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# **Statement of Environmental Effects**

Alterations and additions to a dwelling.

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25 Alcorn Street, Suffolk Park

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## 1. Introduction

This Statement of Environmental Effects is intended to accompany the Development Application prepared by Matt Walker for and on behalf of the owner of the subject land. The purpose of this report is to describe the site, its existing and proposed uses and to address all the issues relevant to the application's assessment and approval.

### Structure of Report and Scope

This report is broken down in to the following sections:

Section 2 – Describes the physical characteristics of the subject land.

Section 3 – Describes the proposed development for which this application is seeking planning consent.

Section 4 – Provides a statutory assessment of the proposal against the provisions of relevant planning policies and legislation and environmental impacts.

Section 5 – Conclusion.

All supporting plans, documents and any reports required to accompany this statement have been included in the Appendices to assist in the assessment of the proposal.

## 2. Description of the land

### **The Locality**

Figure 1: Locality of the subject land (Six Maps).



Figure 2: Aerial view of the subject site and surrounds (Six Maps).



### **Site Analysis**

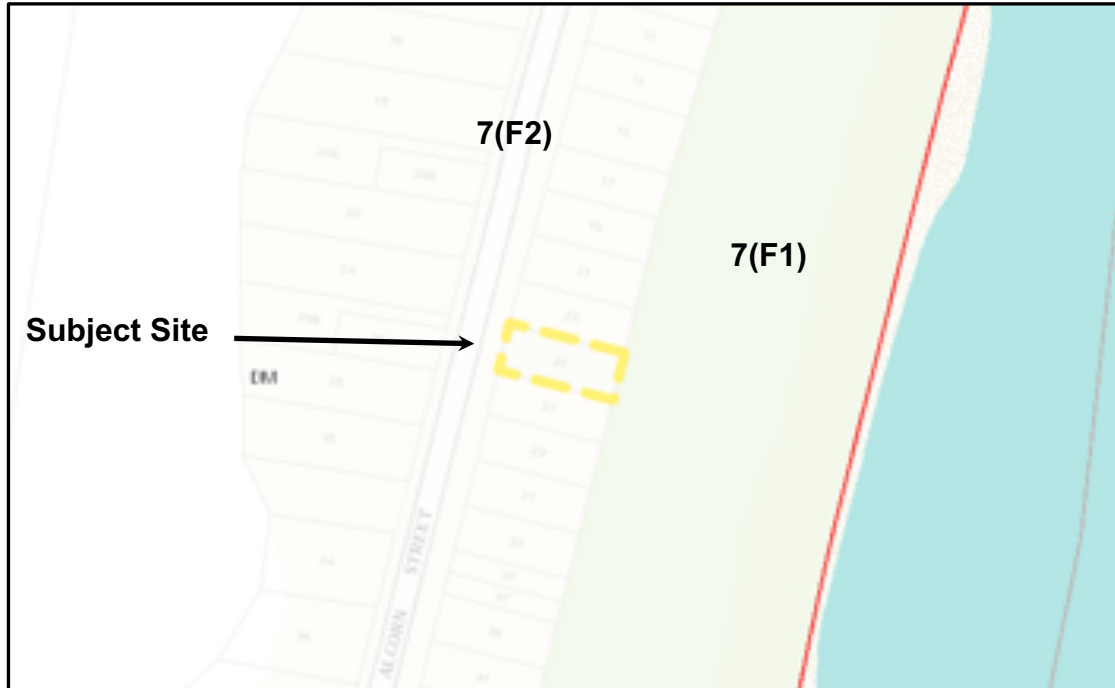
The subject site is located at number 25 Alcorn street, Suffolk Park which is situated near the northern end of Alcorn street and backs on to the coastal reserve to the east. The subject site is a rectangular shaped lot and is legally known as Lot 13 DP 31280. The subject site is approx. 613m<sup>2</sup> in total area and contains a 4 bedroom double storey dwelling-house with a single detached garage.

The land is predominately flat, contains a few trees scattered throughout the property and littoral rainforest in the adjoining land to the east. Neighbouring properties consist of a mix of single and double storey dwellings on similar sized lots with a Crown reserve to the east at Suffolk Beach.

### **Land Zoning**

The subject land is zoned DM – Deferred Matter in the Byron Local Environmental Plan 2014 which then reverts back to the 7(f2) Urban Coastal Land Zone in the LEP 1988. All of the adjoining land is within the same 7(f2) zone aside from the land to the east which is zoned 7(f1) Coastal Lands.

Figure 3: Zoning of the land (Source: NSW Legislation)



### **Zone No 7 (f2) (Urban Coastal Land Zone)**

Objectives of zone

The objectives of the zone are:

- (a) to identify urban land likely to be influenced by coastal processes,
- (b) to permit urban development within the zone subject to the council having due consideration to the intensity of that development and the likelihood of such development being adversely affected by, or adversely affecting, coastal processes,
- (c) to permit urban development within the zone subject to the council having due consideration to:
  - (i) the need to relocate buildings in the long term,
  - (ii) the need for development consent to be limited to a particular period,
  - (iii) the form, bulk, intensity and nature of the development, and
  - (iv) continued safe public access to the site, and
- (d) to allow detailed provisions to be made, by means of a development control plan, to set aside specific areas within the zone for different land uses and intensities of development.

### **Existing use**

BA 390/80 was issued for a two storey dwelling which was constructed sometime after 1980. DA 10.2005.161.1 for 'Use of rooms on upper floor plan constructed without consent' was issued by Council in July 2005 which

approved some upper floor works done without approval. Council acknowledged the requirements of the Precinct 2 Coastal Hazard Area but determined that given the original dwelling was brick construction and built prior to the DCP requirements, the additions need not be demountable. In the event that the escarpment did in fact reach the dwelling then it would have to be demolished.

The subject site contains a double storey cavity brick dwelling-house containing 4 bedrooms, 2 bathrooms, a kitchen, lounge, sitting area, study and a freestanding single car garage with a stacked car space in front of the garage.

### **Vehicular and pedestrian access**

There is an existing vehicular access from Alcorn Street that connects to the garage along with pedestrian access to the property.

### **Flooding**

The subject land is not mapped as being flood liable as per Council's LEP mapping.

### **Bushfire**

Byron Council's Geocortex shows that the land is mapped as being within the buffer to bushfire threat Vegetation Category 2 (see map below). The potential bushfire threat is located to the east of the site (narrow strip of vegetation running along the beach) and across the other side of Alcorn street behind the neighbouring dwellings.



A Bushfire Assessment has been included in the Appendices to this report which calculates the BAL rating to be BAL 12.5 given the distance from the Category 2 Vegetation to the proposed additions.

### **Coastal Erosion**

The land is mapped in Part J – Coastal Erosion Lands of the Byron DCP 2010 as being within Precinct 2. Development within Precinct 2 must be designed to be relocated or demolished, or to cease operation, should the erosion escarpment come within 50 metres. Given the original brick dwelling was built

prior to the DCP coming into effect, demolition is the only option available to the existing structure which was confirmed by Council in the 2005 application for use of the unauthorised works.

The proposed additions are located on the landward side of the existing dwelling and given the construction materials used they can be easily removed from site while the remainder of the original dwelling is demolished if the escarpment was to come within 50m of the dwelling. A Section 88E Restriction has been placed on the title relating to the 2005 development application to ensure that the building is demolished if the escarpment does retreat to within 50m.

### **Flora and fauna**

Byron Council's records show that the land does not contain vegetation of a high environmental value (HEV) and therefore a flora and fauna assessment is not deemed necessary in this instance.

### **Acid sulfate soils**

The subject site is mapped as containing Class 3 Potential Acid Sulfate Soils under the Byron LEP 2014 however this LEP does not apply to the subject site yet as the land is deferred. It is understood that the land is mapped as containing PASS under the Byron LEP 1988 which is also Class 3. Minimal site disturbance is required due to construction on slab and therefore no excavation more than 1m below ground will take place. Any PASS found on site will not be disturbed during construction of the proposed works.

### **Visual character**

The subject site is not identified as being within the Heritage Precinct for Byron Bay nor is it located adjacent to an item of heritage significance.

## **3. General description of proposed development**

### **Proposed works**

The application seeks approval to construct additions to the front of the dwelling to provide an additional living/ office area and bathroom on the ground floor with a bedroom and ensuite bathroom on the upper floor. The additions are of a contemporary design to provide additional living areas and a bedroom to the dwelling whilst also providing a new façade to address the street and improve the streetscape.

The proposed additions are constructed on slab using a mix of timber battens, FC sheet rendered, glazing, louvres and skillion roofing which combined will help to produce a building of high architectural merit. There are louvres proposed for the windows along the southern elevation to minimise any potential overlooking to the adjacent property. A pergola is also proposed at the rear of the dwelling to provide some additional entertaining area.

### **Proposed Services**

All services are currently provided to the property. Section 68 approval is required for the internal plumbing works which is being sought concurrently along with this applicaiton. Stormwater can continue to be discharged to the

existing system without consent.

#### **4. Statutory Assessment**

Section 4 documents the range of planning controls applicable in the subject case pursuant to Section 4.15 of the Act and facilitates the effect of these instruments in the circumstances of the development.

#### **State Environmental Planning Policies (SEPP)**

##### **SEPP No. 71 - Coastal Protection**

There is no impact onto existing or future access to the coastal foreshore as the land is privately owned and well separated from beach access areas. The proposed development will not overshadow the beach, cause loss of views or have an adverse impact on the scenic qualities of beach areas.

There is no known current risk from potential coastal erosion and should the escarpment come within 50m of the dwelling then the development shall cease to operate. The land has no known heritage or archaeological value and the proposed use is consistent with its historic use and use of adjoining lands.

##### **SEPP Building Sustainability Index (BASIX 2004)**

A BASIX Certificate has been included in the Appendices to this report to ensure compliance with the SEPP.

#### **Byron Local Environmental Plan 1988**

The land is zoned 7(f2) – Urban Coastal Lands under the Byron Local Environmental Plan 1988 (BLEP 1988) as indicated in Figure 3 above.

#### **Clause 24 – Development on Flood Liable Land**

The subject land is not mapped as being flood prone.

#### **Clause 32 - Development within Zone No 7 (f2) (Urban Coastal Land Zone)**

The Council, in deciding whether to grant consent to development referred to in subclause (2), shall take into consideration:

- (a) the likelihood of the proposed development adversely affecting, or being adversely affected by, coastal processes,
- (b) the need to relocate buildings in the long term,
- (c) the need for the development consent to be limited to a particular period,
- (d) the form, bulk, intensity and nature of the development, and
- (e) continued safe public access to the site.

The proposed development has been designed with the objectives of this clause in mind and can be demolished if the site is affected by coastal processes and the original dwelling already has an 88E Restriction requiring the same. The proposed additions will not impact on the beach and have been positioned as far from the escarpment as possible.



#### **40 - Height of Buildings**

The proposed alterations and additions to the dwelling reach a maximum height of approx. 6m above natural ground which is below the maximum 9.0m height limit.

#### **Clause 45 – Provision of Services**

As detailed within Section 3 of this report, adequate provision is provided to the site for electricity, telecommunications, sewerage, stormwater and water services to the land.

#### **Clause 52 - Preservation of trees**

This application does not seek the removal of any trees to facilitate construction of the proposed alterations.

#### **Clause 63 - Acid sulphate soils**

The subject site is mapped as containing Class 3 Potential Acid Sulfate Soils. Due to slab on ground construction, no works are required more than 500mm below the ground and therefore no PASS will be disturbed by this proposal. An acid Sulfate Soil Report is not required in this instance.

#### **The provisions of any draft Environmental Planning Instrument**

There are no draft Environmental Planning Instruments that are applicable to the site.

#### **Byron Development Control Plan 2010**

##### **C1 – Objectives**

The dwelling alterations as proposed are considered to be consistent with the objectives for residential development, and in particular those which relate to design standards and quality. The proposal is deemed to be compatible with the existing character locality and can utilise the existing provision of infrastructure.

##### **C2.2 – Height of Buildings**

The proposal accords with the prescribed height restrictions as required by Clause 40 of the Byron Local Environmental Plan 1988 as previously submitted.

##### **C2.5 – Building Height Plane**

The existing dwelling infringes upon the building height plane as was originally approved by Council. The proposed alterations and additions have been stepped back accordingly on the first floor to ensure compliance with the BHP and that the additions do not adversely affect development on adjoining properties by way of overshadowing, impinging on privacy, or obstructing views. All proposed works are suitably setback from boundaries to ensure compliance with this provision.

##### **C2.6 – Setback from the Street, Side and Rear Boundaries**

The DCP provisions require a minimum setback of 6.5 metres must be maintained from the primary front boundary. A variation to 4.5 metres may be sought for single dwelling buildings only with a height less than 3.6 metres. The

ground floor addition has been set back 4.8m and the upper floor has been setback 6.75m to ensure compliance with this element.

With respect to side and rear setbacks, the proposal accords with the prescriptive measures as contained within Clause C2.5 Building Height Plane and satisfies the requirements of the Building Code of Australia.

#### C2.7 – Extent of Earthworks

As provided in Section 3, the proposed excavation will not exceed 1.0m in keeping with the requirements of this element.

#### C3.1 – Visual Impact

The element objective is to maximise the aesthetic character of the built environment, consistent with the sub-tropical character of Byron Shire. The visual impact of the proposal is considered to achieve the element objective with a high quality mix of variety and design of building materials, consistency of setbacks within the street, the availability within the site for future landscaping, and the appropriate building height and shape. It is considered that the proposed design of the additions and materials will be in character with the surrounding urban coastal environment.

#### C4.1 Element – Density Control

A single dwelling must have a floor space ratio no greater than 0.5:1. The existing dwelling is approx. 217m<sup>2</sup> with the proposed alterations to the dwelling being 53m<sup>2</sup> on the ground floor and 36m<sup>2</sup> on the upper floor which takes the total floor area of the entire development to 306m<sup>2</sup>. The subject lot is 613m<sup>2</sup> in total area which makes the FSR 0.5:1. The proposal is therefore compliant with this clause.

#### C4.2 Element – On-Site Car Parking

The existing parking arrangement has been approved by Council which allows for one vehicle in the garage with the second space in a stacked formation on the driveway. No additional car spaces are generated by this proposal as the DCP only requires 2 off street spaces for a single dwelling. The proposed additions have been designed to integrate with the garage to make it form part of the dwelling structure in accordance with this chapter.

#### C4.3 – Landscaping

The subject site is an established residential/coastal habitat lot with existing landscaped areas and some additional planting to be undertaken by the land owner following construction of the proposed additions. Stormwater runoff from the roof will be captured in rainwater tanks for potable water use on site. No additional impervious areas are proposed as part of the development.

#### Services

All services required for the development are already connected to and available at the property. Section 68 approval for plumbing will be required for the proposed works and is being applied for concurrently with this application.

#### Stormwater management

Stormwater can continue to be collected and disposed of to the existing network with the proposed works only increasing the roof catchment by approx. 50m<sup>2</sup>. Single dwellings do not require stormwater approval.

#### Part G - Vehicle circulation and parking

No alterations are proposed to the existing parking arrangements as there is one car space provided for in the existing garage with room for another vehicle to park in a stacked formation in front of the garage. The garage is setback approx. 8m from the front boundary which is then another 5m to the road so vehicle parking does not impact on the streetscape.

Given the existing dwelling only had one space allocated within the garage and the second space approved in a stacked formation, it is deemed acceptable that the status quo remains for the 2 off street spaces. There is ample room to park an additional vehicle to the side of the stacked park if necessary or on the street in front of the dwelling given Alcorn street is quiet up the northern end.

#### Waste minimisation and management

Only the required materials will be brought onto the site during construction of the alterations and additions. Any additional waste generated during construction will be taken away from the site during in accordance with this Chapter.

#### Visual impact

The proposed development has been designed to compliment the existing streetscape whilst integrating with the existing environment to ensure that the character of the locality is not compromised. There will be no loss of privacy to adjoining residents and the proposed materials and form of the additions provides a contemporary design to compliment the existing dwelling.

### **The likely impacts of the proposed development**

#### Social and Economic Impacts

The proposed development is on an existing dwelling site within a residential area and is socially compatible with the surrounding land uses. The proposal will result in economic benefits to the construction industry and an improved dwelling for the land owner.

#### Impacts on the Built Environment

The proposal is deemed to be of a suitable scale with the development proposing an additional upper floor bedroom and ground floor living area. The proposed alterations are a contemporary design that is complimentary to the existing dwelling, provides a positive contribution to the streetscape and is consistent with the objectives of the Coastal Zone. The development can be removed from the site if the escarpment comes within 50m of the dwelling and it is not likely to adversely impact on the built environment of the immediate locality.

Impacts on the Natural Environment

No vegetation is to be removed nor is any significant excavation or fill required as part of this proposal as the additions are slab on ground on a flat site. Stormwater from the additions can be collected and disposed of to the existing system. If the erosion escarpment comes within 50m of the dwelling then the development will cease and the site remediated. Any impacts on the natural environment will be minimal.

Suitability of the site for the Proposed Development

All proposed works have been designed to compliment the existing character of the dwelling and locality whilst improving the façade and streetscape. The site already has access to all services and stormwater can be collected and disposed of to the street. There are no issues caused by potential loss of privacy, building setbacks or adverse overshadowing and the proposed additions can be readily removed from the site if the escarpment retreats. The subject site is considered to be suitable for the proposed development.

## 5. Conclusion

This Statement of Environmental Effects, when read in conjunction with the accompanying design plans and technical reports, successfully addresses the issues relevant to Council's assessment of this application for the proposed alterations and additions to the dwelling. In consideration of the issues and information provided, approval of the Development Application is requested in the manner prepared, subject to the inspection of reasonable and relevant conditions.

The proposal is deemed to be a respectful contemporary design approach to the site characteristics and adjoining development in the locality whilst complying with the relevant State and Local planning policies and guidelines. It is believed the proposed development can be carried out on the subject site with minimal impact on both the natural and built environments whilst making a positive contribution to the local economy.

Should you have any issues or require any additional information for this application please contact me on 0488 422 500 or at [mattwalkertownplanning@gmail.com](mailto:mattwalkertownplanning@gmail.com),

Kind regards,



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