

BYRON SHIRE DEVELOPMENT CONTROL PLAN 2014

CHAPTER **E12** FORMER MULLUMBIMBY HOSPITAL SITE

20_Mar 26

Table of Contents

VISION AND PLACE PRINCIPLES.....	2
VISION	2
PLACE PRINCIPLES	2
CONTEXT	3
X.1 INTRODUCTION	3
X.1.1 AIMS OF THIS CHAPTER	3
X.1.2 APPLICATION OF THIS CHAPTER.....	4
X.2. GENERAL PROVISIONS.....	5
THEME 1 - URBAN STRUCTURE, BUILT FORM AND HOUSING.....	5
11.2.1 STRUCTURE AND LAND USE.....	5
11.2.2 BUILT FORM.....	6
X.2.3 HOUSING.....	7
THEME 2 – TRANSPORT AND ACCESS	7
X.2.4 TRANSPORT HIERARCHY	8
X.2.5 ACTIVE TRANSPORT	9
X.2.6 UNIVERSAL ACCESSIBILITY & USER AMENITY	10
THEME 3 – BLUE & GREEN INFRASTRUCTURE.....	10
X.2.7 ECOLOGY	11
X.2.8 TREE CANOPY	11
X.2.9 WATER SENSITIVE URBAN DESIGN.....	12
11.2.10 LAND CONTAMINATION.....	12
THEME 4 – CLIMATE AND SUSTAINABILITY.....	12
X.2.11 BUSHFIRE	13
X.2.12 FLOODING	13
X.2.13 ENERGY AND CARBON.....	13
X.2.14 URBAN HEAT	14
X.2.15 WASTE.....	14
THEME 5 – PEOPLE & CULTURE	15
X.2.16 COMMUNITY FACILITIES	15
X.2.17 CULTURAL HERITAGE	15
X.2.18 OPEN SPACE & PLACEMAKING	16

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VISION AND PLACE PRINCIPLES

VISION

The Mullumbimby community has an intrinsic connection with the Former Mullumbimby Hospital Site. Its redevelopment is guided by careful planning and meaningful community engagement. The Vision for the Former Mullumbimby Hospital Site extends from the extensive community consultation processes which have occurred to-date, including the Mullumbimby Hospital Project Reference Group's direction in 2018, the strategic vision created as part of the 'Site Design & Urban Context Report' in 2022 and the Enquiry By Design Process in 2023. The following vision was based on the direction from the Project Reference Group and incorporated into the Site Design & Urban Context Report:

'Our vision is to create a vibrant residential neighbourhood located just 15-minutes' walk to the centre of Mullumbimby and close to regional schools and services.

The site will be a living village, home to a diverse, creative and inclusive community – including those who have been priced out of other areas of the Shire. This will be achieved by the provision of a range dwelling types, including affordable housing.

The former Mullumbimby Hospital Site will provide a place that the local community can call home, but also provide opportunities to meet and celebrate together.

A beautiful, green neighbourhood with a rich character that will draw inspiration from the local Mullumbimby culture and the special history of the site.

It will express the sustainability and resilience principles that are central values to the Byron Shire community.

The precinct will be well connected by bus, bicycle routes and walking paths to the centre of town, nearby schools, recreation spaces and community facilities.'

PLACE PRINCIPLES

Extending from these engagement processes, the following Place Principles have been developed for the redevelopment of the Former Mullumbimby Hospital Site:

- Respond to increasing housing pressures in the Mullumbimby area by setting out controls which will guide the transformation of one of the few, large, flood-free areas into a thriving residential neighbourhood.
- Provide a diversity of housing, including a minimum 20% affordable housing defined as per the Environmental Planning & Assessment Act 1979.
- Integrate the development into the existing Mullumbimby character, natural environment and surrounding community.
- Achieve a high environmental performance which considers the effects of climate change, urban heat and rainfall through management of water through the landscape, increased canopy plantings and sustainable buildings.

CONTEXT

The Former Mullumbimby Hospital site is located approximately one kilometre south-west of Mullumbimby township and covers 4.4 hectares.

The western portion, known as the 'horse paddock,' features steeper slopes with views to Mount Chincogan and the surrounding landscape, while the eastern section adjoining Azalea Street has a gentler gradient.

Formerly the Mullumbimby Hospital until its closure in 2016, the land was purchased by Byron Shire Council in 2017 to deliver:

- Housing, including a minimum 20% affordable housing.
- Some form of on-site community facility or amenity.

It is also noted that an aged care facility is located in the northern portion of the Site which remains in operation.

Following acquisition, asbestos was detected in the soil where the former hospital building once stood. Significant remediation works were undertaken to cap the contaminated area, ensuring the land can be safely redeveloped.

In 2024, the site was rezoned to R1 General Residential under the Byron Local Environmental Plan 2014, allowing redevelopment with a maximum building height of 11.5 metres.

The site contains a mix of native and exotic vegetation, including an area of Subtropical Rainforest in the south-east which must be retained and managed for bushfire risk. Mature trees and other vegetation scattered across the site may also be suitable for retention. The presence of existing vegetation (including the Subtropical Rainforest vegetation which must be retained) provides some level of bushfire risk that will be required to be considered in the redevelopment of the Site.

The site is also considered a rare flood free piece of land in the Mullumbimby Township – largely outside of the 1:100 Flood levels (Plan 4).

These environmental constraints can be managed through suitable design and construction methodologies, along with adherence to the objectives and measures outlined in this Chapter.

X.1 INTRODUCTION

X.1.1 AIMS OF THIS CHAPTER

This Chapter has been prepared to complement the provisions of Byron Local Environmental Plan 2014 as they relate to the Former Mullumbimby Hospital Site located at 1-3 Azalea Street, Mullumbimby. The provisions of this chapter are intended to facilitate development that will:

- Implement the vision, principles and strategies of the Former Mullumbimby Hospital Masterplan.
- Facilitate the delivery of housing for the Mullumbimby community, including affordable housing.
- Contribute to the controlled growth of the existing Mullumbimby Township while protecting Mullumbimby's existing character.

The Chapter has been prepared in accordance with Part 3 Division 3.6 of the Environmental Planning and Assessment Act 1979 and Part 2 Division 2 of the Environmental Planning and Assessment Regulation 2021.

The relevant provisions of this Chapter are to be taken into consideration in determining application(s) for development within the Former Mullumbimby Hospital Site.

X.1.2 APPLICATION OF THIS CHAPTER

This Chapter applies to development within Former Mullumbimby Hospital Site, as shown in Plan 1.

Relevant State Environmental Planning Policies (SEPP) and Byron Local Environmental Plan (LEP) 2014 are the statutory environmental planning instruments applicable to the site and will prevail over any inconsistencies with provisions contained in this Chapter.

Development within the Former Mullumbimby Hospital Site will need to comply with this Chapter, as well as other relevant Chapters in the Byron Shire DCP 2014 set out below. In the event of any inconsistency between this DCP Chapter and other Chapters within Byron Shire DCP 2014 or any other plan or policy of Council, this Chapter will prevail to the extent of the inconsistency.

Relationship with other planning instruments and development control plan instruments

Section and Provisions of Byron Shire DCP 2014

Part A Preliminary

Part B Controls Applying Generally to Development Applications

Chapter B1 Biodiversity
Chapter B3 Services
Chapter B4 Traffic Planning, Vehicle Parking, Circulation and Access
Chapter B5 Providing for Cycling
Chapter B6 Buffers and Minimising Land Use Conflict
Chapter B8 Waste Minimisation and Management
Chapter B10 Signage
Chapter B11 Planning for Crime Prevention
Chapter B12 Social Impact Assessment
Chapter B13 Access and Mobility
Chapter B14 Excavation and Fill
Chapter B15 Public Art

Part C Further Controls Applying to Land with Specific Constraints and Environmental Characteristics

Chapter C1 Non-Indigenous Heritage

Part D Further Controls Applying to Specific Land Uses

Chapter D1 Residential Accommodation in Urban, Village and Special Purpose Zones
Chapter D4 Commercial and Retail Development (e.g. neighbourhood shop permitted in R1 Zone)
Chapter D6 Subdivision

Part Controls Applying Outside a Development Application

Chapter F1 Tree and Vegetation Management

[Insert Plan 1 Here]

Legend

--- Site boundary



X.2. GENERAL PROVISIONS

THEME 1 - URBAN STRUCTURE, BUILT FORM AND HOUSING

[Insert Plan 2 Here]

Legend

--- Site boundary

Developable Land Parcels

Community Parcel

Remediated land

High Environmental Value Vegetation

Biodiversity sensitivity interface

OS Open Space (indicative location)

★ Significant Viewlines

9-metre Setback

Active Travel Connections

Connector Road



11.2.1 STRUCTURE AND LAND USE

The Former Mullumbimby Hospital Site is located within the existing Mullumbimby Township – less than 15 minutes' walk to the Town Centre. The Site largely consists of a mix of housing and public open space area enjoyed by residents and the wider community. There may be examples of small-scale shops and commercial premises at ground-level but these do not detract from the economic activity of the Town Centre. There is also some form of community facilities which complement public open space on the Site.

Objectives

1. To provide a logical urban structure for the new residential community.
2. To support a diverse range of residential accommodation to maximise housing choice.
3. To allocate land for community purposes which supports new residents and the broader Mullumbimby community.

Performance Criteria

1. The Site is predominately used for residential purposes.
2. Lot layouts avoid irregular or narrow frontages and provide flexibility and adaptability.

3. Long, continuous stretches of housing are avoided and landscaping buffers are provided at suitable intervals.
4. At ground floor in Parcels 1 and 2, buildings can be designed for small-scale commercial and other non-residential uses on primary street frontages abutting open space areas. These uses do not detract from the commercial activity in the Mullumbimby Township.

Prescriptive Measures

1. A minimum of 60% of the Site's developable land is used for residential purposes across the overall Site, generally in accordance with the Former Mullumbimby Hospital Master Plan.
2. More than 75% of lots are oriented with the rear of the lot facing north, east or west.
3. Non-residential development (community, retail, office) does not exceed 750 sqm GFA.
4. A landscaped building break is provided for attached Class 1a dwelling clusters of more than 65m in length.

11.2.2 BUILT FORM

Housing and other built form elements at the former Mullumbimby Hospital site are designed with environmental sustainability and energy efficiency in mind to benefit residents, community and the natural environment. Built form is architecturally designed and reflects the existing Mullumbimby identity, along with the natural topography and climatic conditions of the site.

Objectives

1. To retain and enhance Mullumbimby's unique local character and natural environment.
2. To deliver high-quality built form that contributes positively to the desired character of the Mullumbimby township.
3. To ensure development is of a scale appropriate to the site and surrounding residential area.
4. To encourage adaptable dwelling types that allow for future flexibility as community needs change over time.
5. To respond appropriately to the natural topography in Parcel 1.
6. To address site contamination in the Community Parcel.
7. To ensure built form is designed with consideration of key local climatic conditions and hazards (including bushfire and flooding).

Performance criteria

1. Design of new development respectfully considers key viewlines to Mount Chincogan, other significant landscapes and the preferred Mullumbimby character.
2. Design of new development maximises natural ventilation and daylight for building users.
3. Design of new development responds to the Site's natural topography.
4. Built form is high quality and appropriately addresses scale, massing, and the public domain interface.
5. Design of new development respectfully considers its neighbours, and the potential permissible future uses of its neighbours.

Prescriptive Measures

1. Significant viewlines to Mt Chincogan and the surrounding hinterland identified in Plan 2 are not adversely impacted by built form.

2. A 9-metre setback is provided along the Site's southern boundary in accordance with Plan 2.
3. Buildings on the corner of Azalea Street and Left Bank Road should provide a landmark element (built form, public art, or small public space) and provide activation to both street frontages.
4. Garages facing an internal street is less than 40% of the building frontage.
5. Residential entries and lobbies are clearly visible, unobstructed, and easily identifiable from the street and public domain.

X.2.3 HOUSING

Housing on the Former Mullumbimby Hospital Site caters for a broad range of the local community, including smaller housing sizes to address the general absence of smaller housing options in the Mullumbimby Township. There is a clear focus on providing affordable housing to allow locals to remain in Mullumbimby and there is no significant distinction between the different household typologies offered on the Site.

Objectives

1. To provide a diverse range of housing types that encourage greater housing choice.
2. To ensure dwellings are flexible, adaptable, and meet the needs of both existing and future residents.
3. To deliver at least 20% affordable housing (defined as per the Environmental Planning & Assessment Act 1979) as part of residential development, matched to local demographic needs.
4. To encourage a mix of housing sizes and types within the same housing clusters.
5. To provide accommodation suitable for downsizing singles and couples.
6. To provide for shared facilities to reduce the need for larger dwellings.

Performance Criteria

1. Affordable housing is visually indistinguishable from market sale housing.
2. A combination of housing typologies across the Site meets the housing needs of a broad range of the community.
3. Housing design is adaptable to meet the housing needs of the community over time.

Prescriptive Measures

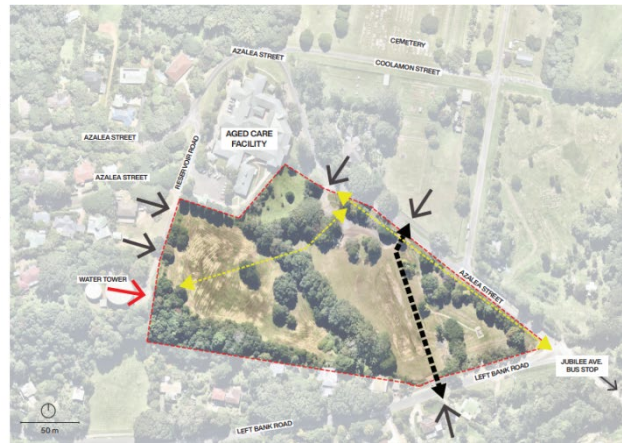
1. A minimum of 20% of all residential dwellings is defined as 'Affordable Housing' as per the EP&A Act.
2. At least 50% of the dwellings on site are Single-room, 1 or 2-bedroom dwellings.
3. The number of dwellings on site does not exceed 225 dwellings.
4. Where possible and feasible, shared facilities are provided for groups of dwellings.

THEME 2 – TRANSPORT AND ACCESS

[Insert Plan 3 Here]

Legend

---	Site boundary
→	Active Travel Connections
→	Connector Road
→	Preferred Vehicle Access
→	Service / Emergency Access



X.2.4 TRANSPORT HIERARCHY

The Former Mullumbimby Hospital Site is designed with consideration of the transport hierarchy – whereby movement through, to and from the Site is facilitated with a preference for active and public transport. This includes walking, rolling (e.g. use of wheelchairs, bicycles, micro-mobility) and the local bus services to allow the community to access their daily needs without relying on private vehicles.

Objectives

1. To adopt a transport hierarchy that promotes active transport over motorised transport.
2. To integrate efficient traffic planning, public transport links, and suitable parking provisions to minimise congestion and support community needs.
3. To limit private vehicle dependency and manage parking strategically.
4. To protect the local character through good design and considered street hierarchy.
5. To provide the appropriate diversity of parking for vehicles types including cars, electric vehicles, motorcycles, e-mobility and bicycles.
6. To ensure the development is integrated with existing and any future public transport networks.

Performance Criteria

1. Consolidated car parking is generally located and designed to not dominate the public realm, noting an exception for contaminated land.
2. Consolidated car parking located on remediated land is consistent with Council guidelines.
3. The site design is permeable and walkable, with fine-grain street networks and clear, direct connections to town, schools, and key community facilities.
4. Internal streets and walkways are designed with a focus on pedestrian safety and comfort, with priority given to low-speed environments (max 15km/h).
5. Private vehicle access in the Community Parcel includes a new road connection from Azalea Rd to Left Bank Road generally in accordance with Plan 3.
6. Where a car share scheme operates locally, car share parking spaces with car share cars are provided in the Site at no cost to Council.

Prescriptive Measures

1. A transport assessment is prepared to accompany any Development Application, including but not limited to:

- An assessment of impact on the surrounding road network (including requirements for intersection upgrades at Azalea Street and Left Bank Road, and Coolamon Scenic Drive).
 - Reflecting an approach that promotes active and public transport over private vehicles.
2. Where car share parking spaces with car share cars are provided on-site, the spaces are:
 - publicly accessible 24 hours a day seven days a week;
 - located together;
 - located near and with access from a public road and integrated with the streetscape through appropriate landscaping where the space is external; and
 - clearly designated by signs as being for car share scheme use.
 3. Any consolidated resident car parking area of more than 20 car parks is equipped with EV charging infrastructure.
 4. Consolidated car parking integrates canopy trees at a rate of 1 tree per 5 car spaces.
 5. No direct vehicle access to an individual dwelling occurs off Azalea St or Left Bank Rd.
 6. Private vehicle access to Parcel 1 (Plan 2) is achieved via Reservoir Rd with a maximum of two connections only (not including service access).

X.2.5 ACTIVE TRANSPORT

The Former Mullumbimby Hospital Site is designed to enable the movement of people – not cars – through a focus on providing internal walkways and footpaths rather than a network of internal roads.

Objectives

1. To promote the availability and use of active transport modes including but not limited to walking and rolling (e.g. cycling, wheelchair transport, micro-mobility transport modes).
2. To ensure suitable bicycle and pedestrian connections through the site align with existing or proposed local active transport routes.
3. To provide appropriate facilities and amenities to support active travel methods.

Performance Criteria

1. Pedestrian and cycle networks through the site align with the Byron Shire Pedestrian Access and Movement Plan and Byron Shire Bike Plan.

Prescriptive Measures

1. Active transport linkages are delivered to facilitate connection across the Site generally in accordance with Plan 3.
2. Pedestrian and cycling links are provided across the Site to connect the Community Parcel with Parcels 1 and 2, and to provide connections from land near Reservoir Road to both Azalea Street and Left Bank Road, in accordance with Plan 2.
3. Any dwellings without dedicated garages contain access to secure bicycle / e-scooter storage at the rate of one park per dwelling.
4. At least one bicycle repair station including charging technology is provided within the Site, preferably located adjacent to a community facility and cycling connection. This may include (but is not limited to) an air pump, standard bicycle tool set and a secure bicycle stand.
5. Where pedestrian and cycling connections are provide on-site, the connections are:

- + Accessible to pedestrians and cyclists 24 hours a day.
- + Designed to be accessible for people of all abilities (subject to grade analysis in Parcel 1).
- + Designed to preference pedestrians and cyclists over vehicles.
- + Designed using crime prevention through environmental design principles of safety such as appropriate lighting and sightlines.
- + Designed with a logical network of public seating.

X.2.6 UNIVERSAL ACCESSIBILITY & USER AMENITY

The Former Mullumbimby Hospital Site is designed to cater for all people through a focus on universal design. In particular, the focus is to ensure that all peoples regardless of their levels of movement ability – are able to effectively move through the Site and access their needs.

Objectives

1. To facilitate universal accessibility, prioritising pedestrian and cyclist movement over vehicles, and ensure equitable access for all including people with different levels of mobility.
2. To create comfortable streets that are visually pleasing, safe, support the local character and encourage social interaction.
3. To ensure new developments connect physically and aesthetically with the existing Mullumbimby township character and are permeable and walkable.

Performance Criteria

1. Street furniture such as seating and drinking fountains are provided at logical intervals to support active travel.
2. Appropriate and legible signage is provided throughout the Site to orient users towards the various modes of transport.
3. Appropriate street lighting is installed to support pedestrian safety and enhance the overall amenity of the area.
4. All new streets are designed with continuous street trees consistent with development character, providing shade, amenity, ecological benefit, and minimising utility conflicts.

Prescriptive Measures

Nil

THEME 3 – BLUE & GREEN INFRASTRUCTURE

[Insert Plan 4 Here]



X.2.7 ECOLOGY

The Former Mullumbimby Hospital Site contains high-quality Subtropical Rainforest Vegetation in Parcel 1, along with existing mature trees scattered throughout the Site. The incorporation of these ecological values into the Site's masterplan design facilitates important habitat for native fauna and reinforces a local sense of place.

Objectives

1. To protect, enhance and restore native biodiversity and ecology through planning and design.
2. To retain high value native and endemic species, including avoiding impacts to the identified rainforest community noted as High Environmental Value Vegetation.
3. To minimise cut and fill to the extent possible with a challenging topography.
4. To manage invasive weeds and pests to reduce impacts to native biodiversity.

Performance Criteria

1. Development avoids removal of trees and vegetation within designated conservation and high-value habitat areas.
2. Any native vegetation removed in road reserves for access is replaced within the streetscape, where appropriate.
3. Where possible, the central cluster of vegetation is retained, with removal permitted only where vegetation is identified as low-value.
4. Urban interfaces are designed to minimise impacts on native vegetation and associated ecological values, including suitable construction levels and asset protection zones for proposed buildings .
5. Fencing is not installed in public spaces where it would restrict the movement of ground-dwelling animals.
6. Public realm landscape design includes a variety of native grasses, rushes, shrubbery, trees and other vegetation to facilitate habitat for a broad range of native fauna.

Prescriptive Measures

Nil

X.2.8 TREE CANOPY

Tree canopy is an important piece of green infrastructure with multiple benefits: keeping the local environment cool, providing habitat for biodiversity and contributing to the amenity and sense of place experienced on the Site.

Objectives

1. To enhance tree canopy coverage by requiring the retention of significant vegetation and the planting of suitable new trees in developments.
2. To achieve a minimum canopy cover benchmark and contribute to urban cooling, biodiversity, and improved amenity.
3. To provide for tree canopy and native vegetation within road and verge design.

Performance Criteria

1. Any development masterplan is designed with consideration of retaining existing healthy trees.

Prescriptive Measures.

Nil

X.2.9 WATER SENSITIVE URBAN DESIGN

The Former Mullumbimby Hospital Site is designed with consideration of Water Sensitive Urban Design Principles to manage and treat stormwater travelling through the site, provide urban cooling and protect downstream water environments.

Objectives

1. To improve onsite and downstream water quality through integrated water sensitive urban design.
2. To ensure the integration of existing water and landscape features within the development.
3. To promote water sensitive urban design principles to manage stormwater, reduce urban heat island and enhance flood resilience.
4. To limit hardscape coverage to maximise permeability, support infiltration and reduce runoff.

Performance Criteria

1. Development meets or exceeds Council's established water quality targets through best-practice stormwater management.
2. Rainwater is collected for reuse in toilets and landscape irrigation; consolidated rainwater tanks servicing multiple dwellings are acceptable.
3. Internal residential streets achieve a minimum 30% permeability target (e.g. landscaping, vegetation, permeable paving, gravel).

Prescriptive Measures.

Nil

For further direction relating to Subdivision and Stormwater, see Chapters D6 and B3 of the Byron Shire DCP.

11.2.10 LAND CONTAMINATION

Noting remediation works which took place to remove and cap asbestos over a portion of the site's soil, land contamination is effectively managed to protect the community over the long-term.

Objectives

1. To manage known and unknown contamination risk through considered design and land uses.

Performance Criteria

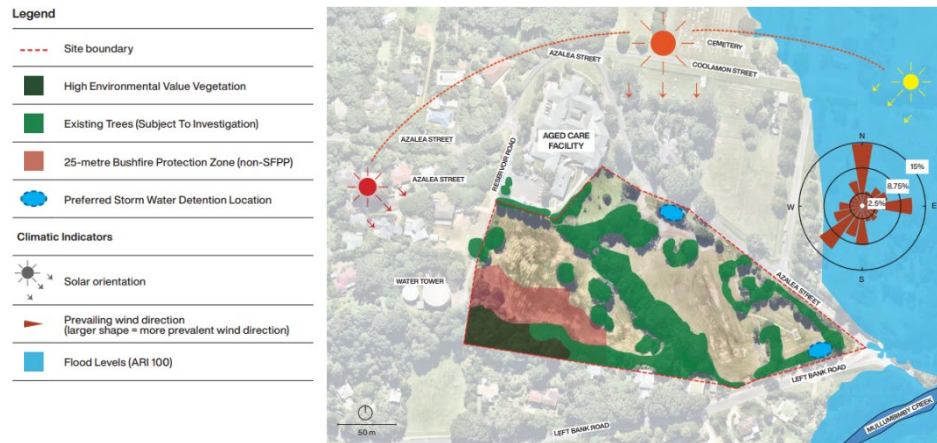
1. Recreation spaces such as yards and communal areas, whether privately, publicly or collectively owned, are not located within the capped remedial land

Prescriptive Measures

Nil

THEME 4 – CLIMATE AND SUSTAINABILITY

[Insert Plan 5 Here]



X.2.11 BUSHFIRE

Acknowledging the Site is subject to bushfire planning measures, particularly land within proximity to the Subtropical Rainforest Vegetation in Parcel 1 (which must be retained), the risk of bushfire is to be mitigated to an appropriate level to protect precinct users and biodiversity.

For direction relating to bushfire, refer to relevant guidance and requirements outlined in the following documents:

- Planning for Bushfire Protection 2019 (NSW Rural Fire Services, 2019)
- Byron Shire LEP Clause 5.11

X.2.12 FLOODING

With a changing climate comes more intense weather events. The Mullumbimby Township and surrounding area understands the impacts of extreme rainfall events and flooding first-hand. While the Former Mullumbimby Hospital Site is a rare, flood-free piece of land in the township, its development could increase the flow of stormwater and impacts community and natural environments downstream of the site. To address this, the site's development is informed by appropriate water modelling and stormwater management strategies to mitigate the impacts of flooding.

For direction relating to flood management, refer to relevant guidance and requirements outlined in the following documents:

- Byron Shire DCP 2014, Chapter B3.2.3
- Byron Shire LEP clauses 5.21 and 5.22

X.2.13 ENERGY AND CARBON

The Mullumbimby Community supports the use of clean, renewable energy and the creation of low energy developments – reflecting the community's environmental character. Development on the former Mullumbimby Hospital Site is highly energy efficient and thermally comfortable for its residents, powered by clean energy sources – benefitting the broader natural environment and the community.

Objectives

- 1 To promote energy-efficient development including passive solar design.
- 2 To encourage on-site renewable generation.
- 3 To encourage the use of durable, recycled, non-polluting, low-carbon and ideally locally sourced materials.
- 4 To integrate design responses that reduce greenhouse gas emissions and support net zero community aspirations.

Performance Criteria

1. Development is all-electric and enables a future EV charger connection to all Class 1 and Class 1a dwellings.
2. Where possible, Development maximises solar orientation, access and opportunities for renewable energy – considering of slope and aspect, building heights and separation, setbacks and likely building type.
3. Where possible, Development incorporates on-site renewable energy generation matched to demand.
4. Where possible, Development seeks to dematerialise and incorporate alternative low-embodied carbon materials.
5. Building components are designed for, in order of priority, longevity, adaptation, disassembly, re-use and recycling.

Prescriptive Measures

1. A strategy outlining the proposed approach to minimise operational carbon emissions, maximise solar orientation and improve the energy efficiency of future buildings must be submitted as part of any future Development Application.

X.2.14 URBAN HEAT

The design of the Former Mullumbimby Hospital Site is driven by strategies to keep the local environment cool and shaded during warmer months. This includes reducing the amount of hard, non-permeable surfaces (e.g. concrete, asphalt) and increasing the amount of shading, landscaping and tree canopy cover. These considerations directly contribute to urban cooling in the local neighbourhood and also helps to ensure our community stays safe all year-round – particularly during periods of extreme heat.

Objectives

1. To ensure climate resilience is considered throughout planning, design and construction phases.
2. To mitigate the urban heat island effect locally.
3. To enable the safe navigation of people of all abilities throughout the development area (particularly during warmer months).

Performance Criteria

1. Light coloured roofs are specified on all new buildings to reduce urban heat.
2. Development should consider the impact of increased temperatures and heatwaves on other material selections.
3. Design strategies are implemented to reduce the urban heat island effect locally.

Prescriptive Measures

1. A strategy outlining the proposed approach to minimise urban heat must be submitted as part of any future Development Application.

X.2.15 WASTE

Refer to Byron DCP 2014 Chapter 8 Waste Minimisation and Management for direction around waste management and access.

THEME 5 – PEOPLE & CULTURE



X.2.16 COMMUNITY FACILITIES

Community facilities are provided on the Former Mullumbimby Hospital site to facilitate social connection between precinct users and complement the residential nature of the neighbourhood.

Objectives

1. To provide for social interaction for new residents.
2. To support inclusion of multi-purpose community assets integrated with housing, catering for people of all ages and income levels.
3. To deliver communal services matched to the needs of new residents.
4. To support community needs from the surrounding area.

Performance Criteria

1. Shared amenities such as communal spaces should be matched to the needs of new residents and visitors.
2. Social infrastructure encourages both passive and active engagement.
3. Where included, public/community facilities are designed with flexibility to cater for a range of recreational, cultural and educational uses.

Prescriptive Criteria

1. Land is set aside for the development of a multi-purpose community facility of greater than 150sqm but less than 300sqm (via investment from Council), located to the extent possible in accordance with the preferred plan location.

X.2.17 CULTURAL HERITAGE

Objectives

1. Traditional Owners are recognised and respectfully consulted to identify ways to protect culture and features of Indigenous cultural significance.
2. Culturally significant features are protected and incorporated in accordance with the recommendations and findings of such consultation.
3. Opportunities for Traditional Owners to look after Country—physically, culturally and spiritually—are encouraged.

Performance Criteria

There are no performance criteria.

Prescriptive Measures

1. An Aboriginal Cultural Heritage Assessment (ACHA) is to be carried out, if required, by a suitably qualified professional. Where required, the assessment must be prepared in accordance with the relevant NSW Aboriginal Cultural Heritage Guidelines issued by the Department of Climate Change, Energy, the Environment and Water (or its successor agency).
2. Any sites, items, objects or places of Aboriginal cultural significance identified within the development site must be documented, and appropriate management or protection measures recommended, consistent with the relevant NSW cultural heritage guidelines.
3. Where an ACHA is required, the process must demonstrate consultation with the Byron Bay Bundjalung People and other relevant Registered Aboriginal Parties, in accordance with the NSW Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010) or any subsequent replacement guidelines.
4. An Aboriginal Heritage Information Management System (AHIMS) search must be undertaken and any further due diligence to determine whether an act or omission would harm an Aboriginal object for the purposes of section 87 (2) of the National Parks and Wildlife Act 1974.

X.2.18 OPEN SPACE & PLACEMAKING

The Former Mullumbimby Hospital's open space areas are driven by place-making processes highlighting the natural qualities and view lines which make the precinct unique. The open space areas are also safe and welcoming for all people – providing opportunities for both passive and active recreation.

Objectives

- 1 To apply crime prevention through environmental design principles to ensure safe, welcoming, and inclusive public spaces for all demographics.
- 5 To provide for the social and recreation needs of new residents and deliver a new public park of local significance to enable residents to engage with the natural environment.
- 6 To provide a network of connected, diverse open space.

Performance Criteria

1. Development provides for new open space located where possible in accordance with the preferred plan locations.
2. New open space is delivered in accordance with any Heritage Interpretation Plan or Public Art Plan developed for the site.
3. New open space is spatially located to facilitate visual connections to key view lines, including views to Mt Chincogan and other significant landscape views.
4. Public spaces are high-quality, accessible and designed to support local social interaction, events, and access to nature.
5. Where possible, opportunities for nature-based play are incorporated into the open space design.

Prescriptive Measures .

Nil