

## **VILLAGE OF MAIN ARM**

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## **Section 1 GENERAL**

### **1.1 Citations**

This plan which may be cited as “Byron Shire Development Control Plan No. 8”, 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 11 April 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 map accompanying this plan, subject to the provisions of the Byron Local Environmental Plan 1988.

### **1.4 Definitions**

“The map” means Development Control Plan No. 1 map titled “Village of Main Arm”.

### **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); and
- (ii) 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 and public open space.
- (d) To provide for a variety of allotment sizes appropriate to the topography and capability of the land.
- (e) To provide for useable, attractive and safe pedestrian links between the residential, commercial and open space areas of the village.
- (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 is likely to generate a demand or increase the level of demand. These services and facilities are described in clauses 2.2 to 2.8.

### **2.2 Public open space**

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

- active and passive recreation;
- conservation of vegetation;
- maintenance and enhancement of wildlife resources; and
- pedestrian links between areas of public open space and other elements of the village.

### **2.3 Creek paddock**

An area to the north of the old dairy containing a section of Blindmouth Creek will be dedicated as public reserve for active recreation, as shown on the map.

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

- (a) fencing to exclude grazing animals;
- (b) stabilisation of the creek banks and planting of riparian vegetation;
- (c) construction of a low earth and rock wall to provide a pond depth of approximately 1m; and
- (d) provision of stepping stones crossing Blindmouth Creek.

### **2.4 Arboretum**

The arboretum consists of the clump of trees located to the west of the old dairy and shed. Due to the national and local importance of its vegetation, it will be incorporated within an area to be dedicated for public open space. This area will extend to the north of the arboretum, as shown on the map.

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

- (a) removal of rubbish
- (b) gradual pruning and removal of coral trees, coinciding with enrichment planting selected from the list of subtropical rainforest specimens included in clause 6.2;
- (c) provision of picnic tables and grassed areas; and
- (d) provision of children's play equipment of appropriate timber construction.

### **2.5 Western ridge**

An area on the western side of the ridge containing an association of camphor laurel and

rainforest pioneer species will be dedicated as a reserve for passive recreation, as shown on the map.

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

- eradication of noxious weeds

## **2.6 Open space network**

Provision of landscaped pedestrian tracks will be required in the following locations as shown on the map:

- (a) a public reserve linking the western end of the subdivisional road to the camphor laurel area on the western ridge;
- (b) a public right-of-way linking the camphor laurel area on the western right to Main Arm Road at the western end of the village zone;
- (c) a public right-of-way along the northern/ eastern bank of Blindmouth Creek east of Blindmouth Road, linking The Pocket Road to the village centre; and
- (d) landscaping of pedestrian tracks with appropriate shade trees and riparian vegetation along creek banks.

## **2.7 Community facilities**

- (a) Local level community facilities – Durrumbul and Kohinur community halls and associated recreation facilities.
- (b) Town level community facilities as determined by Council's Planning Director from time to time.

## **2.8 Roads and drainage**

- (a) The causeway on Main Arm Road to the east of the village:
  - (i) construction of a bridge to raise the road to an appropriate level, in the same location as the existing causeway; and
  - (ii) restoration and rehabilitation of vegetation around the new bridge and temporary crossing.
- (b) Upgrading of the intersection of Main Arm and Blindmouth Roads and resolution of road reserve boundaries.
- (c) Widening of Main Arm Road through the village area, between The Pocket Road and the western ridge reserve.
- (d) Sealing of Blindmouth Roads and resolution of road reserve boundaries.
- (e) Construction of roadside parking spaces associated with any commercial

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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.

- (f) Upgrading of the existing drain crossing Main Arm Road from the new development area.

## **Section 3 WASTEWATER DISPOSAL**

### **3.1 General**

Effluent from existing and new development in the village area will be disposed of mainly through septic tank and absorption trenches or other forms of household systems.

The following design guidelines will be considered in relation to any application for subdivision and applicants will be required to demonstrate that allotments and proposed building sites comply with these guidelines.

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 beds should be located so that they are hydraulically remote from drains, water courses and dwellings.
- Sufficient, appropriately located land should be available to allow for expansion of long-term replacement of absorption beds.
- The absorption and transpiration capability of a disposal system is enhanced by maximising trench/ soil interface area and trench surface area.
- Surface run-off should be diverted around the absorption bed to minimise effluent overflows.

### **3.2 Design guidelines**

Absorption beds shall be located and designed generally in accordance with the principles contained in clause 3.1 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 or commercial site and should accompany the building application.

### **3.3 Location**

The absorption field for each dwelling should be located:

- downslope of the buildings being serviced;
- only on slopes less than 15%;
- a minimum of 10 m from any property boundary, gully or drainage structure which is

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downslope of the field;

- a minimum of 15m from any edge of Blindmouth Creek;
- so that surface water from the absorption area will travel a minimum of 30m overland before entering Blindmouth Creek;
- so that the base of the bed is at least 500mm above flood level;
- so that the absorption beds run parallel to the land contours; and
- so that the above criteria can be met if additional or replacement absorption fields are required later.

**3.4 Construction**

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

- the minimum total length of beds shall be determined from the results of percolation tests undertaken to Council's satisfaction and using the table below, but in any case shall be a minimum of 20 m;
- total surface area shall be a minimum of 40m<sup>2</sup>.
- excavation depth shall be a minimum of 600mm; and
- parallel beds shall be spaced a minimum of 3 m apart.

<b>Result of percolation test</b> (time in minutes for water to fall 25 mm)	<b>Minimum length of absorption trench</b> (metres)
5	23
8	30
10	34
20	54
30	67
60	90

## **Section 4 DEVELOPMENT**

### **4.1 Allotment size**

- (a) The minimum area for any allotment on land within Zone No. 2(v) Village to which this plan relates shall be 1,500 m<sup>2</sup>.
- (b) Within the areas shown hatched on the map, the total number of allotments shall be no greater than the total hatched area in hectares, divided by 0.4.
- (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 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 for single dwellings.

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 Environment Plan 1988 and Byron Shire Development Control Plan No. 1 (Part C) Residential Development;
- (b) the minimum allotment size is 1,500m<sup>2</sup>; and
- (c) the applicant demonstrates to Council's satisfaction that the proposal meets the provisions of this plan with regard to wastewater effluent disposal.

#### **4.4 Commercial development**

Commercial development within the village shall be restricted to the locations shown on the map. These locations have been chosen in order to:

- encourage commercial viability but minimise traffic hazards;
- provide for suitable and safe parking areas;
- provide reasonable separation from residential areas; and
- 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 provisions of landscaped roadside parking areas.

Vehicle access to on-site parking and roadside parking areas shall not be located in Main Arm Road or in Blindmouth Road closer than 40m to its intersection with Main Arm Road.

## **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 shall 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) vehicle access to the new subdivision area west of Blindmouth Road shall be restricted to one entry point corresponding approximately to the location shown on the map;
- (f) subdivision roads shall provide access to public reserves and allow for public parking associated with recreation;
- (g) 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 Byron Shire Development Control Plan No. 1 and Council's specifications for rural roads;
- (h) stormwater flows should be directed towards Blindmouth Creek in the northern part of the subdivision and away from existing drainage crossing Main Arm Road;
- (i) existing vegetation should be incorporated within road reserves. Where this is not possible, appropriate landscaping of road reserve areas will be required; and

- (j) grassed drainage swales and road shoulders will be preferred to constructed kerb and gutter, in keeping with the exiting character of rural roads.

## **Section 6 LANDSCAPING**

### **6.1 Landscaping**

The developer is to submit prior to the release of linen plans a landscaping plan in triplicate indicating proposed landscaping or road reserves with fire resistant species to soften the visual impact of development on the surrounding environment and improve the amenity of the area.

### **6.2 Arboretum – planting species**

The following species are suitable for enrichment planting of the arboretum as provided by clause 2.4:

Common name	Scientific name
Foambark	<i>Jagera pseudomus</i>
Brown Kurrajoing	<i>Commersonia bartramia</i>
Red Ash	<i>Alphitonia excelsa</i>
Red Kamala	<i>Mallotus philippensis</i>
Lilly Pilly	<i>Acmena smithii</i>
Broad-leaved Lilly Pilly	<i>Acmena hemilampra</i>

**Section 7 WATER SUPPLY**

**7.1 Water Supply**

Rain water tanks with a minimum capacity of 50,000 litres are to be provided for each dwelling to discourage the pumping of water from Blindmouth Creek.

## **Section 8 CONTRIBUTIONS**

### **8.1 Section 94 Contributions**

Contributions are payable per lot created in respect of:

- (a) open space embellishment;
- (b) walkways;
- (c) community facilities local;
- (d) community facilities town level;
- (e) local roads and drainage upgrading;
- (f) bush fire brigade; and
- (g) landscaping bond.

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

	Per lot
Open space embellishment	\$ 330
Walkways	\$ 115
Community facilities local	\$ 250
Local roads and drainage upgrading	\$4,000
Bush fire brigade contribution	\$ 120
Landscaping bond	\$1,000

(50% refundable upon planting; remaining 50% refundable upon satisfactory maintenance after a period of 12 months).

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