

## **DRAFT SHELLHARBOUR DEVELOPMENT CONTROL PLAN (Amendment No.6)**

### **Part 3**

#### **Proposed new CHAPTER 39 – Site Specific Provisions**

**This Chapter will apply to any site or location as identified in this Chapter and may provide site specific requirements and advice in addition to those contained elsewhere in the DCP.**

**For advice in addition to these site-specific provisions, please refer to other relevant chapters in the DCP. Please note, the site-specific provisions will prevail in the event of any inconsistency.**

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**NOTE: Other chapters/appendices of this DCP will also need to be considered when preparing a development application.**

## CHAPTER 39 – Site specific provisions

The following provisions apply to a specific site or location of land identified either on the Shellharbour LEP 2013 Additional Permitted Uses Map or as indicated in this DCP. These site-specific provisions have been prepared for consideration in the detailed assessment of any future development application for a particular site as indicated, to ensure the commitments made and supporting information at planning proposal stage are considered in the DA assessment process.

### **39.1 – Land at 2926 Illawarra Highway, Tongarra**

This section applies to certain land identified on the Shellharbour LEP 2013 Additional Permitted Uses Map (reference “12”), being:

- Part of Lot 1 DP 881927 identified as part of No.2926 Illawarra Highway, Tongarra and as illustrated below.



## ADVICE

### General Objectives

- (a) Provide an opportunity for an outdoor recreational facility, including a mountain bike facility, that can be undertaken in a safe and controllable manner, and
- (b) Ensure any proposed development or use of the land is appropriately managed and maintained, and supports existing trail networks and infrastructure, and
- (c) Provide high-level principled requirements for different areas within the site, to enable flexibility in design and future site opportunities, and
- (d) Avoid adverse impacts on key environmental values identified on the land, and
- (e) Protect and enhance threatened species, Endangered Ecological Communities and sensitive habitat for foraging threatened fauna species, and
- (f) Ensure potential risk from impacts of natural hazards affecting the land are minimised.

### General Provisions

This section applies to all land to which this Section applies, or parts of the land as indicated.

#### Site considerations and environmental requirements

39.1.1 A **site layout plan** must be submitted with any development application and must include (but not limited to) the following:

- Areas identified for disturbance / track building;
- Areas allocated for specific use such as spectator and competitor areas, locations of vegetation screening, location of car parking and other buildings, road access etc.;
- All areas of vegetation identified as threatened *Solanum celatum* species to ensure protection of these species.
- Steep land surrounding riparian corridor or unstable land – identify areas where no future tracks or development are to be located;
- Existing permanent boundary or internal fences and existing main farm tracks.

39.1.2 A **Vegetation Management Plan** must be submitted with the initial development application for the use of the site as a recreational facility (outdoor) and must include (but not limited to) the following:

- Location of all Illawarra Lowlands Grassy Woodland Endangered Ecological Community and *Solanum celatum* and how these are to be conserved and protected within the site, in order to avoid direct impacts and manage indirect impacts.
- Actions for primary and secondary weed management, revegetation, monitoring and reporting protocols.
- Details of proposed earthworks associated with the realignment of the riparian corridor along the western boundary, to achieve the ecological restoration of the entire length of the realigned corridor.
- Details of proposed landscaping which must be designed to establish a natural bushland context to provide a buffer from the existing bike trails while also minimising maintenance requirements.

**Note:** Additional plans or studies may be required at Council's discretion.

#### Operation times

39.1.3 Operational times for use of bike trails are limited to 6 days per week. Use of all bike trails is limited to daylight hours only, or between the hours of 7am to 6pm during winter months and 7am to 7pm the rest of the year.

39.1.4 Specify days and times for casual riding, practice, club days, formal events or competitions, etc).

#### Traffic and access

39.1.5 Public vehicular access to the site via Lakeview Road is only to be utilised by the business operators for shuttle purposes or as bike access.

39.1.6 Prior to lodgement of a development application or use of the land adjacent to, or within proximity to, the identified road widening area adjacent to the Illawarra Highway,

consultation with the relevant government authority in accordance with SLEP2013 is required.

- 39.1.7 Only non-motorised vehicles are permitted on dedicated bike trails, except for the purposes of track maintenance and access.

Disaster mitigation requirements

- 39.1.8 Trails and major internal roads are to be located outside any floodway areas.

- 39.1.9 Avoid and manage areas of high bushfire or flood risk and events during an event, in accordance with a bushfire management plan and flood evacuation management plan to be submitted with a development application.

- 39.1.10 On-site safety and emergency protocols are to be prepared and clearly signposted for staff and visitors to the site.

Design and construction requirements for integrity of bike jumps, bridges, ancillary structures

- 39.1.11 External fill is not to be brought onto the site (apart from identified materials required for hard surface areas).

- 39.1.12 Bridges are to be constructed over bike track creek crossings and where possible, install rock armouring at approach and exit points of the bike track creek crossings.

- 39.1.13 Construction of track and trail development must utilise natural materials sourced on site.

- 39.1.14 Details of proposed or ongoing construction of all tracks is to be provided.

Events

- 39.1.15 Use of the site is limited to local and regional events only. Larger events including National competitions will require separate temporary use approval and may require additional facilities on-site.

- 39.1.16 A maximum of 24 local events or meets are to be held per year.

- 39.1.17 A maximum of 4 mountain bike/BMX accredited events or races are to be held per year.

Aboriginal heritage/sensitivity requirements

- 39.1.18 Areas of identified aboriginal heritage are to be avoided and managed in accordance with relevant legislation.

Building and structure requirements

- 39.1.19 All buildings or structures must be set back from the Illawarra Highway by a minimum of 15 metres from the front boundary and a minimum of 12 metres from side and rear boundaries, with vegetative screening provided.

- 39.1.20 The maximum height of any track, jump or trail structure or pile is 15 metres above natural ground level.

- 39.1.21 A maximum of 2 shipping containers (where windows are not provided) are permitted on the site and may only be used for the purposes of storage. Any additional structures must be constructed and designed in accordance with Council provisions for rural and ancillary structures.

Utilities, services and other

- 39.1.22 A designated garbage and waste disposal area is to be provided and adequately screened from public view.

- 39.1.23 The location of a designated storage area is to be identified on the site layout plan.

- 39.1.24 Details of proposed **on-site aerated water treatment systems** (AWTS), site amenities and waste facilities must be provided in association with a development application, in accordance with Council requirements.

- 39.1.25 A designated boot and tyre wash station is required to manage environmental hygiene protocols readily available.

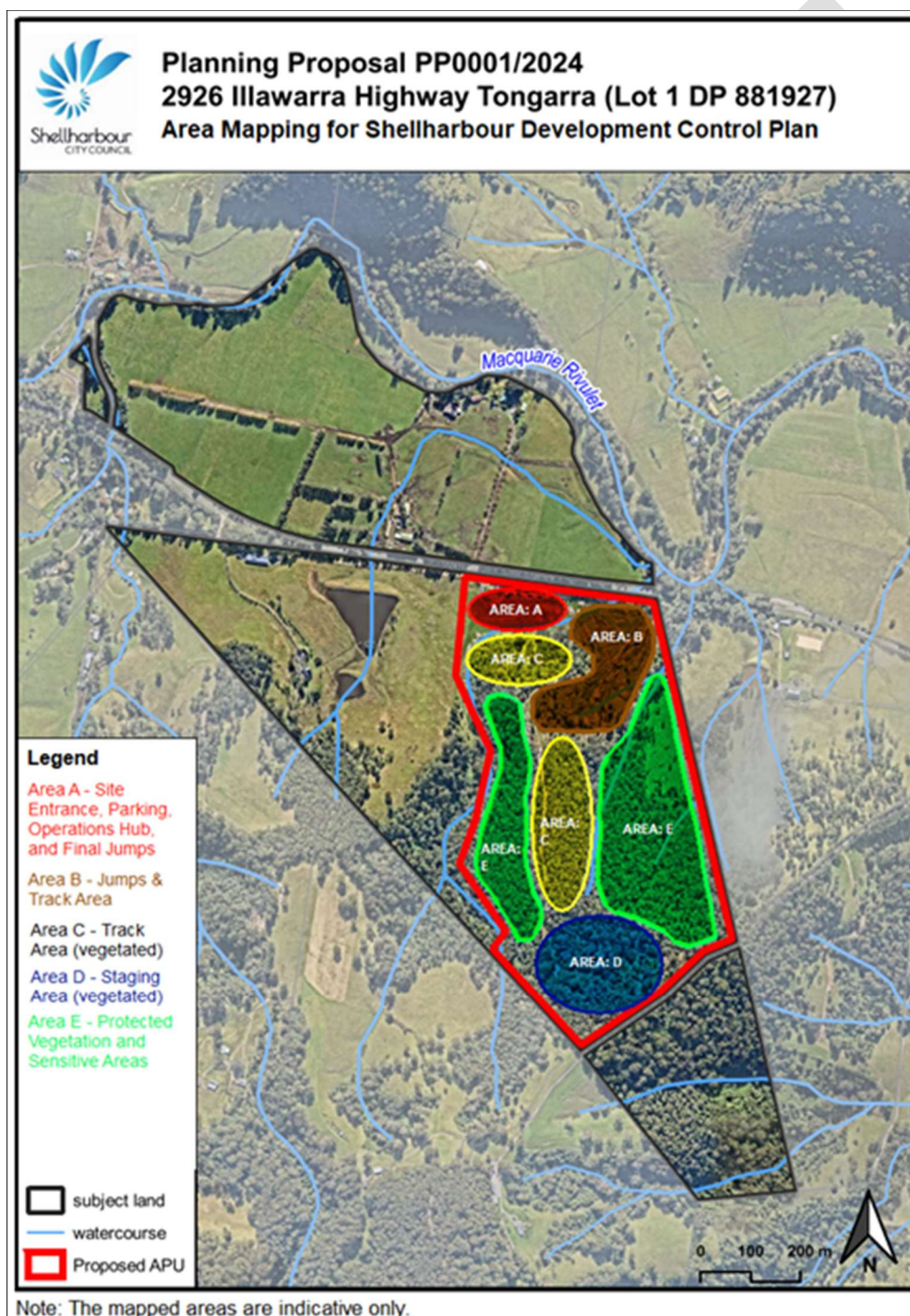


## Detailed site specific provisions

This section provides specific planning objectives and provisions which relate to specific sections of the site as indicated on the map which may have specific environmental constraints or are identified to be utilised for specific key functions or use.

The site has been divided into the following high-level 'Areas' as indicated on the map below.

- **Area A** - Site Entrance, Parking, Operations Hub, and Final Jumps
- **Area B** – Jumps and Track Areas
- **Area C** – Track Area (vegetated)
- **Area D** – Staging Area (vegetated)
- **Area E** – Protected Vegetation



### **Area A – Site Entrance, Parking, Operations Hub, and Final Jumps**

Area A is intended as a multi-use Area, and is permitted to include a site entrance, parking space, an operations hub (including buildings and structures), and a section of large final jumps. Location and design of parking areas and structures must avoid sensitive areas and consider impacts of increased localised flow and drainage.

#### **Objectives**

- (a) To identify a multi-use area intended for operational use of outdoor recreation facility, and
- (b) To permit a site entrance, parking areas, operations hub (including buildings or structures) and identified area for large final jumps.

#### **Advice**

- A1 The site access and parking areas must provide adequate parking to cater for site operations without adversely affecting the site conditions, operation of the road network, or neighbouring land.
- A2 All weather parking area must be provided (formalised area for smaller events, overflow area for larger events, better definition of area and materials).
- A3 All parking areas must feature appropriate gradients, manoeuvrability, and surface finish to ensure safety for visitors and minimise damage to the land.
- A4 Parking facilities must integrate with the rural aesthetics of the site, with minimal visual or amenity impacts.
- A5 Any paved or gravel areas must feature adequate drainage infrastructure without adverse environmental impact.
- A6 Operational structures (offices, picnic facilities, amenities) must integrate with the site's rural aesthetic and present as amenable and well-maintained structures.
- A7 A row of tall vegetative screening must be preserved along the boundary of Area A and the Illawarra Highway to screen the visual impact of development on site and maintain a rural aesthetic character along Tongarra Road. Installation of additional vegetative screening is encouraged along the boundary treatment.
- A8 Screening must be clear of proposed road widening.
- A9 Mountain bike jumps must have a minimum setback of 10 metres from Illawarra Highway.
- A10 All operational structures (offices, picnic facilities, amenities) must have a minimum setback of 15 metres from Illawarra Highway.
- A11 Any lighting within this Area must avoid adverse glare or aesthetic impacts to Illawarra Highway and neighbouring sites.
- A12 Any dedicated spectator area must be provided which does not conflict with the mountain bike riders or site operations.

Overnight camping on site may be permitted in association with approved events, subject to the following:

- A15 Any designated camping areas must feature adequate facilities to cater for visitor safety.
- A16 Any designated camping areas must not compromise site functionality, and must not adversely affect the road network, neighbouring land, or the environmental features of the site.
- A17 Dedicated event parking areas are to be provided, with restrictions to be placed on event parking numbers.

**Note:** Temporary event camping will require a Bushfire Assessment to include specific assessment of Special Fire Protection Purpose (SFPP) use and flood evacuation plan.

### **Area B – Jumps and Track areas**

Area B is intended as a dedicated mountain bike jump and track area. Area B is heavily disturbed land, where creation of additional mountain bike tracks can be supported with limited design restrictions. Location and design of jumps and tracks in this Area need to consider surface drainage and stormwater flows, due to the location of natural creek lines and riparian areas to minimise flood risk and improve water quality on the site.

#### **Objectives**

- (a) To allow for operational use of the area for designated mountain bike facility use and track purposes.
- (b) To ensure development is designed and located to minimise impacts on creek beds, drainage areas, surface and stormwater flows, and to improve water quality and minimise flood risk.

#### **Advice**

- B1 A row of tall vegetative screening must be preserved along the boundary of Area B and the Illawarra Highway to screen the visual impact of development on site and maintain a rural aesthetic character along Tongarra Road. Installation of additional vegetative screening is encouraged along the boundary treatment.
- B2 Buildings and structures not dedicated for bike tracks and jumps must be limited in Area B. Minor or temporary structures such as an emergency first aid area, or marshal stand may be considered on merit, provided they do not interfere with riders or endanger any site operators or patrons.
- B3 All final mountain bike jumps within Area B must have a maximum height of 9 metres, and have structural stability through battering / retaining structures.
- B4 Mountain bike jumps must have a minimum setback of 10 metres from Illawarra Highway.
- B5 Jumps, tracks and any structures are to be located outside identified floodway areas to minimise flood impacts.
- B6 Where practicable, natural drainage lines, creek lines and riparian areas are to be reinstated and rehabilitated to improve drainage and maintain clean water quality on the site, and to minimise flood risk.

### **Area C – Track Area (vegetated)**

Area C is intended as a dedicated mountain bike track area that balances mountain bike operational requirements with conservation and restoration of vegetation. Area C is heavily vegetated, but also features some disturbed areas and some areas capable of restoration. Any further disturbance of valued species and ecological communities in this Area must be limited. Area C must strike a balance between provision of mountain bike tracks and preservation of a heavily vegetated downslope site with healthy ecosystem functionality to achieve both operational and environmental objectives.

#### **Objectives**

- (a) To identify dedicated mountain bike track areas that balance operational requirements with conservation and restoration of vegetation, and
- (b) To minimise future disturbance of valued species and ecological communities by limiting further disturbance, and
- (c) To allow for operational use of the area for mountain bike purposes while balancing heavily vegetated downslope and healthy ecosystem functions.

#### **Advice**

- C1 Any new track development must be located in already disturbed or cleared areas, including areas with invasive species growth (ie: lantana camara), or with areas of non-native vegetation poor ecological health as verified by a suitably qualified person.



- C2 Any new track development which further disturbs or removes species and ecological communities with conservation value must demonstrate appropriate mitigation, offset or avoidance strategies.
- C3 No structures other than structures associated with bike tracks (ie: structural support for raised sections of track, sensitive drainage infrastructure, landings) are permitted in Area C.
- C4 Areas showing positive signs of vegetation restoration must be kept clear of development.

#### **Area D – Staging Area (vegetated)**

Area D is intended as a dedicated area for the staging (the start) of mountain bike tracks on the site. This area, similar to Area C, is heavily vegetated, and is intended to balance mountain bike operational requirements with conservation and restoration of vegetation in this Area. Area D features some disturbed areas, and some areas capable of restoration. Any further disturbance of valued species and ecological communities in this Area must be limited.

##### **Objectives**

- (a) To provide a balance between mountain bike operational requirements and conservation or restoration of vegetation in this Area, and
- (b) To identify appropriate locations for dedicated staging or starting areas for the head of mountain bike trails, and
- (c) To conserve and protect heavily vegetated areas and limit further disturbance of valued species and ecological communities on the site.

##### **Advice**

- D1 Any new staging (trail starting) facilities, trail information and signage must be located on previously disturbed land or areas identified by a suitably qualified person as having low ecological value (ie: dominated by invasive species or poor ecological health), with vegetation disturbance or removal avoided or minimised.
- D2 Parking areas are not permitted within Area D.
- D3 Access to Area D via Lakeview Road is only permitted by the site operators providing shuttle access. Visitors must not access Area D or Lakeview Road by private vehicle, other than bicycle.

#### **Area E – Protected Vegetation**

Area E is intended as a protected and heavily vegetated area of the site with minimal mountain bike use, and where no additional mountain bike tracks and development is permitted. Area E is intended as a conservational area, with preservation and restoration of the vegetation and ecological communities on site.

##### **Objectives**

- (a) To conserve and protect heavily vegetated areas of the site, and
- (b) To restrict future mountain bike use in this area to assist in the preservation and restoration of vegetation and ecological communities on the site.

##### **Advice**

- E1 No new development is permitted in Area E.
- E2 Existing bike tracks (at the time of lodgement of initial development application in line with these requirements) may be retained, with the view to rehabilitating and restoring these areas once no longer utilised.