

APPENDIX E

DCP 6 – BAYSIDE BRUNSWICK

BAYSIDE BRUNSWICK

Section 1 Introduction

1. Citation

This plan may be cited as "Byron Shire Development Control Plan No.6 – Bayside Brunswick Estate, Brunswick Heads".

1. Commencement date

This plan shall become effective from 25/8/1992.

2. Application

This plan applies to the whole of the land shown edged in heavy line on Map 1 in the appendices.

3. Authority

This plan has been prepared and amended pursuant to section 72 of the Environmental Planning and Assessment Act 1979.

4. Relationship to statutory planning instruments

The plan must be read in relation to the Byron LEP 1988, as amended, and other regional and state environmental planning instruments applying to the land. Statutory planning instruments prevail over this plan in respect to any inconsistency.

5. Relationship to other DCPs and specific Council policy

This plan outlines the site-specific planning controls applicable to the development and use of land at the Bayside Brunswick Estate. The plan prevails over other general DCPs or Council policy documents only to the extent specified in clause 2. This DCP should be applied in conjunction with the provisions of DCP No.1, which specifies Council's objectives and guidelines for particular forms of development, including Subdivision (Part B), Residential Development (Part C) and Landscaping (Part H).

6. Objectives

The objectives of this DCP are as follows:

- To facilitate and provide guidelines for the development of the Bayside Brunswick Estate consistent with the provisions of the Byron LEP 1988.
- To promote innovative residential and subdivision development of a high design quality and a variety of housing types, maximising the retention of environmental quality and utilisation of the land.
- To encourage medium density residential development through group dwellings, etc., in an appropriate location to take advantage of the natural setting of the land and reduce the land cost component of housing in the Brunswick Heads locality.

Section 2 Development Standards

2.1 Introduction to Development guidelines

The guidelines in this section generally appear under 2 headings:

Performance Standard	Specific Control
A description of requirements to satisfy particular site planning considerations. In each instance the performance standards are stated with the obligation upon the applicant to demonstrate compliance with the planning principle. If the applicant is unable or unwilling to demonstrate that the proposal meets the performance standard, the "specific control: shall apply.	A numerical standard explanatory drawing or standard of workmanship to the satisfaction of a nominated officer of the Council. Such controls shall be strictly adhered to in the absence of satisfactory compliance with a performance standard.

2.2 Areas of nature conservation significance

Performance standard	Specific control
Retain and protect significant features of natural environmental significance. In particular, the applicant shall demonstrate that the stands of significant vegetation shown on Map 1 will not be degraded, in both the long and short term, as a consequence of development activity.	<ul style="list-style-type: none">• Areas of very significant vegetation identified on Map 1 shall be preserved in any development of the site. Such vegetation shall have a 35 metre protection buffer and drainage patterns shall not be altered in the vicinity of such vegetation.• The 7(a) and 7(b) areas should be retained as common property within the community/neighbourhood or precinct plan or strata plan of Residential 2(a) land development to the west.• For all significant vegetation and habitat areas within zones 7(a) and 7(b), a plan of management shall be prepared and submitted for consideration in any development application involving subdivision or residential buildings on Residential 2(a) land immediately to the west of and adjoining any 7(a) or 7(b) zoned land. Such plan of management should include:<ul style="list-style-type: none">i) pedestrian access arrangements and control of domestic animal intrusion;ii) location of facilities such as

	<p>channel or ponds;</p> <p>II. Has a minimum gradient of 1:6; and</p> <p>III. Has a minimum width of 30 metres, and is accessible.</p> <ul style="list-style-type: none"> The design of the drainage corridor system shall incorporate the meandering of the concrete paving and channel within the reserve with some use of trees and shrubs within largely mowable areas to introduce a more natural look. Active or structured open space is to be provided at the rate of 0.5 ha/1,000 persons or contribution in lieu towards the cost of providing active or structured open space. Ownership and management of the 7(a) or 7(b) land to be organised with adjoining land ownership parcels as common land via Community titles/Strata Titles Act common property. Council will not accept as a "specific control" land zoned 7(a) or 7(b) for the calculation of open space. Council will consider long term care, control and management of some sections of 7(a) or 7(b) land adjacent to drainage systems to enable limited public walkway access to Simpsons Creek.
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2.5 Roading and movement systems

Performance Standard	Specific Control
<p>(a) Roads within the site shall:</p> <ul style="list-style-type: none"> Be sited and designed to be efficient and practical having regard to the principle specific in Byron DCP No 1 (part B) – subdivision, and the Australian Model Code for Residential Development. Be restricted to the existing single access point (Bayside Way) to the pacific Highway. Provide for the "relocation" of the existing Crown road traversing the 	<ul style="list-style-type: none"> The primary estate roading and pedestrian movement routes shall be provided generally in accordance with Map 1. The final alignment of the routes being subject to the completion of engineering drawings to the satisfaction of Council's Planning Manger in consultation with Council's Engineering Services Manager. A 40 kph minimum design speed is acceptable for the local access roads and 50 kph minimum design speed for the collector road (main loop road

<p>site.</p> <ul style="list-style-type: none"> • Provide for future road access to adjoining land to south and west, and to a potential parking area close to preferred site for a footway bridge across Simpsons Creek to Tyagarah Nature Reserve. <p>(B)Pedestrian Movement shall:</p> <ul style="list-style-type: none"> • Provide easy walking access within and external to the site whilst minimising conflict with motor vehicle traffic, primarily by utilising the dual use open space/drainage corridor 	<p>and extension to Bayside Way).</p>
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2.6 Residential Density and Integration

Performance Standard	Specific Control
<p>Site development shall be carried out in a manner which provides for innovative and traditional development forms (eg house site subdivision and medium density development) and higher yield style development eg Australian Model Code for residential Development or Community Titles Development Act integrated/cluster housing.</p>	<ul style="list-style-type: none"> • The preferred broad development type is shown on Map 1, with medium density housing closer to the preferred site of the neighbourhood shops and integrated community subdivision adjacent to the vegetated areas zoned 7(a) and 7(b) located on the eastern side of the area. • Generally, at least 10% of dwelling-house subdivision lots should have an area of less than 450 square metres (refer clause B5.3 of DCP No 1 (part B) – subdivision), and at least 10% of the area of the residential component of the estate should be allocated for medium density housing.

2.7 Neighbourhood Shopping and Community Facilities

Performance Standard	Specific Control
<p>Provision of neighbour retail facilities of a size and variety, and in location appropriate to the demographic profile of estate residents; and to complement the Brunswick Heads CBD as the principle commercial for the locality.</p> <p>The architectural design of any shopping facility should provide for an estate "meeting place" as a partially or fully covered plaza or the like within the development.</p>	<ul style="list-style-type: none"> • Provision shall be made within the overall development of the estate for retail facilities located generally in the location shown on Map 1. • No non-residential facilities specified in Schedule 3 of the Byron LEP 1988 to be located outside this neighbour shopping centre. • In development of site concept planning, the developer shall have regard to the following land use budget in respect to retail facilities: <ul style="list-style-type: none"> 1,250m² – Retail and related non-residential space. 180m² – Grossing (+ 15%) 1,500m² – Carparking (50 spaces x 30m²) 730m² – Public space (35%) 3,666m² – Site area • Provision shall be made for an open plaza within any architectural design adopted for the retail facility; Such shall have a minimum of 50 % covered protection from the elements. • Provision shall be made for community facilities by way of contribution towards the cost of augmenting/providing facilities in Brunswick Heads and/or at Bayside Brunswick in accordance with the section 94 contributions plan applicable in the area.

2.8 Nature Reserve Access

Performance Standard

A pedestrian access by the way of a future footbridge and walkway into and across the northern end of the Tyagarah Nature Reserve is a desirable amenity enabling controlled pedestrian access to the beach integrated with the design of the road/walkway/open space and residential subdivision development on the eastern part in the DCP area, and enabling such facility to be constructed at no cost to the public

The preferred access point is as shown on Map1 and is subject to approval and lease by the National Parks and Wildlife Service.

The preferred footbridge access point is to be included within the common area of a significant integrated Community Titles or Strata Titles Act Development to the west and to be subject to public right of access.

2.9. Stormwater Drainage and Utility Services

Performance Standard	Specific Control
Provision of an integrated corridor system of open space, trunk drainage's, bikeways/walkways and utilities as appropriate is sought in the locations shown on Map 1.	<ul style="list-style-type: none">• Drainage system to be designed with swills approximately 20 metres wide providing for overload flow for 1% flood, with low-flow drainage design may be acceptable to Council provided that Council is satisfied that the system minimises silt build-up and maintenance, and maximising hydraulic performance. Engineering and landscape plan details for the dual use drainage/open space corridors 30 metres wide are incorporate batters of a minimum 1:6 slope, some meandering of the invert and the channel within the corridor, and include details as to edge treatment, water quality (sediment, nutrient and pollutant reduction measures), walkways/bikeway and judicious planting of trees within the corridor.• Drainage system design should not involve disturbance of any areas of 7(a) or 7(b) zoned land which have not suffered recent clearing or disturbance as at July 1991.• Water supply and sewer – PWD design standards.

2.10 LEP Provisions

This plan is deemed to satisfy the provisions of clause 14(2)(b) regarding consultation with Council and the written notification by Council of requirements in respect to the preparation of an environmental impact statement.

2.11 Section 94 Contributions

Specific Control

Having regard to additional demand for, and use of the community facilities and services likely to arise as a result of development in this zone, the following contributions will be required towards Council's upgrading capital costs (1992 rates) as set out in the section 94 contributions plan applicable to the area;

Water supply system augmentation

Bulk water augmentation

Sewerage headworks

Sewage treatment works

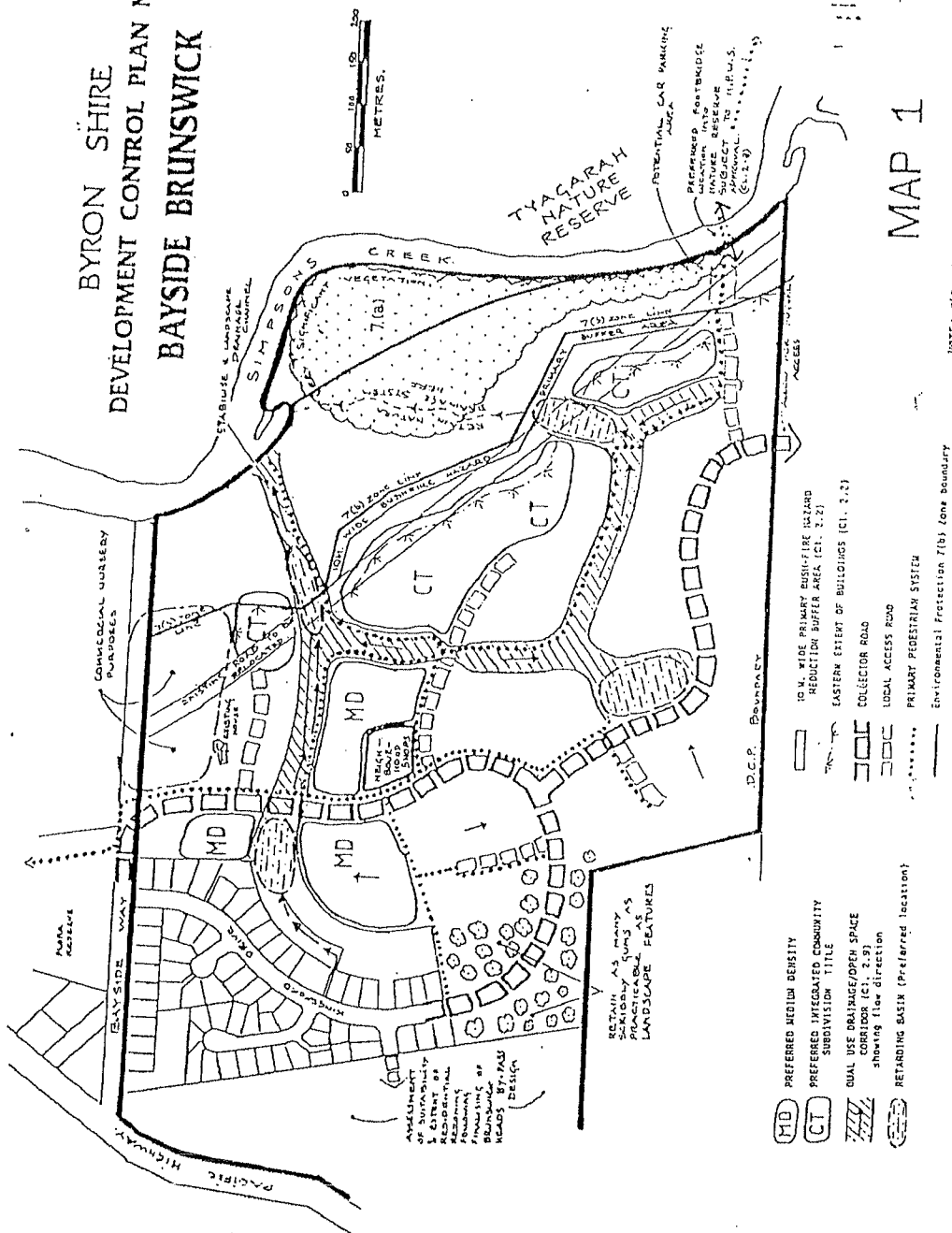
Townlevel community facilities

Reserves acquisition (where no open space dedication)

Reserves embellishments (unless undertaken as a part of development)

Town walkway/cycleway system

BYRON SHIRE DEVELOPMENT CONTROL PLAN NO.6 BAYSIDE BRUNSWICK



MAP 1