

VILLAGE OF FEDERAL

SECTION 1 - General

1.1 Citation

This plan, which may be cited as "Byron Shire Development Control Plan No.7", constitutes a development control plan as provided for by section 72 of the Environmental Planning and Assessment Act, 1979.

1.2 Commencement date

This plan shall be effective from 17 March 1989 being the date on which it was formally adopted by Council.

1.3 Application

This plan shall apply from the commencement date to all development consents and building approvals relating to the land shown on the maps accompanying this plan, subject to the provisions of the Byron Local Environmental Plan 1988.

1.4 Definitions

"Map A" means Development Control Plan No.1 map titles "Village of Federal".

"Map B" means Development Control Plan No.2 map titled "Central village area, Village of Federal".

"Village centre," means the part of Federal Drive between Eureka Road and Rose's Road and the land directly adjacent on both sides of the road.

"Inter-village roads" means the road network linking Federal to adjacent villages and includes Federal Drive, Eureka Road, Binna Burra Road and Coorabell Road.

1.5 Objectives

(a) The objectives of the following zones as provided by the Byron Local Environmental Plan 1988 are adopted for the purposes of this plan:

- i) Zone No.2 (v) (Village zone);
- ii) Zone No. 1(c) (Small Holdings); and
- iii) Zone No. 6(a) (Open Space).

In addition, the following objectives are adopted specifically for the area covered by this plan:

- (b) To provide for orderly and economic development of the village area;
- (c) To define appropriate areas within the village for residential and commercial development, service industries and crafts which are appropriate to the village character, and public open space;
- (d) To provide for a variety of allotment sizes appropriate to the topography and capability of the land;

Byron Shire Council Development Control Plan No. 7
Village of Federal
#192460

- (e) To provide for useable, attractive and safe pedestrian links between the residential, commercial and open space areas of the village; and
- (f) To provide development, servicing and landscape guidelines which meet the zone objectives and which will maintain and enhance the character of the village.

SECTION 2 – Public Services and Facilities

2.1 General

Contributions or dedication of land will be required for the provision of public services and facilities for which new development will generate a demand or increase the level of demand. These services and facilities are described in clauses 2.2 to 2.9.

2.2 Public open space

Public open space, as shown on the maps, consists of areas for:

- Active and passive recreation;
- Conservation of riparian vegetation;
- Maintenance and enhancement of wildlife resources; and
- Pedestrian links between areas of public open space and other elements of or associated with the village.

2.3 Eastern reserve

The eastern reserve consists of areas east of Federal Drive to be dedicated as active and passive open space, as shown on Map B.

The following rehabilitation and embellishment measures will be required for this reserve:

- (a) landscape planting of the reserve area linking Rose's Road with the open space area to the north of the preschool; and
- (b) planting of shade trees surrounding the active open space area directly across Federal Drive from the existing shop.

2.4 Western reserve

The western reserve consists of areas adjacent to Stony Creek to the west of Federal Drive, as shown on Map B, to be dedicated as public open space.

The following rehabilitation and embellishment measures will be required for this reserve:

- (a) landscape and enrichment planting of native species in the waterfowl conservation area;
- (b) rehabilitation of the picnic area by:
 - removal of exotic vegetation and replacement with native pioneer species;
 - construction of a low earth and rock wall to embellish existing pond areas and provide a pond depth of approximately 1m;
 - construction of a pedestrian timber bridge crossing Stony Creek;
 - provision of picnic tables, grassed areas and barbecue sites; and
- (c) provision of a clearly marked walking trail between the picnic area and the riparian rainforest, linking with the village pedestrian network.

2.5 Open space network

Provision of landscaped walking tracks will be required in the following locations as shown on Maps A and B:

- a) a walking track safe for young children, between the tennis court area and the preschool, within a public reserve adjacent to the road reserve;
- b) a public right-of-way providing a pedestrian walkway from the village centre to Lizray Road, crossing the western reserve, approximately in the location shown on Map B;
- c) a public right-of-way providing a pedestrian trail between the village centre and Keyes Bridge, avoiding steep slopes and heavily vegetated areas; and
- d) landscaping of pedestrian walkways with appropriate shade trees.

2.6 Community facilities

- a) local level community facilities – Federal School of Arts, Federal Preschool Incorporated and Federal Community Centre Incorporated;
- b) town level community facilities as determined by Council's Planning Director from time to time.

2.7 Fire station

- a) land suitable and sufficient for the location of a fire station for the village and surrounding area;
- b) construction of safe vehicle access;
- c) appropriate landscape planting.

2.8 Tennis courts

The area containing the existing tennis court is to be increased to accommodate a second tennis court and upgraded amenities, including:

- a) provision of a second tennis court adjacent to the existing court;
- b) upgrading or replacement of amenities building associated with the tennis court, to include public toilet facilities; and
- c) provision of a secure play area for small children.

2.9 Roads and drainage

- a) upgrading of the intersections of Federal Drive and Eureka Road; Coorabell Road and Binna Burra Road; Eureka Road and Lizray Road, as required to improve visibility and safety;
- b) widening and landscaping of Federal Drive through the village centre, between Eureka Road and Rose's Road;
- c) construction and landscaping of roadside parking spaces associated with commercial development, where adequate on-site parking cannot be provided in accordance with the provisions of Byron Shire Development Control Plan No.1 (Part G) Vehicle Access and Parking;
- d) widening and upgrading of inter-village roads as determined by Council's Works and Services Director;
- e) widening of Lizray Road.

SECTION 3 - Wastewater disposal

3.1 General

Effluent from existing and new development in the village area will be treated and disposed of mainly through septic tank and absorption trenches or other forms of household systems. A principal objective is therefore to ensure that absorption fields are designed and sited such that household effluent disposal is not detrimental to public or environmental health.

The principles and guidelines in this section will be considered in relation to any application for subdivision and applicants will be required to demonstrate that allotments and proposed building sites comply. Details of septic tank, absorption trenches or other systems, e.g. Biocycle, shall be provided by applicants at the building approval stage and shall comply with Council's requirements or specifications.

The following principles will be applied with regard to the layout and size of allotments, the siting of buildings and the location of absorption trenches:

- Absorption trenches should be sized to suit the long-term absorption capacity of the soil.
- Absorption fields should be sited such that there is sufficient separation from water courses and springs to provide the necessary attenuation of pollutants.
- Absorption fields should be sited such that any short-term overflows from an absorption trench do not result in direct discharge into waterways.
- Sufficient, appropriately located land should be available to allow for expansion or long-term replacement of absorption beds.

The following guidelines are aimed at achieving the principles contained in this clause and take account of the range of hydrogeological conditions which are likely to be encountered in the area to which this plan relates.

Absorption beds shall be located and designed generally in accordance with the principles contained in this clause and the guidelines contained in this section. Systems offering more sophisticated treatment of effluent, e.g. Biocycle or Envirocycle, will be considered as acceptable alternatives, particularly where these guidelines cannot be fully met.

Where dual occupancy is proposed, the guidelines will be applied to each dwelling separately. Proposals for wastewater disposal from commercial development will be considered on merit, taking these guidelines into consideration.

A separate percolation test will be required for each proposed dwelling site and should accompany the building application.

3.2 Design guidelines

The absorption field for each dwelling should be:

- Located downslope of the building it serves;
- Positioned so that the base of the absorption trench is at least 1,000 mm above the water table and any impermeable substrata;
- Aligned so that the absorption trench or trenches run parallel to the land contours;
- Located so as to provide separation from water courses or springs in accordance with the provisions of clause 3.3; and

- Located so that the above criteria can be met if additional or replacement absorption fields are required later.

3.3 Separation from water courses

Absorption trenches shall be located a minimum distance from downhill permanent streams and/or springs in accordance with the following table. For intermittent streams and drainage structures, the minimum distances may be reduced by 30%.

Result of percolation test (time for water to fall 25 mm)	Surface slope					
	<5%	5-10%	10-15%	15-20%	20-30	>30%
	Minimum distance (metres)					
<1 minute	35	45	60	75	90	100
1-10 minutes	30	40	55	70	85	100
10-20 minutes	25	35	50	65	80	100
20-30 minutes	20	30	45	60	75	100

3.4 Construction

Design and construction of absorption beds shall be generally in accordance with the attached diagrams and with the following:

- The total length of beds shall be determined from the results of percolation tests undertaken to Council's satisfaction and in accordance with the table below, but in any case shall be a minimum of 20m;
- Absorption trenches shall be dug to a depth of no less than 0.5m below the surface; and
- Parallel trenches shall be spaced a minimum of 3m apart and equipped with suitable overflow pipes to prevent overloading of the lowest trench.

Result of percolation test (time in minutes for water to fall 25 mm)	Minimum length of absorption trench (metres)
5	23
10	34
20	54
30	67

SECTION 4 – Development

4.1 Allotment size

- (a) The minimum area for any allotment within the area to which this plan relates shall be:
- (i) within Zone No.1(c1) (Small Holdings zone) – in accordance with the provisions of the Byron Local Environmental Plan 1988; and
 - (ii) within Zone No.2(v) (Village zone) – 1,000m²
- (b) Within the areas shown hatched on Map B, the total number of residential or commercial allotments to be subdivided from any holding shall be no greater than the total area in hectares of the holding shown hatched on the map, divided by 0.3
- (c) Notwithstanding the provisions of subclause (a), a larger area may be required for any proposed allotment, having regard to:
- The slope of the land;
 - The soil quality;
 - The proposed method of wastewater disposal;
 - The likely impact of any development with regard to visual quality, land capability or the village character; and
 - The ability to provide adequate and safe vehicle access to the land, and the likely impact of such access with regard to soil erosion, visual quality or the village character generally.

4.2 Building envelopes

In order to maintain and enhance the rural character of the area, careful consideration will be given to the siting, bulk and landscaping of dwellings, particularly within the areas shown hatched on the map.

Any development application for subdivision within the area to which this plan relates should define building envelopes within which building approval only will be required.

Building will not be prohibited outside the approved building envelopes but development consent shall be required for any building so proposed.

4.3 Dual occupancy

Council may consent to dual occupancy development within the area to which this plan relates, where:

- (a) such development is in accordance with the provisions of the Byron Local Environmental Plan 1988 and Byron Shire Development Control Plan No.1 (Part C) Residential Development;
- (b) the allotment size is no less than the minimum provided by clause 4.1; and
- (c) the applicant demonstrates to Council's satisfaction that the proposal meets the provisions of this plan with regard to wastewater disposal.

4.4 Commercial

Commercial development within the village area shall be located within the areas marked “commercial” on Map B. These locations have been chosen in order to:

- Maximise commercial viability;
- Contain traffic-generating development within the village centre;
- Provide for suitable and safe parking areas;
- Provide reasonable separation from residential areas;
- Provide for a nexus between commercial activity and the public open space network.

Commercial development will be required to provide on-site parking in accordance with the provisions of Byron Shire Development Control Plan No.1 (Part G). Where this is not feasible, contributions will be required for the provision of landscaped roadside parking areas.

4.5 Craft/service industry

The village zone permits, with Council’s consent, a wide range of home occupations which may assist the self-sufficiency of the village and enhance its viability as a rural centre. However, many of these activities are of a nature which, while permissible within reasonable limits of noise, traffic generation or other constraints, may cause some nuisance if located within quieter residential areas.

Cottage, craft and light service industries which are permissible within Zone No.2(v) should be located within the area marked “craft/industry” on Map B. This area provides direct vehicle access from Lizray Road and reasonable separation from the main residential areas within the village.

SECTION 5 – Subdivision roads

5.1 General

The objectives of this plan with regard to new subdivision roads are:

- (a) to maintain the rural character by minimising the impact of new roads;
- (b) to enhance the character of the village and residential amenity by providing for appropriate landscaping of rural roads; and
- (c) to minimise the impact of existing stormwater flows and increased run-off from new development.

5.2 Design guidelines

The design of subdivision roads shall be in accordance with the provisions of Byron Shire Development Control Plan No.1 (Part B) Subdivision. The following guidelines will be considered in addition:

- (a) subdivision roads shall not provide a through traffic function;
- (b) subdivision roads should follow contour lines as far as practicable;
- (c) subdivision roads shall not cross creeks or major drainage gullies unless it can be demonstrated to Council's satisfaction that there is no other practicable and suitable route;
- (d) the layout of subdivision roads should correspond approximately to the locations shown on the map. These locations are considered flexible, to take account of the topography, the detailed layout of allotments and the relationship between roads, developed areas and public open space;
- (e) subdivision roads should provide access to public reserves and allow for public parking associated with recreation;
- (f) subdivision roads should be designed as minor roads as far as practicable and should maximise the area available for pedestrian walkways, drainage and landscaping, within the requirements of Development Control Plan No.1 and Council's specifications for rural roads;
- (g) subdivision and road layouts shall minimise individual lot access directly from inter-village roads;
- (h) existing vegetation should be incorporated within road reserves. Where this is not possible, appropriate landscaping of road reserve areas will be required; and
- (i) grassed drainage swales and road shoulders will be preferred to constructed kerb and gutter, in keeping with the existing character of rural roads.

SECTION 6 – Contributions

6.1 Section 94 contributions

Contributions are payable per lot created in respect of:

- (a) walking trails;
- (b) community facilities;
- (c) road upgrading;
- (d) parks acquisition and embellishment;
- (e) garbage transfer and recycling station; and
- (f) bushfire brigade contribution.

Unit rates of contributions will be set by Council each year. As an indication, the unit rates for 1989 are:

	Per Lot
Walking trails (15,000)	\$100
Community facilities (hall and preschool)	\$500
Road upgrading	\$3,300
Parks acquisition and embellishment	\$1,200
Garbage transfer and recycling station	\$100
Bushfire brigade contribution	\$120

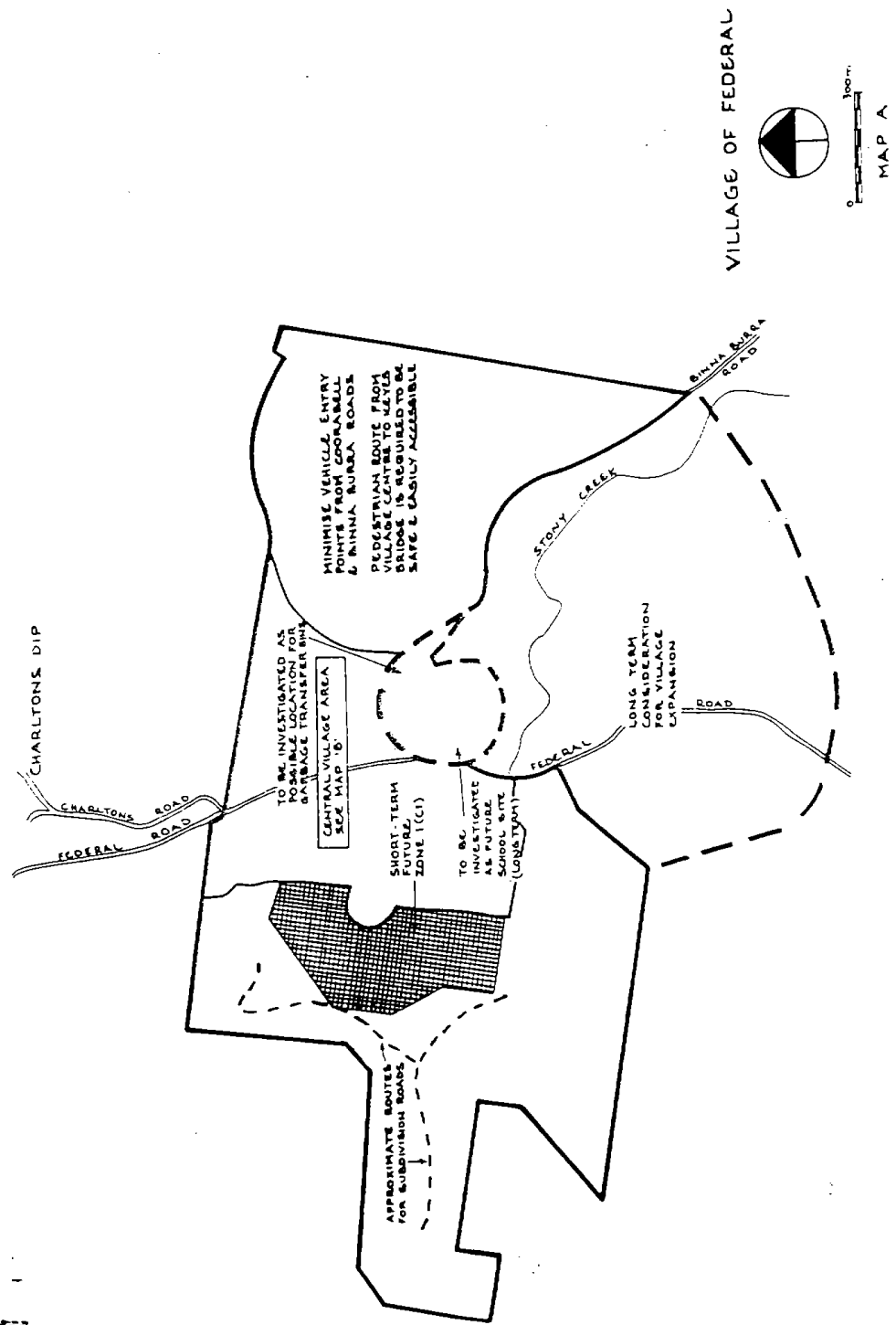


EXHIBIT C

