

# Urban



**Planning | Development**

## PLANNING REPORT

APPLICATION FOR A DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE ('MULTIPLE DWELLING',  
'SHORT TERM ACCOMMODATION', 'FOOD AND  
DRINK OUTLET', 'SHOP' & 'FUNCTION FACILITY')

163 ABBOTT STREET, CAIRNS CITY

*November 2016*

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GA Group Australia Pty Ltd (the Applicant) is requesting a Development Permit from Cairns Regional Council (the Council) for a significant and substantial 'mixed-use' project on vacant land within the Cairns CBD. This proposal reflects the current strengths in the tourism market within Far North Queensland (FNQ) and the introduction of additional residential city living options for people in the urban environment.

The project will be described as 'Mixed Use' concept involving a combination of complimentary land uses, including: a new hotel (220 rooms), residential living (110 apartments with a variety of configurations), cafés & restaurants, a single retail tenancy, and function facilities over land formally described as Lot 203 on SP210231 at 163 Abbott Street, Cairns City.

The property is located on the CBD fringe, only 100 metres from the Cairns Esplanade at the crossroads of Abbott, Aplin, and Lake Streets. The site provides the opportunity for a high level of street activation and is afforded relatively easy access to community facilities, open space, public transport and other retail/services. In a planning context, the land is in the Tourist Accommodation zone where the proposed development constitutes a **Code Assessable** Material Change of Use, subject to assessment by Council against the provisions of the current Planning Scheme (*CairnsPlan 2016*). Accordingly, this proposal seeks a:

- **Development Permit for a Material Change of Use (Short Term Accommodation [220 rooms] Multiple Dwelling [110 apartments of varying sizes], Food and Drink Outlet, Shop, and Function Facility).**

The project team, led by Prime Group and supported by Urban Sync Pty Ltd (Urban Sync), has assisted the Applicant over the past few months to co-ordinate the architectural design works and the necessary technical reports in support of this application to Council. We are now instructed to submit the overall development application on behalf of GA Group Australia Pty Ltd for the consideration of Council.

The architectural plans and technical reports reflect the most recent pre-lodgement discussions with Council and demonstrate that the project incorporates tropical urban design which remain consistent with innovative inner-city accommodation styles and that sufficient planning grounds are presented to support the built form and manage potential development impacts.

This report has been undertaken to:

- Present the physical characteristics of the subject land and recent development history;
- Accurately describe the development 'concept' being proposed and look to communicate the 'key' aspects of built form, visual impact, setbacks, private open space, landscaping, vehicular movements, and pedestrian environment, as reflected in the design plans prepared by CA Architects in their Design Application Report;
- Address the applicable statutory/legislative requirements under the *Sustainable Planning Act 2009* and the *CairnsPlan 2016*; including addressing Tropical Urban Design which is a 'key' element to the grounds to support the proposal; and
- Seek to demonstrate that there are sufficient planning grounds to the 'key' development issues in support of the project that manages the overall effect on the land and the surrounding properties.

In summary, development of a mixed-use project, including residential and other supportive land uses, is encouraged under the planning frameworks which are applicable to the land. The project seeks to address the principles of tropical urban design and reflects a significant commitment of resources and time by the Applicant.

Overall, the project reflects substantial consistency with the higher order provisions within the Strategic Framework and the purpose of the City Centre Local Area Plan of the *CairnsPlan 2016*. There are departures away from the Acceptable Outcomes in respect of built form in favour of alternative approaches to meeting the Performance Outcomes. Notwithstanding, we submit this application for Council's assessment and favourable consideration, subject to reasonable and relevant conditions of approval.



## 2.1 APPLICATION SUMMARY

<b>Approval Sought</b>	Application for a 'Mixed Use' land use and development activities that operate in an integrated way reflecting a Development Permit for a Material Change of Use ( <b>Short Term Accommodation [220 rooms], Multiple Dwelling [110 apartments of varying sizes], Food and Drink Outlet, Shop and Function Facility</b> ) under the <i>Sustainable Planning Act 2009</i> and Council's Planning Scheme (CairnsPlan2016).
<b>Applicant:</b>	GA Group Australia Pty Ltd
<b>Project Description Details:</b>	<p>The project is a complication of several elements that operate together for a mixed-use development with two (2) towers along with accompanying activities within the ground floor and at podium levels.</p> <p>A summary of the design elements is provided below:</p> <p><b>Tower 1 (Hotel adjacent to Lake Street):</b></p> <ul style="list-style-type: none"> <li>▪ Up to 46 metres AHD incorporating eleven (11) storeys;</li> <li>▪ 220 non-self-contained hotel rooms of varying configurations; and</li> <li>▪ Function rooms, hotel restaurant, and bar along with communal open space (pool) within the podium level.</li> </ul> <p><b>Tower 2 (Apartments adjacent to Abbott Street):</b></p> <ul style="list-style-type: none"> <li>▪ Up to 46 metres AHD incorporating twelve (12) storeys;</li> <li>▪ Combination of 1, 2, and 3 bedroom apartments with a combined total of 110 permanent dwellings; and</li> <li>▪ Separate communal area and recreation facilities for residents including pool, gym, etc. located within the podium levels.</li> </ul> <p><b>General:</b></p> <ul style="list-style-type: none"> <li>▪ Access for vehicles, guests, and services to both Lake and Abbott Streets. The design accommodates a port cochère (drop off entry) within the April Street reserve that will promote activation of the streetscape without compromising pedestrian activity;</li> <li>▪ A feature canopy structure at varying levels which will define the built form at pedestrian level;</li> <li>▪ Combination of commercial-style activities at ground level that interacts with the street;</li> <li>▪ Suitable areas for hotel reception, communal meeting spaces, restaurant/bar, back of house operations, and landscaping treatments throughout; and</li> <li>▪ Total of 178 car parking spaces split between a full basement, ground level, and mezzanine level car park;</li> </ul>



ASSESSMENT DETAILS	
<b>Assessment Manager:</b>	Cairns Regional Council
<b>Level of Assessment:</b>	Code Assessment
<b>Public Notification:</b>	Nil
PRE-LODGEMENT CONSULTATION	
<b>Council:</b>	Yes. – Throughout the Preliminary & Pre-lodgement phase Please refer to <b>Attachment 3 and Section 4.2</b> for further details on the pre-lodgement discussions and advice received.
<b>State Assessment &amp; Referral Agency/Department of Transport and Main Roads</b>	Yes Referral to DILGP under SPA Regulation
RELEVANT STATE PLANNING INSTRUMENTS	
<b>State Planning Regulatory Provisions</b>	Adopted Charges SPRP
<b>Single State Planning Policy:</b>	The following State Interests from the Queensland Single State Planning Policy (July 2014) – Part E: Interim Development Assessment Requirements are applicable to the site/proposed development (see <b>Attachment 4</b> ): <ul style="list-style-type: none"> <li>▪ Water Quality (Climatic Regions – Stormwater Management Design Objectives);</li> <li>▪ State Transport Infrastructure (Area within 400m of a Public and Future Public Passenger Transport Facility);</li> <li>▪ Natural Hazards, Risk, and Resilience (Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay &amp; Coastal Hazards (Erosion Prone Area &amp; Medium &amp; High Storm Tide Inundation Area); and</li> <li>▪ Strategic Airports and Aviation Facilities (Obstacle Limitation Surface (46m AHD); Light Restriction Zone, Lighting Area Buffer (6km), Wildlife Hazard Buffer Zone &amp; Aviation Facility).</li> </ul>
<b>Regional Plan:</b>	Far North Queensland Regional Plan 2009-2031
<b>Regional Plan Land Use:</b>	Urban Footprint (see <b>Attachment 4</b> ).
<b>Other State Interests:</b>	Nil



RELEVANT LOCAL PLANNING INSTRUMENTS	
<b>Planning Scheme:</b>	<i>CairnsPlan 2016</i> (adopted 1 March 2016)
<b>Local Plan</b>	Cairns City Centre Local Plan
<b>Precinct</b>	Sub-precinct 2a (City Centre Frame – Building Height)
<b>Zone</b>	Tourist Accommodation Zone
<b>Overlays:</b>	<p>The following overlays from the <i>CairnsPlan 2016</i> are applicable to the land (see <b>Attachment 4</b>):</p> <ul style="list-style-type: none"> <li>▪ Acid Sulfate Soils (Land at or below 5m AHD);</li> <li>▪ Airport Environs (Obstacle Limitation Surface (46m AHD), Wildlife Hazard Zone (3-8km), Lighting Restriction Zone (Zone D);</li> <li>▪ Flood &amp; Inundation (Precinct 3 – Sub-precinct Zone 1 - CBD &amp; Environs);</li> <li>▪ Transport Network - Pedestrian &amp; Cycle Network: Lake Street (Existing Principle Route);</li> <li>▪ Transport Network - Road Hierarchy (Abbott Street: Sub-Arterial, Aplin &amp; Lake Street: Collector)</li> </ul>
<b>Preliminary Approval Land Use:</b>	Nil

## 2.2 SUPPORTING DOCUMENTATION

Document	Author	Date
Planning Technical Report	Urban Sync Pty Ltd	14 November 2016
Architectural Design Plans	CA Architects	14 November 2016
Services Engineering Report	Jacobs	14 November 2016
Traffic Impact Assessment	UDP	14 November 2016
Landscape Concept Design	AS Design	14 November 2016



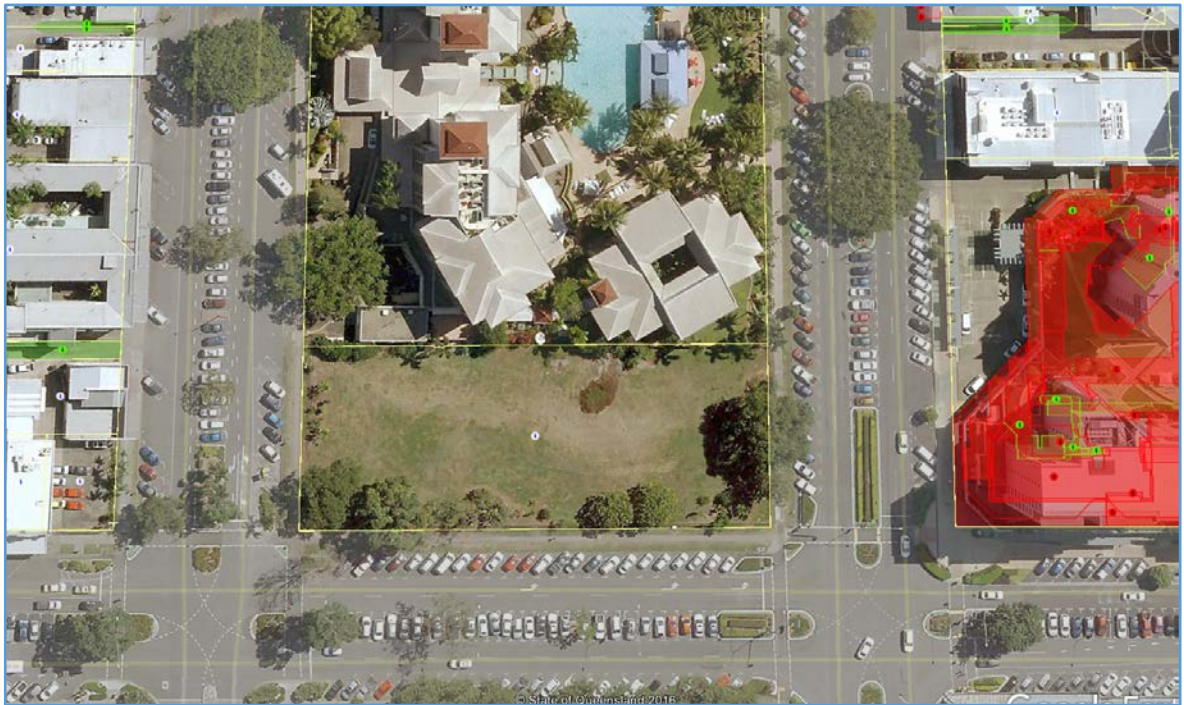


### 3

## SITE DETAILS & ANALYSIS

### 3.1 SITE DESCRIPTION

<b>Site Location:</b>	163 Abbott Street
<b>Lot and Description:</b>	Lot 203 on SP210231
<b>Site Area:</b>	3,999m <sup>2</sup>
<b>Tenure:</b>	Freehold
<b>Easements/Encumbrances:</b>	Nil
<b>Local Government Authority:</b>	Cairns Regional Council
<b>Local Government Division:</b>	Division 5 – Councillor Richie Bates



**Figure 1: Site Plan of 163 Abbott Street, Cairns City (source: Queensland Globe, State of Queensland, 2016)**





*Figure 2: Street View of the Site (Lake Street) (source: Author, 2016).*



*Figure 3: Street View of the Site (Aplin Street) (source: Author, 2016).*





Figure 4: Street View of the Site (Abbott Street) (source: Author, 2016).

### 3.2 SITE ANALYSIS

The following section of the report examines the characteristics and values of the land.

<b>Existing Development:</b>	The site is unimproved by any built structures. There are no land use activities undertaken over the property.
<b>Topography:</b>	Overall the site presents as generally flat, albeit with a slight fall from the western corner towards both Aplin and Abbott Street.  Accordingly, levels range from RL 2.90m AHD in the western corner to along the rear boundary to RL 2.15 in the eastern corner of the site, adjacent to the Aplin and Abbott Street intersection (see <b>Attachment 5</b> ).
<b>Waterways:</b>	There are no identified waterways within or adjacent to the site.
<b>Vegetation:</b>	Some mature trees of varying ages, condition, and species are located within the property and along the periphery of the site.
<b>Environmental Management &amp; Contaminated Land:</b>	The site is not listed on the Environmental Management Register or Contaminated Land Register (see <b>Attachment 6</b> ).
<b>Heritage Places:</b>	The site is not identified as either a State or local heritage place. However, the Cairns City Library on the other side of Aplin Street is identified and acknowledged a State Heritage Place and is referenced within the planning commentary.

### 3.3 INFRASTRUCTURE AND SERVICES

An Engineering Services Report has been prepared by Jacobs Pty Ltd (refer **Attachment 8**) to address the likely capacity and demands of the project on infrastructure networks and surrounding properties. This information has been reviewed and used to provide information about the existing infrastructure and services within the road reserve and in the immediate vicinity of the land.

We note the following:

<p><b>Road Frontage:</b></p>	<p>Within this locality, site presents to the Abbott, Aplin, and Lake Street frontages.</p> <p><b><u>Lake Street:</u></b></p> <p>Lake Street is a 'Collector' road which contains a divided single lane carriageway within a 40m wide road reserve. The road reserve is improved with kerb and channel and footpaths on both sides of the carriageway, while the road has not only centre parking, but angle parking on both sides of the road.</p> <p><b><u>Abbott Street:</u></b></p> <p>Abbott Street is a 'Sub-Arterial' road which contains a divided dual lane carriageway within a 40m wide road reserve. The road reserve is improved with kerb and channel and footpaths on both sides of the carriageway, while the road has not only centre parking, but also angle parking on both sides of the road.</p> <p><b><u>Aplin Street:</u></b></p> <p>Aplin Street is a 'Collector' road which contains a divided dual lane carriageway within a 40m wide road reserve. The road reserve is improved with kerb and channel and footpaths on both sides of the carriageway, while the road has not only centre parking, but also angle parking on both sides of the road.</p>
<p><b>Water Supply:</b></p>	<p>The site is serviced with a reticulated water supply from one of the existing 150mmØ mains in either Lake or Aplin Streets, or the 100mmØ main in Abbott Street.</p>
<p><b>Sewerage:</b></p>	<p>The site is serviced with a reticulated sewerage supply via a 450mmØ main which is located on the Lake Street frontage of the site Esplanade.</p>
<p><b>Stormwater:</b></p>	<p>The site appears to drain to the kerb and channel in both Aplin and Abbott Streets, before entering Council's underground stormwater system via the kerb pits at the intersection of these two streets.</p>
<p><b>Electricity &amp; Telecommunications:</b></p>	<p>The site is connected to both electricity and telecommunications services.</p>

### 3.4 SURROUNDING LAND USES

The property represents one of the last remaining vacant parcels on the fringe of the Cairns CBD and is located approximately 150 metres from the Cairns Esplanade. The land is also situated only moments from the recently upgraded Cairns Bus Terminals in Lake Street, which delivers public transport options to the northern and southern suburbs of the City. In a planning context, the land is immediately adjacent the Principle Centre Zone, which is intended to support the primary functions of the City, including mixed use activities for tourism, accommodation, and employment activities; as well as a combination of community and residential activities.

More specifically, the site shares its northern boundary which extends for approximately 100 metres with the Novotel Cairns Oasis Resort and is situated directly opposite the Cairns Public Library (to the south) across Aplin Street, Mantra Trilogy (to the east) across Abbott Street, and a wide variety of other smaller business, retail, and accommodation activities located along Lake Street. The site is also located within the same city block as the Cairns Aquarium, which is currently under construction, and is also within proximity to the Cairns Cultural Precinct (CPAC), Munro Martin Parklands, Cairns Esplanade, and other activities such as restaurants, bars, and the CQU City campus.

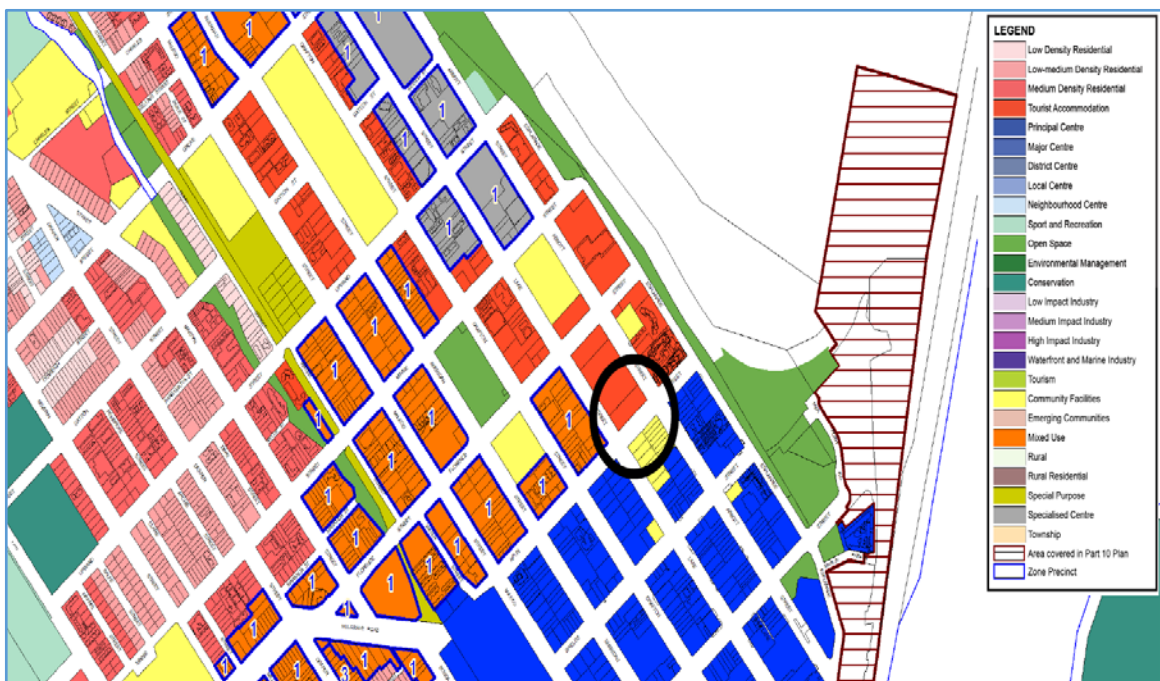


Figure 5: Surrounding zones (source: CairnsPlan 2016, Cairns Regional Council).

## 4

## DEVELOPMENT BACKGROUND

### 4.1 PREVIOUS APPROVALS

A preliminary desktop investigation was undertaken to review past development approvals over the site. These approvals are listed in the following table and a copy of these approvals can be found in **Attachment 7**.

Reference	Approval Type	Aspect	Description	Date
5877/2014	Development Permit	Operational Works	Tree Clearing	27 August 2014
6728/2015	Development Permit	Material Change of Use	Car Park, Shopping Facilities & Restaurant	27 April 2016

#### 4.1.1 OPW - Vegetation Clearing

Earlier approvals were identified for clearing activities to remove five (5) trees from the site by the previous owners of the 'Novatel' Oasis Resort. The assessment was made more complicated by the presence of breeding flying foxes which are provided with protection under separate regulation under the *Nature Conservation Act 1992* and *Environmental Protection and Conservation Act 1999* (EPBC Act). All the trees proposed for removal over the subject site were identified as being *Mangifera Indica* (Mango) trees. The Council's assessment appears to acknowledge that these trees did hold relatively high scenic amenity values for the local area given the past use of the land for a State Primary School; however, it was determined that there were environmental values which needed to be considered in the review of the activities.

Works to remove the trees were completed in early 2015 by former landowners.

Urban Sync understands that vegetation clearing activities were also referred to Department of Environment for approval under the EPBC Act. A review of subsequent documentation uncovered that the referral decision considered the proposed tree removal works to be **"not a controlled action if undertaken in a particular manner."**

#### 4.1.2 MCU – Carpark, Shopping Facilities, & Restaurant

Urban Sync contributed to the applications made by previous landowners to establish a 24hr-style carparking activity on the land with associated shopping and restaurant facilities. It was proposed that these activities would primarily function as a 'temporary' development for a limited period of up to ten (10) years noting that future opportunities for higher density buildings would likely be the intention for the land,

We note that no additional detailed design or construction works have since progressed under this earlier development approval (April 2016) and though the development permit remains valid, there is no intention to progress with this project considering the current design concept being proposed for assessment under this application.

### 4.2 PRE-LODGEEMENT MEETINGS & REVIEW

GA Group Australia Pty Ltd and Cairns Regional Council commenced preliminary design and pre-lodgement meetings in early October 2016. The intention of this meeting was to introduce the 'concept' development envisaged for the land and co-ordinating efforts to provide for the efficient understanding of 'key' development issues. It was agreed that the project team lead by Prime Group and Council's technical officers would benefit from pre-lodgement discussions to identify areas of potential conflict and to set the 'terms of reference' for suitable specialist reporting and design concepts.



Subsequently, the project team, including architects, traffic specialists, civil engineers, and landscape architects, were engaged to provide complimentary reports in support of the application and to address assessment requirements and potential for development impacts.

This section of the report seeks to summaries these discussions and the topics raised.

### **31 October 2016 – Prelodgement Meeting:**

A preliminary design and pre-lodgement meeting was held between the Applicant's representatives (Prime Group, Urban Sync, and CA Architects), and Council on **31 October 2016** where the concept elements were presented to Council and the 'higher order' planning issues were discussed.

Attendees included:

- Peter Boyd & Paul Cohen (Cairns Regional Council);
- Terry James (Deputy Mayor Cairns Regional Council)
- Stuart Ricketts & Matt Ingram (Urban Sync);
- Gisela Jung (CA Architects); and
- Simon Vinnicombe, Jay Glew, & Brian Collyer (Prime Group).

Please refer to **Attachment 3 Pre-lodgement Minutes & Correspondence** for a copy of the meeting minutes from this meeting.

### **8 November 2016 – Prelodgement Meeting:**

Subsequent discussion and a follow up design and pre-lodgement meeting was held between the Applicant's representatives (Prime Group, Urban Sync, and CA Architects), and Council on **8 November 2016** where a more detailed discussion on the main 'Planning' elements were discussed in more detail.

Attendees included:

- Peter Boyd, Paul Cohen, & Emma Finney (Cairns Regional Council);
- Terry James (Deputy Mayor Cairns Regional Council);
- Stuart Ricketts & Matt Ingram (Urban Sync);
- Gisela Jung & Carlo Amerio (CA Architects); and
- Simon Vinnicombe, Jay Glew, & Brian Collyer (Prime Group).

Please refer to **Attachment 3 Pre-lodgement Minutes & Correspondence** for a copy of the meeting minutes from this meeting.

Several further discussions and briefings with officer's dealings with services, street scape, landscaping design and architectural elements of the design have also been undertaken over recent weeks to guide the final submission of the application. The project team generally feel that most of the 'key' planning items have been reflected in the design report and planning submission and seek the relevant approvals to progress with the project with reasonable development controls.



## 5.1 GENERAL DESCRIPTION

This application requests the necessary statutory approvals from Cairns Regional Council for a Material Change of Use (Short Term Accommodation [220 rooms], Multiple Dwelling [110 apartments of varying sizes], Food and Drink Outlet, Shop, and Function Facility) over formally described as Lot 203 on SP210231, located at 163 Abbott Street, Cairns.

A summary of the 'key' design elements is provided below:

### **Tower 1 (Hotel adjacent to Lake Street):**

- Up to 46 metres AHD incorporating eleven (11) storeys;
- 220 non-self-contained hotel rooms of varying configurations; and
- A combination of activities that support hotel function and for the use of guests including function rooms, hotel restaurant and bar along with communal open space (pool) within the podium level (Level 3).

### **Tower 2 (Apartments adjacent to Abbott Street):**

- Up to 46 metres AHD incorporating twelve (12) storeys;
- Combination of 1, 2, & 3 bedroom apartments with a combined total of 110 permanent dwellings; and
- Separate communal area and recreation facilities for exclusive use by residents including pool, gym, etc. located within the podium levels (Level 1);

### **General:**

- Access for vehicles, guests, and services to the development from both Lake and Abbott Street. The design provides for a port cochère drop-off facility within the Aplin Street reserve that will promote activation of the street front but will also seek to maintain continued safe pedestrian activity;
- A feature canopy structure will define the built form throughout the atrium and at pedestrian level extending from the podium level;
- Combination of commercial activities at ground level that interacts with the street;
- Internal areas within the ground level spaces that provide hotel reception, communal meeting spaces, restaurant/bar, access to back of house operations, amenities, and landscaping treatments throughout; and
- Total of 178 car spaces split between a full basement, ground level, and mezzanine level car park;

## 5.2 DEVELOPMENT ELEMENTS AND DETAIL

The project designs have sought to incorporate the 'key' elements of tropical design in support of the two (2) towers and supporting podium level features with the inclusion of public/private interaction at the pedestrian level. This is illustrated through the 'concept' design plans and other supporting illustrations prepared by CA Architects Pty Ltd which accompany this report as **Attachment 2**.

The design brief set by the Applicant has specifically sought to maintain a contemporary Cairns styling. Commentary by the designers is provided within the technical supporting reports to demonstrate the importance of the fundamental elements of the built form. The project has been purposely designed to create an iconic point of difference for Cairns and is based on four key themes, being: canopies, podium, foyers and entry, and texture and detailing.





These themes are further described below:

### **Canopy**

The layered structural canopy sits high above the main atrium and serves as the overarching element tying together the architectural components from the street, foyer, podium, and towers in one rainforest-scale space. The patterned translucent materials mimic a rainforest canopy, allowing dappled light to filter through to the spaces below, whilst providing weather protection and maintaining a calm and airy openness to the volumes below.

### **Podium**

The podium levels extend up from the ground floor, providing separation from the street and containing of a series of spaces intended to evoke the tropical experience of Cairns. Beaches, pools, shade structures, and communal facilities are incorporated to provide an intimate and tranquil atmosphere for the guests, whilst providing an unmistakable sense of tropical wilderness.

### **Foyer & Entry**

In the foyer, the landscaping features, waterfalls and canopy evoke that of a rainforest experience. The foyer and entry provide a grand and voluminous statement, blurring the lines between indoors and outdoors and the pedestrian environment. Generous vertical green walls within the ground floor areas and waterfalls provide impressive, yet authentic rainforest experience.

### **Texture & Detailing**

The built form encourages cross-flow ventilation and living spaces become indoor and/or outdoor depending on season and weather. Large and varied outdoor spaces with generous overhangs and surrounded by lush landscaping provide shelter, shade, and privacy.

GA Group Australia Pty Ltd believes the building concept is contemporary and functional given the site constraints which are presented. The overall design elements are reflective of the size and shape of the development delivering 'high quality' outcomes while achieving the best 'yield' and maintaining a degree of design integrity for the land, streetscape, and surrounding properties.

## **5.2.1 Tower 1 (Hotel adjacent to Lake Street)**

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Tower 1 represents the Short-term Accommodation (Hotel) component of the project and is intended to be a genuine 5-star business (operator to be confirmed) with a total of 220 hotel rooms along with all the usual supporting activities that would normally be associated/expected with servicing the needs of guests.

This includes:

- Reception;
- Communal lobby and meeting place;
- Hotel management and back of house operations;
- Function rooms, kitchen and bar available on podium level; and
- Recreational spaces including courtyards, sky garden, yoga deck, swimming pool and amenities.

## **5.2.2 Tower 2 (Apartment adjacent to Abbott Street)**

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Tower 2 will be directed to the corner of Abbott and Aplin Streets and incorporate the residential component (Apartments) consisting of 110 dwellings. The design is intended to be of a contemporary/modern style, suitable for people living in a topical environment and provide a variety of living options for 1, 2, & 3 bedroom arrangements.



This includes for your consideration:

**Level 1:** Seven (7) one-bedroom dwellings, three (3) two-bedroom dwellings (all south-eastern facing dwellings will have a small terrace area) and the residential podium deck, recreational area/facilities and pool (communal recreation area for residents);

**Level 2:** Six (6) one-bedroom dwellings and five (5) two-bedroom dwellings (all south-eastern facing dwellings will have a small terrace area);

**Level 3:** One (1) one-bedroom dwelling, five (5) two-bedroom dwellings, two (2) three-bedroom dwellings (all south-eastern facing dwellings will have balconies) and a gymnasium;

**Levels 4-12:** One (1) one-bedroom dwelling, six (6) two-bedroom dwellings and two (2) three-bedroom dwellings (all south-eastern facing dwellings will have balconies);

All one-bedroom dwellings will range in size from 57m<sup>2</sup> to 66m<sup>2</sup>, two-bedroom dwellings will be 79m<sup>2</sup> to 106m<sup>2</sup> (plus terraces/balconies areas where applicable), while all three-bedroom dwellings will be either 101m<sup>2</sup> or 102m<sup>2</sup>, with all areas mentioned exclusive of balconies areas where applicable.

The design arrangements for all north facing apartments have removed the balconies in favour of creating internal/external living spaces. Instead of traditional balcony arrangements, these dwellings will be provided with large, floor to ceiling windows and balustrades which create the effect of letting the outside environment into the living areas. This is a different concept for Cairns, although one which has been used in other parts of the world with great success and one which the designers and proponents believe will work well in the tropical environment.

Creating articulation and accompanying light/shade of northern aspect of the building will be undertaken by structural treatments that are intended to represent 'curtain fig tree' themes.



*Figure 6: Example of internal/external living space*

### 5.2.3 Ground Floor/Mezzanine & Basement

The ground floor areas are the primary focus and support interaction of the project between towers and the open atrium style internal space and the public environment. Within the ground floor, the development encourages activation of a communal environment with the Aplin Street frontage where guests and residents can mingle with public at any of the bars, restaurants, kiosks, etc. The atrium, landscaping, and port cochère are intended to frame the entry points to the buildings in a way that invites people into this area.

Managing the interaction of vehicles and pedestrians has been considered with entry points along Lake/Abbott Street which are not intended to be encouraged for pedestrian environment or connectivity between the two (2) streets. Primarily these areas are for 'back of house' operations associate with the hotel, residents, and other activities along the provision of carparking and storage requirements linked to the tower activities.

The following elements, as shown in the design plans prepared by CA Architects in **Attachment 2**, are to be incorporated into the ground floor, mezzanine, and basement areas of the proposed development:

1. Basement area caters for up to 114 spaces (with 110 storage compartments for residents and it is intended that the residents of the apartments will have secure access to this level. The ramp for the basement is located along the northern boundary;
2. The ground level design provides carparking and entry to the basement areas. In addition, back of house facilities will be available for the hotel, apartments, and the other activities which are located within the development. Service vehicle entry/exit will be limited to Abbott Street;
3. Access to a mezzanine level (part) will be provided from Abbott Street and will function to provide an additional 35 car spaces for hotel guests and other short-term users of the development. Signage and operations will be managed to guide the arrangements within this mezzanine area;
4. At ground level along the Lake Street frontage the design supports both a commercial tenancy (84m<sup>2</sup>) and a retailing tenancy (110m<sup>2</sup>) at the corner of Lake/Aplin streets.
5. An impressive atrium and layered canopy over different levels to provide interest in the structural elements of the building. This design ties the architectural components from the street, foyer, and podium along with the towers in one (1) rainforest scale space, as well as second level awnings to provide shade and shelter to guests etc.; and
6. A combination of activities defined as 'commercial' including juice/kiosk, business lounge, bar/restaurant and café of up to 990m<sup>2</sup>, including a waterfall, glass lift, amenities for patrons, lift access to both towers, and a vertical green wall.

The retail outlet located at the Cnr of Lake and Aplin Streets is expected to operate between normal business hours of 9am to 9pm seven (7) days a week. The food and drink outlets may operate slightly later, particularly the restaurant and bar, while the coffee and business lounge areas may open earlier (say 7am).

Notwithstanding, the location is highly trafficable by pedestrians, closely located to the Cairns Esplanade and public transport and would appropriately be suitable for extended trading to maintain the vibrancy of the Cairns CBD in this locality extending along Aplin Street.

### **5.3 DESIGN ELEMENT – TROPICAL URBANISM**

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Council's Planning frameworks, particularly the City Centre Local Area Plan (7.2.2), place considerable emphasis on incorporation of 'tropical design' elements in buildings such that this forms a focus of the planning assessment and consideration.

This proposal seeks to promote a significant development in the current city landscape with a built form that is modern and contemporary. We note that in several instances that the submitted design departs from the 'Acceptable Outcomes' which are a 'deemed to comply' approach to assessment and therefore design justification is necessary to promote acceptance of 'Performance Outcomes' and consistency with the overall purpose and context of the City Centre Local Area Plan (7.2.2).

The intent of the Planning Scheme and the associated planning provisions is to encourage suitable urban design and innovation via the adoption and promotion of Council's Tropical Urbanism Policy. This involves promoting characteristics that sponsor the 'city in a rainforest' ethos and integrates the unique tropical identity of Cairns.



The Tropical Urbanism Planning Scheme Policy (SC6.16) promotes a connection between the built form and the character of the tropics via the following:

*“Tropical Urbanism is the integration of landscaping and tropical design elements into the built environment. Development that expresses tropical urbanism incorporates:*

- a) Shelter from sun and rain;*
- b) A contrast of light and shade;*
- c) Sufficient spaces around and between buildings;*
- d) Minimisation of radiant heat and heat island effects;*
- e) Air circulation, breeze permeation and passive cooling;*
- f) Generous outdoor living spaces with large windows and balcony openings;*
- g) Generous floor to ceiling heights;*
- h) High quality landscaping;*
- i) Quality public and private spaces that proliferate and enliven the urban form; and*
- j) Passive design that responds to the tropical climate.”*

The Tropical Urbanism Planning Scheme Policy (SC6.16) seeks to encourage design outcomes into the built form through provisions that influence the building style to promote the biophilia principals that underpin the policy itself, where it is recognised that that the built form and the surrounding environment are experienced on an emotional level through visual impenetrations and encounters. Therefore, the policy seeks to provide guidance to assist in shaping and moulding the built form, such as façade articulation and treatments, separation, landscaping solutions, and the consideration of the human scale.

Within this section of the reporting, we seek to identify the elements which have been included in the design submission and address the guiding principles that underpin the Tropical Urbanism approach to building design. It is important within the context of this commentary that the design plans, visual montages, landscape concepts, and other specialist inputs are considered as part of the entire review against the achievement of the Performance Outcomes and the intent of the Planning Scheme.

### **5.3.1 Articulation and Façade Treatment**

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As a ‘key feature’ of tropical urbanism, the façade treatment of the proposed development has been carefully considered using permanent structural elements and landscaping to create a point of difference and to generate visual interest.

In particular, the design team has provided comments that the plans accommodate tropical urbanism through the façade and arrangements associated the pedestrian environment at ground level and within the podium level.

At the pedestrian level, the façade comprises of windows with large openings, hard and soft landscaping, different construction materials, colours and textures, as well as architectural features and structures (atrium and canopy) to assist in breaking up the visual expanse of the structure, soften the built form, and provide a contrast between light and shade to create depth and to reduce the appearance of setbacks. Further, through landscaping and building materials both colour and texture have also been employed to reduce the appearance of imposing built form at the podium level using the illusion of a weighted colour. The roof canopy within the central atrium also mimics the wave-like recesses and protrusions to break up the roof profile reducing any bulk

in the appearance. The application of texture is also utilised as a means of screening to the podium parking areas via structural elements to reflect the 'curtain fig tree' to disguise the purpose of the area.

It is submitted that the unique shape of the built form, coupled with the above-mentioned façade treatments, offers to generate visual interest within the streetscape, create an attractive skyline, and soften the overall appearance of the building.

### 5.3.2 Separation and Setbacks

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From a planning perspective, separation and setbacks in design are accommodated to achieve the following:

- Privacy and amenity of land uses (i.e. shade, noise, visual, and the like);
- Access to natural light and ventilation; and
- Maintaining character and streetscape through separation of built form.

The submitted design report (**Attachment 2**) has been prepared in the context of the site which presents to three (3) street frontages and therefore the challenge for design is to achieve the intent for suitable setbacks via an alternative to the nominated Acceptable Outcomes.

There is an acknowledgment from the designers that the buildings are adjacent to existing hotel (Oasis Resort), where there is development with habitable rooms. We note from the clearance between the tower and the property boundary that setbacks are reduced beyond the podium level with a further angling of the building to limit and reduce possible impacts on habitable rooms to beyond ten (10) metres. The adjacent development of the Novatel 'Oasis' Resort has also been constructed to 'turns its back' on the 163 Abbott Street property directing habitable rooms towards Lake Street and Abbott Street, with stairwells being the closet portion of the development to the subject site.

The design team are of the view that the site arrangement and the need to present 'high' quality design to the street frontage at the podium level requires that an approach to design must allow for some encroachment to the northern boundary setback in a managed way. The angling of the proposed towers achieves the most 'effective' outcome to maintain privacy and amenity of adjoin land uses and ensures that the proposed development does not present as a wall of continued buildings to the northern boundary. We note, however, that reduced setbacks to the Aplin Street frontage are also incorporated into the design beyond the podium level of building because of the angling feature of the design which extends beyond, up to 46 metres AHD.

The design approach by the architects has considered both the benefit and constraints which are resulting from the land presenting to ALL three (3) road frontages, the width of the reserve in Aplin Street and the understanding that the Cairns Library site will unlikely be developed for higher density building above the existing nine (9) metres. It is important that the overall impression to the street maintain the heritage values which are present and the spaces which are provided between building, landscaping and the road corridor.

It is the submission as part of this development that the overall impression of the building to the street will not create an imposing or dominate built form; and that the approach can be supported with landscaping treatments.

### 5.3.3 Building Width

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The policy provides that 'building width' through design is an important element to maintaining scale and of the urban environment and facilitating landscape outcomes. Excessive width of buildings impacts on outlooks, views, local climatic conditions, opportunities for landscaping, and penetration of light and breezes into the development and can create adverse impacts on adjoining properties.

In respect of this site and the development concept proposed in the very early stages, the intention was to ensure that the overall property would not be dominated by a tower design and that the site would likely accommodate two (2) tower arrangement rather than and single building projection. This plays an important

role in the efficiency of the building, cost planning for the project and the viability of the development though it was accepted to be a critical element of the design and character of the submitted plans. We note that compliance with this outcome has been delivered.

In respect of guidance, Council's City Centre Local Plan Code (8.2.2) seeks to support buildings with a maximum width of 40 metres along the horizontal plane. The residential tower which is set on the eastern portion of the development site extends only very slightly beyond the acceptable 40 metres, to 47.05 metres. This aspect of the development is clearly a demonstration and acknowledgement of the effects of built form have on the site and surrounding areas.

It is requested that Council support the design on the achievement of the Performance Outcome.

#### 5.3.4 Walls on Boundaries

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With the development presenting to three (3) frontages there is little impact on walls along boundaries. Activating streets and generating interest in built form has been the major factor in the achievement of Tropical Urban principles. Where the podium presents to the northern boundary and the north-eastern location treatment of the podium walls will be provided with textures construction material to soften any development impact.

It is considered that the design has suitably reflected this element in the design.

#### 5.3.5 Views and Vistas

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The policy promotes the maintenance of 'views and vistas' as a means of reinforcing the Cairns character in development assessment. In terms of the design report, the architects have included a view line analysis to address the potential for visual impacts from notable positions in the City. Within the City Centre Local Plan Area (7.2.2) this 'key' element remains an important element for the achievement of the Performance Outcomes and design has sought to acknowledge the maintained of view lines (east and west) between the Cairns Esplanade and the Western forested hillslopes.

Submitted visual montages as part of the design submission (**Attachment 2**) illustrate that despite the reduced setbacks being proposed to Aplin Street, the views from these prominent locations has not substantially interrupted the view corridors to the Cairns Esplanade or the Westerns Hillslopes. The buildings sit within an urban context (Cairns CBD) and are, for the most part, equally scaled to similar nearby developments such as Trilogy, Aquarius, CenterPoint, and Royal Harbour. The maintenance of road corridors (which in Cairns are up to 40 metres) provides separation between buildings located in different city blocks and achieves a sense of separation which is important in respect of the development and its relative distance to adjoining buildings.

Visual montages in real space, 3D perspectives and plans accompanying the development report provide evidence of the maintenance of vistas and views of the development and it is unlikely that the building, despite being higher than others in the Cairns CBD, will result in an imbalance of the city character.

It is requested that Council support the design on the achievement of the Performance Outcome.

#### 5.3.6 Horizontal & Vertical Landscaping

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A combination of hard and soft landscaping treatments is being promoted throughout the development including layering which seek to meet the intent of the Tropical Urbanism policy and to capture and promote the image of Cairns as a 'city in a rainforest'.

The design reporting and associated 'concept' landscaping plans presents the inclusion of landscaping features which ensures compliance with the policy, including:



- Rainforest-style theme in the communal spaces and throughout the atrium, which will be accompanied by assortment of landscaping treatments to add depth and height to the street front producing a pedestrian-friendly atmosphere;
- Podium planting and both hard and soft landscaping elements;
- The use of different types of vegetation styles at the ground level to create a soft and welcoming atmosphere for pedestrians, including a variety of tropical trees and shrubs to generate visual interest using layers and colours and to provide shade;
- Some vertical landscape features supported by strategically placed stainless steel tensile wire to support hearty climbing species at the podium level;
- Podium planting and other planter box applications to further define, frame and soften the built form, and to be include low maintenance ground over-type vegetation that can 'spill over' the edge of the building to further soften the built form; and
- Continued application of ground covers, flowering shrubs, and ferns which area utilised to contribute to offering a high level of amenity and to assist in minimising heat radiation/thermal loading.

The landscaping concept design plans by AS Designs Pty Ltd as **Attachment 10** and design submissions by CA Architects as **Attachment 2**, illustrate that the site incorporates the following coverage of each landscaping feature:

- Horizontal landscaping: 2,775.30m<sup>2</sup> or 128%; and
- Vertical landscaping: 1,280.00m<sup>2</sup> or 20.5%.

### 5.3.7 Street Canopy

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Council's policy identifies the street canopy as an architectural expression of the natural rainforest canopy.

This Tropical Urban Design principle encourages development to cover the street as a means of delivering shade and all weather pedestrian access through the development of buildings and structures.

This design has sought to make the atrium and canopy a feature of the project and this is reflected through the design plans and visual statements. The design provides a structural canopy at lower levels along pedestrian lines at 8.8 metres and then creates an atrium effect in the centre with higher than conventional requirements with the canopy 17 metres. This is, however, to provide a strong visual connection/connectivity between the street and the interior of the building and levels 1-3 and the atrium area and the street itself, ensuring more casual surveillance than may normally be able to be achieved.

The Applicant and designers are confident that suitable shade and protection from all weather can be achieved and presentation of the development delivers on the Tropical Urbanism outcomes sought to be achieved.

### 5.3.8 Car Park Slewing

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The 'tropical urbanism' policy SC6.16 promotes a design intent to protect the streetscape from carparking either at grade or at the podium levels.

The arrangements being proposed under this development application do not include any slewing attributes; however, the architectural approach to the development of the podium levels and façade treatments are considered to adopt the principals of this guideline. The location of the parking areas contribute to the architectural feature of the built form as the screening adds an element of colour, shade, and texture to the podium levels. Furthermore, it is noted that this design ensures that the building expresses the ability to address the streetscape and promote an active frontage through the presence of the commercial uses located on the ground floor.



### 5.3.9 Human Scale and Pedestrian Environment

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The project acknowledges the interactions between the built form with the street and seeks to promote an interaction between the public and private realm along the ground level between Lake Street and Abbott Street. This is reflected through the proposal which seeks to activate Aplin Street.

In this respect, it is important to consider if the increase podium height along the frontage of Tower 1 negatively impacts or contributes to the human scale of the street environment or the ability for pedestrians to easily distinguish trafficable areas. Further, are the views and vistas which assist in maintaining the Tropical Urban character of the CBD, while the structural canopy provides comfortable, welcoming and conducive environment for social and cultural connectivity

The architectural design, including the façade treatments in conjunction with the proposed landscaping elements, softens the built form aiding in a reduction of the bulk and height of the structure from the ground level or the pedestrian environment. The towers above the podium do not present substantially to the pedestrian environment given the structural canopy and other landscaping elements. This is supported by the layered landscaping arrangements along the street frontages, and on the street, creating a welcoming pedestrian atmosphere that promotes safe movement, and interaction.

The building design is intended to offer residents and tourists the opportunity to connect with the tropical outdoors. The ground floor treatments (i.e. structural and landscaping works) not only offer a physical connection to the surrounding development, but also a visual connection with elements already present within the surrounding area (i.e. integration with the landscaping arrangements present along the Esplanade Parklands).

## 5.4 STAGING OF THE DEVELOPMENT

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The development will not be staged.

At this time, it is proposed that development works will be undertaken in a single construction phase though the establishment and commencement of activities maybe dependant on commercial arrangements and the effects of the residential market.

Detailed design works will be completed in 2017 and construction is expected to commence shortly afterwards.

## 5.5 INFRASTRUCTURE AND SERVICING PROVISIONS

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The project civil engineers (Jacobs Pty Ltd) completed an engineering services review and assessment of the demand/supply requirements associated with the proposal and to assist Council in their assessment.

The completed report is included within **Attachment 8** of this Town Planning Report.

### 5.5.1 Water Supply Network

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The project has been calculated to generate an additional demand on the existing water reticulation network of 408.8 Equivalent Persons (EP's) consistent with the modelling and Council's assumptions. Based on preliminary discussion with Council, this additional demand is not expected to trigger any upgrades to the existing network.

Suitable capacity exists in the infrastructure which resides in Lake and Abbott Streets. The project development will likely connect to the existing 300mm dia. water main in Lake Street. Pressure testing to service residents and for firefighting purposes will be addressed during the detailed design phase, although at this stage, it is intended that required pressures will be achieved via a booster pump system or the like.

Firefighting storage will be catered for by way of 2 x 25,000 storage tanks located in the building or under basement.





### 5.5.2 Sewer Supply Networks

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The project has been calculated to generate an additional demand on the existing sewerage reticulation network of 408.8 Equivalent Persons consistent with modelling and Council's assumptions. Based on preliminary discussion with Council, this additional demand is not expected to trigger any upgrades to the existing network.

Suitable capacity exists in the infrastructure which resides in Lake Street and the project development will likely connect at the manhole that is situated at the north-western corner of the site. Confirmation of design works and possible pump arrangements will be undertaken at detailed design and prior to construction.

### 5.5.3 Flooding & Site Levels

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The entire site is identified on Council's Flood and Inundation Hazard Overlay Map as being affected by the Q100 flood event (RL 2.7m AHD). However, based on a detailed survey of the site (see **Attachment 5**) the south-western portion of the site is located above the defined Q100 flood level of RL 2.7m AHD.

Nonetheless, it is proposed to provide a full basement for carparking associated with the development and this will need to be addressed through the design phase to ensure that the finished ground level of the project will deliver a minimum of RL 3m AHD, 300mm above the defined Q100 event for the site. A workable grade between the road surface, pedestrian environment and the internal areas will be exhibited to maintain suitable immunity and this has been confirmed at the design stage.

### 5.5.4 Stormwater Drainage

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Site drainage currently operates via kerb inlet pits located on the Lake and Aplin Street and Abbott and Aplin Street intersections. The development project is located near the bottom of any stormwater catchments in the locality and will maintain the current drainage regime, with stormwater from the site being collected internally before being directed and discharged to the prior mentioned lawful points of discharge.

In terms of post development flow, to ensure there is a no worsening resulting from the project, a stormwater detention device/s will be installed, or the existing drainage infrastructure from the site to the existing outlet can be upgraded.

### 5.5.5 Stormwater Quality

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The following stormwater quality measures will be installed on site to address on-site flows and to manage the effect of the development on stormwater quality. Typically, devices such as Stormwater (360) Cartridges, or other similar products, will achieve the desired standard of service and these will be installed on the road frontages and will form part of detailed design:

### 5.5.6 Electricity & Telecommunications

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The project will draw upon the capacity and availability of existing infrastructure along the road frontages. Technical specialist engaged by the Applicants have commenced works and discussions with service providers and the design has made provision for an internal substation.

The completed detailed design works will reflect all these outcomes and confirm the suitable location and capacity requirements to deliver these essential services throughout with all necessary upgrades provided/constructed in accordance with the infrastructure requirements.

## 5.6 TRANSPORT AND ACCESSIBILITY

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The project traffic engineers (UDP Pty Ltd) were commissioned to completed a Traffic Impact Assessment of the proposed development and to assist in consideration of the potential for impacts from the project resulting on existing and future transport infrastructure.



The completed report is included provided as **Attachment 9**.

### 5.6.1 Roads & Road Hierarchy

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Based on reasonable analysis of the current road arrangements and hierarchy of the network which has been considered, the proposed development can be accommodated by the existing road network utilising Lake, Aplin, and Abbott Streets.

### 5.6.2 Access Locations

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A left-in and left-out (only) six (6) meter wide accesses has been provided to the proposed development from both Abbott and Lake Streets, some 30m from the adjacent intersections with Aplin Street. No issues with these access locations, in terms of sight distances or the like, have been identified.

### 5.6.3 Car Parking

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A total of 178 Carparking Spaces have been provided, generally as per the following:

- 114 spaces in the basement;
- 30 car parking spaces at grade; and
- 34 car parking spaces on the mezzanine level

All car parking spaces will meet the requirements of AS2890.1 Parking Facilities, Part 1: Off Street Parking.

We note here also that approximately three (3) existing car parking spaces will be lost in Lake Street and approximately four (4) in Abbott Street to facilitate the access points to the proposed development. A further approximate fifteen (15) spaces will be lost on the Aplin Street frontage of the site to make way for the porte cochère (exact numbers to be dependent on the final design of the porte cochère).

## 5.7 INFRASTRUCTURE CHARGES

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The Adopted Charges State Planning Regulatory Provisions (SPRP's) applies to all development in Queensland. The subject land lies within the Tourist Accommodation Zone and is within the Priority Infrastructure Area under Council's Adopted Infrastructure Charges Resolution (AICR).

Under the SPRP and Council's Resolution, the proposed development is subject to infrastructure charges calculated as follows:

- Charges based on the proposed development (see AICR); less:
- Discounts for the existing uses on the site



This section of the Town Planning Report sets the assessment framework for consideration of this project and provides an overview of the legislative context of the development application and confirming that the application is being submitted under the relevant provision of the *Sustainable Planning Act 2009* ('SPA').

## 6.1 STATE GOVERNMENT PLANNING REQUIREMENTS

A review of the current State Planning Regulatory Provisions (SPRP's), State Planning Policies (SPP's) and the Far North Queensland Regional Plan 2009-2031 (FNQRP) has been undertaken in respect of the development proposal and the positioning of site. The proposed development is considered compliant with all the State planning requirements as no conflicts have been ascertained.

### 6.1.1 Sustainable Planning Act 2009

#### 6.1.1.1 Confirmation that the Development is not Prohibited

The proposed development is not prohibited from being considered by the Local Government acting in the role of Assessment Manager. This has been established by considering all relevant instruments which can provide prohibitions under SPA, including Schedule 1 of the *Sustainable Planning Regulation 2009* (SPR).

#### 6.1.1.2 Assessable Development

The development proposed by the Applicant is recognised as an "assessable development" pursuant to Schedule 3 of SPA, which states that "assessable development" includes:

*"...development not prescribed under a regulation to be assessable development, but declared to be assessable development under any of the following that applies to the area:*

- (a) *The planning scheme for the area;*
- (b) *A temporary local planning instrument;*
- (c) *A preliminary approval to which section 242 applies."*

In this instance, the *CairnsPlan 2016*, prescribes all aspects of the proposed development as being assessable development in the context that the site is currently vacant and the establishment of the activities on the land would constitute a Material Change of Use.

### 6.1.2 State Planning Regulatory Provisions

There are currently nine (9) SPRP in effect and one (1) draft SPRP. However, only one (1) of the SPRP's are applicable to the approval – the State Planning Regulatory Provision (Adopted Charges). This SPRP has been reflected in Council's AICR which came into effect on 23 September 2015. In the context of infrastructure charging, the Adopted Charges SPRP is addressed at Section 5.7 above.

### 6.1.3 State Planning Policy

The single SPP came into effect on 3 December 2013. The single SPP consolidates the former multiple SPP's into one document describing the general development intent to be expressed through Planning Schemes encompassing the States Governments objectives throughout urban and regional areas.

Part E of the SPP contains the Interim Development Assessment Provisions, which are applicable to the assessment of development applications where the State interests have not already been appropriately reflected within the relevant Planning Scheme.



As indicated by the State government’s interactive SPP mapping (refer to **Attachment 4**), the following State interests are applicable to the site/development:

- Water Quality (Climatic Regions – Stormwater Management Design Objectives);
- State Transport Infrastructure (Area within 400m of a Public and Future Public Passenger Transport Facility);
- Natural Hazards, Risk, and Resilience (Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay & Coastal Hazards (Erosion Prone Area & Medium & High Storm Tide Inundation Area); and
- Strategic Airports and Aviation Facilities (Obstacle Limitation Surface (46m AHD); Light Restriction Zone, Lighting Area Buffer (6km), Wildlife Hazard Buffer Zone & Aviation Facility).

We note here that the ‘Water Quality’, ‘Natural Hazards’, and ‘Strategic Airports’ State interests are all reflected in the *CairnsPlan 2016*. Accordingly, below are the relevant Interim Development Assessment Requirements of the SPP that are applicable to the proposed development, being for ‘State Transport Infrastructure’.

SPP Assessment Requirements	Response
<b>State Transport Infrastructure</b>	
Development:	
1. Integrates with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport, and	The proposed development will not hinder achievement of this objective.
2. Complies with the SPP code: <i>Land use and transport integration (Appendix 4)</i>	No aspects of the proposed development will result in a non-compliance with any of the Performance Outcomes listed in Appendix 4 of the single SPP.

#### 6.1.4 Far North Queensland Regional Plan 2009-2031

The site is located within the ‘**Urban Footprint**’ Regional Land Use Category of the Far North Queensland 2009-2031 (see **Attachment 4**). The site is in the ‘Tourist Accommodation’ zone which is consistent with the ‘Urban Footprint’ designation while in a broader sense, the proposed development is providing urban development in an area identified for urban development.

Accordingly, any further assessment against the policy intent of the FNQRP is not considered necessary.

#### 6.1.5 Referrals & State Development Assessment Provision

In accordance with Schedule 7, Table 3, Item 2 (Schedule 9) of the SPR, the application is referable to the State Assessment & Referral Agency (SARA), with the relevant technical agency being the Department of Transport & Main Roads. The following modules of the State Development Assessment Provisions (version 1.9) are applicable:

- Module 17 (Public Passenger Transport);
- Module 18 (State Transport Infrastructure Protection); and
- Module 19 State Transport Network Functionality

A full assessment against these modules is provided in **Attachment 12**.



## 6.2 LOCAL PLANNING FRAMEWORK – CAIRNSPLAN 2016

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The site is located within the Cairns Regional Council LGA and is therefore, subject to assessment under their local planning instrument, the *CairnsPlan 2016*. This report, along with the accompanying technical plans/documents, address the planning provisions for the land and where necessary, provides planning grounds and other technical support.

### 6.2.1 Assessment Manager

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The Assessment Manager for this development application is Cairns Regional Council as determined by Schedule 6 of the SPR.

### 6.2.2 Zoning

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The site is in the Tourist Accommodation zone of the Planning Scheme (see **Figure 5**).

The purpose of the code will be achieved through the following overall outcomes:

- a) short-term accommodation is provided at a scale, density, and in locations that service tourist needs;
- b) a range of accommodation activities is established at a scale and density to service local and tourist needs;
- c) development provides a high level of amenity taking into account impacts such as traffic, noise, dust, odour, and lighting;
- d) development facilitates opportunities for establishing tourist facilities and services within, or adjacent to, tourist accommodation to complement the tourist accommodation and enhance the attractiveness of tourist areas;
- e) development provides a high level of amenity, incorporating tropical architectural elements and building design features;
- f) development reflects and responds to the natural features and constraints of the land; and
- g) community facilities, open space and recreational areas, and appropriate infrastructure to support the needs of the local community are provided.

### 6.2.3 Land Use Definitions (Describing the Activities)

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The land uses are defined under the *CairnsPlan 2016* as outlined below:

**Multiple Dwelling:**

*"Premises containing three or more dwellings for separate households".*

**Short Term Accommodation:**

*"Premises used to provide short-term accommodation for tourists or travelers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.*

*The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors".*

**Food and Drink Outlet:**

*"Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site".*

**Function Facility:**

*"Premises used for conducting receptions or functions that may include the preparation and provision of food and liquor for consumption on site".*



**Shop:**

“Premises used for the display, sale or hire of goods or the provision of personal services or betting to the public”.

## 6.2.4 Level of Assessment

Determination of the Level of Assessment is through sequential consideration of zoning, local or neighbourhood plans (where applicable) and overlays (where applicable). The resulting highest Level of Assessment will apply.

The Level of Assessment for the proposed development (all four (4) uses) is as follows:

Scheme Component	Level of Assessment
<b>Zone</b>	
Tourist Accommodation	Code Assessable
<b>Level of Assessment</b>	
<b>Resulting Level of Assessment:</b>	<b>Code Assessable</b>

### 6.2.4.1 Statutory Considerations for Assessable Development

As the proposed development is subject to ‘**Code Assessment**’, the relevant considerations of the Assessment Manager in making the decision are Sections 313, 324 & 326 of the SPA.

## 6.2.5 Strategic Framework

As the proposed development is Code Assessable, in accordance with s313 of the SPA, the Strategic Framework of the *CairnsPlan 2016* is not applicable to the assessment.

## 6.2.6 Applicable Codes

Further to the above, we note that the development is subject to assessment against the following relevant codes and provisions of the *CairnsPlan 2016*, as outlined below:

Applicable Code and Trigger	Location of Response
<b>Zone Code</b>	
Tourist Accommodation Zone Code	Refer to <b>Attachment 11</b>
<b>Local Plan</b>	
Cairns City Centre Local Plan	Refer to <b>Attachment 11</b>
<b>Overlay Codes</b>	
Acid Sulfate Soils Overlay Code Airport Environs Overlay Code Flood & Inundation Overlay Code Transport Network Overlay Code	Refer to <b>Attachment 11</b>
<b>Development Codes</b>	
Centre Design Code Multiple Dwelling and Short Term Accommodation Code Environmental Performance Code Excavation & Filling Code	Refer to <b>Attachment 11</b>



Infrastructure Works Code	
Landscaping Code	
Parking & Access Code	
Vegetation Management Code	



In this section, we seek to define the 'key' planning aspects and provide commentary specific to the proposed development of 163 Abbott Street; along with technical justification in support of any variations being sought against the Acceptable Outcomes identified in relevant development codes that affect the project.

The approach to development in the Cairns Regional Council Planning Scheme (*CairnsPlan 2016*) allows and encourages development such as the mixed-use project that delivers both **short-term accommodation** and **multiple dwellings** within the Tourist Accommodation Zone.

A complete assessment of the project and design against the relevant development codes is included within **Attachment 11**. However, the design and elements of the project seeks to depart from several of the Acceptable Outcomes by developing the land in terms of the identified 'highest and best' potential while also promoting the efficient use of available area in a manner that seeks to deliver on the intent of the zone being for higher density residential uses.

This requires careful review and consideration in dealing with the built form (setbacks, podium height, podium setbacks, private open space), car parking and external works, all of which were a primary focus of the discussions with Council officers in the preliminary phases of the project.

The Applicants maintain that the departures from the Acceptable Measures are reasonable in the context of the entire project and that alternative design and approaches encourage innovation in building types, styling, and residential living options. The project team are committed to the delivery of a project that maintains the Performance Outcomes ('POs') of the relevant Codes. We have undertaken various meetings with Council and committed to technical studies in support of the submitted development proposal.

We have confidence that a complete assessment by Council will consider the project in its context, and in doing so, accept these alternative solutions provided.

## 7.1 CITY CENTRE PLANNING AREA - CODE PROVISIONS

The 'Context and Setting' of the Code is intended to assist in interpretation of the overall outcomes sought to be achieved through assessment and consideration of development in the Cairns City Centre. Notably, we consider the following as extrinsic material relevant to the review against the code provisions:

"Cairns city has the opportunity to be an exemplar of tropical urbanism creating a built environment that is uniquely tropical in both the streetscape and through the urban design and built form response. The design of buildings and the creation of high quality urban places is a priority of this code. Key view corridors to the Trinity Inlet and the forested backdrop should be retained. The Esplanade and lagoon area, including Fogarty Park, is a vibrant public place utilised for recreation and entertainment."

"The city centre frame is to compliment and support the primacy of the city centre through high density development and mixed use development. The frame also provides a transition between the core and the surrounding suburbs, port operations and tourist areas." (S7.2.2.2)

This overall strategic approach to development is supported by the purpose of code which has as priorities:

- High quality urban design;
- Managing the scale of development to promote 'high' quality outcomes;
- Maintaining vistas, view lines, and the character and amenity of the Cairns City; and
- Utilising Tropical Urbanism as a mechanism of achieving suitable development outcomes.

The following section of the report identifies areas of the development project where there is a departure from the defined Acceptable Outcomes (AO) and areas that require more commentary in respect of the achievement of the Performance Outcomes (PO) along with the purpose and intent of the planning provisions affecting the land.





The design team has also provided information in support of an architectural statement against the Performance Outcomes (PO) which is included for consideration as part of the overall design report (**Attachment 2**)

### 7.1.1 Design Item - Podium Height

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Cairns City Centre Local Plan Code (AO7.2) encourages buildings to maintain podiums, where within 15m of the road frontage, no greater than nine (9) metres or two (2) storeys in height. In respect of the submitted development and arrangements, the design provides for a development with three (3) separate frontages and this creates a complex design scenario which has been addressed by the architects to achieve a visually impressive development that creates interest and promote interaction with the street.

The proposed podium for Tower 2 which incorporates the residential activities (110 Apartments) complies with the Acceptable Outcomes for a podium level up to nine (9) metres and delivers on the design standards promoted through code.

The proposed podium of Tower 1, which incorporates the hotel activities, is envisaged to be up to fifteen (15) metres and three (3) storeys with higher roof spaces accommodating the ground level activities. Accordingly, the proposed development seeks to demonstrate compliance with the Performance Outcomes of PO8, as is outlined below:

- “(a) contributes to the desired amenity and character of the streetscape and local plan area;
- (b) Contributes to the safety, character, amenity and vitality of the streetscape;
- (c) Ensures continuity at ground level;
- (d) Maintains a human scale.”

The podium for Tower 1 extends beyond the Acceptable Outcome. The arrangements are designed to evoke the tropical experience of Cairns, by providing pools, shade structures, recreation and communal facilities, in an intimate, tranquil atmosphere.

### 7.1.2 Design Item - Setbacks

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The Cairns City Centre Local Plan Code (7.2.2) provisions prevail to the extent of the inconsistency between zone, land use, and other provisions within the Planning Scheme, in accordance with section 1.5 of the Planning Scheme. Accommodating setbacks are integral to ensure that any adverse impacts associated with the proposed development are minimised, reasonably managed, or mitigated. Notwithstanding this, there is also an expectation that development at higher densities based on good design will also ultimately result on challenges of inner suburban style of living near the desirable areas of Cairns North, the Esplanade, and Cairns City.

Cairns City Centre Local Plan Code (AO8.1 and A8.3) seeks to manage and guide the separation of buildings on the same site and between buildings on adjoining sites. In respect of the overall arrangements, the whole design provides for a development with three (3) separate frontages and this creates a complex design scenario, which has been addressed by the architects to achieve a visually impressive development and create interest and promote interaction with the street.

Separation and setbacks in design are used to achieve the following:

- Privacy and amenity of land uses (i.e. shade, noise, visual and the like);
- Access to natural light and ventilation; and
- Maintaining character and streetscape through separation of built form.

There is an acknowledgment that the buildings are adjacent to existing hotel (Oasis Resort), where there are adjacent habitable rooms. We note from the boundary that setbacks to Tower 1 and Tower 2 are reduced beyond



the podium level with the angle of the buildings being modified to limit possible impacts on habitable rooms to beyond ten (10) metres. The adjacent development has also been constructed to 'turn its back' on the 163 Abbott Street property, directing habitable rooms towards Lake and Abbott Streets, with stairwells being the closet portion of the development to the site.

The project team submits that this design arrangement is the most efficient to accommodate amenity into the project and design must allow for some encroachment to the northern boundary setback in a managed way.

The angling of the proposed towers achieves the 'preferred' outcome to maintain privacy and amenity of adjoin land uses and ensures that the proposed development does not present as a wall of continue buildings. We note, however, that reduced setbacks to the Aplin Street frontage are also incorporated into the design almost as an expected consequence beyond the podium level of building and into the towers up to 46 metres AHD.

The following minimum setbacks are illustrated in the design plans:

Aspect	Lake Street	Aplin Street	Abbott Street	Northern Boundary
Ground Floor	0.0m	1.5m	0.0m	0.0m
Podium (Level 1)	0.0m	0.0m	0.0m	0.0m
Podium (Level2 &3)	0.0m	0.0m	3.0m	4.0m
Tower (Level 4 – 12)	3.20m	0.33m	3.0m	4.0m

The submitted plans (beyond level 2) show a nominal 10m setback from ALL road frontages and 7m from the northern boundary, so it is reasonably clear that due to the frontage requirements to three (3) streets that the prospects of a development complying with the Acceptable Outcomes would likely be entirely unviable and produce unsuitable built form in the context of this land.

Accordingly, the proposed development seeks to demonstrate compliance with the Performance Outcomes of PO8, as is outlined below:

- (a) *"Maintain privacy and amenity for residents and occupants":*

The proposed development does not locate any habitable rooms within two (2) metres at ground level or nine (9) metres above ground level, ensuring that the privacy and amenity of residents and guests on the site, and on the adjacent site to the north-west (Oasis) will not be negatively impacted upon.

Importantly, while it is acknowledged that the minimum setbacks are substantially reduced from the Acceptable Outcomes location given the height of the building this must also be considered in the context that the buildings are angled to provide an aspect away from the adjoining property.

This has the effect of maximising the setback for most the tower beyond seven (7) metres from the northern boundary.

- (b) *"Maximise the availability of light and ventilation to the development, adjoining sites and public places":*

The proposed development has been designed specifically to ensure that it can capture the prevailing south-east and north-east breezes and adequate amounts of natural light (see **Figures 7 & 8** below);

- (c) *"Avoid a visually over bearing built form"*



The design arrangements have been modelled using visual view lines in 3D space and the use of perspectives to demonstrate the bulk and styling of the buildings in the context of the site. Inclusion of atrium and open plan stylings at the ground and podium levels internally will also seek to reduce the dominate effect of the building at the pedestrian level. The Aplin Street frontage to the land is approximately 100 metres in length and will, undoubtedly, result in the presentation to the street of a large development. Though given the intent for the land and the overall development outcomes which are provided the design of angles towers seeks to minimise and soften the impact of the buildings from major pedestrian points.

View along Aplin Street would likely be the priority and these are presented in the supporting imagery form consideration and assessment.

- (d) *“Maintain view lines and vistas to the mountains and the ocean along streets, between developments and from public places”:*

The design of the proposed development results in any small sections of the towers significantly encroaching into the nominated setback areas at the pinch points which demonstrates that, despite the encroachment, the proposed development ensures that clear sight lines are still available to the Cairns Esplanade and Mountains

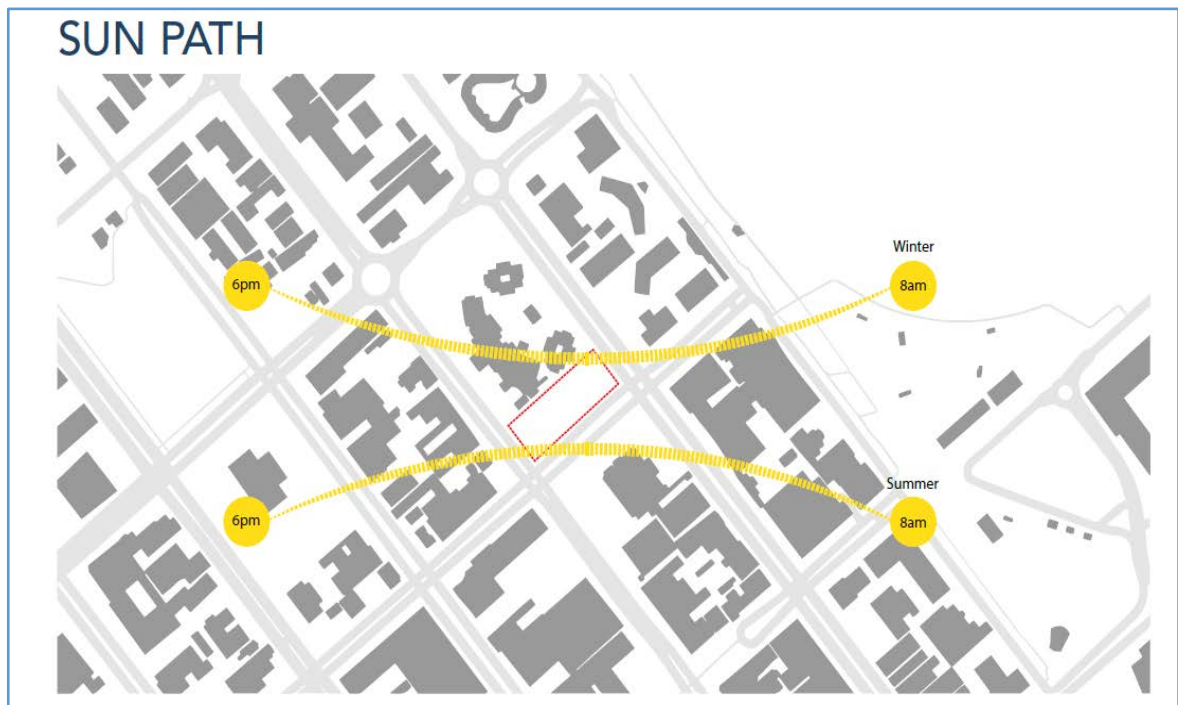


Figure 7: Sun path (source: CA Architects, 2016)



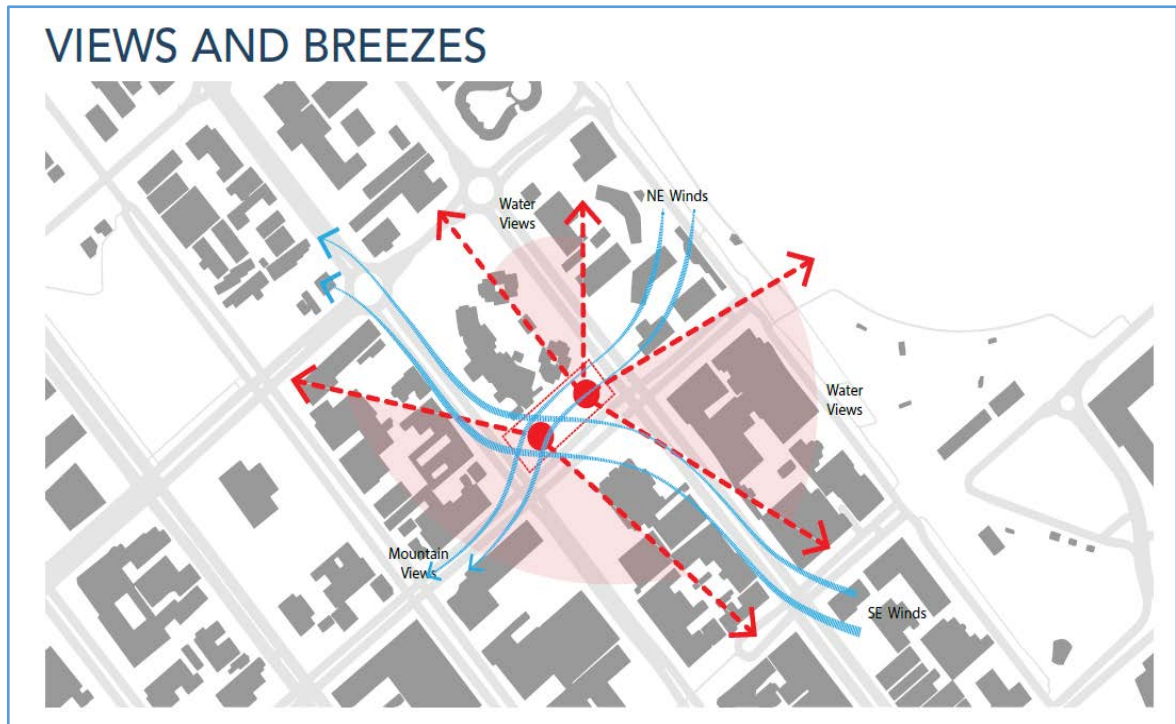


Figure 8: Breezes (source: CA Architects, 2016)

### 7.1.3 Design Item - Separation Between Towers

It has been demonstrated above in section 6.1.2 that the proposed development complies with Performance Outcome PO8 of the Cairns City Centre Local Plan. Hence, no further assessment with regards to the separation between the towers is considered necessary.

### 7.1.4 Design Item - Building Width

In respect of this site and the development concept proposed in the very early stages, the intention was to ensure that the overall property would not be dominated by a tower design and that the site would likely accommodate two (2) tower arrangement rather than a single building projection. This plays an important role in the efficiency of the building, cost planning for the project and the viability of the development though it was accepted to be a critical element of the design and character of the submitted plans and we note that compliance with this outcome has been delivered.

In respect of guidance, Council's City Centre Planning Area Code seeks to support buildings with a maximum width of 40 metres along the horizontal plane. The residential tower which is set on the eastern portion of the development site extends only very slightly beyond the acceptable 40 metres to 47.05 metres through this is clearly a demonstration and acknowledgement of the effects of building form have on the site and surrounding areas.

The façade treatments to the Florence street elevation can be further explored through the design brief includes structural elements to introduce both light and shade into this building aspect. This treatment will articulate the building creating areas depth and ensuring that the proposal meets the expectations of the Code.

## 7.2 CAR PARKING

AO33.1 of the Cairns City Centre Local Plan Code requires that the following number of car parking spaces be provided within the proposed development:

Use	Calculation Requirements	No of Units / Unit of Measure	Spaces Required
'Multiple Dwelling'	1 Space per 1 or 2-bedroom unit	90	90 Spaces
	1.5 spaces per 3 or more-bedroom unit	20	30 Spaces
	1 space per 10 rooms for visitors	110	11 Spaces
'Short Term Accommodation'	0.25 spaces per accommodation unit	220	55 Spaces
	1 space per 10 accommodation units for visitors, staff and service vehicles	220	20 Spaces
'Function Facility'	1 Space per 15m <sup>2</sup> of GFA	297.00m <sup>2</sup>	19.8 Spaces
'Shop' and 'Food & Drink Outlet'	1 space per 25m <sup>2</sup> of GFA	1,038m <sup>2</sup>	41.5 Spaces
<b>Sub-Total</b>			<b>267.32 Spaces</b>
Cross Utilisation Reduction of 30%			-18.39 Spaces
<b>Total Demand:</b>			<b>248.93</b>

UDP Engineers are technical specialists in the provision of advice dealing with assessment of traffic and carparking demand/supply and have completed an assessment of the proposal in which it is demonstrated, based on recent data from Rydges Tradewinds and in respect of investigations completed, that 172 spaces (minimum) is considered suitable in these circumstances for inner city CBD style development given the site, context and the activities being proposed

**Table 8-4: Recommended Minimum On-Site Parking**

Component	Preliminary Development Plans (Appendix A)
Hotel rooms	38 spaces
Residential apartments	99 spaces for small units 17 spaces for large units 11 spaces for visitors
Retail / commercial	7 spaces
<b>TOTAL</b>	<b>172 spaces</b>
Surplus / (Deficit)	9 spaces

This project provides 178 carparking spaces and we submit that this will cater for the exhibited demands of the project in inner city CBD style development on the following breakdowns:

Component	Development Plans
Hotel Rooms	49 spaces for hotel & visitors
Residential Apartments	122 Spaces
23 – one bed	(50%) = 13 spaces



65 – two bed	1 per unit = 65 spaces
22 – three bed	2 per unit – 44 spaces
Retail/Commercial	10 spaces
TOTAL	181 Spaces

We submit that this provides suitable areas for cater for the demand expected to be generated and reflect an alternative solution to compliance with PO33 of the Cairns City Centre Local Plan Code (7.2.2).

### 7.3 PRIVATE OPEN SPACE

PO9 of the Multiple Dwelling and Short Term Accommodation Code (9.3.15) requires that each dwelling provides a functional private outdoor living area which has for many years been suitably reflected in balconies. We note here that in accordance with the definition in the Planning Scheme for 'dwelling', that the hotel rooms are not defined as a dwelling and hence are not required to provide any private open space.

North facing apartments have been provided to the apartments in Tower 2 without balconies in favour of a design that proposes indoor/outdoor style approach to living spaces.

This is however, a deliberate design feature, as in lieu of balconies and private open space, each unit has been provided with full length glass windows that open. This provides the same effect as a balcony by opening the units up and bringing the outside/inside together. Balconies are underutilised under summer months and this will support the efficient use of the building through the year.

The project architects (CA Architects Pty Ltd) submit this arrangement with the support of the Applicant in that it will provide a new and innovate choice for the residents of Cairns. It is our belief that despite the lack of balconies, that the proposed arrangements still ensure a pleasant living environment which is appropriate for the climate and region and hence, ensures compliance with Overall Outcome reflected in the Multiple Dwelling and Short-term Accommodation Code.

### 7.4 EXTERNAL WORKS IN ROAD RESERVE

While the land has separate road frontages the predominate aspect of the development will be to Aplin Street where the activation between the pedestrian environment and the land use is at its greatest. As an entry statement, the project seeks to introduce a port cochère within the Aplin Street Road Reserve, which frames the two (2) separate buildings and the atrium on arrival.

The depth of the Lake and Abbott Street frontage reduces any opportunity for a functioning port cochère to be located entirely within the subject land without creating substantial conflict between vehicles, pedestrians and other users of this space. The design will maintain a minimum three (3) metre wide footpath for the continued use of all public activities between the boundary and the proposed port cochère though with the intention that the interface between public/private space will be almost undistinguishable and that more often the use of the atrium and internal areas will cater to the movement of public.

The removal of up to 15 carparking spaces along the Aplin Street frontage to provide for the design and construction of the port cohere is an issue that should be considered in greater detail through the assessment though the Applicants submit that support for this design outcome would be provided on the following basis:

- The reduction of on-street car parking along Aplin Street frontage of the land does not immediately affect businesses or operators which rely directly on these spaces to maintain daily activities. While a loss from the overall carparking stock and impact on Council's activities is acknowledged the betterment of the streetscape and the pedestrian environment is also promoted;
- Opportunities for an offset to the loss of carparking can be addressed during the assessment of the project prior to the commencement of any construction in lieu of the potential impacts associated with the development.

## 7.5 ENVIRONMENTAL MATTERS

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The land will ultimately be cleared to progress with the development (including full basement construction) and approximately ten (10) existing trees on the site will be removed prior to the development proceeding to the next phase.

These trees individually are not substantial development constraints to the project under the Council's Planning Scheme (*CairnsPlan2016*) or the long-term planning intent for the land within the City Centre Local Area Plan. However, the Applicant and project team are aware and acknowledge the environmental concerns which are raised by the presence of a spectacled flying fox roost (endangered under Commonwealth and State legislation) existing on the Cairns CBD Library site and the overflow effect displayed on the sites trees by several flying foxes.

The project team have entered discussions with representatives of both the State and Commonwealth governments responsible for dealing with the conflicts between development and flying fox roosts in urban areas.

Council is also active in regards to the management of development effects on flying foxes via the Flying Fox Advisory Committee. Permits and approvals will be required prior to undertaking construction and these will be obtained in consultation with Council, Department of Environment & Heritage Protection (Qld) and Department of Environment (Cwth).

All technical environmental works including site surveys, management plans, and construction works along with information associated with the removal of the trees on the site will be provided to Council when approvals and permits are obtained and in-line with the conditions set out under regulation.

## 7.6 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

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### 7.6.1 Casual Surveillance and Sightlines

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Maintaining and promoting casual surveillance of highly trafficable areas both internally and externally within the development site will be a priority. The large number of persons which will not only reside at, but utilise the proposed development will assist greatly in general casual surveillance.

It is noted that due to the design of the proposed development, that the car park at grade will not have any substantial opportunities for casual surveillance. The car park areas will, however, generally be heavily trafficked during the day, after which, suitable security measures will be implemented such as appropriate lighting, signage, access restrictions and possible security patrols and/or CCTV, which will ensure these areas are not able to be used as areas for criminal activity or the other, anti-social behaviour.

### 7.6.2 Public and Private Domains

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It is the intention that the ground floor will be highly accessible and hence, there has been no attempt, nor is their considered to be any need, for a clear definition between the public and private realm in this space. Definition between these spaces will occur in the lobbies of both towers, where only residents/guests will be able to utilise the elevators and access the levels above. If necessary, appropriate signage can also be installed, although this situation is not dissimilar to the clear majority of other, hotel/apartment building developments.

Signage, fencing, and landscaping will be used to manage private spaces from the public domain at ground level along the Lake Street and Abbott Street frontages, the rear of the site boundary, and to the car parking areas.

### 7.6.3 Legibility and Way Finding

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We consider that the design of the proposed development, at ground level and with the inclusion of the proposed porte cochère, has been designed to ensure that persons can easily know where they are going and how they are going to get there. This will be supplemented with appropriate and necessary signage and lighting



where required. The proposed development will be a landmark development for the Lake /Aplin and Aplin/Abbott street intersections and will hence, be a destination and meeting place.

#### **7.6.4 Lighting**

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Ensuring that practical and sensible security options are provided for residents and visitors to the development is of the utmost importance to the proposed development. Accordingly, security lighting of all parking, ground floor, restaurant/retail, and stairwell areas, will be undertaken as required.

#### **7.6.5 Predictable Routes and Entrapment**

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Appropriate signage and lighting will be installed in the areas where movement could be predicted - i.e., car park areas to ensure that these areas cannot be used as areas of possible entrapment or concealment.

#### **7.6.6 Management and Maintenance**

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As the proposed development is to be aimed at the higher end of the market and may include a 5 - star hotel. It is considered logical that management and maintenance of all public and private spaces will be of the highest priority and maintained to a high standard.





This application has been prepared on behalf of GA Group Australia Pty Ltd for a 'landmark' development consisting of an assortment of land uses including a 'new' hotel, residential apartments of varying sizes to meet the needs of the residents along with cafés & restaurants, a single retail tenancy, and function facilities over land formally described as Lot 203 on SP210231 located at 163 Abbott Street, Cairns City.

The project team lead by Prime Group and supported by Urban Sync Pty Ltd has assisted the applicant over the past few months to co-ordinate the architectural design works and the necessary technical reports in support of this application to Cairns Regional Council. We are now instructed to submit the overall development application on behalf of GA Group Australia Pty Ltd for the consideration of Council.

The application has provided a description of the development and seeks approval for a:

- **Development Permit for a Material Change of Use (Short Term Accommodation [220] Multiple Dwelling [110], Food and Drink Outlet, Shop, and Function Facility).**

This report has described the site and proposed development, clearly sets out the applicable statutory and legislative and planning requirements associated with the project, and seeks to demonstrate the suitability of the submitted designs to meet the Performance Outcomes that are the basis for assessment.

The Planning Report and the technical investigations have demonstrated that where the Performance Outcomes are not met in the Codes that the proposed development is still generally compliant with the Overall Outcomes and higher order sections of the Planning Scheme.

However, Urban Sync Pty Ltd has assessed the functionality of the project against the 'higher order' outcomes sought to be achieved, being the Purpose and Overall Outcomes of the respective Codes, and considers that there are reasonable and relevant planning grounds to support the current submitted design. It is accepted that Council will need to consider the design response to achieving the Performance Outcomes associated with the development.

Accordingly, the proposed development may be supported by Council for approval on the following grounds:

- The proposed development generally meets and exceeds the intent of the *CairnsPlan 2016* and is consistent with all the applicable State requirements;
- The approach to the 'key' planning issues of built form and tropical urbanism have been addressed by the project team where the 'highest and best' use of the land is promoted via innovative development and design arrangements;
- The project is unlikely to have any substantial effect on the role and function of the hierarchy of Centres for the region with the position of the land seemingly more supportive of confirming the primary function and role of the CBD; and
- In summary, development of a mixed-use project including residential and other supportive land uses is encouraged by the planning frameworks that are applicable to the land. The project seeks to address the principles of tropical urban design and reflects a significant commitment of resources and time by the Applicant.

Overall, the project reflects substantial consistency with the higher order provisions within the Strategic Framework and the purpose of the City Centre Local Area Plan of the *CairnsPlan 2016*. There are departures away from the Acceptable Outcomes in respect of built form in favour of alternative approaches to meeting the Performance Outcomes. Approval is therefore, requested subject to the imposition of reasonable and relevant conditions.



**ATTACHMENT 1  
IDAS FORMS 1 & 5, AND  
LAND OWNERS CONSENT**



# ATTACHMENT 2 DESIGN PLANS AND PROJECT STATEMENT

- CA Architects



**ATTACHMENT 3  
PRE-LODGE MENT MINUTES**  
**- Cairns Regional Council**



**ATTACHMENT 4  
STATE MAPPING**

**- Department of Infrastructure, Local Government, and Planning**



**ATTACHMENT 5  
EXISTING CONTOUR AND DETAIL SURVEY**

**- RPS Australia East Pty Ltd**



# ATTACHMENT 6 SITE SEARCHES

- Various



**ATTACHMENT 7  
RELATED APPROVALS**

**- Cairns Regional Council**





# ATTACHMENT 8 ENGINEERING REPORT

- Jacobs



# ATTACHMENT 9 TRAFFIC IMPACT ASSESSMENT

- UDP



# ATTACHMENT 10 LANDSCAPE PLAN

- AS Design



# ATTACHMENT 11 CODE ASSESSMENT

- CairnsPlan 2016



# ATTACHMENT 12 STATE ASSESSMENT

- SDAP

