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RECEIVED BY FRONT COUNTER
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24th April 2017
BYRON SHIRE COUNCIL
Our Reference: 1017.1387

The General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Att: Ms Shannon Burt

Dear Sir

RE: Habitat, North Beach, Byron Bay

We refer to discussions with your Ms. Shannon Burt and Mr. Alex Caras and request "in principle" support from Council with respect to the updating of your Development Control Plan 2014 Chapter E5 as it applies to the Habitat development. If Council is supportive of our client's concept proposals, we will then formally seek an amendment to the Development Control Plan and accompany that formal request with a Development Application in relation to the residual Habitat land. In this way, we hope that proposed amendments to the Development Control Plan can be exhibited concurrently with a Development Application for the residual land.

The original DCP for the land was adopted on 13th March 2008. It was known as DCP20. Later, DCP20 became Chapter 20 in the consolidated Byron Development Control Plan 2010 (BDCP10). With the making of Byron Local Environmental Plan 2014 (BLEP14), the zoning has changed. The whole of the land is now zoned B4 - Mixed Use. The objectives of this zone are:

- *"To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling"*

With the change of zoning, Council "recycled" the former BDCP10, Chapter 20 to make part of Chapter E5 in Byron Development Control Plan 2014 (BDCP14). The content of the various iterations of the DCP has remained more or less the same since originally drafted in 2008. Unfortunately, importation of the historical DCP provisions did not have full regard to the fact that the zoning of the land had changed considerably and the industrially zoned part of the land was subsumed by BLEP14 into a single mixed use zone. We wrote to Council on 13th January 2015 requesting that this anomaly be addressed.

Since 2008 much has changed in contemporary town planning practice. Some key changes include:

- higher community demand for housing affordability;
- more focus on the pursuit of "work/life balance";
- expansion of globalisation;
- changing patterns of employment; and



- contemporary changes in housing form, exploring small homes as an alternative to the "McMansion" style of the early 2000's.

We respectfully submit that the implications for BDCP14 in relation to the above changes are as follows:

- the development potential of the B4 zone should be optimised;
- Habitat should seek to increase the range of housing choice and further promote affordable living opportunities; and
- increases in site utilisation should not be at the expense of good design or landuse compatability.

Accordingly, we seek your support to amend the Development Control Plan as outlined in the attached architectural documentation.

Yours faithfully,

PLANNERS NORTH



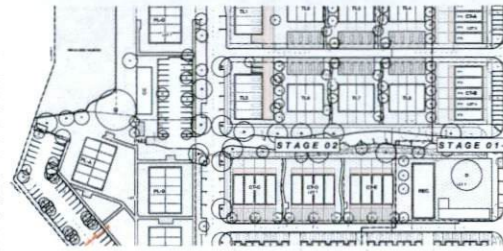
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Encl:

H A B I T A T

N O R T H B E A C H · B Y R O N B A Y

01.



Masterplan
Proposed development
Precincts overview

04.



Pocket Living
Small-scale living
Community facilities
Generous landscaping

07.



Tiered Living
2/3 bed housing
Home office
Contemporary
australian design

02.



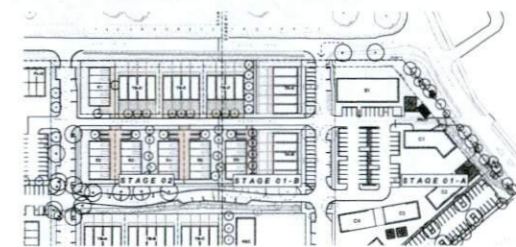
Stage 1: 3D Overview
Commercial Precinct
Commercial Terraces
Warehouse Lofts
Recreation Building

05.



Commercial Terraces
Terraced Housing
Home Office
Lush landscaping

08.



Carpark Provision
Extensive off and on
street parking

03.



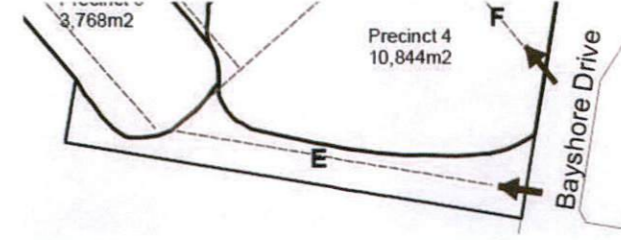
Stage 2: 3D Overview
Pocket Living
Commercial Terraces
Warehouse Lofts
Tiered Living
Habitat

06.



Warehouse Lofts
2 Bed apartments
Commercail/retail
opportunities

09.



**DCP Provision
Summary Sheet**
Precinct Plan
Land Use Table

Masterplan.

1 Habitat Precinct

The Habitat Precinct extends the neighbouring wetland into the site using ecological enhancement measures, creating the habitat for the wetland fauna including the Wallum Sedge Froglet.

2 Pocket Living Precinct

The Pocket Living Precinct consists of 4x two-and-a-half storey buildings along the north-eastern edge of the site. Each building comprises 5x one- and two-bedroom units on the ground floor, with ten one-bedroom units with mezzanines on the first floor. This precinct offers the opportunity for high quality, small scale living units at an affordable price point.

3 Warehouse Loft Precinct

The Warehouse Lofts consist of 2x two-storey buildings along the southern edge of the site. Each building is comprised of six flexible ground floor commercial/retail spaces/part residential with a one-bedroom apartment above. This integrated solution will suit many creatives industries. The precinct's parking areas will be enhanced with garden beds of small shrubs and canopy trees for shade. Trees will include exotic deciduous species for winter sun and seasonal colour.

Tiered Living Precinct. 4

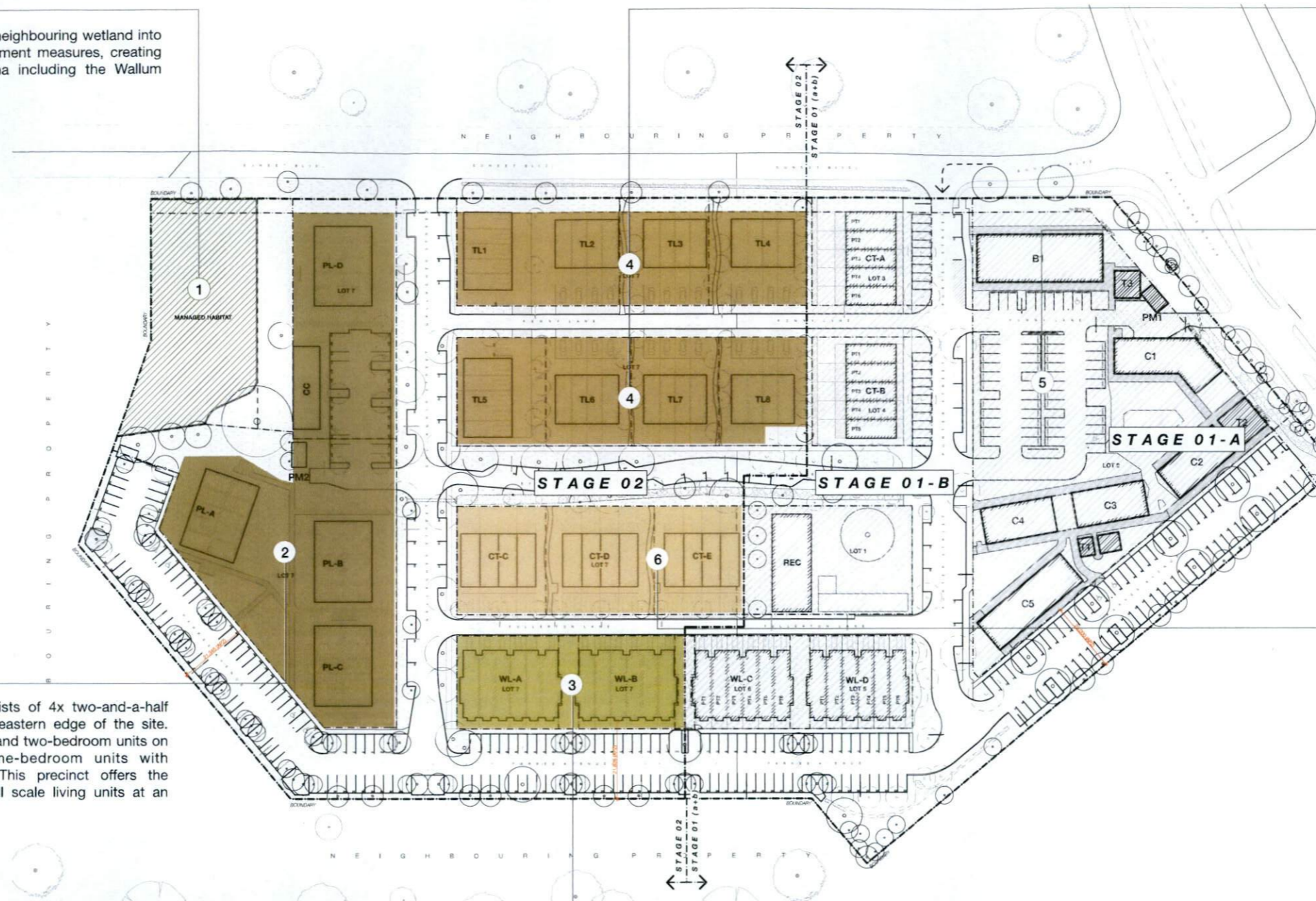
The Tiered Precinct consist of 8x two-and-a-half storey buildings along the northern edge of the site. Each building is comprised of four two or three-bedroom units. This precinct will offer the opportunity for multiple occupants within each unit while still offering the possibility for a home-office.

Stage 1. 5

This approved precinct is currently under construction and offers 1200 sq/m of retail space, 1700 sq/m of commercial office space as well as a range of one and two bedroom apartments, with attached retail or commercial workspaces. The recreational precinct includes a swimming pool, change rooms, barbecue areas, bicycle storage and shaded lawn.

Commercial Terraces. 6

The three Commercial Terrace buildings are comprised of 4x two-bedroom units, each with integrated, dedicated home office spaces.



Stage 1: 3D Overview.



The centre-piece of the first stage of Habitat is the commercial hub fronting Bayshore Drive.

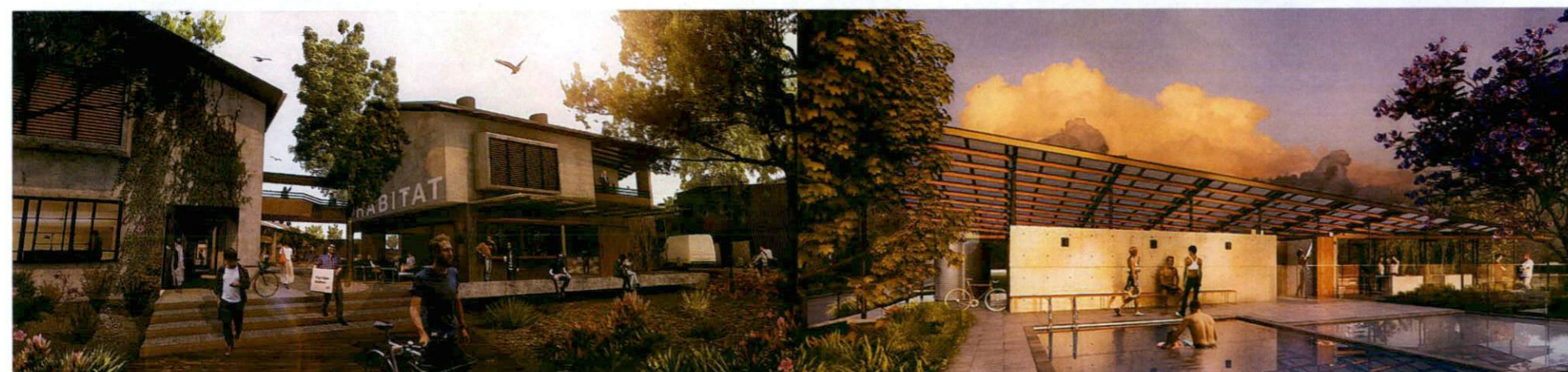
A series of two storey buildings are clustered around a central landscaped courtyard featuring sub-tropical gardens and water features, a series of retail spaces tucked below offices - all interconnected with external covered walkways and decks, communal areas and public art.

Centralised utility blocks feature shared amenities, air handling plant, solar cells, battery storage and recycling depots.

A communal pocket park sits behind the commercial hub between the two types of residential product - the warehouse lofts and the commercial terraces - and features a 25m lap and therapy pool, bike parking, amenities, showers, change rooms, a covered ping-pong pavilion with shared barbecues, edible trees/shrubs and lawn.

The warehouse lofts are defined by a large but flexible ground floor work space with a one bedroom apartment over, whilst the commercial terraces feature two bedrooms over open-plan living spaces opening onto a north facing garden, with a compact commercial space engaging the street.

Generally the precinct is further defined by water sensitive urban design (wsud), established shade trees and indigenous underplanting.



Stage 2: 3D Overview.

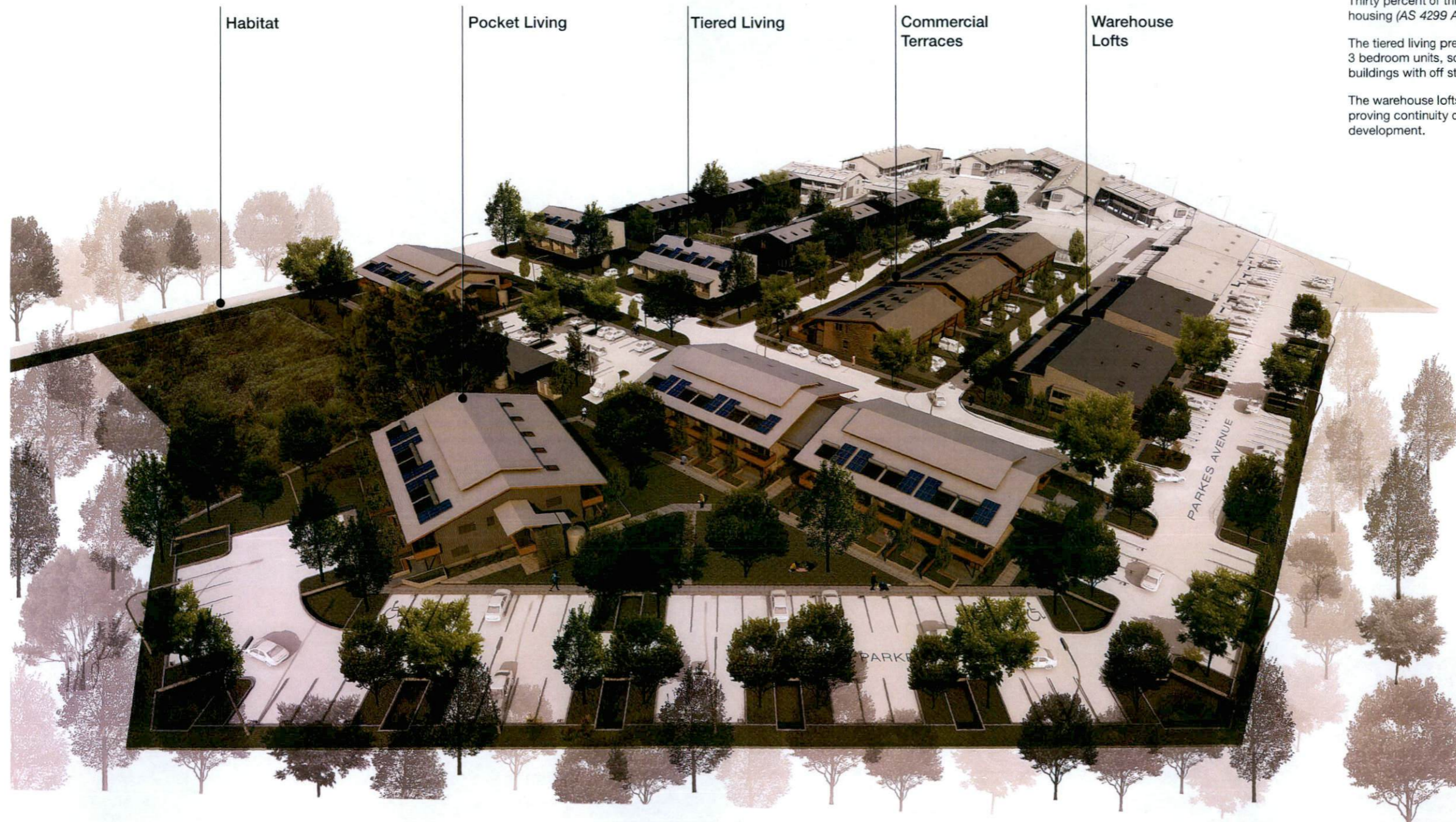
This stage is defined by providing a diverse array of accommodation models for a diverse population, set within a series of densely planted streets and laneways.

Almost 3000 sq.m of this precinct is dedicated to extending the neighbouring wetland into the site to provide habitat for local creatures, including the endangered Wallum Sedge Froglet.

The pocket living precinct includes four residential buildings clustered around a community outdoor space, each featuring small footprint one and two-bedroom units each with either a private garden or covered deck. Thirty percent of this residential area is approved as adaptable or liveable housing (AS 4299 *Adaptable Housing + Livable Housing Design Guidelines*)

The tiered living precinct is characterised by its diversity - allowing 1, 2 and 3 bedroom units, some with commercial spaces - set within 8 articulated buildings with off street parking and extensive street planting.

The warehouse lofts and the commercial terraces turn up again in Stage 2, proving continuity of the built product between the two stages of the development.



Pocket Living.



Executive Summary: The Pocket Living Precinct consists of 4x two-and-a-half storey buildings along the north-eastern edge of the site. Each building comprises 55 one and two-bedroom units on the ground floor, with 10X one-bedroom units with mezzanines on the first floor. This precinct offers the opportunity for high quality, small scale living units at an affordable price point.

Compact Living: Units have been designed to maximise the efficiency of the internal and external living space without compromising the quality of the environment.

Materiality: A simple palette of high quality, sustainable materials have been selected to create a robust, environmentally responsible collection of buildings with a commitment to quality and comfort for it's inhabitants.

Privacy: Covered decks and raised planter beds are designed to encourage outdoor living whilst maintaining privacy.

Community Gardens: The precinct centres around two generous parks;
 1. The protected wetland habitat.
 2. A central landscaped courtyard, with vast grassed areas for passive recreational use by the tenants. Canopy trees will provide shade while a simple mix of shrubs will define and screen edges to adjoining ground-floor residential gardens.

Community Facilities: The communal areas will include barbecues, recycling facilities, accessible toilet, tenant storage and bicycle parks.

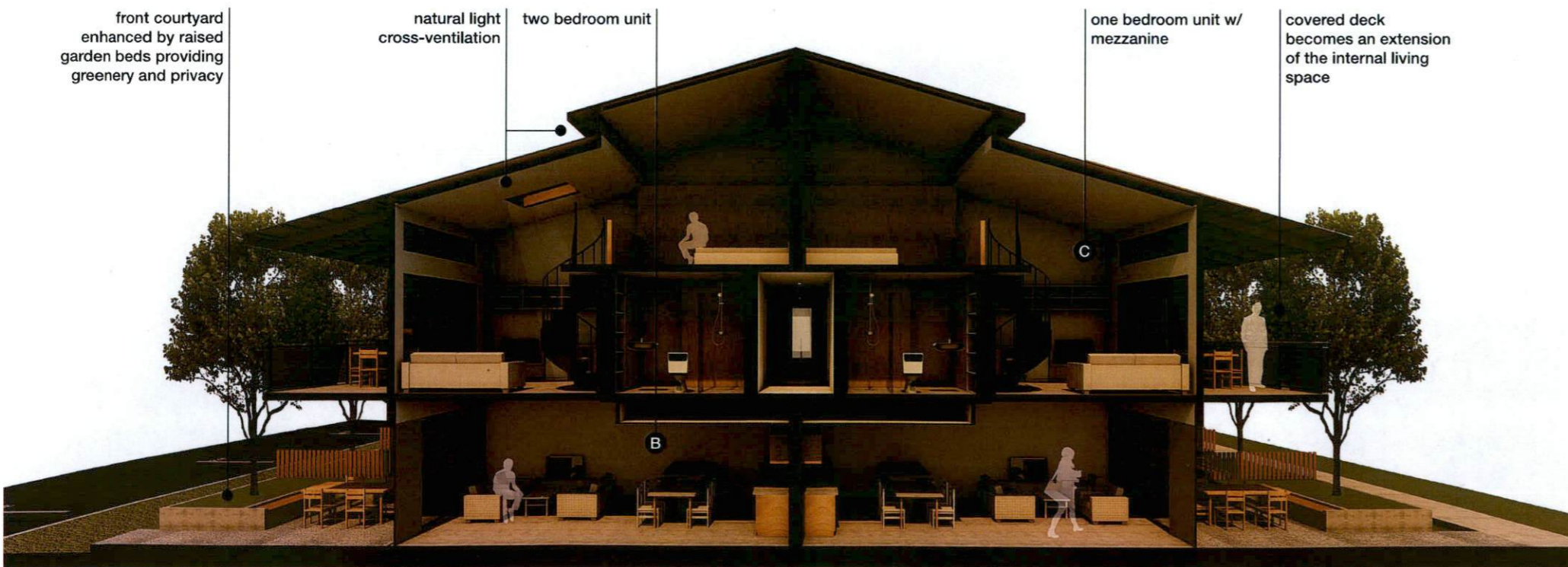
Orientation: Each unit benefits from good solar orientation, maximising, natural light, views and privacy. Large eaves ensure passive solar control.

Cross-ventilation: Sliding doors, louvres and high level windows are used to promote natural, cross-ventilation.

Solar: Solar panels will be installed to each building, feeding green energy into the site-wide embodied energy network, the benefits of which can be enjoyed by all tenants.

Parking: Convenient access to parking along the roads which surround the precinct and within the designated carpark.

Rainwater Tanks: The Precinct has a combined system of rainwater tanks which each forms part of both the Habitat Precinct stormwater management strategy as well as re-use for the tenants.



Unit A x14	Bedrooms:	1
	Floor Area:	67 sqm
	External Area:	47 sqm
Unit B x6	Bedrooms:	2
	Floor Area:	68 sqm
	External Area:	49 sqm
Unit C x40	Bedrooms:	1
	Floor Area:	46 sqm
	Deck Area:	10 sqm

Commercial Terraces.



Executive Summary: The three Commercial Terrace buildings are comprised of 4x two-bedroom units, each with integrated, dedicated commercial / home office spaces. This product will suit an array of people wanting to run a small professional business from home.

Format: Living is on the ground floor, with the commercial / home office and associated wc and kitchenette located to the south of the property. The large kitchen, dining and living room flow into the generous north facing garden and covered terrace. Two bedrooms, both with an ensuite, are located on the first floor, separated by a large laundry.

Materiality: High quality, sustainable materials have again been selected to create tough, environmentally responsible buildings which evoke a sense of quality and comfort for it's inhabitants.

Planting: Pergolas, wire frames and large gardens have been designed to encourage the greening of the environment wherever possible -an approach common to all properties and in-between spaces across the site.

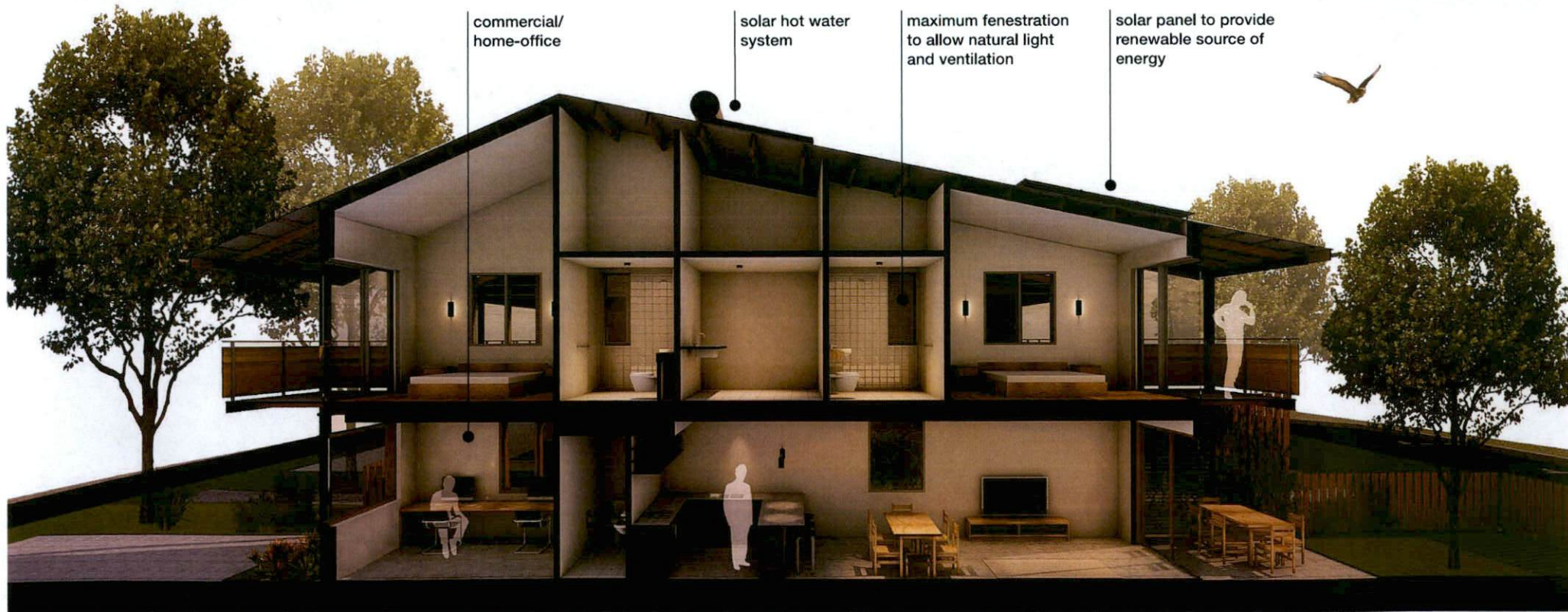
Aspect and Orientation: The north-facing terraces overlook the heavily landscaped swale, which forms part of the site-wide stormwater management system. First floor decks and generous eaves ensure the large amounts of glazing maximise natural light whilst minimising solar gain.

Cross-ventilation: Sliding doors and louvres have been used to promote natural, cross-ventilation throughout each space.

Solar: Solar panels will be installed to each building, feeding green energy into the site-wide embodied energy network, the benefits of which can be enjoyed by all tenants.

Parking: Off street parking is provided to the rear of each property.

Rainwater Tanks: Each unit has a dedicated rain water tank, forming part of both the site-wide stormwater management strategy as well as re-use capabilities for the occupants.



Typical unit

Bedrooms:	2
Floor Area:	139 sqm
External Area:	50 sqm
Storeys:	2
Features:	Natural Light Solar powered Passive cooling system Rainwater Tank Commercial/Home-office North Facing Garden

Warehouse Lofts.



Executive Summary: The Warehouse Lofts consist of 2x two-storey buildings along the southern edge of the site. Each building is comprised of six ground floor commercial/retail spaces with a one-bedroom apartment above. There is also an option for a second bedroom on the ground floor. This integrated solution will suit many creative industries.

Commercial / Retail: The large ground floor space is simple in design, encouraging the tenant to adapt the space to suit their particular retail / commercial needs.

Living: The large first floor volume maximises natural light and airflow into the dining, living room and kitchen. The expansive, first floor deck encourages outdoor living, becoming an extension to the indoor living space.

Quality of Materials: A simple palette of high quality materials have been selected to create a robust, environmentally responsible building with a commitment to quality and the comfort of it's inhabitants.

Planting: Planted screens and landscape beds separate adjoining units, ensuring privacy and a lush green environment.

Aspect and Orientation: The north facing units counter large amounts of glazing with expansive roofs to maximise natural light and minimising solar gain.

Cross-ventilation: Sliding doors, louvres and high level windows are used to promote natural, cross-ventilation.

Solar: Solar panels will be installed to each building, feeding green energy into the site-wide embodied energy network, the benefits of which can be enjoyed by all tenants.

Parking: Primary parking will be along the road to the south of the precinct. Secondary parking will be provided off street, to the North, enhanced with garden beds of small shrubs and canopy trees for shade. Trees will include exotic deciduous species for winter sun and seasonal colour.

Rainwater Tanks: Each unit has a dedicated rain water tank, forming part of both the site-wide stormwater management strategy as well as re-use capabilities for the occupants.



Typical unit	Bedrooms:	2
	Floor Area:	118 sqm
	External Area:	50 sqm
	Storeys:	2
	Features:	Natural Light Solar powered Passive cooling system Rainwater Tank Commercial/Retail Space Off-street Parking

Tiered Living



Executive Summary: The Tiered Living Precinct consist of 8x two and a half- storey buildings along the northern edge of the site. Each building is comprised of four two or three-bedroom units.

Flexibility: Characterised by its diversity, this precinct will offer the opportunity for multiple occupants within each unit, or a larger single occupant. Each unit also has the opportunity for a commercial / home office. This diversity is reflected in the variety of finishes between buildings, retaining the same core layout but creating a varied look to the precinct.

Volume: The large first floor volume maximises natural light and airflow into the dining, living room and kitchen.

Gardens: Large north facing gardens planted with large, established canopy trees and low level native shrubs.

Privacy: Planted screens and landscape beds separate adjoining units, ensuring privacy and a green environment wherever possible.

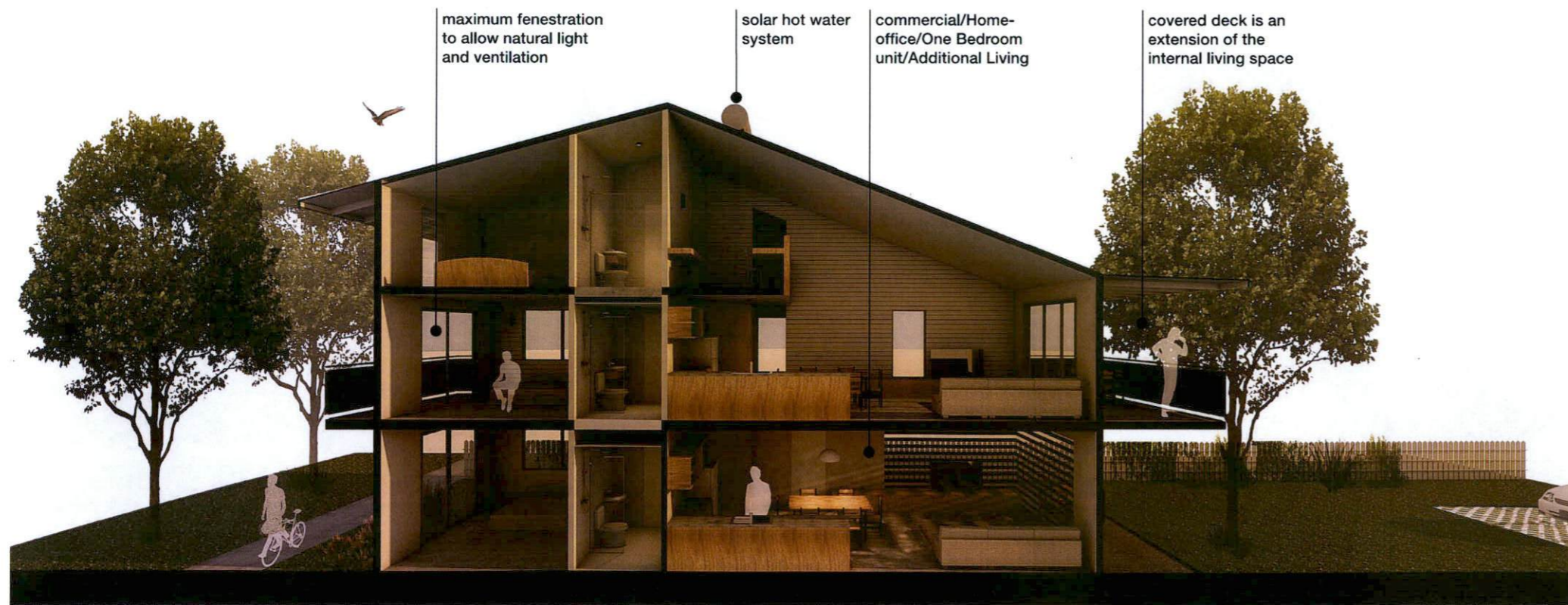
Aspect and Orientation: The north-facing decks and terraces overlook the heavily landscaped gardens. Large glazing is once again offset with large roofs and generous eaves.

Cross-ventilation: Sliding doors, louvres and high level windows are used to promote natural, cross-ventilation.

Solar: Solar panels will be installed to each building, feeding green energy into the site-wide embodied energy network, the benefits of which can be enjoyed by all tenants.

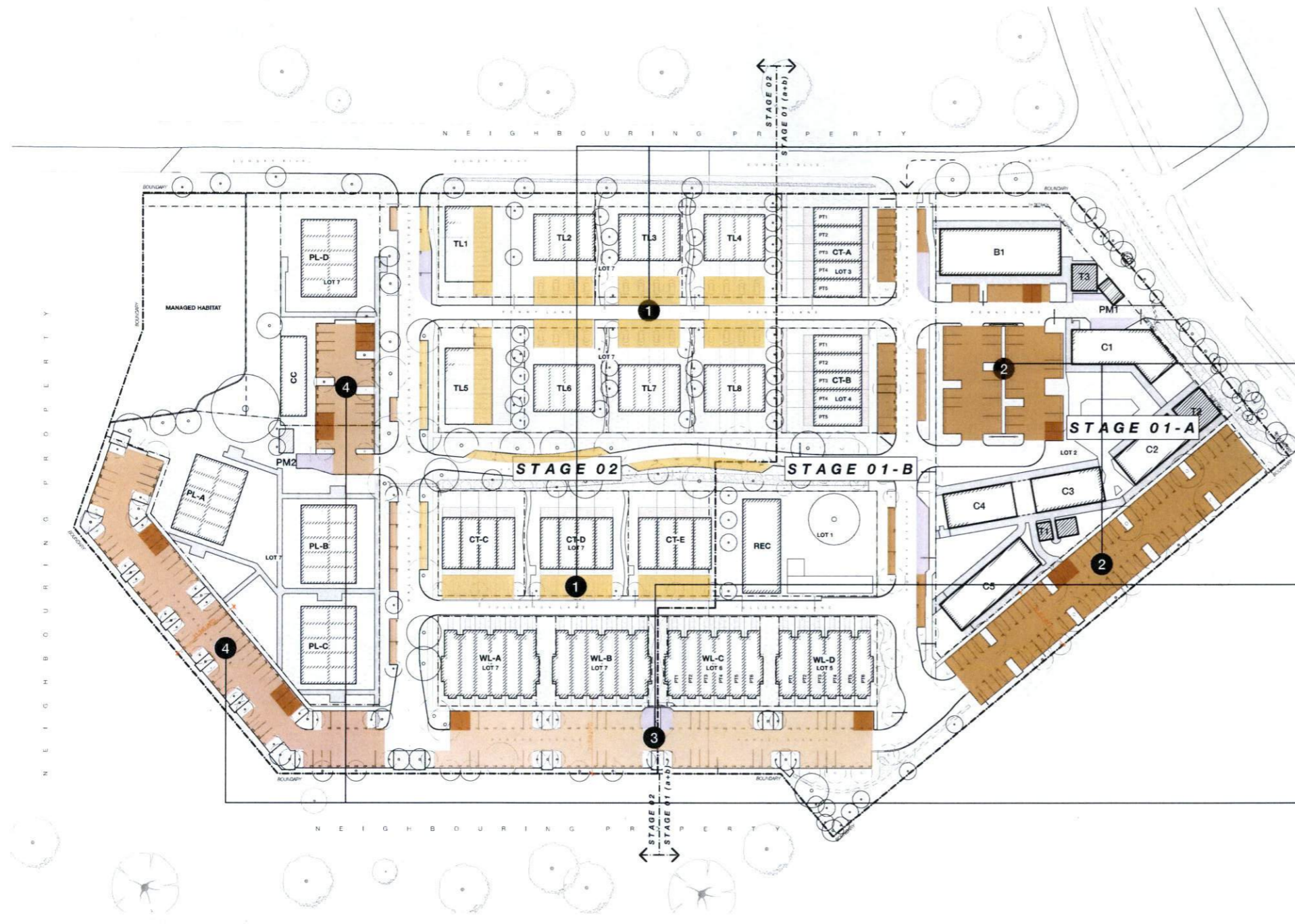
Rainwater Tanks: Each unit has a dedicated rain water tank, forming part of both the site-wide stormwater management strategy as well as re-use capabilities for the occupants.

Parking: Off street parking is provided to the rear of each property.



Typical unit		
Bedrooms:	3	
Floor Area:	148 sqm	
External Area:	63 sqm	
Storeys:	3	
Features:	Natural Light	
	Solar powered	
	Passive cooling system	
	Rainwater Tank	
	Large Garden	
	Flexible Living	

carparks provision.



LEGEND :

PWD	Tiered Living + Commercial Terraces	Warehouse Lofts
Loading Bays	Commercial Precinct + Commercial Terraces	Pocket Living

1 Tiered Living + Commercial Terraces.

	Carparks Required	Carparks Provided	Net
Carparks	80.5	89	11.5
PWD	0.8	0	-0.8
Loading Bays	0	1	1

2 Commercial Precinct + Commercial Terraces.

	Carparks Required	Carparks Provided	Net
Carparks	141.2	150	6.8
PWD	2	4	2
Loading Bays	5	4	-1

3 Warehouse Lofts.

	Carparks Required	Carparks Provided	Net
Carparks	60	72	12
PWD	0.6	2	2
Loading Bays	0	2	2

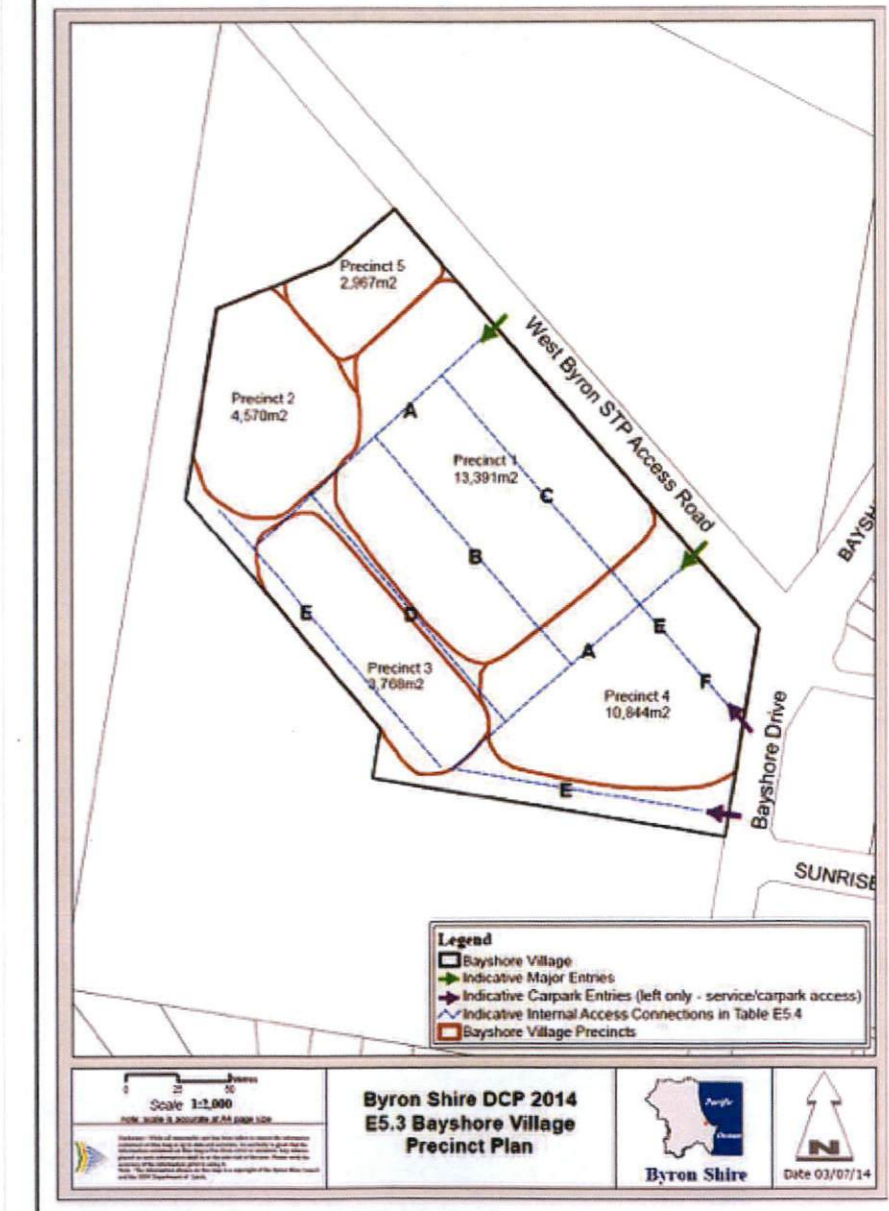
4 Pocket Living.

	Carparks Required	Carparks Provided	Net
Carparks	78	86	9
PWD	0.7	8	8
Loading Bays	0	1	1

TOTAL REQUIRED	Carparks:	366
	PWD:	5
	Loading Bays:	5
TOTAL PROVIDED	Carparks:	397
	PWD:	14
	Loading Bays:	8

Precinct	Existing DCP Land Uses	Existing Maximum Densities	Proposed Land Uses	Proposed Density
1 Residential Land Area: approximately 13,391 m ²	Residential dwellings and dual occupancies workspaces creative industries	Residential A maximum of 34 dwellings, Dwellings to include one, two, three or four bedrooms, Up to and including 17 of the 34 dwellings may be provided as one-bedroom detached dwellings located in association with a larger (two, three or four bedroom) dwelling Workspaces Individual workspaces may be provided in association with either the 1 bedroom dwellings or the larger dwellings Individual workspaces in Precinct 1 should not exceed 50m ² in floor area	Commercial Terraces (CT) Tiered Living (TL)	Commercial Terraces CT-C / CT-D / CT-E - Half of the ground floor is commercial premises or home-office - Back half of the lower level and all of upstairs is residential (class 2). 2 bedrooms Tiered Living TL-1 / TL-2 / TL-3 / TL-4 / TL-5 / TL-6 / TL-7 / TL-8 - Garage and home office/bedroom to ground floor - Living space and bedroom to the first floor - bedroom / study to the mezzanine level - 1-3 bedrooms depending on how you use it.
		Built Gross Floor Area 6,500m² Bedroom Total 107		Built Gross Floor Area 6,100m² Bedroom total 120
2 Light Industry Land Area: approximately 4,570 m ²	Creative industry or light industry, with shared common area, amenities and cafe facilities	A maximum total light industrial floor space of 3,500m ²	Pocket Living (PL)	Pocket Living PL-A / PL-B / PL-C / PL-D - Mix of 1 + 2 bedroom units to ground floor. - 1 bedroom units to first floor
		Built Gross Floor Area 3,500m² Bedroom Total nil		Built Gross Floor Area 3,655m² Bedroom Total 66
3 Live/ Work Land Area: approximately 3,768 m ²	Residential dwellings Workspaces Creative Industries	Residential 32 dwellings maximum One-bedroom dwellings only Each to be physically attached to an individual workspace Workspaces Average of 60m ² floor area per dwelling Total maximum of 3,500m ²	Warehouse Lofts (WL)	Warehouse Lofts WL-C / WL-D - Commercial / retail to the ground floor (class 5/6) Generally residential to the first floor. - Able to be configured with 1 or 2 beds Warehouse Lofts WL-A / WL-B - Commercial / retail to the ground floor (class 5/6) Generally residential to the first floor (class 2). - Able to be configured with 1 or 2 beds
		Built Gross Floor Area 3,500m² Bedroom Total 24		Built Gross Floor Area 3,200m² Bedroom total 48
4 Mixed Use Land Area: approximately 10,844m ² ,	Retail, business, residential (only associated with a business use), cafe, health spa Community facilities, such as a multi purpose community building Common area including recreational facilities and pool	Retail - Maximum total floor space 2,400m ² Business - Maximum total floor space 2,400m ² Residential - A maximum of 16 residential units may be provided in this area, provided that each is attached to and integral with commercial uses Café - Maximum Floor Space of 300m ² Health Spa - Maximum Floor Space of 800m ² Community / Recreation Facilities - Minimum Area of 125m ²	Retail Business Residential Café Community / Recreation Facilities	Commercial Precinct B1 / C1 / C2 / C3 / C4 / C5 - Retail (class 6) to lower level with the exception of C1, which will be a cafe, and C5, which will be a gym. Commercial (class 5) to upper level. - Shared meeting rooms and wc's. Recreation Precinct Rec Swimming pool and change facilities. Commercial Terraces CT-A / CT-B - Half of the ground floor is commercial/retail (class 5/6) - Back half of the lower level and all of upstairs is residential (class 2) - 2 bedrooms
		Built Gross Floor Area 6,500m² Bedroom Total 20		Built Gross Floor Area 5,325m² Bedroom Total 20
5 Ecological (Land Area Approximately 2,967m ²)	Ecological Enhancement	No Buildings Allowed	Ecological Enhancement	No Buildings Allowed

Map E5.3 – Bayshore Village Precinct Plan



Byron Shire Development Control Plan 2014 – Chapter E5 – Certain Locations in Byron Bay and Ewingsdale
Adopted 26 June 2014 Effective 21 July 2014