

# Chapter 6:

## Bayside Brunswick Estate

**Document History**

<b>Doc No.</b>	<b>Date Amended</b>	<b>Details Comments eg Resolution No.</b>
#192360		Effective 25 August 1992
#192360	14 October 2010	Res 10-696 - to create Draft DCP 2010 for public exhibition
#1017407		Draft DCP 2010 Chapter 6 (public exhibition copy)
#1068797	14 March 2011	Adopted Res 11-169 : format changes applied S94 provisions deleted

## CHAPTER 6 – BAYSIDE BRUNSWICK ESTATE

<b>SECTION 1 INTRODUCTION .....</b>	<b>3</b>
1.1 Citation.....	3
1.2 Commencement date .....	3
1.3 Application.....	3
1.4 Authority.....	3
1.5 Relationship to statutory planning instruments .....	3
1.6 Relationship to other DCPs and specific Council policy .....	3
1.7 Objectives .....	3
<b>SECTION 2 DEVELOPMENT STANDARDS .....</b>	<b>5</b>
2.1 Introduction to Development guidelines.....	5
2.2 Areas of nature conservation significance .....	5
2.3 Estate amenity.....	6
2.4 Local open space .....	6
2.5 Roading and movement systems .....	7
2.6 Residential Density and Integration .....	8
2.7 Neighbourhood Shopping and Community Facilities .....	9
2.8 Nature Reserve Access.....	10
2.9 Stormwater Drainage and Utility Services.....	10
2.10 LEP Provisions .....	11
<b>Appendix 1 Plant species suitable for site landscaping .....</b>	<b>11</b>

This page has been intentionally left blank

## **Section 1 Introduction**

### **1.1 Citation**

This plan may be cited as “Byron Shire Development Control Plan 2010 Chapter No.6 – Bayside Brunswick Estate”.

### **1.2 Commencement date**

This chapter was first made effective on 25 August 1992.

### **1.3 Application**

This chapter applies to the whole of the land shown edged in heavy line on Map 1 at the end of this chapter.

### **1.4 Authority**

This chapter has been prepared and amended pursuant to section 74C of the Environmental Planning and Assessment Act 1979.

### **1.5 Relationship to statutory planning instruments**

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

### **1.6 Relationship to other DCPs and specific Council policy**

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

### **1.7 Objectives**

The objectives of this Chapter are as follows:

- To facilitate and provide guidelines for the development of the Bayside Brunswick Estate consistent with the provisions of the Byron LEP 1988.
- To promote innovative residential and subdivision development of a high design quality and a variety of housing types, maximising the retention of environmental quality and utilisation of the land.
- To encourage medium density residential development through group dwellings, etc., in an appropriate location to take advantage of the natural setting of the land and reduce the land cost component of housing in the Brunswick Heads locality.
- To identify in stages the type and density of development of the land in order to meet resident and developer expectations as to the future character of each neighbourhood or stage.
- To efficiently utilise the level topography and local services to provide a variety of residential accommodation suitable to meet the requirements of the aged, e.g. serviced apartments,

garden villas, hostels, nursing home, retirement village, mobile home park, etc.

- To establish a movement system, by a hierarchy of roads, bikeways and walkways, which recognises the topography and maximises access to open space and shopping/community facilities for residents.
- To provide an adequate flow of stormwater along drainage lines, integrated and developed in conjunction with the open space and walkway network, and ensuring the maintenance of water quality and control of saltation and pollution in Simpsons Creek.
- To protect and preserve any attractive or significant feature of the environment.
- To facilitate the future provision of a controlled pedestrian access into the Tyagarah Nature Reserve and thence to the beach by way of delineating the eastern approach point for a footbridge.

## Section 2 Development Standards

### 2.1 Introduction to Development guidelines

The guidelines in this section generally appear under 2 headings:

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

### 2.2 Areas of nature conservation significance

Performance standard	Specific control
<p>Retain and protect significant features of natural environmental significance. In particular, the applicant shall demonstrate that the stands of significant vegetation shown on Map 1 will not be degraded, In both the long and short term, as a consequence of development activity.</p>	<ul style="list-style-type: none"> <li>• Areas of very significant vegetation identified on Map 1 shall be preserved in any development of the site. Such vegetation shall have a 35 metre protection buffer and drainage patterns shall not be altered in the vicinity of such vegetation.</li> <li>• The 7(a) and 7(b) areas should be retained as common property within the community/neighbourhood or precinct plan or strata plan of Residential 2(a) land development to the west.</li> <li>• For all significant vegetation and habitat areas within zones 7(a) and 7(b), a plan of management shall be prepared and submitted for consideration in any development application involving subdivision or residential buildings on Residential 2(a) land immediately to the west of and adjoining any 7(a) or 7(b) zoned land. Such plan of management should include:             <ul style="list-style-type: none"> <li>i) pedestrian access arrangements and control of domestic animal intrusion;</li> <li>ii) location of facilities such as seating, fencing; and</li> <li>iii) bush fire hazard reduction and radiation zones with a 20 metre minimum setback to any building and</li> </ul> </li> </ul>

	land within 10 metres of the existing dense vegetation to common private land with maintenance of access for fire fighting vehicles and personnel
--	---------------------------------------------------------------------------------------------------------------------------------------------------

### 2.3 Estate amenity

Performance Standard	Specific control
<p>Retain and protect, as is reasonably possible, all larger trees located within the body of the site for the purpose of retaining the general character of Brunswick Heads' local landscape, identifying and enhancing the residential amenity of the estate generally. Structural mass landscaping should also be implemented immediately upon completion of site development construction activity.</p>	<ul style="list-style-type: none"> <li>• Prior to construction activity beginning for any stage, all existing trees having a girth circumference of 400 mm or greater (measured at waist height) shall be tagged and numbered.</li> <li>• Council's Planning Manager shall, after on-site inspection in the company of the developer (or agent), determine those trees to be retained.</li> <li>• The developer shall lodge with Council, at the time of the submission of civil engineering plans for each stage, a structural landscape plan providing for the provision of site planting at the minimum rate of 4 trees/lot. Species shall be drawn preliminarily from those marked by a '*' symbol in the appendix to this chapter.</li> </ul>

### 2.4 Local open space

Performance standard	Specific control
<p>Active open space for children's playing areas and community sporting facilities of meaningful proportions shall be provided within easy walking distance of residential areas.</p> <p>Passive open space shall be defined throughout the estate primarily in the form of a dual use open space/drainage and bikeway corridor, to enhance the residential amenity of the estate.</p>	<ul style="list-style-type: none"> <li>• Open space shall be provided generally in accordance with the concept illustrated in Map 1. The provision of possible public open space shall not be in less than 2.5 ha/1,000 persons. This calculation may include part of the land designated for dual use drainage or utility service purposes provided that such land is:             <ol style="list-style-type: none"> <li>I. Above the wet invert, paved channel or ponds;</li> <li>II. Has a minimum gradient of 1:6; and</li> <li>III. Has a minimum width of 30 metres, and is accessible.</li> </ol> </li> <li>• The design of the drainage corridor system shall incorporate the meandering of the concrete paving</li> </ul>



	<p>and channel within the reserve with some use of trees and shrubs within largely mowable areas to introduce a more natural look.</p> <ul style="list-style-type: none"> <li>• Active or structured open space is to be provided at the rate of 0.5 ha/1,000 persons or contribution in lieu towards the cost of providing active or structured open space.</li> <li>• Ownership and management of the 7(a) or 7(b) land to be organised with adjoining land ownership parcels as common land via Community titles/Strata Titles Act common property. Council will not accept as a “specific control” land zoned 7(a) or 7(b) for the calculation of open space. Council will consider long term care, control and management of some sections of 7(a) or 7(b) land adjacent to drainage systems to enable limited public walkway access to Simpsons Creek.</li> </ul>
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## 2.5 *Roading and movement systems*

<b>Performance Standard</b>	<b>Specific Control</b>
<p><b>(a) Roads within the site shall:</b></p> <ul style="list-style-type: none"> <li>• Be sited and designed to be efficient and practical having regard to the principle specific in Chapter No 1 Part B – subdivision, and the Australian Model Code for Residential Development.</li> <li>• Be restricted to the existing single access point (Bayside Way) to the Pacific Highway.</li> <li>• Provide for the “relocation” of the existing Crown road traversing the site.</li> <li>• Provide for future road access to adjoining land to south and west, and to a potential parking area close to preferred site for a footway bridge across Simpsons Creek to Tyagarah Nature Reserve.</li> </ul> <p><b>(b) Pedestrian Movement shall:</b></p> <ul style="list-style-type: none"> <li>• Provide easy walking access within</li> </ul>	<ul style="list-style-type: none"> <li>• The primary estate roading and pedestrian movement routes shall be provided generally in accordance with Map 1. The final alignment of the routes being subject to the completion of engineering drawings to the satisfaction of Council’s Planning Manager in consultation with Council’s Engineering Services Manager.</li> <li>• A 40 kph minimum design speed is acceptable for the local access roads and 50 kph minimum design speed for the collector road (main loop road and extension to Bayside Way).</li> </ul>

and external to the site whilst minimising conflict with motor vehicle traffic, primarily by utilising the dual use open space/drainage corridor	
--------------------------------------------------------------------------------------------------------------------------------------------------	--

## 2.6 Residential Density and Integration

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

## 2.7 Neighbourhood Shopping and Community Facilities

Performance Standard	Specific Control
<p>Provision of neighbour retail facilities of a size and variety, and in location appropriate to the demographic profile of estate residents; and to complement the Brunswick Heads CBD as the principle commercial for the locality.</p> <p>The architectural design of any shopping facility should provide for an estate “meeting place” as a partially or fully covered plaza or the like within the development.</p>	<ul style="list-style-type: none"> <li>• Provision shall be made within the overall development of the estate for retail facilities located generally in the location shown on Map 1.</li> <li>• No non-residential facilities specified in Schedule 3 of the Byron LEP 1988 to be located outside this neighbour shopping centre.</li> <li>• In development of site concept planning, the developer shall have regard to the following land use budget in respect to retail facilities: <ul style="list-style-type: none"> <li>1,250m<sup>2</sup> – Retail and related non-residential space.</li> <li>180m<sup>2</sup> – Grossing (+ 15%)</li> <li>1,500m<sup>2</sup> – Carparking (50 spaces x 30m<sup>2</sup>)</li> <li>730m<sup>2</sup> – Public space (35%)</li> <li>3,666m<sup>2</sup> – Site area</li> </ul> </li> <li>• Provision shall be made for an open plaza within any architectural design adopted for the retail facility; Such shall have a minimum of 50 % covered protection from the elements.</li> <li>• Provision shall be made for community facilities by way of contribution towards the cost of augmenting/providing facilities in Brunswick Heads and/or at Bayside Brunswick in accordance with the section 94 contributions plan applicable in the area.</li> </ul>

## 2.8 Nature Reserve Access

### Performance Standard

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

The preferred access point is as shown on Map 1 and is subject to approval and lease by the National Parks and Wildlife Service.

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

## 2.9 Stormwater Drainage and Utility Services

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

## **2.10 LEP Provisions**

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

## Appendix 1

### Plant species suitable for site landscaping

<b>Trees</b>	Scribbly Gum	Eucalyptus signata
	Blueberry Ash	Elaocarpus reticulatus
	Macaranga	Macaranga tanarius
	Cottonwood	Hibiscus tiliaceus
	Black She Oak	Allocasuarina littoralis
	Old man Banksia	Banksia integrifolia
	Pink Euodia	Euodia Elleryana
	Callicoma	Callicoma Serratifolia
	Blue Lilly Pilly	Syzygium oleosum
	Ribery	Syzygium leuhmanii
	Scentless Rosewood	Synoum glandulosum
	Willow Bottlebrush	Callistemon Saligiis
	Tuckeroo	Cupaniopsis Anacardioides
	Coast Acronychia	Acronychia Imperforata
<b>Shrubs</b>	Midyim	Austromyrtus Dulcis
	Lemon Scented Baeckea	Baeckea Citriodora
	Scented Wattle	Acacia Suaveolens
	Large-leaved Banksia	Banksia Robur
	Heath Banksia	Banksia Ericfolia
	Rusty Banksia	Banksia Oblongifolia
	Heath Aotus	Aotus Ericoides
	Honey Myrtle	Homoranthus Vigatus
	Hovea	Hovea Acutifolia
	Tea Trees	Leptospermum whitei
		Leptospermum Juniperinum
	Crinkle Bush	Lomaitia Silaiifolia
	Golden Shaggy Pea	Oxylobium Robustum
	Glass Trees	Xanthorrhoea Resinosa
	Xanthorrhoea Johnsonii	
<b>Ground Covers</b>	Guinea Flowers	Hibbertia
	Mat Rush	H.Dentata
	Flax Lily	Dianella Caerulea
		Dianella revoluta
	Dusky Coral Pea	Kennedia Rubicunda
	Feather Plant	Restio Tetraphyllus
	Blue Dampiera	Dampiera Stricta
	Snake Vine	Stephania Japonica
	Hawkesbury Daisy	Brachycome Multilida
	Wonga Vine	Pandorea Pandorana
	Native Ginger	Alpinia Caerulea

