

7.2 Local plan codes

7.2.1 Babinda local plan code

7.2.1.1 Application

This code applies to assessing development within the Babinda local plan area shown on the Babinda local plan maps contained in Schedule 2.

When using this code, reference should be made to Part 5.

7.2.1.2 Context and setting

This section is extrinsic material under section 15 of the *Statutory Instruments Act 1992* and is intended to assist in the interpretation of the Babinda local plan code.

Babinda is the southernmost District centre in the Cairns region. The local plan contains an area of approximately 650 hectares, including the township of Babinda and is situated approximately 60 kilometres south of Cairns City.

The township is situated in the narrow corridor between the Graham Range to the east and the Bellenden Ker Range to the west, both of which are steep and covered in dense tropical rainforest. The floor of the inter-range plain and the land surrounding Babinda is used for sugar cane cultivation. Babinda developed through the expansion of the sugar industry in the early decades of the twentieth century.

The township has a population of approximately 1070 people (2011 census) and primarily services the needs of the surrounding rural communities with a commercial function that is aligned with rural services and industries. The commercial focus of the town is on the 'main Street precinct' of Munro Street (as identified on the Babinda local plan maps contained in Schedule 2).

Babinda is an attractive rural town providing important district level commercial, community, social and recreational facilities to service the needs of its resident population as well as the needs of the surrounding rural areas. Babinda is characterised by its rural setting, traditional Streetscape, mountainous backdrop and proximity to Wooroonooran National Park and the Wet Tropics World Heritage Area. To the west of the township is the Boulders swimming hole, a popular recreation area for both tourists and residents. The town is a popular destination for tourists.

The area has a wet tropical climate, with the township recording an average annual rainfall over 4000mm and is noted for being the wettest town in Australia. The backdrop to the township is dominated by the steep, forested hillslopes of the Bellenden Ker range; vistas to this range are afforded from most areas of the town. The township is noted for its proximity to Queensland's two highest mountains; Mount Bellenden Ker and Mount Bartle Frere. Babinda creek and its multiple tributaries, including Weinert creek and Christian creek, traverse the local plan area. The high average annual rainfall of the region, combined with the steep catchments results in parts of the area being subject to flooding.

Much of the township's character is derived from its village feel, history as a sugar town, its valued buildings and places, rural setting and proximity to the mountain ranges. Many of the town's existing dwellings, commercial and community buildings have been identified as places of local significance. Eastwood Street, located to the immediate south of the Munro Street precinct has been identified as a Neighbourhood character precinct. Neighbourhood character precincts are subject to built form guidelines to ensure that additions to or new buildings are consistent with the scale and built form of existing buildings. Valued buildings within these precincts and places of local significance are to be retained to assist in maintaining the character of the township.

The viability of the township, particularly its commercial viability, has been affected by changes in society and by the relative proximity of the township to the urban areas of the region. Babinda is to continue as a township servicing the sugar industry and other primary industries of the wider area. Babinda is well serviced by physical infrastructure. Residential growth within Babinda can be accommodated by some minor upgrades and augmentation of existing infrastructure networks.

The local plan area is dissected by the Bruce Highway and the North Coast rail line. These transit routes provide a physical barrier between the east and west of the local plan area. Access between the two precincts is achieved at two points; Munro Street and Christian Street. The Babinda rail station and associated water tank are focal points of the town and vistas to these structures, in particular from the Bruce Highway, should be maintained.

The western side of the local plan area contains the main Street of Babinda, Munro Street, and the Babinda Hospital, St Rita's School, the Babinda state School, the Mill re-development precinct (the former mill site), the majority of Babinda's residential precincts and the area for residential, commercial and industrial expansion. The western area extends to the forested foothills of the Bellenden Ker range.

The eastern side contains a strip of residential development, fronting Howard Kennedy drive. The land fronting Howard Kennedy drive is generally for residential purposes. However, in addition to residential dwellings the area contains a mix of existing non-residential land uses. Within this area there is a higher tolerance for interspersing non-residential development and there will be greater flexibility for non-residential uses, provided the impacts of such development are addressed and managed on-site and development does not detract from the commercial primacy of the Munro Street precinct.

The eastern site of the local plan area also contains the Rotary Park camp area, the Council depot and the Babinda railway station. The eastern boundary of the local plan area is formed by the interface with productive agricultural land and Babinda creek. No expansion of Babinda is intended on this side of the Bruce Highway.

The focal point for public sport and recreation and community facilities is to the south of the township at Bill Wakeham Park which provides football fields, the showground and community hall.

It is intended that there be a relatively flexible approach to the development of commercial and service activities and tourist attractions and accommodation in order to strengthen the viability of the township whilst maintaining the primacy of commercial activities within the Munro Street precinct.

The township is based on a traditional main Street with a surrounding grid pattern for development. New development should continue the traditional grid pattern. Residential expansion within the local plan area can be accommodated within 'Site A' and 'Site B' as identified on the Babinda local plan maps contained in Schedule 2. Urban development is limited to land within the urban boundary. Should the need for further residential expansion arise within the life of this scheme, 'Site C' could be investigated for residential purposes subject to a detailed investigation of need, infrastructure capacity and on-site constraints.

Precinct 1 - Munro Street

Munro Street precinct is the core of the local plan area. Future development in this precinct should reinforce this function. Development outside of the Munro Street precinct should not detract from the commercial viability of the precinct. If the demand for additional commercial land arises, once the Munro Street precinct has been developed to capacity, it could be extended to the west.

Development is to be appropriately designed and is integrated with the heritage places and character precinct. Heritage places are to be retained through adaptive re-use of existing buildings. New development maintains the scale of the surrounding area and may be up to two storeys in height. New buildings fronting Munro Street are to be constructed to the front boundary and be sympathetic to the existing Streetscape and traditional character. Any off-Street parking provided in conjunction with development is to be located behind the built form. Awnings, for weather protection for pedestrians are provided to Munro Street.

Precinct 2 - Mill re-development

The Mill re-development precinct is the former Babinda Mill site as identified on the Babinda local plan maps contained in Schedule 2. The Mill re-development precinct is subject to a preliminary approval, issued on 25 May 2013 and as referenced within Schedule 4. The precinct includes zoned industrial land and is intended to facilitate employment opportunities. Development within the Mill re-development precinct does not detract from the commercial primacy of the Munro Street precinct.

The former mill workers houses should be retained on large lots and could be used for more intensive home based businesses, including those of an industrial nature. The remainder of the site is intended to be used for industrial development which services the town and surrounding rural area's industry and service industry needs. Industries established on this site are to be non-water reliant as the existing infrastructure is insufficient to support intensive or water reliant uses, alternatively, new water reliant industries do not rely upon Council infrastructure. New industrial uses should be aligned with servicing the surrounding agricultural and rural uses. Appropriate buffers are required to be provided on-site to mitigate any adverse impacts from development on adjoining or nearby residential allotments. Advertising should be discrete and not detract from the scenic amenity of the area or existing vistas.

7.2.1.3 Purpose

- (1) The purpose of the Babinda local plan code is to facilitate development that maintains and enhances a vibrant and independent community which supports the needs of the local community and surrounding rural areas, whilst 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) development maintains and reinforces the commercial primacy of Precinct 1 - Munro Street;
 - (b) development maintains the key built form, streetscape, landscape character and natural environment elements that contribute to the setting, character and identity of the township;
 - (c) development maintains and enhances the unique local character of the township;
 - (d) valued community buildings and places are retained and adaptively re-used to preserve the character of the township;
 - (e) the form and scale of development is low impact with buildings that are low rise;
 - (f) residential development occurs within designated areas to consolidate Babinda as a permanent residential settlement with residential areas having good access to services and facilities;
 - (g) lot reconfiguration provides a street layout that is based on a traditional grid pattern;
 - (h) conflicts between different land uses, such as residential, commercial, agricultural, and industrial land uses are minimised;
 - (i) industrial development is facilitated within zoned land and industrial land is protected from encroachment of incompatible land use activities.

Precinct 1 - Munro Street:

- (3) In addition to 7.2.1.3(2), the overall outcomes sought for the precinct are:
 - (a) development in the precinct supports the role and function of Babinda as a District centre, meeting the needs of the local community and surrounding rural areas;
 - (b) the establishment of mixed uses which enhance the rural town character and rural service centre role of the town is encouraged;
 - (c) development services the needs of both local residents, residents of the surrounding rural area and visitors;
 - (d) development maintains and enhances the streetscape of the precinct.

Precinct 2 – Mill re-development:

- (4) In addition to 7.2.1.3(2), the overall outcomes sought for the precinct are:
 - (a) development in the precinct accommodates the town’s and surrounding rural area’s immediate industry and service industry needs;
 - (b) industry land uses are low-impact and are not excessively reliant upon reticulated water supply;
 - (c) the type of industrial development is carefully considered to mitigate impacts on sensitive land uses.

7.2.1.4 Criteria for assessment

Part A - Criteria for assessable development

Table 7.2.1.4.a – Babinda local plan code – assessable development

Performance outcomes	Acceptable outcomes
For assessable development	
<p>PO1 Development contributes to the establishment of an attractive streetscape and sense of arrival to Babinda.</p>	<p>AO1.1 Development adjacent to the gateway site identified on the Babinda local plan maps contained in Schedule 2, incorporates aesthetic treatments, landscaping and other design elements to enhance the sense of arrival to Babinda.</p> <p>Note – Refer to the definition of Gateway site contained in Schedule 1.2.</p>
<p>PO2 Development for a service station does not include a Food and drink outlet that involves a drive through facility.</p>	<p>AO2.1 No acceptable outcomes are provided.</p>
Lot reconfiguration – general	
<p>PO3 Lot reconfigurations which include the delivery of new roads are designed to be consistent with the traditional road pattern.</p>	<p>AO3.1 Roads are laid out in a grid pattern.</p>
Additional requirements for Precinct 1 – Munro Street	
<p>PO4 Development in the Munro Street precinct: (a) complements the existing built form and streetscape character of Munro Street; (b) has a building height consistent with adjoining buildings; (c) reinforces the main street character of Munro Street.</p> <p>Note – Where a proposed development exceeds the height stated in AO4.1, the proposed setbacks and site coverage will be assessed in relation to the proposed height.</p>	<p>AO4.1 Development in the Munro Street precinct: (a) is constructed with a 0 metre setback from street frontages; (b) has a maximum height of 8.5 metres and 2 storeys; (c) provide a ground level facade which consists of windows, wall openings or shopfronts; (e) includes windows and balconies on upper levels facing the street; (f) locates air conditioning plant at the rear of the building and is screened from the street frontage and public views by architectural features.</p> <p>Note – Height is inclusive of the roof height.</p>

Performance outcomes	Acceptable outcomes
<p>PO5 Development enhances pedestrian comfort and connectivity.</p>	<p>AO5.1 Development provides continuous pedestrian weather protection over the footpath which:</p> <ul style="list-style-type: none"> (a) is non-transparent; (b) is cantilevered from the building and where posts are used, the posts are non-load bearing; (c) includes under awning lighting; (d) is consistent with other pedestrian awnings within the precinct.
<p>PO6 Development provides on-site car parking and vehicular access which does not dominate the streetscape.</p>	<p>AO6.1 On-site car parking is located behind existing or new buildings.</p> <p>AO6.2 Vehicular access to on-site parking and manoeuvring areas does not dominate the streetscape and is provided from streets other than Munro Street, where alternative access arrangements can be achieved.</p>
<p>PO7 Places of local significance are retained and adaptively re-used.</p>	<p>AO7.1 No acceptable outcomes are provided.</p>
Additional requirements for Precinct 2 – Mill re-development	
<p>PO8 Development:</p> <ul style="list-style-type: none"> (a) does not detract from the scenic backdrop; (b) is screened from existing and future residential areas by landscaping and provides appropriate buffering. 	<p>AO8.1 No acceptable outcomes are provided.</p>
Additional requirements for reconfiguring a lot in the Low density residential zone	
<p>PO9 Lot reconfigurations in the Low density residential zone are of sufficient area and dimensions to:</p> <ul style="list-style-type: none"> (a) accommodate land uses that are consistent with the purpose and overall outcomes of the zone; (b) protect environmental features and take into account on and off site constraints; (c) be consistent with existing lot sizes in the surrounding area. 	<p>AO9.1 Lots have a minimum lot size of 800m².</p>
Additional requirements for Reconfiguring a lot in Precinct 2 – Mill re-development	
<p>PO10 Lot reconfigurations in Precinct 2 – Mill re-development are of sufficient area and dimensions to:</p> <ul style="list-style-type: none"> (a) accommodate the intended land uses; (b) be consistent with existing lot sizes in the surrounding area. 	<p>AO10.1 Lots have a minimum lot size of 2,000m².</p>