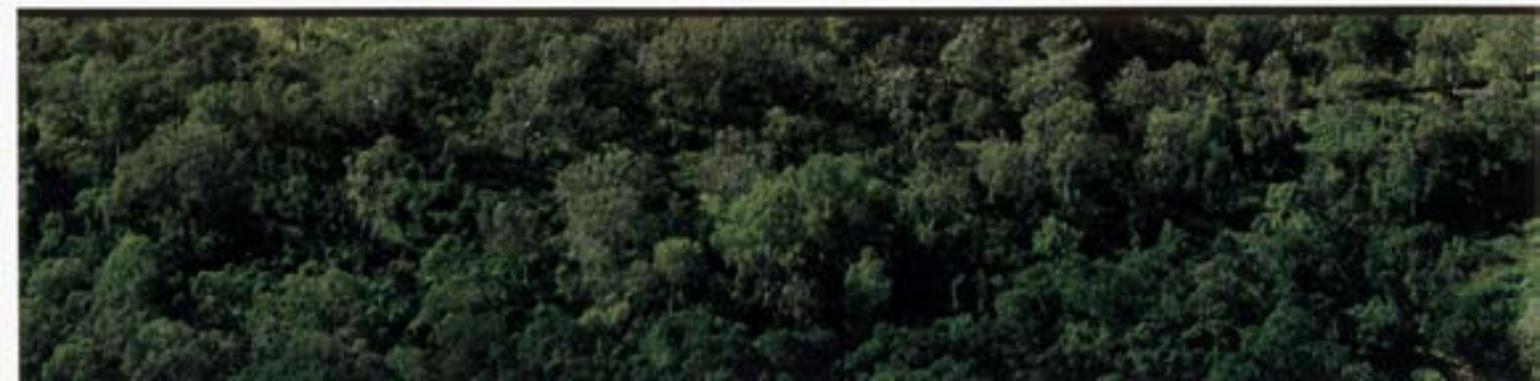


# STRATEGIC PLAN



## **STRATEGIC PLAN FOR PART OF THE CITY OF CAIRNS**

This Strategic Plan forms part of the Planning Scheme for part of the City of Cairns. The Strategic Plan includes the Strategic Plan Map and is divided into the following :

1. INTRODUCTION
2. PREFERRED DOMINANT LAND USES
3. STATEMENT OF OBJECTIVES AND CRITERIA FOR IMPLEMENTATION
4. SPECIAL PROVISIONS OF THE PLAN

### **PLANNING STUDY**

The Planning Study provides supporting information which is contained in that document marked Strategic Plan - Planning Study, copies of the Study signed for identification by the Clerk of the Executive Council are held at the Office of the Department of Housing, Local Government and Planning and at the Office of the Cairns City Council. The Planning Study can be found in Part B of the Planning Scheme.

# STRATEGIC PLAN

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## **1. INTRODUCTION**

The Strategic Plan is primarily concerned with matters affecting the future use of land within the [former] City of Cairns. The Strategic Plan deals with broad patterns of land use, taking into account the way they relate to the economy of the inner City and of the region, the transport system, the services infrastructure and the physical and social environments.

### **1.1 The Vision**

The vision which the Strategic Plan seeks to promote is a vital and cosmopolitan City expanding its role as the major city of Far North Queensland and adopting an even more significant role as the northern gateway to Australia and as a national and international tourist destination. Cairns acknowledges and promotes the features of the natural, cultural and built environments which combine to create the intrinsic character of Cairns : features such as the Esplanade; the wide city streets; the backdrop of steep, forested hillsides; and the tropical environment and lifestyle.

Cairns seeks to be a City which is well ordered and efficient and which maintains a comfortable balance between competing demands for the betterment of the entire community.

### **1.2 Overriding Principle**

The overriding principle of the Planning Scheme is the promotion of ecologically sustainable development. Ecologically sustainable development is development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

The core objectives of ecologically sustainable development are :

- \* to enhance individual and community well-being and welfare by following a path of economic development that safeguards the welfare of future generations;
- \* to provide equity within and between generations;
- \* to protect biological diversity and maintain essential ecological processes and life support systems.

This Planning Scheme seeks to implement the principles of ecologically sustainable development by :

- \* the prevention, reduction, minimisation and where practical elimination of harm to the environment by land use allocations and development approvals which encourage and assist proponents of development to prevent pollution and minimise waste;
- \* implementing as conditions of approval of any development, environmental and cultural protection measures supported by relevant State and Federal Government agencies and intergovernmental agreements;
- \* the application of a precautionary approach to the assessment of risk of environmental harm, such that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- \* requiring proponents of development to make progressive environmental improvements including the reduction of pollution and wastes;

- \* allocating the costs of environmental protection and restoration equitably by the imposition of uniform contribution schemes;
- \* the provision, through conditions of approval, for the monitoring and reporting on environmental quality on a regular basis to ensure compliance with statutory requirements and State conditions of approval;
- \* promotion of intergenerational equity such that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

### 1.3 **Primary Aims**

The primary aims of the Strategic Plan are :

- To protect and promote the economic well being of the inner City, recognising its role as the dominant economic, cultural and social centre of Far North Queensland and its role as a national and international tourist destination.
- To enhance the natural environment of the City through maintenance of ecological integrity and protection of environmental quality.
- To promote quality and equity, convenience and variety in the lifestyle opportunities available to the population.
- To promote the efficient provision of services to the population.

## 2. PREFERRED DOMINANT LAND USES

The Strategic Plan incorporates a map showing the Preferred Dominant Land Uses. While some of the land use designations are similar in name to some of the zones included in the Planning Scheme for part of the City, the Preferred Dominant Land uses are not zones and do not confer rights to use land. The designations show the Council's aims and objectives for the future and indicate where and how development should occur. The Strategic Plan provides an overall framework within which individual rezoning, consent, subdivision and other development applications can be assessed.

The Preferred Dominant Land Uses and the intent for each use are as follows.

### 2.1 Description and Intent of Designations

#### 2.1.1 **Low Density Residential**

This designation indicates the areas which are used or intended to be used for low density residential purposes, primarily in the form of single family detached dwellings. This area encompasses hillside land which is developed or is considered suitable for residential use on larger allotments as well as land which is used or is intended for use for development of detached dwellings on conventional (600m<sup>2</sup> - 800m<sup>2</sup>) allotments.

The maximum permitted density within the Low Density Residential areas will be 60 persons per hectare. However, not all areas are considered to be suitable for development to this density; that is, for conventional residential development. Development Control Plan 4 Hillside together with Development Control Plan 1 Residential Densities provides details of the areas suitable for conventional residential development and of the areas which are somewhat constrained and where future development is to be in the form of larger (minimum 5000m<sup>2</sup>) allotments.

Alternative or innovative housing developments such as cluster housing, small lot, AMCORD or Green Street developments are considered to be acceptable within unconstrained areas, provided the residential density does not exceed 60 persons per hectare and provided specific performance criteria are satisfied.

In addition to the dominant residential use, these areas may also include other uses which are required to service residential areas and are compatible with low density housing. These services include educational and child care facilities, local shops, health and medical facilities, emergency services, social and welfare facilities including some special residential uses, recreational and open space facilities and public utility services.

The scale of the Strategic Plan map does not permit all of these uses to be shown. Future detailed development shall be controlled through the rezoning, consent and subdivision of land processes.

Care must be taken in the design and location of these facilities and services to ensure that they will not adversely affect the amenity of existing or proposed residential areas.

### **2.1.2 Medium Density Residential**

This designation indicates the areas which are used or intended to be used for medium density residential purposes. The designation includes the areas which are designated Residential B (100 persons per hectare), Residential C (200 persons per hectare) and Residential D (400 persons per hectare) under Development Control Plan 1.

Residential development in these areas may include duplexes, town houses, flats, units, apartments and the like. Dual Occupancy developments will be encouraged in some areas. The actual nature and extent of development, including the allocation of the density designations, are detailed in Development Control Plan 1.

Medium density residential development within this designation is primarily intended to accommodate permanent residents. Accommodation for tourists should only take place on sites which have a high level of accessibility and in locations where permanent residents will not be adversely affected by the movement of taxis, tourist coaches, etc.

As with the Low Density Residential designation, other support and service uses may be located within these areas, subject to detailed consideration of their design and location.

### **2.1.3 High Density Residential**

This designation indicates areas which are used or intended to be used for the highest density of residential development considered to be acceptable within the inner City. The designation reflects the designation of Residential E (800 persons per hectare) under Development Control Plan 1 and generally includes the City area (Central Business District) and North Cairns.

Residential development in these areas may include units, apartments, hotels and motels in taller buildings as well as hostels. Residential development within this designation is intended to accommodate both permanent residents and tourists. Residential development for both permanent residents and tourists in the Central Business District is encouraged.

### **2.1.4 Tourist Facilities**

This designation indicates areas adjacent to the Central Business District which are intended to be the primary focus for tourist accommodation, shopping and associated services. The designation also includes the tourist lease on Green Island. The areas adjacent to the Central Business District within the designation include:

- the sites for the Casino and Convention Centre and associated hotels;
- the ferry and cruise liner terminals;
- several existing hotels which cater largely to tourists;
- the section of the Esplanade between Shields and Aplin Streets which accommodates backpacker hostels, restaurants and cafes.

It is acknowledged that tourist accommodation is located and encouraged throughout the Central Business District and North Cairns and that there are many other tourist facilities located throughout the inner City.

The intent of this designation is to indicate the area where the highest concentration of tourist accommodation and associated facilities is encouraged.

### **2.1.5 Central Business District**

This designation indicates the area which forms or has the potential to form the Central Business District. It is intended that the Central Business District should develop as the main shopping, business and administrative centre of Far North Queensland and as an important entertainment and cultural centre.

In addition to its role as the major shopping centre, the Central Business District is also intended to cater for tourist shopping and for the convenience shopping needs of workers and of residents of the Central Business District and adjacent areas.

### **2.1.6 Major Business Centre**

This designation indicates the areas which accommodate the sub-regional and/or district shopping and business centres. These centres are intended to complement the role of the Central Business District in providing higher order shopping facilities and to cater for the convenience needs of residents of adjacent areas.

In some cases there is potential for limited expansion of these business centres. However, major expansion will be considered only if there is a demonstrated need and demand for expansion.

It is intended that Major Business Centres may include retail, commercial, entertainment, medical and community facilities.

### **2.1.7 Neighbourhood Shopping Centre**

This designation indicates several existing and a proposed Neighbourhood Shopping Centres which are intended to provide convenience shopping and other associated commercial, medical and community facilities on a neighbourhood or local basis. The Neighbourhood Shopping Centres shown on the Strategic Plan are generally indicative. It is not intended that significant expansion of existing centres should occur. However, there may be limited opportunities in some locations for limited expansion to achieve a more legible centre or to improve the range of services within a centre.

### **2.1.8 Mixed Use Area**

This designation indicates a number of areas where a mix of business, commercial, service and, in some cases, residential uses is considered to be appropriate. It is intended to provide opportunities for a range of business and commercial uses which may prefer to locate, or be better located, outside the Central Business District and the Major Business Centres.

The designation also acknowledges that changes in land uses have occurred over time and that, in some locations, residential amenity has deteriorated.

The detailed provisions of the Plan set out the preferred range of uses for each particular area within the designation.

### **2.1.9 Industry**

This designation includes those areas which are used or intended to be used for industrial purposes. The major industrial area is located at Portsmith, generally to the south of Spence Street and includes all Port facilities except those related to tourist ferry vessels and cruise liners. An area in North Cairns between Rutherford Street and Moffatt Street; an area at Aeroglen, bounded by Johnston Street and Magazine Street; and an area at Manunda bounded by McCormack, West, MacDonnell and Cannon Streets have been identified as being suitable for industrial use in the form of commercial services and light industries.

The Department of Business Industry and Regional Development has identified an area at Portsmith as an area of regional significance for business and industry development. This area is delineated on the Strategic Plan map.

It is intended that the areas designated for industry should be used primarily for industrial purposes and that the development of commercial and retail uses within these areas should be limited.

Development Control Plan 5 Cairns Port and Major Industrial Area provides details of the preferred distribution of industrial uses within the Portsmith area.

### **2.1.10 Special Use**

This designation includes areas containing Federal, State and Local Government facilities as well as the Cairns International Airport, schools and private hospital facilities. It is intended that these areas should be used for their existing purposes.

### **2.1.11 Major Open Space**

This designation includes major parks and larger areas of open space, both existing and proposed. It is intended that these areas will be developed for open space and public parks and that the major linkages indicated on the Plan will form an integrated open space system.

It is also intended that public and private sporting and other recreational complexes may be developed in appropriate locations, providing that they are compatible with adjoining open space uses and with adjacent land uses and providing they do not preclude the development of the integrated open space network and public access to this network.

### **2.1.12 Conservation**

This designation includes areas which remain, for the most part, in their natural state and which contribute significantly to the image of Cairns. They include :

- wetland areas adjacent to Smith's Creek;
- wetland areas situated between Trinity Inlet and the Cairns International Airport;
- several areas known collectively as the Cairns Central Swamp as well as other small areas of tropical forest within the urban area; and
- Mount Whitfield Environmental Park and other areas of publicly and privately owned hillside land.

It is intended that these areas should remain in their existing state. Wherever possible, it is intended that the parts of these areas which are currently in private ownership should be transferred to public ownership and form part of the overall open space system. Where this is not possible, development options will be limited and significant areas of vegetation will be protected through the provisions of Council's Local Law relating to tree protection.

Development Control Plan 3 Cairns Central Swamp and Development Control Plan 4 Hillside establish more detailed provisions for some of the areas included in this designation.

### 2.1.13 Principal Transportation Routes

The principal road network for the inner City, comprised of arterial, sub-arterial and distributor/collector roads, is indicated on the Strategic Plan map. Other roads which are not shown as part of this hierarchy are classed as access roads.

The railway network is also indicated.

A major pedestrian and cycleway network which utilises the open space system is indicated. This network is intended to provide opportunities for recreation for residents and for tourists as well as opportunities for off road movement between residential areas and facilities such as shopping centres and schools. It should be noted that not all sections of the network shown are intended to function as part of a cycleway network. The link through the Mount Whitfield Environmental Park, across to Lake Morris Road and to the Chinaman Creek open space corridor is intended as a walking trail for recreational use by residents and tourists. It is considered that there is considerable potential for the development of such a trail linking to the Botanical Gardens and to the Esplanade and the waterfront.

## 2.2 Division of the City Area into Designations

The Preferred Dominant Land Use designations and the Principal Transport Routes described are indicated on the Strategic Plan Map with the colour or symbol set out in the table below :-

Preferred Dominant Land Use Designation/Principal Transport Route	Colour or Symbol
Low Density Residential	Light Brown
Medium Density Residential	Pink
High Density Residential	Maroon
Tourist Facilities	Brown
Central Business District	Dark Blue
Major Business District	Mid Blue
Neighbourhood Shopping Centre	Black "N" surrounded by Blue Circle
Mixed Use Area	Light Blue with Identifying Number
Industry	Purple
Special Use	Yellow
Major Open Space	Light Green
Conservation	Dark Green
Area of Regional Significance for Business and Industry Development	Long Dashed Black Line
Arterial Road	Thick Black Line
Sub-Arterial Road	Black Line
Distributor/Collector Road	Thin Black Line
Railway	Red Line
Major Pedestrian/Cycleway Network	Short Dashed Black Line

### **3. STATEMENT OF OBJECTIVES AND CRITERIA FOR IMPLEMENTATION**

#### **3.1 Residential**

##### **3.1.1 Objective 1**

To provide for a diversity of housing styles to meet the varied needs of the people.

##### **3.1.2 Implementation**

- (a) The Strategic Plan provides for a diversity of housing styles by designating areas for low, medium and high density residential use. It is intended that there should be a degree of flexibility in the types of residential development permitted in the Medium Density and High Density preferred dominant land use areas to encourage further diversity in housing styles, subject to maximum density and building height criteria being maintained.
- (b) Development Control Plan 1 Residential Densities contains more detailed provisions relating to residential development and the Development Control Plan together with the provisions of the Table of Zones and the Planning Scheme Provisions encourages a diversity in housing styles.
- (c) Residential development for permanent residents is encouraged within the Central Business District.
- (d) Council will support the development of AMCORD or Green Street and Dual Occupancy forms of residential development, subject to compliance with the density designations established by Development Control Plan 1 and to compliance with specific requirements.
- (e) Council will support residential developments proposed to be subdivided under the Building Units and Group Titles Act provided relevant performance criteria have been satisfied.
- (f) Applications for special forms of residential development such as retirement villages, hospices, residential care units for the intellectually and physically handicapped and crisis centres will be considered on their merits and according to the provisions of Development Control Plan 1 and requirements set out in the Planning Scheme Provisions.

##### **3.1.3 Objective 2**

To promote an intensification of population densities in specific areas with good accessibility to urban facilities.

##### **3.1.4 Implementation**

- (a) The Strategic Plan and, more particularly, Development Control Plan 1 provide for higher density residential development within the Central Business District and in areas adjacent to shopping and business centres, major employment centres and arterial roads.

Council will support applications for residential development which are in accordance with the Density Designations established by Development Control Plan 1.

- (b) The zoning provisions complement the Strategic Plan and Development Control Plan 1 by establishing the Residential Zone in which residential development up to 400 persons per hectare, is a consent use and by establishing the Medium Density Residential zone in which residential development up to 400 persons per hectare is a permitted use and residential development between 400 persons per hectare and 800 per hectare is a consent use. In all cases the density controls established by Development Control Plan 1 shall be observed.
- (c) High density residential development in the Central Business District is encouraged in accordance with the provisions of Development Control Plan 1 and Development Control Plan 2.

### **3.1.5 Objective 3**

To promote a high standard of amenity in residential areas, particularly by enhancing the qualities of quietness, safety, visual attractiveness and privacy and to protect the amenity of residential areas from the intrusion of incompatible land uses.

### **3.1.6 Implementation**

- (a) When considering any development proposals in or near existing or proposed residential areas, the Council will take into account the potential affects on residential amenity of the following :-
  - i. whether noise, dust, smells, or any other emission could result, that would be likely to affect the quality and/or safety of nearby residential areas, existing and proposed, and the likely effectiveness of measures (including, but not limited to, buffering and restrictions on hours of operation), that are proposed to eliminate or reduce detrimental effects;
  - ii. whether the proposal (including a road proposal) would introduce or significantly increase traffic levels on any residential streets;
  - iii. whether proposed buildings, structures, and/or other visible aspects of the development would be compatible with the existing or prospective scale and character of nearby residential areas, and the effectiveness of the proposed design and landscaping of the development, and/or of an intervening buffer area, in reducing any adverse potential visual impact.
- (b) Essential non-residential uses within residential areas should be located together and designed to reduce their impact on the amenity of nearby residences. The development of Neighbourhood Centres and Major Suburban Centres provides an ideal opportunity for the grouping of essential non-residential uses.
- (c) The Table of Zones identifies those forms of development which are incompatible with the amenity of residential areas. These are shown as prohibited purposes within the various residential zones. Generally these forms of development are industrial or commercial in nature and are not required for the direct provision of local services within residential areas.
- (d) The intention within the residential zones is to develop land for residential purposes, while allowing other development providing direct local services to the surrounding residential area. Development for other than residential purposes, where this would provide local services for residents, may be supported. Such support will be dependent on the type of development proposed and the maintenance of an acceptable level of residential amenity.

- (e) New residential areas shall be located and designed to eliminate or minimise the movement of through traffic and industrial traffic along residential streets. The Hierarchy of Roads concept will be used as a guide in co-ordinating and assessing proposals for residential subdivision. Priority routing, the widening of carriageways, and in some cases other forms of traffic control (for example road closures, medians, turning restrictions) will be used to implement this concept, where necessary, in established residential areas.

When assessing development proposals consideration should be given to the separation of pedestrian movement systems and cycleways from vehicular traffic.

- (f) All proposals for residential development on sites which are :
- located between the 20 and 40 Australian Noise Exposure Forecast Contours;
  - located with frontage to or adjacent to arterial or sub-arterial roads;

shall comply with the requirements set out in Development Control Plans 1 and Development Control Plan 2 in relation to the alleviation of exposure to aircraft and/or traffic noise.

- (g) The concept of planned, integrated housing, involving the combination of housing construction with land subdivision will be encouraged by the Council. This approach enables dwellings to be designed and constructed in relation to each other, landscaping to be co-ordinated and overall improvements to privacy and visual attractiveness to be achieved.
- (h) In considering such proposals the Council will require a high standard of site development in order to promote a high standard of amenity in residential areas. This will be implemented by adherence to the performance standards for residential development as contained within the Planning Scheme Provisions and any further requirements which the Council may reasonably or relevantly impose having regard to the particular circumstances of each case.

### **3.1.7 Objective 4**

To ensure an adequate and efficient provision of necessary infrastructure within residential areas.

### **3.1.8 Implementation**

- (a) The Strategic Plan Map designates residential development in those areas capable of being provided with a full range of urban infrastructure, particularly reticulated water, sewerage, electricity, telecommunications services, a road network of an appropriate standard and other transport infrastructure.
- (b) The Council will not approve applications for rezoning or subdivision of land to provide for residential development, including hillside residential development, which are not capable of being serviced with appropriate standards of infrastructure, including transport infrastructure.

## **3.2 Tourist Facilities**

### **3.2.1 Objective 1**

To acknowledge and promote the function of Cairns as a domestic and international tourist destination.

### **3.2.2 Implementation**

- (a) The Strategic Plan provides for the consolidation of tourist services and facilities by designating areas adjacent to the Central Business District and adjacent to the waterfront specifically for tourist related uses.
- (b) The zoning of this area for Tourist Facilities further reinforces the intent of the Strategic Plan to concentrate tourist activities in this area.
- (c) The proximity of the Central Business District confirms the tourist function of Cairns as a retail, service and accommodation centre. This mix of tourist uses is supported in the relevant parts of the Planning Scheme.
- (d) The proximity of the waterfront confirms the importance of water based tourism to Cairns. Water based tourist services and facilities such as ferry wharves and cruise liner terminals are considered appropriate land uses under this designation.

### **3.2.3 Objective 2**

To provide for a diversity of tourist activities and services and facilities adjacent to the Central Business District and adjacent to the waterfront.

### **3.2.4 Implementation**

- (a) Complementary activities, services and facilities are proposed for those areas designated Tourist Facilities in the Central Business District. It is intended through the Planning Scheme Provisions to limit land uses in the area designated Tourist Facilities specifically to those primarily related to the provision of accommodation and facilities for tourists.
- (b) Through the implementation of the CBD Landscape Master Plan it is proposed to integrate the waterfront, the tourist precinct and the Central Business District.
- (c) Council will support a mix of higher order tourist services and facilities in the area designated Tourist Facilities. It is acknowledged however that tourist accommodation will also be provided in other areas of the City and the High Density Residential Area of North Cairns.
- (d) The unique location of the area designated Tourist Facilities in proximity to the Central Business District and the waterfront is recognised. The importance of integrating any development successfully between these two key features is highlighted. Development within this area will be required to contribute towards the integration of these two areas through architectural design, landscaping, the provision of pedestrian linkages and public areas and compliance with the specific provisions of the Planning Scheme.

- (e) A range of tourist services and facilities will be supported in the area designated Tourist Facilities. Preferred forms of development are all appropriate forms of tourist accommodation retail facilities, restaurants, entertainment and supporting commercial services.
- (f) Maintaining public access along the waterfront and encouraging pedestrian linkages through the Central Business District to the Tourist Precinct and the waterfront is considered important. Any proposed tourist developments in the area designated Tourist Facilities are required to provide and maintain public access. The CBD Landscape Master Plan establishes requirements to achieve this.

### **3.2.5 Objective 3**

To encourage a concentration of tourist services and facilities within and adjacent to the Central Business District.

### **3.2.6 Implementation**

- (a) The highest level of intensity of tourist development is considered appropriate within and adjacent to the Central Business District and will be encouraged.
- (b) Direct benefits are seen in consolidating tourist services and facilities in one particular area of the City. Support will be given to tourist projects which complement existing tourist developments in the area.
- (c) Council, while encouraging the provision of tourist services and facilities within and adjacent to the Central Business District, also acknowledges and supports lower order tourist accommodation along the major arterial roads of Mulgrave Road and Sheridan Street and in proximity to other service centres such as Earlville Shopping Centre, Westcourt Plaza and Festival Faire.
- (d) Council will support applications for tourist developments where it can be demonstrated that the site is easily accessible and no adverse impact on adjacent land uses will result from regular taxi and tourist coach movements to and from the site. This issue is of particular importance where a tourist development is proposed in close proximity to permanent residential accommodation.
- (e) Council will not support applications for tourist developments within residential areas where the proposed development has the potential to affect the amenity of the residential area; where the proposed development is not consistent with the existing or proposed character of the residential area; or where the proposed development is likely to generate unacceptable forms or volumes of traffic.

### **3.2.7 Objective 4**

To acknowledge Green Island as a unique tropical island tourist destination providing services and facilities of a high standard for both local residents and tourists.

### **3.2.8 Implementation**

- (a) The provisions of Development Control Plan 6 provide for the development of the lease areas on Green Island to achieve a balance between providing a high level of services and facilities for local residents and tourists while maintaining the environmental integrity of the island.

## **3.3 Shopping and Business**

### **3.3.1 Objective 1**

To establish a hierarchy of shopping and business centres in order to enhance the role of the City as the major City of Far North Queensland and to provide a range of opportunities for shopping and business.

### **3.3.2 Implementation**

- (a) The key to implementing this objective is to promote a broad hierarchy of retailing and business centres based on the development of :-
- the City Centre as the dominant retailing centre in Far North Queensland;
  - major sub-regional/district centres at highly accessible locations; and
  - local and neighbourhood facilities distributed to maximize convenience.

This hierarchical structure will provide a range of shopping centres and shopping opportunities. The centres providing the most frequently purchased goods should be located conveniently for the purchasers. The less frequently purchased goods should be centrally located in major centres to serve a greater number of people.

The commercial zones contained within the Planning Scheme Provisions also complement this hierarchical structure.

- (b) Rezoning applications not in accordance with the hierarchy of retail and business centres will not be approved by Council.

### **3.3.3 Objective 2**

To promote consolidation within each of the three levels of the hierarchy of shopping and business centres.

### **3.3.4 Implementation**

- (a) Council will favour development within all shopping and business centres which will consolidate and compact the centre rather than expand the centre in a linear fashion.
- (b) To assist in the consolidation of the shopping and business centres Council will not support applications for rezoning to the Business and Local Shopping zones where they are not in accordance with this Plan. Council will support the establishment of support facilities adjacent to the shopping and business centres through the use of the Commercial zone and the Special Facilities zone, where necessary.

### **3.3.5 Objective3**

To provide a high level of accessibility to shopping and business centres.

### **3.3.6 Implementation**

- (a) Council will require the provision of carparking in association with all developments within shopping and business centres.
- (b) Wherever possible, the pedestrian and cycleway system will be linked to the shopping and business centres to provide opportunities for alternate modes of travel to the centres.
- (c) Council will encourage the improvement and use of public transport facilities to the shopping and business centres, particularly the Central Business District and the sub-regional and/or district shopping and business centres.

### **3.3.7 Objective4**

To encourage the development of complementary facilities such as commercial, recreational, professional, medical or other community facilities and some limited entertainment facilities adjacent to shopping and business centres or neighbourhood shopping facilities.

### **3.3.8 Implementation**

- (a) With the development of new or expanding residential areas, any new neighbourhood centres should be provided with a range of community facilities within an integrated framework.
- (b) In established areas these facilities will be encouraged to locate adjacent to existing shopping and business centres or neighbourhood shopping facilities.
- (c) Council will encourage the establishment of a range of community facilities such as child care centres, welfare clinics, medical centres within or adjacent to all shopping and business centres.

## **3.4 Mixed Use**

### **3.4.1 Objective 1**

To identify areas which are suitable for a specific mix of business, commercial, service and in some cases, residential uses.

### **3.4.2 Implementation**

- (a) The Strategic Plan Map designates 18 areas within the City for mixed use development. Each designated mixed use area is identified with a mixed use area number. Specific preferred uses have been identified for each mixed use area. The preferred uses for each mixed use area are outlined as follows:

<u>AREA</u>	<u>PREFERRED USES</u>
Mixed Use Area 1	Offices Showrooms Commercial Services Motor Vehicle Sales Indoor Entertainment
Mixed Use Area 2	Shops Offices Medical Centres Restaurants Accommodation Units Tourist Accommodation Indoor Entertainment Fast Food Outlets
Mixed Use Area 3	Offices Medical Centres Restaurants Accommodation Units Tourist Accommodation
Mixed Use Area 4	Offices Medical Centres Restaurants Tavern Service Station Tourist Accommodation
Mixed Use Area 5	Offices Medical Centres Restaurants Accommodation Units Dual Occupancy Single Room Occupancy Child Care Centre Commercial Services Dwelling Dwelling with "office"
Mixed Use Area 6	Offices Medical Centres Restaurants Accommodation Units Tourist Accommodation Dual Occupancy Single Room Occupancy Commercial Services Showrooms Motor Vehicle Sales
Mixed Use Area 7	Shops Showrooms Offices Medical Centres Restaurants Accommodation Units Tourist Accommodation Indoor Entertainment Commercial Services Service Station

ARFA

PREFERRED USES

Mixed Use Area 8

Showrooms  
Indoor Entertainment  
Offices  
Medical Centres  
Tavern  
Restaurants  
Fast Food Outlets

Mixed Use Area 9

Offices  
Medical Centres  
Accommodation Units  
Commercial Services  
Child Care Centres  
Service Station

Mixed Use Area 10

Commercial Services  
Light Industry  
Showrooms  
Offices  
Medical Centres  
Indoor Entertainment  
Service Station  
Motor Vehicle Sales

Mixed Use Area 11

Offices  
Medical Centres  
Tavern  
Restaurants  
Tourist Accommodation  
Indoor/Outdoor  
Entertainment  
Commercial Services

Mixed Use Area 12

Medical Centres  
Tourist Accommodation  
Showrooms  
Restaurants  
Fast Food Outlets

Mixed Use Area 13

Offices  
Medical Centres  
Restaurants  
Service Station  
Nursery

Mixed Use Area 14

Offices  
Medical Centres  
Accommodation Units

Mixed Use Area 15

Offices  
Medical Centres  
Restaurants  
Indoor Entertainment  
Veterinary Surgery

Mixed Use Area 16

Offices  
Indoor Entertainment  
Showrooms  
Commercial Services  
Shops

<u>AREA</u>	<u>PREFERRED USES</u>
Mixed Use Area 17	Offices Medical Centres Restaurants Take Away Food Nursery. Indoor Entertainment Commercial Services Outdoor Entertainment
Mixed Use Area 18	Offices Medical Centres Showrooms Accommodation Units

### **3.4.3 Objective 2**

To identify specific land uses which are preferred for each area designated as a mixed use area on the basis of the location of the area and the surrounding land use patterns.

### **3.4.4 Implementation**

- (a) The range of preferred uses specified in each mixed use area designation reflects the location of the mixed use area and surrounding land use activities. It is the intent of Council that the range of preferred uses identified in each area be limited and controlled.
- (b) Mixed use areas are predominantly located on major arterial roads and sub-arterial roads which have already suffered from a loss of amenity. In order to protect the existing amenity and not contribute to a further erosion of amenity all mixed use developments will be required to satisfy specific development provisions established in the Planning Scheme Provisions.
- (c) Any proposed development in a mixed use area for a use not specified in the list of preferred uses but is similar to those identified will be considered at Council's discretion.
- (d) Any proposed development in a mixed use area for a use not specified in the list of preferred uses or similar to those uses will not be supported by Council.

### **3.4.5 Objective 3**

To promote the orderly redevelopment of a mixed use area to achieve a high standard of development within these areas.

### **3.4.6 Implementation**

- (a) Due to the existing mix of unrelated land uses currently existing in most mixed use areas, Council requires the total redevelopment of any site proposed for a preferred mixed use. In addition, all relevant provisions of the Planning Scheme are required to be satisfied to ensure a high standard of development.

- (b) Council will not support the conversion of an existing building to a preferred use in a mixed use area unless the architectural merit of the building warrants its retention.
- (c) Any building considered suitable for conversion shall be required by Council to be upgraded to a high standard to reflect its intended use and to fully comply with all relevant provisions of the Planning Scheme.
- (d) In addition to full compliance with **all** relevant Council requirements the applicant of a redevelopment site in a mixed use area with frontage to a State-controlled Road is required to liaise with the Department of Main Roads in relation to transport issues; for example, traffic circulation, access requirements, noise and visual amelioration, public transport, provision for pedestrian and cyclists, etc.

### **3.5 Industry**

#### **3.5.1 Objective 1**

To provide suitably located areas for a range of industrial purposes and to distribute employment opportunities and services industries as widely as possible throughout the City.

#### **3.5.2 Implementation**

- (a) The Strategic Plan Map indicates the existing major industrial areas and several areas considered to be suitable for industrial use in the form of commercial services and light industries.
- (b) An area identified as being of regional significance for business and industry development is delineated on the Strategic Plan Map. Council will not approve rezoning, development or subdivision applications that would compromise its long-term development potential for such purposes.
- (c) Development Control Plan 5 Cairns Port and Major Industrial Area provides details of the preferred distribution of industrial uses within the major industrial area of Portsmith.
- (d) The Council will favourably consider applications for industrial development within the industrial areas indicated on the Strategic Plan map. Council will not support applications from industrial development outside these areas, with the exception of commercial services within specific Mixed Use Areas and within commercial areas in accordance with the provisions of the Table of Zones.
- (e) No provision has been made for a Hazardous, Noxious or Offensive Industry Zone. Applications for this type of industry will necessitate a rezoning to the Special Facilities zone. In considering applications for hazardous, noxious or offensive industries, Council will take account of the detailed requirements of Development Control Plan 5 and of the likely effects on the amenity of the surrounding area and of environmental impacts.
- (f) The Council will encourage, where appropriate, the use of Group Title and Building Unit Title Subdivisions to assist industrial uses requiring small premises provided relevant performance criteria have been satisfied.

#### **3.5.3 Objective 2**

To ensure that industrial uses are adequately buffered from incompatible uses.

### 3.5.4 Implementation

- (a) In most instances, the industrial areas indicated on the Strategic Plan are separated from residential and other incompatible land uses by other more compatible uses and by roads.

Development Control Plan 5 sets out specific requirements to achieve separation of incompatible land uses in the Portsmouth area or, where this is not possible, specific requirements for buffering of industrial uses.

- (b) When considering applications for industrial development, the Council shall have regard to the effects of such development on surrounding areas and *the* need for buffering and landscaping in order to :-
- i. reduce the visual impact of industrial buildings and activities;
  - ii. screen outdoor industrial activities, including the storage of materials;
  - iii. enhance the streetscape of industrial areas, particularly those with a frontage to major roads;
  - iv. reduce the impact of possible pollutants and noise emitted from the development.
- (c) Requirements for landscaping and screening of industrial uses are included within the performance standards for industrial development which are included in the Planning Scheme Provisions.

### 3.5.5 Objective 3

To ensure that the adverse effects of industrial wastes are minimised.

### 3.5.6 Implementation

- (a) The Council, by requiring pollution aspects to be addressed when Environmental Impact Statements are undertaken and by monitoring the type and quantity of waste and by encouraging pre-treatment of trade wastes, will assist State Government agencies to minimise pollution.
- (b) The Planning Scheme Provisions require that industrial areas are adequately serviced with sealed roads and parking areas, water supply, sewerage, refuse disposal and an electricity supply. Sealed roads and parking areas minimise dust problems and resultant air pollution, whilst provision of a water supply and sewerage service enables satisfactory washdown or dilution facilities to be installed prior to on-site pre-treatment of wastes and disposal to the sewerage system where final treatment is to be carried out.

The efficient storage, removal, conveyance and disposal of refuse will remove wastes thereby reducing contamination risk. The supply of electricity will improve efficiency and reduce air pollution from industrial operations by providing a 'clean' fuel supply.

- (c) Hazardous, Noxious or Offensive Industries are a prohibited use in all zones, except for the Special Facilities zone. Any alterations or additions to existing Hazardous, Noxious or Offensive industries will require the Council's Consent in accordance with the provisions for Existing Lawful Non-Conforming Uses.

### **3.6 Special Use**

#### **3.6.1 Objective 1**

To identify areas to allow for the exclusive use of land for particular government purposes and to preserve the integrity and operating efficiency of the particular purposes.

#### **3.6.2 Implementation**

- (a) The Strategic Plan Map designates major areas required for the use of Federal, State and Local Government and other authorities and agencies. These areas include :-
- Cairns International Airport
  - Portsmith Railway Yards and Workshops
  - HMAS Cairns
  - Portsmith Refuse Tip
  - Cairns Base and Calvary Hospitals
  - Cemeteries
  - Council and Statutory Authority Works Depots
  - Educational Establishments
- (b) These areas will generally be protected from inappropriate development by including them in the Special Purposes zone in the Planning Scheme.
- (c) In considering applications for development in the vicinity of the Special Purpose areas, the Council will consider the proximity of the particular purpose and the compatibility or otherwise of the proposed development in the locality concerned.
- (d) Existing residential zoned land situated between Rutherford Street and Moffatt Street, North Cairns which is affected by the Cairns International Airport flight path is designated Industry and is intended to be developed for commercial services and light industrial use. New residential development in this area will not be supported.
- (e) Building heights are controlled by Development Control Plan 2 Height and Impact of Buildings. The Obstacle Limitation Surfaces established for the Cairns International Airport have been taken into account and the height limits specified by the Development Control Plan are below the Obstacle Limitation Surfaces. Any proposals to vary the height limits, particularly in the Central Business District and in North Cairns, the areas directly affected by flight paths, will not be approved.
- (f) Proposals for residential development on sites which are located between the 20 and 40 Australian Noise Exposure Forecast Contours shall satisfy the requirements set out in Development Control Plan 1 Residential Densities and Development Control Plan 2 Height and Impact of Buildings in relation to alleviating exposure to aircraft noise.

#### **3.6.3 Objective 2**

To ensure that adequate provision is made to satisfy demand for future educational establishments.

#### **3.6.4 Implementation**

- (a) The Special Use designation includes existing and proposed government and private schools. Additional sites for future educational facilities will be considered if demand establishes a need for additional sites.

- (b) Land committed for educational facilities will generally be protected from inappropriate development by inclusion in the Special Purposes zone in the Planning Scheme.

### **3.7 Open Space**

#### **3.7.1 Objective 1**

To provide for a comprehensive open space and recreation system to serve the anticipated needs of residents and visitors to the City which includes provision for both active and passive recreation, an integrated open space system throughout the City and the conservation of significant or remnant areas of vegetation and wetlands.

#### **3.7.2 Implementation**

- (a) The Strategic Plan indicates major areas of open space, both existing and proposed. These areas are to be developed as an integrated open space network with paths and cycleways providing links throughout the City.
- (b) Development Control Plan 3 Cairns Central Swamp sets out the future uses for the lands known as Cairns Central Swamp. The areas which are to be retained in their natural state are zoned Conservation to assist in achieving their protection.

The Council will pursue the declaration of appropriate reserves over these **areas** as proposed in the Development Control Plan to further assist in achieving their protection.

- (c) Development Control Plan 4 Hillside sets out details of the preferred future use of significant areas of hillside land. The areas which are in public ownership are zoned Conservation to assist in achieving their protection.

Wherever possible Council will require areas in private ownership to be transferred to public ownership in association with the future development of unconstrained areas within the same parcel/s of land.

Where this is not possible, development options will be limited through the Planning Scheme Provisions.

- (d) Significant areas of vegetation will be protected through the provisions of Council's Local law relating to tree protection.

### **3.8 Conservation**

#### **3.8.1 Objective 1**

To retain and protect in their natural state areas of significant vegetation, which contribute significantly to the image of Cairns as a tropical City.

#### **3.8.2 Implementation**

- (a) Areas of significant vegetation in public ownership will be retained by Council in their natural state and rehabilitated where necessary. No development which will detract from the existing amenity of the natural environment will be permitted.

- (b) Council will require areas of significant vegetation in private ownership to be transferred to public ownership as development occurs, however if this is not possible Council will limit development on privately owned land with significant vegetation in order to minimise any detrimental impacts of any proposed development.
- (c) Council identifies the value of areas of significant vegetation both as part of a larger open space system and also as unique remnants of the original vegetation of Cairns. Given the twofold importance of these areas Council has introduced provisions in Development Control Plan 3, Development Control Plan 4 and Development Control Plan 5 particularly, to protect these areas and to conserve their environmental integrity.

### **3.8.3 Objective 2**

To rehabilitate, where necessary, and utilise where appropriate, areas of significant vegetation which are valuable examples of the original natural environment of the City.

### **3.8.4 Implementation**

- (a) Council has introduced through Development Control Plan 3 and the Table of Zones in the Planning Scheme Provisions various mechanisms to ensure the protection and rehabilitation of areas of valuable environmental significance.
- (b) While Council supports maintaining and rehabilitating areas of valuable environmental significance, Council is also prepared to encourage passive, and in some instances more active, recreational use of these environmental areas, given their recreational value to residents of and visitors to the City.
- (c) Providing for linkages between conservation areas and open space areas is supported by Council to provide corridors for the movement of wildlife; to provide buffers between areas of urban development; and to provide areas for recreational use, where appropriate.

### **3.8.5 Objective 3**

To reinforce Council's commitment to the environment by designating significant wetland areas for conservation.

### **3.8.6 Implementation**

- (a) Significant wetland areas in proximity to the Cairns International Airport and Smiths Creek have been designated for conservation.
- (b) To further reinforce this designation these and other areas have been zoned Conservation.
- (c) Council will be prepared to support the rezoning and subsequent development of such areas at such time as it is demonstrated that :
  - a clear community need exists;
  - no reasonable alternatives are available;
  - the proposal is compatible with the overriding principle of management for Trinity Inlet;
  - there is evidence of broadly-based community support.
- (d) The drains/creeks.

### **3.9 Transport**

#### **3.9.1 Objective 1**

To provide an efficient road network which will serve local and regional needs and which will enable the safe and convenient movement of people and goods.

#### **3.9.2 Implementation**

- (a) The Strategic Plan Map indicates the road hierarchy for the City consisting of Arterial, Sub-Arterial, Distributor/Collector and Access roads.
- (b) The implementation of the road hierarchy will be carried out by Council, in the case of roads under the Council's control, and by the Department of Main Roads in consultation with Council, in the case of roads under the Department's control.

Council will implement the road hierarchy as funds become available by priority routing, signage, road widenings, installation of traffic signals and other traffic control devices, improvements to intersections and the introduction of Local Area Traffic Management Schemes.

- (c) In considering applications for rezoning, subdivision, consent or the development of land, Council will endeavour to ensure that :-
  - i. road capacities are not exceeded as a result of new development;
  - ii. major traffic generators are located on appropriately designed roads;
  - iii. through traffic is discouraged from using access roads with residential areas;
  - iv. industrial traffic is discouraged from travelling through residential areas;
  - v. pedestrian - vehicle conflicts are minimised.
- (d) Council may as a condition of approval of an application for rezoning, subdivision, consent or the development of land require road works to be constructed and/or a contribution to be paid towards the upgrading of the road network to ensure that the traffic generated by the development may be safely accommodated by the road network.
- (e) Council, in consultation with the Department of Main Roads, where appropriate, will safeguard the capacity of arterial roads by requiring direct frontage access to be limited, wherever possible, to specific intersections and other access points.
- (f) Council acknowledges the findings and recommendations of the Cairns-Mulgrave Regional Transport Study. Council will, subject to the requirements of the Trinity Inlet Management Plan, assist the Department of Main Roads to preserve and obtain, wherever possible, future road widenings or new routes for major roads.

#### **3.9.3 Objective 2**

To encourage the use of methods of transport other than the private motor vehicle.

### 3.9.4 Implementation

- (a) The Strategic Plan provides for the establishment of a number of sub-regional/district shopping and business centres and a number of Neighbourhood Shopping Centres so as to ensure a high level of accessibility to these facilities including accessibility by foot and by bicycle.
- (b) Development Control Plan 1 Residential Densities encourages higher density residential development within the Central Business District and in areas surrounding commercial nodes and transportation corridors in order to : facilitate residential development adjacent to centres of employment; facilitate access to shopping and business centres; facilitate the efficient provision of public transport.
- (c) Council will encourage the Departments of Transport and Main Roads to expand and improve public transport facilities, particularly bus services and to facilitate safer use of public roads by cyclists through road widening and other traffic control devices.
- (d) The Strategic Plan provides for the development of a major pedestrian and cycleway network linking various areas of the inner City, primarily via the open space system. Whenever possible, the network will be linked to shopping and business centres, schools and other activity nodes. The provision and development of a cycleway network shall be in accordance with Council's adopted Bikeway Strategy.

The Council will construct pathways throughout the open space system and will provide other linkages as funds become available.

The Council may require as a condition of approval of applications for rezoning, subdivision, consent or the development of land that an applicant construct an appropriate section of the pathway network.

Subdivision proposals, in particular, shall *take* into account the need to provide pedestrian and cycle paths and safe access to these paths in order to provide access for pedestrians and cyclists to major activity nodes.

- (e) Council will require the land containing cane tram lines to be transferred to public ownership at the time of subdivision or to other development to safeguard the potential for the use of the corridor for public transport or off-road movement.
- (f) Council will require the Spence Street rail corridor to be preserved to enable the corridor to be used for future public transport access to the Central Business District and, if possible, as part of the cycleway network.
- (g) Council in consultation with the Departments of Transport and Main Roads, where appropriate, will incorporate road widenings, intersection improvements, and other traffic control devices to facilitate methods of transport (including buses) other than private motor vehicles in implementing the road hierarchy.

### 3.9.5 Objective 3

To ensure the provision of adequate parking facilities.

### 3.9.6 Implementation

- (a) Council will require the provision of on-site carparking in all developments in accordance with the carparking standards contained in the Planning Scheme Provisions.
- (b) Council will encourage and may require the co-joint location of parking areas on adjacent developments and the provision of access between such parking areas, particularly on sites with frontage to **arterial** and sub-arterial roads, to ensure efficient use of parking areas and efficient movement of vehicles between parking areas.
- (c) Council may accept a contribution in lieu of the provision of carparking in association with developments in the Central Business District in order to achieve sufficient parking to satisfy the overall demand and in order to achieve a high level of accessibility to parking facilities. Monetary contributions shall only be used to provide parking facilities within the Central Business District within **an** appropriate time-frame.

### 3.9.7 Objective 4

To provide for the longer term (future) development of the Cairns International Airport.

### 3.9.8 Implementation

- (a) The Strategic Plan map and the zoning map designate the existing area of airport operations of the Cairns International Airport as Special Use and Special Purposes respectively. The balance of the airport land under the control of the Cairns Port Authority has been designated Conservation in recognition of existing wetland areas. It is planned that future airport operations will need to extend into part of this area.
- (b) Council recognises the economic importance of the Cairns International Airport to the City and the region and will seek to ensure its future operational viability is maintained.
- (c) Council will support the expansion of airport operations into parts of this area and support any necessary rezoning on the basis that the principles set out in the Trinity Inlet Management Plan, as amended from time to time, are observed; such principles currently are that:
  - a clear community need exists;
  - no reasonable alternatives are available;
  - the proposal is compatible with the overriding principles of management for Trinity Inlet; and
  - there is evidence of broadly-based community support.
- (d) Development Control Plan 2 - "Height and Impact of Buildings" recognises the importance of the airport by imposing height limits to ensure that the obstacle limitation surface of the airport is protected.
- (e) Development Control Plan 1 - "Residential Densities" and Development Control Plan 2 - "Height and Impact of Buildings" also require noise attenuation measures for development in close proximity to the airport.

## **4. SPECIAL PROVISIONS OF THE PLAN**

### **4.1 Future Industrial Areas**

The Strategic Plan Map designates several existing residential areas as suitable for Industrial development. These areas are located in North Cairns and Aeroglen. The area in North Cairns is bounded by Rutherford Street, Lake Street, Moffatt Street, Sheridan Street, O'Keefe Street and Seymour Street. The area in Aeroglen is bounded by Johnston Street, Arnold Street and Magazine Street.

It is the intent of Council that these areas be redeveloped over time for light industrial purposes.

Specific redevelopment criteria have been established in the Planning Scheme Provisions to control industrial development in these areas. These siting and design criteria have been introduced to protect the amenity of adjoining property owners during the transition from residential to industrial uses.

Council will not support **an** application for rezoning in either of these *two* designated areas which does not comply with the specific redevelopment criteria established in the Planning Scheme Provisions.

The site population density of any residential development which may occur on a site in these areas by virtue of the current zoning of the land shall not exceed the site population density for the site which was indicated on Development Control Plan 1 immediately prior to the appointed day.

### **4.2 Mixed Use Area No 5**

Mixed Use Area No 5 includes land which is likely to be exposed to unacceptable levels of risk for residential use by virtue of the location of the gas storage facility in Bunda Street. The preferred uses in this mixed use area include a range of residential uses.

Council will not support an application for residential development in this area unless it can be demonstrated that the site is not exposed to an unacceptable level of risk or unless the gas storage facility is removed **from** the Bunda Street site so that it has no effect on the mixed use area.

### **4.3 Mixed Use Area No 10**

Mixed Use Area No 10 includes an existing residential area. The preferred uses in this mixed use area include commercial services and light industry.

Specific redevelopment criteria have been established in the Planning Scheme Provisions to control industrial development in this area. These siting and design criteria have been introduced to protect the amenity of adjoining property owners during the transition from residential to industrial uses.

Council will not support **an** application for rezoning in this mixed use area which does not comply with the specific redevelopment criteria established in the Planning Scheme Provisions.

The site population density of any residential development which may occur on a site in these areas by virtue of the current zoning of the land shall not exceed the site population density for the site which was indicated on Development Control Plan 1 immediately prior to the appointed day.

