* + 1. Waterfront and marine industry zone code

# 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.

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 Waterfront and marine industry zone code is to provide for –
   1. marine industry; and
   2. other uses and activities that—
      1. need to be on or near water or a marine environment; or
      2. support industry activities and do not compromise the future use of premises for industry activities.
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:
   1. Waterfront and marine industry areas are predominantly used for waterfront and marine industry and associated uses for which a location adjoining or near the waterfront is essential;
   2. marine industry uses are designed and managed to maintain safety of people and to avoid adverse impacts on the natural environment;
   3. development reflects and responds to the natural features and constraints of the land;
   4. lot sizes are of a sufficient size to cater for a range of waterfront and marine industrial activity;
   5. existing and future marine industry uses and operations are protected from the intrusion of incompatible uses;
   6. development does not compromise the hierarchy of centres, whether as a result of the impacts from an individual development or the cumulative impacts of multiple developments;
   7. development does not affect the operational aspects of the Port of Cairns.

Note – For code assessable development, the role and function of centres within the hierarchy of centres is outlined in Schedule 6.

Note – For Impact assessable development, the role and function of the hierarchy of centres is described 3.3.2 Element – Centres and centre activities within Part 3 Strategic framework in addition to Schedule 6.

# Assessment benchmarks and requirements

**Table** [**6.2.26.3**](#_bookmark0)**.a – Waterfront and marine industry zone code – assessment benchmarks for assessable development and requirements for accepted development**

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| --- | --- | --- |
| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **For accepted development subject to requirements and assessable development** | | |
| **Height** | | |
| **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.  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 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. | **AO1.1**  Buildings and structures are not more than 20 metres in height.  Note – Height is inclusive of the roof height. |  |
| **PO2**  Development does not adversely impact on visibility of the aids to navigation marking the shipping channel. | **AO2.1**  No acceptable outcomes are provided. |  |

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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **For assessable development** | | |
| **Uses and other development** | | |
| **PO3**  Development is consistent with the purpose and overall outcomes sought for the zone. | **AO3.1**  No acceptable outcomes are provided. |  |
| **PO4**  Non-industry activities compatible with the Waterfront and marine industry zone include those that:   1. do not compromise the operations of medium impact industry uses; 2. do not compromise the hierarchy of centres in the region; 3. complement waterfront and marine industry activities; 4. require large land holdings and/or buildings or require a waterfront location; 5. adequately cater for the individual car parking needs; 6. provide a service to the nearby workforce.   Note – For code assessable development, the role and function of centres within the hierarchy of centres is outlined in Schedule 6.  Note – For Impact assessable development, the role and function of the hierarchy of centres is described 3.3.2 Element – Centres and centre activities within Part 3 Strategic framework in addition to Schedule 6. | **AO4.1**  No acceptable outcomes are provided. |  |

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| **Performance outcomes** | **Acceptable outcomes** | **Applicant response** |
| **Site constraints** | | |
| **PO5**  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. | **AO5.1**  No acceptable outcomes are provided. |  |