

6.2.2. Local centre zone code

6.2.2.1. Application

This code applies to the assessment of development if it is identified as an applicable code for development, as specified in the assessment benchmarks column in the tables of assessment located in Part 5 of the planning scheme.

When using this code, reference should be made to section 5.3.2 and where applicable, section 5.3.3 located in Part 5 of the planning scheme.

All subject matter in this code is applicable to the development assessment, unless the following circumstance arises:

- (1) The heading of a specific benchmarks for assessment table specifies otherwise; or
- (2) A heading within a specific benchmarks for assessment table specifies that the outcomes apply to a specific type of development or to development at a specific location; or
- (3) A performance outcome or acceptable outcome specifies that the outcomes apply to a specific type of development or to development at a specific location.

In the circumstance where point (2) or point (3) above arises the following applies:

- (1) the development assessment outcomes apply only to the type of development specified or only to development at the location specified; and
- (2) the development must still be assessed against all other general subject matter of the code (for example, assessment benchmarks including but not limited to those relating to built form, appearance, or general land use).

6.2.2.2. Purpose

The purpose of the local centre zone code is:

- (1) to identify the desired character and amenity for the zone and to protect it from incompatible development;
- (2) to provide for the development of highly accessible local centres which are a scale that services a local trade catchment of approximately 3000 to 5000 households;
- (3) to provide for the development of the local centre of Emu Park, which is currently the only local centre in the planning scheme area;
- (4) to provide for the development of local centres as places comprising a range and mixture of uses from within the centre activities group, entertainment activities group and community activities group;
- (5) to provide for the development of a limited range and mixture of other uses where they are compatible with preferred uses and they support the needs of the local trade catchment area;
- (6) to provide for the management of impacts on adjoining sensitive land use; and
- (7) to facilitate the achievement of the overall outcomes sought for the zone.

6.2.2.3. Overall outcomes

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

- (1) the local centre operates as the third highest order centre in the planning scheme area;
- (2) the local centre of Emu Park develops as a centre which:
 - (a) provides predominantly for the needs of local residents in terms of access to shops, health care services, food and drink outlets, a range of entertainment activities, a range of community activities and other compatible uses; and
 - (b) is also promoted as a tourist destination;

- (3) local centres develop as walkable and legible places, having a pedestrian focussed environment at ground level, with a range of connected, safe and pleasant public spaces forming community focal points;
- (4) development is:
 - (a) a use from within the centre activities group; or
 - (b) a use from within the entertainment activities group; or
 - (c) a use from within the community activities group; or
 - (d) a low impact use which:
 - (i) is compatible with and supports a use within the centre activities group, entertainment activities group, or community activities group; or
 - (ii) does not limit or compromise the of a use within the centre activities group, entertainment activities group, or community activities group;
- (5) the development of a use within the centre activities group is a preferred use within the zone in the following circumstances:
 - (a) it is an adult store; or
 - (b) it is a food and drink outlet; or
 - (c) it is health care services; or
 - (d) it is an office; or
 - (e) it is a shop; or
 - (f) it is a shopping centre;
- (6) the development of a use within the entertainment activities group is a preferred use within the zone in the following circumstances:
 - (a) it is a bar; or
 - (b) it is a function facility; or
 - (c) it is a hotel; or
 - (d) it is a nightclub entertainment facility (only if located at the local centre of Emu Park); or
 - (e) it is a theatre (only if located at the local centre of Emu Park);
- (7) the development of a use within the community activities group is a preferred use within the zone in the following circumstances:
 - (a) it is a child care centre; or
 - (b) it is a club; or
 - (c) it is a community care centre; or
 - (d) it is a community use; or
 - (e) it is an educational establishment; or
 - (f) it is a place of worship;
- (8) the development of a use that is not within the centre activities group, entertainment activities group, or community activities group is a preferred use within the zone in the following circumstances:
 - (a) it has low impacts;
 - (b) is small in scale;
 - (c) it is compatible with other uses in the local centre;
 - (d) it is designed to integrate with development in the immediate area;
 - (e) the use:

- (i) is a caretaker's accommodation; or
 - (ii) is a dwelling unit; or
 - (iii) is an environment facility; or
 - (iv) is a funeral parlour; or
 - (v) is a garden centre; or
 - (vi) is indoor sport and recreation (being a gymnasium or fitness studio); or
 - (vii) is a park; or
 - (viii) is a research and technology industry (being a computer server facility); or
 - (ix) is a sales office; or
 - (x) is a service industry; or
 - (xi) is from within the special activities group and it is an essential component of infrastructure servicing the community;
- (9) the development of a use within the accommodation activities group (other than a caretaker's accommodation or dwelling unit) occurs within the zone only in the following circumstance:
- (a) it enhances the local centre of Emu Park as a tourist destination;
 - (b) it does not limit or compromise the development of preferred uses;
 - (c) it is designed to integrate with development in the immediate area;
 - (d) it is designed to complement the character of Emu Park with long-term accommodation activities located above the ground level storey;
 - (e) the use:
 - (i) is a dual occupancy; or
 - (ii) is rooming accommodation; or
 - (iii) is short-term accommodation; or
 - (iv) is multiple dwelling units;
- (10) the development of a market or emergency services occurs only if the following circumstance:
- (a) it does not limit or compromise the development of preferred uses;
 - (b) it is designed to integrate with development in the immediate area;
- (11) the development of a use which has a medium, high, or severe impact on land use in the immediate area does not occur;
- (12) development within the local centre zone does not undermine the viability, role or function of established district centres or major centres;
- (13) large scale administrative and professional offices, including regional offices of government and private sector entities locate in the Yeppoon major centre and do not locate in local centres;
- (14) the development is compatible with an urban form that is characterised by:
- (a) low rise buildings in accordance with Figure 6.2.2.4.1.1 – Emu Park Business District Height Limits;
 - (b) high site cover;
 - (c) appealing streetscapes and public places; and
- (15) in the local centre of Emu Park, views and vistas to key landmarks and local features, such as the singing ship, are retained;
- (16) in the local centre of Emu Park, development is designed in a manner that is compatible with the coastal village character;

- (17) the appearance of development provides visual interest and contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area;
- (18) development provides facilities to promote public and active transport use, and safe and equitable access to a range of transport modes; and
- (19) the development is provided with adequate infrastructure and essential services.

6.2.2.4. Specific benchmarks for assessment

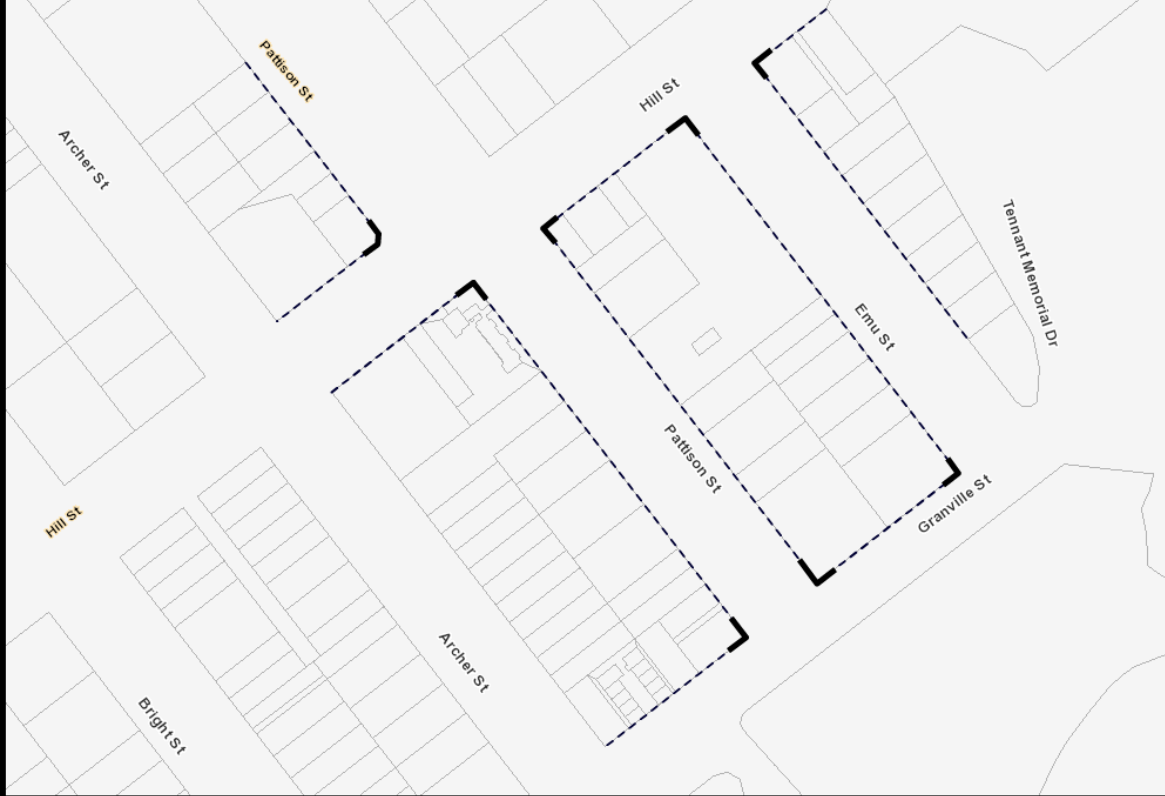
Table 6.2.2.4.1 — Outcomes for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
Built form	
<p>PO1</p> <p>The height and bulk of buildings and structures are consistent with the intended character of the zone and they result in the following outcomes:</p> <ul style="list-style-type: none"> (a) they do not adversely impact the character or amenity of the streetscape, adjoining sites and surrounding area; (b) they are low to medium rise; (c) they are human scale at street level; and (d) they do not compromise distant views and vistas to important local landmarks (such as the singing ship) from significant public viewer places. 	<p>AO1.1</p> <p>Building height and the height of structures does not exceed the height limits identified for the specific locations shown on Figure 6.2.2.4.1.1 – Emu Park Business District Height Limits.</p> <p>AO1.2</p> <p>Site cover does not exceed the following:</p> <ul style="list-style-type: none"> (a) eighty (80) per cent if buildings have a height less than or equal to two (2) storeys; or (b) fifty (50) per cent if buildings have a height greater than two (2) storeys.

Figure 6.2.2.4.1.1 – Emu Park Business District Height Limits



Performance outcomes	Acceptable outcomes
<p>PO2</p> <p>The design and siting of buildings and structures does not adversely impact the amenity of the streetscape or adjoining sites having regard to the following:</p> <ul style="list-style-type: none"> (a) minimisation of potential sources of nuisance; (b) provision of and maintenance of access to natural light and ventilation; (c) integration with and consideration of the design and siting of any buildings and structures located on adjoining sites (particularly those associated with a sensitive land use) or public places; and (d) provision of and maintenance of privacy for any habitable buildings. 	<p>AO2.1</p> <p>There is a 1.8 metre high acoustic screen fence located along all common lot boundaries with a residential category zone or other adjoining sensitive land use.</p> <p>AO2.2</p> <p>Buildings or structures have a setback from all common lot boundaries with a lot located in a residential category zone in accordance with the following:</p> <ul style="list-style-type: none"> (a) at any point where the 'outermost projection height' is between two (2) metres and 4.5 metres, a setback of at least five (5) metres; or (b) at any point where the 'outermost projection height' is greater than 4.5 metres, a setback of at least five (5) metres plus 0.3 of a metre for every additional metre or part thereof in height over 4.5 metres. <p>AO2.3</p> <p>Buildings are built to the road frontage lot boundary at locations identified on Figure 6.2.2.4.1.2 – Emu Park Business District Streetscape and an awning is provided over the footpath.</p> <p>AO2.4</p> <p>Buildings have a setback from rear lot boundaries of at least six (6) metres.</p> <p>AO2.5</p> <p>If the distance separating a window of a habitable room, a balcony or a patio is less than three (3) metres at ground level or nine (9) metres at levels above the ground level storey, of a window of a habitable room or a balcony or a patio of an adjacent building, privacy is protected by utilising the following:</p> <ul style="list-style-type: none"> (a) window sill heights a minimum of 1.5 metres above floor level; or (b) fixed opaque glazing in any part of the window below 1.5 metres above floor level; or (c) fixed external screens; or (d) in the case of screening for a ground floor level, fencing to a height of 1.5 metres above ground floor level.

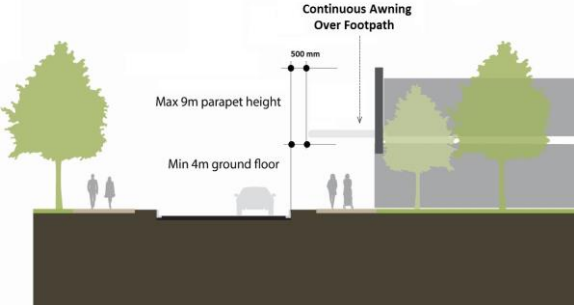
Performance outcomes	Acceptable outcomes
Figure 6.2.2.4.1.2 – Emu Park Business District Streetscape	
 <p>Streetscape</p> <p>North</p> <p>Corner sites</p> <p>Development built to property boundary with awnings over street frontage footpaths</p> <p>Development is setback to allow for landscape and forecourt areas</p>	
<p>PO3</p> <p>Where multi-storey buildings are developed, the design ensures that any accommodation activities have appropriate amenity and access to natural light and ventilation.</p>	<p>AO3.1</p> <p>For a multi-storey building, any storey located above the second storey, has a setback in accordance with the following:</p> <ul style="list-style-type: none"> (a) a setback from road frontage lot boundaries of at least six (6) metres but no more than ten (10) metres; and (b) a setback from side lot boundaries of at least one-third of the 'outermost projection height' of the building.
Appearance	
<p>PO4</p> <p>The development is designed in a manner that contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area by incorporating elements including but not limited to the following:</p> <ul style="list-style-type: none"> (a) emphasis on entry points; (b) orientation to the street and any public places; (c) use of buildings, structures or vegetation to screen any waste storage areas and building plant from view of the street; 	<p>AO4.1</p> <p>The development has a pedestrian entry point at or visible from the primary road frontage.</p> <p>AO4.2</p> <p>Any waste storage areas are screened from view of the street by one or more of the following:</p> <ul style="list-style-type: none"> (a) a solid screen fence; or (b) a wall; or (c) dense vegetation.

Performance outcomes	Acceptable outcomes
<p>(d) inclusion of vegetation to screen any large unarticulated building walls;</p> <p>(e) inclusion of vegetation at appropriate locations to enhance public streets and places and to provide shading for pedestrian comfort.</p>	<p>AO4.3 Any building plant:</p> <p>(a) is screened from view of the street by one or more of the following:</p> <ul style="list-style-type: none"> (i) a solid screen fence, or (ii) a roof design feature; or (iii) a wall; or (iv) dense vegetation; or <p>(b) is located within, underneath or central to the building so as to not be visible from the street.</p> <p>AO4.4 There is a densely vegetated area having a depth of at least five (5) metres from the lot boundary, located along all common lot boundaries where adjoining any residential category zone.</p> <p>AO4.5 The densely vegetated area specified in AO4.4 complies with the following:</p> <p>(a) there is a minimum of two (2) rounded canopy trees for every five (5) linear metres or part thereof of the length of the lot boundary; and</p> <p>(b) any established native tree species having a height exceeding two (2) metres, or a trunk diameter of thirty (30) centimetres are retained within vegetation area.</p>

Table 6.2.2.4.2 – Additional outcomes for assessable development

Performance outcomes	Acceptable outcomes
Land use	
<p>PO5 The use:</p> <p>(a) is a preferred use for the zone (as identified in the overall outcomes for the zone); or</p> <p>(b) is another use that is identified in the overall outcomes for the zone and is compatible with and does not limit or compromise the development of a preferred use for the zone.</p>	No acceptable outcome is nominated.
<p>PO6 The use does not undermine the viability, role or function of a district centre or a major centre in the planning scheme centres hierarchy.</p>	No acceptable outcome is nominated.
PO7	No acceptable outcome is nominated.

Performance outcomes	Acceptable outcomes
The use appropriately integrates with any established uses in the immediate area.	
PO8 The use does not result in medium impacts, high impacts, or extreme impacts and risks due to emissions, or dangerous or hazardous goods and activities.	No acceptable outcome is nominated.
PO9 The use is located, designed and operated in a manner that maintains public safety and minimises impacts on other land use.	No acceptable outcome is nominated.
PO10 If the use is a food and drink outlet, it does not involve a drive through facility.	No acceptable outcome is nominated.
PO11 The development of a public use that generates frequent and a large amount of public visitation: <ul style="list-style-type: none"> (a) is highly accessible; and (b) is well located in relation to public and active transport networks. 	No acceptable outcome is nominated.
Built form	
PO12 Development is designed to: <ul style="list-style-type: none"> (a) fit responsibly into the streetscape; (b) activate and engage with the street and important public spaces; (c) create a pedestrian rather than car oriented street frontage; (d) create a safe pedestrian environment at street level; (e) create interesting street level façades which avoid expanses of blank walls oriented to the street; (f) provide an awning over pedestrian areas or shade trees where an awning would conflict with the streetscape (for example, heritage buildings). 	AO12.1 New developments: <ul style="list-style-type: none"> (a) are oriented to the street and on-site customer parking areas; (b) at ground level, include display windows for a minimum of eighty (80) per cent of the façade area; and (c) result in ground floor tenancies which do not exceed ten (10) metres in width, or the ground floor tenancies are punctuated at least every fifteen (15) metres by a vertical design feature or shop window displays. AO12.2 Where fronting a street or public space, any part of a building above ground floor level includes design features, windows or balconies to at least thirty (30) per cent of the façade area of each floor level. AO12.3 Buildings have awnings over external pedestrian footpath areas and the awnings: <ul style="list-style-type: none"> (a) provide continuous weather protection; (b) are not higher than 7.5 metres from the constructed pavement or footpath to the soffit of the awning; and (c) extend from the building over the pedestrian footpath area the greater of the following:

Performance outcomes	Acceptable outcomes
	<p>(i) three (3) metres; or</p> <p>(ii) a distance which finishes 0.5 of a metre before any roadside kerb or vehicle parking area.</p> <p>Note: The following figure illustrates the desired outcome.</p> 
<p>PO13</p> <p>Ground level streetscapes are developed with uses which create daytime and night time activity.</p>	<p>AO13.1</p> <p>The development of a long-term accommodation activity occurs only above the ground level storey.</p> <p>AO13.2</p> <p>Active uses are provided on the ground level of all buildings identified as built to boundary buildings on Figure 6.2.2.4.1.2 – Emu Park Business District Streetscape.</p>
<p>PO14</p> <p>All buildings provide opportunities for ground floor reuse and adaptation for alternative preferred uses.</p>	<p>AO14.1</p> <p>Building ground floors have a floor to ceiling height of at least four (4) metres.</p>
Appearance	
<p>PO15</p> <p>Buildings have an appearance which provides visual interest and contributes to a high level of visual amenity when viewed from the street, public places, and the surrounding area by use of the following:</p> <ul style="list-style-type: none"> (a) vertical and horizontal articulation to create shadow and break up the built form by use of fenestration, recesses, wall offsets, balconies, projections, splays or other building design features; (b) external building walls having variations in textures, materials and colours; (c) external building materials which are unlikely to create a nuisance, discomfort or hazard due to solar reflection. 	<p>AO15.1</p> <p>Buildings have a maximum unarticulated length of fifteen (15) metres to the street frontage.</p> <p>AO15.2</p> <p>External building walls have at least three (3) variations, with the variations consisting of one or more of the following:</p> <ul style="list-style-type: none"> (a) changes in surface textures; or (b) changes in materials; or (c) changes in colours. <p>AO15.3</p> <p>The design of the building does not include glass or surfaces that are likely to:</p> <ul style="list-style-type: none"> (a) reflect solar rays for prolonged periods due to exterior finishes and design elements, or

Performance outcomes	Acceptable outcomes
	(b) create undue nuisance, discomfort or hazards to any part of the surrounding locality.
PO16 Buildings are well designed and decorated to respond to the sub-tropical climate and the coastal town character of the immediate area.	No acceptable outcome is nominated.
PO17 The roof of a building is designed in a manner that creates visual interest and can conceal any plant equipment.	No acceptable outcome is nominated.
PO18 The location of street trees, seating, waste bins, drinking fountains, public transport stops and public art and the like are: (a) provided at a scale and location appropriate to the siting and design of the centre; (b) co-ordinated to create cohesive streetscapes and movement areas to soften the built form and provide increased user amenity; and (c) located so as to retain at least a 1.5 metre wide clear pedestrian zone.	No acceptable outcome is nominated.
Vehicle parking areas and access	
PO19 Parking areas are designed to minimise impacts on sensitive land use due to noise, car park lighting, vehicle lighting, and loss of privacy.	No acceptable outcome is nominated.
PO20 On-site vehicle parking areas do not compromise the walkability and active shop front focus of the streetscape and they are sited: (a) to the side or the rear of buildings; or (b) below ground level.	No acceptable outcome is nominated.
PO21 Access to sites is via existing crossovers and new crossovers do not interrupt the walkability of key pedestrian areas unnecessarily.	AO21.1 In the local centre of Emu Park, no new vehicle accesses are provided to Hill Street.
Infrastructure	
PO22 Safe, accessible, robust and reliable infrastructure relating to access and parking, energy supply, roads, roof and allotment drainage, sewage and wastewater treatment and disposal, stormwater management, telecommunications, and water supply, is adequately provided for the development in accordance with best practice and endorsed	AO22.1 The development complies with the requirements of the Development Works Code.

Performance outcomes	Acceptable outcomes
standards for the location, and relative to the needs of the development.	