



Byron Shire Development Control Plan 2014

Chapter E7 Main Arm



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Chapter E7 – Main Arm

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Document History

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E7.1 Aims of this Chapter

The primary purpose of this Chapter is to provide criteria and standards for the future development of the **Main Arm Village**.

To assist in this regard, the Aims of this Chapter are:

1. To facilitate and provide guidelines for the development of the **Main Arm Village** consistent with the provisions of Byron LEP 2014, the Byron Rural Settlement Strategy 1998, the Byron Biodiversity Conservation Strategy 2004 and other relevant Chapters of this DCP.
2. To promote compatible, innovative village development of a high design quality that reflects and reinforces the low scale, low intensity, rural character of Main Arm.
3. To facilitate provision of public open space and community facilities to serve existing and future residents of the village and its surrounding locality.
4. To improve water quality within the catchment.
5. To facilitate the active regeneration of the area through protection and revegetation of riparian and degraded areas and the connection of isolated vegetation remnants to form wildlife corridors.

E7.2 Application of this Chapter

This Chapter applies to land at Main Arm known as the **Main Arm Village** shown on the **Main Arm Village Map** (Map E7.1).

The provisions of other Chapters apply to development to which this Chapter applies. In the event of any inconsistency between this Chapter and other Chapters, the provisions of this Chapter shall prevail.

E7.3 Site Context

The **Main Arm Village** is contained within the catchment of the main arm of the Brunswick River, and is located at the convergence of the main arm of the Brunswick River and Blindmouth Creek.

The Village locality enjoys convenient access to the national, sub-regional and local road system, however access is routinely affected by flooding. Local facilities such as community halls, primary schools and preschools are located in the vicinity, while district facilities are available at Mullumbimby, Byron Bay and Ocean Shores. Regional facilities are available at Tweed Heads and Lismore.

E7.4 Siting of Development

Objectives

1. *To implement the land use structure and development principles identified on the [Main Arm Village Map](#).*

Performance Criteria

There are no Performance Criteria.

Prescriptive Measures

Development Applications must demonstrate that the proposed siting of development is consistent with the principles and land use categories identified on the [Main Arm Village Map](#) (Map E7.1).

E7.5 Character, Bulk and Scale of Development

Objectives

1. *To ensure that development is consistent with and will enhance the low density, low intensity character and scale of Main Arm.*
2. *To ensure development design incorporates suitable elements for climate control and weather protection.*

Performance Criteria

Development Applications must demonstrate that:

- a) the character, bulk, scale and density of proposed development will be compatible with and enhance the low intensity, rural character and scale of Main Arm, its built environment and its surrounds;
- b) building materials, textures, finishes and colours will be compatible with and will enhance the low intensity, rural character and scale of Main Arm, its built environment and its surrounds.

Prescriptive Measures

1. Formal car parking areas/ garages and car ports to be set back behind the front building line of the dwelling.
2. Building design to incorporate eaves, pergolas and verandahs for climate control and weather protection purposes.

E7.6 Public Open Space Area

Objectives

1. *To ensure that areas identified for public open space are set aside for that purpose.*
2. *To protect and enhance cultural, conservation and environmental values of land identified for public open space.*

3. *To ensure that Development Applications and/ or subdivision applications that include land identified as 'Public Open Space Area' on the **Main Arm Village Map** make provision for dedication and/ or transfer to Council of that land, in a condition suitable to enable access and use by the public for appropriate open space and recreation purposes.*

Performance Criteria

There are no Performance Criteria.

Prescriptive Measures

1. Land identified as 'Public Open Space Area' on the **Main Arm Village Map** (Map E7.1) must not be developed for any purpose which may jeopardise, delay or preclude the use of that land for public open space/ recreation purposes.
2. Development Applications that include land identified as 'Public Open Space Area' on the **Main Arm Village Map** must demonstrate that arrangements are in place that will ensure that the land so identified will be dedicated and/ or transferred to Council in a condition suitable to enable immediate access and use by the public for open space and recreation purposes. The land so identified can also have a dual purpose by providing for stormwater conveyance to Blindmouth Creek and the Brunswick River.
3. Development Applications referred to in Item 2 must include an outline of an Open Space Management Plan for the land identified on the **Main Arm Village Map** as 'Public Open Space Area'. The outline must address at least the following matters:
 - a) the land's environmental characteristics, including but not necessarily limited to topography, soils, flora, fauna, habitat values, riparian values, weed and pest management, cultural and heritage values, bush fire hazard, surface water, **groundwater** and visual character;
 - b) the land's active and passive recreation potential;
 - c) proposals for environmental repair and enhancement;
 - d) works required to enable access and use by the public for open space and recreation purposes;
 - e) potential for provision of public facilities such as play areas, playground equipment, picnic areas, playing fields, walking tracks, lookouts, viewing areas, bicycle and vehicle access, parking and the like.

E7.7 Riparian Buffer Area

Objectives

1. *To protect the functions and integrity of natural waterways and their surrounds.*
2. *To ensure that riparian areas and their associated natural functions are protected and enhanced in the development process.*

Performance Criteria

There are no Performance Criteria.

Prescriptive Measures

1. Land identified as 'Riparian Buffer Area' on the **Main Arm Village Map** (Map E7.1) must be developed only for purposes that will maintain and enhance the riparian, ecological, bank stability, landscape, connectivity and natural functions of the waterway, its banks and its surrounds.
2. No buildings or effluent treatment facilities will be permitted on land identified as 'Riparian Buffer Area'.
3. Development Applications that include land identified as 'Riparian Buffer Area' must demonstrate that arrangements are in place that will ensure that the land so identified will be rehabilitated and/ or upgraded to a condition that will maintain and enhance the riparian, ecological, bank stability, landscape, connectivity and natural functions of the waterway, its banks and its surrounds.

E7.8 No Build Area

Objectives

1. *To identify and protect land that is unsuitable for urban development because of geology, soils, stability, gradient, sedimentation, erosion potential, exposure or other characteristics.*

Performance Criteria

There are no Performance Criteria.

Prescriptive Measures

1. Land identified as 'No Build Area' on the **Main Arm Village Map** (Map E7.1) must not be developed for building, or other active urban purposes.
2. Development Applications that include land identified as 'No Build Area' must demonstrate that the land so identified will be protected, rehabilitated and managed in a manner that ensures its ongoing stability, integrity and visual character in perpetuity; and that the 'No Build Area' will remain compatible with the proposed development and its surrounds.

E7.9 Village Centre Area

Objectives

1. *To ensure that progressive development of the land identified as 'Village Centre Area' on the **Main Arm Village Map** results in the short term and long term provision of an integrated Village Centre to serve the business and community needs of the residents of Main Arm and surrounding areas.*
2. *To ensure that land identified as 'Village Centre Area' on the **Main Arm Village Map** is not developed for any purpose that may jeopardise or inhibit its existing or future development for retail, business, community or associated purposes.*
3. *To ensure that the scale, character and likely impacts of development on land identified as 'Village Centre Area' will be compatible with development in the locality and with the low density, low intensity character and scale of Main Arm.*

Performance Criteria

Development Applications must demonstrate that the proposed development will achieve the Objectives.

Prescriptive Measures

1. Land identified as 'Village Centre Area' on the **Main Arm Village Map** (Map E7.1) must not be developed for any purpose which may jeopardise, delay or preclude the use of that land for retail, business, community or associated purposes.
2. A **dwelling(s)** will be permitted only if demonstrated to be directly associated with and subsidiary to retail, business, community or associated development in the 'Village Centre Area'.
3. Development Applications for development on land identified as 'Village Centre Area' must comply with Chapter D4 Commercial and Retail Development.
4. The initial Development Application for development on any part of the land identified as 'Village Centre Area' must include a concept plan for the entire 'Village Centre Area' as shown on the **Main Arm Village Map**, demonstrating that the proposed development will form an integral and interconnected part of the **Main Arm Village** in terms of:
 - a) provision of an integrated Village Centre to serve the business and community needs of the **Main Arm Village** and surrounding rural areas;
 - b) compatibility in bulk, scale, character, colours and materials consistent with this DCP, in the context of a business and community focal point / meeting area;
 - c) provision of outdoor landscaping, paving, shade, weather protection and community meeting space;
 - d) integrated vehicle and bicycle facilities, access and parking.

E7.10 Residential Area

Objectives

1. *To ensure that development of land in the defined 'Residential Area' contributes to an integrated rural village that meets the residential needs of residents and is compatible with the low density, low intensity character and scale of Main Arm.*

Performance Criteria

There are no Performance Criteria.

Prescriptive Measures

1. Land identified as 'Residential Area' on the **Main Arm Village Map** (Map E7.1) must not be developed for any purpose which may jeopardise, delay or preclude the use of that land predominantly for residential accommodation purposes.
2. Development Applications for development on land identified as 'Residential Area' must comply with Chapter D1 Residential Development in Urban and Special Purpose Zones.
3. Development Applications seeking consent for subdivision must be consistent with the provisions of Chapter D6 Subdivision.

4. New subdivisions to provide pedestrian connectivity back to the village centre and where possible link with and utilise existing pedestrian pathways.

E7.11 Biodiversity Conservation

Objectives

1. *To ensure that development in Main Arm takes into account and, where appropriate, contributes to the biodiversity values of Main Arm and its surrounds.*

Performance Criteria

Development Applications must:

- a) address and identify biodiversity, connectivity, corridor and riparian values of the site, including its relationship to adjoining land, to identified 'Riparian Buffer Areas', to identified 'Public Open Space Areas' and to the wider Main Arm locality;
- b) where biodiversity, connectivity, corridor and/ or riparian values are present, outline a strategy to protect and enhance those values;
- c) include a strategy for removal and ongoing management of weeds and Camphor Laurel trees on the site.

Prescriptive Measures

There are no Prescriptive Measures.

E7.12 Water Cycle and Sewage Management

Objectives

1. *To ensure that development in **Main Arm Village** is consistent with **Water Sensitive Urban Design** principles.*
2. *To nominate specific requirements for on-site sewage management in **Main Arm Village**, having regard to the particular water cycle and soil characteristics of Main Arm and its relationship to important waterways.*

Performance Criteria

There are no Performance Criteria.

Prescriptive Measures

1. Subject to the specific requirements for **Main Arm Village** specified below, Development Applications must be consistent with the provisions of Chapter B3 Services.
2. In addition to the requirements of Chapter B3 Services, **tertiary treatment** of effluent is required due to the particular water cycle and soils characteristics of Main Arm, and its close proximity to the Brunswick River and Blindmouth Creek. Minimum waste water treatment required will be advanced **tertiary treatment** of effluent (60% nitrogen reduction rate and disinfection) prior to subsurface irrigation.

3. A range of systems could be employed to satisfy these requirements, e.g. composting toilets and an advanced greywater system, or advanced aerated waste water treatment systems.
4. Development Applications must include an on-site sewage management report prepared by a suitably qualified person in accordance with the requirements of Chapter B3 Services, outlining how the proposed system complies with these requirements, or how the existing system will be upgraded.
5. The system must incorporate the following features, or alternatives that in Council's opinion will deliver at least an equivalent environmental outcome:
 - a) each lot must install an **on-site sewage management system** which achieves a nitrogen reduction rate of no less than 60 % in the treatment system;
 - b) land application areas located within 250m of licensed **groundwater** bores or within 100m of permanent surface waters must only dispose of **effluent** which has been treated to a **tertiary treatment** standard;
 - c) all on-site disposal systems must be designed and certified by a suitably qualified professional. The detailed design must include specifications of pump sizes, valves and pipe-work. The design must ensure the even distribution of effluent over the disposal area and include the location of surface drains and swales for diverting stormwater away from the irrigation area;
 - d) in areas where slope is greater than 15%, designs of on-site disposal systems must clearly demonstrate mechanisms to effectively accommodate the slopes to ensure effective disposal and ensure protection of human health and the environment. This may include, but not be limited to, an increased land application area and specialised design.

Map E7.1 – Main Arm Village Map

