

Chapter 18:

Becton site and
adjoining lands

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1 INTRODUCTION

1.1 Title of this Chapter

This plan is called Byron Shire Development Control Plan 2010 Chapter 18 – Becton Site and Adjoining Lands, Byron Bay. It is a Development Control Plan prepared in accordance with Section 74C of the *Environmental Planning and Assessment Act 1979*, as amended.

1.2 Where this Chapter applies

This Chapter applies to the land defined by a heavy black line on Map 1 of the Map. The land is bounded by the North Coast Railway Line in the south, the Tyagarah Nature Reserve in the west, and the Pacific Ocean and the eastern bank of Belongil Creek in the north east.

1.3 Background Report

This Chapter was prepared having regard to the information, findings and recommendations contained in the Background Report titled “Proposed Draft Development Control Plan for the “Becton” Site and Adjoining Lands, Belongil – Report to Byron Shire Council for BEACON”, prepared by Chris Power Environmental Planning Pty Ltd, Report No.19/04, dated 31 October 2004 (Doc#486548). In the event of uncertainty about the intent or interpretation of any aspect of this Chapter, reference should be made to the Background Report to guide the correct interpretation of this Chapter.

1.4 Objectives of this Chapter

The objectives of this Chapter are:

- 1.4.1 To promote and implement principles of sustainability as identified in Byron LEP 1988 Clause 2(3) in the planning, development and management of the site.
- 1.4.2 To define controls on location, form, character and density of permissible development on the site, in accordance with paragraph (c) of the Objectives of Zone No. 2(t) (Tourist Area Zone) in Byron Local Environmental Plan 1988.
- 1.4.3 To implement the Byron Biodiversity Conservation Strategy and Belongil Estuary Management Plan.
- 1.4.4 To define those parts of the site that require protection from development because of their inherent habitat or biodiversity values, visual characteristics, hazard characteristics, community values, coastal processes or other environmental values or characteristics.
- 1.4.5 To maintain, protect and enhance wildlife corridors to facilitate the movement and dispersal of species between Tyagarah Nature Reserve and significant areas of native vegetation on and beyond the site.
- 1.4.6 To define those parts of the site that should contain only limited forms, types or intensities of development and land uses because of their environmental values or characteristics; and to specify the limitations on the form, type and/ or intensity of development in those areas.
- 1.4.7 To define appropriate densities of tourist accommodation and building development on various parts of the site.
- 1.4.8 To define the remediation, environmental repair and ongoing management measures that are required in order to ensure appropriate environmental restoration and improvement of specific areas and characteristics of the site.
- 1.4.9 To establish a maximum quantum of accommodation on the site.
- 1.4.10 To limit the quantum of permanent building floor space on the site and to ensure the provision of adequate landscaped area.
- 1.4.11 To protect ground water and surface water quality and quantity.
- 1.4.12 To protect and enhance the visual and scenic quality of the site.

- 1.4.13 To protect the amenity and safety of the nearby residential area (Sunrise Beach) from inappropriate through traffic.
- 1.4.14 To ensure that the siting, scale and intensity of development protect and enhance Byron Bay's social and cultural qualities by:
- protecting areas and features of cultural significance;
 - accounting for local and regional values, community needs and aspirations;
 - reflecting Byron Bay's character and scale;
 - ensuring that development of the site does not dominate or detract from the town centre;
 - ensuring that site access does not compromise the amenity or safety of adjacent residential areas;

The specific objectives for each Element included in this chapter are described in the Part relating to that Element.

1.5 How this Chapter works

Section 2.1 of this Chapter defines the Desired Future Character of the site. That description is based on the particular characteristics of the site and its setting, as well as on the social and cultural values and issues that affect, or are affected by, the site and its development. This Chapter shall also be read in conjunction with Chapter 1.

Sections 3, 4, 5 and 6 of this chapter specify particular requirements for various forms of development on the site. Those requirements are generally divided into the primary Control Elements of the particular type of development. Control Elements comprise Element Objectives, Performance Criteria and Prescriptive Measures. In some cases both Performance Criteria and Prescriptive Measures are specified, but in other cases only one of those criteria is specified.

Development proposals must meet the relevant Element Objectives. This can usually be achieved by meeting the prescriptive measures. The prescriptive measures are requirements that Council considers are likely to meet the objectives and performance criteria of the particular control element. Alternatively Council may be prepared to approve development proposals that are demonstrated to meet both the element objectives and the performance criteria.

1.6 Definitions

Words and phrases used in this Chapter have the meanings defined in Byron LEP 1988. Particular words and phrases used in various Parts of this Chapter are defined in this Section. Wherever any discrepancy arises between definitions used in this Chapter and Byron LEP 1988, the provisions of Byron LEP 1988 prevail.

Accommodation Unit

Means room or suite of rooms used, or intended to be used, for the provision of holiday accommodation only. The building is to have a maximum floor area of 80m² excluding balconies, and a maximum of three bedrooms. An Accommodation Unit may be freestanding, or may be attached to one or more other Accommodation Units.

Balcony

Means a raised platform, commonly referred to as a deck or verandah, having a floor level of more than 1m above an adjacent lower level or any deck or verandah covered by a roof.

Bedroom

means a room that is able to be used or adapted for sleeping accommodation, and includes all rooms known or identified as box room, store room, office space, den, studio or the like.

Floor plan area

means the area contained within the outer face of the external enclosing walls of a storey, including the area of balconies, but excluding:

- (a) columns, fin walls, sun control devices and any elements outside the general line of the outer face of the external wall;
- (b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts;
- (c) car parking needed to meet any requirements of Council and any internal access thereto;
- (d) space for the loading and unloading of goods.

Floor space ratio

means the ratio of gross floor area to site area.

Gross floor area

means the sum of the floor plan areas of all floors of a building.

Site Area

means the area contained within the Precinct in which a building is proposed to be constructed.

The Council

means the Byron Shire Council.

The Map

means the Maps marked:

“Map 1” Planning area (Doc#517040)

“Map 2” Precincts (Doc#517033)

“Map 3” Beach Access (Doc#517041).

deposited in the office of the Council.

The Site

means the land to which this Chapter applies, as defined in Section 1.2.

1.7 Relationship with other planning instruments

This Chapter applies to all development on the land to which this Chapter applies. The information contained in this Chapter is to be read in conjunction with Byron Local Environmental Plan 1988 and other relevant Environmental Planning Instruments. In the event of any inconsistency between this Chapter and Chapter 1, this Chapter shall prevail. This Chapter shall also be read in conjunction with Chapter 1.

2 DESIRED CHARACTER AND INTENSITY OF DEVELOPMENT

2.1 Statement of desired future character

The site will be characterised by a mix of native bushland, coastal dune systems, wetlands and low intensity, low-rise and low scale tourist accommodation and ancillary uses. The integrity of native vegetation, wildlife habitats and waterbodies will be enhanced through active management and strategic revegetation. Natural areas will be separated from development by vegetated buffers and fire protection areas that are designed to minimise impacts on the integrity and quality of ecologically sensitive areas. The buffers also define the boundary of the development footprint and provide a transition between the two.

The textures, colours and design of new development will complement the existing bushland and coastal landscapes, both within and adjoining the site. Buildings will be designed to optimize energy and water efficiency. A small public car park and cycle racks will be provided for beach users not accommodated on the site.

The land has three distinct components, each with a particular desired future character:

- Ecologically sensitive wetlands, habitat and corridor areas, beaches and waterbodies that provide foraging and nursery areas for shorebirds and other conservation priority species. These areas also include an important habitat corridor adjoining the railway line, which is presently partly developed with holiday accommodation units but which provides a connective corridor between the Belongil Creek estuary and the Tyagarah Nature Reserve. These areas will remain in a natural vegetated undeveloped state and will be further revegetated over time.
- Dunes and adjacent lands that are susceptible to shoreline recession and coastal processes. These lands are characterised by vegetated and grassed dunes, hind-dune littoral rainforests and wetlands, grassed areas and waterbodies. Development in these areas will be limited to low-impact environmental facilities, coastline access and environmental management activities, and surf lifesaving facilities.
- A development area central to the site containing low scale tourist accommodation and associated facilities, grasslands and waterways in a landscaped setting of grassed areas and local endemic trees and vegetation. Within the development area:
 - The perimeter adjoining ecologically sensitive areas provides a transition between the natural environment and the central development area. It will be characterised by very low building densities and open areas landscaped with grassed areas and local endemic species. The only buildings that will be located in this transition area are small tourist accommodation units and environmental facilities.
 - The centre of the developable area will contain a wide range of tourist accommodation forms, shops and related facilities.

Development will be designed to respect and protect the ecological values, coastal processes, natural hazards and access limitations of the locality. Development will be designed to respect the relationship of the site to the adjoining Sunrise Beach residential neighbourhood, Tyagarah Nature Reserve, Cape Byron Marine Park and Belongil Beach.

Areas of natural vegetation and important wildlife habitats will be retained, protected and managed to maintain and enhance their biodiversity values. Wildlife corridors that facilitate the movement and dispersal of native species between Tyagarah Nature Reserve and significant areas of native vegetation on and beyond the site will be enhanced. Some cleared areas will be revegetated to improve their function as habitat conservation areas and corridors.

To ensure protection of native fauna species, no cats or dogs will be kept on, or brought to or through the site.

The areas that are subject to potential coastal processes will be managed in a way that ensures protection of the natural dunal and hind-dune systems, while allowing for their long term landward migration in response to coastal recession. Development will be cognisant of coastal processes and will not be designed or located so as to create demands for protection from coastal erosion.

Public pedestrian access to the beach will be provided and situated so as to avoid the shorebird nesting area and to respect coastal and dune system processes.

A small public car park and cycle racks will be provided for beach users not accommodated on the site.

2.1.1 Planning Principles

The desired futures character shall also reflect the following planning principles

Transport Access and Parking

- There is no material increase in stress on the Byron Bay community in terms of access to transport infrastructure, and in particular, transport time, parking availability, traffic congestion or access to local services
- Additional demand on existing transport infrastructure and networks is addressed
- Pedestrian, bicycle and alternative transport systems (including bus and rail where feasible) connect the site to local community facilities, reducing dependence on car use.
- Reliance on motor vehicles as the main mode of transport is discouraged
- Access to the site is limited such that it does not diminish the amenity or compromise the safety of adjacent residential areas
- Provision is made for daily and emergency access
- Access infrastructure avoids locations of ecological or conservation value
- A public road be provided through the site and include provision of a public car parking area.

Land Use

- A mix of tourist, commercial / retail, community , recreational, environmental / conservation and open space uses are provided
- Land uses recognise, protect and enhance conservation values and coastal processes
- New development reflects the unique character and scale of Byron Bay
- The precautionary principle is applied to decisions involving a risk of significant adverse impacts on environmental conservation and coastal values
- The design and arrangement of buildings discourages permanent residential occupation

Tourist Development

- The type and amount of tourist development reflects the environmental, social and economic capacity of the site and Byron Bay
- Tourist development is integrated and compatible with the requirements of the region, including those of existing tourist operators, the community generally and management plans for environmental for environmental assets and sites of cultural significance
- Areas of high conservation value or cultural significance are left largely undeveloped and protected for present and future generations
- Market research, community concerns and ecological limits are considered
- Natural, landscape, archaeological and cultural features are protected and enhanced

- Development is energy and water efficient and does not result in long term impacts on natural or cultural values
- Monitoring of the construction and operational phases of development evaluates the impact of all practices and modifies them where environmental, economic or social performance can be improved
- Only low-rise, village scale tourism facilities are provided
- Public access is provided to the beach. An open publicly accessible village, including publicly accessible facilities is created, including arrangements for wheelchair access.
- Opportunities are provided for the use of the land for community events

Conservation and Habitat Protection

- Sensitive areas are protected and enhanced
- Only those areas with low ecological value are used for tourism purposes
- The State And Regional significance of existing wildlife corridor values of the site are protected and enhanced
- The habitat of threatened or endangered terrestrial and aquatic species are protected and enhanced
- Potential impacts of habitat modification, interference with natural behaviours and exposure to human activities near natural areas are minimised
- Areas of ecological conservation values are identified and mapped in terms of their local or regional significance.
- Significant areas of land are rehabilitated to provide compensatory habitat to offset past degradation
- Best-practice ESD principles are implemented
- Opportunities are provided for the involvement of local community groups in the rehabilitation process
- Sensitive land is secured for conservation in perpetuity

Community Consultation

- The diverse, vibrant and unique character of Byron Bay is protected and enhanced
- Community concerns are allayed or accommodated through consultation with Council and the community prior to and during the development application process
- Consultation embraces a range of techniques employed to ensure that all elements of the community are informed of development opportunities and proposals
- Local and regional values and community needs and aspirations inform planning decisions

Coastal Processes and Environmental Hazards

- Structures and facilities are designed and located to account for climate change including potential sea level rise, storm tide, flooding and other associated impacts
- Coastal processes are generally allowed to occur naturally and their impacts recognised
- Buildings and activities are located away from areas of active coastal processes
- The natural topography and physical features of the coastal dune system are protected and managed
- Emergency evacuation routes are provided for flood events, including those rarer than 1% AEP

- Community services and facilities are located outside areas of coastal or other natural hazards

Services and Infrastructure

- Disposal or reuse of effluent does not adversely impact on public health or the quality of groundwater
- The site is connected to existing reticulated services

2.2 Achieving the Desired Character

This Chapter aims to achieve the Desired Future Character of the site as described in Section 2.1 by:

- Defining particular Precincts and Areas within the site;
- Specifying Principles that must apply to development of the site;
- Specifying the type, character, form and nature of development that will be permitted within each of the Precincts; and
- Specifying specific environmental management and environmental repair measures that must apply as a consequence of development on the site.

The Map defines the following Precincts and Areas on the site:

Precinct 1	Developable Area Low Density Precinct
Precinct 2	Developable Area Higher Density Precinct
Precinct A	Coastal Habitat Precinct
Precinct B	Coastal Processes Precinct
Precinct C	Western Wetland and Heath Precinct
Precinct D	South-western Wildlife Corridor Precinct
Precinct E	Eastern Wetland and Littoral Rainforest Precinct
Precinct S	Shorebird Habitat Precinct
Bush Fire Asset Protection Zone (APZ) Areas	
Waterbody Areas within Precincts 1 and 2	

The map also shows “Buffers and Revegetation” Areas and “Waterbodies” Areas within Precincts A, B, C, D and E, but those areas remain part of the respective Precincts.

The Bush Fire APZ Areas, Waterbody Areas and Buffers and Revegetation Areas are not included in Precincts 1 and 2, or in the calculation of development potential for Precincts 1 and 2.

To achieve the defined Desired Future Character for the site, this Chapter adopts the following principles:

- 2.2.1 Ecologically sensitive habitat areas must be protected from development. The environmental characteristics and qualities of those habitat areas will be enhanced in conjunction with development on the site.
- 2.2.2 Environmentally sensitive coastal and natural hazard areas will be protected from development. The environmental attributes of those areas will be enhanced in conjunction with development on the site.
- 2.2.3 Development for purposes that are permissible only with Development Consent within Zone No. 2(t) (Tourist Area Zone) under Byron Local Environmental Plan 1988 may be carried out only in areas defined by the Map as Precinct 1 or Precinct 2.
- 2.2.4 Development for the purposes of drainage, environmental facilities, recreation areas or roads may be undertaken within other Precincts and/ or buffer areas provided that development:

- a. Will promote the achievement of the Element Objectives for the Precinct in which that development is located as defined in Sections 3 or 4; or
 - b. Is necessary to support the achievement of the Element objectives for any other Precinct and will not detract from achievement of the Element Objectives for the Precinct in which that development is located.
- 2.2.5 The density and type of development in Precinct 1 will be restricted to ensure compatibility with the adjoining ecologically sensitive areas.
- 2.2.6 A higher density of development and a wider range of landuses will be permitted in Precinct 2 compared to Precinct 1..
- 2.2.7 The form, character and design of development that is permitted on the site must be for Tourist Facilities or other permissible development only, and must not facilitate uses that are prohibited under Byron LEP 1988.

The type, character, form and nature of development that will be permitted within each of the Precincts is defined in Sections 3, 4 and 5 of this Chapter. The specific environmental management and environmental repair measures that must apply as a consequence of development on the site are defined in Section 6 of this Chapter.

2.3 Element – Development Applications and site concept plan

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To ensure that development approved on land within the site will be consistent with the objectives, desired future character, principles and relevant Elements defined by this Chapter.*
- iii. *To ensure that individual developments approved on land within the site will be consistent with existing and potential future approved development.*

Performance Criteria

There are no Performance Criteria for this Element.

Prescriptive Measures

The Consent Authority will grant consent to development on the site only if it is satisfied that:

- a. the proposed development will be consistent with the Objectives, Desired Future Character, Principles and relevant Elements defined by this Chapter; and
- b. the proposed development will not jeopardise the achievement of the Objectives, Desired Future Character, Principles and relevant Elements defined by this Chapter for other approved or potential future development on the site.

Environmental assessments (such as Statement of Environmental Effects or Environmental Impact Statement) accompanying any development application must address the Objectives defined in Section 1.4, the Desired Future Character defined in Section 2.1, the Principles defined in Section 2.2 and all relevant Elements defined in Sections 3, 4, 5 and 6 of this Chapter.

Development applications that propose development of only part of the site must be accompanied by a Site Concept Plan that demonstrates that the proposed development will be compatible with the longer term development of the site in a manner that can achieve the Objectives, Desired Future Character, Principles and relevant Elements defined by this Chapter. Development applications proposing development of all or a significant part of the site must contain supporting management plan/s addressing:

- vegetation management including:
 - conservation, restoration and management of native vegetation, wildlife corridors and buffers.
 - staged removal of weed species

- buffers around waterbodies
 - rehabilitation and revegetation of walking tracks through littoral rainforest in Precinct E
 - local low understorey and ground cover plants at densities suitable to disadvantage the Cane Toad, Red Fox and feral and domestic animals
- landscaping and landscape management
 - management of coastal dunes
 - control and management of introduced and feral animals
 - control and management of biting insects including mosquitoes
 - revegetation and restoration of Precinct D (if developments are to be relocated)
 - water cycle management
 - an environmental education strategy to inform visitors and the general public of the environmental sensitivity of the site and the locality. The strategy will include mechanisms to encourage avoidance of the shorebird nesting area and prevention of dogs and cats being kept on or brought to the site.

The contents of the above plans are specified in various sections of this Chapter.

3 CONSERVATION AREAS AND CORRIDORS

3.1 Element – Coastal Habitat Precinct A

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To protect the coastal complex, littoral rainforest and sedgeland vegetation by restoration together with revegetation of buffering vegetation*
- iii. To provide protection for the open freshwater habitat by revegetation of buffering vegetation*
- iv. To focus environmental repair and protection measures on the littoral rainforest (as an Endangered Ecological Community, TSC Act 1995) and also on the habitats of the threatened (TSC Act 1995) Wallum Sedge Frog, Common Planigale, Eastern Blossom-bat, Grey-headed Flying-fox and Eastern Long-eared Bat*
- v. To similarly focus environmental repair and protection measures on the habitats of all Wallum frog species, freshwater bird species, frugivorous and nectivorous bird species, terrestrial mammal species and mega- and microchiropteran bat species*
- vi. To reconnect the littoral rainforest vegetation with the littoral rainforest occurring in Precinct E by revegetation*
- vii. To provide for appropriate public access to the beach outside Precinct S.*
- viii. To protect and enhance wildlife corridor values on the site and in the general locality.*

Performance Criteria

- i. Restoration of the coastal complex vegetation will result in a significant reduction of Bitou Bush and will involve extensive planting of Beach Sally Wattle and Coast Banksia to achieve substantial canopy closure.
- ii. Restoration of the littoral rainforest vegetation must involve staged removal of weed species that provide food resources for frugivores, such as Camphor Laurel and Queensland Umbrella Tree, and incorporate a replacement planting program using native tree species attractive to frugivores such as figs, laurels, quandongs and acronychias.
- iii. Revegetation of a buffer to the western edge of the littoral rainforest must incorporate local littoral rainforest and swamp sclerophyll tree species planted at spacings designed to achieve a closed canopy and extend fully to meet the boundaries of Precincts C, B, E and S.
- iv. Revegetation of a buffer to the open freshwater habitat must incorporate local sedge and swamp sclerophyll species planted at a suitable density to maintain water quality and discourage the Cane Toad.
- v. Planting of the western edge of the revegetated buffer to the littoral rainforest where the buffer abuts Precinct B is to incorporate local low understorey and ground cover plants at a density suitable to discourage the Red Fox and feral and domestic animals.
- vi. Red Fox control measures and monitoring should be carried out along the boundary of Precinct A with Precincts B and S, subject to approval from the Rural Lands Protection Board where required.

Prescriptive Measures

- i. Public beach access must be provided in accordance with Element 6.1 and an approved Dune Management Plan.

3.2 Element – Coastal Processes Precinct B

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*

- ii. *To ensure that development and land uses within Precinct B do not compromise, and are not compromised by, coastal recession or other coastal processes.*
- iii. *To protect and enhance wildlife corridor values in the precinct and in the general locality.*

Performance Criteria

Development that does not cause damage to habitat, does not involve the erection of permanent buildings, and that involves only temporary use of land for consecutive periods of not more than fourteen days may be approved in Precinct B. Other development that may be approved in Precinct B is dunal restoration, revegetation, landscaping, environmental facilities, coastline access and management activities, and surf lifesaving facilities. Where development has impacts outside Precinct B, those impacts must not compromise the Element Objectives of other affected Precincts.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.3 Element – Western Wetland and Heath Precinct C

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To identify, protect and restore endangered ecological communities*
- iii. *To protect the paperbark and eucalypt/Lophostemon-dominated swamp forest and woodland and dry sclerophyll woodland vegetation by restoration together with revegetation of buffering vegetation*
- iv. *To provide protection for the open freshwater habitat by revegetation of buffering vegetation*
- v. *To focus environmental repair and protection measures on the habitats of the threatened (TSC Act 1995) Wallum Sedge Frog, Wallum Froglet, Black Bittern, Long-nosed Potoroo, Eastern Blossom-bat, Little Bentwing-bat, Large-footed Myotis, Eastern Long-eared Bat and Greater Broad-nosed Bat*
- vi. *To similarly focus environmental repair and protection measures on the habitats of all Wallum frog species, freshwater bird species, raptor species, nectivorous bird species, terrestrial mammal species and mega- and microchiropteran bat species*
- vii. *To protect and enhance wildlife corridor values on the site and in the general locality.*

Performance Criteria

- i. Restoration of the swamp sclerophyll vegetation must achieve regeneration of the understorey layers, particularly along the eastern edge where local low understorey and ground cover plants must be planted at a density suitable to disadvantage the Red Fox and other feral and domestic animals.
- ii. Revegetation of a buffer to the eastern edge of the paperbark and mixed swamp sclerophyll forest vegetation must incorporate local swamp sclerophyll tree species planted at spacings designed to achieve a closed canopy and extend fully to meet the boundary of Precinct A in the north east of the precinct.
- iii. Revegetation of a buffer to the open freshwater habitat must incorporate local sedge and swamp sclerophyll species planted at a suitable density to maintain water quality and disadvantage access by the Cane Toad.
- iv. Red Fox control measures and monitoring must be carried out along the boundary of Precinct C with Precinct 2, and in other areas as appropriate, subject to approval from the Rural Lands Protection Board where required.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.4 Element – Southern Wildlife Corridor Precinct D

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To identify, protect and restore endangered ecological communities.*
- iii. To protect the dry sclerophyll forest, regenerating littoral rainforest, mixed swamp sclerophyll and paperbark/Coast Banksia vegetation by restoration together with revegetation of buffering vegetation*
- iv. To focus environmental repair and protection on the regenerating littoral rainforest (as an Endangered Ecological Community, TSC Act 1995) and also on the habitats of the threatened (TSC Act 1995) Wallum Sedge Frog, Wallum Froglet and Greater Broad-nosed Bat*
- v. To similarly focus environmental repair on the habitats of all Wallum frog species, freshwater bird species, nectivorous bird species, terrestrial mammal species and mega- and microchiropteran bat species*
- vi. To achieve an unbroken 100 m wide corridor of native vegetation incorporating the open freshwater habitat by restoration and revegetation along the entire length of Precinct D to link Precincts C and E*
- vii. To prohibit further development within Precinct D and to encourage relocation of existing development to Precincts 1 and 2.*

Performance Criteria

- i. Restoration and revegetation of the regenerating littoral rainforest vegetation must involve staged removal of weed species that provide food resources for frugivores, such as Camphor Laurel and Queensland Umbrella Tree, and incorporate a replacement planting program using native tree species attractive to frugivores such as figs, laurels, quandongs and acronychias.
- ii. Revegetation of a buffer to the eastern edge of the littoral rainforest and swamp sclerophyll vegetation must incorporate local littoral rainforest and swamp sclerophyll tree species planted at spacings designed to achieve a closed canopy and extend fully to meet the boundary of the Asset Protection Zone.
- iii. Revegetation of a buffer to the northern section of the dry sclerophyll forest must incorporate local dry sclerophyll forest tree species and extend fully to meet the road corridor at the northern end of the precinct.
- iv. Planting of the eastern edge of the revegetated buffer to the regenerating littoral rainforest and mixed swamp sclerophyll forest where the buffer abuts the Asset Protection Zone must incorporate local low understorey and ground cover plants at a density suitable to disadvantage the Cane Toad, Red Fox and feral and domestic animals.
- vii. Red Fox control measures and monitoring must be carried out along the boundary of Precinct D with Precinct 2, subject to approval from the Rural Lands Protection Board.
- vii. Existing developments within Precinct D may be maintained, but are encouraged to be relocated to Precincts 1 and 2 in accordance with Element 5.7.

Prescriptive Measures

- i. A fauna underpass linking Precincts C and D should be constructed under the main access road, incorporating drainage culverts where the main drainage line crosses the road.
- ii. The combined restored and revegetated habitats in Precinct D must create a 100 m wide continuously vegetated corridor (including the open freshwater habitat) extending from the boundary of Precinct C to the boundary of Precinct E.
- iii. No new permanent structures or developments will be approved in Precinct D.

3.5 Element – Eastern Wetland and Littoral Rainforest Precinct E

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To identify, protect and restore endangered ecological communities.*
- iii. To protect the littoral rainforest and regenerating littoral rainforest, paperbark swamp forest and woodland and saltmarsh vegetation by restoration and revegetation*
- iv. To focus environmental repair and protection on the littoral rainforest and saltmarsh communities (as Endangered Ecological Communities, TSC Act 1995) and also on the habitats of the threatened (TSC Act 1995) Stinking Cryptocarya, Osprey, Bush-hen, Eastern Blossom-bat, Black Flying-fox, Grey-headed Flying-fox, Little Bentwing-bat, Large Bentwing-bat, Large-footed Myotis, Eastern Long-eared Bat and Greater Broad-nosed Bat.*
- v. To focus environmental repair on the habitats of all Wallum frog species, freshwater bird species, frugivorous and nectivorous bird species, terrestrial mammal species and mega- and microchiropteran bat species*
- vi. To reconnect the littoral rainforest vegetation with the littoral rainforest occurring in Precinct A by revegetation*
- vii. To establish an effective habitat connection with Precinct D, the South-western Wildlife Corridor by consolidation of the littoral rainforest link through the regenerating littoral rainforest vegetation in the south-western section of the precinct*

Performance Criteria

- i. Restoration of the littoral rainforest and regenerating littoral rainforest vegetation must involve staged removal of weed species that provide food resources for frugivores, such as Camphor Laurel and Queensland Umbrella Tree, and incorporate a replacement planting program using native tree species attractive to frugivores such as figs, laurels, quandongs and acronychias.*
- ii. Revegetation of the regenerating littoral rainforest and a buffer to the western edge of the littoral rainforest must incorporate local littoral rainforest and swamp sclerophyll tree species planted at spacings designed to achieve a closed canopy and extend fully to meet the boundaries of Precincts A, the Asset Protection Zone and D.*
- iii. Revegetation of the regenerating littoral rainforest should initially focus on consolidating the corridor link in the south-western section of Precinct E where it abuts Precinct D, the South-western Wildlife Corridor.*
- iv. Planting of the western edge of the revegetated buffer to the littoral rainforest and regenerating littoral rainforest where the buffer abuts the Asset Protection Zone must incorporate local low understorey and ground cover plants at densities to disadvantage the Red Fox and feral and domestic animals.*
- v. Red Fox control measures and monitoring must be carried out along the boundary of Precinct E with Precinct 2, subject to approval from the Rural Lands Protection Board where required.*

Prescriptive Measures

- i. Existing walking tracks through the Precinct will be closed and rehabilitated in accordance with environmental management plans.*

3.6 Element – Seabird Habitat Precinct S

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To provide protection for shorebird foraging, resting and breeding activity by identifying shorebird habitats (as defined by the precinct) and ensuring development planning directs human movements from, into and about the site away from the precinct*

- iii. *To identify areas where active protection of shorebird breeding habitat can be implemented through construction of barriers preventing access by humans and domestic animals and where Red Fox control can be implemented*

Performance Criteria

- i. Pedestrian access to the beach will be redirected to a less sensitive location north of the Belongil Creek estuary.
- ii. Any roads, tracks and trails within adjoining Precincts A and E must direct human movements away from Precinct S.
- iii. Red Fox control measures and monitoring must be carried out along the boundary of Precinct S with Precinct A, subject to approval from the Rural Lands Protection Board where required.
- iv. A Seabird and Shorebird Management Plan must be prepared for the area in accordance with Element 6.2.

Prescriptive Measures

- i. Existing access paths through bushland at the east of the site to the Belongil Creek estuary area will be closed and rehabilitated.
- ii. Appropriate signage must be provided to inform the public of shorebird foraging, resting and breeding behaviour and the need to avoid disturbance of shorebirds in habitats required for these purposes.

4 BUFFERS AND HAZARDS

4.1 Element – Bush fire buffers

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To provide for an Asset Protection Zone (APZ) to minimise the impacts of bushfires.*
- iii. *To establish a buffer to minimise impacts of development and associated bush fire protection measures on adjoining native vegetation, revegetation areas and wildlife habitats.*

Performance Criteria

Bushfire hazards will be managed in accordance with Planning for Bushfire Protection (2006) or its successor.

Prescriptive Measures

An Outer Protection Area of 20 metres minimum width is to be established within defined Asset Protection Zones adjoining Precincts A, B, C, D and E to act both as a fuel reduced hazard reduction area and a buffer between any development and native vegetation. Where consistent with bush fire protection measures, appropriate plantings or regeneration of native species will be encouraged in this area so as to reduce the exposure of the adjoining vegetation to wind, noise, light, pollution, other detrimental factors and to provide additional resources and benefits to fauna.

No development or works other than bush fire protection and revegetation or landscaping is to occur in the 20 metre Outer Protection Area.

Development comprising walking or cycle tracks, access roads, draining, environmental facilities or recreation areas may be carried out in other parts of the defined Asset Protection Zones, provided that development or work does not compromise the Element Objectives of adjoining Precincts.

No habitable or storage structures should be constructed within the defined Asset Protection Zones.

4.2 Element – Water body buffers

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To revegetate buffers around waterbodies with appropriate local native species.*
- iii. *To reduce cane toad impacts, provide cover refuge for water fowl and improve wildlife habitat and water quality.*

Performance Criteria

Vegetated buffers around all waterbodies to disadvantage cane toads and to improve wildlife habitat and water quality.

The width of buffers around waterbodies to be in accordance with 'A Fisheries Assessment and Buffer Proposals for North Beach Byron' (P. Parker, 2004) as approved by NSW Fisheries on 21 September 2004. The buffer widths specified therein must be regarded as a minimum and may be increased where appropriate.

Dense plantings of local sedges and rushes must be undertaken around the edges of waterbodies to minimise opportunities for cane toad habitat.

Prescriptive Measures

Plantings must be of local native species of local provenance seed stock, and comprise a suite of species comparable with the surrounding indigenous vegetation.

Plans for revegetation of buffers around waterbodies outside Precincts A, C, D, E and S must be included in the Landscape Plan prepared in accordance with Element 5.6. Plans for revegetation of buffers around waterbodies within A, C, D, and E must be included in the Vegetation Management Plan prepared in accordance with Element 6.2.

4.3 Element – Mosquito management

Element Objective

- 1. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To manage potential risks from mosquito borne diseases.*

Performance Criteria

There are no Performance Criteria for this Element.

Prescriptive Measures

A development application for a purpose(s) that includes tourist facilities, accommodation or recreational uses must be accompanied by a report from a qualified and experienced mosquito entomologist that analyses the extent and nature of potential risk to humans visiting the site from mosquito borne diseases. Where significant risk is identified, the entomologist's report must identify appropriate and environmentally acceptable methods and management measures to reduce the risk and maintain it at acceptable levels.

If the proposed management measures involve construction, vegetation management, water management or other works, the carrying out of those works must be consistent with the Element Objectives, Performance Criteria and Prescriptive Measures defined for any Precinct that is likely to be affected by the proposed works, either directly or indirectly.

5 THE DEVELOPABLE AREA

5.1 Element – Low Density Perimeter (Precinct 1)

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To facilitate development of tourist accommodation on land adjoining conservation areas and habitat corridors at a density, and in a form and character that ensure that the conservation values of the adjoining lands are not compromised.*

Performance Criteria

Development within Precinct 1 will consist of small tourist accommodation units at very low overall densities in a landscaped area of grasses and local native species. Short – term temporary uses will be allowed where they do not involve the construction of permanent buildings.

Prescriptive Measures

The only buildings that will be permitted in Precinct 1 are tourist accommodation units and Environmental Facilities.

The only other works that will be permitted in Precinct 1 are environmental facilities, landscaping, environmental rehabilitation, pathways, cycleways, access roads, utility services and drainage works that are required to service tourist accommodation or that are essential to the development of the overall site.

The sum of all tourist accommodation units within Precinct 1 must have a maximum density of 14 bedrooms per hectare and a maximum Floor Space Ratio of 1:14. Both the maximum density and the maximum Floor Space Ratio must be calculated by reference to the total area of land located within Precinct 1 as defined by Map 2, i.e. 6.5ha.

No single tourist accommodation unit is to have a gross floor area greater than 80m² or more than 3 bedrooms.

No building in Precinct 1 is to have a gross floor area greater than 300 m². (*Note: this facilitates small duplex buildings*).

The character, scale and form of development in Precinct 1 must be as specified by Element 5.4 – Built Form.

Council may grant consent for additional development within Precincts 1 and/or 2 as an incentive for removal of development from Precinct D and rehabilitation of the areas as a habitat corridor, as provided in Section 5.7 'Habitat Corridor' of this Chapter.

5.2 Element – Central Development Area (Precinct 2)

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To facilitate development of a range of tourist accommodation and associated facilities in Precinct 2.*
- iii. *To promote flexibility and innovation in design and form of development within Precinct 2, consistent with the Desired Future Character, Intensity and Density defined by Section 2.1.*

Performance Criteria

Development in Precinct 2 may comprise any or all land uses permissible within Zone No. 2(t) (Tourist Area Zone) under Byron LEP 1988, including holiday cabins, tourist facilities and/ or tourist

accommodation attached to other types of permissible development such as commercial premises and/ or shops.

The development of facilities and services that provide for the recreational, cultural and social needs of both tourists and residents of Byron Shire is encouraged in Precinct 2.

Prescriptive Measures

Subject to the provisions of Element 5.7, the sum of all Building Development within Precinct 2 must have a maximum density of 28 bedrooms per hectare and a maximum Floor Space Ratio of 1:6. Both the maximum density and the maximum FSR must be calculated by reference to the total area of land located within Precinct 2 as defined by Map 2, i.e. 4.9ha.

The character, scale and form of development in Precinct 2 must be as specified by Element 5.4 – Built Form.

Council may grant consent for additional development within Precincts 1 and/or 2 as an incentive for removal of development from Precinct D and rehabilitation of the areas as a habitat corridor, as provided at Section 5.7 'Habitat Corridor' of this Chapter.

5.3 Element – commercial, retail and community activities

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To ensure that development for commercial, retail and community activities within Precinct 2 is located to maximise convenience to potential users and to minimise adverse impacts on the amenity of persons utilising tourist accommodation on the site.*

Performance Criteria

Development for commercial, retail and community activities should be clustered together in a focal area in Precinct 2.

Non-residential development should be located to minimise adverse impacts on the amenity and quiet enjoyment of tourist accommodation on the site.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

5.4 Element – Built Form

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To ensure that development on the site achieves relevant standards that apply to development generally within Byron Shire, provides acceptable levels of daylight and ventilation, provides appropriate levels of visual and acoustic amenity, respects local climate and achieves an acceptable micro-climate*
- iii. To provide variety in the visual amenity of development and avoid a monotonous and excessively uniform appearance.*

Performance Criteria

Buildings will vary in size, density and height throughout the site. Buildings range from a very low density detached and partially single storey built form around the perimeter to a higher density and more consolidated built form at the centre of the development area.

Buildings in the perimeter area will avoid a homogenous resort appearance by having variety, or at least more than one theme, in design, construction and colour schemes.

Buildings in the form of detached houses are to be designed with reference to the *North Coast Design Guidelines* and the *Coastal Design Guidelines* and avoid current trends in mass-marketed masonry construction with small eaves.

Prescriptive Measures

The provisions of Chapter 1 Part C8 – Tourism Development, C9 – Motels, Hostels and Holiday Cabins and C10 – Caravan Parks and Camping Grounds apply to the relevant forms of development on the site, except for provisions of Chapter 1 that define densities, heights or Floor Space Ratios.

Buildings must be designed to optimize energy efficiency. All tourist accommodation development must comply with Chapter 1 Part C15 – Energy Efficient Housing and the State Environmental Planning Policy (Building Sustainability Index : BASIX) 2004.

Commercial Development on the site must comply with the provisions of Chapter 1 Part D – Commercial Development.

All traffic, access and parking provision on the site must comply with the provisions of Chapter 1 Part G – Vehicle Circulation and Parking.

Development in Precinct B must comply with the provisions of Chapter 1 Part J – Coastal Erosion Lands.

Development on land affected by the 1% AEP Flood must comply with the provisions of Element 5.5 – Drainage and Water Cycle Management and Chapter 1 Part K – Flood Liable Lands.

The erection of signs on the site must comply with the provisions of Chapter 1 Part L – Signs.

In the event of a discrepancy between the provisions of Chapter 1 and this Chapter, the provisions of this Chapter shall prevail.

The placement and design of development must ensure that buildings, private open space and public spaces will have:

- Access to daylight;
- Access to natural ventilation;
- Appropriate levels of visual and acoustic privacy; and
- A pleasant micro-climate.

There must be no overshadowing of public or private open spaces by adjoining development between the hours 9am to 3pm midwinter and 8am to 6pm daylight saving time. Shadow drawings demonstrating shadow impacts at the summer and winter solstice on adjoining buildings and private and public spaces must be submitted with a development application for building development higher than single storey.

The height of buildings must comply with the provisions of Byron LEP 1988 Clause 40 – Height of Buildings

5.5 Element – Drainage and Water Cycle Management

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To ensure that management of surface water and ground water on the site is consistent with the principles of Integrated Water Cycle management and Water Sensitive Urban Design.*
- iii. To protect the site's sensitive geophysical environment.*

Performance Criteria

Water cycle and drainage design on the site must incorporate Water Sensitive Urban Design principles such as stormwater source control, stormwater and wastewater re-use, potable water demand reduction, the utilisation of natural flow paths and provision of drainage measures with pervious surfaces. It must also address flooding impacts in accordance with the requirements of Chapter 1 Part K - Flood Liable Lands.

The site's water cycle must be designed to utilise natural processes, systems and storage. The design must apply reuse principles to reduce the quantities, velocities and pollutant loads of stormwater discharged from developed areas, improve the efficiency of water use and reduce demand for imported mains water.

The system must be designed to install a continuous chain of treatment elements ("treatment chain") that address not only flooding impacts, but also flow volumes, water quality, water conservation and ecological impacts arising from processes such as flooding and fluctuations in the water table. A development application for development on the site must contain a comprehensive Water Cycle Management Strategy. The Strategy must address a series of hydrological design responses at four distinct levels in the site's hydrological system:

natural systems planning – This applies throughout the site catchments generally. The design must recognise the essential hydrological and ecological functions of natural water tables, watercourses, creeks, floodplains, wetlands and remnant vegetation. Design measures may incorporate retention of natural drainage systems for trunk drainage; and designing the development around natural drainage/creek systems and contours. Stormwater may only be discharged from the site at the rural state up to a 1 in 20 year storm event.

source controls – At the individual development level, roof water must be collected & used in the new development where possible. Some form of water reuse must be included in each development unit. The site must be designed & managed to minimise the release of pollutants such as hydrocarbons (oil & petrol) detergents and sediments into the water stream. The use of permeable pavements is encouraged. The site has a potential for acid sulphate soils and these must be considered in any work program.

conveyance controls – during the conveyance of stormwater away from buildings and roads. May include measures such as water sensitive road designs and using grass swales, infiltration pits and natural channel designs to replace kerb and gutter and concrete lined open drains.

discharge controls – at the point where water leaves the individual development site or the Developed Area. Measures may include stormwater retention/detention/infiltration facilities, constructed wetlands and gross pollutant traps. All stormwater must be treated to remove pollutants and suspended solids. Stormwater must be retained on site and may only be discharged from the site at the rural state up to a 1 in 20 year storm event.

The Water Cycle Management Strategy must also address system maintenance and how this will be achieved.

All excavation must be carried out above the existing water table and in a way that does not change the natural characteristics of the water table.

No building elements, parking or storage areas shall be constructed below the level of the natural water table.

Pollutant loads from new developments shall be limited to the following levels:

Coarse Sediment (< 0.5mm)	80% of annual load
Fine Sediment (< 0.1mm)	60% of annual load

Total Phosphorus	50% of annual load
Total Nitrogen	50% of annual load
Oil & grease	90% of annual load

Prescriptive Measures

A comprehensive assessment of the contaminants in groundwaters and waterbodies must be undertaken, specifically focusing on heavy metals and arsenic. Causes of any contamination and appropriate mitigation measures must be identified. Waterbodies found to be unsafe for human use must be clearly signposted.

5.6 Element - Landscape

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. To provide a development landscaped with endemic species*
- iii. To ensure that the landscape of the site is harmonious with the natural environment and respects and protects the sensitive character of its setting.*

Performance Criteria

Precincts A, B, C, D, E and S are to be rehabilitated, landscaped and managed in accordance with the requirements identified in Sections 3, 4 and 6 of this Chapter.

The landscape of the developed areas is to be designed to reinforce protect and enhance the spread of the indigenous tree canopy and preserve existing waterways.

Landscaping in Precincts 1 and 2 will be characterized by only locally native tree and shrub species and grassed areas and does not include species that have the potential to be environmental weeds.

Landscaping is to be designed, constructed and maintained so as to:

- Retain and rehabilitate natural watercourses, native riparian vegetation and other natural landscape features;
- Promote natural water balance;
- Take into account site constraints, hazards and microclimatic conditions;
- Promote efficient water use;
- Provide for the removal of pollutants prior to the discharge of runoff to receiving waters; and
- Minimise the need to use herbicides and artificial fertilizers.

Prescriptive Measures

A landscape Plan prepared in accordance with the requirements of Chapter 1 Part H – Landscaping must be submitted with a development application proposing development of all or part of the site for tourist accommodation.

Plants known or with the potential to become weed species are not to be used.

Landscaping is to use endemic native tree and shrub species, and is to prefer local provenance seed sources.

5.7 Element – Habitat Corridor Credit

Element Objective

- i. To achieve the Desired Future Character for the site as defined by Section 2.1.*

- ii. *To recognise that the establishment of the South Western Wildlife Corridor in Precinct D will require removal of existing approved development and to provide an incentive for that to occur.*
- iii. *To ensure that any resultant development is consistent with the objectives of this Chapter and relevant Element provisions.*

Performance Criteria

Any additional development must be consistent with the Element provisions of the Precinct in which the additional development is to be situated.

Additional development facilitated by this section must not jeopardise the environmental character or the Element Objectives relating to adjoining ecologically sensitive areas.

Prescriptive Measures

A development application that seeks credits or bonuses pursuant to this Element must be accompanied by a Revegetation and Restoration Plan for Precinct D, prepared in accordance with the requirements of Chapter 6.

In addition to the development standards outlined in Section 5.1 and 5.2 of this Chapter, Council may grant consent for additional tourist accommodation in Precincts 1 and/or 2 equivalent to the area and density of the existing approved floorspace and bedrooms that are located in Precinct D if it is proposed to remove that development.

5.8 Element - Tourism Management

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To ensure that development will be operated and managed as tourist accommodation and will not facilitate uses prohibited under the Byron Shire Local Environmental Plan (particularly residential occupation).*

Performance Criteria

A development application must identify robust and automatic internal controls on the proposed development that ensure to the Council's satisfaction that tourist accommodation will not be utilised for residential purposes.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

6 ENVIRONMENTAL MANAGEMENT AND REPAIR

6.1 Element – Beach Access

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To provide for legal public access to the beach.*
- iii. *To limit human impacts on the shorebird nesting area, dunes, Aboriginal sites, vegetation and adjacent reserves.*

Performance Criteria

Practicable public access must be provided to the beach.

The siting and design of the road, pedestrian and cycle access across the site must be consistent with the Element Objective of the Precinct(s) through which it travels and must be located so as to promote safety and convenience for users.

The beach access track must be located so that it is convenient to tourists at the site and to people using the beach car parking facilities. Its location must be such that people are encouraged to use the beach access track and are discouraged from crossing the dunes elsewhere, and discouraged from travelling to or near Precinct S. Its location and design must be consistent with the Element Objective of the Precinct(s) through which it travels and must have full regard for coastal processes, vegetation management, erosion management and maintenance. Its location and design must minimise disturbance to, and erosion of, the frontal dunes and must be in accordance with a Dune Management Plan prepared in accordance with Element 6.2.

Provision must be made in a convenient location or locations on the site for public parking of up to 100 cars and for safe bicycle storage, primarily to accommodate beach parking for Shire residents. The location of the parking and cycle storage areas must be such that people are encouraged to use the beach access track and are discouraged from crossing the dunes elsewhere, and from travelling to or near Precinct S. The location and design of the parking facilities must be consistent with the Element Objective of the Precinct(s) in which they are located and must have regard for water cycle management, coastal processes, vegetation management, erosion management and maintenance.

All facilities referred to in this Element must be designed and constructed to avoid damage to any Aboriginal sites, littoral rainforest or threatened plants, and so as not to hinder the movement of wildlife due to inappropriate fencing or other structures.

Prescriptive Measures

Provision of public access through the site to the beach will require dedication and construction of public road access, pedestrian and cycle paths connecting through the site, providing public access to the beach from the Sunrise Beach neighbourhood. This work must be undertaken in conjunction with the first stage development of the site and shall generally be in accordance with Map 3.

Signage must be provided to inform people of the location of the shorebird nesting area, the need to avoid the shorebird area during the breeding season, the need to respect and avoid turtle nesting sites, the location of the Tyagarah Nature Reserve, and zonings, and associated restrictions on activities, of the Cape Byron Marine Park in the vicinity.

Full details of the proposed works, environmental management measures and maintenance measures must be included with the Development Application for the first stage of development on the site.

6.2 Element – Environmental management plans

Element Objective

- i. *To achieve the Desired Future Character for the site as defined by Section 2.1.*
- ii. *To ensure the preparation of appropriate environmental management plans for the conservation precincts on the site.*
- iii. *To ensure the preparation of a Vegetation Management Plan to protect and enhance high value native vegetation, to consolidate vegetation boundaries and reduce edge effects, to control and where possible eliminate environmental weeds, to enhance habitat values and to revegetate and consolidate wildlife corridors.*
- iv. *To ensure the preparation of a Seabird and Shorebird Management plan to enhance the breeding success of seabirds and shorebirds and to manage impacts of human activities, foxes and dogs on their habitat.*
- v. *To ensure the preparation of a Dune Management Plan to protect and enhance natural coastal dune vegetation, to control the impact of development on dune stability and to maintain coastal processes.*
- vi. *To identify and manage environmental hazards.*
- vii. *To identify and ameliorate Key Threatening Processes.*

Performance Criteria

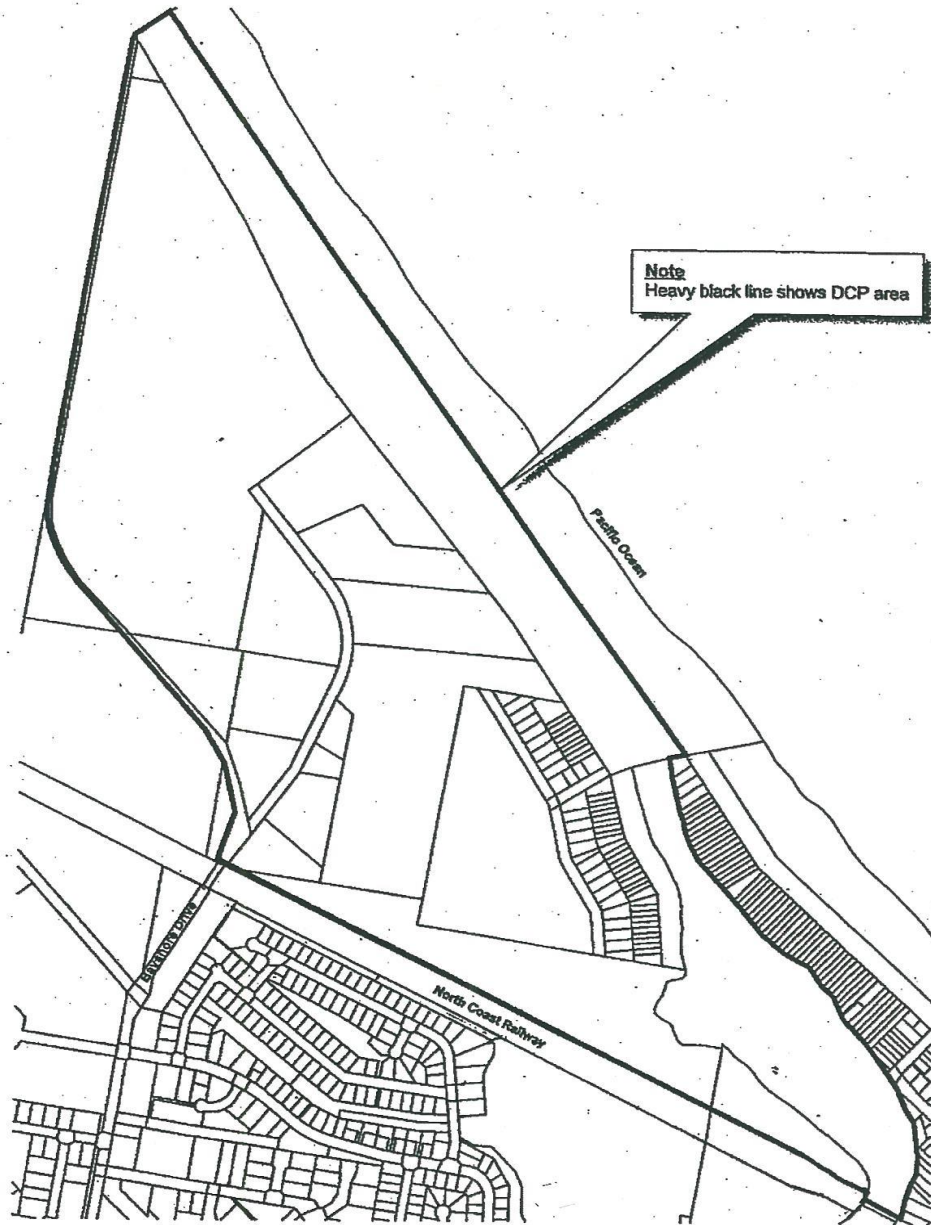
Management plans must incorporate provisions to address Key Threatening Processes under the Threatened Species Conservation Act 1995, including specified measures to reduce the distribution and abundance of species identified as a Key Threatening Process.

Prescriptive Measures

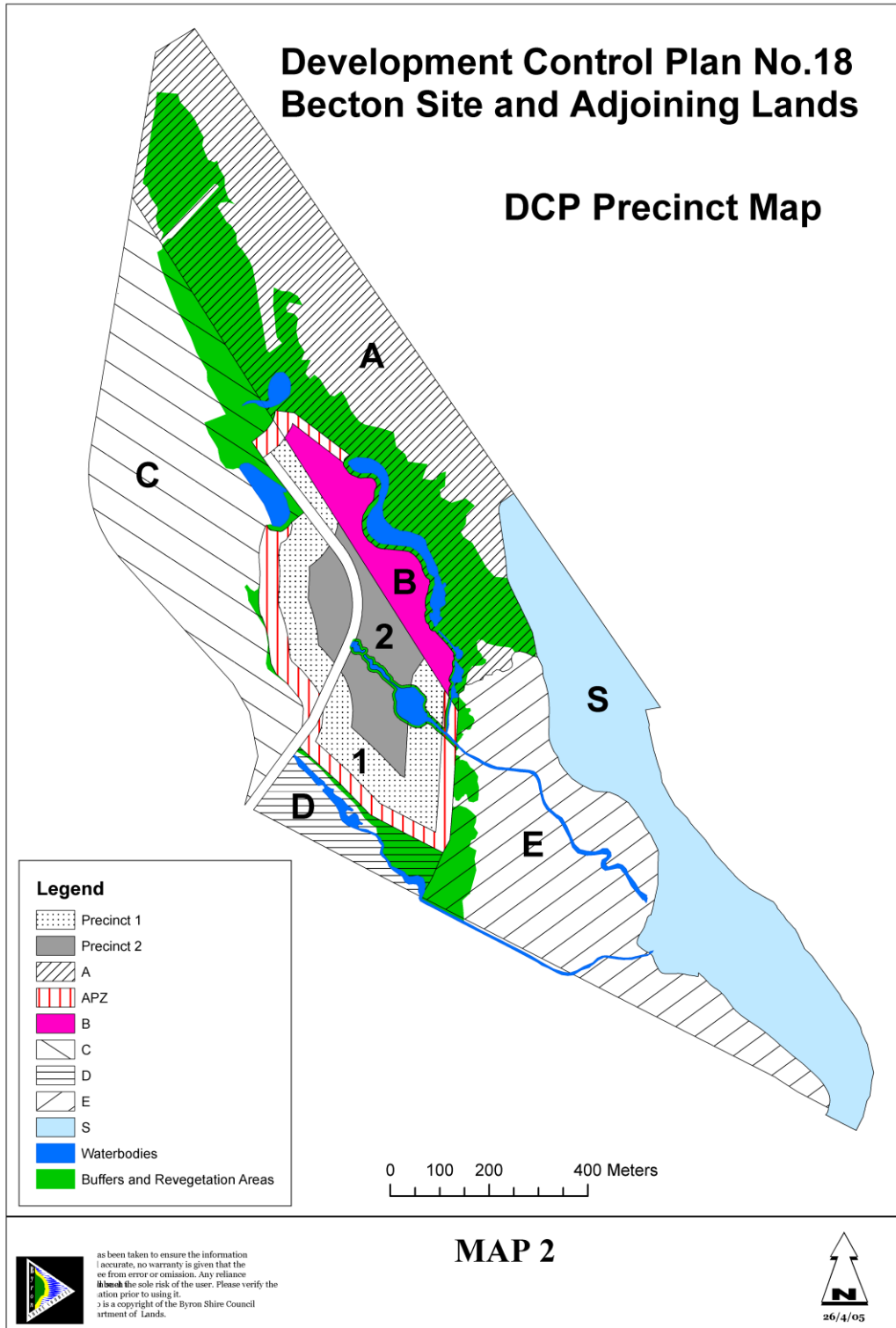
A Dune Management Plan, a Seabird and Shorebird Management Plan and a Vegetation Management Plan, together covering the whole of Precincts A, B, C, D, E and S, must be submitted for approval by Council in conjunction with the first stage of any tourist, recreational, accommodation or related development on the site. These management plans must be developed in consultation with the relevant Government Agencies, including the Department of Infrastructure Planning and Natural Resources, Department of Environment and Conservation, Marine Parks Authority, Department of Lands and Byron Shire Council.

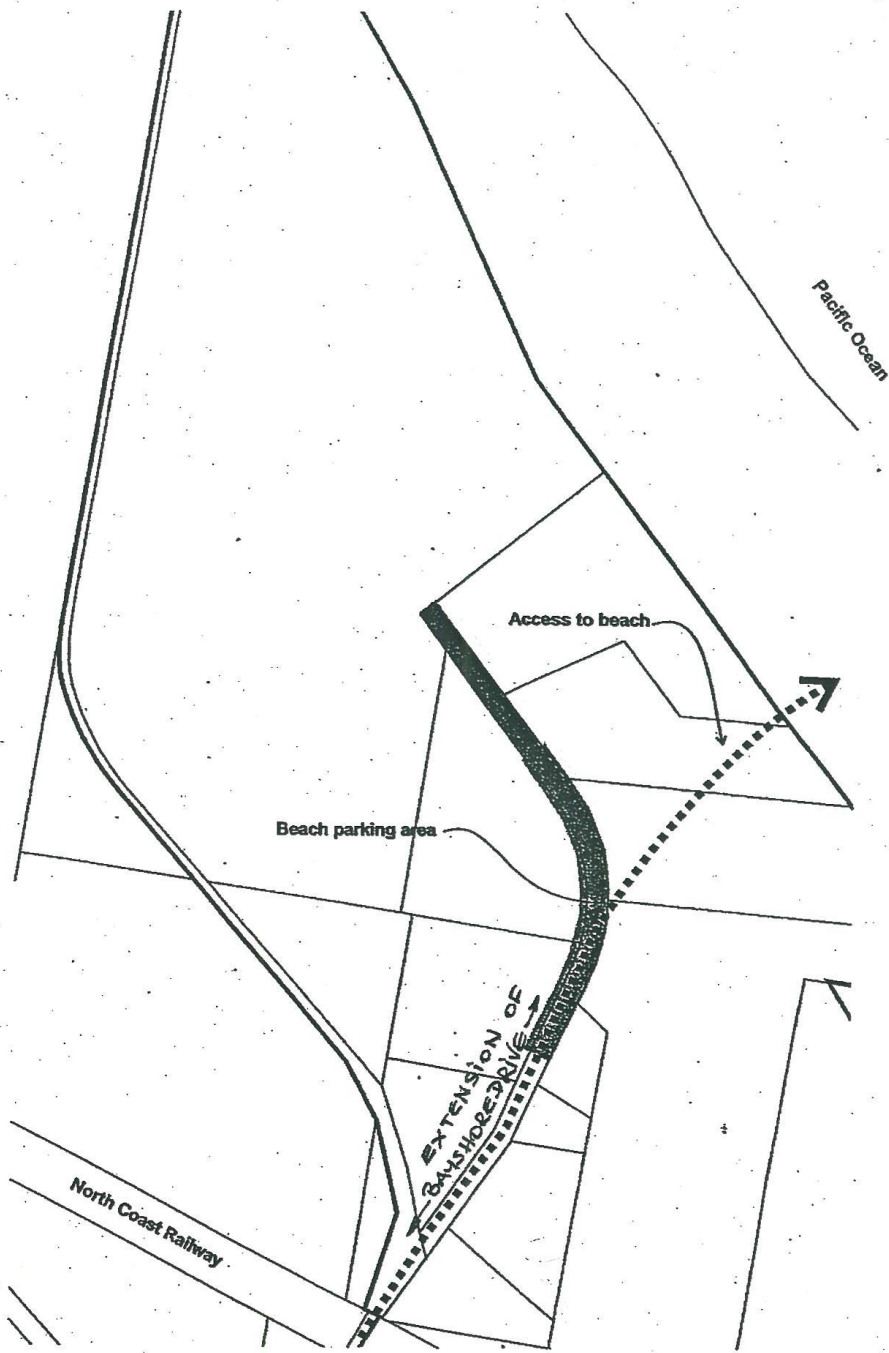
Plantings must be of local native species of local provenance seed stock, and comprise a suite of species compatible with the surrounding indigenous vegetation.

No cats or dogs are to be kept on, or brought to or through the site.



MAP 1





MAP 3