

6.2.26 Waterfront and marine industry zone code

6.2.26.1 Application

- (1) This code applies to assessing development in the Waterfront and marine industry zone.
- (2) When using this code, reference should be made to Part 5.

6.2.26.2 Purpose

- (1) The purpose of the Waterfront and marine industry zone code is to provide for uses for which a location adjoining or near the waterfront or a marine environment is essential.

It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.

- (2) The local government purpose of the code is to ensure that land included within this zone is used for marine orientated industries rather than general forms of industry activities or other incompatible land uses.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) marine industry uses are designed and managed to maintain safety of people and to avoid adverse impacts on the natural environment;
 - (b) development reflects and responds to the natural features and constraints of the land;
 - (c) lot sizes are of a sufficient size to cater for a range of waterfront and marine industrial activity;
 - (d) existing and future marine industry uses and operations are protected from the intrusion of incompatible uses;
 - (e) development does not affect the operational aspects of the Port of Cairns.

6.2.26.3 Criteria for assessment

Part A - Criteria for self-assessable and assessable development

Table 6.2.26.3.a – Waterfront and marine industry zone code – self-assessable and assessable development

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
Height	
<p>PO1 The height of buildings and structures is compatible with the character of the area and does not adversely affect the amenity of the area.</p> <p>Note – A visual impact assessment may be required where a proposed development exceeds the height stated in AO1.1. Planning scheme policy – Landscape values provides guidance on undertaking a visual impact assessment.</p> <p>Note – The site coverage stated within AO1.1 and the setbacks stated in AO2.1 of the Industry design code correspond with the height stated in AO1.1 of this code. Where a proposed development exceeds the height stated in AO1.1 of this code, the proposed development will also be assessed against PO1 and PO2 of the Industry design code.</p>	<p>AO1.1 Buildings and structures are not more than 20 metres in height.</p> <p>Note – Height is inclusive of the roof height.</p>
<p>PO2</p>	<p>AO2.1 No acceptable outcomes are provided.</p>

Performance outcomes	Acceptable outcomes
Development does not adversely impact on visibility of the aids to navigation marking the shipping channel.	
For assessable development	
Uses and other development	
<p>PO3 Development is consistent with the purpose and overall outcomes sought for the zone.</p>	<p>AO3.1 No acceptable outcomes are provided.</p>
<p>PO4 Non-industry activities compatible with the Waterfront and marine industry zone include those that:</p> <ul style="list-style-type: none"> (a) do not compromise the operations of medium impact industry uses; (b) do not compromise the hierarchy of centres in the region; (c) complement waterfront and marine industry activities; (d) require large land holdings and/or buildings; (e) adequately cater for the individual car parking needs; (f) provide a service to the nearby workforce. 	<p>AO4.1 No acceptable outcomes are provided.</p>
Site constraints	
<p>PO5 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p>	<p>AO5.1 No acceptable outcomes are provided.</p>