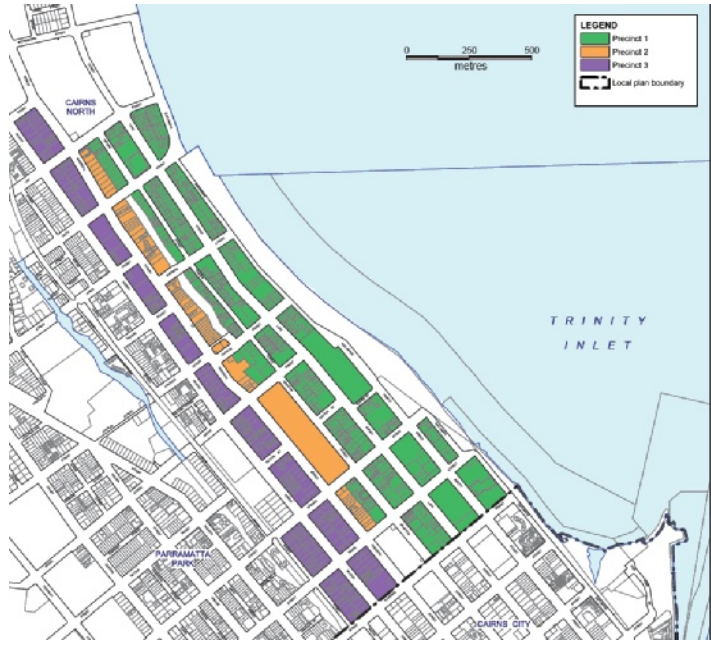
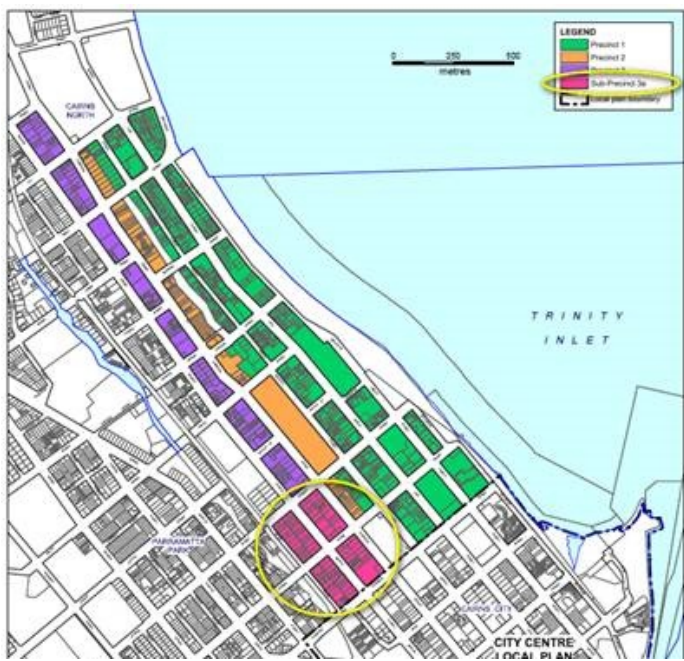
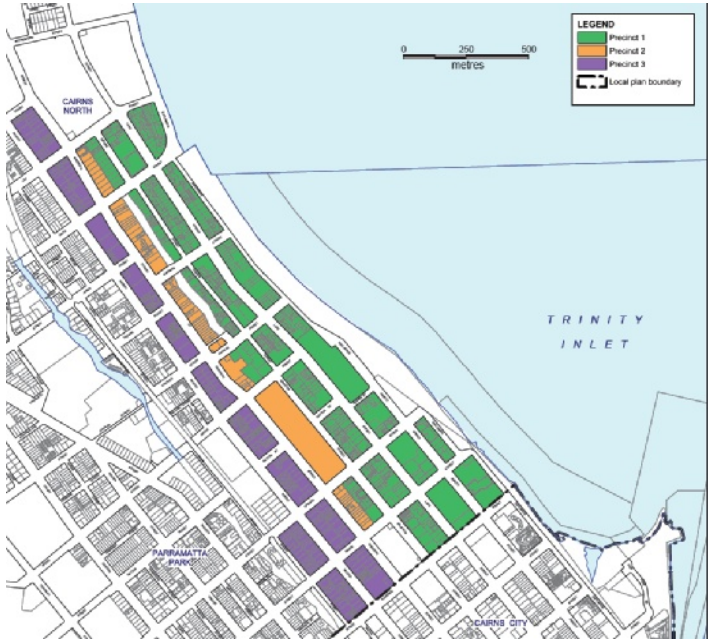
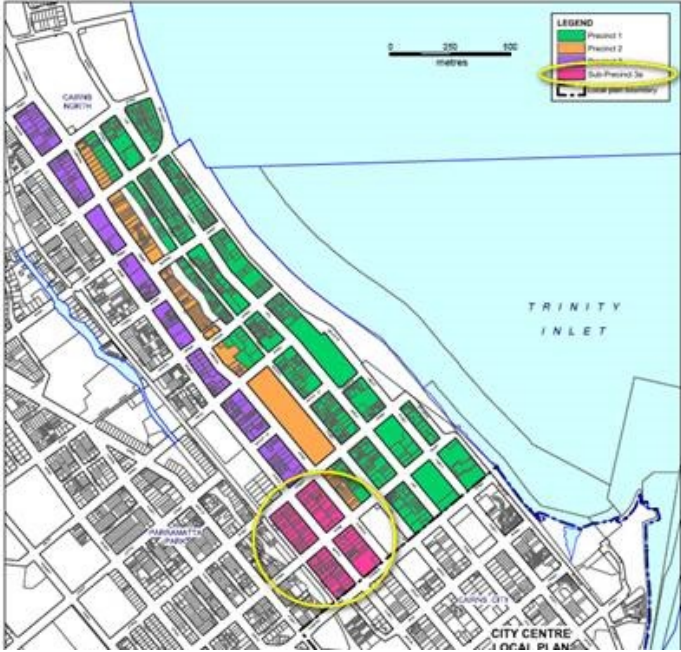


Part B – Response to submissions on the proposed significant changes (Consultation 13 July – 25 August 2015)

No.	Property details	Grounds of submission	Part number	Action	Rationale
1	N/A	Submitter states that 450m <sup>2</sup> is too large to be the smallest acceptable residential lot size in the City. The submitter proposes a reduction in lot sizes to lots as small as 150m <sup>2</sup> to allow for efficient land use.	Part 9	No change.	The submission does not relate to a proposed significant change on which further public consultation was undertaken.
2	N/A	Submitter states that building heights should be increased in the city to decrease the urban sprawl with the consequent destruction of food growing land and the natural environment. Also would lead to increase in efficiency given existing infrastructure.	Part 7	No change.	This submission is in support of the significant change.
3	N/A	Submitter does not want heights increased as they are concerned that Cairns will become another Gold Coast. The submitter wants the tropical feel to be maintained and The Garden in a City. The submitter also raises concerns about increased danger of damage from Cyclones.	Part 7/ Part 8	No change.	The proposed changes allow buildings to be built up to the Obstacle Limitation Surface (OLS) levels in parts of the Cairns City Centre and North Cairns. The OLS effectively protects the Cairns skyline from very tall buildings.
4	21 Reservoir Rd Manoora	The submission is seeking a change to the zoning of 13- 21 Reservoir Road, Manoora from the Medium density residential zone to the Mixed use zone.	Schedule 2	No change.	This submission does not relate to the significant changes.  The submitter included a submission as part of the statutory changes. No change was made as the site and surrounds are zoned Medium density residential and the retention of the Medium density residential zone in this locality is considered to be appropriate.
5	N/A	Submitter supports raising height limits in the Cairns CBD and surrounding areas. The submitter does not support further urban sprawl including the approved Mt Peter subdivision.	Part 7	No change.	This submission is in support of the significant change.
6	N/A	The submission is in support of the proposed significant changes for increased building height. Allowing taller buildings is integral for the economic, cultural and tourism powerhouse of the future. Development is necessary if we are to progress with the times. These provisions would support population growth and would provide housing opportunities for the younger generation. Also supports potential population increases from Aquis.	Part 7/ Part 8	No change.	This submission is in support of the significant change.
7	N/A	The submitter disagrees with the increase of building height to 46m across the northern part of the city and cites other cities such as Paris that are limited to 37m. The submitter proposes heights in North Cairns from 40m progressing down to 25m.	Part 7/ Part 8	No change.	The grounds of the submission are noted and have been considered. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate. The proposed building heights are consistent with the constraints and opportunities within the area and provide for a transition in height downwards from the City centre and outwards to the suburban areas.
	N/A	The submitter supports higher buildings in the Southern section of the city but would like to ensure that these do not detract from the vistas of the Convention Centre and would not like to see this magnificent building surrounded by a wall of towers.	Part 7/ Part 8	No change.	The submission is noted. The proposed code provisions seek to ensure adequate separation between buildings to maintain view lines and vistas to the mountains and the ocean along streets, between developments and from public places.
8	N/A	The submitter supports increase in building heights in the Cairns CBD.	Part 7/ Part 8	No change.	This submission is in support of the significant change.
9	N/A	The submitter firmly objects to changes to building heights.	Part 7/ Part 8	No change.	The submission is noted. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate and necessary to achieving this. The significant changes, not only increase height, but improve the assessment criteria by which development will be assessed. The significant changes aim to reduce the width or buildings to protect views and promote tropical design.

No.	Property details	Grounds of submission	Part number	Action	Rationale
10	N/A	The submitter believes in the event of a cyclone tall structures will prove hazardous to the surrounding suburban homes. Buildings in Cairns are rarely built to appropriate code.	Part 7/ Part 8	No change.	All buildings are required to be built to the appropriate Cyclone Category Rating under the NCC 2015 and Australian Standards.
11	N/A	Submitter does not support increase in building height, including greater than 15 storeys in Cairns. The submitter cites concerns of CBD being on reclaimed swamp land and at zero sea level and susceptible to tidal surges. The submitter raises concerns about Cairns becoming like the Gold Coast and believes this would be for profit of property developers not local ratepayers. Would like Cairns' uniqueness to be the first priority.	Part 7/ Part 8	No change.	The grounds of the submission are noted and have been considered. However, in order to achieve a more compact and denser urban form within proximity to the city centre and ensure the infrastructure is provided in an efficient manner, increased building heights are considered to be appropriate and necessary to achieving this. The changes to the Building height overlay and Cairns city centre local plan aim to not only increase height but ensure there are greater design requirements to improve the design of new buildings in these areas. A particular focus is given to imbedding the concept of tropical urbanism to complement the tropical landscape and setting of Cairns and incorporate additional landscaping into new developments.
12	N/A	The submitter states that buildings above 4 storeys should not be allowed on the waterfront and higher rise buildings should be at least one block back from the waterfront. The submitter does not support structures built above the street and states that the taller the building the further away from the street they should be. The submitter suggests that the only development that should be allowed is high-rise buildings with green space around them.	Part 7/ Part 8	No change.	The grounds of the submission are noted and have been considered. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate and necessary to achieving this. The proposed heights along the waterfront are consistent with the heights of existing buildings within this area. The proposed significant changes to the Buildings height overlay within the planning scheme focus on improving the separation between buildings and ensuring there are sufficient setbacks from property boundaries. The setbacks in the Cairns North area are based on the height of the building (the taller the building, the greater the setback). The changes also increase the amount of required landscaping in new developments within the City and Cairns North areas. The changes also improve the protection of view lines to and from the mountains and ocean within the planning scheme. Separation between buildings, greater landscaping around and on buildings and protecting views will be considered in the development assessment process.
13	N/A	The submitter supports the changes to the building height as well as the tropical urbanism provisions. Variety in the built form, height, width and façade treatments will add visual interest and is a positive move for Cairns.	Part 7/ Part 8	No change.	This submission is in support of the significant change.
14	N/A	The submitter supports centralised high-density accommodation. The submitter believes that centralised higher density areas, such as the CBD, can be more economical on public transport and infrastructure and that it assists in creating a 'vibe'.	Part 7/ Part 8	No change.	This submission is in support of the significant change.
	N/A	The submitter suggests that an off season use should be found for the regions cane tramways.	N/A	No change.	The submission does not relate to a proposed significant change on which further public consultation was undertaken.
15	Lot 11 and 12 on RP804082	The submitter advises that the proposed amendments have resulted in a reduced building height between Water Street & Sheridan Street from Florence Street to Upward Street from 30m under the originally notified draft to 20 m. The submitter notes that these reductions were not intended and request that they are rectified.	Schedule 2/ Part 8	Amend the planning scheme as follows: <ul style="list-style-type: none"> <li>• Create a new sub-precinct 3a inside the bounds of Sheridan Street, Upward Street, Water Street and Florence Street;</li> <li>• Insert reference to new sub-precinct 3a within the overall outcomes of the Building height overlay code.</li> <li>• Include new Acceptable Outcome AO3.4 within the Building height overlay code that provides for a building height of 30metres and 10 storeys within new sub-precinct 3a.</li> </ul>	This change will rectify an unintended reduction in the building height for this area that with occurred with the significant changes.

No.	Property details	Grounds of submission	Part number	Action	Rationale
					
16	N/A	The submitter says that proposed changes will lead to increased construction cost per square metre. Units have requirements for lifts and fire rated stairs and sound rating costs which are increased in taller buildings.	Part 7/ Part 8	No change.	The preparation of the significant changes was undertaken in conjunction with a consultant team who have skills and experience in planning and architecture. The outcomes were also workshopped with an Industry reference group and tested by local architects. The provisions were determined to be viable and would increase development opportunities through increased heights, reduced setbacks and reduction in car parking requirements.
	N/A	Headworks charges for units are high in comparison to detached dwellings but more economical for councils to provide infrastructure to these. Body corporate fees have also increased, affecting affordability.	N/A	No change.	Comments have been noted. Headworks charges are not being reviewed as a part of the proposed significant changes.
	N/A	The submitter states that it is not clear what car parking requirements would be for a 4 & 5 bedroom apartment.	Part 9	No change	The significant changes included changes resulting in a reduction to the car parking requirements for multiple dwellings and short term accommodation within both the Cairns city centre local plan area and the Building height overlay area. For 3 or more bedroom units (including 4 & 5 bedroom units), 1.5 car parking spaces is required per unit.
	N/A	The submitter states that to make sites viable in CBD and North Cairns basement car parks are required that add to cost.	Part 7/Part 8	No change.	The number of car parking spaces required has been reduced, furthermore the provisions within both the Cairns city centre local plan code and the Building height overlay code do not specifically require car parking to be provided within a basement. Within the Cairns city centre local plan area Acceptable outcomes provide for increased podium height at the rear of the site to accommodate above ground car parking. Reduced setbacks and increased heights mean that car parking can be accommodated more easily above ground.
	N/A	The submitter believes that it is more expensive to build taller buildings as they will require lifts and reduce ratio of useable floor area by possible 20%.	Part 7/ Part 8	No change.	The preparation of the significant changes was undertaken in conjunction with a consultant team who have skills and experience in planning and architecture. The outcomes were also workshopped with an Industry reference group and tested by local architects. The provisions were determined to be viable and would increase development opportunities through increased heights, reduced setbacks and reduction in car parking requirements.
	N/A	The submitter says that maintaining setback distances for the full height of	Part 7/ Part	No change.	The consistent setback for the full height of the building (except for

No.	Property details	Grounds of submission	Part number	Action	Rationale
		the building will make it difficult to be viable, especially on smaller sites. The submitter proposes that setbacks be reduced on at least one side at lower levels of the building (see sketch provided showing 1/4 height to full height. 1/4 up to 12m and 1/4 heights up to 7m or 2m. The staggering effect will provide more interesting form and affordability.	8		podiums within the Cairns city centre local plan area) assist in achieving the desired development outcomes, for example maintaining view lines and appropriate separation between developments. Furthermore the setbacks contained within the significant changes are a reduction on the setback requirements that were previously proposed.
	N/A	The submission states that the overall width provisions must have some flexibility for higher quality designs and cites the Hilton, which is approx. 70m long, as one of the best and most iconic buildings in Cairns which would not be allowed.	Part 7/ Part 8	No change	The submitters request has been considered, however the maximum width provisions are considered to be appropriate to ensure that buildings are of an appropriate scale. The provisions referenced are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
	McLeod Street and Sheridan Street	The submitter does not agree with 2 blocks on McLeod and Sheridan Street (west side) being restricted to 20m in height as they are within walking distance to CBD and do not contain any worthwhile character. Submitter proposes that these be at least 25-30m in height.	Schedule 2/ Part 8	Amend the planning scheme as follows: <ul style="list-style-type: none"> <li>• Create a new sub-precinct 3a inside the bounds of Sheridan Street, Upward Street, Water Street and Florence Street;</li> <li>• Insert reference to new sub-precinct 3a within the overall outcomes of the Building height overlay code.</li> <li>• Include new Acceptable Outcome AO3.4 within the Building height overlay code that provides for a building height of 30metres and 10 storeys within new sub-precinct 3a.</li> </ul>	This change will rectify an unintended reduction in the building height for this area that with occurred with the significant changes.
					
	N/A	The submitter supports SC6.16.3.1 regarding the articulation of building and façade treatments, however states that this may also add to construction cost.	Schedule 6	No change.	The submitters support is noted. The Planning scheme policy - Tropical urbanism is intended to provide guidance and suggestions on how to meet the assessment criteria within the Scheme, notwithstanding this, there may be other ways to achieve the outcomes, which may be more cost effective.
17	N/A	The submitter is concerned with use of agricultural land for urban development and with increased runoff and flooding from increased urbanisation. The submitter proposes various methods for slowing down surface run off.	N/A	No change.	The submission does not relate to a proposed significant change on which further public consultation was undertaken.
18	N/A	The submitter does not support the increased building height and suggests that development in the smaller towns that surround Cairns should be encouraged.	Part 7/ Part 8	No change.	The submission is noted. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate and

No.	Property details	Grounds of submission	Part number	Action	Rationale
					necessary to achieving this. The draft planning scheme does promote further development and density in key locations outside of the Cairns CBD area.
19	N/A	The submitter supports the changes to the building height in the Cairns CBD and believes the height increases will allow for more development resulting in an active and vibrant CBD.	Part 7	No change.	This submission is in support of the significant change.
20	N/A	The submitter objects to the increase in building height and states that Cairns should be like the Gold Coast. The submitter also states that existing tall buildings already stick out and that no further development should occur on the Hillslopes or require buildings to blend in.	Part 7/ Part 8	No change.	The grounds of the submission are noted and have been considered. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate and necessary to achieving this. The proposed building heights are consistent with the constraints and opportunities within the area and provide for a transition in height downwards from the City centre and outwards to the suburban areas. The proposed significant changes to the Building height overlay and Cairns city centre local plan aim to focus not only on height but improving the designs of buildings to ensure they suit the tropical character of Cairns.
21	N/A	The submitter objects to the change to the building height provisions. Part of tropical urbanism should mean retaining views of the tropical forests in and around Cairns. It is important that Cairns maintain its own identity.	Part 7/ Part 8	No change.	The proposed code provisions seek to ensure adequate separation between buildings to maintain view lines and vistas to the mountains and the ocean along streets, between developments and from public places.
22	N/A	<p>The submitter states that the draft Building Height Overlay Code and mapping do not specify heights in AHD to enable accurate assessment of building height limitations against the Obstacle Limitation Surface. The Indicative Maximum Building Heights Proposed with Significant Changes Map does not adequately reflect SPP Strategic Airport and Aviation Facilities online mapping. The height contour for 46 metres is inaccurate. The role of this map in the planning scheme is unclear and confusing. Consequently, Cairns Airport and associated aviation facilities are not adequately protected from the adverse impacts of development. For information on building height limitations guidance should be sought from the Airport Environs Overlay: Obstacle Limitation Surfaces.</p> <p>Action: Reflect the SPP - Strategic Airports and Aviation Facilities, elements 1, 3, 4 and 6, in the planning scheme. Specifically: For the Building Height Overlay Code:</p> <ul style="list-style-type: none"> <li>Retain AO3.1 and include an additional AO for precincts 2 and 3 which ensures that the height of any building or structure does not exceed that of the Obstacle Limitation Surface to protect the functioning of the airport; and</li> <li>Specify the building heights in the Building Height Overlay code and mapping as Australian Height Datum (AHD) in order to assist assessment of building height limitations against the Obstacle Limitation Surface.</li> </ul> <p>For the mapping:</p> <ul style="list-style-type: none"> <li>Amend the Indicative Maximum Building Heights Proposed with Significant Changes Map, Version 1 to accurately address the Obstacle Limitation Surface contained within the SPP Strategic Airport and Aviation Facilities online mapping layers.</li> </ul>	Part 8/ Schedule 2	<p>Amend AO3.2 and AO3.3 of the Building height overlay code to include the following note -</p> <p><i>Note: If the height within the Obstacle limitation surface as shown on the Airport environs overlay maps contained in Schedule 2, is less than the acceptable outcome, the height specified within the Obstacle limitation surface is the maximum allowable height.</i></p> <p>Amend the Airport environs overlay - Obstacle Limitation Surface maps contained in Schedule 2 to include a note that heights are in AHD.</p>	The prescribed heights identified within AO3.2 and AO3.3 are unlikely to exceed the heights identified within the Obstacle limitation surface of the Airport environs overlay. However, a note has been added to the Airport environs overlay code and mapping to clarify the applicable maximum height.
	N/A	The submitter has significant concerns about the proposed exemption for local government as currently drafted. This means that development carried out by local government would not be subject to assessment against State interests integrated into the planning scheme or matters identified in Schedule 7 Table 3 of the SPR and would not trigger referral to the State. E.g. development with direct access to a state-controlled road not tigering	Part 5	<p>Amend section 5.3(4) to read as follows: <i>Development undertaken by or on behalf of the local government is:</i> <i>(a) as per the level of assessment as identified in Part 5;</i> <i>or</i> <i>(b) Code assessable where identified as Impact</i></p>	It is considered that this change ensures relevant State interests are addressed where reflected within the Planning Scheme and would ensure that matters made assessable in Schedule 3 of the SPR would also be addressed.

No.	Property details	Grounds of submission	Part number	Action	Rationale
		<p>referral to SARA. Exemption would not affect matters made assessable in Schedule 3 of the SPR.</p> <p>Action: Either remove this exemption from the planning scheme OR amend section 5.3 (4) to read: (4) Development is exempt where development: a) is undertaken by or on behalf of the local government; b) provides a net community benefit; c) is consistent with the purpose of the zone; d) is not subject to an overlay in this planning scheme e) is not a matter mentioned in Schedule 7, Table 3 of the Sustainable Planning Regulation 2009 and define net community benefit (or define an alternative term)</p> <p>If the exemption is to be retained, the department asks that the criteria be consistent and the purpose of the zone be retained as well as including the additional criteria requested.</p>		<p><i>assessable in Part 5 and is to be assessed against the whole planning scheme, to the extent relevant.</i></p>	
N/A		<p>Reducing level of assessment for dual occupancies is supported in principle however will result in the State (TMR) missing opportunities to consider access arrangements on State controlled roads through the referral process. Although an access approval will still be required under the Transport Infrastructure Act 1994, generally at this stage the building works are in the process of being completed and there is limited ability to ensure that the location of the driveway is in the most appropriate location.</p> <p>Suggested Action: Amend the dual occupancy code of the draft planning scheme as described below. The acceptable outcome should ensure that access arrangements are compatible with the State-controlled road and limited to a single driveway. Suggested wording includes:</p> <p>A06.1 Dwelling units are serviced by: a) A shared unobstructed driveway with a maximum width of 3.6 metres; or b) Where the site is not located on a state-controlled road, individual unobstructed driveways, having a maximum width of 3 metres each. A06.3 Where development is on a state-controlled road, sub arterial or collector road the driveway design is such that vehicles can enter and exit the site in forward gear.</p>	Part 9	<p>Amend the Dual occupancy code as follows:</p> <ul style="list-style-type: none"> <li>AO6.1 to clarify that multiple driveways and crossovers only occur where development has two street frontages and one access is provided per street frontage to read as follows: AO6.1 <i>Dwelling units are serviced by: (a) a shared unobstructed driveway and crossover with a maximum width of 3.6 metres; or (b) individual one unobstructed driveway and crossovers, having a maximum width of 3 metres each, is provided to each street frontages, where the site has two street frontages.</i></li> <li>AO6.3 include reference to State controlled roads to read as follows: AO6.3 <i>Where development is on a State controlled road, Sub-arterial road or Collector road the driveway design is such that vehicles can enter and exit the site in a forward gear.</i></li> </ul>	<p>The grounds of the submission are considered to be appropriate and amendments have been made to address the matters raised within the submission.</p>
N/A		<p>The submitter states that the Transport Network Overlay – Road Hierarchy maps do not show the full extent of the State transport infrastructure as required by the State Planning Policy. Guidance on how to appropriately address this state interest is contained in SPP- State Interest Guideline: State Transport Infrastructure and SPP online interactive mapping.</p> <p>Amend Transport Network Overlay – Road Hierarchy maps to correct omissions and show the full extent of the existing and future State-controlled road network. The Smithfield Bypass (a future State-controlled road) has not been included as part of the State-controlled road network.</p>	Schedule 2	<p>Amend the planning scheme as follows:</p> <ul style="list-style-type: none"> <li>Amend the Transport network overlay mapping contained in Schedule 2 to include the full extent of the existing and future State-controlled road network.</li> <li>Amend Table 8.2.15.3.a – Transport network overlay code – assessable development AO1.1 to state the following: <i>Development is compatible with the intended role and function of the existing and future transport network as identified on the Transport network overlay maps contained in Schedule 2.</i></li> </ul>	<p>The Transport network overlay mapping amendments ensure that the full extent of the existing and future State-controlled road network, including the Smithfield Bypass as a future State Controlled Road.</p> <p>The proposed amendment to AO1.1 ensures that development considers both the existing and future intended role and function of the transport network.</p>
N/A		<p>The submitter states that the Transport Network (Road Hierarchy) Overlay maps do not show the full extent of the Transport Noise Corridors mapping layer. The department appreciates that Council intends to ensure development provides for adequate noise attenuation in the overlay code. On 8 July 2015, TMR designated new transport noise corridors for certain railways under section 246Z of the Building Act. The Building Act requires</p>	Schedule 2	<p>Amend the planning scheme as follows:</p> <ul style="list-style-type: none"> <li>Amend the Transport network overlay mapping contained in Schedule 2 to include the full extent of the Transport Noise Corridors (Road and Rail) for the Region.</li> <li>Amend the name of the Transport network overlay –</li> </ul>	<p>The Transport network overlay mapping and definition amendments ensure that the full extent of Transport Noise Corridors (Road and Rail) for the Region.</p> <p>The proposed amendment to AO3.1 ensures that guidance is referenced for the non-residential sensitive development and the</p>

No.	Property details	Grounds of submission	Part number	Action	Rationale
		<p>that Transport Noise Corridors be recorded in planning schemes.</p> <p>Action: Reflect the SPP, State transport infrastructure, Element 8 (p.38) in the planning scheme. Specifically: For the mapping:</p> <ul style="list-style-type: none"> <li>Amend the mapping to identify all transport noise corridors by including railway corridors.</li> </ul> <p>For the code:</p> <ul style="list-style-type: none"> <li>Council may wish to include reference to the Department of Transport and Main Roads Policy Position Statement: Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure (Environmental Emissions Policy), Version 2.0 dated 10 May 2013 as an additional note in AO3.1. This will provide guidance for non-residential sensitive developments on mitigating adverse impacts from environmental emissions generated by state transport operations and infrastructure.</li> </ul>		<p>Road hierarchy OM-015 (A-E) to include: major transport corridors.</p> <ul style="list-style-type: none"> <li>Amend the definition of Major transport corridor contained in Schedule 1 Table SC1.2.b – Administrative definitions to include - state controlled railways.</li> <li>Amend Table 8.2.15.3.a – Transport network overlay code – assessable development AO3.1 to include the following note: <i>Department of Transport and Main Roads Policy Position Statement: Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure (Environmental Emissions Policy), Version 2.0 dated 10 May 2013 provides requirements for non-residential building design in a designated transport noise corridor.</i></li> </ul>	<p>mitigation of adverse impacts from environmental emissions generated by State transport operations and infrastructure.</p>
N/A		<p>The submitter notes that the mapping overlays do not accurately reflect the SPP Strategic Airport and Aviation Facilities online mapping layers which is a requirement of the SPP. Consequently, Cairns Airport and associated aviation facilities are not adequately protected from the adverse impacts of development.</p> <p>Action: Amend all Airport Environs Overlay mapping to correct omissions and accurately reflect the State Planning Policy (SPP) Strategic Airport and Aviation Facilities online mapping layers by including:</p> <ul style="list-style-type: none"> <li>Obstacle Limitation Surface (OLS) Map No. OM-02A - all obstacle limitation surface contours; obstacle limitation surface heights; and a map legend;</li> <li>Bird and Bat Strike Zone Map No. OM-02C – accurate wildlife hazard buffer zones and naming conventions (Wildlife Hazard Buffer Zone);</li> <li>Light Intensity Map No. OM-02D – all light restriction zones and naming conventions (Light Restriction Zones);</li> <li>Australian Noise Exposure Forecast (ANEF) Contour Map No. OM-02E – accurate ANEF contours;</li> <li>Aviation Facilities (Sheet 1) Map No. OM-12G; and Aviation Facilities (Sheet 2) Map No. OM-12H – accurate building restricted areas for aviation facilities; accurate naming of aviation facilities with ID numbers 5, 6 and 7.</li> </ul>	Schedule 2	<p>Amend the planning scheme as follows:</p> <ul style="list-style-type: none"> <li>Amend the Airport environs overlay - Obstacle Limitation Surface (OLS) maps contained in Schedule 2 to ensure they are consistent with the SPP Mapping.</li> <li>Amend the Airport environs overlay - Obstacle Limitation Surface (OLS) maps contained in Schedule 2 to include a note that the heights indicated in the mapping are AHD.</li> <li>Amended Table 8.2.2.3.d so that land uses identified are consistent with the SPP (Table C, Appendix 5 of the SPP – SPP Code: Strategic Airports and Aviation Facilities, p.82)</li> <li>Amended AO7.1 – 7.4 of the Airport environs overlay code and associated Airport environs overlay maps contained in Schedule 2 to adopt the naming convention for Wildlife hazard and buffer zones as detailed in the SPP.</li> <li>Amend the Airport environs overlay - Light intensity maps contained in Schedule 2 to ensure they are consistent with the SPP Mapping.</li> <li>Amend AO2.1 of the 8.2.2 Airport environs overlay code to state: Development within the lighting buffer zone as identified on the Airport environs light intensity overlay maps contained in Schedule 2, does not emit light that will exceed the maximum light intensity specified for the area; and AO2.2 to reference 'lighting buffer zones'.</li> <li>Amend the Airport environs overlay – Aviation facilities maps contained in Schedule 2 to ensure they are consistent with the SPP Mapping.</li> <li>Amend the Airport environs overlay code to include the following Acceptable Outcome: <i>AO6.2 - Development located within the building restricted area for an aviation facility is designed and constructed to mitigate adverse impacts on the function of the facility.</i></li> </ul>	<p>Amendments made to the Airport environs overlay ensures it is consistent with the SPP.</p> <p>A review of the ANEF mapping has been undertaken and it is consistent with the State Planning Policy mapping. Council will ensure the mapping is current at the time of adoption.</p>
N/A		<p>The draft Airport Environs Overlay Code does not accurately reflect the SPP - Strategic Airport and Aviation Facilities. Consequently, Cairns Airport and associated aviation facilities are not adequately protected from the adverse impacts of development.</p>	Schedule 2	<p>Amend the planning scheme as follows:</p> <ul style="list-style-type: none"> <li>Amend Section 8.2.2.1 Airport environs overlay code – Application to include the following note: <i>Note: Appendix 5 of the State Planning Policy - State Planning Policy Code: Strategic Airports and Aviation</i></li> </ul>	<p>It is noted that the all editor's notes from the SPP Code: Strategic Airports and Aviation Facilities (Appendix 5 of the SPP) relate to the referral of development applications to the airport manager for assessment. It is considered that the proposed note in the application of the code ensures that proponents are aware that the</p>

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		<p>Action: Reflect the SPP - Strategic Airports and Aviation Facilities, elements 1, 3, 4 and 6 (p. 41), in the overlay code, by ensuring development and associated activities do not affect their functioning. Specifically:</p> <ul style="list-style-type: none"> <li>• Include all editor's notes from the SPP Code: Strategic Airports and Aviation Facilities (Appendix 5 of the SPP, pp.78-84) to ensure the correct referral process is followed;</li> <li>• Amend provisions for Wildlife Hazards (Table 8.2.2.3.d) to ensure all land uses associated with increases in wildlife are included to reflect the SPP (see Table C, Appendix 5 of the SPP – SPP Code: Strategic Airports and Aviation Facilities, p.82);</li> <li>• Follow the naming conventions for the Wildlife Hazard Buffer Zone used throughout the SPP - Strategic Airports and Aviation Facilities and SPP online interactive mapping.</li> </ul>		<p><i>Facilities provides further guidance on the referral of development proposal affected by the Airport environs overlay to the airport manager for assessment.</i></p> <ul style="list-style-type: none"> <li>• Amended Table 8.2.2.3.d so that land uses identified are consistent with the SPP (Table C, Appendix 5 of the SPP – SPP Code: Strategic Airports and Aviation Facilities, p.82)</li> <li>• Amended AO7.1 – 7.4 of the Airport environs overlay code and associated Airport environs overlay maps contained in Schedule 2 to adopt the naming convention for Wildlife hazard and buffer zones as detailed in the SPP.</li> </ul>	<p>SPP contains further detail on the referral of certain development proposals to the airport manager for assessment.</p> <p>Recent discussions with Cairns Airport in relation to the referral of development applications should be noted. Cairns Airport, in consultation with Council, is preparing preferred triggers for the referral of development applications.</p> <p>The amendments to Table 8.2.2.3.d and AO7.1 – 7.4 ensure that the provisions and mapping relating to the Wildlife Hazards are consistent with the SPP.</p>
N/A		<p>The submitter states that section 5.2 Reading the tables in the planning scheme for consultation is significantly different to the QPP and the draft of the planning scheme (version 2, March 2014). While it is reasonable to allow for appropriate information with regards to matrix style assessment tables, Section 5.2 Reading the tables of the QPP is mandatory and must be included in the planning scheme. It is no longer clear which parts of 5.2 are from QPP (and if the mandatory QPP wording has been retained) and which parts have been added by the scheme drafter.</p> <p>Action: Review section 5.2 Reading the tables and redraft to appropriately reflect the Queensland Planning Provisions (QPP).</p>	Part 5	Amend section 5.2 to include points (1)-(4) of section 5.2 within the Queensland Planning Provisions.	<p>Section 5.2 of the draft planning scheme has been amended to improve the usability of this section when read in conjunction with the matrix style tables. The changes to section 5.2 resulted from the outcomes of a technical review undertaken by P&amp;E Law which highlighted the need to amend this section to improve its ability to be easily understood. Part 5 has been drafted with assistance from P&amp;E Law, and has been reviewed to ensure that it is workable and fit for purpose. The Department of Infrastructure, Local Government and Planning (DILGP) is aware of the variations sought by Council with regard to Part 5. Comments in relation to the variations to QPP were raised in the State Interest Review within section D - Best Practice. Council's response indicated that due to support for the variations received in submissions in the 2013 public consultation period, Council would be proceeding with the variations. In October 2014, DILGP approved the draft planning scheme for public consultation subject to conditions. The only condition relating to Part 5, was the inclusion of section 5.4 - prescribed levels of assessment. This condition was met by Council prior to Statutory public consultation. The remainder of Part 5 was not subject to a condition from DILGP and as such the variations were approved. The changes to section 5.2 were made to reflect the matrix style format (variations) and improve the workability of the scheme. In response to this comment and in an effort to reflect the QPP to the greatest possible extent, the points within section 5.2 of the Queensland Planning Provisions have been included in section 5.2 of the draft planning scheme.</p>
N/A		<p>The submitter provides in principle support to the proposed tropical urbanism and increased building height provisions and reduced parking rates within Cairns city, subject to the other comments in this document.</p> <p>Reason: These provisions support objectives 4.1 Compact urban form and 4.5 Sustainable buildings and tropical design of the Far North Queensland Regional Plan 2009 – 2031</p>	Whole scheme	No change.	This submission is in support of the significant change.
N/A		<p>The submitter states that Section 246ZA of the Building Act 1975 requires that Transport Noise Corridors be recorded in planning schemes. The scheme mapping does not adequately identify transport noise corridors for railways in Cairns.</p> <p>A copy of the BCQ e-let: Building and Plumbing Newsflash 544 - Inclusion of railways as designated transport noise corridors under the Building Act 1975 was provided to council by the department on 13 July 2015. The BCQ e-let advised that from 8 July 2015, certain railways have been designated as</p>	Schedule 2	<p>Amend the planning scheme as follows:</p> <ul style="list-style-type: none"> <li>• Amend the Transport network overlay mapping contained in Schedule 2 to include the full extent of the Transport Noise Corridors (Road and Rail) for the Region.</li> <li>• Amend the name of the Transport network overlay – Road hierarchy OM-015 (A-E) to include: major transport corridors.</li> <li>• Amend the definition of Major transport corridor</li> </ul>	The Transport network overlay mapping amendments ensure that the full extent of Transport Noise Corridors (Road and Rail) for the Region.



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		<p>transport noise corridors under the Building Act 1975. In the Cairns Region the designation applies to the North Coast Line System (Nambour to Cairns).</p> <p>Guidance on how to appropriately address this state interest is contained in the SPP Guideline or contact TMR for assistance.</p> <p>Action: Include a record of the transport noise corridor for railway in the planning scheme.</p>		contained in Schedule 1 Table SC1.2.b – Administrative definitions to include - state controlled railways.	
	N/A	<p>The submitter commends Council for reducing parking rates for multiple dwellings and short-term accommodation within the Cairns City Centre local plan.</p> <p>Action: It is recommended that Council consider applying reduced car parking rates around new public transport stations as they develop outside of the Cairns City Centre.</p>	Part 9	No change.	The Planning Scheme includes many transit oriented development outcomes. It is agreed that the reduction in car parking rates in locations centred around public transport stations is a consideration for future iterations of the Planning Schemes as those major centres and transport stations develop.
23	Lot 1 on SP109016, Lot 177 on NR6432	The submitter supports the Strategic Framework, however to ensure that development does not compromise the existing and ongoing hierarchy of centres as established in the strategic framework changes are required to other parts of the scheme to ensure that applications are subject to rigour and robust assessment.	Part 3	No change.	The submission supports the changes to the Strategic framework. The remaining matters raised by the submitter are considered in line items below.
	Lot 1 on SP109016, Lot 177 on NR6432	The submitter is concerned that Shopping Centre is Code Assessable within the District Centre Zone. Submitter believes there is potential for the role and successful function of higher order centres to be compromised. Submitter proposes that applications for shopping centres within the District Centre Zone be impact assessable to ensure that new centres are subject to rigorous assessment and centres hierarchy is maintained and not adversely affected by oversupply of retail floor space. Potential for increase in applications under Code assessment which can undermine economic viability of established centres and hierarchy. Submitter proposes Table of Assessment in District Centre Zone be amended to identify Shopping Centres in this Zone as Impact Assessable.	Part 5	No change.	For a Shopping centre in a District zone, a centre need and impact assessment report may be required to demonstrate compliance with the performance criteria. The Planning scheme policy - centres and centre activities includes the provision that the centre need and impact assessment may be subject to a peer review, ensuring a rigorous and robust assessment.
	Lot 1 on SP109016, Lot 177 on NR6432	The submitter is concerned that expansion of Local Centres can impact on the function of existing higher order centres and undermine the integrity of the centres hierarchy. The submitter requests that Shopping Centres in the Local Centre Zone be Impact Assessable.	Part 5	No change.	The changes require a shop or single tenancy within a shopping centre excluding a supermarket not exceed 200m <sup>2</sup> GFA. A centre need and impact assessment report may be required to demonstrate compliance with the performance criteria. The Planning scheme policy - centres and centre activities includes the provision that the centre need and impact assessment may be subject to a peer review, ensuring a rigorous and robust assessment.
	Lot 1 on SP109016, Lot 177 on NR6432	The submitter supports the amendments to the Tables of assessment for the Mixed Use Zone Precinct 1 - Commercial and Mixed Use Zone Precinct 2 - Trades and Services to increase the level of assessment for a Shop, if for a supermarket to Impact assessable.	Part 5	No change.	The submission supports the proposed changes to the Tables of Assessment.
24	1 Cantal Close, Smithfield	The submitter is seeking the exclusion of their property from the waterway trigger area on grounds that the inclusion is of no environmental benefit and will negatively affect insurance and re-sale.	Schedule 2	No change.	This submission does not relate to the proposed significant changes. Notwithstanding this, the waterway trigger area is considered appropriate within this location.
25	3 Cantal Close, Smithfield	The submitter is seeking the exclusion of their property from the waterway trigger area on grounds that the inclusion is of no environmental benefit and will negatively affect insurance and re-sale.	Schedule 2	No change.	This submission does not relate to the proposed significant changes. Notwithstanding this, the waterway trigger area is considered appropriate within this location.
26	N/A	Submitter would like to see more consideration given to including a working party to generate ideas for Cairns City into the future. They would also like to see a youth or urban planner's competition to come up with Urban Plans for Cairns.	N/A	No change	The submission does not relate to the significant changes, however the content is noted. The preparation of the significant changes was undertaken in conjunction with a consultant team who have skills and experience in planning and architecture. The outcomes

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					were also workshopped with an Industry reference ground and tested by local architects. Additionally, statutory consultation and community engagement has been undertaken on the draft Cairns Region Planning Scheme on a few occasions during its preparation.
27	N/A	The submitter's principal concern is ensuring that the draft Scheme does not facilitate development that would conflict with or detrimentally impact on the operation and expansion of the Port, particularly in those areas immediately adjacent to the port and port lands. The submitter reinforces the grounds of their original submission during 2014 Statutory consultation.	Part7/Part 8	No change.	The submission is noted. Amendments have been made to address the specific matters raised in the submission lodged during the statutory consultation period in 2014.
	N/A	The submitter supports the reiteration that the City centre is the primary focal point for employment and business opportunities within the region and at a strategic level supports increased development opportunities within the City centre and requests that Council ensures that such growth, particularly increased densities where adjacent to the Port cargo facilities, is appropriately managed so as not to be at the detriment of the Port operations, development and future growth.	Part3/Part 7	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter supports the strategic policy of increased building height in exchange for maintaining key sightlines and the provision of active ground floor planes and public spaces.	Part 7/Part 8	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter requests that the City centre local plan code requires that development adjoining or adjacent to the port: <ul style="list-style-type: none"> <li>demonstrates that it does not adversely affect the safety, viability or efficiency of existing and future port operations; and</li> <li>ensures sensitive uses are appropriately located and incorporate design solutions to mitigated potential impacts on the development likely to be generated by the Port operations.</li> </ul> In this regard, the submitter requests that section 7.2.2.3(2)(t) be amended to state <i>operational aspects of the Cairns Airport and Port of Cairns are protected</i> .	Part 7	Amend 7.2.2.3(2)(x) to read as follows: “(x) the operational aspects of the Cairns Airport and Port of Cairns are protected.”	The submitters request is considered to be appropriate.
	N/A	In relation to the Mixed use zone, Precinct 2 is located adjacent to the Seaport, specifically the bulk fuel and cargo storage site and handling facilities. The submitter requests that PO5 is amended to <i>Development ... does not affect the operational aspects of the Port of Cairns</i> .	Part 6	No change.	PO8, which relates to Mixed use precinct 2 - Trades and services, requires <i>development is consistent with the purpose and overall outcomes sought for the zone and the outcomes sought for the Mixed use precinct 2 - Trades and services</i> . Amendments have been made to the outcomes sought for Mixed use precinct 2 - Trades and services to that development <i>does not affect the operational aspects of the Port of Cairns</i> ; it is considered that no further amendments are required as this has been addressed.
	N/A	In relation to the Mixed use zone, Precinct 2 is located adjacent to the Seaport, specifically the bulk fuel and cargo storage site and handling facilities. The submitter requests that section 6.2.15.2(5)(c) be amended to state <i>residential development is only established where levels of amenity can be achieved and it does not compromise the ability for low impact industry uses, and existing and future Port operations, to be developed</i> .	Part 6	No change.	Amendments were made to section 6.2.14.2(5) in response to an earlier submission which included a new (d) which requires <i>development does not affect the operational aspects of the Port of Cairns</i> . No further amendments are considered necessary.
	N/A	In general, the submitter supports the principle of the differentiation in car parking rates for multiple dwellings and short term accommodation within the City centre and the balance of the scheme area.	Part 9	No change.	This submission is provided in support of the significant changes.
28	N/A	The submitter suggests that Council should facilitate development on smaller (for example 415m <sup>2</sup> ) lots, as opposed to on larger sites of 2000/2500m <sup>2</sup> . This will result in reliance on local developers (etc). The submitter suggests that the proposed setbacks need to be reduced as few large sites exist that can support such setbacks.	Part7/Part 8	No change.	The significant changes removed the provisions within the Building height overlay that related to minimum lot sizes. No further changes are considered to be necessary, in regards to allotment sizes.

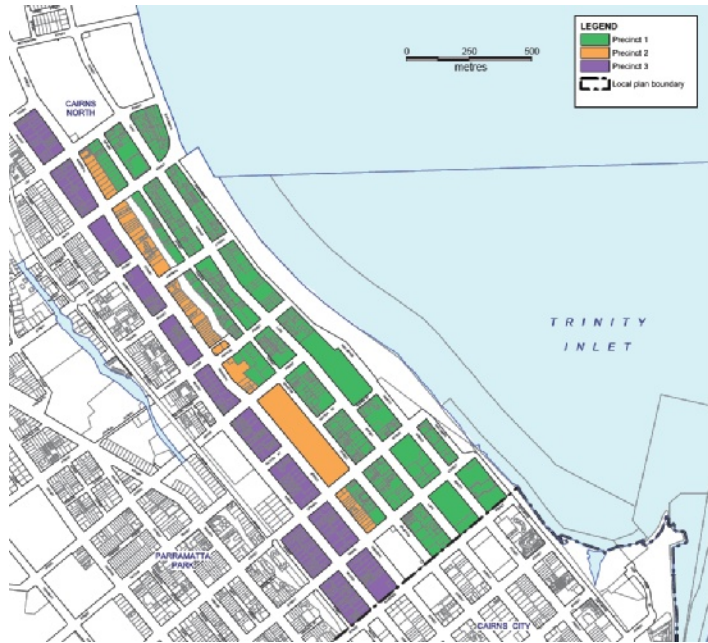
No.	Property details	Grounds of submission	Part number	Action	Rationale
	N/A	The submitter suggests that the requirement for a car wash bay is linked to the number of car parks not the number of units in a multiple dwelling.	Part 9	No change.	The submission does not relate to a proposed significant change on which further public consultation was undertaken.
	N/A	The submitter supports the new proposed height limits and the concept of the 'city in a rainforest'	Part7/Part 8	No change.	The submission is in support of the proposed significant change and is noted.
29	N/A	The submitter strongly opposes the proposal to raise building heights. A major reason people visit Cairns is to experience its natural beauty and there is already obstruction of views to the mountains across the inlet.	Part7/Part 8	No change.	The proposed code provisions seek to ensure adequate separation between buildings to maintain view lines and vistas to the mountains and the ocean along streets, between developments and from public places.
30	N/A	The submitter notes that the proposed changes lead to increased commercial viability which in turn leads to greater investment in the region.	Part7/Part 8	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the vertical and horizontal landscaping provisions enhance the position of Cairns as an attractive destination for the experiences of the Great Barrier Reef and Wet Tropics Rainforest.	Part7/Part 8	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that tropical and environmentally sensitive architecture will provide Cairns with a point of difference above other resort destinations.	Part7/Part 8	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the implementation of the policy will need to ensure that quality visual aspects from and of the built area contribute to the quality of life in the city and attractiveness of Cairns.	Part7/Part 8	No change.	This submission is noted.
	N/A	The submitter notes that the amendments have the potential to assist the city retail and tourism areas for the benefit of both the city and regional residents and visitors.	Part7/Part 8	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the amendments should align (and appear to) with the Destination Tourism Plan for Tropical North Queensland which identifies tropical lifestyle as an attractive element of the region for visitors.	Part7/Part 8	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the introduction of vertical landscaping is living and needs to be managed with appropriate standards and responsibilities defined. The submitter further notes that landscaping needs to be of appropriate species and maintained vermin free and encourage native species (and not encourage non-native species).	Part7/Part 8	No change.	The provisions of the Planning scheme policy Tropical urbanism include requirements for the provision and assessment of a Landscaping plan, it is also noted that the appropriate species and maintenance will be dependent upon the type, extent, location / aspect of the landscaping and will be assessed and conditioned in conjunction with a development application.
	N/A	The submitter recommends additions to the strategic framework, specifically the tourism element of the economy theme and a change to 3.5.3.1(7).	Part 3	No change.	It is considered that section 3.5.3 (Tourism Element of the Strategic framework) delivers the outcomes sought by this submission.
31	N/A	<p>The submitter objects to the increases to building height on the following grounds:</p> <ul style="list-style-type: none"> <li>low rise cities hold their value better than high rise (e.g. Prague, Paris, most European cities);</li> <li>tourists already avoids cairns and go to Port Douglas and Palm Cove where the building heights are highly restricted;</li> <li>high rise attracts crime;</li> <li>there is no evidence of a shortage of space in Cairns for development.</li> </ul> <p>The submitter suggests that:</p> <ul style="list-style-type: none"> <li>a small area south of Spence Street be considered for high rise buildings;</li> <li>a renewed focus is placed on the conservation of older buildings; and</li> <li>there is a higher concentration on making the CBD a nicer place to live.</li> </ul>	Part 7/Part 8	No change.	The grounds of the submission are noted and have been considered. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate and necessary to achieving this. Increasing density in existing areas also assists in reducing the cost of providing additional infrastructure to more remote areas. Cairns does have a finite supply of residential land that can be developed without encroaching on Rural or Conservation land which has a significant contribution to our economy. The changes aim to incorporate the concept of tropical urbanism into new developments. Tropical urbanism is the integration of tropical design and landscaping into the built environment. The incorporation of additional landscaping and unique tropical design will assist to make buildings within the City and North Cairns an attraction for tourist and add value to the tourism industry. Other sections of the planning scheme ensure that the design of buildings considers crime prevention and safety as well as the retention of historical and culturally significant places.

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32	Lot 1 on SP272999 and Lot 2 on SP272999	The submitter requests the maximum limit of 15,000m <sup>2</sup> GFA applicable to the subject site be deleted. And the request for the provision of a Need and impact assessment for retail development containing a floor space exceeding 15,000m <sup>2</sup> is deleted.	Part 6	No change.	The total GFA limits for the centres have been removed. The requirement for a Centre need and impact assessment, for development over 15,000m <sup>2</sup> in a District centre is included to ensure there is an identified need for the development, the development does not compromise the hierarchy of centres and to ensure any proposed development does not result in a District centre performing the role and function of a Major centre or the Principal centre.
	Lot 1 on SP272999 and Lot 2 on SP272999	Copies of the previous submissions lodged as part of the non-statutory consultation and statutory consultation were provided. These matters provide support for the inclusion of the subject site in the District centre zone, seeks rationalisation of the road network and clarification on the building height within Edmonton Local Plan code and the District centre zone code.	Part 6/Part 7	No change.	These matters have been responded to as part of the consideration of submissions from the Statutory consultation.
33	231 The Esplanade North Cairns	The submitter states there are planning merits for height increase. However the submitter proposes that developments in Precincts 1, 2, and 3 above 18m in height be made impact assessable to ensure that the impacts are fully considered and addressed and to allow proper scrutiny of tall buildings by surrounding land owners and the wider community. Submitter requests that these 2 submissions be considered within the context of previous submissions for the Development Application.	Part 8	No change.	The levels of assessment provided within Part 5 are based upon the specified land use within the corresponding zone. The proposed significant changes were not intended to increase the level of assessment for development, but to clearly identify the intended heights and built forms for development within these areas. The provisions improve the assessment criteria by which development will be assessed.
	231 The Esplanade North Cairns	The submitter requests that the code and PSP identify the use of glass curtain walling as an unsuitable external building treatment in Cairns (examples provided 230 Lake Street and 229 The Esplanade) particularly in the vicinity of the Esplanade and for sites with adjoining uses.	Schedule 6	Amend SC6.16.3.1(2)(b) to read as follows: <i>(b) A minimum of 50% shading provided to the external surface of buildings (as measured between 9am and 3pm on both 21 June and 21 December). Shading is to be provided through the use of permanent components of the built structure such as protruding balconies, overhangs or building articulation. Temporary features, performance glass or design elements that rely upon behavioural or operational actions to provide the required shading to external facades cannot be used in the calculation of the shading requirements;</i>	It is not intended that the significant changes limit the materials that can be used in the construction of new buildings. However, it is appropriate to clarify that certain materials (including glass) cannot be used in the calculation of shading requirements and that the shading requirements should be achieved through permanent building features such as balconies, overhangs and other building articulation measures.
34	N/A	The submitter is concerned that Council has revoked a previous planning scheme policy to ensure civic and private developer investment into Cairns cultural infrastructure (public arts)	Schedule 6	No change.	Council repealed the Public Art Contributions Planning Scheme Policy at its Planning and Economic Committee Meeting held on 13 May 2015 and it took effect from 1 July 2015 as the Sustainable Planning Act does not provide for the collection of developer contributions for public art.
	N/A	The submitter is concerned that the proposed significant changes do not contemplate, consider or include tropical public artworks and arts in its mix to make up for the loss of previous public art provision.	Whole scheme	Amend the planning scheme as follows: <ul style="list-style-type: none"> <li>Amend the overall outcomes of the Principal centre, Major centre and District centre zone codes to include the statement: <i>development is well designed and incorporates appropriately scaled art and cultural infrastructure.</i></li> <li>Amend the overall outcomes of the Cairns City Centre, Earlville, Edmonton and Smithfield local plans to include the statement: <i>appropriately scaled public art and cultural infrastructure is provided.</i></li> <li>Amend the overall outcomes for the Emerging community zone code 6.2.4.2 (3) (a) to read: <i>land is developed in an orderly sequence providing physical, social and cultural infrastructure to meet the needs of the emerging community.</i></li> </ul>	The Strategic framework section 3.3.9.1 (14) states that appropriately scaled art and cultural infrastructure is provided with development in higher order centres and emerging communities. The purpose statements of the Principal centre, Major centre, District centre and Emerging communities zone codes have been amended to provide vertical integration with the strategic framework. For the emerging community zone, a structure plan is required to be prepared address physical, social and cultural infrastructure needs. The purpose statements of the Cairns City Centre local plan, Smithfield local plan, Earlville local plan and Edmonton local plan have been amended to provide vertical integration with the strategic framework.
35	N/A	The submitter does not support reducing the level of assessment for dual occupancies in the Low density residential zone as it would be unfair on existing neighbours as they have no input into the decision making process.	Part 5	No change.	The consultation on the proposed change is being undertaken upfront as part of the scheme making process. It is considered that where a site has sufficient size, that Dual occupancies should be

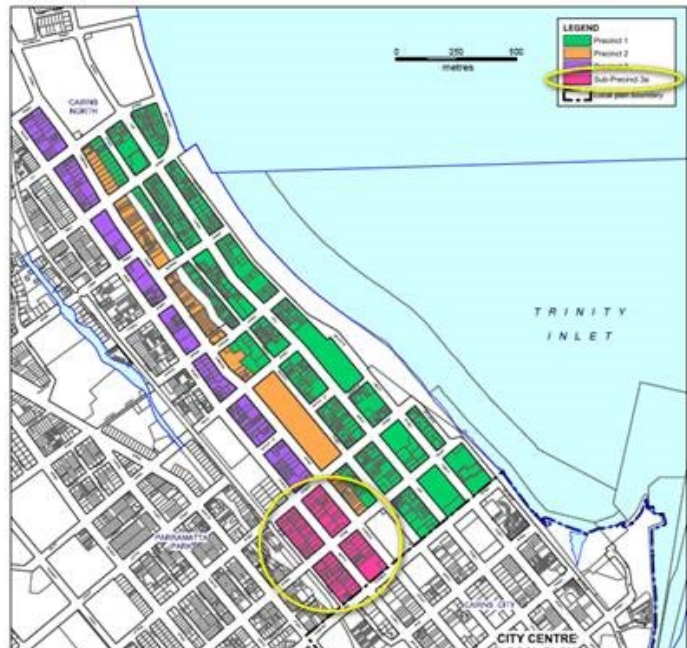
No.	Property details	Grounds of submission	Part number	Action	Rationale
		The decisions are being made without proper consultation and onsite visits.			easily undertaken within the Low density residential zone. Notwithstanding this, Dual occupancies will still be assessed against the assessment criteria contained within the planning scheme. In order to assess the development, site visits may be undertaken as part of this process.
36	N/A	The submission proposes that maximum building height remains at 46m.	Part 7/Part 8	No change.	The grounds of the submission are noted and have been considered. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate and necessary to achieving this. Increasing density in existing areas also assists in reducing the cost of providing additional infrastructure to more remote areas.
	N/A	The submission states that Urban consolidation should be supported but rather around medium density hubs such as Smithfield, Earlville or Edmonton.	Whole scheme	No change.	The grounds of the submission are noted. The significant changes have focused on maximising density around the existing Cairns city centre and promoting urban consolidation within this area as a first point. It is noted there may be a need for greater density around the other higher order centres within the region over time. Particularly as the population grows and development pressure rises.
	N/A	Increased density in the city will lead to more vehicle congestion. Submitter believes that CRC and DTMR do not have a clear plan on how to deal with increased traffic. Submitter believes CRC has had little thought and planning and has not provided any statement on how to reduce private vehicle congestion or how public transport networks will be enhanced.	Whole scheme	No change.	The significant changes package include a reduction to car parking rates for multiple dwellings and short term accommodation within the Cairns city centre local plan area and North Cairns. A reduction in the car parking requirements for new development may discourage private vehicle ownership and support greater patronage of active and public transport modes. The planning scheme supports the outcomes sought by the Cairns Transit Network by encouraging higher density residential development in proximity to public transport.
	N/A	The submitter believes that proposed changes to the code to increase height have nothing to do with urban consolidation but are a push by developers to attract "investment" of any sort regardless of impact.	Whole scheme	No change.	The grounds of the submission are noted. The significant changes do provide for urban consolidation through maximising density, with a focus on achieving tropical urbanism and maintaining the character of Cairns. Council recognises that a Planning scheme regulates development and facilitates outcomes rather than making development occur.
	N/A	The submitter believes that there is already scope for urban consolidation, with less than 5% of the potential in the CBD and North Cairns being utilised.	Whole scheme	No change.	Council has recognised that the previous height limits were limiting the achievability and viability of higher density and more compact development within the Cairns city centre and North Cairns areas of the city. The proposed changes seek to rectify this.
	N/A	The submitter believes that wider buildings such as Trilogy and Cairns Harbour Lights would not be approved under new requirement for slimmer buildings to retain views. Submitter believes that this is an admission that CRC was wrong in allowing these buildings which create a wall around the foreshore.	Whole scheme	No change.	The provisions contained within the significant changes apply to development proposed following commencement of the Cairns Region Planning Scheme. These provisions ensure that future development will provide appropriate space between buildings on the same site or adjoining sites to avoid the impression of a wall of buildings, facilitate deep landscaping, maintain vistas, provide privacy and allow for penetration of breezes and sunlight.
	N/A	The submitter raises that if a 'community agenda' was followed we might see taller buildings located further away from foreshore grading down to lower buildings on the foreshore. This would maximise views to Inlet and Range.	Whole scheme	No change.	The submitter's comments have been considered. Building heights transition down away from the Cairns city centre, in line with the Obstacle limitation surface of the Airport environs overlay and towards the west in Precinct 3. Within Precinct 3 - the Eastern precinct, there are a number of historical developments which are at the height or near to the height of the Obstacle limitation surface. The building heights provided for a scale that reflects the surrounding area and a transition outwards. Sheridan Street, as a key entry point is not dominated by built form and ensures that

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					view lines and vistas to the mountain ranges are retained.
N/A		The submitter believes that changes are being driven by a corporate agenda and to maximise developers profits and are disguised in green packaging.	N/A	No change.	The significant changes were undertaken in response to a number of submissions received from varied sectors of the community and industry during the Statutory consultation phase of the draft Cairns Region Planning Scheme in 2014. The significant changes are proposed as a package, the provisions seek to allow for increased development opportunities while ensuring that tropical urbanism is achieved through high quality design outcomes in addition to landscaping requirements.
N/A		The submitter believes changes will make the Cairns CBD a concrete jungle.	N/A	Amend the Planning scheme policy - Tropical urbanism to include the following within sc6.16.3.8 (5): <i>Weather and solar protection features of the street canopy are not expected to occur within the first storey. The street canopy is not intended to be fully enclosed, solid or impermeable.</i>	The significant changes included increased requirements for landscaping. There is also a strong focus on using a variety of materials and designs to provide variety in facades on site and on adjoining sites. However, further amendments have been made to the Planning scheme policy Tropical urbanism to ensure that the street canopy is not dominated by solid concrete structures.
N/A		The submitter wants shade in CBD and Cairns to be from trees rather than buildings. CBD was promoted as a greener CBD from City Centre Master Plan in 2012. This has not occurred and we have seen the destruction of City Place but virtually no greening of CBD. CRC has attempted to remove heritage trees from the Library and endorsing removal of these from Novotel and Cairns Aquarium sites. Some new trees and landscaping at Lake St, Grafton St and Passenger Terminal however it remains questionable whether there has been a net increase or decrease of trees in CBD.	N/A	No change.	Predominantly works within the public realm are generally undertaken by a statutory authority, however if they are undertaken in conjunction with a development, they will be required to be in accordance with the provisions of the planning scheme, including the Planning scheme policies - Tropical urbanism and Landscaping, both of which promote the outcomes of a City in a rainforest. The provisions include increased requirements for landscaping and support the retention of existing trees. Vertical landscaping is a new concept beyond the current requirements for on ground landscaping, which will assist in greening the city and contributing to achievement of a City in a rainforest.
N/A		The submitter believes that increasing building height provisions in the CBD is contrary to the plan to green the urban landscape. Vertical landscaping will not disguise the concrete jungle.	N/A	No change.	The significant changes were proposed as a package, the provisions seek to allow for increased development opportunities while ensuring that tropical urbanism is achieved through high quality design outcomes in addition to landscaping requirements.
N/A		The submitter states that building heights have been set to path of aircraft when coming in to land but haven't allowed for a safety margin for aircraft which may be having problems on landing. Risks cannot be justified.	N/A	No change.	The submitter's comments have been considered. However, the building height provisions have been developed in accordance with the Obstacle limitation surface of the Airport environs overlay. The mapping and the building height limit set within has been developed by the airport and is reflected in its entirety within the Cairns Region Planning Scheme. Furthermore, the Cairns airport was consulted in the preparation of the significant changes.
N/A		The submitter does not support the criterion which contributes to a 24 hour economy. CRC has not consulted with community around this and submitter believes there is merit to having downtime.	N/A	No change.	The ground of submission does not relate to a proposed significant change. The provisions within the Cairns city centre local plan code that relate to facilitating a 24 hour economy were consulted in both the non-statutory consultation on the Draft Scheme undertaken in 2013 and the statutory consultation undertaken in 2014.
N/A		The submitter believes CRC is promoting sustainable development based on cultural, environmental and economic values when it is in fact still following old paradigm of economic growth and physical expansion.	N/A	No change.	The submitter's comments have been considered. The proposed significant changes were undertaken in response to a number of submissions that were received during Statutory consultation on the draft Cairns Region Planning Scheme in 2014. The provisions seek to allow for increased development opportunities while ensuring that tropical urbanism is achieved through high quality design outcomes.

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	N/A	The submitter raises when CRC opened city Place to traffic they consulted with Cairns Bicycle users group (C-BUG) to locate a bicycle centre near City place with storage, lockers etc. to compensate for loss of community space. Once city place was gone this plan was ditched. Questions real motives around urban planning.	N/A	No change.	Comments do not relate to significant changes.
	N/A	The submitter refers to existing development in the city that does not sufficiently retain historic buildings.	N/A	No change.	The significant changes are proposed as a package and in addition to increases in building height, the significant changes include provisions relating to amenity, aesthetics, landscaping and setbacks and other built form controls, which contribute to maintaining the unique character of the area, whilst facilitating density and urban consolidation outcomes.
	N/A	The submitter is concerned that development, on the former site of the Cairns Yacht Club, would now be up to 70m and block views. Submitter proposes that this be rezoned to reduce the height limit to match the Hilton Hotel at 35m to not degrade the outlook from the Hilton Hotel.	N/A	No change	The former site of the Cairns Yacht Club is Strategic Port Land and as such is controlled by the Port of Cairns Land Use Plan. The Cairns Region Planning Scheme does not have affect over this land.
	N/A	The submitter notes that current buildings have been approved above the proposed 46m in the CBD such as Cairns Corporate Tower (56m) and International (55m). Were heights limits reduced at some stage or were these approved contrary to planning provisions?	Part7/Part 8	No change.	Planning provides for a performance based approach to the assessment of development applications. Under a performance based approach, provisions within planning schemes that are Acceptable outcomes are recognised as one means of achieving the Performance outcome or Overall outcomes of a specific code or planning scheme. Therefore where a proposed development does not comply with the specified Acceptable outcome, they can propose an alternative outcome. However, in the case of the building height provisions, where they align with the Obstacle limitation surface of the Airport environs overlay, the maximum building height is highly unlikely to be exceeded as these provisions relate to a State interest and are for the purposes of protecting the safety and operational integrity of the Cairns airport.
	N/A	The submitter raises concern that there is a push for increased height regularly and is seeking to stop the relentless push. They feel that every few years CRC and Cairns Chamber campaign to increase height and it is rejected by community. Submitter rejects proposal to increase height limits above 46m and proposes a 20 year moratorium on the subject as we look for better ways to achieve appropriate development.	N/A	No change.	Council notes the submitter's objection to the increase height. However no changes are recommended. In order to achieve a more compact and denser urban form within proximity to the Cairns city centre, increased building heights are considered to be appropriate and necessary to achieving this. Increasing density in existing areas also assists in reducing the cost of providing additional infrastructure to more remote areas.
	N/A	The submitter raises a concern about the changes to reduce the Level of assessment for Council activities for net community benefit. Submitter does not trust CRC to act in the interests of net community benefit as interests of Corporate agenda will be at expense of community agenda. Submitter supports maintaining current level of assessment for any new proposals by Council. However there may be other options to look at ways through engaging the community to streamline the assessment process while still maintaining regulatory safeguards.	Part 5	Amend the section 5.3(4) to read as follows: <i>Development undertaken by or on behalf of the local government is:</i> <i>(a) as per the level of assessment as identified in Part 5;</i> <i>or</i> <i>(b) Code assessable where identified as Impact assessable in Part 5 and is to be assessed against the whole planning scheme, to the extent relevant.</i>	It is considered that this change ensures relevant State interests are addressed where reflected within the Planning Scheme and would ensure that matters made assessable in Schedule 3 of the Sustainable Planning Regulation 2009 would also be addressed.
37	N/A	The submitter does not support the proposed changes to height limits in the Cairns North area. The submitter appreciates the 'low rise' profile and relaxed tropical atmosphere of Cairns and considers that changes (to building height) should be made gradually with sufficient consideration of all relevant issues.	Part 7/Part 8	No change.	The grounds of the submission are noted and have been considered. However, in order to achieve a more compact and denser urban form within proximity to the city centre, increased building heights are considered to be appropriate and necessary to achieving this. Increasing density in existing areas also assists in reducing the cost of providing additional infrastructure to more remote areas. The changes aim to incorporate the concept of tropical urbanism into new developments. Tropical urbanism is the integration of tropical design and landscaping into the built environment. The incorporation of additional landscaping and unique tropical design will assist to ensuring that buildings reflect the character of Cairns. A gradual approach to increasing heights

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					may result in lower buildings being developed that do not increase the density of the areas. Once developed, additional height cannot be added.
38	N/A	The submitter notes that the proposed changes lead to increased commercial viability which in turn leads to greater investment in the region.	N/A	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the vertical and horizontal landscaping provisions enhance the position of Cairns as an attractive destination for the experiences of the Great Barrier Reef and Wet Tropics Rainforest.	N/A	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that tropical and environmentally sensitive architecture will provide Cairns with a point of difference above other resort destinations.	N/A	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the implementation of the policy will need to ensure that quality visual aspects from and of the built area contribute to the quality of life in the city and attractiveness of Cairns.	N/A	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the amendments have the potential to assist the city retail and tourism areas for the benefit of both the city and regional residents and visitors.	N/A	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the amendments should align (and appear to) with the Destination Tourism Plan for Tropical North Queensland which identifies tropical lifestyle as an attractive element of the region for visitors.	N/A	No change.	This submission is provided in support of the significant changes.
	N/A	The submitter notes that the introduction of vertical landscaping is living and needs to be managed with appropriate standards and responsibilities are defined. The submitter further notes that landscaping needs to be of appropriate species and maintained vermin free and encourage native species (and not encourage non-native species).	N/A	No change.	This submission is provided in support of the significant changes.
39	81 McLeod Street, Cairns Lot 1 on RP735341	<p>The submitter advises that the proposed amendments have resulted in a reduced building height specifically for 81 McLeod Street (Lot 1 on RP735341) and generally between Water Street &amp; Sheridan Street from Florence Street to Upward Street from 30m under the originally notified draft to 20 m. The submitter notes that these reductions were not intended and request that they are rectified.</p> 	Part 8/Schedule 2	<p>Amend the planning scheme as follows:</p> <ul style="list-style-type: none"> <li>• Create a new sub-precinct 3a inside the bounds of Sheridan Street, Upward Street, Water Street and Florence Street;</li> <li>• Insert reference to new sub-precinct 3a within the overall outcomes of the Building height overlay code.</li> <li>• Include new Acceptable Outcome AO3.4 within the Building height overlay code that provides for a building height of 30metres and 10 storeys within new sub-precinct 3a.</li> </ul>	This change will rectify an unintended reduction in the building height for this area that with occurred with the significant changes.



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40	N/A	The submitter considers that the podium levels in A07.2 are unnecessarily restrictive to development potential and yield over a site particularly in relation to above ground car parking. Existing levels are 3 storeys and Submitter does not see adverse amenity issues with this. Proposed change will reduce above ground parking options affecting economic viability and requiring more basement car parking.	Part 7	No change.	The submitters request has been considered, however the podium height provisions are considered to be appropriate to ensure that structures and buildings at podium level are of appropriate scale. The provisions referenced are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
N/A	N/A	The submitter states that the proposed setbacks are an improvement but should be increased for viable development to occur. Street frontage setbacks should be reduced as wide streets of CBD ensure adequate separation of towers on opposite sides of the road and the requirement for awnings above footpaths will negate much of the visual impact at street level. Side setbacks become a significant constraint on sites where the OLS allows for tall development. Submitter recommends setbacks: (a) 6m from all street frontages other than the Esplanade or Sub precinct 1a. (b) Agrees with setbacks AO8.1(b) of 15m from the Esplanade and Sub precinct 1a. (c) Requests change to Side Boundary setbacks to be 1/10 of the height of the building or 4m. (d) Requests change to Rear boundary setback to 6m.	Part 7	No change.	The submitters request has been considered, however the setback provisions are considered to be appropriate to ensure that adequate separation is achieved. The provisions referenced are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
N/A	N/A	The submitter states that the prescribed 20m setback onsite between towers above podium level on a site is greater than that between setbacks between developments on adjoining sites. (e.g. 40m tower at 1/8 building height is setback 5m from boundary giving a total of 10m between buildings). The setbacks proposed on sites are 2 times this amount. Submitter proposes that setbacks onsite should be worked out using same formulas as setbacks on adjoining sites.	Part 7	Amend AO8.3 of the City centre local plan to clarify the separation requirement between two towers on a single site to 1/3 of the height of the building or 20 metres, whichever is the lesser.	It is considered appropriate to amend AO8.3 of the City centre local plan to clarify the separation requirements between towers on a single site. It is appropriate to include a separation requirement between towers which is proportionate to the height of the building. A separation of 1/3 of the height of the building is proportionate to the side boundary setback of 1/6 of the height of the building. Double the side boundary setback is considered to be an acceptable outcome for separation for towers on a single site, as it is equivalent to the separation between buildings on adjoining sites.
N/A	N/A	The submitter states that the maximum width of 40m will mean that all CBD towers are largely the same shape resulting in little variation in City Centre. Provides examples of Hilton and Reef Casino which exceed this and are not inconsistent with bulk and scale of development in City Centre. Submitter proposes that width varies with height to allow for adaptability with site size	Part 7	No change.	The submitters request has been considered, however the maximum width provisions are considered to be appropriate to ensure that buildings are of an appropriate scale. The provisions referenced are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is

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		and shape. i.e. taller buildings at height and wider at lower height.			not capable of complying with the acceptable outcomes.
	N/A	The submitter notes that AO9.2 does not consider podiums. Submitter requires further clarification on width of building forms being limited only above podium level as podiums can be built to boundary and should not be subject to this provision. Also reinforces feedback on AO9.1 above on building width.	Part 7	Amend AO9.2 to read <i>Where development is on a site with an area of less than 1000m<sup>2</sup>, the total maximum width of built form above podium height, including development on adjoining sites, without appropriate separation is 40metres.</i>	The provision is a co-provision for AO8.3 which establishes alternative setbacks for development, on a site with an area of less than 1000m <sup>2</sup> , and allows for development to the side boundaries, provided that the maximum total width of buildings (including on adjoining sites) does not exceed 40m. Amending AO9.2 to include <u>above podium height</u> provides certainty of the intent of the AO.
	N/A	The submitter states that vehicular access provision of 15m into site at footpath level provides constraint on car parking yield particularly on smaller sites where inability to ramp will greatly impact internal circulation and layout efficiency. Submitter proposes removing this acceptable outcome 29.1 and using the performance outcome to assess the issue.	Part 7	No change.	The submitters request has been considered, however the provision is considered to be appropriate for maintaining the safety and amenity of the streetscape and pedestrian realm. The provisions reference are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
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	N/A	The submitter states that the maximum width of 40m will mean that all CBD towers are largely the same shape resulting in little variation in City Centre. Provides examples of Hilton and Reef Casino which exceed this and are not inconsistent with bulk and scale of development in City Centre. Submitter proposes that width varies with height to allow for adaptability with site size and shape. i.e. taller buildings at height and wider at lower height.	Part 7	No change.	The submitters request has been considered, however the maximum width provisions are considered to be appropriate to ensure that buildings are of an appropriate scale. The provisions referenced are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
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					<u>above podium height</u> provides certainty of the intent of the AO.
	N/A	The submitter states that vehicular access provision of 15m into site at footpath level provides constraint on car parking yield particularly on smaller sites where inability to ramp will greatly impact internal circulation and layout efficiency. Submitter proposes removing this acceptable outcome 29.1 and using the performance outcome to assess the issue.	Part 7	No change.	The submitters request has been considered, however the provision is considered to be appropriate for maintaining the safety and amenity of the streetscape and pedestrian realm. The provisions reference are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
42	N/A	The submitter considers that the podium levels in A07.2 are unnecessarily restrictive to development potential and yield over a site particularly in relation to above ground car parking. Existing levels are 3 storeys and Submitter does not see adverse amenity issues with this. Proposed change will reduce above ground parking options affecting economic viability and requiring more basement car parking.	Part 7	No change.	The submitters request has been considered, however the podium height provisions are considered to be appropriate to ensure that structures and buildings at podium level are of appropriate scale. The provisions referenced are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
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	N/A	The submitter states that the prescribed 20m setback onsite between towers above podium level on a site is greater than that between setbacks between developments on adjoining sites. (e.g. 40m tower at 1/8 building height is setback 5m from boundary giving a total of 10m between buildings). The setbacks proposed on sites are 2 times this amount. Submitter proposes that setbacks onsite should be worked out using same formulas as setbacks on adjoining sites.	Part 7	Amend AO8.3 of the City centre local plan to clarify the separation requirement between two towers on a single site to 1/3 of the height of the building or 20 metres, whichever is the lesser.	It is considered appropriate to amend AO8.3 of the City centre local plan to clarify the separation requirements between towers on a single site. It is appropriate to include a separation requirement between towers which is proportionate to the height of the building. A separation of 1/3 of the height of the building is proportionate to the side boundary setback of 1/6 of the height of the building. Double the side boundary setback is considered to be an acceptable outcome for separation for towers on a single site, as it is equivalent to the separation between buildings on adjoining sites.
	N/A	The submitter states that the maximum width of 40m will mean that all CBD towers are largely the same shape resulting in little variation in City Centre. Provides examples of Hilton and Reef Casino which exceed this and are not inconsistent with bulk and scale of development in City Centre. Submitter proposes that width varies with height to allow for adaptability with site size and shape. i.e. taller buildings at height and wider at lower height.	Part 7	No action proposed.	The submitters request has been considered, however the maximum width provisions are considered to be appropriate to ensure that buildings are of an appropriate scale. The provisions referenced are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development is not capable of complying with the acceptable outcomes.
	N/A	The submitter notes that AO9.2 does not consider podiums. Submitter requires further clarification on width of building forms being limited only above podium level as podiums can be built to boundary and should not be subject to this provision. Also reinforces feedback on AO9.1 above on building width.	Part 7	Amend AO9.2 to read <i>Where development is on a site with an area of less than 1000m<sup>2</sup>, the total maximum width of built form above podium height, including development on adjoining sites, without appropriate separation is 40metres.</i>	The provision is a co-provision for AO8.3 which establishes alternative setbacks for development, on a site with an area of less than 1000m <sup>2</sup> , and allows for development to the side boundaries, provided that the maximum total width of buildings (including on adjoining sites) does not exceed 40m. Amending AO9.2 to include <u>above podium height</u> provides certainty of the intent of the AO.
		The submitter states that vehicular access provision of 15m into site at footpath level provides constraint on car parking yield particularly on smaller sites where inability to ramp will greatly impact internal circulation and layout efficiency. Submitter proposes removing this acceptable outcome 29.1 and using the performance outcome to assess the issue.	Part 7	No change.	The submitters request has been considered, however the provision is considered to be appropriate for maintaining the safety and amenity of the streetscape and pedestrian realm. The provisions reference are acceptable outcomes and compliance with the performance outcomes can be sought if proposed development

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					is not capable of complying with the acceptable outcomes.
43	N/A	The submitter requests that the strategic framework is strengthened to more clearly identify the role and function of individual centres. The statements do not provide a clear and measurable indication of relative size, scale and mix of uses and will lead to subjective decisions that are not based on a rigorous and consistent assessment and decision making process.	Part 3	No change.	The changes were intended to clarify the role and function of each centre type within the hierarchy of centres. Specific statements have been included in the Strategic framework to acknowledge the Principal centre is the highest order centre in the region, supported by all other centres within the hierarchy. The statements for Major centres, District centres, Local centres and Neighbourhood centres include a statement that they do not compromise the role and successful function of the higher order centres. This is vertically integrated into the centre codes through the purpose statements and a PO on the role and function of centres which states that Development reinforces the role and function of centres. The PO includes a note that states a centre need and impact assessment may be required to demonstrate compliance with the performance outcome. The Planning scheme policy - centres and centre activities includes the provision that the centre need and impact assessment may be subject to a peer review, ensuring a rigorous and robust assessment.
	N/A	The submitter requests a graduated approach to levels of assessment. The proposed significant changes do not provide for such an approach and all Shop, Shopping centre, and Showroom uses are identified as being either Self assessable or Code assessable within the District, Major and Principal Centre with no triggers for Impact assessment. It is requested to include provisions that limit the establishment of higher order retail uses such as Department stores to the Principal centre to maintain the role and function of the City centre as the preeminent retail focus. .	Part 5	Amend the Tables of assessment to make the following changes: Local centre Shopping centre IF involving a Department store Impact assessable; Shop IF for a Department store Impact assessable.  Neighbourhood centre Shop IF for a Department store or Supermarket Impact assessable Shopping centre IF involving a Department store or Supermarket Impact assessable.	Department stores of a form, by their definition within the draft Cairns Region Planning Scheme, would be anticipated within the District and Major centre zones and as such an increase in the level of assessment to Impact assessable is not considered to be appropriate. The Planning scheme policy - centres and centre activities includes the provision that the centre need and impact assessment may be subject to a peer review, ensuring a rigorous and robust assessment. The change to the tables of assessment is consistent with the stated role and function of Local and Neighbourhood centres in the Strategic framework.
	N/A	The submitter requests the District centre zone code and the Major centre zone code include definitive statements with regards to the scale of retail and commercial uses that are intended to establish. Although acknowledged as a relatively blunt instrument the use of GFA limits is a simple and measurable criteria.	Part 6	No change.	A centres need and impact assessment is required for a District centre where development exceeds a total 15,000m <sup>2</sup> for the district centres of Manoora, Manunda, Mount Sheridan, Redlynch or Westcourt. The Planning scheme policy - centres and centre activities includes the provision that the centre need and impact assessment may be subject to a peer review, ensuring a rigorous and robust assessment.
44	N/A	Submitter is pleased that CRC is actively engaged in re-visioning Cairns' urban development. The submitter supports broad principles of urban development including urban planning that prioritises sustainable development and design and medium density development rather than suburban sprawl to maximise sustainable outcomes and restrained development which utilises existing resources before creating new.	N/A	No change.	The submitters support is noted.
	N/A	The submitter is concerned that building height increases could lead to over development. They support the assessment of amenity and the concept of Cairns as a City in the Rainforest, however they suggest that if future government policy position change then with the 80m height limit along the waterfront, Cairns risks becoming a towering, impersonal, congested, concreted city with aesthetic and safety risks in a cyclone prone location. Submitter proposes that Council mandate the amenity values in the zones set to increase to 80m building height.	Part7/Part 8	No change.	The submission is noted. However, the significant changes are proposed as a package and in addition to increases in building height, the significant changes include provisions relating to amenity, aesthetics, landscaping and setbacks and other built form controls, which contribute to attaining the unique character of the area, whilst facilitating density and urban consolidation outcomes.
	N/A	The submitter raises concerned that the provisions will allow Cairns to 'become another Gold Coast'.	N/A	No change.	The submitter's grounds are noted. However, the nature and location of the Cairns airport results in defined maximum height limits. The height limits established by the Obstacle limitation surface of the Airport environs overlay are significantly limit the

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					maximum height to development to 80m at the southern extent of the Cairns city centre local plan areas, with a transition downwards to the northern extent of North Cairns. These height limits are significantly less than the height of development within the Gold Coast, where development exceeds 300m.
	N/A	The submitter notes that increasing density of the CBD and North Cairns has the potential to limit some urban sprawl but this must be made a key policy focus by Council rather than allowing for a larger population in the city as well as a sprawling web of suburbs.	N/A	No change.	The grounds of the submission are noted. The significant changes have focused on maximising density around the existing Cairns city centre and promoting urban consolidation within this area as a first point. It is noted there may be a need for greater density around the other higher order centres within the region over time. Particularly as the population grows and development pressure rises.
	N/A	The submitter is concerned about traffic congestion and increased dependence on private vehicles. Recommends that Council and the State Government invest in public transport to enable a larger population to move about with reduced environmental impacts.	N/A	No change.	The submitter's grounds are noted. The significant changes seek to increase density within proximity to the Cairns city centre and North Cairns, both of which are areas which are assessable by active transport options. Furthermore, the planning scheme supports the outcomes sought by the Cairns Transit Network by encouraging higher density residential development in proximity to public transport.
	N/A	The submitter supports Councils focus on Tropical urbanism and prioritisation of tropical design provisions and use of landscaping. The submitter congratulates Council for mandating landscaping and green walls in Cairns but urges Council to prioritise the ongoing maintenance and suitability of plants and supports the statement "Maintenance of landscaping will be required for the life of the development" (Schedule 6). Submitter recommends landscaping be either native plants or chosen for hardiness/low water use or edibility.	N/A	No change.	The provisions of the Planning scheme policy Tropical urbanism include requirements for the provision and assessment of a Landscaping plan, it is also noted that the appropriate species and maintenance will be dependent upon the type, extent, location / aspect of the landscaping and will be assessed and conditioned in conjunction with a development application.
	N/A	Submitter supports Biophilia and architectural imitation of surrounding rainforests. The street canopy will provide shelter, shade and cool which are required in tropical climates which allows people to walk, pause and enjoy outdoor settings. More pedestrian activity and improved public transport can reduce card dependence. Supports street canopy provisions of the code.	N/A	No change.	This submission is provided in support of the significant changes.
45	42-52 Abbott Street, Lot 1 on SP231873	The submitter agrees with the building height proposed within Sub-precinct 1a within the Cairns city centre local plan code.	Part 7	No change.	This submission is provided in support of the significant changes.
	42-52 Abbott Street, Lot 1 on SP231873	The submitter does not support the proposed podium height for Sub-precinct 1a of the Cairns city centre local plan. However states that they are keen to work with Council further regarding future development.	Part 7	No change.	The podium heights within the Cairns city centre local plan code are acceptable outcomes. Where these cannot be met, the applicant can propose an alternative to meet the performance outcome.
46	N/A	The submitter supports the proposed changes as they seek to reinforce the unique character of Cairns through the tropical design provisions while promoting economic growth and development. The initiatives proposed for the City will result in new financially viable development opportunities and will position Cairns as a leader in tropical urbanism.	N/A	No change.	This submission is provided in support of the significant changes.
47	N/A	The submitter identifies that a height for sub-precinct 1a is not specifically mentioned in the height provisions of the Cairns city centre local plan code.	Part 7	Amend AO6.1 of the Cairns city centre local plan code to make reference to sub-precinct 1a - Shields Street in addition to Precinct 1 - City centre core.	The submission is noted and considered to be appropriate, the amendment rectifies an omission.
	N/A	The submitter identifies that AO21.1(c) of the City centre local plan code refers to "whichever is the greater". This submitter suggests that is an administrative error and should refer to 'whichever is the lesser'.	Part 7	Amend "whichever is the greater" to "whichever is the lesser" within AO21.1(c).	The submissions is noted and considered to be appropriate. The change rectifies an administrative error within AO21.1(c) of the Cairns city centre local plan code.
	N/A	The submitter identifies that AO16.1 and AO18.1 of the Building height	Part 7	Amend AO16.1 of the Building height overlay code to read	The submission is noted. It is appropriate to amend AO16.1 to

No.	Property details	Grounds of submission	Part number	Action	Rationale
		overlay code are very similar and suggests that consideration be given rectifying the similarity.		as follows: <i>Building facades are to be articulated and provide contrast between light and shadow.</i>	remove the elements of duplication and align the Acceptable outcome with the Performance Outcome.
N/A		The submitter identifies that a 'tower' is term used within the provisions of the scheme yet is not defined within Schedule 1 and the submitter suggests that a definition for Tower is included.	Schedule 1	Include the following as a definition for a Tower: <i>The part of a building which is located above a podium.</i>	The submission is noted and considered to be appropriate. The term Tower is used in the City centre local plan and has not been defined. It is necessary to include a definition.
N/A		The submitter identifies that there is an omission in the tables of assessment where the level of assessment has been reduced for Dual occupancies within the Low density residential zone. The row for the Neighbourhood character has been omitted.	Part 5	Amend the Tables of assessment for the Low density residential zone to reinstate the code assessment required for Dual occupancy within the Neighbourhood character overlay.	The submission is noted and is considered to be appropriate; this change will rectify an omission in the tables of assessment.
N/A		The submitter identifies that the side boundary setbacks for buildings or structures as identified within AO8.1 of the City centre local plan will result in development with a significantly reduced side setback than currently provided for in the CairnsPlan planning scheme. The submitter suggests a review to consider reducing the side boundary setback requirements form 1/8th of the height of the building to 1/6th of the height of the building.	Part 7	Amend AO8.1 (c) of the Cairns city centre local plan code to modify the side boundary setback requirements from 1/8th of the height of the building to 1/6th of the height of the building to read as follows: <i>(c) 1/6 of the height of the building or 4 metres, whichever is the greater from the side boundaries;</i>	The submission is noted and is considered appropriate, the increase in the side boundary setback from 1/8th of the height of the building to 1/6th of the height of the building results in an greater alignment between the Acceptable outcome and the Performance Outcome.
N/A		The submitter identifies that the identified maximum and minimum height provisions for the Street canopy within AO21.1 do not result in the desired outcome. The street canopy is intended to be two storeys to align with the two storey podium height for development within the City centre local plan area.	Part 7	Amend AO21.1 (b) & (c) of the Cairns city centre local plan to clarify the maximum and minimum heights for the street canopy to read as follows: <i>(b) has a minimum height of 6 metres and 2 storeys above the finished footpath level, as measured to the underside of the feature;</i> <i>(c) has a maximum height of 9 6 metres or the height of the podium of the corresponding development, whichever is the lesser;</i>	The submission is noted and is considered to be appropriate; this change will rectify the consistency between the height of the street canopy and the height of podium for development within the Cairns city centre local plan area.
N/A		The submitter identifies that the Dual occupancy code does not include provisions relating to the separation between dwellings on the same site.	Part 9	Include a new PO and AO within the Dual occupancy land use code relating to the separation of buildings on the same site:  <i>PO3</i> <i>Buildings are appropriately separated from each other to maintain the character of the streetscape and privacy and amenity for residents.</i>  <i>AO3.1</i> <i>Buildings are:</i> <i>(a) attached by a common wall;</i> <i>(b) separated by not less than 3m.</i>	The submission is noted and it is appropriate to include provisions within the Code to address an appropriate separation distance between dual occupancies established on a site.