significance high value regrowth and remnant vegetation, fauna and riparian corridors and waterways and be retained as described in the First LUP and Draft LUP.

Measures should be taken to offset those impacts in accordance with the *Queensland Government's Environmental Offsets Policy*, where the adverse impacts of development within the remaining areas of high ecological significance cannot be avoided.

It is also important to note, the significant natural features associated with the Cairns airport site including the second runway despite not being required within the next 20 years.

Airport Avenue as a Gateway to the Region

Airport Avenue as an important contributor to the arrival experience to Cairns and Far North Queensland has not been integrated into the LUP. Development codes do not reflect the intent of this statement other than buildings located in prominent positions, such as 'gateway' be designed to express or emphasise the importance of their location.

Key vistas to be reinforced should be identified and development should not impact upon them. Council officers also recommend the inclusion of a provision for a buffer retaining existing vegetation along the Airport Avenue. An appropriate width buffer will enhance the scenic route whilst accommodating the aviation activity behind the buffer.

CONSIDERATIONS:

Corporate and Operational Plans:

This project is not being delivered under Council's Corporate or Operational Plans. However, the project reflects the following Corporate Plan Goals:

- Goal 1 - To ensure that the natural and built environments are managed and protected in a sustainable manner;
- Goal 3 - To take an integrated planning approach to development that creates a sustainable region reflective of our uniqueness and tropical lifestyle;
- Goal 4 - To plan, deliver and maintain the region's infrastructure such as roads, drainage and flood mitigation and provide a sustainable high quality water supply to meet current and future needs of the community; and
- Goal 5 - To increase the region's capacity for long-term economic growth by supporting opportunities for local businesses and local employment.

Statutory:

Cairns Airport Pty Ltd was required to prepare the LUP for the Airport pursuant to Section 33 of the *Airport Assets (Restructuring and Disposal) Act 2008* (Qld).

Policy:

The AAA08 gives head of power to the *Sustainable Planning Act 2009* and its inherent integrated development assessment system as the assessment process for development on airport land. Similar to the assessment process required under the *Transport Infrastructure Act 1994*, all referral triggers required under the Planning Act are applicable triggers for development on airport.

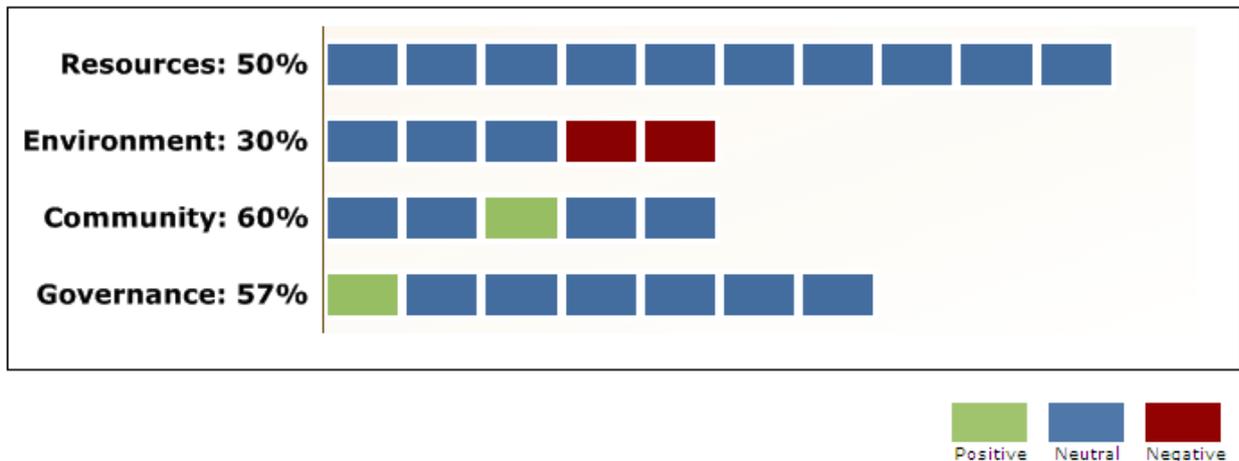
The AAA08 also states that local government is an Advice Agency for Impact assessable development. It must be noted that no development on airport land is identified as Impact Assessable Development. The removal of Impact Assessment from the LUP also eliminates the Appeal rights of any *Advice Agency* (Council) as outlined in the *Sustainable Planning Act 2009*.

Financial and Risk:

Council identified the lack of supporting economic investigation to support the proposed development in the Draft LUP. In the preparation of the LUP, Cairns Airport undertook an economic analysis of the airport development on the whole. Council requested to view that report which was declined. The Briefing Notes supplied to Council with the LUP and associated documents included excerpts from that report. The comments concentrated on the wider regional and local benefits to the economy associated with the development and did not specifically detail the impact of the proposed development of the commercial enterprise precinct on the activity centre and retail hierarchy in Cairns. This information is crucial when considering the potential development of the commercial enterprise precinct and as stated previously, Council considers that the type of development proposed in the commercial enterprise precinct as listed in the LUP has the potential to fracture the activity centre and retail hierarchy in Cairns.

Sustainability:

A sustainability scorecard has been completed for the report, detailed below.



This project is not being delivered under Council's Corporate or Operational Plans the majority of the scores are neutral.

The proposed LUP and subsequent impacts on the environment associated with the loss of Green Space and areas of high ecological significance result in negative scores. However, the benefits to the community and economy associated with the airport development result in positive scores in the sustainability scorecard.

CONSULTATION:

Consultation was undertaken for the Statement of Proposals in May 2010 and on the draft LUP in February 2011 Meetings have occurred between the Department of State Development, Infrastructure and Planning, Transport and Main Roads, Cairns Airport Pty Ltd and Council officers during the period of development of the LUP. Community consultation is not required during the current or future development of the LUP.

OPTIONS:

That Council resolves to:

- A. Provide comments on the proposed Cairns Airport Land Use Plan to the Minister for State Development, Infrastructure and Planning;
- B. Acknowledge the significant role of the Cairns Airport to the regional economy and request that Cairns Airport Pty Ltd work in active partnership with Council during the ongoing planning and development at the Cairns Airport; and
- C. Request that the Minister for State Development, Infrastructure and Planning in his consideration of the Land Use Plan acknowledges Council's concerns and suggested resolutions, as detailed in Attachment 4, particularly:
 - i. that non-aviation commercial development within the Commercial Enterprise Precinct be informed by economic impact studies to ensure the development aligns with the activity centre and retail hierarchy for Cairns;
 - ii. that off-site traffic impacts associated with the airport redevelopment on the local road network be considered;
 - iii. that the loss of areas of ecological significance throughout the development of the LUP process and the impact of development on areas identified in the LUP of 'high ecological significance' be considered; and
 - iv. that the protection of key vistas and vegetation through the establishment of a vegetation buffer along Airport Avenue be considered.

OR

That Council not provide comments on the proposed Cairns Airport Draft Land Use Plan.

CONCLUSION:

It is recommended Council resolves to forward the comments contained in this report to the Minister for State Development, Infrastructure and Planning for his consideration. Council has some significant concerns with the proposed LUP and it is essential that these be conveyed to the Minister for his consideration to ensure appropriate outcomes for the Cairns region.

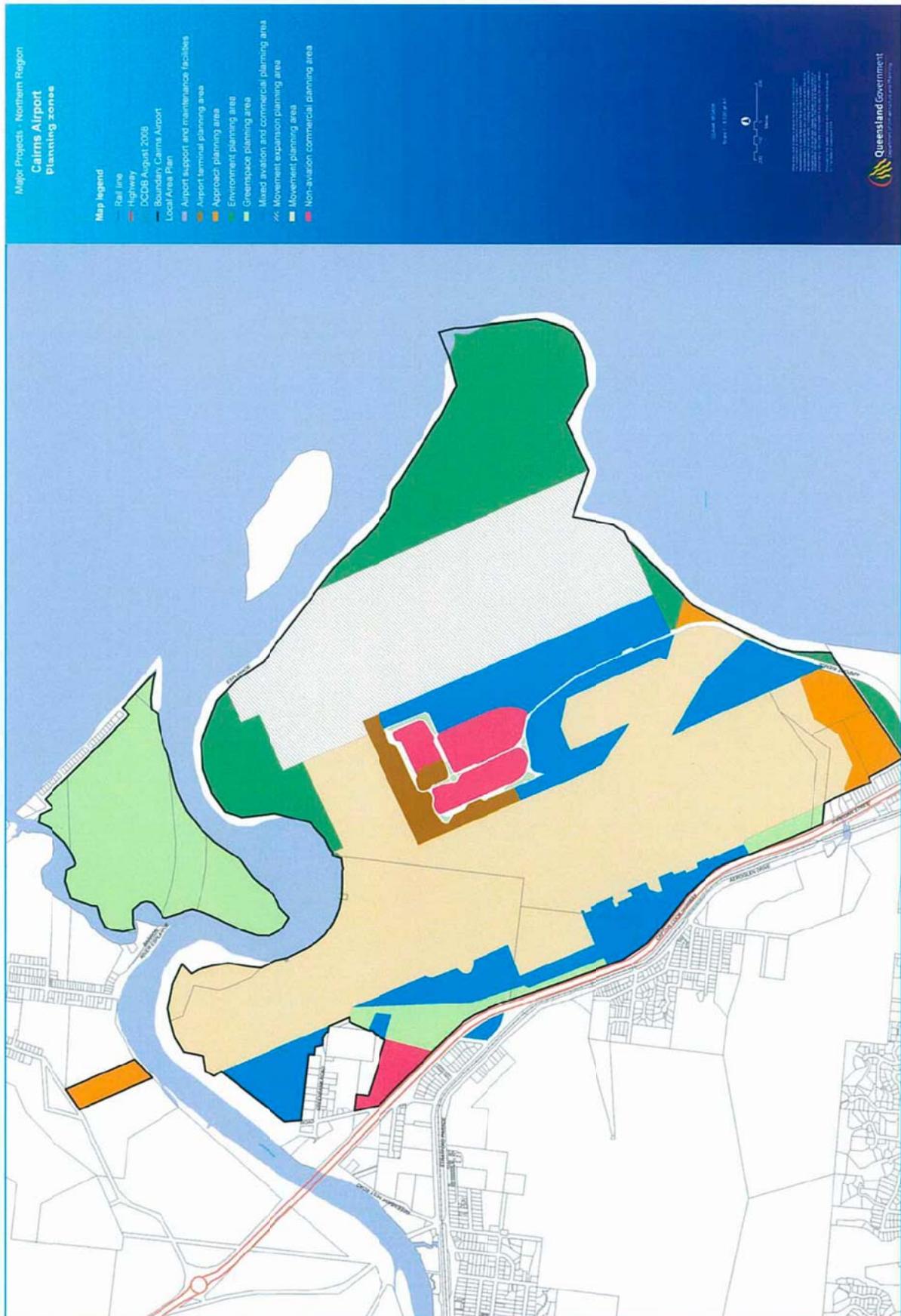
ATTACHMENTS:

- Attachment 1 – First Land Use Plan – Jan 2009 - Precinct Map
- Attachment 2 – Draft Land Use Plan Dec2010 - Airport Zone and Precinct Map
- Attachment 3 – Land Use Plan Sep 2012 - Airport Zone and Precinct Map
- Attachment 4 – Council Officer Comments Table

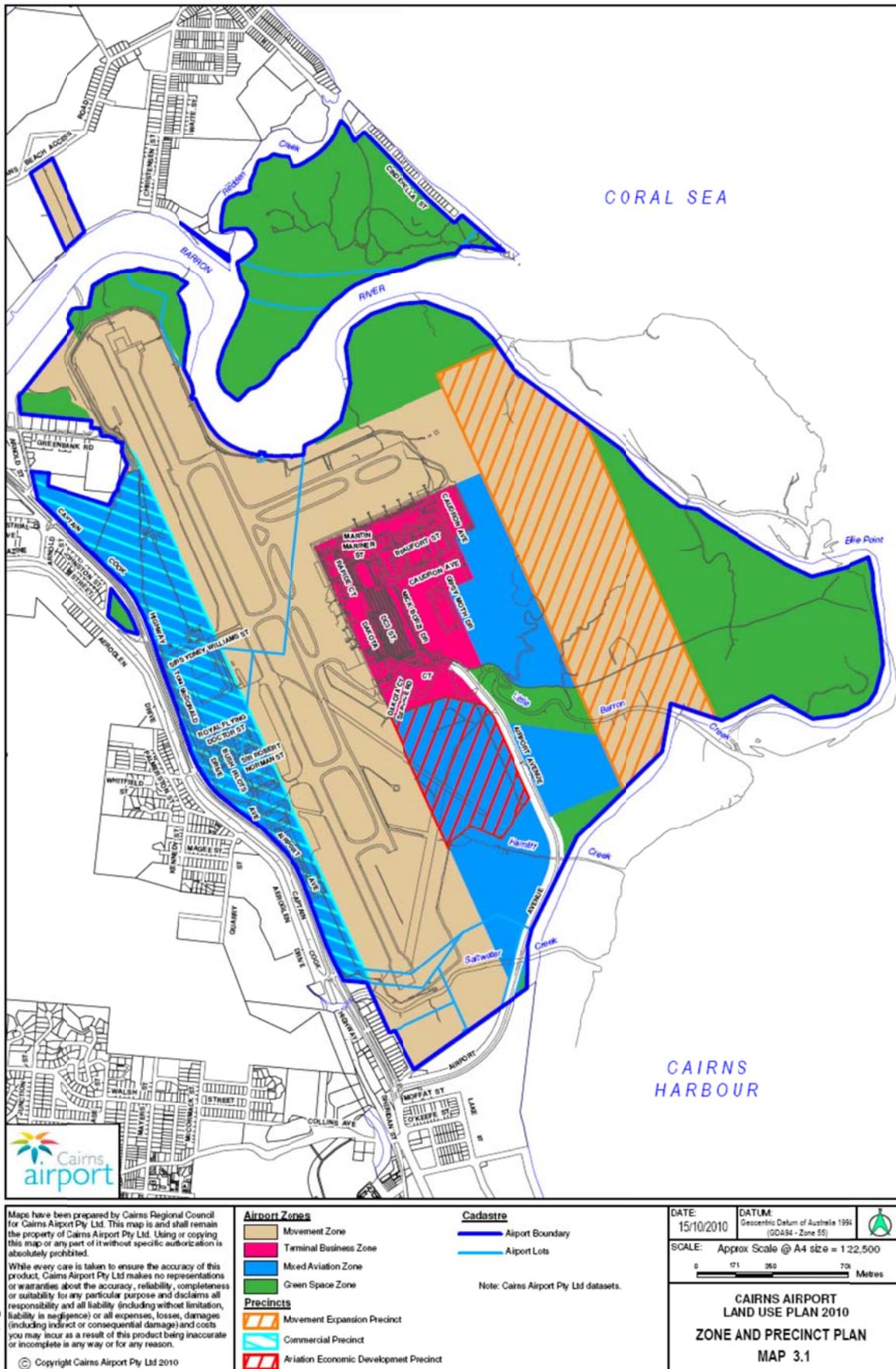
Sean Lisle
Strategic Infrastructure Planner

Peter Boyd
Manager Planning Strategies

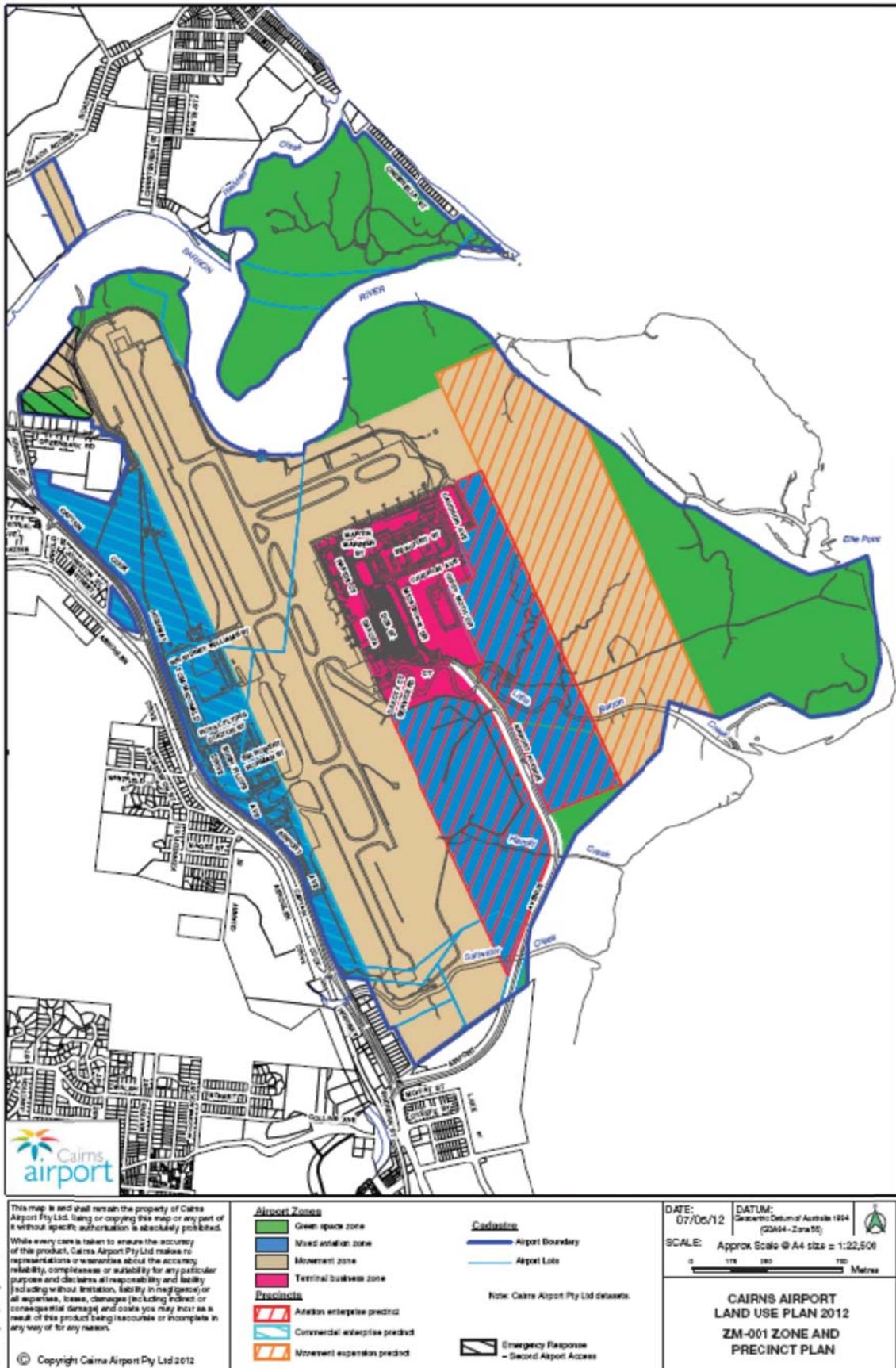
Attachment 1 – First Land Use Plan – Jan 2009 - Precinct Map



Attachment 2 – Draft Land Use Plan Dec2010 - Airport Zone and Precinct Map



Attachment 3 –Land Use Plan Sep 2012 - Airport Zone and Precinct Map



Attachment 4 – Council Officer Comments Table

Page	Description	Council Comment	Action requested
Local and Regional Significance of Cairns Airport			
11	Part 3 Strategic Framework – 3.2 Core Matters and Strategic Intent - 3.2.2 Economic and Community Significance	Council acknowledges the statements made in this section.	
The Proposed Commercial Enterprise Precinct			
11	Part 3 Strategic Framework – 3.2 Core Matters and Strategic Intent - 3.2.3 Land Use Development – The <i>Far North Queensland Regional Plan 2009-2031</i> acknowledges that Cairns Airport is likely to increase employment opportunities in aviation and related industries, including education and training, finance, brokerage, insurance, aviation and marine industries. The Regional Plan also acknowledges the role that the airport has in supporting the growth of the region's tourism industry.	<p>Council wishes to re-emphasis the provisions of the Far North Queensland Regional Plan 2009-2031 where they encourage the airport to diversify and strengthen its aviation and aviation related activities. The provisions do not include diversification into commercial and retail activities.</p> <p>The statements contained in the Draft LUP relating to the nature of the proposed Commercial Enterprise Precinct such as providing for "<i>major weekly/fortnightly retail shopping trips</i>", "<i>Main Street</i>" Activity Centre and "<i>The gross lettable area of the precinct is more than 10,000m²</i>" have been removed from the LUP.</p> <p>The LUP now states that the precinct will provide for compatible retail, commercial and industrial uses to support economic growth and viability of the airport. Development in this precinct will include E-commerce distribution centres, retail</p>	<p>Council officers recommend that Cairns Airport undertake an economic study which would provide baseline economic figures and information to inform future land uses within the airport site, in particular the commercial enterprise precinct.</p> <p>The study will need to include: an assessment of the existing centres hierarchy within the Cairns region including role, mix of uses and catchment area for key centres; and an economic assessment of the demand and need for commercial floorspace (retail, bulky goods and office) in the airport and recommendation of floorspace thresholds.</p> <p>Following the receipt of the economic study detailed above the levels of assessment and development codes be revised.</p>
17	Part 3 Strategic Framework – 3.4 Airport Viability and Economic Development - 3.4.3 Element – Economic Development - Specific Outcomes - A Commercial Enterprise Precinct is established to the west of the runway adjacent to the Captain Cook Highway following the relocation of Commercial general and regional aviation uses. The Commercial Enterprise Precinct, due to the high exposure highway and airport location,		

Page	Description	Council Comment	Action requested
	<p>has the potential to capture a share of the internet retail and E-commerce market that has not been previously realised in Cairns; and</p> <p>Land Use Strategies - Development in the Mixed aviation zone facilitates supporting infrastructure, and industrial and commercial activities (Temporary SPP 2/12) and provides for:</p> <p>(a) Convenience retailing including a supermarket, take-away food outlets and specialty shops offering convenience goods and services;</p> <p>(b) Showrooms and retail warehouse-style shopping outlets;</p> <p>(c) Industrial, storage and distribution activities including E-commerce distribution centres; and</p> <p>(d) Shop-front retail outlets for goods made, assembled, packaged or stored on-airport, whether on the same premises or elsewhere within the airport.</p>	<p>warehouses, shopping centres, showrooms. This will facilitate the assembly, packaging, storage and distribution of goods, whether or not in a building, where the goods are purchased or ordered electronically.</p> <p>Additional development in this zone may include: convenience retailing / supermarket, take-away food outlets, specialty shops offering convenience goods and services; showrooms and retail warehouse-style shopping outlets; industrial, storage and distribution activities including E-commerce distribution centres and shop-front retail outlets for goods made, assembled, packaged or stored on-airport, whether on the same premises or elsewhere within the airport.</p> <p>A wide range of potential uses have been identified for the precinct and are not limited to internet retail and e-commerce.</p>	<p>Levels of assessment should appropriately reflect the outcomes of the economic study in terms of suitable land uses for the airport site. Development codes should also appropriately reflect the outcomes of the economic study in terms of scale of development.</p>
62	<p>Part 6 – Zones – 6.2.2 Mixed Aviation Zone Code –</p> <p>Purpose and Overall Outcomes - The purpose of the Mixed aviation zone code is to provide opportunities for the establishment of compatible aeronautical, retail, commercial and industrial uses to</p>	<p>The potential to fracture the activity centre and retail hierarchy in Cairns should this development at this location is still significant.</p> <p>Council identified the lack of supporting economic investigation to support the proposed development in the Draft LUP.</p>	

Page	Description	Council Comment	Action requested
	<p>support employment growth, viability and economic diversity.</p> <p>Commercial enterprise precinct - (k) The Commercial enterprise precinct provides for compatible retail, commercial and industrial uses to support economic growth and viability of the airport. Development in this precinct capitalises on the high exposure from the Captain Cook Highway and will include E-commerce distribution centres, retail warehouses, shopping centres, showrooms and other uses that are attracted by the logistics offered by the airport.</p>	<p>In the preparation of the Final LUP, Cairns Airport undertook an economic analysis of the airport development on the whole. Council requested to view that report which was declined. The Briefing Notes supplied to Council with the Final LUP and associated documents included excerpts from that report. The comments concentrated on the wider regional and local benefits to the economy associated with the development and did not specifically detail the impact of the proposed development of the commercial enterprise precinct on the activity centre and retail hierarchy in Cairns. This information is crucial when considering the potential development of the commercial enterprise precinct and as stated previously, Council considers that the type of development proposed in the commercial enterprise precinct as listed in the LUP has the potential to fracture the activity centre and retail hierarchy in Cairns.</p>	
The Loss of Green Space			
13	Part 3 Strategic Framework – 3.2 Core Matters and Strategic Intent - 3.2.5 Valuable Features	The LUP is inconsistent with the Biodiversity Element statement that development seeks to manage ecologically significant sites and conserve the habitat of endangered flora and fauna.	Council considers development should avoid the areas of high ecological significance high value regrowth and remnant vegetation, fauna and riparian corridors and waterways and be retained as described in the First LUP and
21	Part 3 Strategic Framework – 3.7 Natural and Cultural Values – 3.7.2 Element – Biodiversity - Development seeks to manage ecologically significant sites and		

Page	Description	Council Comment	Action requested
	<p>conserve the habitat of endangered flora and fauna.</p> <p>Specific Outcomes - (1) Development in or adjacent to an area of high ecological significance is located, designed, constructed and operated to avoid adverse effects on the ecological values. Where adverse impacts cannot be avoided, measures are taken to offset those impacts in accordance with the <i>Queensland Government's Environmental Offsets Policy</i>.</p>	<p>Green Space identified in the Draft Land Use Plan has been lost in the expansion of the Commercial Enterprise Precinct and Aviation Enterprise Precinct in the Final Land Use Plan.</p> <p>In addition, OM - 004 Coastal Management & Biodiversity Overlay show areas of 'high ecological significance' which fall within proposed development areas shown on ZM 001 – Zone and Precinct Plan</p> <p>The area of high ecological significance zoned in proposed development areas is substantial.</p> <p>This section lists the significant natural features associated with the Cairns airport site. Council reiterates its previous comments regarding the establishment of the second runway and its impact on these features. Acknowledging that the second runway is not required within the next 20 years.</p>	<p>Draft LUP.</p> <p>Measures should be taken to offset those impacts in accordance with the <i>Queensland Government's Environmental Offsets Policy</i>, where the adverse impacts of development within the remaining areas of high ecological significance cannot be avoided.</p>
Airport Avenue as a Gateway to the Region			
22	<p>Part 3 Strategic Framework – 3.7 Natural and Cultural Values – 3.7.6 Element – Scenic Amenity</p> <p>Specific Outcomes - Airport Avenue is an important contributor to the arrival</p>	<p>The aspect that Airport Avenue important contributor to the arrival experience to Cairns and Far North Queensland has not been integrated into the LUP. Development codes do not reflect the intent of this statement other than</p>	<p>Key vistas to be reinforced should be identified and development should not impact upon them. Council also recommends the inclusion of a provision for a buffer retaining existing vegetation along</p>

Page	Description	Council Comment	Action requested
	experience in tropical north Queensland and is reinforced as a scenic route between the airport and the city.	buildings located in prominent positions, such as 'gateway' are designed to express or emphasise the importance of their location.	the Airport Avenue. An appropriate width buffer will enhance the scenic route whilst accommodating the aviation activity behind the buffer.
62	<p>Part 6 Zones – 6.2.2 Mixed Aviation Zone Code</p> <p>Purpose and Overall Outcomes - (i) reinforcing key vistas and Airport Avenue which is an important contributor to the arrival experience.</p>		
Levels of Assessment and Development Codes			
31-58	Part 5 – Table of Assessment – Levels of assessment for all uses (unless it is identified as an inconsistent use) is Self-Assessable Development where it complies with the self-assessable acceptable outcomes of the applicable code(s), otherwise it becomes Code Assessable Development.	<p>A wide range of potential uses have been identified for the commercial enterprise precinct. Council looks to the levels of assessment and development codes to understand how those uses will be controlled.</p> <p>Under the LUP, the level of assessment for all uses (unless it is identified as an inconsistent use) is Self-Assessable Development where it complies with the self-assessable acceptable outcomes of the applicable code(s), otherwise it becomes Code Assessable Development. There are no uses listed as Impact Assessable Development.</p>	See The Proposed Commercial Enterprise Precinct action requested.
82	<p>Part 8 – Development Codes – Airport General Land Use Code – Siting and Design of Buildings – P01 - The siting and scale of buildings:</p> <p>(a) is compatible with the desired character of the area;</p> <p>(b) contributes to the existing and desired amenity of the airport; and</p> <p>(c) incorporates sustainable building principles.</p>	<p>The self-assessable acceptable outcomes of the Development Code are devoid of provisions concerning built form or scale and as such, development that</p>	

Page	Description	Council Comment	Action requested
		<p><i>'is compatible with the desired character of the area'</i> can be considered Self Assessable Development. That criterion is extremely broad and the LUP does not provide any detail on the desired character of areas of the airport.</p> <p>Council has serious concerns regarding the levels of assessment and development codes. Coupled with the proposed development outcomes for the economic enterprise precinct, the LUP establishes a weak planning regime which supports uncontrolled development within the economic enterprise precinct.</p> <p>In addition, the levels of assessment proposed in the LUP would eliminate the appeal rights of any <i>'Advice Agency'</i> (Council) as outlined in the <i>Sustainable Planning Act 2009</i>.</p>	
Off Site Effects			
	Traffic	<p>Council has concerns regarding the off-site traffic impacts on the local road network associated with the airport redevelopment.</p> <p>Cairns Airport undertook a traffic study for the airport development in the preparation of the Final LUP, primarily for review by the Department of Transport and Main Roads. Council requested a copy of that report which was declined.</p>	Council requests to view a copy of the traffic study so Council officers can comprehend the projected traffic impacts on the local traffic network and inform Council's own planning for the local network accordingly.