

West Byron Bay

Urban Release Area Proposal

F R E Q U E N T L Y A S K E D Q U E S T I O N S

WHERE IS THE SITE LOCATED?

- West Byron Bay is located 2.5 km inland of Byron Bay town centre on the southern side of Ewingsdale Road, west of Belongil Creek.
- The 108 hectare site is mainly cleared grazing land with some remnant vegetation. It also contains rural residential and tourism uses including the Belongil Fields Caravan Park.

WHAT STAGE IS THE PLANNING PROCESS AT?

- Draft plans and policies were prepared by the Byron Bay West Landowners Association in 2011 seeking to rezone the site to allow urban development.
- The department has amended these draft plans and policies, after taking into consideration submissions received during the initial exhibition.
- The revised proposal is now being exhibited to obtain further feedback.
- A draft voluntary planning agreement has now been prepared and is also being exhibited.

WHAT IS BEING PROPOSED?

- An amendment to the existing Byron Local Environmental Plan to rezone the site to allow for low/medium density residential, industrial and a neighbourhood centre, as well as environmental zones.
- This amendment also establishes planning controls including building heights, minimum lot sizes, flood planning requirements, coastal protection and management of acid sulfate soils.
- A new site specific development control plan has been prepared to guide future development of the site.
- A voluntary planning agreement with the Byron Bay West Landowners Association.

WHAT IS A VOLUNTARY PLANNING AGREEMENT AND WHY IS IT NEEDED?

- A voluntary planning agreement is a legal document registered on the land title that secures public benefits from development.
- This voluntary planning agreement for West Byron Bay sets out the requirement for a vegetation management plan for the E2 Environmental Conservation lands.
- It also requires the landowner(s) to pay a levy of \$7,000 per residential lot when they subdivide their land, to fund upgrades to the road network.

WHAT ARE POSSIBLE BENEFITS OF THE PROPOSAL?

- Supply of between 800 and 1100 dwellings close to established areas of Byron Bay where there is little new housing stock. A range of lot sizes including small residential lots (minimum 150 m²) providing for a range of dwelling types.
- Funding of between \$5.6 and \$7.7 million to upgrade the road network, depending on the number of residential lots developed.
- A neighbourhood centre and an industrial area providing local jobs and services for residents.
- Approximately a third of the site zoned E2 Environmental Conservation to protect koalas, Belongil Creek, wetlands and vegetation.

HOW DID WE GET TO THIS STAGE?

- In September 2009 the former Minister for Planning declared the site to be a potential State Significant Site under the *State Environmental Planning Policy (Major Development) 2005*.
- In October 2011 a State Significant Site Study and Preliminary Development Control Plan prepared by the Byron Bay West Landowners Association were publicly exhibited for nine weeks.
- In May 2012 the Byron Bay West Landowners Association prepared a response to submissions and amendments to the proposal and it was published on the department's website.

WHAT ARE THE MAIN CHANGES SINCE THE PREVIOUS EXHIBITION?

- Replacing the R1 General Residential zone with the R2 Low Density and R3 Medium Density zones, to align with the residential zones proposed in council's draft Local Environmental Plan.
- Deleting the proposed B4 Mixed Use and B7 Business Park zones and expanding the IN2 Light Industrial zone eastwards, to provide a less sensitive land use buffer to odour from the poultry processing facility.
- Changing a proposed residential zone in the north-east of the site to E2 Environmental Conservation zone to better protect Belongil Creek, the endangered Coastal Cypress Pine Forest and core koala habitat.
- Proposing most land earmarked for conservation as E2 Environmental Conservation zone which provides a high level of environmental protection and less land use flexibility than under the E3 zone. Under the draft voluntary planning agreement a vegetation management plan is required for land in the E2 zone. Much of the flood liable land is now also within the proposed E2 zone, minimising flood risk on future developed land.
- Deleting the proposed SP3 Tourist zone and replacing it with an E3 Environmental Management zone. The E3 Environmental Management zone permits low key tourist accommodation and as such a separate SP3 Tourist zone is not necessary.

HOW IS THE COMMUNITY INVOLVED?

- A Community Reference Group with representatives from local organisations met on two occasions to provide local knowledge, identify key issues and provide feedback on the proposal.

- The group will meet again during the 2013 exhibition period to discuss the urban release area proposal documents.
- During the 2011 public exhibition, notices were placed in the newspaper and approximately 800 notification letters were sent to the local community. This will again be the process for the 2013 public exhibition.
- The department received 405 submissions including 15 submissions from state government agencies and submissions from Byron Shire Council. Of the 388 public submissions over half were in support of the proposal.

WHAT ABOUT TRAFFIC?

- Redevelopment of the site will secure \$7,000 per residential lot to fund upgrades to the road network, which traffic assessments show are required whether or not the proposal proceeds.
- Redevelopment of the site proposes new dual lane roundabouts on Ewingsdale Road to service the new population and maintain traffic flow.
- The proposed cycle and pedestrian access on the southern side of Ewingsdale Road will provide a safer and more viable alternative to driving into town.

WHAT ABOUT THE TREES AND KOALAS?

- The proposal will provide 34.3 hectares of E2 Environmental Conservation zoned land to protect remnant vegetation including core koala habitat, and provide buffer zones to Belongil Creek and wetlands.
- A proposed residential area in the north-east of the site has been removed and replaced with the E2 Environmental Conservation zone.
- The central drainage reserve has also been redesigned to concentrate widening within already disturbed areas, to protect remnant vegetation including core koala habitat.
- Management plans will be required to protect and enhance remnant vegetation, core koala habitat, and Belongil Creek.

WHAT ABOUT THE CHICKEN FARM?

- The poultry processing facility on Ewingsdale Road to the west of the site causes odour that affects part of the site.
- The department has removed the proposed B4 Mixed Use and B7 Business Park zones close to this boundary and expanded the IN2 Light Industrial zone. The IN2 Light Industrial zone will provide a buffer between sensitive land uses and the poultry processing facility.

WHAT ABOUT FLOODING?

- Byron Bay West Landowners Association's flood consultant prepared flood impact assessment reports to determine the flood risk and habitable floor levels.
- The department commissioned WMA Water to undertake an independent review, which supported the modelling and flood planning levels. This report is available with the exhibition documents.
- There are no developable lots in high flood hazard risk areas.
- There will be a negligible impact on offsite peak flood levels.

WHAT IS ON EXHIBITION?

- A copy of the following documents can be viewed on the Department of Planning and Infrastructure's website www.planning.nsw.gov.au/onexhibition from 28 November 2013 until 31 January 2014:
 - a statement of intended effect
 - a draft state environmental planning policy amendment with associated maps to amend the Byron Local Environmental Plan
 - a draft development control plan
 - a voluntary planning agreement with an explanatory note
- The documents will also be on exhibition during business hours, at:
 - Department of Planning & Infrastructure, Information Centre, 23-33 Bridge Street, Sydney
 - Department of Planning & Infrastructure (Grafton Office), 76 Victoria Street, Grafton
 - Byron Shire Council, 70-90 Station Street, Mullumbimby
 - Byron Bay Library, Corner of Lawson and Fletcher Streets, Byron Bay.