

(00006)

DEVELOPMENT CONTROL PLAN 3

RESIDENTIAL DENSITIES

This Development Control Plan applies to the area shown on the Development Control Plan map marked Development Control Plan 1 Residential Densities and to any other areas included by way of amendment. This Plan should be read in conjunction with the Planning Scheme for the part of the City of Cairns and is supplementary to that Scheme.

Nothing in this Development Control Plan should be construed to confer any rights to use land for any purpose. Such rights remain vested in the provisions of the Zoning Maps and the Planning Scheme Provisions of the Planning Scheme for the part of the City of Cairns.

The Development Control Plan includes the map described as Development Control Plan 1 Residential Densities and is divided into the following :

1. Introduction
2. Definitions
3. Aim
4. Objectives and Implementation Criteria
5. Special Provisions

PLANNING STUDY

The Planning Study provides supporting information which is contained in that document marked Development Control Plan 1 - Planning Study, copies of the Study signed for identification by the Clerk of the Executive Council are held at the office of the Director 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.

December 1996

DEVELOPMENT CONTROL PLAN 1

RESIDENTIAL DENSITIES

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1. INTRODUCTION

The first Development Control Plan 1 Residential Densities was gazetted in 1983. The broad aim of that Plan was to identify areas within the City where residential development to a certain density could take place. The planning provisions embodied in that Plan were effective in achieving that broad aim.

In reviewing the Development Control Plan, cognisance has been taken of the broad aim and contemporary objectives and implementation criteria have been introduced. These objectives and implementation criteria are relevant to the changing trends and development patterns influencing residential development within the City.

The original Plan approach - to increase the population densities around commercial growth nodes and corridors - is to be maintained and a number of areas within the City will be redesignated to a higher density designation to provide an opportunity to consolidate residential development in strategic locations.

This Development Control Plan and the Development Control Plan map reflect Council's intentions with regard to the designation of residential densities which are considered appropriate and suitable for those areas of the [former] City where residential development may occur. In association with Development Control Plan 2 Height and Impact of Buildings and other relevant planning provisions, this Development Control Plan is intended to direct the form and density of residential development throughout part of the City of Cairns.

2. DEFINITIONS

Accommodation Units (high density)

Any premises used or intended for use as apartments, flats, home units, town houses or villa houses and having a site population density exceeding 400 persons per hectare but not exceeding 800 persons per hectare.

Accommodation Units (medium density)

Any premises used or intended for use as apartments, flats, home units, town houses or villa houses and having a site population density not exceeding 400 persons per hectare.

Boarding House

Any premises used or intended for use to provide board and lodging to unrelated persons.

Caravan Park

Any premises used or intended for use for the parking of caravans and camper vehicles and/or the pitching of tents for the purpose of providing accommodation for travellers, tourists or the general public. The term includes the erection and use within the caravan park of a kiosk and/or amenity buildings for the exclusive use of occupants of the caravan park. The term also includes the erection of cabins providing overnight or short term holiday accommodation within the caravan park. The maximum number of such cabins in any particular caravan park shall be determined by Council. The term does not include a mobile home park as herein defined.

Community Facilities

Community Facilities are facilities which Council in its absolute discretion determines : will enhance the social structure of the City; have broad applicability to the various socio-economic groups in the region; and will be of lasting benefit to the wider community.

Detached Dwelling

Any premises used or intended for use as self contained accommodation for the exclusive use of one family on a single allotment of land and including any ancillary outbuildings.

Dual Occupancy

Any premises which comprises or is intended to comprise two detached dwellings and any ancillary outbuildings on a single allotment of land or an allotment which would have remained as a single allotment had it not been subdivided as part of the development.

Green Street Development

A residential development designed and constructed in accordance with the principles of the Australian Model Code for Residential Development, (AMCORD).

Holiday Apartments (high density)

Any premises used or intended for use as self contained accommodation for travellers or tourists on a short term basis and having a site population density exceeding 400 persons per hectare but not exceeding 800 persons per hectare. The term includes a manager's unit and office. The term does not include accommodation units, a boarding house, a hostel, a hotel, or a motel as herein defined.

Holiday Apartments (medium density)

Any premises used or intended for use as self contained accommodation for travellers or tourists on a short term basis and having a site population density not exceeding 400 persons per hectare. The term includes a manager's unit and office. The term does not include accommodation units, a boarding house, a hostel, a hotel or a motel as herein defined.

Hostel

Any premises used or intended for use to provide shared accommodation to unrelated tourists or travellers in association with the use of communal kitchen, bathroom and laundry facilities. The premises may incorporate a limited number of individual bedrooms with or without ensuite bathrooms, provided that the maximum number of persons capable of being accommodated in the individual bedrooms shall not exceed 25% of the maximum number of persons capable of being accommodated in the hostel.

Hotel

Any premises the subject of a single general license issued under the Liquor Act. The term includes a mini-brewery and a TAB agency where these uses are ancillary to the hotel.

Mobile Home Park

Any premises used or intended for use for the parking or location thereon of two or more mobile homes for the purpose of providing residential accommodation. The term includes ancillary amenities buildings, a kiosk and recreational facilities for the exclusive use of occupants of the mobile home park. The term does not include a caravan park as herein defined.'

Motel

Any premises used or intended for use for the temporary accommodation of travellers, where such accommodation is provided in serviced guest rooms or suites each containing its own bathroom. The term includes a manager's unit and office, dining room and facilities for the provision of meals to such travellers.

Relatives' Accommodation

A self contained unit which is located within or attached to a detached dwelling; is occupied or intended to be occupied by an aged, infirm or dependent relative of the resident of the detached dwelling; and which:-

- has a gross floor area not exceeding 50m²;
- does not contain more than one bedroom; and
- has direct access to the detached dwelling.

Residential Development

Any development which provides residential accommodation of any form. The term includes a detached dwelling.

Retirement Village

Any premises used or intended for use as permanent residential accommodation for persons aged **fifty** years or over and which consists of a grouping of self-contained dwelling units and/or serviced units and/or nursing home accommodation together with ancillary facilities provided for use by residents or staff of the community and which may include staff accommodation, chapels, medical consulting rooms, meeting rooms, recreational facilities, therapy rooms, and kiosk facilities.

Site Population Density

Site population density means the number of persons residing on a site calculated from the ratios set out below. The site population density shall be expressed in terms of persons per hectare.

Detached Dwelling - 3 persons per detached dwelling.

1 Bedroom Accommodation Unit or Holiday Apartment - 1.5 persons per unit or apartment.

2 Bedroom Accommodation Unit or Holiday Apartment - 3 persons per unit or apartment.

3 Bedroom Accommodation Unit or Holiday Apartment - 3.5 persons per unit or apartment.

Accommodation Units or Holiday Apartments with more than 3 bedrooms - 3.5 persons per unit or apartment plus 0.5 persons for each additional bedroom in excess of 3 bedrooms.

Single Room in a Hotel or Motel - 1.75 persons per room.

Suite in a Hotel or Motel comprising rooms not capable of separate letting - 1.75 persons per main bedroom plus 0.5 persons for each additional habitable room.

Hostel - 1 person per bed for each bed in a dormitory or in a communal room; 1.5 persons per separate bedroom.

Special Residential Use - 1 person per bed for each bed in a dormitory, a communal room or a bedroom.

Boarding House, Serviced Rooms and the like - 1.25 persons per bedroom.

Single Room Occupancy - 1 person per occupancy unit.

Caravan Park - 2.5 persons per caravan, cabin or camping site.

Mobile Home Park - 2.5 persons per mobile home.

Single Room Occupancy

Any premises used or intended for use to provide serviced rooms for the individual long term use of one person or a couple, where each room incorporates kitchen, bedroom and living facilities. Communal bathroom facilities and additional communal kitchen facilities, living areas and recreation areas shall be provided within the development for the use of residents. The term does not include a boarding house or hostel as herein defined.

Social Services

Social Services are services which Council in its absolute discretion determines : will improve the social infrastructure of the City; have broad applicability to the various socio-economic groups in the region; and will be of lasting benefit to the wider community.

Special Residential Use

Any premises used or intended for use for residential purposes by a group of unrelated persons associated with a religious order or for social or community purposes intended to ensure the health and well-being of the occupants. The term includes a convent, a monastery, a respite care home, supervised short-term crisis accommodation and the like. The term does not include accommodation units, a boarding house or a hostel as herein defined.

3. AIM

The aim of this Development Control Plan is to direct the form and density of residential development in parts of the City which are suitable for residential development so that urban efficiency, environmental quality and housing needs can be appropriately met.

Consequently, the Development Control Plan is intended to provide direction to : the urban structure of the City; the planning of infrastructure; and the determination of land use applications.

Elements central to the aim are :

- confidence - in the future form and direction of residential development.
- amenity - the desire to maintain or enhance the quality of urban residential living.
- efficiency - to ensure that the broadest possible range of housing needs can be met in suitable locations to which appropriate urban services are available or can be provided at reasonable cost.

The aim is given effect principally through a set of objectives supported by implementation criteria and through the information shown on the Development Control Plan map.

4. OBJECTIVES AND IMPLEMENTATION CRITERIA

Five objectives are established to give effect to the aim of the Development Control Plan.

4.1 Objective 1

To direct the orderly development of the Residential zones and other zones in which residential development may occur in order to :

- promote a range of residential densities to accommodate the various forms of residential development sought by residents of and visitors to the City;
- promote the consolidation of the existing urban structure to improve urban efficiency;

ensure that the location of residential development has regard to environmental constraints; the capacity of infrastructure such as roads, water supply, sewerage and drainage requirements; and the availability of community facilities and social services.

4.1.1 Implementation Criteria

- (a) For the purposes of this Development Control Plan six Density Designations are established and are indicated on the Development Control Plan map. The Density Designations are :-

Residential A1	-	maximum site population density of 6 persons per hectare.
Residential A	-	maximum site population density of 60 persons per hectare
Residential B	-	maximum site population density of 100 persons per hectare
Residential C	-	maximum site population density of 200 persons per hectare
Residential D	-	maximum site population density of 400 persons per hectare
Residential E	-	maximum site population density of 800 persons per hectare

- (b) The site population density of a residential development on a site shall not exceed the maximum site population density for that site as indicated on the Development Control Plan map.
- (c) The only forms of residential development which the Council will permit on sites with the Density Designations of Residential A1 and Residential A are :

- o a detached dwelling
- o relatives' accommodation
- o bed and breakfast accommodation
- o special residential use

In determining whether to permit the establishment of a special residential use on a site with a Density Designation of Residential A1 or Residential A, Council will have regard to the following matters, amongst other things :

- (i) the nature of the special residential use which shall be such that the use is capable of existing in harmony with the normal activities associated with the use of a detached dwelling and such that the use is indiscernible from the use of a detached dwelling;
 - (ii) the likely impacts upon adjoining or adjacent uses arising from the built form and development intensity of the special residential use;
 - (iii) the suitability of the site in terms of:
 - o satisfying the requirement for a minimum site area for a special residential use;
 - o topography, shape and utility;
 - (iv) the capacity of existing services (water, sewerage, drainage, road network) to accept the development together with the potential for augmentation;
 - (v) the effects the development may have upon existing residential amenity (eg. streetscape, compatible built form, privacy, breezes, views and the like);
 - (vi) the nature and volume of traffic likely to be generated by the development and the effects the nature and volume of traffic may have upon existing residential amenity;
 - (vii) whether a need exists for the development in the location having regard for the suitability of the site and the availability of suitable land elsewhere.
- (d) Council will favourably consider applications for residential development in the form of:
- o applications for the subdivision of land;
 - o applications for town planning consent;
 - o applications for amendment of the Planning Scheme (rezoning of land);
 - o combined applications;

which are in accordance with the Density Designations indicated on the Development Control Plan map and which satisfy the other provisions of this Development Control Plan and the relevant provisions of the other components of the Planning Scheme.

While this Development Control Plan establishes six Density Designations and specifies a maximum site population density for each Density Designation, the maximum site population may not be achieved as any proposed residential development must satisfy other provisions of the Planning Scheme which relate to issues such as :

- o site coverage
- o plotratio
- o setbacks
- o height of buildings
- o provision of landscaping
- o provision of carparking

4.2 Objective 2

To ensure that an appropriate separation of residential densities is maintained so as to achieve direct benefits to residents in terms of:

- . standards of development;
- . residential amenity;
- . community confidence and well-being.

4.2.1 Implementation Criteria

- (a) To achieve residential development to the site population density specified for each of the six Density Designations, the minimum site area shall be :-

6 persons per hectare (Residential A1) - - 5000 square metres

60 persons per hectare (Residential A) - - 600 square metres

100 persons per hectare (Residential B) - - 800 square metres

200 persons per hectare (Residential C) - - 800 square metres

400 persons per hectare (Residential D) - - 1,000 square metres

800 persons per hectare (Residential E) - - 1,500 square metres

- (b) Notwithstanding the minimum allotment area specified in (a) for residential development within the Residential A1 designation :

- i. **A** detached dwelling may be erected on an allotment with an area less than 5000m² where :

- the allotment is a vacant allotment in an existing subdivision;
 - the erection of the detached dwelling is to replace a dwelling which is demolished or is destroyed by fire, natural disaster or force majeure.
- ii. Relatives' accommodation may be included within a detached dwelling on an allotment with an area less than 5000m².
- iii. The Council may permit the establishment of bed and breakfast accommodation within a detached dwelling on an allotment with an area less than 5000m².
- (c) Notwithstanding the minimum allotment area specified in (a) for residential development within the Residential A, B, C, D and E Density Designations :
- i. A detached dwelling may be erected on an allotment with an area less than 600m² where :
- the allotment is a vacant allotment in ~~an~~ existing subdivision;
 - the erection of the detached dwelling is to replace a dwelling which is demolished or is destroyed by fire, natural disaster or force majeure.
- ii. Relatives' accommodation may be included within a detached dwelling on an allotment with an area less than 600m².
- iii. The Council may permit the establishment of bed and breakfast accommodation within a detached dwelling on an allotment with an area less than 600m².
- iv. The Council may permit the erection of a detached dwelling on an allotment with an area less than 600m²:
- to facilitate a Green Street development
 - to facilitate dual occupancy development
- (d) The minimum site areas set out in (a) above are required to achieve residential development at the respective site population densities. The Planning Scheme Provisions specify minimum site areas for particular forms of residential development. To determine whether a particular form of residential development can potentially be established on a particular site suitable for residential development cognisance should be taken of the requirements as outlined in this Development Control Plan in association with all other relevant provisions established in the Planning Scheme Provisions and other relevant Development Control Plans.

- (e) Council recognises that incongruities between building types, and densities may occur within a single Density Designation as development/redevelopment occur. To minimise the extent or severity of adverse impacts arising from such circumstances, Council may require special design features within a development. In considering development proposals in such circumstances, Council shall have regard to the following matters :-
- the suitability of the site in terms of its topography, size, shape and utility;
 - the nature of adjoining uses, particularly with respect to the long term use or continuance of use;
 - the maintenance of privacy from overlooking or visual access from the proposed development to internal and external spaces within the adjoining use;
 - the maintenance of noise levels to standards acceptable in the context of the existing land uses, by the careful siting and design of noise sources within a residential development and by the design of the development to take account of external noise sources such as vehicular traffic and aircraft,
 - the avoidance of intrusion from night lighting by using directional or other special lighting treatments, careful siting of lighting standards, and restricting lighting to levels generally suitable in the context of the setting;
 - the existing traffic environment and the capacity to accept increased or different flows, the effects upon adjoining uses of carparking, access points and service vehicle activity; and
 - any other matter relevant to the situation and use of the surrounding land, and the nature of the proposed development.

4.3 Objective 3

To establish a residential density gradient with densities reducing with distance from key activity areas so that :

- . optimal levels of convenience to services and facilities may be attained;
- . opportunities for urban consolidation may be achieved;
- . the costs of provision and maintenance of infrastructure may be more efficiently apportioned;
- . environmental constraints are acknowledged.

4.3.1 Implementation Criteria

- (a) The Development Control Plan promotes higher residential densities in the vicinity of activity centres such as the Central Business District, sub-regional shopping centres, district shopping centres, arterial roads and major employment centres. Council will encourage residential development up to the Density Designation indicated on the Development Control Plan map provided the other provisions of the Development Control Plan and the relevant provisions of the other components of the Planning Scheme are satisfied.
- (b) Council will not approve applications for residential development which propose a site population density higher than that indicated on the Development Control Plan map for a particular site.

4.4 Objective 4

To provide opportunities for the development of a broad range of housing and tourist accommodation so as to satisfy the housing needs of the residents of the City and the accommodation needs of visitors to the City.

4.4.1 Implementation Criteria

- (a) A wide range of housing types is supported by this Development Control Plan and there is the potential for housing trends to continue to evolve. In order to provide adequate guidance in the event of further change to housing types, the definitions relied upon are intentionally broad. The Council will maintain a flexible approach to the assessment of such proposals.
- (b) In assessing proposals for alternative housing types, Council will favourably consider those proposals which observe the aim and objectives of this Development Control Plan, particularly with respect to population density, amenity, and impact upon adjoining uses.
- (c) When assessing applications for residential development Council will have regard to the level of need for particular housing types resulting from emerging demographic trends. Proposals which best respond to contemporary housing needs will be preferred.
- (d) Council may permit dual occupancy developments in accordance with the requirements of the Planning Scheme Provisions within the area delineated on the Development Control Plan map.

4.5 Objective 5

To ensure that residential development has regard to the provision of physical infrastructure, and social infrastructure.

4.5.1 Implementation Criteria

- (a) Council may approve applications for residential development (subdivision, town planning consent, rezoning or combined applications) only when :
 - water supply, sewerage and stormwater drainage services are constructed with sufficient capacity to serve the land and/or form of development the subject of the application;
 - and/or
 - a contribution/s is made for the upgrading of the service or services.
- (b) Council is prepared to consider the use of engineered or technological solutions where it can be established that the operation and maintenance of such solutions will not place an unnecessary or unreasonable load upon the community's resources.
- (c) Council may require the provision of community facilities and/or social services or a contribution towards the provision of community facilities and/or social services as a condition of approval of any residential development.

5. SPECIAL PROVISIONS

5.1 Special Development Site

Notwithstanding any provisions of this Development Control Plan to the contrary, the site which is indicated as a Special Development Site on the Development Control Plan map and which is described as Lot 551 on Registered Plan 724042, Parish of Cairns and is situated at 30-60 Kingsford Street, Mooroolbool may be developed with accommodation units to a maximum site population density of 155 persons per hectare in accordance with specific requirements of Council.

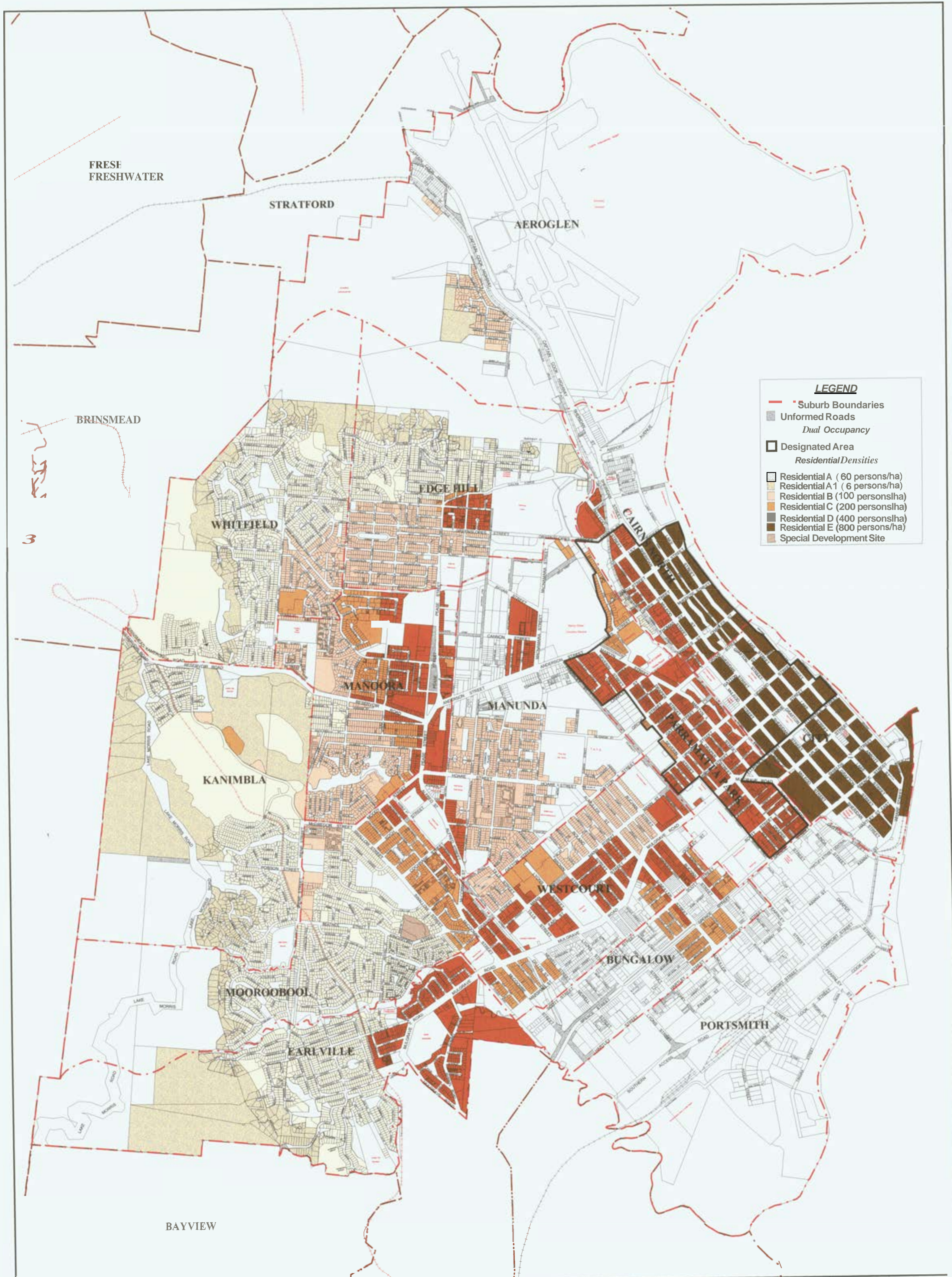
5.2 Noise Attenuation

All proposals for residential development, except a proposal for the construction of a detached dwelling on an individual allotment, on sites which are :

- ◊ located between the 20 and 40 Australian Noise Exposure Forecast Contours
- ◊ located with frontage to or adjacent to arterial, sub-arterial or State controlled roads

shall be accompanied by a report prepared by a qualified acoustics engineer.

This report is to identify sound control measures that shall form part of the approved building plan and shall be incorporated in the building to alleviate exposure to aircraft noise and/or traffic noise to the satisfaction of Council. The report shall have regard to Australian Standards Code AS 2021 as revised.



LEGEND

- Suburb Boundaries
- Unformed Roads
- Dual Occupancy*
- Designated Area
- Residential Densities*
- Residential A (60 persons/ha)
- Residential A1 (6 persons/ha)
- Residential B (100 persons/ha)
- Residential C (200 persons/ha)
- Residential D (400 persons/ha)
- Residential E (800 persons/ha)
- Special Development Site

Note: - Digital Cadastral data Base Data is subject to copyright, Queensland (Department of Lands) 1992. This map is a product of Cityfamily Council's Land Information

DO NOT SCALE

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Part of City of CAIRNS
 Development Control Plan 1 - Residential Densities

400 200 0 400 800 1,200 1,600
 Scale: 1 : 20,000



DCP1_R
 Sheet 1 of 1
 Revision
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