6.2.13 Mixed Use Zone Code



6.2.13.1 Application

This code applies to development:

- (1) within the Mixed Use Zone as identified on the zone maps contained in Schedule 2 Mapping; and
- (2) identified as requiring assessment against the Mixed Use Zone Code by the tables of assessment in **Part 5 Tables of Assessment**.

6.2.13.2 Purpose and Overall Outcomes

- (1) The purpose of the Mixed Use Zone is to provide for a variety of uses and activities, including, for example, business, residential, retail, service industry, tourist accommodation or low impact industrial uses or activities.
- (2) The purpose of the **Mixed Use Zone Code (Where no precinct applies)** will be achieved through the following overall outcomes:

(a) Development:

- (i) facilitates a mix of activities that may include business, non-convenience retail, cafes and dining, residential, recreation and tourist uses to integrate with and support the centres of the region;
- (ii) is subordinate to and does not detract from the role and function of the centres of the region, which accommodates the convenience and higher order retailing needs of the community;
- (iii) contributes to place making and provides a high level of streetscape amenity;

(b) Land uses:

- (i) include a range of commercial activities excluding *Shops* and *Shopping centres* where involving *convenience retail*, *supermarket*, *full-line supermarket*, *department store* or *discount department store*, which are intended to occur in the larger centres of the centre hierarchy;
- (ii) include Dwelling unit, where located above the ground storey or behind a Commercial activity;
- (iii)include *Multiple dwellings*, *Residential care facilities* and *Retirement facilities* to provide a range of housing options to meet the needs of the community where:
 - (A) compatible with the height and scale of adjacent development;
 - (B)a high level of residential amenity is achieved; and
 - (C)the operations of nearby commercial, community services, tourist or recreational activities are not compromised;
- (iv)provide for a range of community services activities needed to cater for the social, cultural and lifestyle needs of the community;
- (v) include:

- (A)the uses listed as a consistent use in column 1 of Table 6.2.13.2.1 Consistent Uses and Potentially Consistent Uses in the Mixed Use Zone (Where no precinct applies); or
- (B) the uses listed as potentially consistent uses in column 2 of **Table 6.2.13.2.1 Consistent Uses and Potentially Consistent Uses in the Mixed Use Zone (Where no precinct applies)** where further assessment has determined that the use is appropriate in the zone having regard to such matters as its location, impact, scale and intensity, built form and consistency with the character of the zone;
- (vi)where not listed in Table 6.2.13.2.1 Consistent Uses and Potentially Consistent Uses in the Mixed Use Zone (Where no precinct applies) are inconsistent uses and are not intended to occur in the zone:

(c) Character:

- (i) involves development that provides for attractive and functional buildings that addresses and contributes to the visual amenity of the streetscape and public spaces;
- (ii) where involving *residential activities*, is a low rise and a low-medium residential density environment that provides a high level of residential amenity and convenient access to a range of shopping, community and other local services.

(d) Built form for non-residential activities:

- (i) is small to medium scale, low-rise and compatible with the building height of nearby development;
- (ii) enhances the streetscape character of the centre by:
 - (A)locating buildings close to the street, creating a 'main street' appearance;
 - (B)locating and designing buildings to address the street and public spaces;
 - (C)locating on-site car parking behind and/or to the side of buildings; and
 - (D)designing attractive building facades and roof form;
- (iii)provides a safe pedestrian experience by incorporating design elements that promote opportunities for casual surveillance of streets and public spaces;
- (iv)ensure outdoor storage, utility, service and loading areas are hidden from public view to maintain the amenity of the street and public spaces, and residential activities;
- (v) does not detract from the amenity of residential activities and residential zones;

(e) Built form for residential activities:

- (i) is low rise and of a low-medium residential density;
- (ii) enhances the streetscape character of the area by:
 - (A)designing buildings to address the street frontage and public spaces and provide opportunities for casual surveillance;
 - (B)setting buildings back from the road frontage;
- (iii) is compatible with adjacent development in terms of height, scale and intensity;

(f) Lot design:

(i) supports the mix of uses envisaged in the zone.

Table 6.2.13.2.1 - Consistent Uses and Potentially Consistent Uses in the Mixed Use Zone (Where no precinct applies)

Column 1
Consistent Uses

Commercial Activities

Adult store
Agricultural supplies store
Bar
Car wash (where not located on Tamborine
Mountain)
Food and drink outlet (where not involving a
drive through facility on Tamborine Mountain)

Column 1	Column 2
Consistent Uses	Potentially Consistent Uses
Function facility Funeral parlour Garden centre Hardware and trade supplies Health care service Market Office Outdoor sales Parking station Service industry Service station (where not located on Tamborine Mountain) Shop (where not involving a supermarket, full-line supermarket, department store, discount department store, convenience retail) Shopping Centre (where not involving a supermarket, full-line supermarket, department store, discount department store, discount department store, convenience retail) Showroom	Potentially Consistent Oses
Veterinary service	
Residential Activities	
Dwelling unit (where located above the ground storey of a commercial activity) Home based business (if not involving Industrial activities other than minor industrial activities) Multiple dwelling (where not exceeding 6 dwellings) Residential care facility (where involving 10 bedrooms or less) Retirement facility (where involving 10 bedrooms or less)	Multiple dwelling* Rooming accommodation Residential care facility* Retirement facility*
Tourism Activities	
Short term accommodation	Tourist attraction Tourist park
Community Services Activities	
Child care centre Club Community care centre Community use Educational establishment Emergency services	Hospital Place of worship
Infrastructure Activities	
Major electricity infrastructure (where proposed as underground infrastructure) Substation Telecommunications facility Utility installation (where a minor utility installation)	Major electricity infrastructure*
Recreation Activities	
Indoor sport and recreation Park	
	* other than as specified in column 1

* other than as specified in column 1

(3) The purpose of the **Mixed Use Zone Code - Commercial Industrial Precinct** will be achieved through the following overall outcomes:

(a) Development:

- facilitates a mix of activities that may include business, non-convenience retailing, cafes and dining, lower impacting industrial uses and recreation uses to integrate with and support the centres of the region;
- (ii) is subordinate to and does not detract from the role and function of the centres of the region, which accommodates the convenience and higher order retailing needs of the community;
- (iii) contributes to place making and provides a high level of streetscape amenity;

(b) Land uses:

- (i) include a range of commercial activities excluding *Shops* and *Shopping centres* where involving *convenience retail*, *supermarket*, *full-line supermarket*, *department store* or *discount department store*, which are intended to occur in the larger centres of the centre hierarchy;
- (ii) can include lower impacting industries where impacts on the amenity of adjacent land in a *residential zone* is avoided;
- (iii) do not involve residential activities (other than Caretakers accommodation) and tourist activities;
- (iv)are limited to:
 - (A)the uses listed as a consistent use in column 1 of Table 6.2.13.2.2 Consistent Uses and Potentially Consistent uses in the Mixed Use Zone Commercial Industrial Precinct; or
 - (B) the uses listed as potentially consistent uses in column 2 of **Table 6.2.13.2.2 Consistent Uses and Potentially Consistent Uses in the Mixed Use Zone - Commercial Industrial Precinct** where further assessment has determined that the use is appropriate in the zone having regard to such matters as its location, impact, scale and intensity, built form and consistency with the character of the Precinct;
- (v) where not listed in **Table 6.2.13.2.2 Consistent Uses and Potentially Consistent Uses in the Mixed Use Zone Commercial Industrial Precinct** are inconsistent uses and are not intended to occur in the zone:

(c) Character:

- (i) involves development that provides for attractive and functional buildings that addresses and contributes to the visual amenity of the streetscape and public spaces;
- (ii) is a predominately low-rise and low to medium intensity mixed use setting:
- (iii) where located in Canungra, provides for *commercial activities* and *community services* activities along Finch Road;
- (iv)where involving *industrial activities*, provides landscaping that enhance the appearance of buildings, structures, outdoor storage and car park areas when viewed from the street or a public space;
- (v) where in Canungra, involves development compatible with the existing rural village character by incorporating design elements found in existing traditional buildings such as similar roof form, materials, scale and setbacks;
- (vi)where in Kalbar, involves development compatible with the existing rural village and historical character by incorporating design elements found in existing traditional buildings such as similar roof form, materials, scale and setbacks.

(d) Built form:

- (i) is small to medium scale, low-rise and compatible with the building height of nearby development;
- (ii) enhances the streetscape character of the centre by:
 - (A)locating buildings close to the street, creating a 'main street' appearance;
 - (B)locating and designing buildings to address the street and public spaces;
 - (C)locating on-site car parking behind and/or to the side of buildings; and
 - (D)designing attractive building facades and roof form;

- (iii)provides a safe pedestrian experience by incorporating design elements that promote opportunities for casual surveillance of streets and public spaces;
- (iv)ensure outdoor storage, utility, service and loading areas are hidden from public view to maintain the amenity of the street and public spaces, and *residential activities*;
- (v) where involving industrial activities, provides for well-designed and articulated building facades where addressing the street and public spaces;
- (vi)does not detract from the amenity of nearby residential activities and residential zones;

(e) Lot design:

(i) supports the mix of uses envisaged in the zone.

Table 6.2.13.2.2 - Consistent Uses and Potentially Consistent Uses in the Mixed Use Zone - Commercial Industrial Precinct

Commercial Industrial Precinct	
Column 1	Column 2
Consistent Uses	Potentially Consistent Uses
Commercial Activities	
Adult store	Car wash*
Agricultural supplies store	Hotel
Bar	Theatre
Car wash (where not located on Tamborine	
Mountain) Food and drink outlet (where not involving a	
drive through facility on Tamborine Mountain)	
Function facility	
Funeral parlour	
Garden centre	
Hardware and trade supplies	
Health care service	
Market	
Office	
Outdoor sales	
Parking station	
Service industry	
Service station (where not located on	
Tamborine Mountain)	
Shop (where not involving a supermarket, full-	
line supermarket, department store, discount	
department store, convenience retail)	
Shopping Centre (where not involving a	
supermarket, full-line supermarket, department	
store, discount department store, convenience	
retail) Showroom	
Veterinary service	
Industrial Activities	
Bulk landscape supplies Low impact industry	
Research and technology industry	
Transport depot	
Warehouse	
Residential Activities	
Caretaker's accommodation	
Community Services Activities	
	Child para contro
Club Community care centre	Child care centre
Community use	Hospital Place of worship
Educational establishment	I lace of worship
Emergency services	
Emergency dervices	

Column 1 Consistent Uses	Column 2 Potentially Consistent Uses
Infrastructure Activities	
Air service (where on Lot 142 RP182609) Major electricity infrastructure (where proposed as underground infrastructure) Substation Telecommunications facility Utility installation (where a minor utility installation)	Major electricity infrastructure*
Recreation Activities	
Indoor sport and recreation Park	

^{*} other than as specified in column 1

6.2.13.3 Assessment Benchmarks

Table 6.2.13.3.1 - Assessable Development for Mixed Use Zone (Where no precinct applies)

Performance Outcomes	Acceptable Outco	mes	
Setbacks			
PO1 Building setbacks: (1) contribute to the streetscape character and where involving non-residential activities, create a 'main street' appearance; (2) assist in creating a walkable centre; (3) assist in the protection of adjacent land in a residential zone; and	AO1 Buildings are setback as follows:		
	Setback Street frontage for	Minimum Distan Metres (m) 6m	ices Measured in
	residential activities	Om (Maximum 1)	Em)
(4) allow for access and landscaping around the	Street frontage for other uses	0m (Maximum 1.5m)	
building.	Side and rear boundary for	Building Height	Setback
Note - Where setbacks are required in this code or other codes, the higher numerical standard prevails.	residential activities	Up to 4.5m	1.5m
	activities	For that part between 4.5m – 7.5m	2.0m
		For that part exceeding 7.5m	An extra 0.5m is added for every 3m in height or part thereof over 7.5m
	Side and rear boundary for non- residential activities adjoining a lot in a residential zone)	Building Height	Setback
		Up to 4.5m	2m
		For that part between 4.5m - 7.5m	2.5m
		For that part exceeding 7.5m	An extra 0.5 is added for every 3m in height or part thereof over 7.5m
Height	Note - Where setbacks higher numerical standa		code or other codes, th

Borforman Outcomes	Assemble Outcomes
Performance Outcomes	Acceptable Outcomes
PO2 Development is of a height that: (1) is low-rise; and (2) does not impact on the amenity of adjacent land in a residential zone.	AO2 Development does not exceed 2 storeys and a maximum height of 8.5m.
Residential Density	
PO3 Development involving a Multiple dwelling: (1) is consistent with the low-medium residential density character of the zone; and (2) provides diversity in housing options for a variety of household types.	AO3 Development involving a <i>Multiple dwelling</i> has the following minimum land area requirements: (1) 300m² for each 3 or more bedroom unit; (2) 270m² for each 2 bedroom unit; and (3) 250m² for each 1 bedroom unit.
Built Form and Urban Design	
Non-residential development presents an attractive and active frontage to all streets and public spaces, and enhances the character of the zone through: (1) ensuring buildings address the street and public spaces; (2) ensuring buildings are visually interesting through articulation and variation to the external appearance; (3) providing opportunities for casual surveillance; and (4) clearly defined building entrances.	AO4.1 Buildings are designed to address the street and public spaces.
	AO4.2 A minimum of 65% of the ground floor facade is windowed.
	AO4.3 The unarticulated length of any external wall along the street frontage or where buildings front a public space does not exceed 10m.
	AO4.4 Buildings achieve visual interest and articulation through a combination of the following: (1) variation in the horizontal plane through the use of recesses, columns or blades; (2) variation in parapet design or roof form; (3) variation in colour, patterns, textures or building materials and composition; and (4) canopies, awnings or projections.
	AO4.5 Buildings include windows and balconies that overlook the street and public spaces to provide opportunities for casual surveillance.
	AO4.6 Building entrances are clearly visible from the street.
PO5 Non-residential development: (1) avoids large areas of hard stand addressing streets and public spaces; and (2) locates parking areas behind and/or to the side of buildings.	AO5 No Acceptable Outcome is prescribed.
Amenity	
PO6 Outdoor storage, utility, service and loading areas are screened so they are not visible from: (1) the street and public spaces; and	AO6 No Acceptable Outcome is prescribed.

Performance Outcomes	Acceptable Outcomes
(2) residential activities and adjacent land in a residential zone.	
PO7 Development involving non-residential activities: (1) does not detract from the amenity of adjoining residential activities or adjoining land in a residential zone; and (2) affords privacy to adjoining residential activities or adjoining land in a residential zone.	AO7 Development involving non-residential activities and adjoining a residential activity or land in a residential zone: (1) development provides buffer landscaping with a minimum width of 2m or solid fencing 1.8m high along the common boundary; and (2) development screens or obscures any window 1.8m above ground level that has a direct view of land in a residential zone.
PO8 Landscaping is provided to enhance the streetscape character where buildings are setback from the street or a public space.	Where development is setback from the street or a public space, aesthetic landscaping with a minimum width of 1m is provided along the boundaries, forward of the building.
Land Uses	
PO9 Development involving Multiple dwellings, Residential care facilities and Retirement facilities: (1) ensure buildings address the street and public spaces; (2) complements the height and scale of adjacent residential activities; (3) ensures buildings are setback from adjoining premises to maintain a sense of openness and space around buildings and to maintain privacy to adjoining residences; and (4) locate any open space and private open space areas along the site boundary where adjoining non-residential activities.	AO9 No Acceptable Outcome is prescribed.
Reconfiguration of a Lot	
PO10 Reconfiguring a lot creates lots of an appropriate size, dimension and configuration to accommodate land uses consistent with the purpose and overall outcomes of the zone.	AO10 Reconfiguring a lot complies with the standards in Table 9.4.6.3.2 - Minimum Lot Size and Design.

Table 6.2.13.3.2 — Assessable Development for Mixed Use Zone - Commercial Industrial Precinct

Performance Outcomes	Acceptable Outcomes
tbacks	

Performance Outcomes

remonitative outcomes

PO1

Building setbacks:

- (1) contribute to the streetscape character and a 'main street' appearance;
- (2) assist in creating a walkable centre;
- (3) assist in the protection of adjacent amenity, particularly where development adjoins a *residential zone*; and
- (4) allow for access and landscaping around the building.

Note - Where setbacks are required in this code or other codes, the higher numerical standard prevails.

Acceptable Outcomes

AO1.1

Building setbacks are as follows:

Setback	Minimum Distances Measured in Metres (m)	
Street frontage	0m (Maximum	n 1.5m)
Side and rear boundary (where	Building Height	Setback
sharing a boundary with a lot that has a	Up to 4.5m	3m
residential zone)	For that part between 4.5m - 7.5m	5m
	For that part exceeding 7.5m	An extra 0.5m is added for every 3m in height or part thereof over 7.5m

Note - Where setbacks are required in this code or other codes, the higher numerical standard prevails.

Height

PO₂

Development is of a height that:

- (1) is low-rise;
- (2) compatible with the building height of nearby development; and
- (3) does impact on the amenity of adjacent land in a residential zone.

AO2

Development does not exceed 2 storeys and a maximum height of 8.5m.

Built Form and Urban Design

PO3

Development presents an attractive and active frontage to all streets and public spaces, and enhances the desired character of the area through:

- (1) ensuring buildings address the street and public spaces;
- (2) ensuring buildings are visually interesting through articulation and variation to the external appearance;
- (3) providing opportunities for casual surveillance;
- (4) clearly defined building entrances.

AO3.1

Buildings are designed to address the street and public spaces.

AO3.2

A minimum of 65% of the ground floor facade is windowed.

AO3.3

The unarticulated length of any external wall along the street frontage or where buildings front a public space does not exceed 10m.

AO3.4

Buildings achieve visual interest and articulation through a combination of the following:

- (1) variation in the horizontal plane through the use of recesses, columns or blades;
- (2) variation in parapet design or roof form;
- (3) variation in colour, patterns, textures or building materials; and
- (4) canopies, awnings or projections.

AO3.5

Buildings include windows and balconies that overlook the street and public spaces to provide opportunities for casual surveillance.

Performance Outcomes	Acceptable Outcomes
	AO3.6 Building entrances are clearly visible from the street.
PO4 Development: (1) avoids large areas of hard stand addressing streets and public spaces; and (2) locates parking areas behind and/or to the side of buildings.	AO4 No Acceptable Outcome is prescribed.
PO5 Where located in Canungra, buildings are designed to contribute to the existing rural village character by using design elements found in existing traditional buildings, including: (1) similar roof form and parapet design; (2) use of complementary materials, colours, patterns and textures; (3) similar bulk and scale; and (4) little to no front boundary setback.	AO5 No Acceptable Outcome is prescribed.
Amenity	
PO6 Outdoor storage, utility, service and loading areas are screened so they are not visible from: (1) the street and public spaces; and (2) land in a neighbouring residential zone.	AO6 No Acceptable Outcome is prescribed.
PO7 Development: (1) does not detract from the amenity of adjoining residential activities or adjoining land in a residential zone; and (2) affords privacy where the adjoining residential activities or land in a residential zone.	 Where adjoining land in a residential zone or a residential activity: (1) development provides buffer landscaping with a minimum width of 2 metres or solid fencing 1.8m high along the common boundary; and (2) development screens or obscures any window 1.8m above ground level that has a direct view of land in a residential zone.
PO8 Landscaping is provided to enhance the streetscape character where buildings are set back from the street or a public space.	AO8 Where development is setback from the street or a public space, aesthetic landscaping with a minimum width of 1m is provided along the boundaries, forward of the building.
Land Uses	
PO9 Development involving industrial activities are established where they do not detract from the character and amenity of the zone and adjacent land in a residential zone.	AO9 No Acceptable Outcome is prescribed.
Reconfiguration of a Lot	
PO10 Reconfiguring a lot: (1) creates lots of an appropriate size, dimension and configuration to accommodate land uses	AO10 Reconfiguring a lot complies with the standards in Table 9.4.6.3.2 - Minimum Lot Size and Design.

Performance Outcomes	Acceptable Outcomes
consistent with the purpose and overall outcomes of the zone; and (2) for an <i>industrial activity</i> , is of a size and configuration to minimise conflicts with adjacent residential activities and residential zones.	