

Attachment '2'
Planning Meeting Report – 20 June 2019
Byron Shire Employment Lands Strategy

**Community Engagement
and
Submissions Summary Report**

1. Purpose

Council is preparing an Employment Lands Strategy (ELS). It will provide a strategic policy framework and action plan for guiding business and industrial land development over the next 20 years in Byron Shire. For purposes of the strategy, 'employment land' is land predominantly used for retail, commercial or industrial activities resulting in employment.

To inform the community about the content and direction of the ELS and seek feedback on the development of a final Strategy, Council resolved (**resolution 18-354**) to exhibit a draft Employment Land Strategy (ELS) and Employment Land Strategy Background Report (Background report). This report provides an overview of the engagement, responses and makes recommendations as part of the pathway to finalising the strategy.

2. Overview of engagement

This engagement builds on from earlier targeted engagement that helped inform the preparation of a draft Employment Lands Strategy (ELS), namely:

- Enterprising Byron 2025 - Economic Development Strategy adopted by Council in 2016
<https://www.byron.nsw.gov.au/Business/Research-reports-and-news/Economic-Development-Strategy-Enterprising-Byron>
- Byron Shire Council Business Survey conducted from October - November 2017
<https://www.byron.nsw.gov.au/Business/Research-reports-and-news/Business-Survey>
- State government agency and internal stakeholder workshop - May 2018.
- Meeting with land owners of potential employment (industrial) lands

The ELS Engagement Plan, endorsed by Council's Communications Panel on 8 May 2018, identified a need for this engagement to:

1. Inform the community/business sector on the following:
 - a) that an ELS is being prepared
 - b) how the ELS is being prepared
 - c) rationale and benefits of having an ELS.
2. Inform and build awareness in the community/business sector on key elements of ELS content, namely:
 - a) the issues around the future provision of employment land in the shire
 - b) drivers for economic growth and emerging industries
 - c) need to identify strategically important land that has the potential to strengthen and/or diversify the Shires' competitive advantages and economic opportunities
 - d) employment land principles and strategic directions.
3. Invite the community/business sector to provide feedback on the analysis and recommendations of the draft ELS.
4. Establish a framework for ongoing engagement with key stakeholders following the draft ELS exhibition, to work through the community/business sector responses in 3. above to maximise the capacity for the final strategy to reflect practical, implementable and effective suitability principles and strategic directions.

A structured program was undertaken over a 12-week period (9 August - 1 November 2018). Following early feedback from community groups attending a Business Roundtable meeting

management decided to extend the initial exhibition period of 6 weeks to 12 weeks. Engagement involved activities and methods of communication outlined below:

- Initial consultation with the Chambers of Commerce and guidance groups at a Business Roundtable
- Notification letters to surrounding Councils, Tweed Byron Local Aboriginal Land Council, Arakwal, state government agencies, landowners of areas of possible strategic business centre land use designation change and the Ocean Shores, Sunrise and Suffolk Park retail centres
- Public media, Council website, Facebook page and an e-newsletter to advertise engagement
- Provision of information including the ELS and Background Report, FAQ and fact sheets, and information on how to lodge a submission
- One on one meetings and responses to emails & phone calls
- Additional meetings with Chambers/guidance groups held on request with:
 - Bryon Chamber
 - North Byron Chamber
 - Bangalow Chamber & guidance group
 - Brunswick Heads Chamber.

The recommendations in this report respond to:

- matters raised in submissions during exhibition
- regular discussions post exhibition, with Council's place planning team and guidance groups regarding delivery and/or implemented of the place plans for Byron Town Centre, Bangalow Village, Mullumbimby and the Byron Arts and Industrial Estate

Submission Profile

A total of 43 submissions were received - grouped into two types:

- State government and traditional owner agencies
- Community groups and broader community members.

This report is organised in the above order.

3. State government and traditional owner agencies response

The following agencies received formal notification:

- NSW Department of Planning and Environment (DPE)
- Office of Environment and Heritage (OEHL)
- Department of Primary Industries (DPI)
- Road and Maritime Services (RMS)
- Tweed Byron Local Aboriginal Land Council
- Bunjalung of Byron Bay Aboriginal Corporation (Arakwal).

Table 1 provides a summary of the key matters raised in submissions, together with a response. Recommended revisions to the strategy in response to the state government input are contained at the end of Table 1.

Table 1 – Government agency submissions and response

Government Agency	Matters Raised	Response
DPE	<p>Submission cover letter identified the need for the ELS to be consistent with state policy positions in:</p> <ul style="list-style-type: none"> • State environmental planning polices (SEPP) • <i>Environmental Planning and Assessment Act 1979</i> Section 9.1 Directions • North Coast Regional Plan 2036 (NCRP). <p>The DPE also stated that:</p> <ul style="list-style-type: none"> — site 5 Bangalow East - Possible Investigation Area was identified by Roads and Maritime Services as unsuitable and to be removed as a Possible Investigation Area. The removal of Site 5 is supported due to the site's rehabilitation as farmland and site constraints. — The Lot 181 DP 755695 - 268 Ewingsdale Road (more commonly referred to as the 'Sunnybrand' site) be included Employment Lands Strategy as a Possible Investigation Area. <p>An attachment accompanied the letter providing 'comment' on the structure and content and background information.</p>	<p>It is acknowledged that the draft ELS as exhibited did not specifically clarify consistency with state policy.</p> <p>A review been undertaken and is provided as Attachment 3 to the 20 June Planning Meeting Report.</p> <p>This review determined that the strategy is generally consistent with State Policy with a need to address the following in the final ELS:</p> <ul style="list-style-type: none"> • proposed servicing and infrastructure programing • matters requiring further investigation at the planning proposal or development assessment stage <p>The removal of Site 5 Bangalow East as a Possible Investigation Area is supported due to: the site's rehabilitation as farmland and site constraints.</p> <p>Many of the issues raised have limited relationship to the identified state policy. As such they have been viewed as matters for consideration in finalising the strategy, rather than as mandatory requirements to be met by Council.</p>
Department of Primary Industry	<ul style="list-style-type: none"> • Preferred option is to avoid development on regionally significant farmland (RSF). • Any RSF lands that are identified should address avoidance of speculation and/or increased land use conflict. 	<p>Noted – see response provided in Attachment '3' - State Policy Compliance Check.</p> <p>These requirements make it difficult for Council to address the challenge of providing new and innovative ways in which to promote and facilitate farming, industry and business in Byron Shire.</p>

Government Agency	Matters Raised	Response
Department of Transport - Roads and Maritime Services	<ul style="list-style-type: none"> • Key interests for RMS is the safety and efficiency of the road network, traffic management, the integrity of infrastructure and the integration of land use and transport. • Suggests a review of Council's contribution plan to capture the cost provision of this infrastructure to support the integration of land use and transport in the local government area. 	Noted – the final strategy will include an overarching planning framework for servicing and infrastructure delivery to employment lands.
Office of Environment and Heritage	<p>Recommends that the ELS capture an an assessment of :</p> <ul style="list-style-type: none"> • biodiversity constraint values • flooding • impact to National Parks and Wildlife Service estates (noting the Gulgan east land's proximity) • sensitive estuary environments and coast coastal zones • acid sulphate soils • historic heritage matters • Aboriginal cultural heritage 	<p>'Attachment '3' - State Policy Compliance Check' addresses these matters at a strategic land use level.</p> <p>More detailed site-specific investigations would be undertaken at the planning proposal or development application stage. The inclusion of a set of <u>Suitable-for-use principles</u> in the ELS provides guidance around key matters requiring further assessment at these stages.</p>
Tweed Byron Local Aboriginal Land Council	Support further assessment of Aboriginal cultural heritage on possible new release lands.	Noted. This is consistent with the OEH feedback received.

Recommendations resulting from State government feedback:

1. That the Employment Lands Strategy be update to incorporate:
 - a) a State Policy Compliance Check (see Attachment '3')
 - b) an overarching servicing and infrastructure delivery framework for industrial and business land;
 - c) business centre urban design principles and industrial land 'physical form' principles: including a requirement for a structure and staging plan for new release areas; and
 - d) an ongoing review of strategy actions in terms of their need, priority and clarity.
2. That at the request of the State government:
 - a) Site 5 Bangalow East be deleted from the Employment Lands Strategy as a Possible Investigation Area
 - b) Lot 181 DP 755695 - 268 Ewingsdale Road be included in the Employment Lands Strategy as a Possible Investigation Area.

5. Community groups and broader community response

A total of 38 submissions were received with private individuals accounting for 31 submissions; the majority from landowners, the remainder submissions were from community group organisations. It should be noted that locality based community group submissions do not always represent the views of all landowners in their focus area.

5.1. Submission review process

Consistent with Engagement Plan, the review process for community and business sector feedback has been structure as follows:

- process, need for and rationale behind an ELS
- the analysis that informed the ELS
- the recommendations (actions) of the draft ELS
 - key matters raised on business centres
 - key matters raised on industrial land
 - matters around with land not identified.

5.2. Community feedback on the process, need for and rationale behind the ELS

Submissions indicated general support for the ELS. Strong messaging focused on the process and providing opportunities for communities to have direct input in developing a shared vision for their business centres and industrial areas. It was clear that the community seeks a strategy focused on the uniqueness of each of our towns and villages and one that works with local communities to:

- address 'perceptions' of the capacity for towns/villages to cope with additional employment
- respond to associated issues such as climate change, biodiversity, schools, traffic, age of servicing infrastructure, housing for workers and tourism impacts.

This feedback aligns with ELS Action 6.1 '*In consultation with the community, develop local character statements that define the values and identity of each business centre*', as well as Council's current place planning projects.

However, responses also indicated mixed awareness and understanding amongst the business and community sectors about the relationship between the various Council studies, projects and strategies pertaining to the land use, economy and employment. This resulted in statements such as:

- the strategy is simplistic and backward looking focusing most energy on either expansion of industrial estates or expansion of central businesses districts
- employment strategy should provide comprehensive information around all sources of employment in the Shire such as light, rural and creative industries in rural zones, digital economy, tourism, education and health or aged care
- it should address target projects/issues such as reactivated railway corridors and climate change
- recommendations around the role of centres and any change in business centre zoning needs to be part of the wider place planning conversation.

Whilst the ELS 'Introduction' states that the document relates only to business and industrial zones, or potential land to be zoned as such in the future, it is non-the-less important to clarify:

- in the strategy title that this is a 'Business and Industrial Lands Strategy'
- why Byron Shire needs a land use strategy for business and industrial zoned land
- what is the overall vision for business and industrial zoned land
- the planning framework in which the strategy operates including State government policy.

DPE comments were of a similar nature. A revised ELS table of contents has been formulated to capture these matters and other recommended changes based on feedback. This is contained in Annexure 1 of this report.

Recommendations resulting from community input - the process, need for and rationale behind an ELS

3. **That the Employment Lands Strategy be renamed to 'Business and Industrial Lands Strategy'.**
4. **That the format of the Employment Lands Strategy be refined to generally align with the template in Annexure 1 of the 'Community Engagement and Submissions Summary Report'.**

5.3. Community feedback on ELS analysis

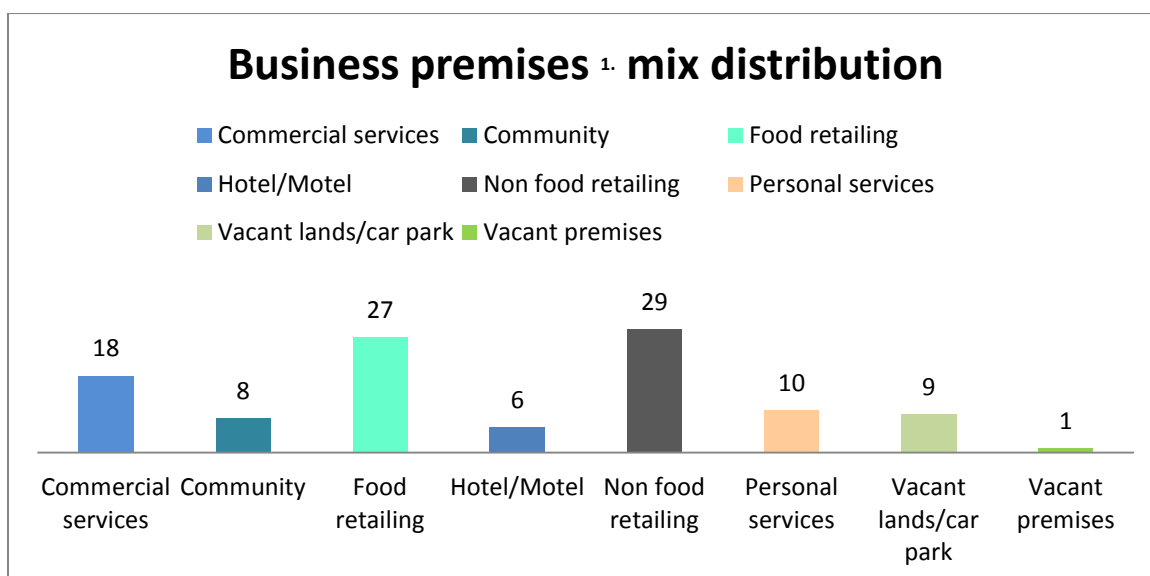
A number of submissions raised matters concerning the currency, accuracy and presentation of the data in the background report and ELS. The key feedback points are summarised in Table 2 together with a staff comment on how to best address the matter.

Table 2 – Key matters on analyses

Key matters raised	Comment
Land use survey or development approval data used to determine supply and demand was inaccurate or dated.	<p>Inevitably there will be changes in land use between the undertaking of the survey and desk top analysis, preparation of the ELS, Council's adoption for exhibition and the actual exhibition date. The ELS is a 20-year growth management land use document with a focus on business and industrial land where change in tenancies can be a regular occurrence. On review however, in some instances the zoning and/or floor space audit data does not accurately reflect the long-term likely status of the land one such example being public spaces identified as "vacant land". Correcting or updating technical data to inform policy directions and/or intended long term outcomes over the Strategy's 20-year timeframe is warranted.</p> <p>As is the inclusion of clarifying statements as required to improve understanding of the documents.</p>

Key matters raised	Comment
<p>The exclusion of existing land/floor space used for commercial or industrial purposes on sites not zoned business or industrial.</p> <p>One such example being the Village Green shop and service station in Brunswick Heads.</p>	<p>Whilst these sites currently accommodate a business or industrial use, they were not included as the land is not zoned industrial and/or business zone and the use can readily change to a non-employment use - hence is not classed as <u>secure</u> employment land.</p> <p>It is considered this matter could be addressed by</p> <p>For the above reason, correcting the data is unwarranted. However it would be appropriate to include a qualifying statement in the background report and ELS that although dispersed uses do occur outside centres and industrial areas, they are not considered 'secure' due to the zoning of the land on which they are situated.</p>
<p>Hotels and tourism accommodation is inappropriately captured as a residential land use within the business centres.</p>	<p>This is a valid comment for hotels and motels where the use has a definition under LEP 2014. In these instances, correcting the data is warranted.</p> <p>As for other accommodation buildings, it is impractical to determine the accommodation occupant and it can readily 'flip' between a resident and visitor. The implications to the ELS are minimal as either way it is a residential use. It is considered this matter could be addressed by the inclusion of a footnote to the effect that such 'accommodation' may be visitor or permanent resident.</p> <p>In these instances, correcting the data is unwarranted.</p> <p>The more important aspect is the ratio of non-residential to residential uses in the centres or industrial areas and reviews to identify trends. The aspect of use ratios dealt with in the next key matter.</p>
<p>Data presentation:</p> <ul style="list-style-type: none"> – concern over figures only showing use by the dominant percentage of floor space where as often there is a of mix land uses within land parcels – concern that this approach does not provide a clear picture of the use mix profile in each centre. – does not clarify where the land vacant or a car park – document contains lots of acronyms - a 	<p>As a land use, strategy projecting floor space needs it is important for data addresses level of floor space allocated to land use categories. The figures in the ELS are a simplified presentation of this information and the floor space analysis used to inform the ELS did take into consideration the actual floor space mix within a parcel. It would be impractical to map this information, as Council's mapping database does not hold tenancy spaces information.</p> <p>Taking on board however the concern that the ELS does not provide a profile use apportionment in a given centre, it is acknowledged that the inclusion of such information could assist in:</p> <ul style="list-style-type: none"> • determining the quantum types of uses, the changing role of a centre or employment precinct or • where the LEP is inconsistent with the types of business that are seeking to establish in the centre or industrial area • guiding amendments to LEP and DCP provisions or • determining the nature of operational works within centres such as parking or landscaping. <p>A number of refinements could be made whilst retaining the current information on the <u>predominant</u> floor space use:</p>

Key matters raised	Comment
<p>glossary of terms would be useful</p> <ul style="list-style-type: none"> – for the Northern Village trade catchment the figure showing oversupply of restaurants, hotels and clubs is heavily skewed by inclusion of Brunswick Head data. 	<ul style="list-style-type: none"> a) separate out car parks from vacant land b) add a qualification around 'vacant land' verse 'vacant business premises'. c) ensure pie charts in the documents to reflect the actual status of floor space mix rather than a dominant floor space mix as shown on the figures d) add footnotes to clarify information e) add an active frontage symbol where the dominant floor space is residential and there is shop frontage f) include information on the use mix distribution of business premises within the centres. Figure 1 below is an example of how this could be presented. <p>Note: In revising, the information for the centres there is a reasonable quantum of work, however this would value add to the ELS.</p> <p>In these instances, correcting the data is warranted.</p>
<p>Northern trade area determination - a view that Brunswick Heads should be treated as a separate trade area to Ocean Shores and Billinudgel as is the case for for Suffolk Park.</p>	<p>HillPDA (consultants who undertook the analysis) have advised that to separate out Brunswick Heads will 'paint' the centre in less favourable economic picture due to its small and stable resident population (Brunswick Heads MTA containing Saddle Road and Tyagarah has an estimated population of some 1800 people), the current mix of commercial uses and its proximity to Ocean Shores.</p> <p>In comparison, Suffolk Park has a main trade area catchment population of 4,052 people with a project increase in residents of some 700 people over the next 20 years.</p> <p>A change to the Northern trade area is unwarranted.</p>
<p>Insufficient attention given to the environment, koala protection and securing Environmental zones prior to finalisation of the Employment Strategy.</p>	<p>The Environmental zoning process is reasonably advanced with capacity to identify land likely to be designated an E Zone.</p> <p>A change to the Employment Precinct Investigation Area maps to exclude pending E Zone lands is warranted.</p>
<p>Insufficient information on transport services for workers to the proposed business sites.</p>	<p>The place planning projects incorporate access and movement studies and the findings inform the respective town or village plans. This includes consideration of how a future centre should look in terms of how the street network caters for and prioritises pedestrians and cyclists over private vehicles.</p> <p>The Byron Shire Rail Corridor Study is investigating the feasibility of reactivating the rail corridor and the final ELS will be informed by the findings of this investigation.</p>



(1. Excludes residential uses other than a hotel or motel)

Figure 1: Revised data presentation sample - Brunswick Heads – business mix distribution

Recommendations resulting from community input - analysis

5. That the ELS and Background Report data be updated for the purpose to:
 - a) correct or update relevant technical data to inform policy directions and/or intended outcomes over the Strategy's 20-year timeframe
 - b) include clarifying statements as required to improve readers understanding of the documents
 - c) refine the mapping of Industrial Precinct Investigation areas to exclude pending Environmental Zone areas.

5.4. Community feedback on the draft ELS 'Actions'

5.4.1. Business centres

There was general support for the strategy to define a centre's role and identity and where appropriate, recognize any 'branding' an example in case, Brunswick Heads, where a number of submissions highlighted the village's character has been marketed and popularised as 'Simple Pleasures'. Community groups submissions signalled an interest to work with Council on this aspect.

The draft actions attracted mixed views. Business centre actions to investigate increased height and floor space ratio (FSR) opportunities in centres other than Byron Bay were met with concern regarding:

- a desire to be treated differently not to, and not replicate the Byron Bay Town Centre template
- need for more targeted consultation to determine the level of support for height and FSR changes
- desire to retain maximum building heights outside Byron Bay Town Centres at 9m
- need to ensure any change to planning regulations is consistent with the centre's role and identity, and considers the effects on traffic, trade, tourism and the need to locally house workers.

On the matter of building height, it is important to retain scope to change to height regulations where such change would respond to concerns about poor design outcomes and deliver opportunities for better urban design of new spaces and places. For this reason, it is recommended that specifying of an 11.5m be deleted and replaced with words supporting an urban design review to determine appropriate building heights.

There were also mixed views about the expansion of business centres in proposed locations.

Feedback included the need to be clear about the priority type(s) of development in the proposed expansions areas – i.e. residential or commercial or a mix of both.

For all centres, integrating travel and movement with land use was seen as important, with a number of submitters raising support for activation of the rail corridor for people movement.

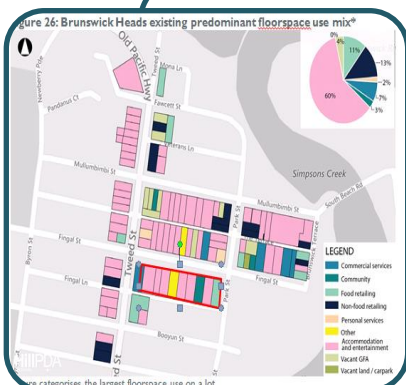
The following provides a centre-by-centre summary of feedback received:

Mullumbimby (Figure 24 in ELS)



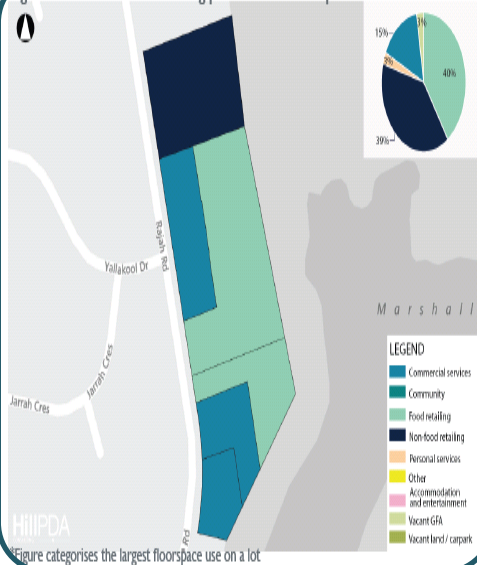
- mixed view amongst landowners to the south of the centre on a zone change to business - (area shown in red hatching with a red border on the figure opposite)
- general support amongst the landowners to the north of the centre to a zone change to business (area shown in red hatching with a green border on the figure opposite)
- railway corridor surplus land should be addressed as part of this strategy
- expansion area zoning - a preference for B4 over B2 - B4 zoning seen as likely to promote an interesting diversity of small business and residences
- issues with expansion of the centre area - parking, potential impact on housing for permanent residents and rate rises
- need to review the heritage control over the centre to ensure it is not restricting appropriate development
- need to review of parking on site and off site provisions to facilitate better safety, traffic flow and alignment with the type of uses emerging

Brunswick Heads (Figure 26 in ELS)



- mixed views on concept to consolidate centre or change to the business zone in Fingal St south (area as shown with a red border on the figure opposite)
- no support indicated for an increase in heights - general feedback was to maintain the existing 9m height limit
- some support for investigating an increase in FSR in the B4 area (Tweed St) up to 0.65:1 (currently 0.5:1) in order to incentivise small businesses + live/work opportunities
- need to review of parking on site and off site provisions to facilitate better traffic flow and alignment with the type of uses emerging

Figure 25: Ocean Shores existing predominant floorspace use mix*



Ocean Shores (OS) & Billinudgel village (Figures 25 & 27 in ELS)

- the OS centre should be encouraged to evolve into a town centre with the type land use mix of such centres
- investigate increasing FSR (currently 0.75:1) to encourage redevelopment of OS centre
- the OS centre does not capitalised on the adjacent NPWS land – opportunities for outdoor eating, nature walks and other complementary uses to enhance resident/ visitor experience.
- consider applying B4 Zone to residential land opposite OS centre
- support for improved bike way links between Brunswick Heads- Ocean Shore - New Brighton - Billinudgel centres
- Billinudgel Village - with improved non vehicular access and adequate flood mitigation measures could have an role as a centre for west Ocean Shores area

Figure 17: Bangalow town centre capacity analysis



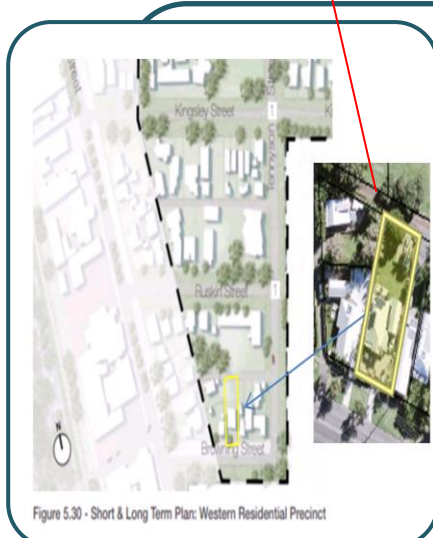
Bangalow (Figure 17 in ELS)

- mixed views on a business zone expansion (as shown in red hatching on the figure opposite)
- more support from Byron Street southern side to a B4 than northern
- support on the expansion of a business zone where it is consistent with retention of the heritage small town, parking review, shade trees and accesses off Deacon street
- alterations to the floor space ratio and height in the centre to be consistent with the Bangalow Village Plan
- a new supermarket is not needed – should support local food industries and Farmers Markets at all Shire centres instead
- the R2 zone that applies beyond the commercial area allows potential use of heritage properties by the growing professional services employment sector in Bangalow

Byron Bay (Figure 18 in ELS)



- Lawson Street is impacted by coastal erosion.
- *The following updates are based on implementation of Byron Town Centre Master Plan not community submissions:*
- Sand Hills land is zoned RE1 - the Town Centre Master Plan identifies this land as a community hub - as community land it is inappropriate to be included a centre expansion - Council is working in partnership with Crown Lands to establish a skate park.
- Lawson Street Creative Precinct - the Town Centre Master Plan - identifies this land as a possible mixed use creative hub (long term priority - 2022 -2025) - appropriate to retain as a centre expansion area in the strategy



Site-specific Landowner request

5 & 7 Browning Street Byron Bay - request to change residential zone to business zone - i.e. an extension of the commercial area.

Assessment - request is not supported as:

- as would undermine the key priority of the adjoining mixed use development precinct identified in the adopted Byron Town Centre Master Plan (BTCMP)
- BTCMP recommends 'the western residential precinct should retain its role as an area for residential living ensuring a local resident population within the town centre.'

Recommendations - resulting from the above feedback

All business centres:

3. That the Employment Lands Strategy actions relating to the Mullumbimby, Bangalow and Brunswick Heads business centres be revised to:
 - a) remove any references to (i) investigating an increase in building height up to 11.5m' and (ii) the words '*consistent with the Byron Town Centre*'; and

6. **insert a new action ‘to undertake an urban design review to determine appropriate building heights’**

Bangalow:

7. **That the potential expansion area area as shown on ‘Figure 17: Bangalow town centre capacity analysis’ of the ELS be deleted due to the limited number of submissions received, lack of clear direction in the submissions, heritage designation and adopted Village Plan.**

Mullumbimby

8. **That the potential southern expansion area as shown on ‘Figure 24: Mullumbimby town centre capacity analysis’ of the ELS be deleted due to the limited number of submissions received, lack of clear direction in the submissions and heritage designation.**
9. **Insert a new ELS action to investigate opportunities for use of the Mullumbimby surplus rail corridor lands for mixed use purposes.**

Byron Bay

10. **That the site specific request for 5 & 7 Browning Street Byron Bay not be included as a potential business centre expansion area as inconsistent with the Byron Town Centre Master Plan.**
11. **That the Sand Hills potential expansion area as shown on ‘Figure 20: Byron Bay town centre capacity analysis’ of the ELS be deleted as it is inconsistent with the Byron Town Centre Master Plan.**

5.4.2. Employment precincts (industrial areas)

Submissions relating to employment precincts in general indicated:

- support for the need to identify additional industry land
- need for land to accommodate large warehouses with easy access to B-double trucks off the highway
- industrial land opportunities should be consistent with the rural land use strategy policy for protecting agriculture and supporting local food production and process industries
- preference for light industry due to environmental constraints and community values
- need for regulations to prevent new industrial areas becoming de facto residential areas (ie. strictly ancillary to industrial use), as has happened in the Byron Arts and Industrial Estate
- need for character statements and design principles for new industrial areas so that buildings are sensitively designed and create a sense of place
- need for planted landscaped buffers along roadways to mitigate the negative visual impacts of industrial development – particularly along the Highway and in gateway to town locations
- need for actions to deliver and better manage infrastructure demands.

The following provides a summary of feedback received on each identified employment precinct.

SITE 2 - MULLUMBIMBY EXPANSION



Site 2 Manns Road Mullumbimby

- landowner support - (area shown in yellow on the figure opposite)
- landowner seeking mixed-use employment hub (such as Habitat in Bayshore Drive, Byron Bay) and more traditional light industrial use consistent with existing estate
- community concern as to the extent of the expansion area
- requires flooding investigations

SITE 4 - GULGAN WEST



Site 4 Gulgan West and Site 3 Gulgan East

- mixed community views for and against these 2 locations with stronger support for Site 3
- Site 4 northern land owner supports a mix of business and industrial zones (area shown in yellow and bordered in blue on the figure opposite)
- mixed views on use for food hub
- need to address koala habitats and wildlife corridors
- landscape buffers to screen any industrial areas from the Pacific Highway, Gulgan Road, Yaran Road, and Foxs Lane
- flooding constraints - OEH raised the need for a flood study

SITE 3 - GULGAN EAST



Landowner seeks an amendment to the IN1 zone by extending the zone boundary to the south of the industrial estate. The extension of the zone would result in an additional 2000m² of industrial zoned land (proposed extension marked in red on figure opposite and shown in detail below).

- South-west extent of land contains HEV vegetation and designated as E-Zone
- South-west extent of land mapped as high hazard flood prone
- remaining unconstrained land adjoins existing industrial estate
- the site has the capacity to be connected to existing infrastructure and transport network.

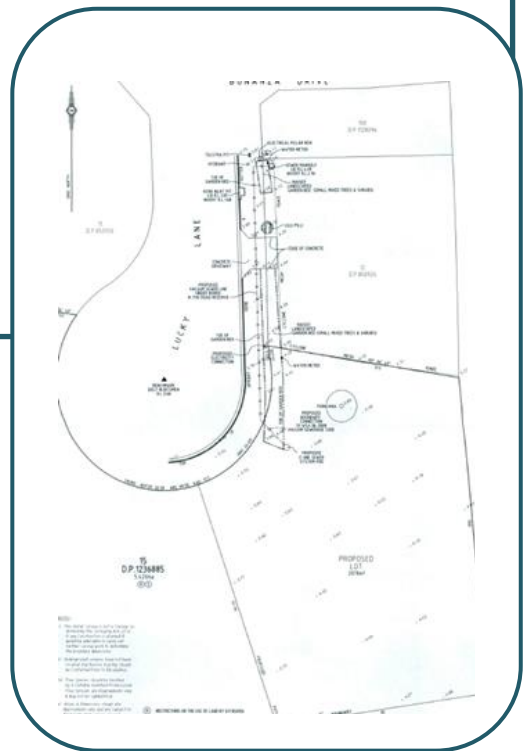




Figure 9 - West Byron and Sunnybrand Planning Proposal site

- Sunnybrand site should be included (raised by DPE)
- flora and fauna, acid sulphate soils, coastal wetland with a high watertable and wildlife corridors are a key considerations (raised by OEH)



Site 5- Banglow East

- Banglaow community groups do not support this site due to traffic, visual, drinking water catchment and an inconsistency with character of Bangalow village
- DPE requested removal on grounds that RMS have identified as unsuitable.

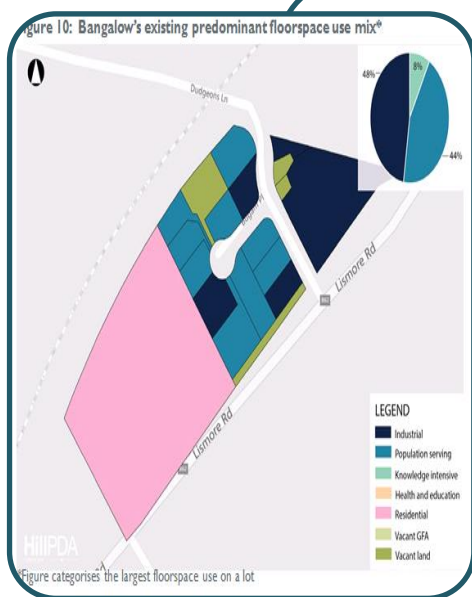



Figure 10 - Bangalow Existing estate

- a number of community members do not support expansion of Bangalow Industrial Estate either north or south as landscaping is minimal, visually intrusive, noise travels up the valley, traffic and access issues
- focus should be on the 2.9 ha of unutilized zone IN1 land (shown in pink on the figure opposite)
- land owners to the north and south sought extensions of this area - refer to the next section for details.

The following tables provide a summary and assessment of site-specific landowner requests for potential industrial sites.


Table 3 – summary and assessment of 66 The Saddle Road (Precinct ‘A’)

Site	‘Precinct A’ – Proposed Business Park LOT 2 DP 1159910 66 The Saddle Road, BRUNSWICK HEADS	
Area	4.5 ha	
Description	<p>Located south of Saddle Rd and west of the Gulgah Road M1 Highway interchange. ‘Precinct A’ proposes business park type development – buildings housing multiple small businesses.</p> <p>‘Precinct A’ is marked in light blue on the map below:</p> 	
Strength	<ul style="list-style-type: none"> • Under single ownership • Proximity to Hwy • Flood free • Direct north and south-bound ingress and egress to Pacific Highway 	
Challenge	<ul style="list-style-type: none"> • Isolated from other employment areas • Slopes generally 10-18% - which is a construction and movement impediment • Distance from existing water and sewerage infrastructure • A business zone facilitates a wide range of uses from warehouses and distribution centres to garden centres or takeaway food and drink premises with potential high turnover, heavy vehicle and 24 hour movements • Visually prominent location in a rural landscape 	
Traffic	<ul style="list-style-type: none"> • Saddle Rd not constructed to a standard appropriate for commercial vehicle access • Limited scope to facilitate increased capacity for public transport infrastructure 	Moderately constrained
Ecology	<ul style="list-style-type: none"> • Further investigation required 	Moderately constrained
Primary industry	<ul style="list-style-type: none"> • Important farmland designation 	Moderately constrained

Site	'Precinct A' – Proposed Business Park LOT 2 DP 1159910 66 The Saddle Road, BRUNSWICK HEADS	
Socio-economic	<ul style="list-style-type: none"> Increase job opportunities for residents in the Shire 	Minor constraints, investigate further
Flood	<ul style="list-style-type: none"> Flood free 	Minor constraints, investigate further
Consistency with ELS Directions	Direction 2 – secure a sustainable long term supply of suitable employment land Direction 4 – Improve infrastructure in employment land	Moderately Constrained Moderately Constrained, would need further investigations on infrastructure delivery
Potential yield	2.25 ha	
Recommendation	Precinct A supported due subject to further investigations of: <ul style="list-style-type: none"> community views – (Note: not previously exhibited) business case viability and modelling (including examination of the potential for food manufacturing anchor location). flood management infrastructure and access (road, rail and pedestrian/cycling) servicing environmental rehabilitation, enhancement and landscaping cultural heritage and social impact assessment 	


Table 4 – summary and assessment of 66 The Saddle Road (Precincts 'B', 'C' and 'D')

Site	'Precincts B, C & D' – Proposed Industrial Estate LOT 2 DP 1159910 66 The Saddle Road, BRUNSWICK HEADS
Area	7.3 ha
Description	<p>Located on both sides of Gulgán Road (north), south-west of the M1 Highway interchange. 'Precincts B, C & D' are proposed for a traditional industrial estate, allowing larger footprints for warehouse style uses requiring truck manoeuvring. The submission notes that Precinct B could also serve as a possible business park.</p> <p>The map below shows 'Precincts B & C' marked in dark blue, and 'Precinct D' marked in green.</p>

Site	'Precincts B, C & D' – Proposed Industrial Estate LOT 2 DP 1159910 66 The Saddle Road, BRUNSWICK HEADS	
		
Strength	<ul style="list-style-type: none"> • Under single ownership • Proximity to Hwy • Flood free (Precinct B) • Direct north and south-bound ingress and egress to Pacific Highway • Relatively flat and cleared area 	
Challenge	<ul style="list-style-type: none"> • Surrounding HEV vegetation and potential E zones limit developable area • Distance from existing water and sewerage infrastructure • Limited capacity for synergies with future ecovillage or long term urban development • Visually prominent in an essentially rural landscape • Proposed Uses (warehousing) do not support ELS <i>Principle 7 – opportunities for agglomeration</i>. • Flood prone in major events (Precincts C & D) 	
Traffic	<ul style="list-style-type: none"> • Would impede flow of traffic on Gulgan Rd, an already busy and important commuter road between Mullumbimby, The M1 Hwy and Brunswick heads. • Significant potential for heavy vehicular turning movements on a road section that has not been designed for this purpose. • Potential access point (intersection/ roundabout) less than 350m from Hwy interchange, which is less than the Byron Hospital access at 370m (ie. a lower traffic-generating use). 	Highly constrained
Ecology	<ul style="list-style-type: none"> • Further investigation required 	Moderately constrained
Primary industry	<ul style="list-style-type: none"> • Important farmland designation (part of Precinct B only) 	Moderately constrained
Socio-economic	<ul style="list-style-type: none"> • Increased job opportunities for residents in the Shire 	Minor constraints, investigate further


Site	'Precincts B, C & D' – Proposed Industrial Estate LOT 2 DP 1159910 66 The Saddle Road, BRUNSWICK HEADS	
Flood	<ul style="list-style-type: none"> Flood free (Precincts A & B) Flood prone in major events (Precincts C & D) 	Minor constraints, investigate further
Consistency with ELS Directions	Direction 2 – secure a sustainable long term supply of suitable employment land	Highly Constrained
	Direction 4 – Improve infrastructure in employment land	Moderately Constrained, would need further investigations on infrastructure delivery
Potential yield	3.7 ha	
Recommendation	<p>Precinct B supported due subject to further investigations of:</p> <ul style="list-style-type: none"> community views (Note: not previously exhibited) business case viability and modelling (including examination of the potential for food manufacturing anchor location). flood management infrastructure and access (road, rail and pedestrian/cycling) servicing environmental rehabilitation, enhancement and landscaping cultural heritage and social impact assessment' <p>Precincts 'C' & 'D' not supported due to combined site constraints and isolation from other employment areas (both existing and proposed).</p>	

Table 5 – summary and assessment of LOT 1 DP 940938, Mullumbimby

Site	Proposed Service Station LOT 1 DP 940938 Mullumbimby Road, MULLUMBIMBY	
Area	1 ha	
Description	<p>Submission proposes inclusion of a small area (1 ha) along the western section of the road frontage as a recommended location for a service station.</p> 	
Strength	<ul style="list-style-type: none"> Under single ownership High traffic exposure along entrance to/from Mullumbimby urban area Support service for growing urban and employment areas in Mullumbimby Capacity to locate outside of area mapped as important farmland 	
Challenge	<ul style="list-style-type: none"> Flood prone in major events Stand alone site isolated from the Mullumbimby urban area and industrial estate Visually prominent in an essentially rural landscape 	

Site	Proposed Service Station LOT 1 DP 940938 Mullumbimby Road, MULLUMBIMBY	
	<ul style="list-style-type: none"> Site is not connected to existing water and sewer infrastructure High traffic thoroughfare to Mullumbimby urban area 	
Traffic	<ul style="list-style-type: none"> Would impede the flow of traffic on Mullumbimby Rd, an already busy and important commuter road between Mullumbimby and The M1 Hwy. Located in 80km/hr zone and may require new roundabout to minimise impacts on traffic flow 	Highly constrained
Ecology	<ul style="list-style-type: none"> Further investigation required 	Moderately constrained
Primary industry	<ul style="list-style-type: none"> Adjacent to important farmland 	Moderately constrained
Socio-economic	<ul style="list-style-type: none"> Increased job opportunity for residents of Mullumbimby or nearby localities 	Unconstrained
Flood	<ul style="list-style-type: none"> Developable area is flood prone in major events and directly adjacent to area mapped as high hazard Inclusion of the land in the strategy would pre-empt finalisation of the North Byron Flood Study, which may redefine the areas mapped as High Hazard 	Moderately constrained
Consistency with ELS Directions	Direction 1 - Improve the utilisation of existing zoned employment land	Highly Constrained – site is isolated from existing urban area / employment land
	Direction 4 – Improve infrastructure in employment land	Moderately Constrained, would need further investigations on infrastructure delivery
Potential yield	1 ha	
Recommendation	Not supported due to combined site constraints and isolation from the existing Mullumbimby urban area.	

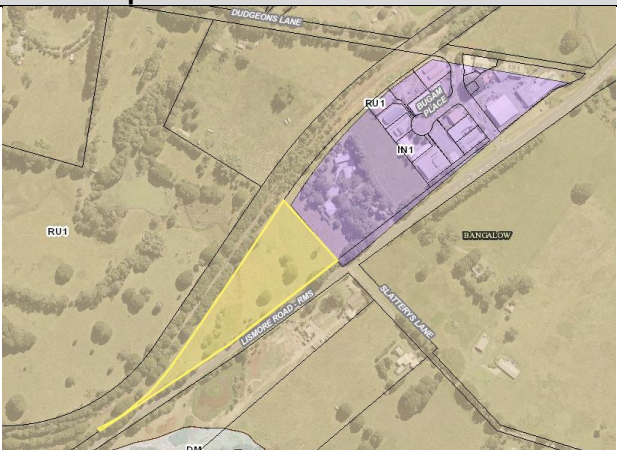
Table 6 – summary and assessment of Lot 4 DP 635505, Bangalow

Site	Proposed Industrial Area Extension 150 Lismore Road Lot 4 DP 635505
Area	1.37 ha
Description	<p>Located on the northern side of Lismore Road, the site adjoins the existing industrial area to the south. Landowner seeking an extension of the Bangalow industrial area.</p> 

Site	Proposed Industrial Area Extension 150 Lismore Road Lot 4 DP 635505	
Strength	<ul style="list-style-type: none"> • Under single ownership • Adjoins and can be accessed from existing industrial area • Relatively flat and cleared area • Agglomeration of industrial land use - ELS Principle 7 • Adjacent to railway • Minimal visual impact due to relatively flat topography and presence of existing industrial estate • Multi directional access 	
Challenge	<ul style="list-style-type: none"> • Distance from Highway • Regionally significant farmland • Riparian buffer and Dudgeons Lane road reserve limit developable area • Limited barriers to spread and speculation on regionally significant farmland • Flood prone in major events 	
Traffic	<ul style="list-style-type: none"> • Potential increase in heavy vehicular turning movements on Lismore Road. • Potential to utilise existing industrial estate access and connect to existing internal road network 	Minor constraints, investigate further
Ecology	<ul style="list-style-type: none"> • Site adjoins riparian area • Further investigation required 	Moderately constrained
Primary industry	<ul style="list-style-type: none"> • Important farmland designation 	Minor constraints, investigate further
Socio-economic	<ul style="list-style-type: none"> • Job opportunity for Bangalow residents 	Unconstrained
Flood	<ul style="list-style-type: none"> • Part of site is flood prone in major events 	Minor constraints, investigate further
Consistency with ELS Directions	Direction 1 - Improve the utilisation of existing zoned employment land	Minor Constraint, limited capacity to develop vacant IN1 zoned land to the south due to access issues.
Potential yield	1 ha	
Recommendation	Supported due to agglomeration of industrial land use, suitable site topography, potential to connect to existing internal road network and to utilise existing access to Lismore road.	

Table 7 – summary and assessment of Lot 7 DP 626084, Bangalow

Site	Proposed Industrial Area Extension 204 Lismore Road - western part of Lot 7 DP 626084
Area	2.3 ha
Description	Located on the northern side of Lismore Road, the site adjoins vacant industrial zoned land (IN1) to the east. Landowner seeking an extension to the existing IN1 zone.

Site	Proposed Industrial Area Extension 204 Lismore Road - western part of Lot 7 DP 626084	
		
Strength	<ul style="list-style-type: none"> • Under single ownership • Adjoins existing industrial area • Agglomeration of industrial land use - ELS Principle 7 • Adjacent to railway • Minimal visual impact due to presence of existing industrial estate 	
Challenge	<ul style="list-style-type: none"> • Regionally significant farmland • Access and movement (via existing industrial) • Areas with slope 10-18% - which is a construction and movement impediment for heavy vehicles • Limited barriers to spread and speculation on regionally significant farmland • Proximity of existing residence to proposed IN2 extension (< 50m) 	
Traffic	<ul style="list-style-type: none"> • Proposal is based on additional industrial estate access to/from Lismore Road, significantly impacting on traffic flows and heavy vehicle turning movements. • Currently unable to connect to existing internal road network via Bugam place. 	Highly constrained
Ecology	<ul style="list-style-type: none"> • No known constraints - further investigation required 	Minor constraint
Primary industry	<ul style="list-style-type: none"> • Important farmland designation 	Moderately constrained
Socio-economic	<ul style="list-style-type: none"> • Potential job opportunities for residents in Bangalow and surrounding localities 	Unconstrained
Flood	<ul style="list-style-type: none"> • Flood free 	Unconstrained
Consistency with ELS Directions	Direction 1 - Improve the utilisation of existing zoned employment land	Highly constrained due to (i) proximity of existing residence on adjoining IN1 zone on this site, and (ii) no confirmed access via existing industrial estate.
Potential yield	1.15 ha	
Recommendations	<p>Further expansion of the IN1 zone (industry) to the subject land is not supported until such time as the landowner can demonstrate legal access off Bugam Place and subdivision development has commenced on undeveloped IN1 zoned land.</p> <p>If a subdivision development application has not been lodged by 1 July 2020, Council commence a process to rezone the undeveloped IN1 zoned land to RU1 to enable agricultural use of land consistent with the important farmland designation under the North Coast Regional Plan</p>	

Site	Proposed Industrial Area Extension 204 Lismore Road - western part of Lot 7 DP 626084
	2036.

Recommendations - resulting from the above feedback

12. Insert a new Strategy action to update Development Control Plan provisions for business and industrial land requiring landscaped buffers along roadways to mitigate the negative visual impacts of industrial development — particularly along the Highway frontage and gateways to towns.

13. Amend Strategy Action 2.1 to replace words “Commence planning for the release of Gulgan east and west as new employment precincts for industrial purposes” with:

“Commence planning investigations for the Employment Strategy Site 3 - Gulgan East and Site 4 - Gulgan West Investigation Areas and a new Gulgan North Precinct ‘A’ & ‘B’ (part of Lot 2 DP 1159910, 66 The Saddle Road, Brunswick Heads) for industrial and supporting business purposes as follows:

- **community engagement on Gulgan North only (NOTE: not previously exhibited)**
- **business case viability and modelling (including examination of the potential for food manufacturing anchor location)**
- **flood management**
- **infrastructure and access (road, rail and pedestrian/cycling) servicing**
- **environmental rehabilitation, enhancement and landscaping**
- **cultural heritage and social impact assessment.”**

14. Adopt the following recommendations 14. (a) – 14.(e) for Employment precincts (industrial areas) Site-specific Assessment as contained in Tables 3 - 7 of this report:

- 14 (a) – That Precincts ‘C’ & ‘D’ – part of Lot 2 DP 1159910 — 66 The Saddle Road, Brunswick Heads — is not supported as a potential business and industrial precinct due to combined site constraints and isolation from other employment areas (both existing and proposed).
- 14 (b) - That Lot 1 DP 940938 Mullumbimby Road, Mullumbimby is not supported as a potential industrial precinct due to combined site constraints and isolation from the existing Mullumbimby urban area.
- 14 (c) - That 150 Lismore Road is supported as a potential business and industrial precinct based on the logical agglomeration of industrial land uses, suitable site topography, potential to connect to existing internal road network and to utilise existing access to/from Lismore Road.
- 14 (d) - That further expansion of the IN1 zone (industry) at 204 Lismore Road, Bangalow - part of Lot 7 DP 626084 is not supported until such time as the landowner can demonstrate legal access off Bugam Place and subdivision development on undeveloped IN1 zoned land has commenced.
- 14 (e) - If a subdivision application for 204 Lismore Road, Bangalow – the western part of Lot 7 DP 626084 — has not been lodged by 1 July 2020, Council commence a process to rezone the undeveloped IN1 zoned land to RU1 to enable agricultural

use of land consistent with the important farmland designation under the North Coast Regional Plan 2036.

5.5. Proposed new section to the Strategy – ‘Potential Anchor Location Activities’

A number of submissions raised a need for the strategy to support wellbeing and health sector, educational, cultural, historical, incubator and creative “industries”. The DPE submission identified a need for the draft ELS to align with Northern Rivers Regional Economic Development Strategy 2018 -2022 (NRREDS) dpc.nsw.gov.au/assets/REDS/6004f55e44/Northern-Rivers-REDS.pdf. This document, adopted late last year by the NSW government and prepared in consultation with the local councils in the Northern Rivers area, is designed around one or more local government areas working to function as a collective economic region. It notes that:

‘Byron’s economy today reflects diverse specialisations like tourism, clothing manufacturing, creative professionals (like advertising and motion picture activities), computer system design, construction services and arts and recreational services.’

Having regard to this synopsis, as well as:

- Council’s Enterprising Byron - Strategic Direction 2 ‘nurture entrepreneurship and innovation for work creation’,
- the findings in ELS background report site suitability principle to support agglomerations - similar business types providing the opportunity growth of clusters,
- North Coast Regional Plan – Actions 6.1 and 6.2 to support the identification of industry anchor locations, and
- recent resolutions of Council that support the identification of potential locational hubs,

it is considered appropriate to include a new section in the ELS to guide potential employment anchor locations in these sectors. Examples of emerging locations in the Shire include Council land – Lot 12 on Bayshore Drive, the old Mullumbimby Hospital site and land surrounding the operational Byron Hospital.

Recommendation

15. Insert a new section in the Employment Lands Strategy, along with supporting criteria/principles to guide ‘Potential Anchor Location Activities’ associated with:

- i. **health services**
- ii. **knowledge and creative industries**
- iii. **co-operative business and innovation hubs.**

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