* + 1. Open space zone code

# Application

1. This code applies to assessing development in the Open space zone.
2. When using this code, reference should be made to Part 5.

Note – Development within 150 metres of Strategic Port Land, as identified on the maps contained within Schedule 2, may be referred to Ports North for third party advice.

# Purpose

1. The purpose of the Open space zone is to provide for –
   1. local, district and regional parks for the use of residents and visitors; and
   2. facilities and infrastructure that support, and are required by, users of the parks.
2. The local government purpose of the code is to recognise the importance of open space areas to the liveability, health and wellbeing of the region’s communities.
3. The purpose of the code will be achieved through the following overall outcomes:
   1. open space is accessible to the community for a range of outdoor activities;
   2. a range of functional and accessible open spaces, including local, district and regional scale parks and linear corridors are available for the use and enjoyment of the community;
   3. structures and buildings such as shelters, amenity facilities, picnic tables and playgrounds are provided;
   4. open space areas are planned and designed to enhance community liveability and scenic amenity;
   5. development reflects and responds to the natural features and constraints of the land;
   6. development does not affect the operational aspects of the Port of Cairns.

# Assessment benchmarks and requirements

**Table** [**6.2.16.3**](#_bookmark0)**.a – Open space zone code – assessment benchmarks for assessable development and requirements for accepted development**

|  |  |  |
| --- | --- | --- |
| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **For accepted development subject to requirements and assessable development** | | |
| **Height** | | |
| **PO1**  The height of all buildings and structures is compatible with the character of the area and does not adversely affect the amenity of the area. | **AO1.1**  Buildings and structures are not more than 8.5 metres in height. |  |
|  | Note – Height is inclusive of the roof height. |
| 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. |  |
| Note – The setbacks stated in AO2.1 correspond with the height stated in AO1.1. Where a proposed development exceeds the height stated in AO1.1, the proposed development will also be assessed against PO2. |  |
| **Setback** | | |
| **PO2**  Buildings and structures are setback to ensure that they are compatible with the amenity of the area and do not adversely affect other uses, particularly residential uses. | **AO2.1**  Buildings and structures are set back not less than 6 metres from all boundaries. |  |
| **PO3**  Car parking areas are set back from the boundaries of the site to ensure that they do not dominate the open space character of the site. | **AO3.1**  Car parking areas are set back:   1. 2 metres from the road frontage/s of the site; 2. 6 metres from side and rear boundaries. |  |
| **PO4** | **AO4.1** |  |
| Setbacks to car parking areas are landscaped to | The setback between the road frontage/s and the |
| enhance the amenity of the site and to provide a | car parking area is landscaped in accordance with |
| buffer to adjacent residential land, residential uses | the Landscaping code. |
| and other sensitive sites. |  |
| **AO4.2** |  |

|  |  |  |
| --- | --- | --- |
| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
|  | The setback between the boundary with land included in a Residential zone and the car parking area is landscaped in accordance with the Landscaping code to provide a buffer to the residential land.  Note – Refer to the definition of Residential zones contained in Schedule 1.2. |  |
| **Outdoor sport and recreation** | | |
| **PO5**  Development for outdoor sport and recreation does not adversely affect the amenity of the area. | **AO5.1**  Development for outdoor sport and recreation does not include sports field lighting. |  |
| **For assessable development** | | |
| **Uses and other development** | | |
| **PO6**  Development is consistent with the purpose and overall outcomes sought for the zone. | **AO6.1**  No acceptable outcomes are provided. |  |
| **Site constraints** | | |
| **PO7**  Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.  Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds. | **AO7.1**  No acceptable outcomes are provided. |  |