

# Swimming Pool

13/213 Coorabell Road, Coorabell

Lot 13 DP 286140



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## 1.0 BACKGROUND

### 1.1 INTRODUCTION

This Statement of Environmental Effects has been prepared to accompany a development application that has been lodged seeking approval for a proposed swimming pool.

### 1.2 THE SITE & LOCALITY

The subject land is described as Lot 13 in DP 286140, No.13/213 Coorabell Road, Coorabell. The land has frontage to a private road. The land is a small rural residential allotment and existing improvements include a dwelling. The land is also bound by other rural allotments to the north, south, west and east.



**Subject site & locality**

### 1.3 THE PROPOSAL

The proposal involves the construction of an in ground swimming pool.

The pool is positioned to the side of the dwelling. It is setback a minimum of 12m from the rear boundary and 21m from the side boundary.

The pool measures 4m by 9m.

## **2.0 STATUTORY ASSESSMENT**

Considerations under Section 4.15 of the Environmental Planning and Assessment Act, 1979.

### **(a)(i) The provisions of any environmental planning instrument**

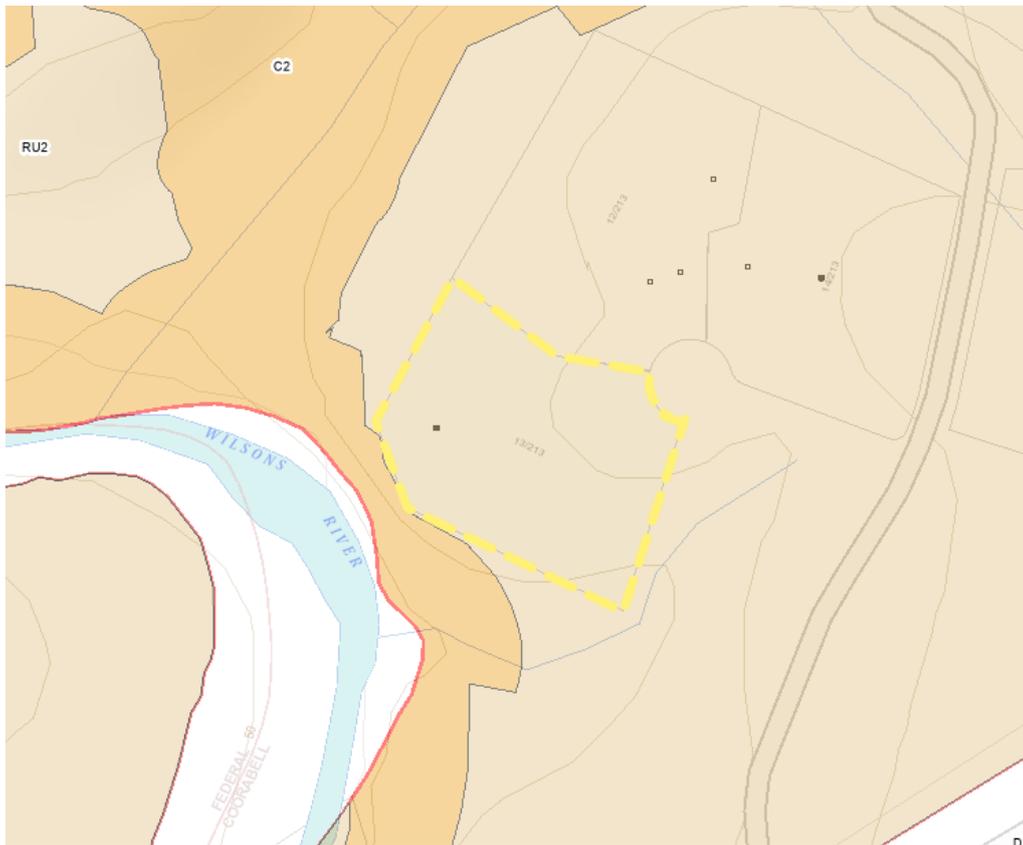
#### **2.1 Byron Local Environmental Plan 2014 (BLEP 2014)**

The subject property is zoned RU2 Rural Landscape and DM Deferred Matter pursuant to the provisions of the Byron Local Environmental Plan 2014. The proposed pool is entirely located within the RU2 zone within which the proposal is permissible subject to Council's consent.

The objectives of the zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To enable the provision of tourist accommodation, facilities and other small scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality.*
- *To protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.*

The proposed development is for a swimming pool as ancillary development to the dwelling and residential use of the land and as such is not likely to compromise the objectives of this zone.



## Zoning

### Clause 6.1 – Acid Sulfate Soils

The subject site is not mapped as being affected by acid sulphate soils.

### Clause 6.2 – Earthworks

No earthworks necessary other than the excavation for the pool which is satisfactory.

### Clause 6.5 – Drinking water catchments

The subject site is within the drinking water catchment.

Due to the nature of the proposed development it is unlikely that it would have an adverse impact on the quality and quantity of water entering the drinking water storage. The building site is not in close proximity to any waterway. Does not require any significant use, storage and disposal of chemicals. Waste water is likely to be suitably contained and managed.

It is considered that the development is suitably designed and positioned to ensure that it will have no likely adverse impact on water quality or flows. This type of development ancillary to the residential use has been approved to other sites at this locality within the water catchment.

#### **Clause 6.6 – Essential services**

The proposal is not likely to create significant additional demand on existing services.

## **2.2 State Environmental Planning Policies.**

### **Resilience and Hazards 2021**

#### **Chapter 4 - Remediation of Land**

The land has been used for rural residential purposes and is unlikely to have been contaminated. It is unlikely to be contaminated land and satisfies the considerations of this SEPP.

#### **Information relating to contaminated land**

**Please specify all land uses to which the site has been put, including the current use.**

*Rural residential land.*

**Is the proponent aware of uses to which properties adjoining the site have been put? If so, please specify.**

*Rural residential land.*

**Do any of the uses correlate with the potentially contaminating activities set out in table 1 in Schedule 1 of this policy.**

*No*

**If the answer to 3 is yes – has there been any testing or assessment of the site and, if so what were the results?**

*N/A*

**Is the proponent aware of any contamination on the site?**

*No*

**What remediation work, if any (carried out voluntarily or ordered by a government agency), has been taken in respect to contamination which is or may have been present on the site?**

N/A

### **2.3 Integrated Development**

The proposal is not Integrated Development.

### **2.4 Rural Fires Act 1997**

The land is mapped as being bushfire affected and is within a vegetation buffer.

The proposal is not likely to increase the risk or severity of bushfire attack at this locality.

#### **(ii) The provisions of any draft environmental planning instruments**

There are no known draft instruments applying to the site or proposed development.

#### **(iii) Any development control plans**

### **3.0 DEVELOPMENT CONTROL PLAN**

The following Chapters of the Byron Shire Council's Development Control Plan 2014 which apply and have relevance to the site and the proposed development are discussed below.

#### **Chapter B2 – Preservation of Trees and Other Vegetation**

No existing trees or vegetation prescribed by this chapter are likely to be removed.

#### **Chapter B3 – Services**

Essential services are adequately provided to the site. The proposal is not likely to create any additional demand.

## **Chapter B6 – Buffers and minimising land use conflict**

The nature of the development does not require any buffers or the like to be established. It is considered that the pool has been suitably positioned on the subject site to ensure no conflicts with adjoining uses.

## **Chapter B8 – Waste Minimisation & Management**

A waste minimisation management plan for both the construction and operational phases of the development has been prepared and accompanies the development application.

## **Chapter C4 – Development in the drinking water catchment**

The proposed development is not a nominated high impact land use. As such a detailed site analysis or catchment impact assessment is not necessary.

The pool has been suitably positioned to ensure no likely adverse impact on water quality or quantity.

## **Chapter D2 – Residential accommodation and ancillary development in rural zones**

The proposal is for an in ground swimming pool ancillary to the dwelling. The pool has been suitably positioned and is considered to satisfy the objectives and controls of the chapter.

### **(iia) Any Planning agreements**

None known.

### **(iv) Any matters prescribed by the Regulations**

The Regulations raise no implications.

It is considered that the proposal is not likely to create significant adverse environmental implications and is consistent with the established rural residential character of this locality.

**(b) The likely impacts of the development and the environmental impacts on both the natural and built environments and social and economic impacts in the locality.**

No significant adverse negative social or economic implications likely. The proposal is considered to be consistent with the established and desired built form and character of this rural locality.

It is considered that the pool has been suitably designed and positioned to preserve the rural amenity of the locality, particularly the neighbouring sites.

No significant adverse environmental impacts likely.

**(c) The suitability of the site for the development**

The proposal is for a pool ancillary to the residential use of the site which is consistent with the desired built form and rural residential character of the locality.

The proposal has fully complied with Council's statutory provisions and the DCP. This demonstrates that the site is suitable for the proposed development.

There are no identified prohibitive risk factors.

**(d) Any submissions made in accordance with the Act or Regulations**

Council will need to consider any submissions received from the public or other authority.

**(e) The public interest**

It is considered that the proposal is not likely to be contrary to the public interest.

#### **4.0 OTHER APPROVALS**

No other approvals likely or necessary.

#### **5.0 CONCLUSION**

It is considered that it has been reasonably demonstrated that the proposal is fully consistent with Council's statutory provisions and the DCP 2014.

The development is considered to be generally consistent with the established and desired built form and character of this rural residential locality.

Council's support for the proposal is therefore respectfully requested.

**APPENDIX 1 – PLANS**

**APPENDIX 2 – WASTE MANAGEMENT PLAN**

**APPENDIX 3 – BASIX CERTIFICATE**