Advertising devices

What are advertising devices?

An advertising device is any structure, device or sign that is intended for advertising purposes.

Advertising devices within the Cairns local government area are regulated by a combination of Local Laws and the CairnsPlan 2016.

It is the signage / land owners' responsibility to comply with Council requirements. Penalties or enforcement action may apply for displaying signs or advertisements that do not comply.

What types of advertising devices are regulated by the CairnsPlan 2016?

The CairnsPlan 2016 only regulates advertising devices that are considered to be development for Operational Works and are located within the Places of significance overlay under the CairnsPlan 2016 Planning Scheme.

There are two categories of advertising devices regulated under the CairnsPlan 2016, being 'Signage' and 'Impact assessable signage'. Schedule 1 of the CairnsPlan 2016 includes definitions for these categories of advertising devices.

Do I need to make an application for a development permit?

Advertising devices regulated under the CairnsPlan 2016 require a Development Permit for Operational Works in addition to any permit required under Council's *Local Law No. 4 (Advertising Devices) 2019*.

The level of assessment for advertising devices depends upon the category of signage proposed and the zone within which it is proposed. Part 5 of the CairnsPlan 2016 identifies the level of assessment and applicable assessment criteria for proposed signage.

Some types of signage may also require a development permit for Building works.

How do I make a development application?

Lodge your development application:

- In person at Council's Administration Building at 119-145 Spence Street, cairns
- Online at http://www.cairns.qld.gov.au/payments/da-online
- By mail to:
  Attention: Manager, Strategic Planning & Approvals
  Cairns Regional Council
  PO Box 359
  Cairns Qld 4870

If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

What are the application fees?

There are fees to lodge an application for a Development Permit for Operational Works for signage. Refer to Council's Fees and Charges Schedule for a full list of the fees and charges.

What types of advertising devices are regulated by Local Laws?

All advertising devices are regulated by *Local Law No. 4 (Advertising Devices) 2019*. Advertising devices regulated by this local law may require a permit. Refer to *Local Law No. 4 (Advertising Devices) 2019* for more information.

For more information

Phone: 1300 692 247
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

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For more information contact
townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional Council

CairnsPlan 2016 and the new Planning Act 2016

Planning Act 2016 (New legislation)

CairnsPlan 2016 Version 1.1 has been prepared and adopted under the *Sustainable Planning Act 2009*. The *Planning Act 2016* commenced on 3 July 2017. The *Planning Act 2016* introduces new categories of development and terminology relating to development assessment.

An Alignment Amendment to reflect the changes under the *Planning Act 2016* has not yet been made to the CairnsPlan 2016. Given this, the CairnsPlan 2016 and the associated fact sheets make reference to outdated terminology from the *Sustainable Planning Act 2009*.

This fact sheet provides guidance on how to interpret the CairnsPlan 2016 in light of the new categories of development and new terminology under the *Planning Act 2016*.

New categories of development

The *Planning Act 2016* introduces new categories of development. The table below provides a description of each new category.

New category of development	Description
Accepted development	All development other than assessable or prohibited development or identified as such in a planning scheme.
Assessable development	Assessable development is development that can only be carried out with a development approval. There are two types of assessable development as follows: Code assessable A code assessment is a bounded assessment against assessment benchmarks (as identified in the planning scheme) and having regard to matters prescribed by the Planning Regulation. The assessor must approve the development application to the extent it complies with assessment benchmarks, or if compliance with assessment benchmarks can be achieved by imposing development conditions. Impact assessable An impact assessment is carried out against the assessment benchmarks (as identified in the planning scheme) and having regard to any matters prescribed by regulation; and may be carried out against or having regard to any other relevant matters, such as planning need, or the current relevance of the assessment benchmarks in the light of changed circumstances. Impact assessment also requires a period of public notification.
Prohibited development	Development identified in a categorising instrument as prohibited.

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New terminology

The *Planning Act 2016* introduces new terminology for development assessment. The below table identifies outdated terms used in the CairnsPlan 2016 (particularly in Part 5) and the corresponding new term under the *Planning Act 2016*.

Term used in the CairnsPlan 2016	New term under the *Planning Act 2016*
Exempt development	*Accepted development*
Self-assessable development	To the extent the development complies with all applicable codes for the self-assessable development, it is considered to be *Accepted development*
Self-assessable development	To the extent the development does not comply with all applicable codes for the self-assessable development, it is considered to be code assessable development.
A code, identified assessment criteria, or other matter, against which assessable development must be assessed	an A*ssessment benchmark*
Compliance assessment	*Code assessment*

What else do I need to know?

The Department of Infrastructure, Local Government and Planning has prepared a number of fact sheets and guidance material on the *Planning Act 2016* which can be found on the Department's website www.dilgp.qld.gov.au.

For more information

Phone: (07) 4044 3044
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

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CAIRNSPLAN 2016

Dwelling houses in the Hillslopes overlay

What is the purpose of the Hillslopes overlay?

The purpose of the Hillslopes overlay is to identify areas that provide a scenic backdrop for the region and ensure that development on hillslopes maintains the safety of people and property, and protects the natural environment.

Do I need to make an application for a Development Permit?

Dwelling houses are generally Self-assessable within a residential zone and the Hillslopes overlay. Self-assessable development must comply with all relevant Acceptable outcomes within the applicable codes of the CairnsPlan 2016. Refer to the fact sheet on Self-assessable development for guidance on undertaking the assessment.

The Self-assessable Acceptable outcomes within the Hillslopes overlay code in Part of the CairnsPlan 2016 are as follows:

- Excavation and filling does not exceed 50m^3 and:
  - is not more than 1.8 metres in height for each batter or retaining wall;
  - is set back a minimum of 2 metres from property boundaries;
  - is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with the requirements of Planning scheme policy - Landscaping;
  - does not exceed a maximum of 2 batters and 2 berms (i.e. not greater than 3.6 metres in total height) on any one lot.
- No vegetation damage occurs.
- Development is undertaken within 50m of the front boundary of the site.
- Development does not occur on land with a gradient in excess of 1 in 6 (16.6%).

It is important to note that there are other applicable codes within the CairnsPlan 2016 for Dwelling houses.

Where development does not comply with the relevant Acceptable outcomes, development becomes Code assessable. Part 5 of the CairnsPlan 2016 identifies the level of assessment for a Dwelling house in each zone. Where development is Code or Impact assessable, a development application must be lodged with Council.

How do I make a development application for a Dwelling house?

Lodge your development application:

- In person at Council's Administration Building at 119-145 Spence Street, Cairns
- Online at http://www.cairns.qld.gov.au/payments/da-online
- By mail to:
  Attention: Manager, Strategic Planning & Approvals
  Cairns Regional Council
  PO Box 359
  Cairns Qld 4870

If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

What is the application fee?

There is no application fee for a Dwelling house where it is Self-assessable and complies with the relevant Acceptable outcomes within the applicable codes of the CairnsPlan 2016.

Where the Dwelling house is Self-assessable but does not comply with 1-3 Acceptable outcomes within the applicable codes of the CairnsPlan 2016, the application fee is $302.30.

Where the Dwelling house does not comply with 4 or more Acceptable outcomes within the applicable codes of the CairnsPlan 2016 or where the dwelling house is listed as Code or Impact assessable in Part 5 of the CairnsPlan 2016, the application fee is $905.80.

Where a Dwelling house requires assessment under Section 1.8 of Part 1 of the CairnsPlan 2016 as part of the Building works application, the referral fee is $302.30.

If approved, what conditions are generally applied to development within the Hillslopes overlay?

Any conditions of approval will depend on the scale, nature and location of the proposed development. However, conditions may relate to matters including, but not limited to:

- Access
- Extent of earthworks
- Extent of vegetation removal
- Exterior house colours
- Connection to services
- Infrastructure works
- Requirements for geotechnical certification

Will I have to pay infrastructure charges for a Dwelling house?

Infrastructure charges do not apply to Dwelling houses.

Do I need any other approvals?

In addition to any planning approvals, you will need to obtain a Building works approval for any Building works and an approval for Plumbing and drainage work. An Operational works permit may also be required for vegetation removal, excavation and filling or works on a Local government road.

What else do I need to know?

It is important that development in the Hillslopes overlay uses external colours, materials and surface treatments that blend with the surrounding natural environment and do not detract from the scenic amenity of the Hillslopes. An Amenity and Aesthetics Impact referral agency assessment must be undertaken to determine whether development will achieve this.

Where a Dwelling house within the Hillslopes overlay is Self-assessable, this referral agency assessment will be undertaken by Council as the referral agency during the Building works application process. Alternatively, this referral agency assessment can be undertaken early prior to lodging an application for Building works.

Section 1.8 within Part 1 of the CairnsPlan 2016 identifies the assessment criteria by which the development will be assessed.

The Buildings works application will need to be made to a private certifier. The private certifier will either refer the application on your behalf or require you to refer the application to Council for the assessment. The fee for this referral assessment is $302.30.

The referral is a statutory process under the *Integrated Development Assessment System* of the *Sustainable Planning Act 2009* and has a maximum 10 business day turn around.

Where a Dwelling house within the Hillslopes overlay is Code assessable, this referral agency assessment will be undertaken during the Material Change of Use application process and the separate referral assessment fee of $302.30 will not be applied.

Check with Council to see what other requirements may apply to your proposed development.

For more information
Phone: 1300 692 247
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

For more information contact
townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional Council

Dwelling houses, Secondary dwellings and Dual occupancy

What is a Dwelling house?

A Dwelling house is the term in the CairnsPlan 2016 to describe a standalone house. A Dwelling house is occupied by a single household and can include associated domestic outbuildings such as a carport or shed. A Dwelling house can also include a Secondary dwelling.

A Household is a defined term and is an individual or a group of two or more related or unrelated people who reside in a dwelling, with the common intention to live together on a long-term basis and who make common provision for food or other essentials for living.

What is a Secondary dwelling?

A Secondary dwelling forms part of a Dwelling house as defined in CairnsPlan 2016. A Secondary dwelling associated with a Dwelling house is commonly known as a granny flat or relative's accommodation.

A Secondary dwelling is a dwelling that:

- is on the same lot as a Dwelling house (the primary dwelling);
- can be self-contained;
- is used by the same household as the primary dwelling;
- can be detached or attached to the primary dwelling
- is subordinate to the primary dwelling and is smaller in size.

The provisions of CairnsPlan 2016 require that a Secondary dwelling is generally no larger than 250m² on a lot exceeding 10ha in the Rural zone and no larger than 70m² in all other zones. This ensures the secondary dwelling is subordinate to the primary dwelling.

Although they can be self-contained, a Secondary dwelling must be used in conjunction with the primary dwelling and therefore cannot be separately leased or serviced (water, electricity, bins etc).

Building a second self-contained dwelling on a lot that is to be separately serviced or leased by a different household is a Dual occupancy.

What is a Dual occupancy?

A Dual occupancy is a lot containing two separate dwellings. This is also commonly known as a duplex. Dual occupancies allow for each dwelling to be separately serviced or sub-metered.

Please refer to Table 1 for further information on the differences between a Dual occupancy and a Dwelling house with a secondary dwelling.

Do I need to make an application for a development permit?

The level of assessment for a Material Change of Use for a Dwelling house or Dual occupancy can be determined by referring to Part 5 within the CairnsPlan 2016. Guidance on using the CairnsPlan 2016 and determining the level of assessment for development is provided in the User Guide.

A Material Change of Use for a Dwelling house is Self-assessable in all Residential zones, except where an Overlay increases the level of assessment. Where a Secondary dwelling is proposed on a lot containing an existing Dwelling house, the development of the Secondary dwelling is considered to be a Material Change of Use as it materially increases the intensity and scale of the use of the premises.

A Material Change of Use for a Dual occupancy is generally Self-assessable in all Residential zones. Self-assessable development does not require a Development Permit. However, the use must comply with all of the relevant Acceptable outcomes within the applicable codes of the CairnsPlan 2016. If Self-assessable development does not comply with the relevant Acceptable outcomes, development becomes Code assessable.

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How do I make a development application?

Lodge your development application:

- In person at Council's Administration Building at 119-145 Spence Street, Cairns
- Online at www.cairns.qld.gov.au/payments/da-online
- By mail to:
  Attention: Manager, Strategic Planning & Approvals
  Cairns Regional Council
  PO Box 359
  Cairns Qld 4870

If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

What is the application fee?

There is no application fee for development where it is Self-assessable and it complies with all the relevant Acceptable outcomes within the applicable codes of the CairnsPlan 2016.

Where a Dual occupancy is Self-assessable but does not comply with 1-3 Acceptable outcomes within the applicable codes of the CairnsPlan 2016, the application fee is $302.30.

Where the Dual occupancy does not comply with 4 or more Acceptable outcomes within the applicable codes of the CairnsPlan 2016 or where Dual occupancy is listed as Code or Impact assessable in Part 5 of the CairnsPlan 2016, the application fee is $1596.50.

Where the Secondary dwelling is Self-assessable but does not comply with 1-3 Acceptable outcomes within the applicable codes of the CairnsPlan 2016, the application fee is $302.30.

Where the Secondary dwelling does not comply with 4 or more Acceptable outcomes within the applicable codes of the CairnsPlan 2016 or where the Dwelling house (which includes secondary dwelling) is listed as Code or Impact assessable in Part 5 of the CairnsPlan 2016, the application fee is $905.80.

If approved, what conditions generally apply to a Dwelling house with a Secondary dwelling or a Dual occupancy?

Any conditions of approval will depend on the scale, nature and location of the proposed development. However, conditions may relate to matters including, but not limited to:

- Access
- Connection to services
- Infrastructure works
- Landscaping
- Screening
- Refuse storage

Will I have to pay infrastructure charges for a Dwelling house with a Secondary dwelling or Dual occupancy?

Infrastructure charges are not applicable to a Dwelling house or a Dwelling house with a Secondary dwelling.

Infrastructure charges are applicable to a Dual occupancy and are to be paid prior to the commencement of the use.

Do I need any other approvals?

In addition to any planning approvals, you will need to obtain a Building works approval for any Building works and an approval for plumbing and drainage works. An Operational works permit may also be required for works on a local government road (driveway works).

What else do I need to know?

The planning scheme contains all the planning requirements for developing a Dual occupancy or a Dwelling house with a Secondary dwelling. However, there may be other matters that need to be considered, including but not limited to:

- Obligations under the *Body Corporate and Community Management Act 1997* for Body Corporates and Community Management Schemes
- Requirements for connections to Council's infrastructure (e.g. water, sewer etc.)
- Requirements of the telecommunications provider
- Requirements of the electricity provider

Check with Council to see what other requirements may apply to your proposed development.

For more information:

Phone: 1300 692 247
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

For more information contact
townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional Council

Table 1 – The differences between a Dwelling house with a Secondary dwelling and a Dual occupancy

Dwelling houses with a Secondary dwelling and a Dual occupancy are similar in that they can both include self-contained dwellings on a single site, where the dwellings can be attached or detached from each other. However there are a number of differences between the two land uses that are described in the table below.

Characteristic	Dual occupancy	Secondary dwelling associated with a Dwelling house
Minimum lot sizes	The following minimum lot sizes apply to establishing a Dual occupancy: • 600m² within the Low-medium density residential zone, Medium density residential zone or Mixed use zone precinct 3; or • 800m² within all other zones.	There is no minimum lot size for a Secondary dwelling. However, the lot needs to be of sufficient size and dimension to accommodate the activity.
Size of dwelling	There is no limitation on Gross Floor Area for each dwelling. Both dwellings can be of equal size.	Secondary dwellings are limited to 250m² in the Rural zone where on a lot exceeding 10ha or 70m² in all other zones. A Secondary dwelling must be subordinate to the primary dwelling.
Number of households	Dwellings can be occupied by different households and can be leased separately.	A Secondary dwelling must be occupied by persons who form part of one household with the primary dwelling and cannot be separately let.
Connections to services (electricity, water, sewerage)	Dual occupancies may have separate connections to services and/or be sub-metered (e.g. sub-metered water supply)	A Secondary dwelling cannot have separate connections or separate metering.
Access/Driveways	Dual occupancies can have one crossover / driveway, or one crossover / driveway per street frontage where the site has more than one street frontage.	A Secondary dwelling has one crossover / driveway, irrespective of the number of street frontages and shares this with the primary dwelling.
Car parking spaces	Dual occupancies are required to have 2 car parking spaces per dwelling, a total of 4 car parking spaces on the site.	A Secondary dwelling is required to have 1 car parking space in addition to the 2 parking spaces for the primary dwelling, a total of 3 car parking spaces on the site
Street address/ Letter box	Dual occupancies will have separate street addresses (e.g. 1A and 1B) and will have separate letter boxes.	A secondary dwelling will share the same street address and letter box as the primary dwelling.
Rubbish collection	Each dwelling will be provided with separate rubbish bins.	Only one set of rubbish bins will be provided.

Last updated: 1 July 2019
#5030963

Home based business

What is a Home based business?

A Home based business is a business activity conducted in a dwelling, where the business is secondary to the primary use of the dwelling as a residence. Home based businesses are small scale and do not have an adverse impact on adjoining or surrounding residents. Home based businesses are operated by the residents of the dwelling and do not require more than one non-resident employee.

Examples of a home based business:
- Bed and breakfast
- Home office
- Small scale beauty or massage services
- Home-based childcare

Examples of a business that would not be considered home-based:
- Shop
- Vehicle repair workshop
- Gym or personal training centre
- Laundromat
- Swim school
- Commercial scale food preparation
- Food and drink outlet

Do I need to make an application for a Development Permit?

The level of assessment required for Home based business can be determined by referring to Part 5 of CairnsPlan 2016. For guidance on using CairnsPlan 2016 and determining the level of assessment for development, refer to the User Guide.

Some types of Home based businesses will be Self-assessable. Self-assessable development does not require a Development Permit. However, the Home based business must comply with all of the relevant Acceptable outcomes within the applicable codes of CairnsPlan 2016.

Where the Home based business does not comply with the relevant Acceptable outcomes of all applicable codes, or where the Home based business

is listed as requiring Code or Impact assessment within Part 5 of CairnsPlan 2016, a development application will be required.

How do I make a development for Home based business?

Lodge your development application:
- In person at Council's Administration Building at 119-145 Spence Street, Cairns
- Online at http://www.cairns.qld.gov.au/payments/da-online
- By mail to:
  Attention: Manager, Strategic Planning & Approvals
  Cairns Regional Council
  PO Box 359
  Cairns Qld 4870

If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

What is the application fee?

Where the Home based business is Self-assessable but does not comply with 1-3 Acceptable outcomes within the applicable codes of the CairnsPlan 2016, the application fee is $302.30.

Where the Home based business does not comply with 4 or more Acceptable outcomes within the applicable codes of the CairnsPlan 2016 or where it is listed as Code or Impact assessable in Part 5 of the CairnsPlan 2016, the application fee is $905.80.

If approved, what conditions generally apply to a Home based business?

Any conditions of approval for a Home based business will depend on the scale, nature and location of the business. However, Council is likely to set conditions in regards to amenity and the operation of the Home based business. For example, Council may set conditions restricting the hours of operation or the

number of employees and vehicle trips or visitors per day.

Will I have to pay infrastructure charges for a Home based business?

Infrastructure charges are not applicable to Home based business.

Do I need any other approvals?

Home based businesses are generally undertaken within existing Dwelling houses. However, if any Building work is required for the Home based business, such as extensions to the Dwelling house, a separate Building works approval will be required.

What else do I need to know?

CairnsPlan 2016 contains all the planning requirements for Home based businesses. However, there may be other regulations or licenses that will apply to your Home based business, including but not limited to:

- Local laws permit for Advertising devices that are regulated under *Local Law No. 4 (Advertising Devices)*.

- A food business licence from Council if you are preparing food, for example for a Bed and breakfast.

- Obligations under the *Public Health (Infection and Control for Personal Appearance Services) Act 2003* for businesses such as hairdressing.

- Body corporate rules or regulations.

Check with Council to see what other requirements may apply to your proposed development.

For more information

Phone: 1300 692 247
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

Last updated: 9 September 2019
#5031007

For more information contact
townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional COUNCIL

Industry activities

What are Industry activities?

Industry activities is a defined activity group in Schedule 1.1.1 of the CairnsPlan 2016 that includes Low impact industry, Marine industry, Medium impact industry and High impact industry. This defined activity group does not include Rural industry, Extractive industry, Service industry or Special industry.

Definitions for Low impact industry, Marine industry, Medium impact industry and High impact can be found in Schedule 1 Use definitions.

What are Industry thresholds?

The Industry thresholds contained in Schedule 1.1.2 are to be used in conjunction with the use definitions in Schedule 1. The industry thresholds assist in the interpretation of the use definitions as they provide examples of activities for each of the uses.

Where can Industry activities go?

The CairnsPlan 2016 has established preferred areas for industry activities to be located. These areas are identified using industry zones, which include Low impact industry zone, Medium impact industry zone, High impact industry zone and Waterfront and marine industry zone. Refer to the zone maps or interactive mapping to see where these zones are located.

Due to the nature and scale of some industry activities, they can have adverse impacts on sensitive land uses such as residential uses, child care centres and community uses. It is important that industry uses are appropriately located to minimise the impacts on sensitive land uses.

The Low impact industry zone includes some areas that are in transition from residential to industry. Due to the number of existing sensitive land uses within this zone, development within this zone needs ensure it does not adversely impact on sensitive land uses.

The Industry design code in Part 9 of the CairnsPlan 2016 provides assessment criteria for industry activities and development within industry zones. The Industry design code seeks to ensure industry areas

and activities provide an appropriate standard of amenity and design.

Do I need to make an application for a Development permit?

The level of assessment required for Industry activities can be determined by referring to Part 5 within the CairnsPlan 2016. For guidance on using the CairnsPlan 2016 and determining the level of assessment for development, refer to the User Guide.

Self-assessable development does not require a Development Permit. However, the use must comply with all of the relevant Acceptable outcomes within the applicable codes of the CairnsPlan 2016. If Self-assessable development does not comply with the relevant Acceptable outcomes, the development becomes Code assessable.

Code assessable and Impact assessable development requires a development application to be lodged with Council.

How do I make a development application for Industry activity?

Lodge your development application:

- In person at Council's Administration Building at 119-145 Spence Street, Cairns
- Online at http://www.cairns.qld.gov.au/payments/da-online
- By mail to:
  Attention: Manager, Strategic Planning & Approvals
  Cairns Regional Council
  PO Box 359
  Cairns Qld 4870

If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

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What is the application fee?

The development application fee for Industry activities that do not exceed 100m^2 gross floor area is $1596.50.

The application fee for Industry activities that exceed 100m^2 in gross floor area is $1596.50 plus an additional $335.20 for every 100m^2 or part thereof that exceeds 100m^2.

If approved, what conditions generally apply to Industry activities?

Any conditions of approval for Industry activities will depend on the scale, nature and location of the proposed development. However, conditions may relate to matters including, but not limited to:

- Access and parking;
- Hours of operation;
- Mitigation of impacts on adjoining premises (e.g. restrictions on emissions); and
- Connections to services.

Will I have to pay infrastructure charges for an Industry activity?

Infrastructure charges are applicable to Industry activities.

Do I need any other approvals?

In addition to any planning approvals, you will need to obtain a Building works approval for any Building works and an approval for plumbing and drainage. An Operational works permit may also be required for vegetation removal, advertising devices or excavation and filling.

What else do I need to know?

The CairnsPlan 2016 contains all the planning requirements for Industry activities. However, there may be other regulations or licenses that will apply to your development, including but not limited to:

- Any relevant permits required under Council's Local laws
- Any relevant licences required under the Food Act 2006
- Any relevant licences and approvals under the Environmental Protection Act 1994.

Check with Council to see what other requirements may apply to your proposed development.

For more information

Phone: 1300 692 247
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

Last updated: 2 August 2018
#5031154

Infrastructure Charges

What are Infrastructure Charges?

Infrastructure charges are charges that are levied by Council upon development that increases the demand on trunk infrastructure networks.

What is the purpose of Infrastructure Charges?

Infrastructure charges contribute towards the provision of the following trunk infrastructure that supports the growth and development of our Region: water supply, wastewater, stormwater, transport and public parks and land for community facilities.

Trunk infrastructure is significant infrastructure that support large areas or catchments, such as water treatment plants and major reticulation networks.

Councils Local Government infrastructure Plan (LGIP) contains Plans for Trunk Infrastructure which detail the future trunk infrastructure for the Region.

Will I have to pay Infrastructure Charges?

Not all development will be required to pay Infrastructure Charges, for example a Home based business does not incur Infrastructure Charges.

Development that results in additional demand on Council's trunk infrastructure networks will usually incur an infrastructure charge.

Infrastructure charges that are being levied against a development will be issued within an Infrastructure Charges Notice at about the same time as the issue of a Development Permit for either an application for Material Change of Use or Reconfiguration of a Lot, or at about the same time as the issue of a Building Works Permit for an application for Building works.

How are Infrastructure Charges calculated?

Infrastructure charges are calculated in accordance with Council's Infrastructure Charges Resolution (No.2) 2017. The charges are calculated using the rates included in the Resolution for particular development type in a particular location and maybe reduced by credit given to existing uses.

The charges calculated under the resolution are less than the maximum adopted charge rates Council are able to levy as prescribed by the State Government.

For more information

Councils Infrastructure Charges Resolution (No.2) 2017 and Local Government Infrastructure Plan can be found on Councils website.

For further information please contact the Town Planner on: Phone: (07) 4044 3044 or Email: townplanner@cairns.qld.gov.au.

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#5031072

For more information contact
townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional COUNCIL

Reconfiguring a lot

What is Reconfiguring a Lot?

The *Sustainable Planning Act 2009* defines Reconfiguring a lot as:

- creating lots by subdividing another lot;
- amalgamating 2 or more lots;
- rearranging the boundaries of a lot by registering a plan of subdivision;
- dividing land into parts by agreement (other than a lease for a term, including renewal options, not exceeding 10 years, or an agreement for the exclusive use of part of the common property for a community titles scheme under the *Body Corporate and Community Management Act 1997*);
- creating an easement giving access to a lot from a constructed road.

Is my lot big enough to subdivide?

The Reconfiguring a lot code in Part 9 of the CairnsPlan 2016 contains specific assessment criteria for Reconfiguring a lot. This includes, but is not limited to, minimum lot sizes and minimum widths and dimensions for new lots categorised by zone.

For example, the minimum lot size within the Low density residential zone is 600m^2 and the minimum width and dimension is 15m.

Refer to the Reconfiguring a lot code in Part 9 for minimum requirements in all zones.

What is a small residential lot?

Schedule 1.1 of the CairnsPlan 2016 defines a small residential lot, as a lot in a residential zone or created for a residential or accommodation purpose that has an area of 450m^2 or less. The Reconfiguring a lot code in Part 9 of the CairnsPlan 2016 contains specific requirements for proposed development involving small residential lots.

The Low-medium density zone is the only zone in the CairnsPlan 2016 that has an identified minimum lot size of less than 450m^2. The minimum lot size within the Low-medium density residential zone is 450m^2 or

350m^2 where the development complies with the small lot provisions within the remainder of the code.

Do I need to make an application for a Development Permit?

Reconfiguring a lot that is identified as Code assessable or Impact assessable within Part 5 of the CairnsPlan 2016, requires an application to be lodged with Council for a development permit. Part 5 of the CairnsPlan 2016 also identifies the applicable assessment criteria.

Compliance assessment is available for Reconfiguring a lot for subdividing one lot into two lots in accordance with Schedule 18 of the *Sustainable Planning Regulation 2009*. This is only available to development proposals that comply with the criteria identified in Schedule 18 for Compliance assessment. To be eligible for Compliance assessment, the proposed development must:

- be for subdividing one lot into two lots only;
- relate to land within a residential zone or industrial zone;
- relate to land that is not affected by any overlays in the CairnsPlan 2016; and
- comply with the minimum lot sizes identified in the CairnsPlan 2016.

How do I make a development application for Reconfiguring a Lot?

Lodge your development application:

- In person at Council's Administration Building at 119-145 Spence Street, Cairns
- Online at http://www.cairns.qld.gov.au/payments/da-online
- By mail to:
  Attention: Manager, Strategic Planning & Approvals
  Cairns Regional Council
  PO Box 359
  Cairns Qld 4870

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If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

What is the application fee?
The application fee for reconfiguring a lot is $1297.30 plus an additional $488.00 per lot (this is applied to the number of lots resulting from the reconfiguration, excluding lots for parks). This fee also applies to Compliance assessable applications for Reconfiguring a lot.

Different application fees apply for boundary realignment, creation of an access easement and reconfiguring by lease agreement. Refer to the fees and charges schedule on Council's website for application fees for these types of Reconfiguring a lot.

If approved, what conditions are generally applied to Reconfiguring a Lot?
Any conditions of approval for Reconfiguring a lot will depend on the scale, nature and location of the development. However, conditions may relate to matters including, but not limited to:
- Providing access to lots;
- Establishing building envelopes;
- Geotechnical matters;
- Connections to services;
- Infrastructure works;
- Staging of development;
- Additional technical studies.

Will I have to pay infrastructure charges for Reconfiguring a Lot?
Infrastructure charges are applicable to Reconfiguring a lot.

Do I need any other approvals?
Development permits for Material change of use, Building works and Operational works may be required, depending on the nature of the proposed development.

What else do I need to know?
CairnsPlan 2016 contains all the planning requirements for Reconfiguring a lot. However, there may be other matters that need to be considered, including but not limited to:
- Requirements for connections to Council's infrastructure (e.g. water, sewer etc.)
- Requirements of the telecommunications provider

- Requirements of the electricity provider

Check with Council to see what other requirements may apply to your proposed development.

For more information
Phone: 1300 692 247
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

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Self-assessable development

What is Self-assessable development?

Self-assessable development is a type of development that allows the person undertaking the development to complete their own assessment of the development. This type of development does not require a Development permit from Council.

Development is identified as Self-assessable by either the CairnsPlan 2016 (Part 5) or the *Sustainable Planning Regulation 2009*. Self-assessable development must comply with all relevant assessment criteria within the CairnsPlan 2016 or the *Sustainable Planning Regulation 2009*.

The person undertaking the development is responsible for completing the assessment against the assessment criteria and ensuring the proposed development complies with the applicable assessment criteria.

Self-assessable development that complies with the assessment criteria within the CairnsPlan 2016 or *Sustainable Planning Regulation 2009* does not require the lodgement of a development application to Council.

What are the assessment criteria for Self-assessable development?

For Self-assessable development, the assessment criteria are all the relevant Acceptable outcomes in the applicable codes identified in Part 5 of the CairnsPlan 2016 and/or the *Sustainable Planning Regulation 2009*.

Development is considered to comply with the assessment criteria if the proposed development:

- Is consistent with the defined land use; and
- Complies with all the Acceptable outcomes for Self-assessable development within the applicable codes that are identified in the relevant table of assessment in Part 5.

What if development does not comply with the assessment criteria for Self-assessable development?

If the development does not comply with one or more of the Acceptable outcomes of the applicable codes, then the development will become Code assessable.

Code assessable development requires the lodgement of a development application to Council and the assessment will be undertaken by Council. Where development is made Code assessable because of a non-compliance with one or more Acceptable outcomes, development will only be assessed against the matters of non-compliance.

In some circumstances a reduced application fee will apply to development that is Code assessable because of non-compliance with Acceptable outcomes.

What are the application fees for Code assessment as a result of non-compliance?

Where the development does not comply with 1-3 Acceptable outcomes, the application fee is $302.30.

Where the development does not comply with 4 or more Acceptable outcomes, the application fee is the fee listed in the fees and charges schedule for the type of development/use proposed.

How can I get assistance with undertaking a Self-assessment?

If you are unsure as to whether your development complies, Council offers a compliance check service for Self-assessable development. Council will undertake the Self-assessment and confirms whether the development complies or is a development application is required. The fee for this service is $328.80.

Will I have to pay Infrastructure charges for Self-assessable development?

Infrastructure charges are not linked to the level of assessment so they may be required to be paid for Self-assessable development.

For more information

Phone: 1300 692 247
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

For more information contact
townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional Council

Using the interactive mapping

This fact sheet provides information on how to use the CairnsPlan 2016 interactive mapping.

Default view

The interactive mapping contains two map configurations for the following planning schemes:

1. CairnsPlan 2016
2. CairnsPlan 2009

The interactive mapping will open with the CairnsPlan 2016 as the default map configuration. The map configuration is located within the Legend panel. You can change the map configuration by clicking the down arrow in the field shown below.
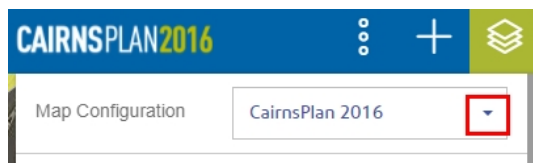
The Zones and Zone Precinct layer, Road names layer, Property boundaries layer, House numbers layer and Local Plan layer will be turned on in the default view. The layers can be turned on and off using the Map Legend.

The satellite image is the default base map. To change the base map, use the drop down field shown below.

Moving around and zooming

You can move around the map by holding the mouse button down and dragging the cursor across the screen.

To zoom, use the scroll wheel on your mouse or click the + and – buttons in the bottom left hand corner of the map as shown below.

Searching

A property can be located by zooming and panning around the map. A property can also be located by using the Search bar in the top left corner of the map as shown below.

You can enter a property address, a street name or a lot on plan description as an input for the search bar. The search bar is not case sensitive.

As you type the address, a list of Search Results will be displayed in a panel below the search bar. You can select an address from this list.

Inserting a street name only will display all properties on that street. These will be listed in the Search Results panel below the search bar.

'Lot on plan' descriptions must be entered into the search bar in the following format - 1RP245677.

The Search Results panel can be removed by clicking the "x" to the right of the search bar.

Specific property information

To identify a specific property, use the curser (left click) to select the property you are interested in. Once selected, a pink pin will be dropped onto the selected property as shown below.
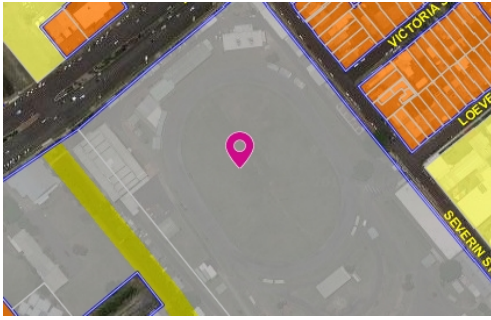
Property information will appear in the panel on the left hand side of the map. The property information will only relate to the layers that have been checked on. An example of the property information is shown below.

Working with layers in the Map Legend

To expand the Legend panel, click the legend button in the top right hand corner of the map as shown below.

Layers can be switched on or off using the tick box switches on the right hand side of the Legend as shown below.

When a layer is switched on, a legend will appear for that layer as shown below.

Some layers are made up of a number of sub-layers. The individual sub-layers can be controlled separately as shown below.

All layers (excluding sub-layers) have an "Opacity Control" whereby the layer's opacity can be altered to suit the individual requirement. The opacity can illustrate varying layers more efficiently when each layer is varied in opacity. The opacity can be controlled by using the + and – buttons as shown below. 100% is full opacity and 0% is not visible.

Create a query

The create query tool allows you to search on individual map layers and present map layers in a different way. Select the Create query button on the Legend panel to create a query as shown below.

For more information contact
townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional Council

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A New Query panel will appear on the right hand side of the map as shown below.

Use the Query in and from drop down fields to select the data and layer to query. Select Create on the top right hand corner of the panel to run the query.

A dialog box will appear where the name of the query layer can be edited. Click on the Apply button to produce the map.

A map will be produced identifying the selected data and layer in red. A list of details of the query will appear on a panel on the left hand side of the map.

Details of the query can be exported to a .csv file using the buttons shown below.

Create and manage annotations

The annotation tools are located in the Legend panel as shown below.

The table below describes the annotation tools available:

Icons	Name	Description
	Point	Draw a point on the map using a point marker
	Line	Draw a line between points by clicking on the map to mark the first point and click again to mark the second point. Double click to finish the line.
	Circle	Draw a circle by clicking on the map where the centre of the circle will be and drag outwards. Finish the circle by clicking on the map at the desired size.
	Polygon	Draw a shape using lines between points on the map. Click on the map to create the first point. Continue until the desired shape has been created. Double to finish the shape.
	Rectangle	Draw a rectangle by clicking on the map and drag outwards until the rectangle is the desired size.
T	Text	Click on the map to create a text box. Click done or cancel when finished.
	Concentric Circle	Create three concentric circles by clicking on the map to start and then clicking again to stop.
	Ellipse	Create an ellipse by clicking on the map to start and clicking again to stop.
	Sector	Create a sector by clicking on the map to start and clicking again to stop.

To exit the annotation tools, click on the exit button at the top of the map. The Import Annotations button allows you to import annotations from a KML file.

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Once an annotation has been created the annotation will appear as a layer in the legend panel. Annotations can be switched on and off using the tick boxes on the right hand side as shown below.
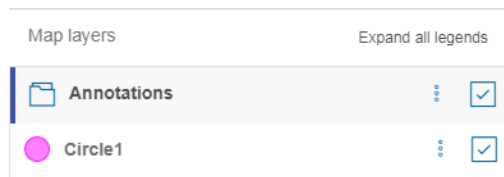
The attributes of an annotation can be viewed by clicking on the name of the annotation in the Legend panel as shown below.
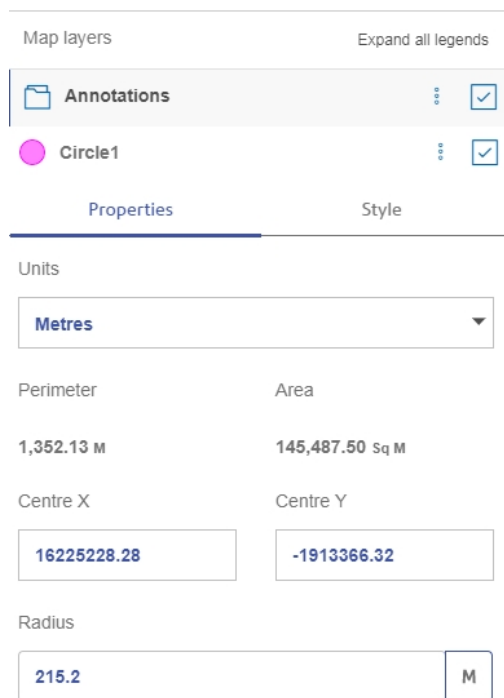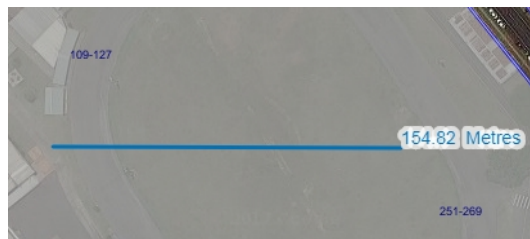

Make changes to your annotation using the button shown below.
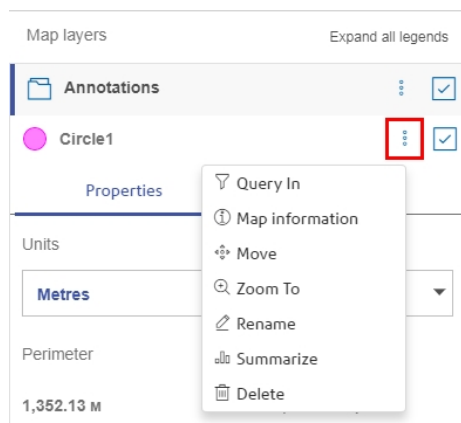

Measuring distances and areas

Annotations can be used to measure distances and areas on the map. Use the line tool to measure a line and the Circle, Polygon or Rectangle tools to measure an area.

Using the line tool will display the length of the line as it is being drawn as shown below.

Using the Polygon tools will display the area of the shape in square metres as shown below.
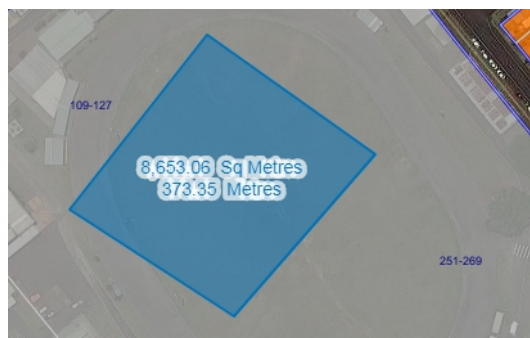
Identify a property as an annotation

To identify a property on the map, select the property of interest with you curser. Once the property details appear in the Location panel on the left hand side of the map, select the buttons below to add as an annotation.
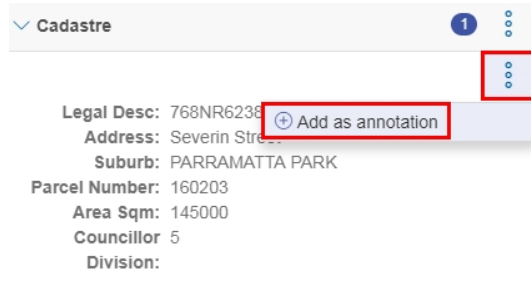
This will display a pink polygon over the property. To identify another property, simply repeat the steps above.

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townplanner@cairns.qld.gov.au or 4044 3044
Cairns Regional Council

Printing

The interactive mapping allows you to generate a print-friendly version of the map in pdf format. To print, click on the print preview button shown below.

Before printing, a preview of the map will be generated. A print template can be selected using the drop down template field at the top left hand corner. Click the Export pdf button shown below to generate the print friendly map.

Software and system requirements

The interactive mapping is provided through the Pitney Bowes Spectrum Spatial Analyst software which has been tested on and supports the following browsers:

For Desktop:

- Microsoft Internet Explorer 11 and Edge
- Mozilla Firefox 51.0.1
- Safari 10.01.3 on Mac.
- Google Chrome 56.0

For other Devices:

- Safari (Ipad) on iOS9.3.5
- Safari (Iphone) on iOS10.2.1
- Chrome on Android 6.0
- Windows Mobile OS version 10

Further support is available at http://support.pb.com/help/analyst/12.1/user_guide/en/index.html

Contact information for all Pitney Bowes Software offices is located at: https://www.pitneybowes.com/us/contact-us.html

For more information:

Phone: (07) 4044 3044
Visit: www.cairns.qld.gov.au
Email: townplanner@cairns.qld.gov.au

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