



## MOSSMAN & ENVIRONS LOCALITY



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### 4.2.3 Mossman and Environs Locality Code

#### Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Mossman and Environs Locality:

- consolidate Mossman as the major administrative, commercial and industrial centre of the Shire;
- retain and enhance the built form and main street character of the Town Centre;
- reinforce Mossman's identity as Queensland's northernmost sugar mill town, and develop a distinctive, ordered and attractive streetscape which responds to the tropical climate and the special features of the town's setting and layout;
- enhance Mossman's distinct character through appropriate building design and Landscaping;
- encourage residential development within designated areas to consolidate Mossman's character as a permanent residential settlement, without the loss of GQAL, especially sugar cane land;
- ensure the residential areas of Mossman and Environs are pleasant, functional, distinctive and well defined and that residential amenity is maintained and enhanced with all residential areas having good access to services and facilities while minimising any land use conflicts associated with different urban activities;
- facilitate opportunities for tourist accommodation and services within the Town Centre, which satisfy the requirements of tourists passing through Mossman or visiting Mossman Gorge;
- minimise conflicts between alternative land uses, such as residential, commercial, agricultural and industrial uses;
- enhance Mossman's role as the industrial service centre of the Shire by facilitating the expansion of industrial development adjacent to existing industrial areas and protecting industrial areas from encroachment of incompatible land use activities;
- facilitate the future upgrading of Bonnie Doon and Junction Roads for heavy vehicle traffic accessing the Mossman sugar mill and northern industrial area of Mossman; and
- protect remnant vegetation areas, riverine corridors and natural features by ensuring any adjacent development is low key and sensitive to its surroundings.



## **Applicability**

This Code applies to self assessable and assessable development in the Mossman and Environs Locality for:

- Material Change of Use:

Except for:

- Business Facilities – using an existing Building in the Commercial Planning Area
  - Primary Industry in the Rural Planning Area
  - Restaurant – using an existing Building in the Commercial Planning Area
  - Shopping Facility – using an existing Building
- Reconfiguring a Lot;
  - Operational Work Associated with Reconfiguring a Lot;
  - Operational Work – Filling or Excavation not associated with a Material Change of Use;
  - Operational Work – Engineering Works not associated with a Material Change of Use;
  - Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
  - Building Work other than Minor Building Work not associated with a Material Change of Use in the Conservation Planning Area.

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

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



## Elements of the Code

### *General Requirements*

<b>PERFORMANCE CRITERIA</b>		<b>ACCEPTABLE SOLUTIONS</b>	
P1	Buildings and structures complement the Height of surrounding development and Buildings are limited to two Storeys.	A1.1	In this Locality the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building.
P2	Development is connected to all urban services.	A2.1	Development is connected to available urban services by underground connections, wherever possible.  AND/OR  Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.
P3	Landscaping of development Sites complement the existing character of the Mossman Locality.	A3.1	Landscaping incorporates the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality.
P4	Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A4.1	All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.



i. *Town Centre*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P5 Buildings in the Town Centre are designed and sited to complement the existing distinctive and cohesive character of the retail and business area, including through:</p> <ul style="list-style-type: none"><li>a) buildings built to the Frontage to reinforce the existing built-form character; and</li><li>b) buildings that address the street; and</li><li>c) development that incorporates awnings and verandahs providing weather protection for pedestrians.</li></ul>	<p>A5.1 In respect to P5c), development on Front Street, Foxton Avenue, Mill Street, Junction Road and Johnson Road, incorporates a non-transparent cantilevered awning along all Frontages.</p>



<p>P6 Development in the Town Centre is climate responsive, contributes positively to the character of the locality, is complementary in scale to surrounding development, and does not exceed a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 0.9:1</p> <p style="text-align: center;">AND</p> <p>will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme No. 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A6.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ul style="list-style-type: none"> <li>a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</li> <li>b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</li> <li>c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and</li> <li>d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and</li> <li>e) orientation of the Building to address the street/s [5% Plot Ratio Bonus];</li> <li>f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and</li> <li>g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</li> <li>h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</li> <li>i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].</li> </ul>
<p>P7 Development in the Town Centre is predominantly commercial in nature or has a service delivery function.</p>	<p>A7.1 Development at street level is limited to commercial activities or community services, with residential development limited to minor ancillary residential uses or to tourist accommodation located above Ground Level, or to the rear of the Site at Ground Level.</p>



<p>P8 Key elements which contribute to the character and integrity of the Town Centre are retained.</p>	<p>A8.1 The sense of place which characterises the main town intersection of Foxton Avenue, Mill Street and Junction Road is reinforced with new development or redevelopment contributing to the existing continuity of the built form by being built up to the street Frontage.</p> <p>A8.2 The cane tram line which runs along Mill Street, the vista down Mill Street to Mt Beaufort and the sugar mill chimney are retained as unique features of the town and its sugar town heritage.</p> <p>A8.3 Views from Front Street of the mountains (from various vantage points) are maintained.</p> <p>A8.4 Avenue planting within the Town Centre along the centre median of Front Street is maintained and extended to reinforce the character of the Town Centre.</p>
<p>P9 Display Facilities are appropriately located and designed to integrate with the street frontage and provide a proportional street facade to reflect the existing streetscape, with design elements such as glass shop fronts.</p>	<p>A9.1 Display Facilities are only located within the Town Centre and within areas included in the Commercial Planning Area.</p> <p>A9.2 Display Facilities are built to the front alignment addressing the street Frontage and continue the scale of the existing built form and provide car parking spaces at the rear of the Site.</p> <p>A9.3 The exterior colours of the Building complement the existing colours of surrounding Buildings and are in keeping with the character of the Town Centre.</p> <p>A9.4 Any air conditioning plant is screened from the street Frontage and the public view by the use of architectural features as referred to in Planning Scheme Policy No 2 – Building Design and Architectural Elements</p>





<p>P10 Commercial expansion of Lot 10 on RP 891901 in Front Street is integrated with the existing shopping facilities.</p>	<p>A10.1 Any future expansion of the shopping development on this site incorporates the following design parameters:</p> <ul style="list-style-type: none"><li>• access is limited to the existing access from Front Street;</li><li>• any additional access is limited to Johnston Road;</li><li>• any expansion complements the existing development in scale, height, roof alignment and colour;</li><li>• any expansion is integrated with the existing development such that the final development functions as one shopping/commercial development;</li><li>• any expansion takes account of adjacent (future) residential development and incorporates service areas, car parking and other utilities which are screened to protect the residential amenity of the area; and</li><li>• provision is made in the final layout and design for pedestrian access to the shopping development from adjacent residential areas.</li></ul>
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*Local Centres*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P11 Local Centres outside the Town Centre service the surrounding residential area and do not adversely impact on the viability of the Mossman Town Centre.</p>	<p>A11.1 The Net Lettable Area of the existing Local Centre does not exceed 300 m<sup>2</sup> and is apportioned equally between the total number of lots which comprise the Local Centre.</p> <p>A11.2 Any proposed new Local Centre with a maximum Net Lettable Area of 300 m<sup>2</sup>, only establishes when an identifiable population of 1000 persons is located more than 2 km from the existing Local Centre or the Town Centre.</p> <p>A11.3 Any new Local Centre is located at a “gateway” location to a residential area which best serves the surrounding residential area.</p>



**Residential Development**

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P12 Residential development, other than a House, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map (that is):</p> <ul style="list-style-type: none"> <li>• land designated Medium Scale has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.5:1;</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>• land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.4:1.</li> </ul> <p style="text-align: center;">AND</p> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>A12.1 Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ul style="list-style-type: none"> <li>a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</li> <li>b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</li> <li>c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and</li> <li>d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and</li> <li>e) orientation of the Building to address the street/s [5% Plot Ratio Bonus];</li> <li>f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and</li> <li>g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</li> <li>h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</li> <li>i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].</li> </ul>



*Other Development*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P13 Good quality agricultural land, particularly sugar cane land, within the environs of the locality is protected from urban or incompatible development.</p>	<p>A13.1 No urban development encroaches into the Rural Planning Area located within the Locality boundary.</p> <p style="text-align: center;">UNLESS</p> <p>A buffer is provided in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).</p>
<p>P14 Industrial development is located in existing or identified industrial areas to facilitate efficient use of industrial land and to effectively service the needs of the Shire.</p>	<p>A14.1 Class A Industry uses are located in the Industry Planning Area at the southern end of Mossman around Sawmill Road to effectively service the Shire, particularly Port Douglas.</p> <p>A14.2 Class B Industry uses are located in the Industry Planning Area at the northern end of Mossman around the Mill to service the needs of the Mill and to consolidate allied industrial uses.</p>
<p>P15 Industrial land and uses are protected from incompatible urban development.</p>	<p>A15.1 No residential development encroaches into the Industry Planning Area.</p> <p>A15.2 Buffers are provided between Industry uses and incompatible urban uses of 40 metres and include Landscaping for screening or incorporate land use activities which are compatible to interface with the adjacent Industry uses.</p>



*Community Facilities*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P16 Community facilities are provided to service the local community in convenient and accessible locations.</p>	<p>A16.1 Community facilities are conveniently located within or near the Town Centre and in close proximity to existing community facilities to service the needs of local residents.</p> <p>A16.2 Public car parking areas are provided within or in close proximity to the Town Centre, existing community facilities, sporting/recreation grounds.</p>

*Flood Immunity for Residential Development*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
<p>P17 Residential development does not occur on flood prone land.</p>	<p>A17.1 Residential development occurs on land on or above Q100 flood level.</p> <p>A17.2 Development of Lot 3 on RP 720296, Junction Road is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be undertaken on the Site to make it suitable for residential development and avoid impacts on adjoining land.</p> <p style="text-align: center;">AND</p> <p>Council may enter into a partnership to investigate/address the drainage and flooding issues which affect the general area.</p>



### *Scenic Amenity and Conservation Areas*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
P18 Development does not adversely impact on Scenic Amenity, natural vegetation or Watercourses, in particular the Mossman River, the South Mossman River, Parker Creek and Marrs Creek <sup>15,16</sup> .	No Acceptable Solution.  (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

### **Special Management Area**

#### *Special Management Area 1 – Foxton Avenue*

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE SOLUTIONS</b>
P19 Land described as Lot 31 on SP 121816 adjacent to Foxton Avenue is developed taking account of the opportunities and constraints and existing topographic and man made features of the whole of the Site, and in particular, that part of the Site identified as Investigation Zone (vegetation and flooding).	No Acceptable Solution  (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for this Special Management Area.)
P20 Development located on the Site is free from flood inundation and does not adversely affect current drainage regimes.	A20.1 The extent of future urban development is established following flood investigations of the Site.  A20.2 Residential development occurs on land on or above the Q100 flood level.
P21 Development on the Site does not impact on the environmental values of Marrs Creek.	No Acceptable Solution  (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).

<sup>15</sup> The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.

<sup>16</sup> Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



<p>P22 Development does not adversely impact on the operations of the cane rail line.</p>	<p>A22.1 Residential Buildings are Setback 25 metres from the common boundary with the cane rail line and the common boundary is fenced.</p>
<p>P23 Where residential development is sited adjacent to a State-Controlled Road the residential amenity of residents is protected and Access to the State-Controlled Road is minimised.</p>	<p>A23.1 Residential development sited adjacent to a State-Controlled Road incorporates noise attenuation measures to protect the residential amenity of residents.</p> <p>A23.2 Vehicular Access to the Foxton Avenue is limited to one Access point with internal vehicular and pedestrian connectivity provided throughout the Site, if development occurs in stages.</p>

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