

Part B Chapter 6

Nimbin Village



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1 Introduction

1.1 Background and application of this Chapter

This Chapter applies to lands in Nimbin village as shown on Figure 1.

Nimbin Village is historically significant as it provides clear evidence of two major historical phases of development which relate to two distinctive aspects of regional and national history: the growth of rural service centres for dairying hinterlands and the alternative lifestyle movement.

The core of the existing village is an outstanding streetscape that comprises one of the most intact and cohesive early twentieth century townscapes in the NSW North Coast Region. It retains all the key elements of an inland service centre having provided for the needs of the dairy farmers, village residents and then at a later stage for the members of the alternative lifestyle movement.

The commercial area townscape is remarkable in the region as a compact grouping of predominantly modest buildings constructed almost exclusively of chamferboard walls and corrugated iron roofs. The residential areas adjoining the commercial area contain dwellings and buildings such as churches and government buildings also constructed mostly of chamferboard walls and corrugated iron roofs that establishes the character of the village and shows the residential growth of the village.

The associations with the alternative lifestyle movement and Aquarius Festival have been given outstanding visual expression in the form of the murals on the Cullen Street shops, the like of which exists nowhere else in Australia in such a cohesive and vibrant display. The murals are visually significant in their own right as a creative achievement and are dynamic reflecting the evolution of the alternative lifestyle movement. They contribute to the outstanding visual impact of Cullen Street giving new life to the inter-war architecture, as a signal of the economic benefits brought by a new rural population, and during the 1990's, increasing numbers of tourists.

The main commercial precinct and established residential areas are included within a heritage conservation area (Figure 3) and this chapter includes a range of guidelines for development within the heritage precinct to ensure the preservation of the area's unique characteristics. Further heritage controls are also contained in DCP Part A Chapter 12 (Heritage Conservation).

Visually, the Village is significant because of its outstanding landscape setting, with views over rural land to the spectacular natural features of Blue Knob, Lillian Rock, Nimbin Rock and Nightcap Range.

Nimbin has experienced a marked increase in development activity since the mid-2010s, particularly a demand for new housing. The redevelopment of the old museum site that was destroyed by a fire in 2014 will also have a significant impact upon the heart of the village. Nimbin is unique not just for its built environment but also for its people and a strong sense of community values. This DCP has been informed by a range of community engagement activities that have indicated a strong desire to keep Nimbin 'Nimbin' and unique. There are legitimate concerns about over-development leading to a loss of the small village feel that has attracted people to live there and that the impacts of additional traffic will also contribute to a loss of the small village amenity.

The major constraint on future development within Nimbin village will be the secure supply of potable water from Mulgum Creek and the DE Williams Dam. Without an additional source of water being identified, Council cannot guarantee a secure yield through its reticulated system and new developments may be required to supply their own potable water through rainwater collection.

Community feedback has indicated a strong desire for future development to address climate resilience and sustainability issues. The community is strongly committed to utilising the best available science to respond, adapt, and build resilience to climate change risks and their impact on social, cultural, and ecological systems and mitigating potential risks. The community is also seeking a greater diversity of housing options to be available. While the DCP is limited in its ability to require particular land uses to be developed, it aims to provide a range of controls that will guide development in Nimbin in accordance with community expectations and physical constraints.

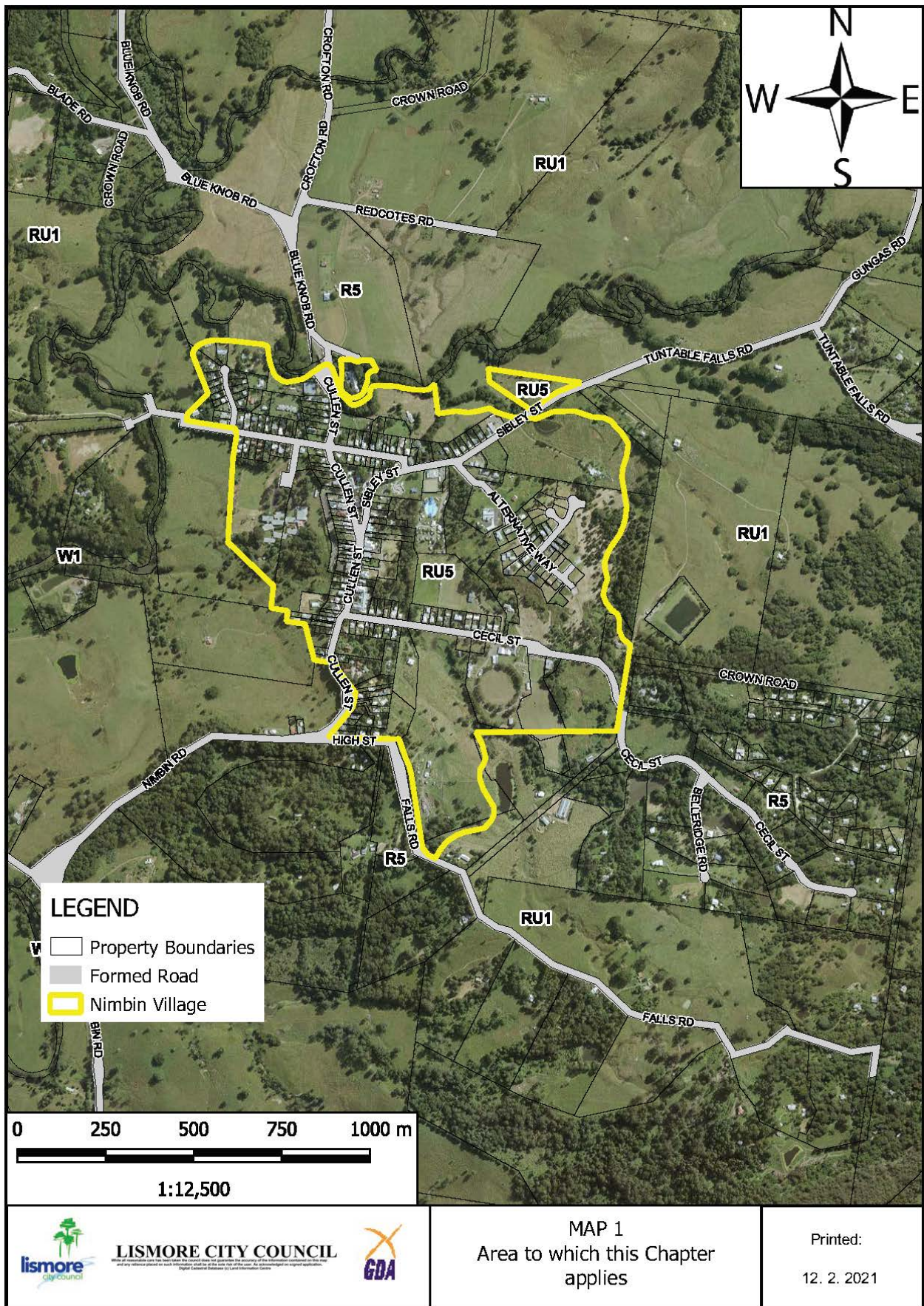


Figure 1: Nimbin Village – land to which this chapter applies

1.2 Objectives of this Chapter

1. To define precincts and provide guidelines for new developments within the precincts.
2. To maintain and enhance the unique character and amenity of Nimbin.
3. To provide guidelines for the conservation of environmental and built heritage values.
4. To promote development that will enhance climate change resilience.
5. To ensure development avoids environmentally sensitive areas and areas that are potential environmental hazards and / or risks.
6. To ensure new development provides adequate village infrastructure to meet the needs of the future inhabitants.
7. To ensure sufficient water supply is available to service new development within the village.
8. To ensure the commercial hub, public spaces and residential areas are well planned and integrated with pedestrian and cycleway facilities.
9. To identify and protect significant vegetation within the village and to identify upgrades of Council facilities to improve shade and amenity on public land.
10. To promote development that seeks to achieve the principles of ecologically sustainable development.

1.3 Relationship to other plans

This DCP Chapter is to be read in conjunction with the Lismore Environmental Plan 2012 (LEP) and other relevant chapters of the Lismore DCP. If any inconsistency arises between these documents and this Chapter, the following applies:

- a) development standards in the Lismore LEP prevail over any development controls in this DCP Chapter; and
- b) the development controls in this DCP Chapter prevail over any development controls within the rest of the Lismore DCP.

1.4 Definitions

A term or word used in this DCP Chapter has the same meaning as Lismore Local Environmental Plan 2012 unless otherwise defined.

2 Village Precincts

This DCP applies to all land in Nimbin zoned RU5 Village as shown in Figure 1. The Lismore LEP permits (with consent) a broad range of land uses within the RU5 zone. This DCP nominates several different precincts that identify where certain types of land uses are 'preferred' and provides planning controls and guidelines for each of those precincts.

The precincts are shown on Figure 2.

Precincts are intended to maintain village amenity and character, ensure the commercial hub is contained along Cullen Street, provide employment (light industrial) lands on the edge of the village, provide for live / work opportunities, and minimise the potential for land use conflict.

A development application for a 'non-preferred' land use will only be considered where it can be demonstrated that there is no suitable land available within the preferred precinct, provided that the 'non-preferred' use is consistent with the objectives for the precinct.

Undeveloped village land south of Cecil Street has been identified as an 'Investigation Area' due to the restriction on available reticulated water supply that may limit the scale and type of future development. Council will consider development applications in this area on the merits of the proposal, the availability of the reticulated water supply and ability for proposals to provide on-site water supply as well as any other constraints of the land.

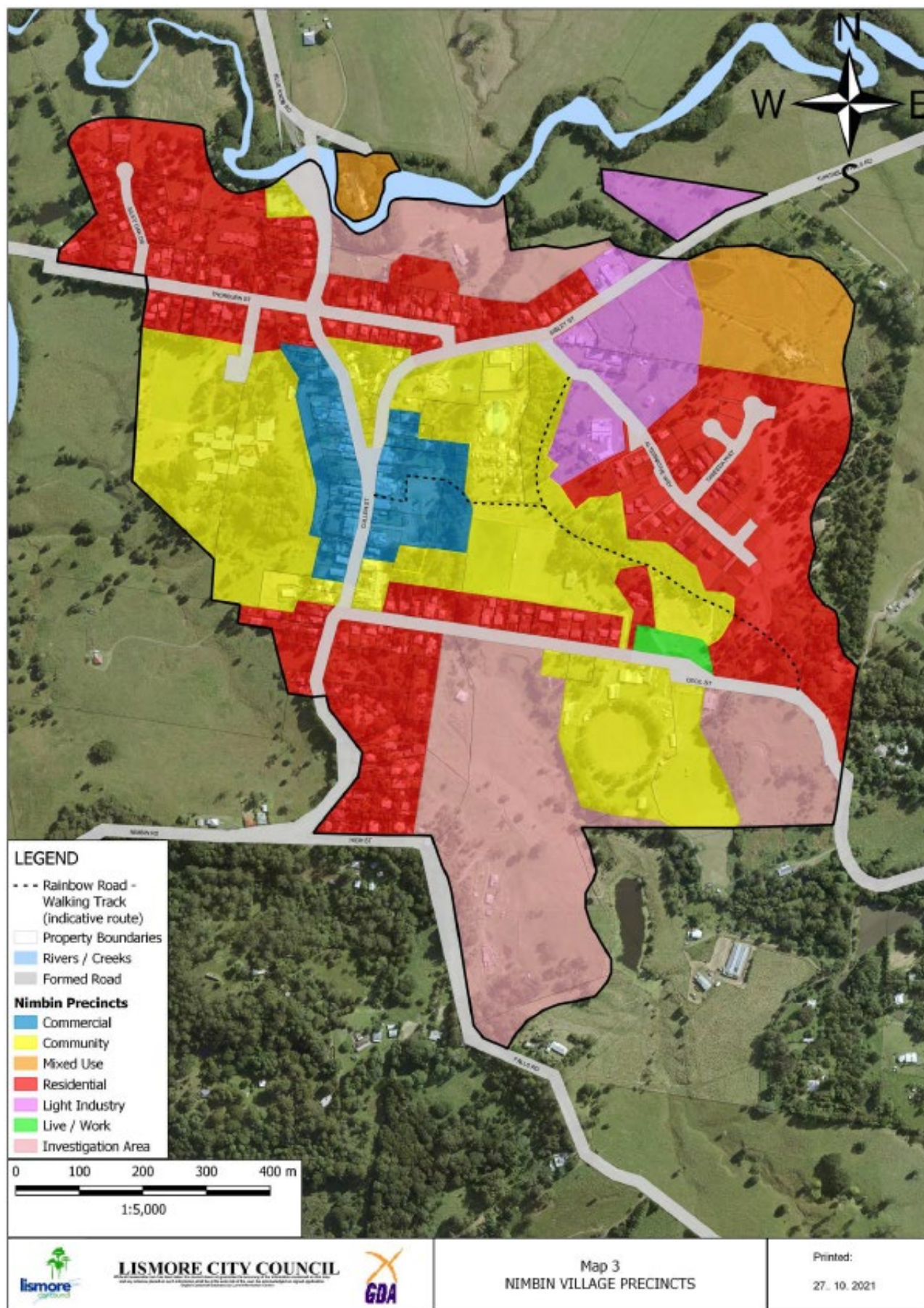


Figure 2 – Nimbin Village Precincts

2.1 Residential Precinct

The Residential Precinct comprises two physically distinct areas in age and character. These are the long-established Nimbin housing areas and the more recent residential subdivision south of Sibley Street and Rainbow Power extending to Cecil Street along Alternative Way.

2.1.1 South of Sibley Street

The Residential Precinct south of Sibley Street is partly undeveloped and will continue to provide opportunities for contemporary approaches to ecologically sustainable village development and land use, which should reflect, but not necessarily 'duplicate' the physical, economic, and social character of Nimbin and its inhabitants.

Reticulated water supply to new development in this area will be limited by the availability of reticulated water supply and, apart from single dwelling houses, development consent will be contingent on a proposal's ability to provide sufficient rainwater tank water storage.

The objectives for development in this part of the Residential Precinct are to:

1. Ensure new development has access to sufficient water supply to meet the needs of occupants.
2. Maintain and enhance village character and scale in the precinct.
3. Encourage the construction of a diverse range of housing styles that cater to residents needs at different stages of their life.
4. Encourage environmentally sustainable design principles.
5. Create residential neighbourhoods with suitable village amenities including access to transport and recreation opportunities close to commercial and industrial areas.
6. Encourage small-scale home-based business opportunities that do not duplicate or detract from the commercial precinct and do not impact the amenity of surrounding residents.

Preferred land uses

- dwelling houses
- expanded dwellings
- dual occupancies
- home occupations and home business
- bed and breakfast accommodation

Performance Criteria

1. The urban design of new buildings should be consistent with the bulk, scale and character of surrounding development and the Nimbin village.
2. Sustainability principles are incorporated into the design and life cycle of new buildings. These principles include:
 - ✓ passive solar design that eliminates or reduces the need for auxiliary heating or cooling,
 - ✓ use of building materials that have a low impact on non-renewable resources, minimise waste and consider the life cycle of the building.
 - ✓ buildings that provide a high degree of water and energy efficiency.
3. Where no reticulated water supply is available, the provision of sufficient rainwater tank supply for potable water is incorporated into the design. Rainwater tank storage with a minimum of 45,000 litres capacity per standard dwelling, exclusive of any requirements for bushfire protection, is to be supplied to provide an adequate potable water supply.
4. Appropriate landscaping is integrated into new development to enhance the visual amenity of the streetscape. Landscaping and garden design is to incorporate water conservation principles and measures.

2.1.2 Residential Character

In the part of the Residential Precinct characterised by more historic housing the character and amenity are established by single storey dwellings, predominantly timber, on allotments generally greater than 1000 m². The age of dwellings within the area greatly influences village character and amenity. This is related to the time at which the original village subdivision occurred. Development opportunity in this area is likely to be limited to alterations to existing development, infill

redevelopment, site redevelopment and minor subdivision and development of the few existing vacant sites.

Objectives for development in this part of the Residential Precinct are to:

1. Maintain and enhance the village character and scale of the precinct.
2. Conserve the built heritage and streetscape significance of the precinct where it is located within the Nimbin Conservation Area.
3. Encourage infill subdivision and development which reflects the character and scale of adjoining land use and precinct generally.
4. Encourage the incorporation of energy and resource efficient building design principles in all residential alterations and additions and new infill developments.

Preferred land uses

- dwelling houses
- expanded dwellings
- dual occupancies
- home occupations and home business
- bed and breakfast accommodation
- centre based child-care
- seniors housing
- group homes

Performance Criteria

1. Proposed development must respect and complement the existing historical and architectural characteristics of the precinct. Development applications must demonstrate:
 - Character, bulk, scale, and density is compatible with the low-rise nature of surrounding developments,
 - Building materials, textures and finishes are compatible with surrounding developments

Design Guidelines – encouraged

- ✓ Use of 'timber and tin' and Federation Style architecture
- ✓ Buildings that incorporate frontages such as verandahs, porches and bay windows that break up the façade and reduce the bulk and scale impact from the street.
- ✓ Simple roof forms
- ✓ Pitched, hipped or gabled roofs
- ✓ Buildings that are designed for the sub-tropical climate that provide good air flow, are well orientated to utilise passive solar energy for heating and cooling and incorporate extensive covered outdoor areas.
- ✓ Windows that utilise moveable screens, shutters or awnings that provide climate control and an aesthetic element.

Design Guidelines – discouraged

- ☒ Use of brick and tile concrete slab on ground construction
- ☒ Modernist architecture with a highly urbanised appearance

Additional Development Controls for housing within the Heritage Conservation Area

Most of the character part of the Residential Precinct is also located within Nimbin's heritage conservation area shown in Figure 3. To preserve the unique quality of this area, the following standards and guidelines apply to development applications in the Nimbin Conservation Area within the Residential Precinct. These standards should be addressed in conjunction with the requirements of Part A DCP Chapter 12 – Heritage Conservation as relevant to Nimbin.

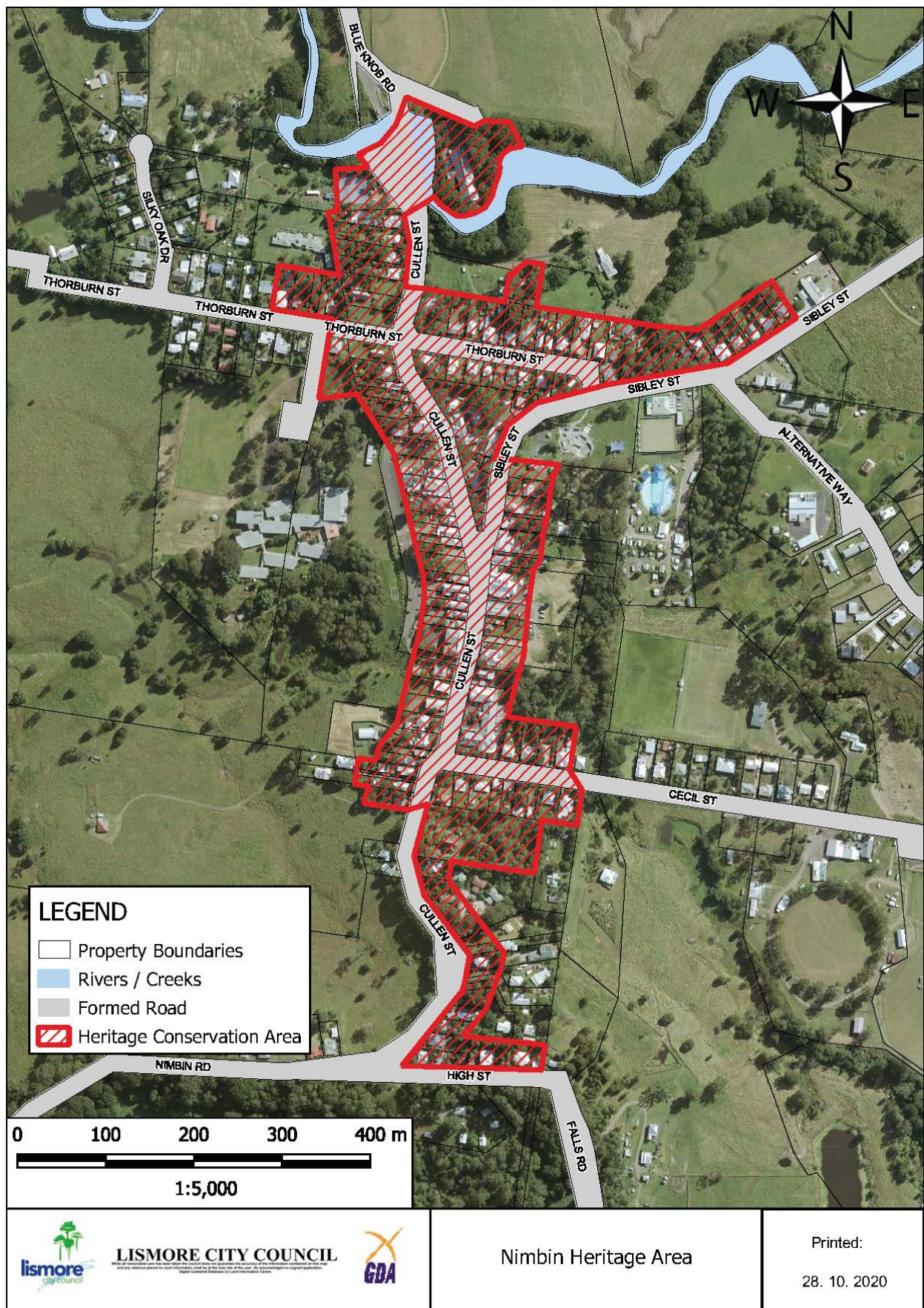


Figure 3 – Nimbin Heritage Conservation Area

Specific heritage objectives

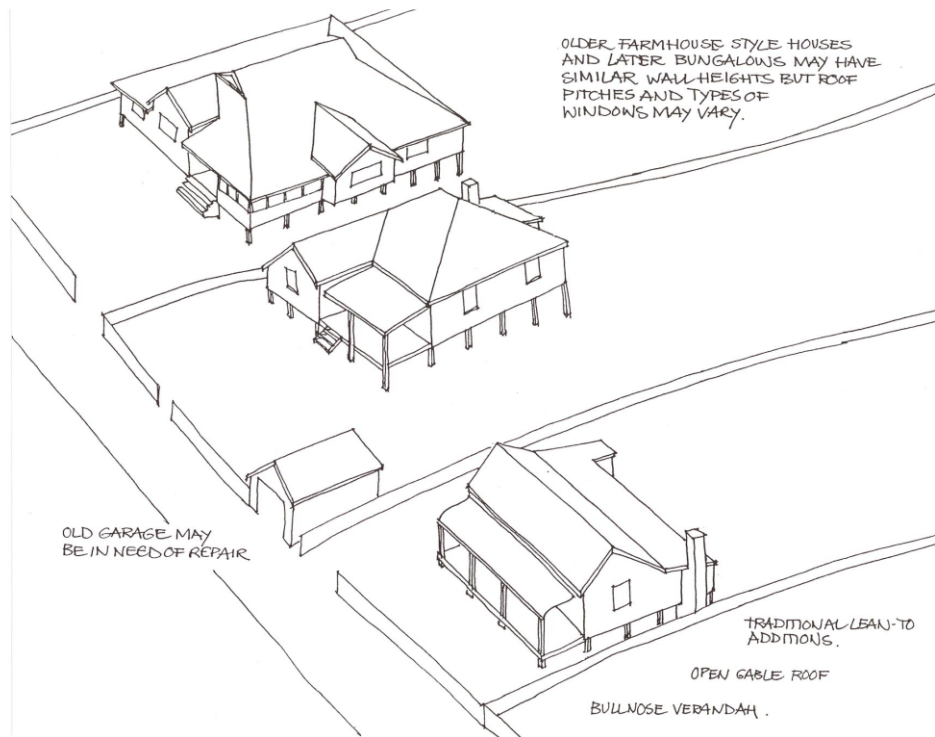
1. To retain the residential qualities which contribute to the heritage significance of the Nimbin Conservation Area.
2. To enable changes to the streetscape and buildings within the conservation area but only where the proposed changes have been subject to public exhibition and do not remove or detract from the character, scale, form, and heritage significance of the conservation area.
3. To ensure that new buildings are carefully designed to fit in with the streetscape character and heritage significance of the conservation area.
4. To encourage the removal and reversal of those components which detract from the heritage significance of the conservation area.

Heritage development standards and guidelines

The design of new residential buildings and additions to existing residential buildings in the conservation area is to consider the following elements and design principles.

ELEMENT
Residential buildings - character, scale & form

Element and design principles



Places that are valued for their character:

- have continuity with the past,
- harmonise with their surroundings, and
- relate to the pattern of existing development.

Single storey timber and 'gal iron' residential buildings built between 1910 and 1930 on a minimum $\frac{1}{4}$ acre block create the residential character of Nimbin village.

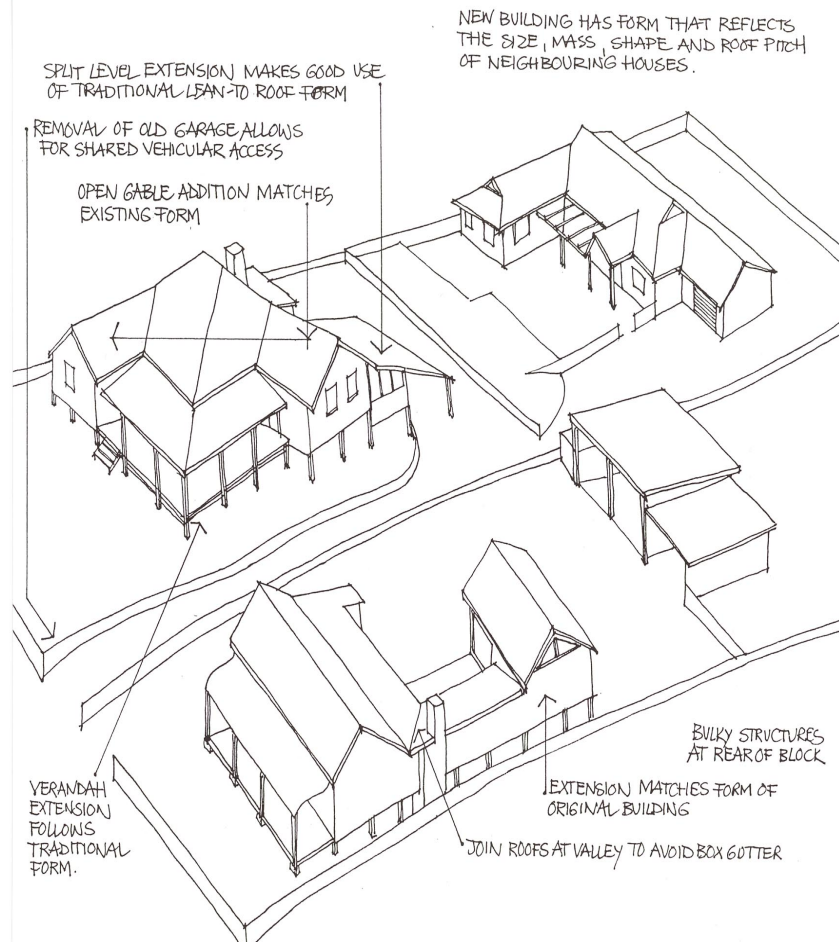
Villages and towns with a sense of unity usually have a consistent scale. Buildings to have a consistent scale have similar:

- height,
- size, and
- proportion to adjoining buildings and buildings in the locality.

The form of a building comprises its overall bulk, shape, height and building parts. The form of buildings in the conservation area is a relatively simple arrangement of the parts including roofs, facades, verandahs, parapets etc.

- Buildings should not appear so large as to dominate its neighbours,
- Large parts of buildings should be stepped back from the street,
- The size, shape and pitch of roofs should relate to the main roof or those existing in the street.

Residential Buildings - Roofs, Verandahs, Garages, Setback And Levels



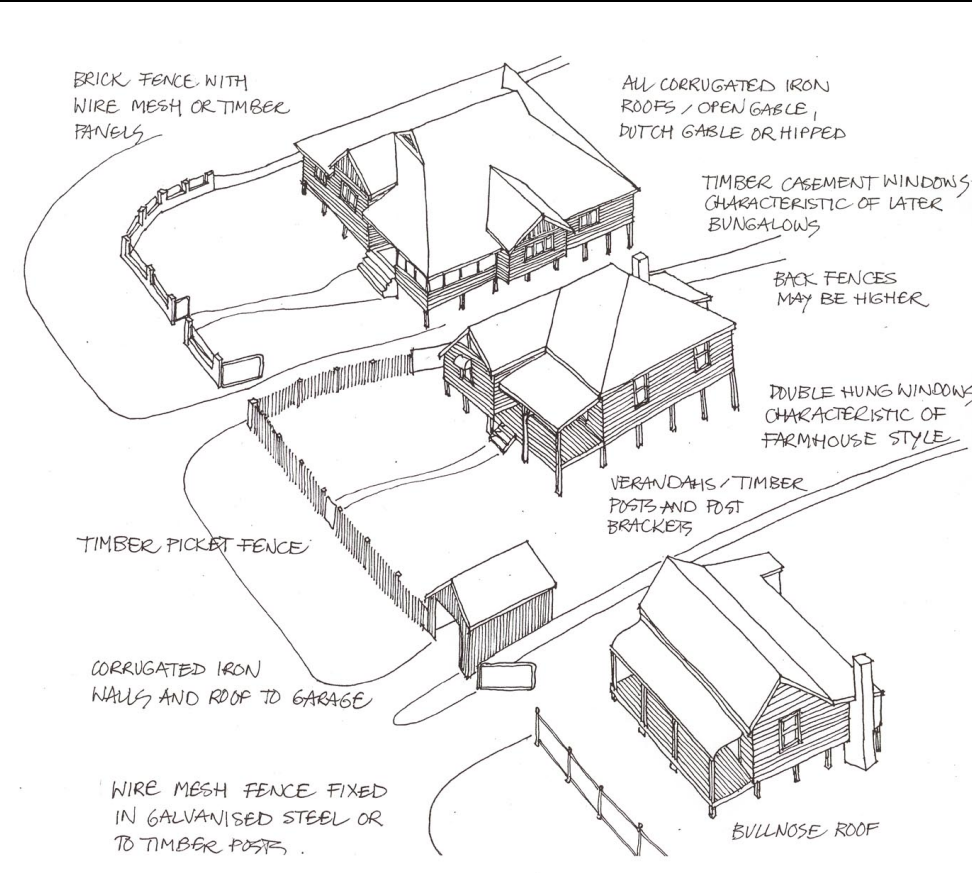
Roof extensions are to relate sympathetically to the original roof in shape, pitch, proportion and materials.
New buildings are to have roofs that reflect the size, mass, shape and pitch of neighbouring original roofs.
Replacement roof materials are to match original materials or approved alternative materials.

Existing original verandahs are to be kept and repaired or reinstated where necessary.
Removal, or infill of verandahs visible from a public place is discouraged.
Verandah additions are to be simple in design and are not to compete with the importance of the original verandah.
Authentic reconstruction of verandahs is encouraged.

The retention, repair and reconstruction of early garages is encouraged.
New garages and carports are to be located preferably at the rear of the house or at least 1 metre back from the front wall of the house.
Carports may be permitted forward of the building line where access is not available to the rear or side of the house.
Garages and carports are to be a simple utilitarian design.

The established pattern of front and side setback should be retained.
New buildings or extensions to existing buildings should not be built forward of the existing front setback and building line.
Where land slope or the existing building height will be maintained split level development is permitted, provided the building does not appear as a two-storey building.

Residential Buildings - Facades, Materials and Fences



Facades should:

- emphasise horizontal proportions and have a simple design, and
- have clearly distinguishable features (verandahs, walls, windows, doors and joinery).

Post supported verandahs, porches and pergolas are appropriate.

Construction should be simply detailed.

Building external materials correct for, or compatible to the period of original construction should be used. Preferred materials include:

- Walls – timber 'feathered' chamferboard,
- Roofs – corrugated iron,
- Windows – timber framed, for new buildings compatible design metal framed may be appropriate.

Fence height ranges should be between 750-1400mm. Fences should not completely obscure buildings. Fences may be constructed of timber picket, chain or woven wire between timber posts, hedges alone or in combination with timber posts.

2.2 Investigation Area

The Investigation Area consists of undeveloped land located south of Cecil Street and an area south of Mulgum Creek. The land south of Cecil Street is nominated as an 'investigation area' as the restriction on available reticulated water supply will limit the scale and type of future development in this area. This same restriction will apply to the land south of Mulgum Creek; however, this land is also nominated as an 'investigation area' as it is highly constrained by flooding (refer to section 3.1) and is unlikely to support new development.

2.2.1 Area South of Cecil Street

Development proposals in this precinct will need to demonstrate how adequate water will be supplied and appropriately address site constraints such as slope, flooding, contaminated land, and amenity impacts on adjoining land uses. The quantity of rainwater tank storage will be determined by the size of dwellings with a minimum supply of 45,000 litres required for a standard dwelling, exclusive of any requirements for bushfire protection.

Objectives for the precinct south of Cecil Street

1. To ensure new development has access to sufficient water supply to meet the needs of occupants.
2. To encourage the construction of a diverse range of housing styles that cater to residents needs at different stages of their life.
3. To encourage environmentally sustainable design principles.
4. To create residential neighbourhoods with suitable village amenities including access to transport and recreation opportunities.
5. To encourage small-scale home-based business opportunities that do not duplicate or detract from the commercial precinct and do not impact the amenity of surrounding residents.

Preferred land uses

- dwelling houses
- expanded dwellings
- dual occupancies
- centre based child-care
- seniors housing
- group homes
- home occupations, home business
- home industries where that industry will not impact on residential amenity,
- bed and breakfast accommodation,

Performance Criteria

1. The design of new buildings should be consistent with the bulk, scale and character of surrounding developments within the precinct.
2. Sustainability principles are incorporated into the design and life cycle of new buildings. These principles include:
 - ✓ passive solar design that eliminates or reduces the need for auxiliary heating or cooling,
 - ✓ use of building materials that have a low impact on non-renewable resources, minimise waste and consider the life cycle of the building.
 - ✓ buildings that provide a high degree of water and energy efficiency.
3. Where no reticulated water supply is available, the provision of suitable rainwater tank supply for potable water is incorporated into the design. Rainwater tank storage with a minimum of 45,000 litres capacity per standard dwelling, exclusive of any requirements for bushfire protection, is to be supplied to provide an adequate potable water supply.
4. Appropriate landscaping is integrated into new development to enhance the visual amenity of the streetscape.

2.3 Live / Work Precinct

The Live / Work Precinct has been identified as a location for a specific purpose-built development where residents can live and undertake their businesses. Providing workspace within a residence reduces car dependency, promotes opportunities for start-up businesses and improves housing affordability.

Objectives of the precinct

1. To facilitate the development of a purpose-built mixed-use precinct that incorporates residential and commercial land uses.
2. To provide a high quality of urban design that incorporates energy and resource efficient building design principles
3. To reduce car dependence and promote start-up businesses that do not duplicate or detract from the commercial precinct.

Preferred land uses

- Mixed-use commercial and residential
- Shop Top housing

Performance Criteria

The following measures are intended to ensure that the site design and layout takes into consideration both the residential and commercial aspects of the development.

Performance Criteria	Acceptable Solutions
Visual Impact P1 Buildings are to be designed in a way that are welcoming and do not dominate the streetscape.	A1.1 Buildings are setback 6m from the front boundary. A1.2 High quality, well-articulated front façades are provided that delineate attached ground-level buildings and provide clear entry points. A1.3 Building materials are contemporary and incorporate extensive use of glazing to allow for visual interest, natural light and passive solar design. A1.4 Roofs are not to have highly reflective surfaces. A1.5 Landscaping is incorporated to provide shade and screening.
Open Space P2.1 The provision of open space for each residential unit shall be well defined, functional, useable, and accessible from living areas with access to natural light. P2.2 Any areas of common open space are located to facilitate casual social interaction and provide a focal point for the development.	A2.1 The minimum size and dimensions of open space areas shall be in accordance with the requirements for secondary dwellings in DCP Chapter 1 (Residential Development). A2.2 No acceptable solution.
Vehicle Access & Parking P3 Safe vehicle access and suitable on-site parking is provided.	A3.1 Vehicle access is provided in accordance with the appropriate Council standard. A3.2 A minimum of one covered carparking space is provided for each residential unit. A3.3 Public carparking is provided in accordance with DCP Chapter 7 (Off Street Carparking)
Visual Privacy P4 Visual privacy of residential living areas is to be maintained by careful design and layout of buildings.	No acceptable solution.
Service Areas P5 Areas for garbage bin storage and	No acceptable solution.

Performance Criteria	Acceptable Solutions
clothes drying are provided without being visually obtrusive.	
Potable Water P6 Where no reticulated water supply is available, the provision of suitable rainwater tanks for potable water is incorporated into the design.	A6.1 Where no reticulated water supply is available, a rainwater tank/s with a minimum of 45,000 litres capacity per standard dwelling, exclusive of any requirements for bushfire fighting, is to be supplied to provide an adequate potable water supply.

2.4 Commercial Precinct

The Commercial Precinct is the hub and the heart at the centre of Nimbin. The Commercial Precinct is shown on Figure 2. While this precinct is predominately commercial in nature, it is recognised that several community facilities are in this Precinct including the Nimbin Environment Centre and Nimbin School of Arts.

The predominant type of commercial building is timber, single storey (at street level), and painted murals on above awning facades and parapets, with galvanised iron roofs. Most commercial buildings in the precinct were constructed before 1920-30. The precinct has considerable streetscape and heritage significance, which warrants on-going conservation management.

Objectives of the precinct

1. Conserving the streetscape and heritage significance of the precinct.
2. Encouraging the development of commercial land adjoining the western car parking area in a co-ordinated manner that provides service vehicle access and public access to Cullen Street.
3. Encouraging the development of commercial land adjoining to the east of Cullen Street in a co-ordinated manner that provides for car parking and service vehicle access and public pedestrian access to lands to the east of the existing village.
4. Enhancing and expanding the public domain of Cullen Street with streetscape improvements.

Preferred land uses

- Commercial premises
- Restaurants or cafes
- Craft studios and art galleries
- Medical centres
- Entertainment facilities
- Markets

Development standards and guidelines

Heritage Conservation


The following standards and guidelines apply to development applications in the Nimbin Heritage Conservation Area within the Commercial Precinct.

Specific heritage objectives

1. To retain the commercial buildings and streetscape qualities which contribute to the heritage significance of the commercial area within the Nimbin Heritage Conservation Area.
2. To enable changes to the streetscape and buildings within the heritage conservation area but only where the proposed changes have been subject to public exhibition and do not remove or detract from the character, scale, form and heritage significance of the conservation area.
3. To ensure that where new buildings are constructed, they are carefully designed to fit in with the streetscape character and heritage significance of the conservation area.
4. To encourage the removal and reversal of those components which detract from the heritage significance of the conservation area.

Development standards and guidelines

The design of new commercial buildings and additions to existing commercial buildings in the heritage conservation area is to consider the following elements and design principles.

ELEMENT	
Commercial buildings - character, scale & form	Element and design principles
	<p>Places that are valued for their character:</p> <ul style="list-style-type: none"> • have continuity with the past, • harmonise with their surroundings, and • relate to the pattern of existing development. <p>Single storey timber and 'gal iron' commercial buildings with post supported verandahs and simple above awning facades built between 1910 and 1920 create the commercial character of Nimbin village.</p>
	<p>Villages and towns with a sense of unity usually have a consistent scale. Buildings to have a consistent scale have similar:</p> <ul style="list-style-type: none"> • height, • size, and • proportion to adjoining buildings and buildings in the locality.
	<p>The form of a building comprises its overall bulk, shape, height and building parts. The form of buildings in the heritage conservation area is a relatively simple arrangement of the parts including roofs, facades, verandahs, parapets etc.</p> <ul style="list-style-type: none"> • Buildings should not appear so large as to dominate its neighbours, • Large parts of buildings should be stepped back from the street, • The size, shape and pitch of roofs should relate to the main roof or those existing in the main commercial area.

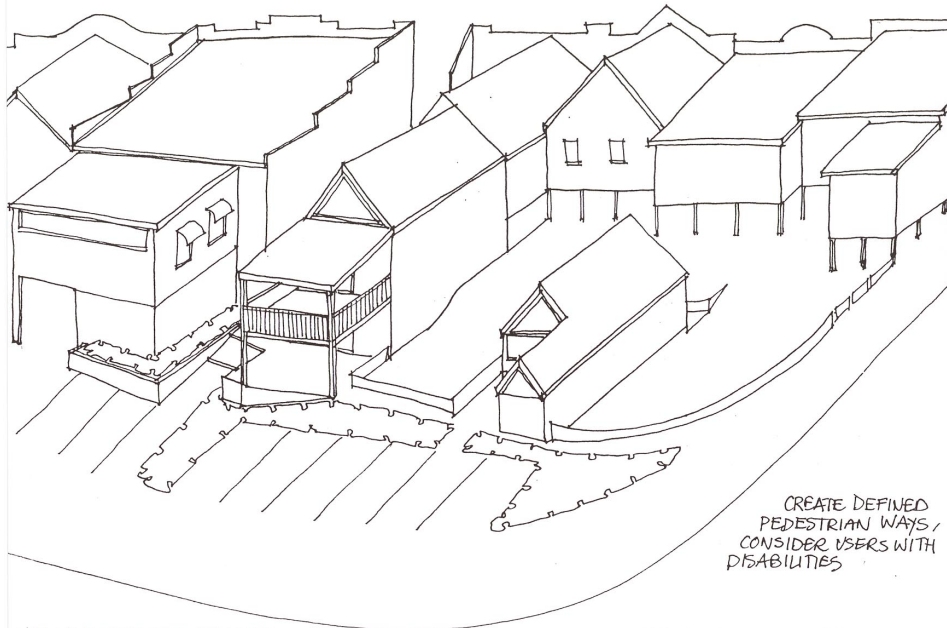
Commercial Buildings – Extensions & Additions - Roofs, Setback, Levels And Materials

ROOF EXTENSIONS
SYMPATHETIC TO
EXISTING BUILDINGS

INCLUDE AUTHENTIC
DETAILS

NEW WALLS ON
ZERO LOT LINES
OR PARTY WALLS
MAY NEED TO BE
MASONRY.

NEW PARTS OR
BUILDINGS MAY
BE SEPARATE FROM
CULLEN STREET
STRUCTURES



CREATE DEFINED
PEDESTRIAN WAYS/
CONSIDER USERS WITH
DISABILITIES

USE LANDSCAPING TO PROVIDE
SHADE, RETAIN SLOPES/
CREATE PATHWAYS AND
IMPROVE VISUAL AMENITY

CARPARKING AND
LOADING BAY
REAR OF CULLEN STREET

NOT ALL SITES WILL BE
DEVELOPED / FENCING AND
MAINTENANCE MAY BE
REQUIRED.

Roof extensions are to relate sympathetically to the original roof in shape, pitch, proportion and materials. New buildings are to have roofs that reflect the size, mass, shape and pitch of neighbouring original roofs. Replacement roof materials are to match original materials or approved alternative materials.

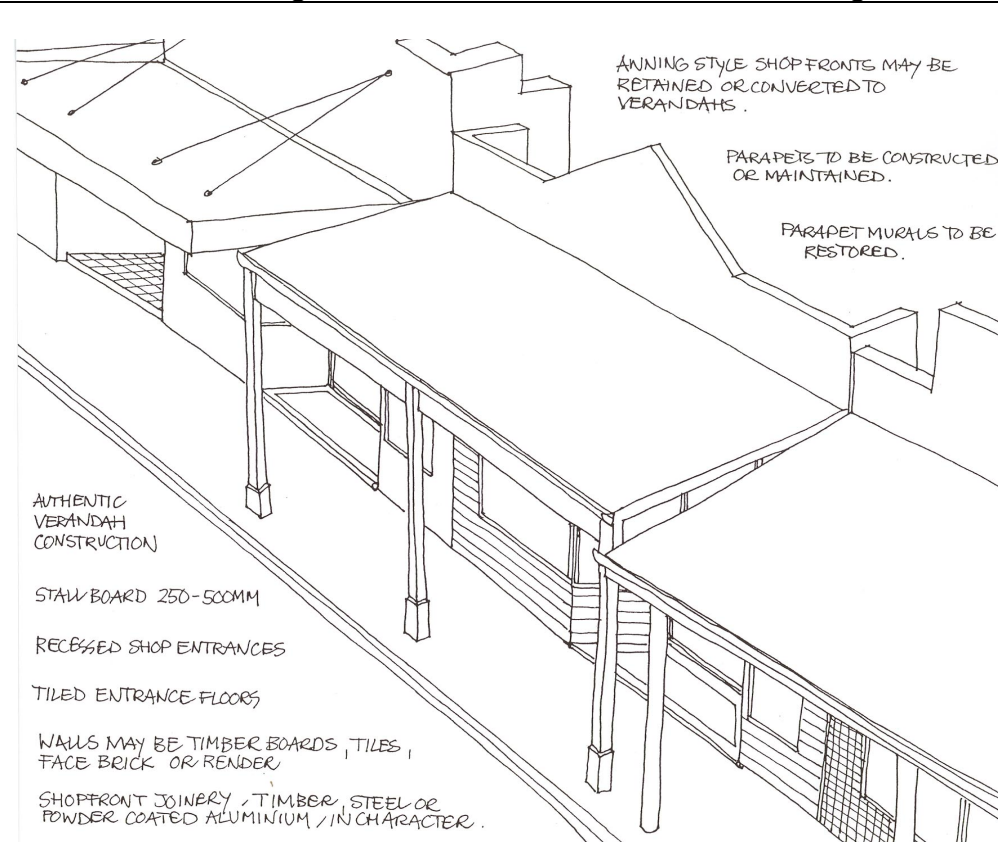
The existing pattern of building setback within the commercial area is to be maintained. Forecourts and entrance areas are not appropriate located directly onto Cullen Street as they interrupt the continuity and strength of the streetscape.

Infill development to the rear of the existing shops is encouraged, either as additions to buildings or with separation for natural light and ventilation. Development should provide accessways from car parks and consider people with disabilities.

Building external materials correct for, or compatible to the period of original construction should be used. Preferred materials include:

- Walls – timber ‘feathered’ chamferboard, small areas of face brickwork, tiles and rendered masonry,
- Roofs – corrugated iron,
- Windows – timber framed, for new buildings compatible design metal framed may be appropriate,
- Materials should comply with the Building Code of Australia as appropriate.

Commercial Buildings - Facades, Murals ,Verandahs, Awnings And Shop Front Detail



Removal of or alteration to original facades and murals is not permitted without consent of Council.

Retention, repair and restoration of original above awning facades are encouraged.

Retention, repair and restoration of original above awning parapet murals are encouraged.

The design of new commercial buildings is to include verandahs or awnings, to provide footpath shelter and consolidate the streetscape.

A parapet should be included on new commercial buildings.

Existing original verandahs are to be kept and repaired or reinstated where necessary.

Removal, or infill or verandahs visible from a public place is discouraged.

Verandah additions are to be simple in design and are not to compete with the importance of the original verandah.

Authentic reconstruction of verandahs is encouraged.

Below awning level, new building work and shop front detail work is to be in sympathy with, and not detract from the style and character of the building and streetscape.

Reinstatement of original street level facades and post supported verandahs is encouraged.

Recessed shop entrances are appropriate.

Height of stallboards should be consistent (250-500 mm) with those in the commercial area.

Cullen Street Beautification and Western Car Parking Area

A street beautification plan for Cullen Street is shown in Figure 4. Some works have been undertaken over time in accordance with the plan. Future beautification and streetscape works along Cullen Street, within the Western carpark and the creation of appropriate signage will be undertaken as funds and other resources become available.

1. Cullen Street beautification, streetscape and landscape works are to be generally in accordance with Figure 4.
2. Pedestrian accesses to and from the western car parking area and Cullen Street are provided in the following locations:
 - southern entrance / exit,
 - Lot B DP 390096 (54 Cullen St),
 - Lot 2 DP 361154 (68 Cullen St) and
 - northern entrance / exit.
3. Council shall seek the provision of legal 'right of footways' over land to legally enable those pedestrian ways.
4. The eastern batter of the western car parking area is to be properly retained and landscaped and suitable provision made for access for cars and small delivery trucks from the car parking area to the adjoining commercial lands to the east.
5. Tree planting within the car parking area is to conform to Chapter 7 (Off Street Car Parking) of Part A of this DCP.
6. The Nimbin Parking Strategy 2018 identifies a potential area for the future expansion of the Western Car Park, which is shown on Figure 6.



Figure 4 – Nimbin Beautification Plan

2.5 Light Industry Precinct

The extent and location of the Light Industry precinct is shown in Figure 2. This precinct currently includes the service station, the Rainbow Power Company, Nimbin Furniture and Sculpture and vacant land.

Objectives of the precinct

1. Encouraging the light industrial development of land, which will not compromise existing light industrial development in the precinct and not affect existing development in the Commercial Village Precinct.
2. Enabling the development of lands for uses other than 'preferred uses' where it can be demonstrated that there is no other suitable alternative site available and that the proposed use will not detrimentally affect existing light industrial development.
3. Requiring new light industrial development to make adequate provision for landscaping, vegetation conservation and rehabilitation of natural drainage systems
4. Preserving local residential amenity where existing residential areas abut the precinct.

Preferred land uses

- Light industries
- Craft and light manufacturing industries
- Plant nurseries
- Garden centres
- Landscaping material supplies
- Vehicle repairs & vehicle body repair workshops
- Veterinary hospitals

Performance Criteria

New developments are in accordance with the relevant sections of DCP Part A Chapter 3 Industrial Development.

2.6 Community Precinct

The extent of the Community Precinct is shown in Figure 2. The Community Precinct primarily comprises Council, State Government, community and private land that is currently used for a range of community purposes including:

- Education
- Policing
- Health and welfare
- Community development
- Sport
- Camping Grounds
- Showgrounds
- Public open space and
- Private open space
- Markets

It is recognised that there are established commercial uses that are currently conducted in the Community Precinct.

2.6.1 Sustainable Living Hub

The Community Precinct includes land at 7 Sibley Street which is owned by the Nimbin Neighbourhood and Information Centre and being developed as a Sustainable Living Hub with the aim of sharing skills and promoting all aspects of affordable housing and sustainable living. A concept Masterplan for the progressive development of this Hub has been prepared for this land and part of the adjoining Peace Park at 9 Sibley Street. The scope of the Masterplan may change over time.

Sustainable Development Objectives

7 Sibley Street is included in the Heritage Conservation Area, which leads to heritage conservation considerations for future development. These considerations for the Sustainable Living Hub should reflect the evolution of the alternative lifestyle movement that has had and continues to have a substantial and positive influence on the Village. While the 'timber and tin' building on the land will be retained, it is intended that the heritage conservation objectives for development in the Commercial Precinct will not outweigh objectives for ecologically sustainable development in the Sustainable Living Hub that includes demonstrating the use of alternate building materials and technologies that are ecologically sustainable.

2.6.2 The Rainbow Road Walking Track

The proposed Rainbow Road Walking Track will be located on land in the Community Precinct and the indicative route is shown in the Precinct Map at Figure 2 and Figure 6. The Track will meander along a shaded rainforest gully linking Nimbin's main street attractions to the Rainbow Power Company, 7 Sibley Street Sustainable Living Hub, and Djanbung Gardens International Permaculture Hamlet. It will provide an outdoor pedestrian-safe experience for tourists and the Nimbin community. The walking track will also be an integral link between the main commercial area on Cullen Street with the residential areas located on Alternative Way and Cecil Street.

Objectives of the precinct

1. To ensure suitable land remains available for passive and active recreational activities and support the implementation of the Rainbow Road Walking Track.
2. To add to the visitor experience through provision of high-quality tourism product that showcases village culture through the Rainbow Road Walking Track and community precinct generally.
3. To ensure the ongoing use of the land for community activities.
4. To ensure future development within the precinct is compatible with existing and surrounding land uses

5. To conserve the significance of heritage items and landscapes in the precinct.

Preferred land uses

- Provision of new community services and infrastructure
- Child-care centres
- Community facilities
- Respite day care centres
- Information and education facilities
- Recreation areas
- Recreation facilities (indoor and outdoor) that do not interfere with the amenity of the surrounding area.

3 General Provisions

3.1 Flood affected areas

Nimbin village is bordered by Mulgum Creek to the north which is subject to flooding. The most contemporary flood hazard analysis was undertaken by BMT WBM in 2013 which provides a broad indication of flood hazard as shown in Figure 5. For lot scale hazard definition, refined modelling should be undertaken where required. For determining minimum fill and floor levels, it is recommended that a 1m freeboard be applied.

The flood hazard mapping does not significantly impact the future growth of Nimbin with the main area affected by flooding located on the north eastern edge of the village. This area comprises part of the community precinct, including sports fields and the Rainbow Road Walking Track and the light industrial and mixed use areas.

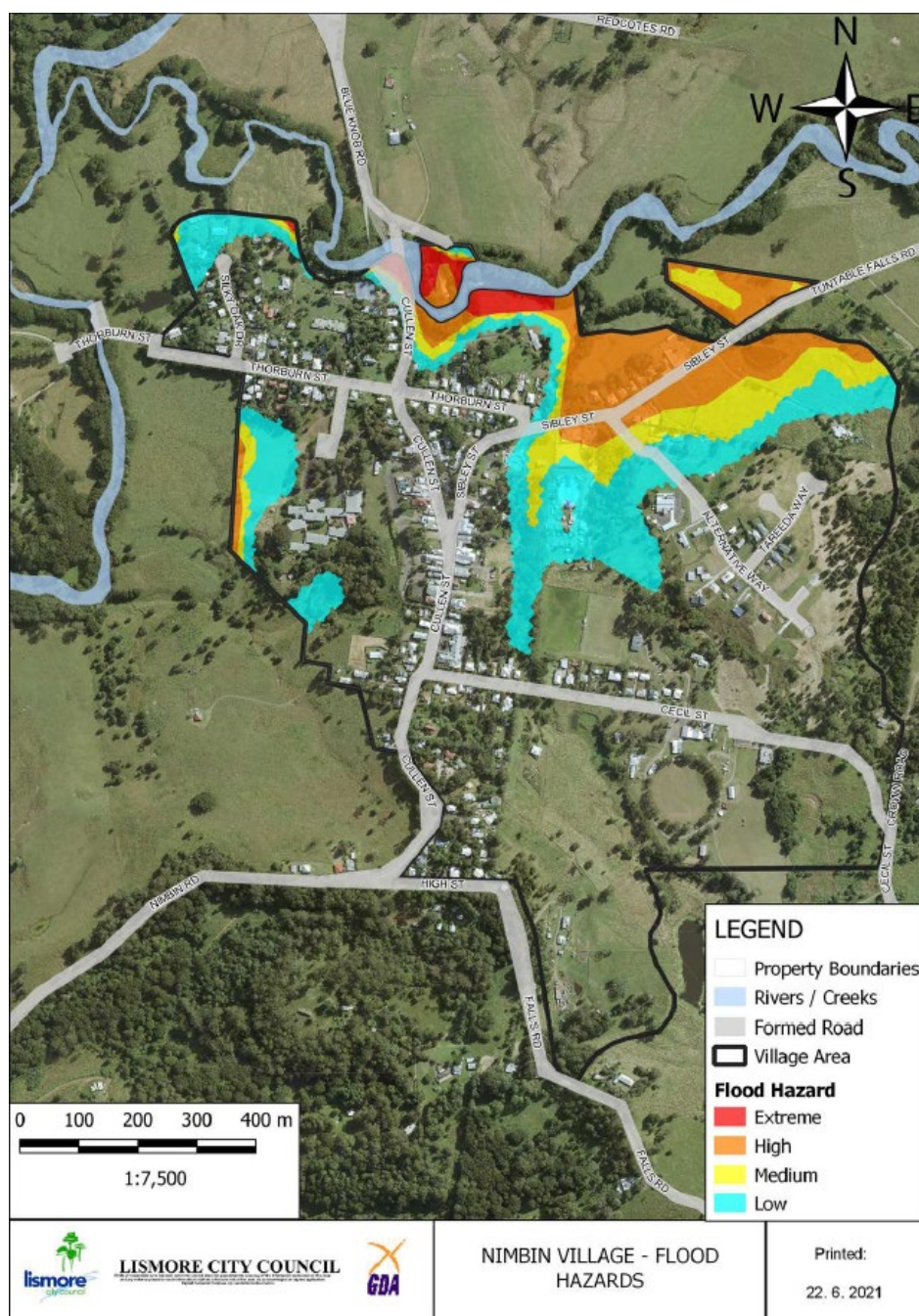


Figure 5: Nimbin Flood Map (Source: BMT WBM 2013)

3.1.1 Development Controls

Development controls apply to various types of development commensurate with the flood hazard categories.

3.1.2 Extreme Flood Hazard

No new buildings or structures of any type are to be permitted in the area designated as Extreme Flood Hazard in Figure 5.

3.1.3 High Flood Hazard

3.1.4 Residential development

No new residential development is permitted in the area designated as High Flood Hazard in Figure 4 unless the application is accompanied by a flood report prepared by a suitably qualified consultant providing site specific detail regarding predicted depths and velocities in the 1 in 100 year Annual Recurrence Interval (ARI) flood. This report should demonstrate to the satisfaction of Council that the flooding characteristics of the site are less hazardous than the criteria for depth and velocity adopted for the High Flood Hazard area.

Where extensions or additions to existing residential development are proposed, all habitable floor areas are to be at or above a 1m freeboard, except where in the opinion of Council such a floor level is impractical.

3.1.4.1 Commercial and Industrial Development

Any development application for new commercial or industrial development is to be accompanied by a risk analysis report prepared by a structural engineer addressing the design criteria adopted for the building and its relative merits in the 1 in 100 year Annual Recurrence Interval (ARI) flood.

3.1.5 Medium Flood Hazard

Any development application for new residential, commercial or industrial development is to be accompanied by a risk analysis report prepared by a structural engineer addressing the design criteria adopted for the building and its relative merits in the 1 in 100 Annual Recurrence Interval (ARI) flood.

3.1.6 Low Flood Hazard

The areas designated as 'Low Hazard' refer to flood liable land within the Probable Maximum Flood (PMF), but outside of the 1 in 100 Annual Recurrence Interval (ARI) year inundation area. No development controls apply to residential, commercial or industrial development within the Low Flood Hazard area.

3.2 Protection of Significant Vegetation

Large trees and other significant vegetation contribute to the overall amenity of the village and provide visual markers. The following table identifies significant vegetation that is not to be ringbarked, cut down, lopped, removed, injured, or destroyed without the prior consent of Council. Any development application proposing to remove or disturb vegetation is required to address the relevant requirements contained in Part A DCP Chapter 14 – Vegetation Protection.

The approximate location of significant vegetation is shown on Figure 6.

Table 1 Significant Vegetation

Location	Type of tree/s and occurrence
High St (south side of road reserve) Lot 5 DP 842680	<i>Ficus benjamina</i> – row planting
Lot 2 DP 1068380 (below Falls Rd)	<i>Ficus macrophylla</i> & <i>Ficus watkinsiana</i> – isolated 'paddock' specimens
Nimbin Showground	<i>Araucaria cunninghamii</i> , <i>Eucalyptus siderophloia</i> – creek and grounds

Headers Soccer Grounds	<i>Eucalyptus saligna</i> – grouping on western end of grounds <i>Eucalyptus microcorys</i> - near facilities
Lot 13 DP 1171433 (near confluence of Mulgum Creek and creek from Sibley St)	<i>Melaleuca bracteata</i> , large <i>Casuarina cunninghamiana</i> – grouping
Lot 39 DP 1253871 (near Cecil St) Land to north-east of showground	Large <i>Eucalyptus saligna</i> – grouping
Silky Oak Drive	Large <i>Grevillea robusta</i> – grouping at end of street on private properties
Tareeda Way	<i>Eucalyptus saligna</i>
81 Cullen Street (Nimbin Community Centre)	Various plantings as documented in botanical survey

3.3 Village Infrastructure – All Precincts

Village infrastructure, including water supply, wastewater disposal, roads, stormwater drainage, telecommunications and electricity shall be provided in accordance with Part A Chapter 6 of the DCP, Subdivision and Infrastructure (Village, Large Lot Residential and Rural).

In addition to any requirements in the Part A Chapter 6 of the DCP with respect to roads, associated drainage works and access, the following requirements apply.

1. The existing and preferred local road, cycleway and footpath network is shown on Figure 6.
2. Road design is to provide a reasonable balance between providing for the projected traffic flows and maintenance and required minimum standards and reduction of construction costs to achieve ecologically sustainable development.
3. Road design and location is:
 - to be separated from environmentally sensitive areas, such as drainage systems, treed areas and significant trees, and
 - to follow contours and ridgelines unless the design and construction of the proposed road is more cost effective and achieves broader community benefits.
4. A link road, which is occurring in progression with the residential subdivision along Alternative Way, will extend Alternative Way to Cecil Street and is to be provided to a standard that reflects its hierarchical use.
5. Intersection upgrading will be required at the following intersections: Cullen/Cecil Street; Sibley/Cullen Streets; Alternative Way/Sibley Streets; and Alternative Way/Cecil Streets.
6. Footpath infrastructure is to be provided between the Investigation Area southeast of Alternative Way and Cullen Street.
7. Cullen Street is the only existing trafficable route through the village (north/south) and often suffers from congestion. In the longer term a by-pass route to the west of the village should be considered as part of a Village Master Plan.

Lismore City Council is preparing a Walking and Cycling Strategy to ensure the future provision of walking and cycling infrastructure for the Nimbin village. This Strategy will be completed by the end of June 2022 and will include an implementation plan for the timing and future funding of such infrastructure.

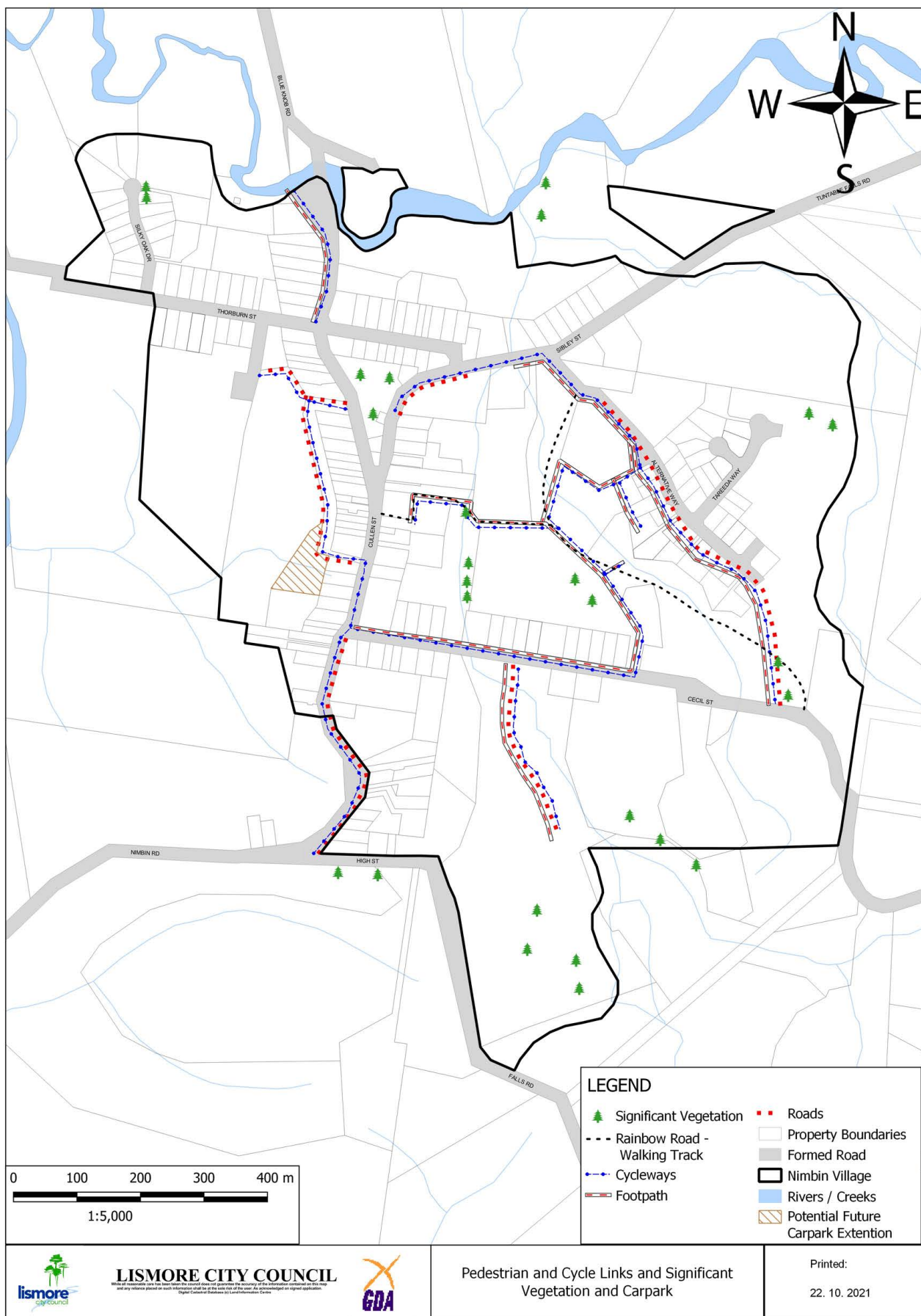


Figure 6: Pedestrian and Cycle Links, Significant Vegetation and potential future Carpark