



4.3.10 Port Douglas Waterfront North Planning Area Code

Purpose

The purpose of this Code is to facilitate the achievement of the following desired development outcomes for the Port Douglas Waterfront North Planning Area:

- The Port Douglas Waterfront North Planning Area evolves as revitalised open space and waterside development precinct;
- Development within the Port Douglas Waterfront North Planning Area is designed to be sympathetic to the environmentally sensitive Dickson Inlet **and** mitigates any adverse impacts;
- The establishment of mixed-use development is facilitated to promote activity and vitality;
- Development contributes to a high quality public realm;
- Built form provides an attractive point of arrival from both land and sea;
- Pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas Waterfront;
- Parking (and associated infrastructure) does not undermine the relationship between buildings and street;
- A sense of place is created through aesthetic streetscapes and innovative public and private open space;
- Character is enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
- A high level of pedestrian and streetscape amenity is facilitated along the waterfront and road network through the use of landscaping, public art and streetscape elements;
- The importance of marine-based industries to the area is recognised;
- Marine-based industries are protected from incompatible uses;
- Marine infrastructure is established to service the tourism, fishing and private boating community;
- The functionality of the Balley Hooley tourist rail is retained;
- Uses identified as inconsistent uses in the Assessment Table dealing with material change of use for the Port Douglas & Environs Locality are not established in the Port Douglas Waterfront North Planning Area.

Applicability

This Code applies to self assessable and assessable development in the Port Douglas Waterfront North Planning Area for:

- Material Change of Use:

Except for:

- Shopping Facilities, Business Facilities or Restaurant – using an existing Building
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;



- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use;
- Building Work other than Minor Building Work not associated with a Material Change of Use.

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A1.1 and A2.1.

Self assessable development which does not comply with Acceptable Solutions as listed above, outlined in this Code will require Code Assessment.

Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE solutions
P1	The establishment of uses is consistent with the outcomes sought for the Port Douglas Waterfront South Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Waterfront South Planning Area.

Design, Layout and Built Form

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P2	The bulk and scale of buildings is consistent with surrounding development and steps down to compliment the open space areas in the northern parts of the Port Douglas Waterfront..	A2.1 Development is designed in accordance with the control guidelines shown in <i>Figure 1</i> . Setbacks and building envelopes will be generally in accordance with those specified in this figure.

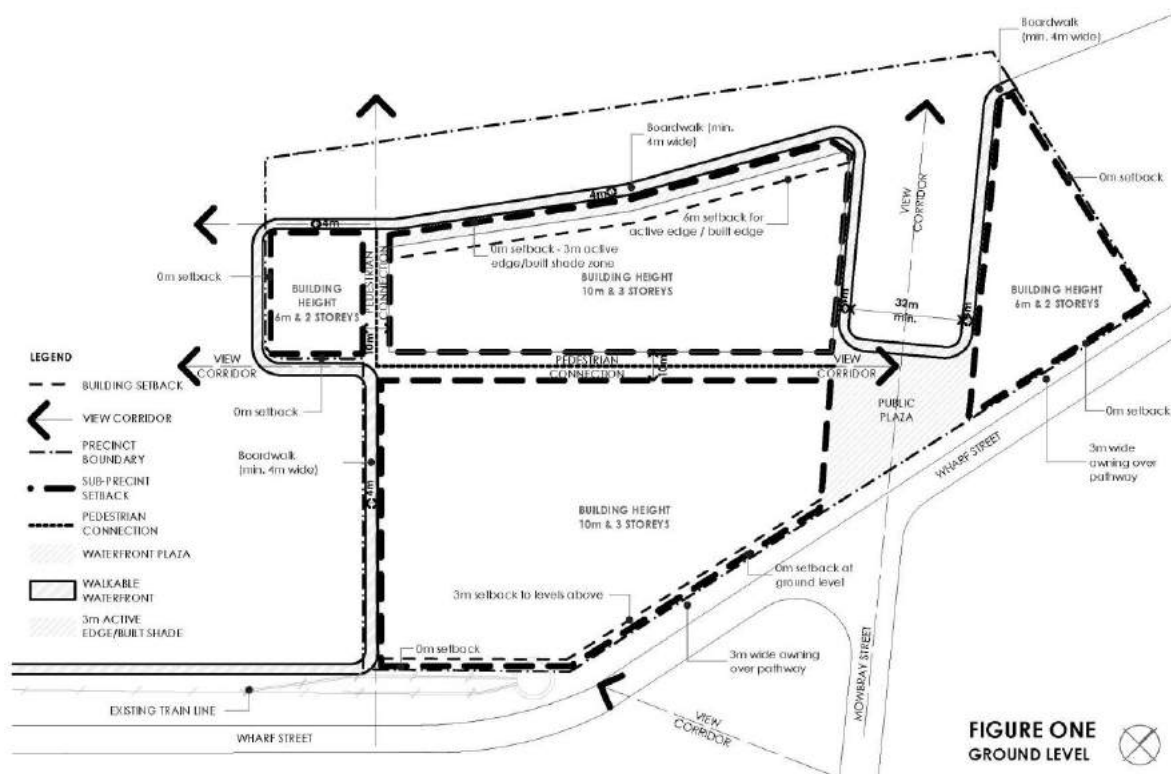


Figure 1: Development Control Guideline

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 Building design is distinctive and reflects the tropical character of Port Douglas and reinforces the amenity of the waterfront and surrounding areas as a major component of the tourism experience.</p>	<p>A3.1 Building design incorporates lightweight cladding and extensive sun-shading and shadowing devices to improve aesthetics and energy efficiency; and</p> <p>A3.2 Buildings are designed in accordance with the requirements of the Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>
<p>P4 Buildings are designed and oriented to address and provide activity in the public realm, particularly the public plaza and Wharf Street.</p>	<p>A4.1 Land uses, such as shops, restaurants, bars and commercial services, activate Wharf Street and the pedestrian plaza; and</p> <p>A4.2 Where a building is adjacent to a public place, the building’s main entrance addresses the public place; and</p>



	<p>A4.3 Through use of design features, development enables:</p> <ul style="list-style-type: none"> a. activities in public areas, such as outdoor dining; and b. passive recreation (such as places for meeting or busking); and c. informal seating around edges such as garden beds.
<p>P5 The design of buildings ensures that:</p> <ul style="list-style-type: none"> a. the streetscape is cohesive; and b. pedestrians are afforded protection from the sun and from rain; and c. development allows for on-site landscaping and street trees for an attractive and tropical streetscape. 	<p>A5.1 A non-transparent cantilevered awning is provided for the full length of the road frontage/s of buildings with a zero metre setback, as generally depicted in Figure 1. Posts may be included in the awnings design however these are to be non load bearing; and</p> <p>A5.2 The underside of the awning is a minimum of 3 metres and a maximum of 4 metres above the finished level of the footpath; and</p> <p>A5.3 The design of the awning allows for street tree plantings; and</p> <p>A5.4 Dense landscaping is provided adjacent to the road frontage where buildings are not built to the front boundary.</p>

Retention of Balley Hooley Rail Line

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 The Bally Hooley rail line and turn-table is retained and incorporated in development to maintain its functionality.</p>	<p>A6.1 No Acceptable Solutions Specified.</p>



Mitigating Adverse Impacts

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Development mitigates the adverse impacts of flood, storm tide inundation and sea level rise.</p>	<p>A7.1 Floors that provide tourist or permanent accommodation are located above the Storm Tide Inundation Area and consider rising sea levels; and</p> <p>A7.2 Floors for new commercial and retail uses are located 150mm above the 1 in 100 year ARI flood event; or</p> <p>A7.3 Additions to existing buildings may use existing floor levels only where it is necessary to retain functionality of the building's use.</p>
<p>P8 Development recognises the importance of and relationship between the marina, commercial and residential development in the Port Douglas Waterfront Planning Area, and includes measures to mitigate the impact of:</p> <ul style="list-style-type: none"> a. noise; and b. odour; and c. hazardous materials; and d. aesthetics. 	<p>A8.1 Development incorporates buildings, structures and landscaped areas that can serve as a buffer between residential and non-residential use areas; and</p> <p>A8.2 Service and rubbish collection points:</p> <ul style="list-style-type: none"> a. are positioned to minimise conflict with residential accommodation; and b. include measures to mitigate adverse noises and smells; and c. minimise the need for trucks to use their reversing horns. <p>A8.3 Service structures and mechanical plant is not visible from:</p> <ul style="list-style-type: none"> a. the street; and b. adjoining properties; and c. Public open space; and <p>A8.4 Service structures and mechanical plant is located away from:</p> <ul style="list-style-type: none"> a. balconies or adjacent to other liveable areas; and b. multiple reflective surfaces such as walls and eaves; and



	<p>A8.5 Potential noise impacts are mitigated through the use of:</p> <ul style="list-style-type: none"> a. sound insulation; and b. sensitive internal planning; and c. acoustic barriers between residential and non-residential uses; and <p>A8.6 Hazardous Materials are stored in an enclosed, bunded area, away from residential uses.</p>
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Sustainable Building Design

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P9 New buildings promote exemplary environmentally sustainable building design outcomes.	A9.1 No Acceptable Solutions Specified.

Parking, Access and Mobility

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P10 Vehicle access, parking and service areas:</p> <ul style="list-style-type: none"> a. do not undermine the relationship between buildings and street or dominate the streetscape; and b. are designed to minimise pedestrian vehicle conflict. 	<p>A10.1 For all buildings parking is:</p> <ul style="list-style-type: none"> a. to the side of buildings and recessed behind the main building line; or b. behind buildings; or c. wrapped by the building façade, and not visible from the street; and <p>A10.2 Ground level parking incorporates clearly defined pedestrian routes; and</p> <p>A10.3 Any porte cocheres, disabled and pedestrian access are accommodated within the boundary of new or refurbished development.</p> <p>A10.4 Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not attract a vehicle parking rate under this Code, or Schedule 1 of the Parking</p>



	<p>and Access Code.</p> <p>A10.5 Where the development is an integrated mixed-use development incorporating holiday accommodation or multiple dwellings and either restaurant or tavern or shopping facilities or business facilities, on-site parking spaces are provided as per the number prescribed in Schedule 1 – Car Parking Requirements of the Vehicle Parking and Access Code with a relaxation of 30% of the non-residential use.</p>
<p>P11 Pedestrians, cyclists, motorists and public transport users can easily move into and through the Waterfront along planned connectivity routes.</p>	<p>A11.1 An integrated pedestrian and cycle movement network is provided as depicted on the <i>Port Douglas Pedestrian and Cycle Movement Overlay</i>.</p> <p>A11.2 Vehicular access from Wharf Street, is provided for the:</p> <ol style="list-style-type: none"> a. Accommodation parking and drop off area, this may include a port cochere and entry feature; and b. Non-residential parking; and <p>A11.3 To avoid any confusion, vehicular access may be via separate access points from Wharf Street which must be designed to maintain the pedestrian integrity of the area through safe sightlines for both pedestrians and vehicles.</p>



View Corridors, Gateways, Landscaping and Open Space

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 A combination of pedestrian linkages and open space areas in the private and public realms are provided:</p> <ul style="list-style-type: none"> a. as a key feature of the Port Douglas Waterfront; and b. through the creation of a continuous waterfront promenade/boardwalk along the quayline. 	<p>A12.1 Development establishes an integrated open space and pedestrian movement network is provided as generally depicted on the <i>Port Douglas Pedestrian and Cycle Movement Overlay</i>.</p>
<p>P13 A public plaza and pedestrian access is established to create an arrival node to the Port Douglas Waterfront.</p>	<p>A13.1 Development establishes the public plaza as shown in <i>Figure 1</i>.</p>
<p>P14 The public plaza shown in <i>Figure 1</i> is designed and constructed to:</p> <ul style="list-style-type: none"> a. reflect the character of the Port Douglas Waterfront; b. meet the needs of its users; and c. provide opportunities for social interaction. 	<p>A14.1 The public plaza is designed to be adaptable to community based events and are serviced accordingly; and</p> <p>A14.1 Paths, meeting spaces and seat locations are designed to encourage incidental social interaction; and</p> <p>A14.3 Shaded seats and shaded standing areas are provided along with drinking taps.</p>
<p>P15 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public, particularly the public plaza and foreshore access.</p>	<p>A15.1 No Acceptable Solutions Specified.</p>
<p>P16 Buildings, civic spaces, roads and pedestrian links:</p> <ul style="list-style-type: none"> a. are enhanced by appropriate landscape design and planting; and b. themed planting defines entry points, and create strong ‘entry corridors’ into the waterfront; and c. lighting and well-considered signage complements the building and landscape design; and d. public artwork and other similar features are provided that reflect the heritage and character of the Port Douglas Waterfront. 	<p>A16.1 No Acceptable Solutions Specified.</p>



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P17 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable location.	A17.1 Development is in accordance with the control guidelines shown in <i>Figure 1</i> .

Marine-Based Industry and Marine Infrastructure

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P18 Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	<p>A18.1 The Slipway is retained until such time as the capacity of the existing slipway is established in the Port Douglas Waterfront South Planning Area, or as otherwise approved by Council; and</p> <p>A18.2 Buildings are designed to minimise conflict between tourist and pedestrian areas and continued marine-based industrial activities.</p>
P19 Marine infrastructure is established to service the tourism, fishing and private boating community.	A19.1 No Acceptable Solutions Specified.
P20 Changes to the Port Douglas Waterfront quayline does not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<p>A20.1 Development that results in changes to the Port Douglas Waterfront quayline are only established where an Ecological Assessment Report provides support to the changes.</p> <p><i>Note: Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, with particular reference to the requirements of an Ecological Assessment Report</i></p>