5. CODES FOR COMMERCIAL AND COMMUNITY DEVELOPMENT AND USE

5.1 Code for Town and Village Centres

PURPOSE

- (1) The purpose of this code is to achieve the following outcomes:
- (a) development is consistent with the intended role and desired character of Town Centre Core, Town Centre Frame and Village Centre Precincts and the locality and street in which the development is to be carried out; and
- (b) development contributes to the creation of successful and attractive Centres at a scale appropriate to the intended role and function of Centres.
- (1) Element: Scale and Layout of Premises

PURPOSE

- (a) To create or maintain Centres that accommodate uses, facilities and buildings of a type and scale appropriate to each Centre's desired role and character.
- (b) To create or maintain Centres that facilitate convenient and efficient access – especially for pedestrians, cyclists and public transport.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Premises must be of a type and scale consistent with the desired character of the Precinct and locality in which it is situated.	 A1.1 Any premises used for commercial purposes and having a gross floor area of over 1000m² are located only in a Town Centre Core or Town Centre Frame precinct. AND
	A1.2 Where development is in the Maroochydore Planning Area (No. 1), all new buildings have a minimum height of:
	 (a) 3 storeys or 12 metres (whichever is the lesser) in the following precincts: Traditional Town Centre; Maroochydore Central Office (west of First Avenue);
	 Maroochydore Central Waterfront; and (b) 2 storeys or 8.5 metres (whichever is the lesser) in the Maroochydore Central Office precinct (east of First Avenue). AND
	A1.3 Premises have a density that does not exceed the preferred maximum density provisions of the relevant precinct (Volume 3 of this Planning Scheme refers).





PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
 P2 Patterns of streets, lots, urban spaces, buildings and uses must: (a) facilitate convenient access; and (b) provide clear, safe and convenient connections to existing and/or proposed streets, public transport routes and paths for pedestrians and cyclists; and (c) allow for the location of buildings close to frontages of streets and other urban spaces in order to facilitate navigation, access and casual surveillance of public and semi-public spaces. 	 A2 For assessable development, development is in accordance with an approved site development plan which demonstrates the following: the provision of suitable inter-site pedestrian, cycle and vehicle links; visual links to views or features of significance are created or maintained through development site, of landscaped public open space in the form of open plaza/courts accessible from the footpath; all premises are fronting the open space incorporating layouts and windows that permit activity to "spill out" into the space; and buildings are facing streets and public open spaces and having their entries visible clearly recognisable and accessible from the street or space.

(2) Element: Relationship of Buildings to Public Spaces

PURPOSE

To create or maintain attractive, comfortable and safe public and semi-public urban spaces (where 'urban spaces' include public streets and public and semipublic spaces including, but not limited to, parks, squares, plazas, courtyards, arcades and malls).

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Buildings must clearly define, frame or enclose streets and other useable public and semi-public urban spaces.	A1.1 Buildings are located close to the frontages to streets and other important urban spaces for all or most of these frontages so that they create a continuous, or essentially continuous, edge of built form. This includes:
	 (a) at Maroochydore, buildings located along the whole of the front boundary along "core frontages" as shown in Figure 3 - 3.1.3(a); or
	(b) where elsewhere in a Town Centre Core Precinct, a minimum of 85% of the front facade of the building at street and podium levels abutting or within 3 metres of the site frontage or principal site frontage; and
	(c) in a Town Centre Frame Area Precinct and a Village Centre Precinct, a minimum of 70% of the front facade of the building at street and podium levels abutting or within 3 metres of the site frontage or principal site frontage.
	AND
	A1.2 Car parking areas, service areas and access driveways are located where they will not dominate the streetscape, and in Town Centre Cores and Village Centres will not unduly intrude upon pedestrian use of footpaths, through:
	• the use of rear access lanes,
	• parking and service areas situated at the rear of the site or below ground level, and
	shared driveways.



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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
LIVELY AND INTERESTING FRONTAGES TO URBAN SPACES P2 Development must be developed in a way which enliven and enrich the experience of people using Centres.	 A2 The ground storey level of premises with frontage to a public urban space: (a) incorporates activities that are likely to foster casual, social and business interaction for extended periods (such as shopfronts, indoor/outdoor cafes and restaurants); and (b) presents a minimum of 65% of building frontage as windows/ glazed doors and a maximum of 35% as solid fa ade; and (c) provide clear or relatively clear windows and, where provided, grille or translucent security screens rather than solid shutters, screens or roller-doors.
SHELTERED AND COMFORTABLE SPACES FOR PEDESTRIANS P3 Footpaths, walkways and other spaces intended primarily for pedestrians must be comfortable to use and adequately sheltered from excessive sunlight and inclement weather.	 A3.1 Buildings adjacent to public streets and other public and semi-public spaces provide adequate and appropriate shelter along or around such spaces. Adequate shelter is a minimum width of 3.2 metres for frontages to core frontages and other principal streets in Centres and 2.7 metres in other locations or a lesser distance where footpaths/verges are narrower. Appropriate forms of shelter include verandahs, colonnades, awnings, covered pergolas and arcades. AND A3.2 Outdoor public and semi-public squares or plazas have a minimum of 50% of their area covered or shaded. AND A3.3 Where proposed buildings are a height of more than three storeys or 12 metres (whichever is the lesser), these buildings are not to create unpleasant micro-climatic impacts on any nearby pedestrian spaces, including: overshadowing wind tunnelling reflective glare. Evidence accompanying applications is to be provided, if requested by the Assessment Manager that demonstrates to the Assessment Manager's satisfaction, the achievement of A3.3, evidence includes: shadow analysis for the summer and winter solstice and equinox at the times of 9am, noon and 3pm. wind affect analysis solar incidence and reflection analysis. AND A3.4 Hard landscaping and building materials are not highly reflective, or likely to create glare, or slippery or otherwise hazardous conditions. AND A3.5 Where buildings have a height of more than three storeys or 12 metres (whichever is the lesser) they are to allow direct sunlight to reach more than 50% of outdoor public spaces for a minimum of 3 hours between 9am and 3pm on 21 June.
SAFE URBAN SPACES P4 Development must meet the relevant Performance Criteria of Council's Planning Scheme Design Code for Community Safety and Security.	A4 Development that complies with the relevant Acceptable Measures of Council's Planning Scheme Design Code for Community Safety and Security.



(3) Element: Distinctive and Legible Centres

PURPOSE

To create or maintain Centres that:

- respond to and enrich the characterising of their setting,
- conserve places of cultural significance,
- are comfortable to be in,
- are distinctive, memorable and visually attractive, and
- are easy to move through and around in.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
DESIRABLE TOWNSCAPE AND LANDSCAPE CHARACTER P1 Development must create or contribute to the desired townscape and landscape character of the precinct, the environs of the site and conserve places of natural and/or cultural significance in which the development is to be carried out.	 A1 Development that is consistent with the desired townscape and landscape character of the precinct or locality in which it occurs with respect to: the pattern of streets and spaces, the siting, form and scale of buildings, design of buildings and outdoor space having regard to the subtropical climate (with appropriate responses for coastal, mountain or hinterland climatic variations), use of building and landscaping materials and colours, and conservation of valued landscape elements and places of cultural heritage significance, in accordance with the acceptable measures of this schemes Heritage Conservation Code.
DISTINCTIVE, MEMORABLE AND LEGIBLE CENTRES P2 Development of premises must contribute to distinctive, memorable and legible Centres.	 A2.1 New streets and major pedestrian paths are aligned to take advantage of attractive local and distant views (eg. views to the sea, mountains or other important landscape elements). AND A2.2 Buildings located in prominent positions (eg. on 'gateway' and corner sites on principal streets, with frontages to major parks or squares, and terminating important vistas,) are designed to express and/or emphasise the importance of their location through architectural expression and/or landscape treatments (such as increased height, reduced building setbacks, entrance location and orientation, decorative treatments, and the like).
BUILDINGS HAVING A CLEAR STREET ADDRESS P3 Buildings must clearly express their primary use and address their principal street frontage.	 A3.1 Buildings are to have their most important facades and main public entrances close to, and directly facing, the principal street frontage. AND A3.2 Where development is located on a corner site, the main entrance faces the principal street, or the corner. AND A3.3 Where reasonably practicable, buildings are designed to express their primary intended use in ways which allow traditional associations between the building and use to be made (eg. shops incorporating display windows).



Volume Four

(4) Element: Form and Design of Buildings

PURPOSE

To achieve new buildings within Centres that:

- enhance the character and amenity of their environs,
- promote contemporary architecture appropriate to their settings while respecting older attractive neighbouring premises, and
- take advantage of the prevailing sub-tropical climate and actively minimise reliance on non-renewable energy sources for heating and cooling.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
BUILDING HEIGHT P1 The height of buildings must be appropriate to the desired character of the Centre and the environs of the site.	 A1.1 Buildings in Town Centre Core Precincts with a maximum height of: that specified in the Statement of Desired Character for the particular Precinct (in Volume 3 of this Planning Scheme) where at Maroochydore, 6 storeys (but not more than 25 m) where at Nambour or Sippy Downs, 3 storeys (but not more than 12m) where being a wholly nonresidential building at Mooloolaba. AND A1.2 Buildings in Town Centre Frame Precincts are limited to three storeys (but not greater than 12m) in height unless consistent with the height provisions specified in the relevant desired character statement for the particular Precinct (in Volume 3 of the Planning Scheme). AND A1.3 Buildings in Village Centres are limited to two storeys (but not greater than 8.5m) in height unless consistent with the height provisions specified in the relevant desired character statement for the particular Precinct (in Volume 3 of the Planning Scheme).
 BUILDING MASSING AND COMPOSITION P2 Medium height (three to six storey) and taller (over six storey) buildings must have a slender profile and must be located and shaped to: ensure equitable access to attractive views and prevailing cooling breezes, and avoid excessively wide facades and inadequate spaces between such buildings. 	 A2.1 Buildings over 12 metres in height are wholly sited within a building envelope (see Figure 4.5.1A) defined as follows: (a) where no part of the building is higher than 25 metres - planes projected at 45 degrees from a height above ground level of 8.5 metres at the front, side and rear boundaries of the site for a horizontal distance of six metres into the site from the boundaries. Image: Application of the subscription of the site for a horizontal distance of six metres into the site from the boundaries. Image: Application of the site for a horizontal distance of six metres into the site from the boundaries. Image: Application of the site for a horizontal distance of six metres into the site from the boundaries. Image: Application of the site for a horizontal distance of six metres into the site from the boundaries. Image: Application of the site for a horizontal distance of six metres into the site from the boundaries. Image: Application of the site for a horizontal distance of six metres into the site from the boundaries. Image: Application of the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for the boundaries. Image: Application of the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for the boundaries. Image: Application of the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizontal distance of six metres into the site for a horizon



PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 continued	(b) where any part of the building is higher than 25 metres - planes projected at 45 degrees from a height above ground level of 12 metres at the front, side and rear boundaries of the site for a horizontal distance of nine metres into the site from the boundaries. (See Figure 4.5.1B)
	AND A2.2 Any projections occurring outside of the building envelopes on
	 side and rear boundaries only, provided that; balconies may project up to a maximum of 1.5 metres within the setback area where no part of a balcony is closer than 5 metres to a site boundary and the amenity of neighbours is unlikely to be reduced; and
	 total projections are no greater in length than 25% of the relevant fa ade and project not more than 20% of the relevant boundary setback.
	A2.3 All storeys of a building above the third storey (or 12m whichever is lesser) are not greater than 1500 square metres in plan area with no horizontal fa ade dimension more than 45 metres. AND
	A2.4 Where development is proposed on a site less than 3000m ² in area and is isolated from other allotments preventing amalgamation of land, alternative measures for the building envelopes are to be submitted to the Assessment Manager for approval.
BUILDING SETTING AND CONTEXT P3 Buildings and groups of buildings must be sited and designed to respect or enhance the character and amenity of their streets and neighbouring premises.	A3.1 Buildings are sited and designed to be compatible with the scale and significant elements of their streetscape and neighbouring buildings by having:
	• where development is in areas with no established building setbacks, setbacks from the street boundary are to comply with acceptable measure A1.1 of P1 above in Element 2: Relationship of Buildings to Public Spaces, or
	• where development is in an established area where the setback of an adjacent building is greater than 3m, infill development is to be set back;
	• the same distance as one or the other of the adjoining buildings, provided the difference between the setbacks of the two adjoining buildings is less than or equal to 2 m, or
	• the average of the setbacks of the adjoining buildings, if the difference between the setbacks of the adjoining buildings is greater than 2 m, or
	• where development is in established areas where the setbacks of adjacent buildings are 0-3 m, infill development is to be set back the same distance as one or the other of the adjoining buildings, or
	 setback of buildings in streetscapes of townscape significance are to match that of adjacent development unless an alternative policy has been developed for that street. AND
	A3.2 Building plan areas and/or facades are articulated and finished in ways that respond to notable, attractive elements of adjacent buildings (eg. in relation to continuity of colonnades, verandahs, balconies, eaves or parapet lines and roof forms), and in accordance with the desired character stated for the applicable precinct.



PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P3 continued	 AND A3.3 Buildings over three storeys or 12 metres (whichever is the lesser) in height incorporate: distinctions between base or street levels, mid-levels and top levels, and a podium up to 3 storeys at the base of buildings where they are six or more storeys or 25m (whichever is the lesser) high. AND A3.4 Top levels of buildings and roof forms are shaped to: reduce their apparent bulk and provide visually attractive skyline silhouettes, screen mechanical plant from view, and provide roof-top terraces to take advantage of views where appropriate.
 VISUAL & ARCHITECTURAL INTEREST P4 Buildings must be designed and finished to: provide visual interest in their forms and facades, provide outdoor or semi-enclosed public spaces that complement adjoining indoor spaces, and take advantage of local climatic conditions in ways that reduce demands on non-renewable energy sources for cooling and heating. 	 A4 Buildings have articulated and textured facades that incorporate a low proportion of solid to a high proportion of void by using elements such as any or all of the following: wide colonnades, verandahs, awnings, balconies, and eaves, recesses, screens, awnings and shutters, and windows that are protected from excessive direct sunlight – especially between the months of October to March inclusive.
ARCHITECTURAL STYLE AND BUILDING MATERIALS AND COLOURS P5 Buildings must respect and reflect the distinctive character of their settings and express contemporary architectural practice.	 A5.1 Buildings are finished with external building materials and colours that: are robust and do not require high levels of maintenance, complement their setting and attractive neighbouring premises, and are not mirrored or highly reflective. AND A5.2 Where applicable, development that complies with the relevant Acceptable Measures of Council's Heritage Conservation Code.



Planning Scheme Codes

(5) Element: Landscaping

PURPOSE

To enhance the character and amenity of Centres with attractive and practical landscaping.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
PUBLIC AND SEMI-PUBLIC URBAN SPACES P1 Landscaping of public and semi-public urban spaces must contribute to a distinctive character and a high level of comfort and visual attractiveness.	 A1.1 Development of new premises that incorporate new streets and other public or semi-public thoroughfares is to provide: streets with wide landscaped verges with footpaths paved for a minimum width of 1.8 metres (or full footpath widths in Town Centre Core and Village Centre Precincts), avenues of attractive trees located between footpaths and vehicle travel or parking lanes, trees that shade pedestrians and, where appropriate, parked vehicles, adequate lighting, particularly of footpaths and public transport stops (including lamp-post lighting in locations where tree growth may prevent adequate lighting of footpaths from conventional street lights), and robust and comfortable street furniture. A1.2 Where new public or semi-public outdoor spaces are created, such spaces adequately provide for the needs of intended users by: having at least one edge (with a length of at least 6m) of the space with a frontage to a public or semi-public street, being effectively integrated into the Centre's pedestrian movement system, having at least 50% of their area covered or shaded, incorporating seating and other street furniture which is in keeping with any landscaping theme adopted for the Centre, incorporating works of public art, and preserving existing features of cultural and/or landscape significance (including, but not limited to, heritage buildings and items, mature vegetation, natural water features and wetlands). AND A1.3 Landscaping is in accordance with Council's Code for Landscaping Design.
AMENITY AND CASUAL SURVEILLANCE OF URBAN SPACES P2 Landscaping must enhance the quality of buildings, urban spaces and significant pedestrian and cycle paths without unduly restricting opportunities for casual surveillance.	A2 Mature trees and other vegetation are to provide shade and visual interest yet allow relatively unrestricted views, at heights of between 0.6 and 3 metres above ground level, to paths and spaces likely to be used by pedestrians and/or cyclists.
 CHARACTER AND APPROPRIATENESS P3 Plant selection must be in keeping with the siting, design and scale of the premises, the desired character of the locality, and the endemnic species of the area. 	 A3 Trees are selected to: complement significant vegetation existing in the vicinity of the premises, introduce attractive foliage and flowers throughout the year, create dramatic focal points in appropriate locations, do not rely on high levels of maintenance or water consumption.



PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
STREET FURNITURE P4 Adequate street furniture must be provided which is functional, robust and attractive.	A4.1 Street furniture is provided which meets the needs of likely users and contributes to the desired character of the locality, including, but not limited to, seating, drinking fountains, shade structures and shelters, litter bins, bicycle parking facilities, signs, bollards and lighting. AND
	A4.2 Street furniture is provided which is comfortable and attractive, is in keeping with any landscaping theme adopted for the Centre, and does not require high levels of maintenance.
LANDSCAPING OF DEVELOPMENT SITES	A5.1 Soft and hard landscaping is provided on premises, including but not limited to:
P5 Premises must be attractively landscaped.	• feature planting areas along important frontages. These should comprise attractive trees, low planting and hard landscaping as may be appropriate and are to extend along those parts of the street frontages not occupied by buildings or access ways for a minimum width of 3 metres;
	 shade trees in car parks. These should comprise appropriate species of tall-growing trees within and around outdoor car parking areas generally planted at a spacing of every 4 bay widths to provide shade to parked vehicles;
	• screen or buffer planting areas. These should comprise densely planted areas having a width of at least 3m, and/or solid fencing or walls, or other screen structures, of a height of at least 1.8 metres;
	• They are required where necessary to screen out views to potentially unsightly facilities or areas (eg service yards, refuse collection areas) or in cases where protection of privacy is necessary; and
	• planting integrated with building forms. Planting should be integrated with the design of any multi-level car parking structures where facades are likely to be visible from nearby streets and other public spaces. Terrace or roof-top planting is encouraged to soften the appearance of buildings and provide visual amenity, especially for mixed use buildings which incorporate a residential component.
	AND
	A5.2 The provision of a landscaped area not less than 10% of the site.A5.3 Glare conditions or excessive 'light spill' on to adjacent sites and public spaces are avoided or minimised through measures such
	as: • careful selection and location of lighting fixtures having regard to
	 relevant Australian Standards including AS 4284, use of building design/architectural elements or landscaping treatments to block or reduce excessive light where it is unwanted, and
	• alignment of streets, driveways and servicing areas to minimise vehicle headlight impacts on adjacent residential accommodation.
	AND A5.4 Buildings over 12m in height, do not have unacceptable micro- climatic impacts, especially on areas likely to be used by pedestrians, by:

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P5 continued	• being located and shaped to avoid creation of 'wind tunnel' effects;
	• incorporating appropriate shelter for pedestrian paths and areas such as colonnades, verandahs or awnings; and
	• providing screens and landscaping to reduce the effects of strong winds.

(6) Element: Environmental and Amenity Impacts

PURPOSE

To achieve development within Centres that:

- maintains or enhances the amenity of its environs, and
- takes advantage of the prevailing sub-tropical climate, and
- minimises reliance on non-renewable energy sources for heating and cooling.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Development must enhance or not unacceptably reduce the amenity or environmental quality of its environs and especially any	A1.1 Undesirable visual, noise and odour impacts on public and semi-public urban spaces and residential, or mixed use development incorporating residential accommodation, are avoided or reduced by:
nearby residential accommodation.	(a) providing vehicle loading/unloading and refuse storage/collection facilities within enclosed service yards or courtyards,
	(b) not locating site service facilities and areas along any frontage to a public or semi-public street or other urban space. This particularly applies to mobile refuse bins,
	(c) limiting refuse collection times to daylight hours where premises are adjacent to buildings containing residential accommodation, and
	(d) locating and designing ventilation and mechanical plant so that prevailing breezes do not direct undesirable noise and odours towards nearby residential accommodation.
	AND
	A1.2 Glare conditions or excessive 'light spill' on to adjacent sites and public spaces are avoided or minimised through measures such as:
	(a) careful selection and location of lighting fixtures having regard to relevant Australian Standards including AS 4284,
	(b) use of building design/architectural elements or landscaping treatments to block or reduce excessive light where it is unwanted, and
	(c) alignment of streets, driveways and servicing areas to minimise vehicle headlight impacts on adjacent residential accommodation.
	AND
	A1.3 Buildings over 12 metres in height, do not have unacceptable micro-climatic impacts, especially on areas likely to be used by pedestrians, by:
	 being located and shaped to avoid creation of 'wind tunnel' effects;
	• incorporating appropriate shelter for pedestrian paths and areas such as colonnades, verandahs or awnings; and
	• providing screens and landscaping to reduce the effects of strong winds.



PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P2 Privacy of residential premises is maintained such that the residents' use of indoor and outdoor living areas is not unreasonably diminished.	 A2 For premises adjacent to existing or proposed buildings containing residential accommodation, the reasonable privacy of such accommodation is maintained by having: windows and outdoor areas (eg terraces and balconies) located and designed so they do not directly overlook or look into residential accommodation in surrounding premies; buildings sited and oriented to minimise the likelihood of overlooking occurring; and the inclusion of screening over openings.
P3 Mixed use development incorporating residential accommodation must provide reasonable standards of identity, privacy and security for residents and their visitors.	 A3.1 For residents and their visitors clearly defined, well-lit and safe entry areas are provided from street frontages and car parking and service areas that are separate from the entry areas provided for other building users. AND A3.2 Appropriate forms of security are installed to distinguish residential occupants and visitors from other building users. AND A3.3 Clearly marked, safe and secure car parking areas are installed for residents and visitors which are separate from the parking areas provided for other building users.
 P4 The emission of sound beyond the boundary of the site': maintains the EPP (noise) Environmental values of the receiving acoustic environment; and is such that ambient sound levels for any nearby residential land and other noise sensitive places are maintained. 	A4 Development and use achieves compliance with the noise limits specified for the relevant noise types, as identified in Table 3.1 of <i>Planning Scheme Policy No. 7 - Acoustic Environment Assessment</i> .
 P5 Noise attenuation measures are compatible with the local streetscape, encourage the creation of active street frontages and are designed to discourage crime and anti-social behaviour having regard to: aesthetic quality and compatibility; physical accessibility; provision for casual surveillance of public space from dwellings; and opportunities for concealment, or vandalism. 	No Acceptable Measure nominated

¹ To demonstrate compliance with this performance criterion, applicants may need to prepare a noise impact assessment in accordance with Planning Scheme Policy No. 7 - Acoustic Environment Assessment.







