

Echo Property *Magazine*



THE NORTHERN RIVERS' BEST REAL ESTATE GUIDE

Issue #9, April 2024 • 24,700 printed copies across the region • www.echo.net.au/property

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Ducat Park offers a charming opportunity for a tranquil lifestyle, either as a permanent residence or a retreat from urban chaos, with caretaker accommodation included.

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Positioned conveniently near the M1, it facilitates easy travel to Brisbane or Byron Bay. The property's zoning as RU2 offers diverse potential uses, appealing to those seeking innovation. Additionally, with 33 solar panels and an 8.2kw inverter, self-sufficiency becomes a viable option.

Notably, Ducat Park's proximity to amenities like Gold Coast International Airport, universities, and hospitals enhances its appeal as a desirable coastal rural property.

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Harvest Estate: Stage 1 of Byron Bay's first new housing release in over 30 years now complete

Second release starting soon

In a stride toward sustainable coastal living, Harvest Estate, Byron Bay's premier master-planned community, has now completed its first stage and is preparing to commence its second release of sales.

The development of the Harvest Estate site has been in planning for over 20 years with various landowners and hurdles along the way. After such a long and difficult period, the estate is being developed by Tower Holdings to offer an idyllic beachside lifestyle spanning 150 acres and featuring more than 50,000 sqm of recreational open space, bike paths, walking tracks, a community centre, and lush gardens.

To arrive at this stage has been a collaborative journey that has shaped Harvest Estate into the unique community it is today, according to Tower Holdings CEO Anthony Aiossa.

"Working closely with our neighbours, local stakeholders and the local Council, we've not only learned from them but also made meaningful compromises to ensure the estate aligns seamlessly with the surrounding environment," he said.

"From the outset, our vision was to deliver an extraordinary living experience, and following our collaborative process, we are very proud that the completion of Stage 1 has taken a significant step toward that goal. From the vegetation buffer along Ewingsdale Road to the retention of significant frog habitat areas, the creation of a large public fitness park and a range of pocket parks throughout the estate, the walking paths, the natural drainage swales and bioretention basins, and arguably some of the nicest roads in Byron Bay. Harvest Estate is set to become an amazing community-based living environment for the new residents in this part of Byron Bay."

Sustainability remains at the forefront of Harvest Estate's ethos. Over 11.76 hectares have been designated for environmental rehabilitation, featuring endemic and native flora species. The site is committed to conserving 38.4 hectares of existing vegetation, including 2.9 hectares of frog habitat. The current design also represents a 49 per cent reduction in clearing native vegetation compared to the original Development Application scheme.

"In transforming the estate, we've turned underutilised farmland into a thriving haven for



endangered species and elevated the environmental significance of the land," Planit Consulting Director Ben Gohl said, whose firm has provided project management, town planning, civil design and environmental services for the estate.

"Today, a new community of Byron residents can thrive amidst a flourishing ecosystem. We're excited to see people coexist harmoniously with nature here, fostering a sustainable and vibrant cohabitating ecosystem."

Stage 2 builds on the success of the initial launch, offering prospective residents an even broader array of generously sized lots. The carefully crafted design continues to prioritise sustainability, ensuring that each new home contributes to the ecological harmony of the community. "

"At the launch, our expectations were geared towards city dwellers seeking to build their dream holiday homes," said McGrath Principal Will Phillips, who is selling the land alongside Kay & Burton

Associate Partner Adam Ross. "However, what transpired was an overwhelming interest from local buyers. They sought premium, flat blocks in close proximity to the town centre. The appeal lies in the opportunity to build their dream homes, be part of a community of like-minded neighbours, and experience the vibrant heart of Byron Bay.

"Within a short span, approximately 50% of Stage 1 was swiftly sold, predominantly to locals eager to shape their living spaces."

Harvest Estate – where sustainability, community, and coastal living converge. Stay tuned as the second release approaches, inviting you to be a part of this extraordinary Byron Bay experience.

McGrath

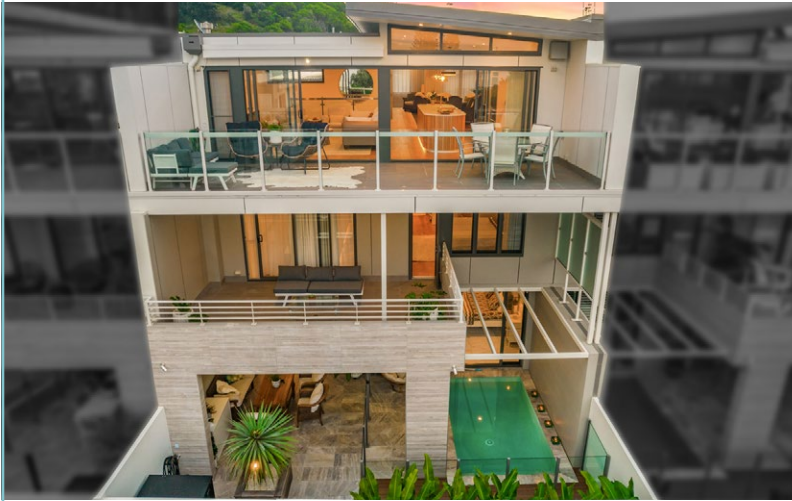
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The challenges of housing the increasing population on the Northern Rivers

Aslan Shand

There is a massive push from the NSW state government to increase the number of people living on the Northern Rivers, with some predicting an increase of up to 40 per cent by 2041. A similar increase is being pushed throughout the state, however some councils and communities are pushing back against the state government pressure.

The NSW state government is required to build 375,000 new homes over the next five years as part of the attempt to deal with the housing crisis. This is seeing significant pressure on councils across the state to increase their housing commitments and has seen Byron Shire Council endorse the Byron Shire Residential Land Strategy 2041, a plan that proposes the construction of more than 5,300 new dwellings across Byron Shire.

Key issues that are coming forward include developers land banking approved development sites rather than getting the developments underway, as well as the increase in density of housing and the lack of infrastructure to support this. Across areas like the Northern Rivers risks such as flood and fire are also making some areas less likely to be made available for development.

Land banking blamed for lack of housing

In the Northern Rivers Tweed Shire has over 10,000 approved lots that are yet to be developed, while Lismore local government area has around 4,000. Both councils have recognised that land banking is an issue.

‘Councils say they’re sick of being scapegoated for the housing crisis,’ said Local Government NSW (LGNSW) President Cr Darriea Turley AM in November 2023.

Councillor Turley said that NSW councils had consistently sought to take a collaborative and positive approach to working with the state government to help ease the housing crisis, but enough was enough.

‘Making councils the whipping boy is disingenuous and it has to stop,’ Cr Turley said.

‘The premier, Planning Minister Paul Scully and Housing Minister Rose Jackson well know that:

- councils are approving 97 per cent of all DAs
- councils have met 2022/23 state housing targets by approving more than 85,095 dwellings

- far more development applications are being approved than builds commencing: the figures for the past two financial years show 103,460 DAs determined but only 83,419 construction certificates lodged

- even fewer homes are being completed: over that 24-month period only 70,886 occupation certificates were requested.

‘These are the government’s own figures, and the rhetoric being bandied about in state parliament and in the media is nothing more than convenient fiction.’

Cr Turley said the significant disparity between approved DAs and construction certificates showed the failure of private developers to build the homes that had already been approved.

Developers have no intention of selling homes

‘Land banking is a massive problem – some developers have no intention of developing and selling the number of homes required to meet demand, because this would simply drive down the cost of homes and therefore their profits.’

Tweed Shire Mayor Chris Cherry again highlighted the issue when she put forward a motion at the Regional Cities NSW mayors conference this month calling on the state government to take action on the ‘worsening housing crisis’. The motion was supported unanimously.

No lever to ensure Tweed housing built

Cr Cherry said the Tweed Shire, like many on the North Coast, was struggling with rising levels of homelessness and disadvantage due to a lack of social and affordable housing options.

‘The urgency of the housing crisis across regional cities is dire, with the lack of housing contributing to a rising inability of businesses to attract workers,’ Cr Cherry said.

‘We are seeing increased levels of homelessness in the Tweed, along with increased antisocial behaviour as people become more desperate. What we need are tangible outcomes on the ground.’

Cr Cherry said the Tweed’s housing affordability had significantly worsened following the COVID-19 pandemic, during which residents from the capital cities flocked to the Northern Rivers to escape lockdowns. The situation was further exacerbated after thousands of homes were either lost or damaged in the record floods of February-March 2022.

‘It is incredibly frustrating to hear about the worsening housing situation in Tweed Shire when we have significant private residential developments already approved and ready to go but no lever to force developers to forge ahead in a timely manner,’ Cr Cherry said.

There are currently over 10,000 lots approved for development in the Tweed Shire between Cobaki, Kings Forest and Gales Holdings in Kingscliff that have yet to be built.

Lismore land banking

Former Lismore City Council (LCC) Mayor Vanessa Ekins has also highlighted the issue of land banking in the Lismore local government area (LGA).

Cr Ekins said the previous council had planned and facilitated the approval of 4,000 lots in the Lismore LGA but that many of the developers have land banked those approved developments rather than built the desperately needed housing.

Infrastructure needed

Another key concern is that the state government will create a ‘free for all’ for developers leaving people in overcrowded suburbs that lack necessary facilities and infrastructure. This follows the NSW premier’s announcement that the state government could force councils to lift longstanding exclusions on building terraces, townhouses, and multi-storey apartment blocks across various local government areas where they are now not permitted, as at last November.

‘Councils recognise the scale of the housing crisis, but the proposal will do nothing to reduce the price of homes given developers will still seek to make maximum profits,’ explained Cr Turley.

‘Increases in density must be accompanied by investment in infrastructure to ensure quality of life for all communities is not worsened’

Increases in density must be accompanied by investment in infrastructure to ensure quality of life for all communities is not worsened.



Cudgen Creek meeting the ocean at Kingscliff. Photo Zstock/Shutterstock

She said increased populations required schools, hospitals, parks, open spaces, playing fields, roads, and public transport.

‘Local councils understand their communities and are always best placed to deliver housing diversity that is the best fit for local character and contributes to making great living places,’ Cr Turley said.

Maintaining community

An important element of development is for communities to maintain their local character and liveability as well as a sense of community. However, the pressure for more housing to be developed is seeing communities push back against significant land releases, height increases or infill that they see as undermining their communities.

In Byron Shire, where residents have long fought for managed development, Byron Councillors at the last minute removed a proposed increase (from 9m to 11.5m) in the maximum height limit that had been included in planning documents in their new strategy for proposed land release areas.

The Kingscliff Ratepayers and Progress Association (KRPA) have also pushed back against a range of proposals in the Tweed Growth Management Housing Strategy (GMHS) where there are clear protections in place for State Significant Farmland and other sensitive areas that need protection from urban settlement.

‘It is difficult to understand as a community how the GMHS fails to revisit the key fundamentals that

frame our character, amenity and liveability, that are enshrined in our key planning frameworks including the Tweed Regional City Action plan, The North Coast Regional Plan and Kingscliff Locality Plan,’ said KRPA president Peter Newton.

Cr Turley said there were no cookie cutter solutions to the housing crisis, which was why council planning rules had always reflected their communities’ vision rather than the wishes of developers.

‘While we don’t shy away from the need for more housing, it’s councils that undertake the strategic planning for their communities based on the capacity of services and the availability of infrastructure,’ she said.

New development outcomes

Focusing on the future Cr Ekins highlighted that LCC are looking at where to place future populations that are out of flood zones and create affordable housing for key workers.

This has led LCC to look at the Lismore-Ballina corridor as a future area for the development of key worker housing for the Northern Rivers.

The first step was taken at the recent LCC meeting; the 70 hectares site of prime agricultural land at 1055 Bruxner Highway had a voluntary planning agreement unanimously approved by councillors to be rezoned for housing.

‘We are now looking at focusing on land between

Lismore and Ballina; in particular for key worker housing for teachers, hospital staff, and workers. We are hoping this will supply affordable housing for people in Lismore as well as the region,’ explained Cr Ekins.

The approval of 1055 Bruxner Highway would pave the way for approximately 350 new residential lots including a medium-density precinct, alongside over 100 commercial and industrial lots catering to diverse business operations.

At the same meeting the LCC endorsed an Affordable Housing Contribution Scheme where farmland that is upzoned to residential land will make a small contribution of their profits to Council for the building of affordable housing. This will need to go to the state government for approval.

The challenge of providing affordable and social housing throughout the state has been hindered by a lack of long-term government support as well as increasing costs of materials and availability of trades to complete projects.

‘The NSW government’s own official housing supply report points to shortages of construction material and labour, rising interest rates, and falling housing prices as the drivers of the decline in residential building approvals,’ said Cr Turley.

As the Northern Rivers embrace the significant changes that are ahead with increased housing and population it is effective planning that will ensure that a range of housing options are available to meet the diversity of needs in the region.

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New strata regulations

Michael Murray

The recent high-rise failures making the news in Sydney will also have repercussions for us here in the Northern Rivers. The New South Wales government has initiated reforms to strata laws that came into effect last December. Hopefully, these changes will be a significant step towards rectifying longstanding issues plaguing the strata system in this state.

Inadequate strata law protection is just one of the reasons why unit and apartments have historically lagged behind stand-alone house prices. This does not need to be the case. Good strata developments should provide sufficient amenities and convenience to justify paying equal to or better than a house on freehold land. Unfortunately, not all unit developments are up to scratch, and buyers are understandably wary of strata when things can go wrong.

City problems

High-profile incidents like Mascot Towers and Opal Tower in Sydney prompted these recent rule changes. The changes are listed on the opposite page. Most of these major incidents in Sydney not only raised serious safety concerns but also led to the temporary evacuation of occupants. This degree of problem will not be such an issue in Byron Shire, where we generally have a 9m, three-storey maximum height limit. Shires like Tweed have exemptions to the 9m height limit in areas like Tweed Heads, Kingscliff etc.

Embedded networks

This is a new problem emerging within the strata development sector. Embedded networks involve developers establishing private electricity networks within strata schemes, allowing them to buy electricity in bulk and sell it to residents at marked-up prices. This practice has been criticised for its lack of transparency and potential for exploiting unsuspecting buyers. Buyers can be overcharged for services without transparency in a locked-in deal that is not advantageous to them.

Due diligence

As a buyer's agent researching a unit purchase, there are three things I first look for: 1. Are the strata fees excessive? 2. Is there a breakdown in the body corporate management, and 3. Are there hidden maintenance costs lurking in the background that the selling agent and vendor are not disclosing?

Unlike large high-rise projects in the city, there are fewer moving parts to worry about here in Byron Shire with a three-storey limit. Many duplexes, or small three- or four-unit developments, usually share a driveway or a fence and not much else. As long as there is a functioning insurance policy in place most unit purchases are safe – but checking all the details is highly recommended.

To safeguard buyers' interests, a strata search should be included in the due diligence during the purchasing process. Scrutinising body corporate Annual General Meeting (AGM) minutes and meeting records for any red flags related to structural issues or financial mismanagement is necessary. Previewing strata board minutes is a good way to check that all owners are getting along okay. This proactive approach can help mitigate risks associated with investing in strata properties and ensure buyers are fully informed before purchasing.

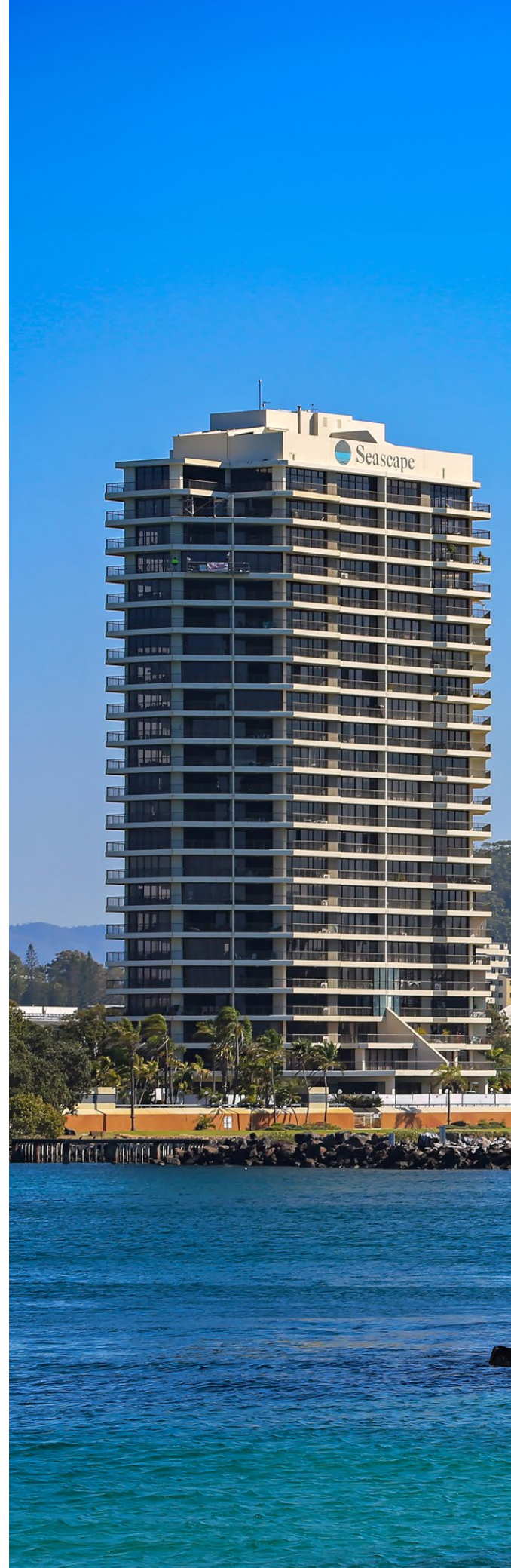
Different options are available depending on the issues and the size of the complex type being examined. There are companies like Strata North or Holmes Strata Reports that can look at potential risks or can forensically search body corporate records.

The forthcoming changes to strata laws in NSW represent a pivotal moment in the ongoing efforts to overhaul the state's strata sector. By addressing issues of transparency, accountability, and structural integrity, these reforms aim to restore confidence in the strata system and provide a more secure environment for residents and investors alike.

• Michael Murray is from Byron Bay Property Search.

The beautiful Tweed River mouth looking back from the breakwater past Little Duranbah Beach towards Tweed Heads.

Photo Norman Allchin/Shutterstock



List of recent changes to the NSW strata laws:

1. **Amendments to Strata Schemes Management Act:** Potential revisions or amendments to the Strata Schemes Management Act may include changes related to governance structures, decision-making processes, and dispute-resolution mechanisms within strata communities.
2. **Renovation and maintenance regulations:** Updates to regulations concerning renovation and maintenance within strata properties, including guidelines on responsibilities for repairs, upgrades, and maintenance of common areas.
3. **Financial management requirements:** Changes in financial management requirements, such as budgeting procedures, reserve fund contributions, and auditing processes for strata schemes.
4. **By-law revisions:** Adjustments to by-laws governing behaviour, pet ownership, noise regulations, and other aspects of community living within strata developments.
5. **Environmental and sustainability measures:** Introduce provisions promoting environmental sustainability and energy efficiency and adopting green technologies within strata properties.
6. **Short-term rental regulations:** Potential updates to regulations governing short-term rentals within strata properties, including restrictions on Airbnb-style rentals and enforcement mechanisms for compliance.
7. **Strata committee powers and responsibilities:** Clarifications or modifications to the powers and responsibilities of strata committees, including election procedures, decision-making authority, and accountability measures.
8. **Accessibility and disability accommodation:** Enhancements to regulations ensuring accessibility and accommodation for residents with disabilities, including requirements for retrofitting common areas and individual units.
9. **Community engagement and participation:** Initiatives aimed at fostering greater community engagement, participation, and transparency within strata developments, potentially through improved communication channels and consultation processes.
10. **Enforcement and compliance mechanisms:** Strengthening of enforcement mechanisms and penalties for breaches of strata management laws, including measures to address non-compliance with by-laws and failure to meet regulatory obligations.





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Edition #9, April 2024 • *The Byron Shire Echo*, issue 38.43
Cover photo: 19 Quambie Road, Cobaki, see page 2
Echo sales team: Crystal Appo, Kim Beaver, Anna Coelho,
Lesley Hannaford, Katie Thompson
Advertising enquiries: adcopy@echo.net.au or **02 6684 1777**
Echo Property Magazine is distributed with the first issue
of *The Byron Shire Echo* published each month.


Echo Property Magazine
is proudly produced by

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