

Chapter 4:

Lot 3 DP 598368

Lot 4 DP 738155

Friday Hut Road

Coorabell

Document History

Doc No.	Date Amended	Details Comments eg Resolution No.
#190297		Effective 9 August 1988
#190297	14 October 2010	Res 10-696 - to create Draft DCP 2010 for public exhibition
#1017390		Draft DCP 2010 Chapter 4
#1068358	14 March 2011	Res 11-169: Format changes applied

1. Introduction

This chapter makes provision for the subdivision of lands partly within 1(a) – General Rural and 1(c1) – Small Holdings zones as shown on the accompanying map.

2. Citation

This plan, which may be cited as “Byron Shire Development Control Plan 2010 Chapter No.4”, constitutes a development control plan as provided for by Section 74C of the Environmental Planning and Assessment Act, 1979.

3. Commencement date

This chapter was first made effective on 9 August 1988 being the date on which it was formally adopted by Council.

4. Application

This chapter shall apply from the commencement date to all development consents and building approvals relating to the land shown on the map accompanying this chapter, consisting of Lot 4, DP 738155 and Lot 3, DP 598368, subject to the provisions of Byron Local Environmental Plan 1988.

5. Objectives

- 5.1 To ensure that subdivision of the subject lands provides small rural holdings in an environmentally acceptable manner which maintains the rural character of the area.
- 5.2 To determine the most appropriate access and road system for the subdivision.
- 5.3 To protect existing vegetation.
- 5.4 To provide for appropriate landscape treatment for climatic and visual purposes.
- 5.5 To minimise the impact of development on the natural drainage system.

6. Adjustment of zone boundary

The boundary between 1(a) – General rural and 1(c1) – Small Holdings zones will be adjusted to better reflect the site’s topography and the appropriate use of land within those zones, in accordance with S.42(1)(b) of the Byron Local Environmental Plan 1988. The revised position of the zone boundary is shown on the accompanying map.

7. Allotment sizes

- 7.1 The minimum lot size within zone 1(c1) and the average area of all lots created within that zone shall be not less than those provided by the Byron Local Environmental Plan 1988.
- 7.2 That part of the land within zone 1(a) shall be incorporated within one of the lots to be subdivided within zone 1(c) so that a suitable dwelling site is available on land within the 1(c1) zone.

8. Vegetation

All existing trees shall be maintained to the maximum extent and where appropriate road reserves shall be designed to incorporate existing trees. Landscape plans for road reserve areas and management plans to protect subtropical rainforest areas shall be provided and approved prior to any work commencing on the site.

9. Access and road system

- 9.1 The road system within the subject lands and the intersection with Friday Hut Road shall be in accordance with the schematic layout shown on the accompanying map and shall be subject to the approval of the Executive Manager, Community Infrastructure Division.
- 9.2 The road reserve between the two existing lots shall be maintained as existing.

10. Public access to river

Pedestrian access to the junction of Coorabell Creek and Wilson's River shall be provided by right-of-way in accordance with the schematic layout on the accompanying map and shall be subject to the approval of the Executive Manager, Community Infrastructure Division.

11. Sewerage

The applicant shall establish to Council's satisfaction the capability of each allotment for treatment of sewerage and disposal of effluent by septic tank or other means at the time of lodging development applications.

12. Contributions

- 12.1 The subdivision of the subject lands will generate an increased demand for the following services and contributions will be required accordingly:
- (a) Upgrading of local road
 - (b) Local level community facilities
 - (c) town level community facilities
 - (d) embellishment of parks and reserves
- 12.2 The rate of contributions will be as determined by Council from time to time and applied to each application for development on the land to which this chapter relates.

13. Building envelopes

- 13.1 Where buildings are proposed to be located within the building envelopes defined below, building approval only shall be required. Building is not prohibited outside the defined building envelopes but development consent shall be required for any building so proposed.
- 13.2 For the purposes of Clause 13.1, the approved building envelopes shall consist of those areas of land which:
- (a) are outside the areas shown hatched on the map described as unsuitable for dwelling sites;
 - (b) do not form part of existing drainage gullies;

- (c) are located a minimum of 15 metres from Friday Hut Road or any public road within the subdivision;
- (d) are located a minimum of 10 metres from any lot boundary other than a road frontage;
- (e) Which are located a minimum of 10 metres from any public right-of-way within the subdivision.

