

## 7.2.3 Mossman local plan code

### 7.2.3.1 Application

- (1) This code applies to development within the Mossman local plan area as identified on the Mossman local plan maps contained in Schedule 2.
- (2) When using this code, reference should be made to Part 5.

### 7.2.3.2 Context and setting

Editor's note - This section is extrinsic material under section 15 of the Statutory Instruments Act 1992 and is intended to assist in the interpretation of the Mossman local plan code.

The Mossman local plan area is located at the northern end of the Captain Cook Highway where it continues on to the Daintree township as the Mossman-Daintree Road. The local plan area contains the rural and local administrative centre of Mossman.

The town of Mossman is located on a flat plain framed by the southern portion of the Daintree National Park to the west and Mount Beaufort to the east. The lush Daintree National Park dominates the town with striking views across to Mt Demi (Manjal Dimbi) and the spectacular Mossman Bluff above the Mossman Gorge. South Mossman River and North Mossman river provide significant natural entry and exit gateways to the town supported by Marrs Creek to the west. Parker Creek divides the town midway separating the commercial township from the more predominately residential areas in the southern half of the town.

Mossman developed as a strong sugar producing region at the end of the nineteenth century and quickly developed into a prosperous small town. From the mid-1930s the main commercial street was Mill Street. However Front Street, being the main access from Port Douglas and the Daintree also saw a concentration of commercial development from the 1930s onward. The town focusses on "the Triangle" and central grassed area at the five way junction at the northern end of the town providing a focal community hub that contributes significantly to the town's central setting.

The Mossman Sugar Mill in the north eastern part of the town is the northern most sugar mill in Queensland with its building and chimney stack dominating the town centre while forming part of an important vista along Mill Street looking toward Mount Beaufort. The mill is also the central focus of the cane rail network that radiates outward through the town adding an important character element that contributes to the appeal of the sugar town. Part of the cane rail network runs east-west through the Triangle occasionally delaying north-south vehicular traffic during cane harvesting months.

Mossman is a discrete linear township surrounded by sugar cane cultivation. The established business centre serves much of the northern part of the Shire with generally lower order goods and services. Service industries are concentrated at the southern end of the town providing for the general needs of the community. A limited area of expansion is available if the need arises.

Much of the township's character is derived from its picturesque rural setting and heritage character. Significant stands of mature vegetation (rain-trees and fig trees) dominate parts of the streetscape providing a much valued and identifiable feature to the town.

At the southern end of town centre, Johnston Road heads west from Front Street providing access to the Mossman Gorge, a popular tourist attraction and small indigenous community in the Daintree National Park to the west of the town. This intersection is another important focal point, particularly for tourists finding their way to the gorge. Johnston Road also provides access to the hospital and showgrounds on the western side of the town and the developing residential area off Daintree Horizon Drive: currently the main expanding residential estate in the township.

A more contemporary shopping facility is available at the southern end of Front Street on the western side of the road. Expansion of this shopping precinct has recently been completed. It is not intended that this precinct be expanded any further, and any form of redevelopment of the older retail

component, will occur as an integrated development.

On the south western side of the town, off Coral Sea Drive, is a rural residential subdivision providing a green backdrop to the town. It is not intended that further lot reconfiguration occur in this area in order to protect the appeal of the hillside on the western flank of the township.

The indigenous Mossman Gorge community is located approximately three kilometres to the west of Mossman township where improved infrastructure, housing and economic opportunities are to be facilitated.

The Mossman North community located approximately two kilometres north of the Mossman township will remain as a residential community.

### 7.2.3.3 Purpose

- (1) The purpose of the Mossman local plan code is to facilitate development which creates a vibrant and independent community which supports the needs of the local community and surrounding rural areas, while protecting and enhancing the unique local and historic character of the town.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Mossman will continue to develop as the major administrative, commercial and industrial centre in Douglas Shire.
  - (b) The key built form and main street character of the town centre is to be retained and reinforced.
  - (c) Mossman's identity as Queensland's northern-most sugar mill town is strengthened through the development of a distinct, ordered and attractive streetscape which responds to the tropical climate and the special features of the town's setting and layout.
  - (d) Mossman's distinct character is enhanced through appropriate building design and landscaping.
  - (e) The significant avenues of rain-trees and fig trees and other such vegetation that contribute significantly to township identity are protected.
  - (f) Residential development is encouraged within designated areas to consolidate Mossman's character as a permanent residential settlement.
  - (g) Residential areas are pleasant, functional, distinctive and well-defined and 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 or nearby rural activities.
  - (h) Development in the Low-medium density residential zone provides a range of housing options and contributes to a high standard of residential amenity, scale and design consistent with the character of Mossman.
  - (i) Opportunities for a limited range of tourist accommodation and services are facilitated to cater for the requirements of tourists passing through Mossman or visiting the Mossman Gorge.
  - (j) To provide the opportunity for an alternative truck route to by-pass the town centre for safer and less disruptive access between the sugar mill and Cairns (subject to further investigation as a local initiative).
  - (k) Improved local land use planning, housing and infrastructure arrangements enable private home ownership, economic development and municipal service delivery for the Mossman Gorge community.
  - (l) Mossman North will remain as a residential land use community only, with no further outward expansion intended.
  - (m) Conflicts between alternative land uses are minimised.
  - (n) Mossman's role as an industrial service centre is enhanced by facilitating the expansion of industrial development adjacent to existing industrial areas and protecting industrial areas from encroachment of incompatible land use activities.
  - (o) Remnant vegetation areas, riverine corridors and natural features are protected by ensuring any adjacent development is low key and sensitive to its surroundings.

- (3) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Mossman North precinct;
  - (b) Precinct 2 – Foxtton Avenue precinct;
  - (c) Precinct 3 – Junction Road residential precinct;
  - (d) Precinct 4 – Junction Road industry precinct;
  - (e) Precinct 5 – Town Centre precinct;
  - (f) Precinct 6 – Front Street precinct;
  - (g) Precinct 7 – Emerging community precinct;
  - (h) Precinct 8 – Mossman South industry precinct;
  - (i) Precinct 9 – Mossman Gorge community precinct

#### **Precinct 1 – Mossman North precinct**

- (4) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) development is restricted to low density residential uses only.
  - (b) development reliant on exposure to the Mossman-Daintree Road does not occur.

#### **Precinct 2 – Foxtton Avenue precinct**

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) development occurs that is compatible with the establishment of a botanical garden, including a range of ancillary tourist facilities (not tourist accommodation), educational facilities and research facilities.
  - (b) Development takes into account physical constraints with particular attention paid to flooding and vegetation.
  - (c) development is adequately separated from, and protects, the existing cane railway track along the south boundary of the land;
  - (d) development does not impact on the environmental values of Marrs Creek.

#### **Precinct 3 - Junction Road residential precinct**

- (6) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) land within the Junction Road residential precinct is developed taking into account the opportunities and constraints with particular attention paid to flooding and vegetation. Any form of urban development is to be free from flood inundation and will not impact on current drainage regimes;
  - (b) development in the form of lot reconfiguration consists of lot sizes and shapes that match the character and configuration of surrounding lots;
  - (c) development on the site does not impact on the environmental values of the North Mossman River.

#### **Precinct 4 - Junction Road industry precinct**

- (7) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) the Mossman Mill is located within Precinct 4 and is the catalyst for encouraging and accommodating further industrial development.
  - (b) low and medium impact industry uses are located within the Junction Road industry precinct to service the needs of the sugar mill and to consolidate allied industrial uses;
  - (c) residential areas on the western side of Junction Street are protected from any industrial use, including industrial lot reconfiguration, by a dense screen of vegetation.

#### **Precinct 5 - Town Centre precinct**

- (8) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
- (a) key elements which contribute to the character and integrity of the town centre are retained;
  - (b) the sense of place which characterises the main town intersection of Foxtton Avenue, Mill Street and Junction Road is reinforced with new development or redevelopment contributing to the existing continuity of built form by being built up to the street frontage;

- (c) the cane tram line which runs along Mill Street, the vista down Mill Street to Mount Beaufort and the sugar mill chimney are retained as unique features of the town and its sugar town heritage;
- (d) views from Front Street of the mountains (from various vantage points) are maintained;
- (e) avenue planting within the town centre along the centre median in Front Street is maintained and extended to reinforce the character of the town centre.

#### **Precinct 6 - Front Street precinct**

- (9) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that any expansion of the development is integrated with the existing shopping facilities incorporating the following design parameters:
  - (a) vehicular access is limited to:
    - (i) the existing access from Front Street opposite the Harper Street intersection;
    - (ii) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.
  - (b) any expansion complements the existing development in scale, height, roof alignment and colour;
  - (c) any expansion is integrated with existing development such that the final development functions as one shopping/commercial development;
  - (d) any expansion takes into account adjacent (existing and future) residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.

#### **Precinct 7 – Emerging community precinct**

- (10) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure:
  - (a) development takes into account the provision of road links, cycle links, pedestrian connections and parkland allocation, generally in accordance with the local plan, to ensure that each land subdivision does not compromise the future development of adjoining land. Open space is provided with extensive road frontage for visibility / utility.

#### **Precinct 8 - Mossman south industry precinct**

- (11) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
  - (a) low impact industry uses are the predominant form of industry within the Mossman South industry precinct;
  - (b) no uses that compete with the commercial and retail primacy of the town centre are established;
  - (c) development protects the amenity of adjacent and nearby residential land uses.

#### **Precinct 9 – Mossman Gorge community precinct**

- (12) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
  - (a) existing commercial, community and residential uses are recognised within the discrete area contained by the Mossman Gorge community;
  - (b) a flexible approach to land use planning is advanced through the adoption of a structure plan for the community;
  - (c) a flexible approach to lot reconfiguration is permitted to advance home ownership aspirations for the community;
  - (d) infrastructure upgrading is undertaken and transitioned to Council for future maintenance.

### 7.2.3.4 Criteria for assessment

Table 7.2.3.4.a – Mossman local plan – assessable development

Performance outcomes	Acceptable outcomes
<b>For self-assessable and assessable development</b>	
<p><b>PO1</b> Building and structures complement the height of surrounding development.</p>	<p><b>AO1</b> Buildings and structures are not more than 8.5 metres in height, except where included in the Industry zone where buildings and structures are not more than 10 metres in height.</p>
<b>For assessable development</b>	
<b>Development in the Mossman local plan area generally</b>	
<p><b>PO1</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Mossman (as identified on the Mossman Townscape Plan map contained in Schedule 2).</p>	<p><b>AO1.1</b> Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including:</p> <ul style="list-style-type: none"> <li>(a) the tree covered backdrop of the low density subdivision at Coral Sea Drive and Gorge View Crescent;</li> <li>(b) natural vegetation along watercourses, in particular the Mossman River, the South Mossman River, Parker Creek and Marrs Creek;</li> <li>(c) the avenue of planting in the town centre in Front Street;</li> <li>(d) the Raintrees in Foxtan Avenue;</li> <li>(e) the trees on the eastern side of the Mossman-Daintree Road, just north of the North Mossman River;</li> <li>(f) the avenue planting of Melaleucas on the southern approach to the town along Alchera Drive;</li> <li>(g) Mossman sugar mill site.</li> </ul> <p><b>AO1.2</b> Development protects and does not intrude into important views and vistas as identified on the Mossman Townscape Plan map contained in Schedule 2, in particular:</p> <ul style="list-style-type: none"> <li>(a) Mount Demi (Manjal Dimbi);</li> <li>(b) Mossman Bluff;</li> <li>(c) Mount Beaufort;</li> <li>(d) Shannonvale Valley.</li> </ul> <p><b>AO1.3</b> Important landmarks, memorials and monuments are retained, including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) the cane tram line running east west through the town at Mill Street;</li> <li>(b) the general configuration of the 'Triangle' at the intersection of Front Street, Mill Street, Foxtan Avenue and Junction Road</li> </ul>
<p><b>PO2</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections</p>	<p><b>AO2</b> Development adjacent to the gateways and key intersections as identified on the Mossman local plan maps contained in Schedule 2 incorporates</p>

Performance outcomes	Acceptable outcomes
identified on the Mossman local plan maps contained in Schedule 2.	architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.
<b>P03</b> Landscaping of development sites complements the existing tropical character of Mossman.	<b>A03</b> Landscaping incorporates the requirements of Planning scheme policy SC 6.2- Landscaping.
<b>P04</b> Development does not compromise the safety and efficiency of the State-controlled road network.	<b>A04</b> Direct access is not provided to a State-controlled road where legal and practical access from another road is available.
<b>For assessable development</b>	
<b>Additional requirements for Precinct 2 – Foxton Avenue precinct</b>	
<b>P05</b> Development takes into account the opportunities and constraints with particular attention paid to flooding and vegetation.	<b>A05</b> Buildings and structures are located outside areas subject to flooding. Development 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 development and avoid impacts on adjoining land.
<b>P06</b> Development is adequately separated from and protects the existing cane railway track along the southern boundary of the land.	<b>P06.1</b> Buildings and structures are setback a minimum of 10 metres from the cane railway.  <b>P06.2</b> Pedestrian access to the cane railway is restricted.
<b>Additional requirements for Precinct 3 – Junction Road residential precinct</b>	
<b>P07</b> Land within the Junction Road residential precinct is developed taking into account of the opportunities and constraints with particular attention paid to flooding and vegetation. Any form of urban development is to be free from flood inundation and will not impact on current drainage regimes.	<b>A07</b> Development 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.
<b>P08</b> Development in the form of lot reconfiguration consists of lot sizes and shapes that match the character and configuration of surrounding lots.	<b>A08.1</b> Lots have a minimum area of 800m <sup>2</sup> .  <b>A08.2</b> Lots have a minimum frontage of 20m.
<b>P09</b> Development on the site does not impact on the environmental values of the North Mossman River, with any land dedication along the creek provided with access to, at minimum, a partial esplanade road frontage.	<b>A09.1</b> Subject to any greater width requirement as a consequence of the studies required to satisfy A08, a minimum riparian width of 30 metres is dedicated as open space along the frontage to the Mossman River.

Performance outcomes	Acceptable outcomes
	<p><b>AO9.2</b> Practical road access is available to the minimum riparian width of 30 metres along the frontage to the Mossman River.</p>
<b>Additional requirements for Precinct 4 – Junction Road industry precinct</b>	
<p><b>PO10</b> Residential areas on the western side of Junction Road are protected from any industrial use, including industrial lot reconfiguration, by a dense screen of vegetation.</p>	<p><b>AO10.1</b> A dense screen of vegetation of at least 10 metres depth separates any industrial use, including any lot reconfiguration, along the full frontage of Junction Road except where road access is required.</p> <p><b>AO10.2</b> No individual lots will have direct access to Junction Road across the 10 metre dense screen of vegetation.</p>
<b>Additional requirements for Precinct 5 – Town Centre precinct</b>	
<p><b>PO11</b> Buildings in the precinct are designed and sited to complement the existing distinctive and cohesive character of the retail and business area, including:</p> <ul style="list-style-type: none"> <li>(a) buildings built to the frontage to reinforce the existing built-form character;</li> <li>(b) buildings that address the street;</li> <li>(c) development that incorporates awnings and verandahs providing weather protection for pedestrians.</li> </ul>	<p><b>AO11</b> With respect to Front Street, Foxton Avenue, Mill Street and Johnston Road, development incorporates buildings that front the street designed with non-transparent awnings that:</p> <ul style="list-style-type: none"> <li>(a) provide for pedestrian shelter that are consistent with the character and setting of the town centre;</li> <li>(b) are a minimum of 3.2 metres and a maximum of 3.5 metres above the finished footpath level;</li> <li>(c) extend and cover the adjoining footpath with a 1.5 metre setback to the kerb;</li> <li>(d) are continuous across the frontage of the site;</li> <li>(e) are cantilevered from the main building and where posts are used, posts are non-load bearing;</li> <li>(f) include under awning lighting.</li> </ul>
<p><b>PO12</b> Development in the precinct contributes positively to the character of the town and is complementary in scale to surrounding development.</p>	<p><b>AO12</b> Development incorporates the following design features:</p> <ul style="list-style-type: none"> <li>(a) 'built up to the front' alignment addressing the street frontage and continuing the scale of the existing built form and where necessary providing car parking spaces at the rear of the site;*</li> <li>(b) appropriate built form and roofing material;</li> <li>(c) appropriate fenestration in combination with roof form;</li> <li>(d) appropriate window openings, screens or eaves shading 80% of window openings;</li> <li>(e) minimum of 700mm eaves;</li> <li>(f) orientation of the building to address the street/s;</li> <li>(g) sheltered pedestrian access by enclosed covered common area walkway of 1.5 metres in width from the car park area/s to the development;</li> <li>(h) ground level façades facing streets consist of</li> </ul>

Performance outcomes	Acceptable outcomes
	<p>windows, wall openings or shop fronts;</p> <p>(i) vertical architectural elements a minimum of 3 metres along the length of the ground level façade;</p> <p>(j) inclusion of windows and balconies on the upper levels facing the street façade;</p> <p>(k) provision of lattice, battens or privacy screens;</p> <p>(l) the overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres;</p> <p>(m) Any air conditioning plant is screened from the street frontage and public view by use of architectural features.</p> <p>*Note - access to car parking must not adversely impact on 'built up to the front' alignment continuity.</p>
<p><b>PO13</b> Site coverage of all buildings:</p> <p>(a) does not result in a built form that is bulky or visually intrusive to the streetscape;</p> <p>(b) respects the individual character of the town centre.</p>	<p><b>AO13</b> Site cover does not exceed 60%.</p>
<p><b>PO14</b> Side and rear setbacks:</p> <p>(a) are appropriate for the scale of the development and the character of the town centre;</p> <p>(b) provide adequate daylight for habitable rooms on adjoining sites;</p> <p>(c) adequate separation between residential and non-residential uses.</p>	<p><b>AO14.1</b> For side boundary setbacks, no acceptable measures are specified.</p> <p><b>AO14.2</b> Buildings are setback a minimum of 6 metres from rear boundaries.</p> <p>Note: Building code requirements must be satisfied.</p>
<p><b>PO15</b> Development in the precinct is predominantly retail or office based in nature or has a service delivery function.</p>	<p><b>AO15</b> Development at street level is limited to retail, office or restaurant/cafe based activities or personal 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>
<b>Additional requirements for Precinct 6 – Front Street precinct</b>	
<p><b>PO16</b> Vehicular access is limited to:</p> <p>(a) the existing access from Front Street opposite the Harper Street intersection;</p> <p>(b) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.</p>	<p><b>AO16</b> No acceptable outcomes are prescribed.</p>
<p><b>PO17</b> Any expansion complements the existing development in scale, height, roof alignment and colour.</p>	<p><b>AO17</b> No acceptable outcomes are prescribed.</p>
<p><b>PO18</b> Any expansion is integrated with existing development such that the final development</p>	<p><b>AO18</b> No acceptable outcomes are prescribed.</p>

Performance outcomes	Acceptable outcomes
functions as one shopping/commercial development.	
<p><b>PO19</b> Any expansion takes into account adjacent residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.</p>	<p><b>AO19</b> No acceptable outcomes are prescribed.</p>
<b>Additional requirements for Precinct 7 – Emerging Community precinct</b>	
<p><b>PO20</b> Development provides road connections, pedestrian and cycling links and open space to establish integrated, connected communities with adjoining land.</p>	<p><b>AO20</b> No acceptable outcomes are prescribed.</p>
<b>Additional requirements for Precinct 8 – Mossman South industry</b>	
<p><b>PO21</b> Low impact industry uses are the predominant form of industry.</p>	<p><b>AO21</b> Development for industrial purposes consists of service industry or low impact industry uses.</p>
<p><b>PO22</b> No uses that compete with the commercial and retail primacy of the Mossman town centre are established.</p>	<p><b>AO22</b> Office or retail uses: (a) are ancillary to an industrial use; or (b) directly service the needs of the surrounding industrial precinct; (c) do not rely on passing trade from Alchera Drive.</p>
<p><b>PO23</b> Development protects the amenity of adjacent and nearby residential land uses.</p>	<p><b>AO23</b> No acceptable outcomes are prescribed.</p>
<b>Additional requirements for Precinct 9 – Mossman Gorge Community</b>	
<p><b>PO24</b> No uses that compete with commercial and retail activities in Mossman town centre are established.</p>	<p><b>AO24</b> No acceptable outcomes are prescribed.</p>