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## **Statement of Environmental Effects**

Construction of alterations and additions to dwelling house

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12 Beach Avenue, South Golden Beach  
Lot 86 DP 31166

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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 owners 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.

The Statement of Environmental Effects has been prepared in accordance with Schedule 1, Part 1, Clause 2(4) of the Environmental Planning and Assessment Regulation 2000, which requires a Statement of Environmental Effects to indicate the following matters, where relevant to the proposal:

- (a) the environmental impacts of the development,
- (b) how the environmental impacts of the development have been identified,
- (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment.

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

### **2.1 The Locality**


Figure 1: Locality of the subject land (BSC Web Map).



Figure 2: Aerial view of the subject site and surrounds (BSC Web Map).

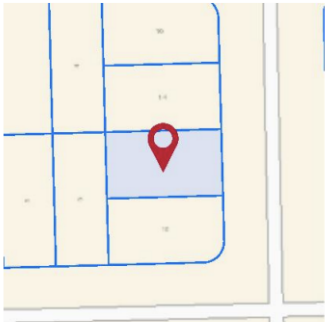


Figure 3: Property Report (NSW Planning Portal)



## Property Report

12 BEACH AVENUE SOUTH GOLDEN BEACH 2483



### Property Details

Address: 12 BEACH AVENUE SOUTH GOLDEN BEACH 2483

Lot/Section /Plan No: 86/-/DP31166

Council: BYRON SHIRE COUNCIL

### Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Byron Local Environmental Plan 2014 (pub. 24-5-2024)
Land Zoning	R2 - Low Density Residential: (pub. 11-11-2022)
Height Of Building	9 m
Floor Space Ratio	0.5:1
Minimum Lot Size	600 m2
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Acid Sulfate Soils	Class 2

## **2.2 Site Analysis**

The subject site is located at 12 Beach Avenue, South Golden Beach which is located on the western side of the street just across from the beach. The subject site is a rectangular shaped parcel of land which is legally known as Lot 86 DP 31166 and is approximately 639.1 m<sup>2</sup> in area. The allotment contains a double story, 2 bedroom dwelling with a vehicle garage on the ground floor and habitable areas on the first floor.

The lot is practically flat and contains a number of mature trees towards the rear of the site as well as a large mature tree in the front section of the lot near Beach Avenue. Neighbouring land consists of a mix of single and double storey dwellings on similar sized lots.

## **2.3 Land Zoning**

The subject land is zoned R2 – Low Density Residential in the Byron Local Environmental Plan 2014. All of South Golden Beach foreshore is within the same R2 zone.

## **2.4 Existing use**

The subject site contains an approved two storey dwelling-house with the kitchen, dining, two bedrooms, and living room on the upper floor and a storeroom, bathroom, laundry and vehicular garage on the ground floor.

## **2.5 Vehicular and pedestrian access**

There is a driveway access via the kerb crossover in Beach Avenue. Pedestrian access is also via Beach Avenue.

## **2.6 Flooding**

The subject land is mapped as being flood liable as is the entire foreshore of South Golden Beach.

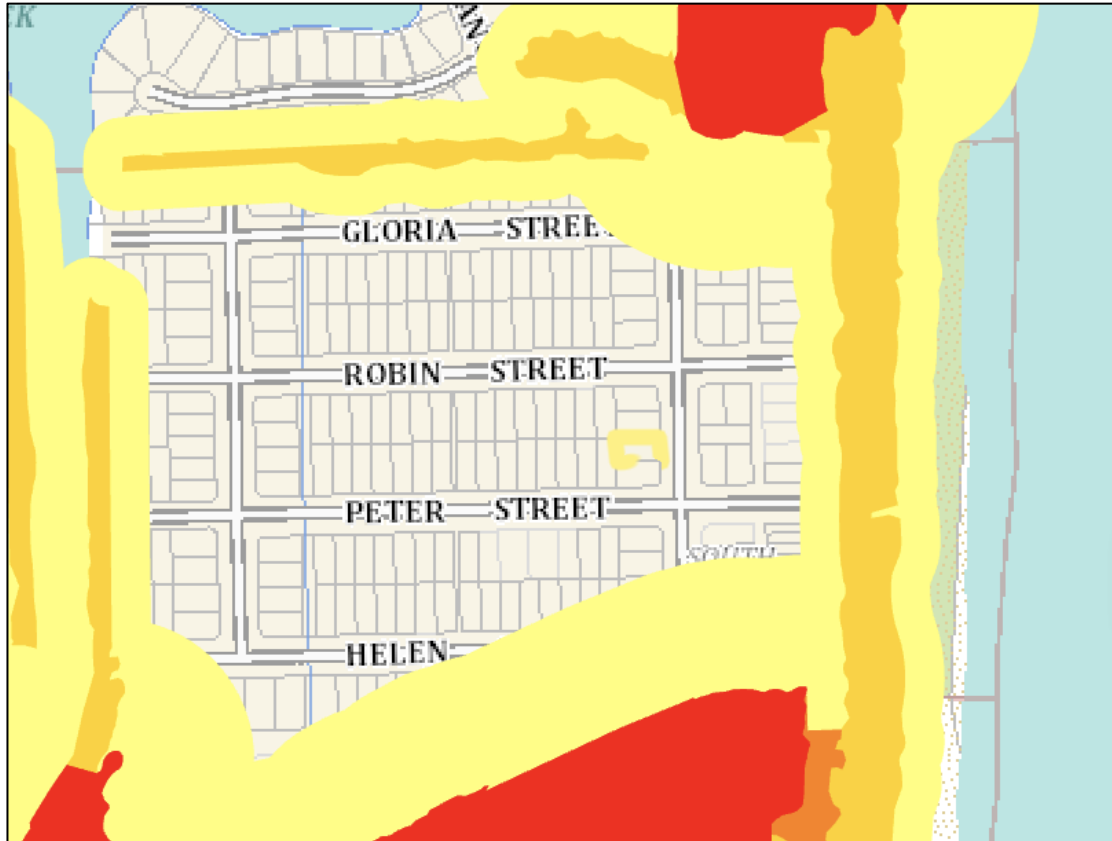
Figure 4: Flood Liable Land BSC DCP 2010



## **2.7 Bushfire**

The land is not mapped as being within the Vegetation Buffer to Bushfire threat.

Figure 5: Bushfire Prone Land (NSW Planning Portal)



## **2.8 Flora and fauna**

Byron Council's (GIS) records show that the land does not contain vegetation of a high conservation value (HCV).

## **2.9 Acid sulfate soils**

The subject site is mapped as containing Class 2 Potential Acid Sulfate Soils.

## **2.10 Visual character**

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

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

## **3.1 Proposed works**

The application seeks approval for additions and alterations to the existing dwelling. The specific details of the proposal involve:

### **Alterations to existing dwelling:**

The proposed development involves enhancements and modifications to an existing 2 storey structure to improve its functionality, aesthetics, and sustainability. The project comprises a double storey addition attached at the rear of the existing structure and additional roofing.

**Ground floor:**

Addition of workshop and deck:

A new workshop measuring 4.75 m x 3.99 m on the north west corner of the ground floor is proposed with a covered deck that joins the existing deck and laundry at the rear of this level. The existing bathroom on this level will be altered to include a door to the new workshop.

**First Floor:**

Addition of bedroom and deck:

Directly above the proposed workshop is the proposed third bedroom and associated deck. It will be the same size as the workshop (4.75 m x 3.99 m) and deck below. The bedroom and deck will be covered by a gable roof that will be made to match the existing roof in both materials and pitch. The new roof also extends to cover the proposed decks on both levels.

All external materials for the proposed addition will be made to match existing. A bamboo privacy screen is also proposed for the first floor bedroom deck.

**3.2 Proposed Services**

All services are currently provided to the property. Stormwater from the additional roof area can be directed to the existing system as it does not represent a significant increase in non-permeable surface area.

**4. Statutory Assessment**

**4.1 NSW Environmental Planning and Assessment Regulation 2000**

The proposal does not raise any significant issues under the NSW Environmental Planning and Assessment Regulation 2000.

**4.2 Section 1.7 of the Environmental Planning & Assessment Act 1979**

Section 1.7 of the EP&A Act 1979 provides that the Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

No naturally occurring vegetation is proposed for removal as part of the Development Application. Accordingly, no impacts arise in relation to the Biodiversity Conservation Act 2016 or the Fisheries Management Act.

**4.3 Section 4.14 of the Environmental Planning and Assessment Act 1979**

Mapping from the NSW Planning Portal indicates that the proposed development is not located within a buffer area to bush fire hazards.

**4.4 Matters for Consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979**

Section 4.4 documents the range of planning controls applicable in the subject case pursuant to Section 4.15 of the EP&A Act and facilitates the effect of these instruments in the circumstances of the development.

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

SEPP (Biodiversity & Conservation) 2021

The development is not seeking consent for the removal of any native vegetation.

SEPP – (Resilience and Hazards) 2021

There is no impact on existing or future access to the coastal foreshore as the land is privately owned and well separated from beach 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. The land has no known heritage, archaeological value or mapped as being within proximity to Littoral Rainforest or Coastal Wetlands. The proposal does not trigger the requirement for Integrated Development. The proposal complies with the requirements of the SEPP and an EIS is not required.

Remediation of Land:

The subject allotment was registered as part of a residential subdivision many years ago and has been used for residential purposes since. The site is surrounded by similar allotments that have had continuous residential usage for over a decade. The proposed development is consistent with the intent of the property following creation of the subdivision.

SEPP Building Sustainability Index (BASIX 2004)

A BASIX report has been prepared and is included in the appendices.

#### **4.6 Byron Local Environmental Plan 2014**

The land is zoned R2 - Low density Residential under the Byron Local Environmental Plan 2014 (BLEP 2014).

##### Clause 4.3 – Height of Buildings

A maximum building height of 9.0 m applies to the subject site. The proposed alterations will not increase the roof height above natural ground level which is already below the 9.0 m height limit as specified in this clause.

##### Clauses 4.4 & 4.5 – Floor space ratio

The Floor Space Ratio (FSR) for the site is 0.5:1 as indicated on the FSR Map. The proposed alterations and additions will increase the floor area from approx. 182 m<sup>2</sup> to 220.25 m<sup>2</sup>. The subject lot is 639.2 m<sup>2</sup> in total area which makes the FSR 0.345:1. The proposal is therefore compliant with this clause.

##### Clause 5.10 – Heritage conservation

The subject site is not located within a Heritage precinct nor is it situated next to an item of Heritage significance.

Clause 5.21 - Flood Planning

The site is mapped as being flood liable but the proposal does not include any habitable additions below the level of the existing dwelling house habitable level.

Clause 6.1 – Acid sulphate soils

The subject site is mapped as containing Class 2 Potential Acid Sulfate Soils. For Class 2 Soils this clause specifies that consent is required for any works below ground level. However, subclause 6 states:

*Despite subclause (2), development consent is not required under this clause to carry out any works if—*

- (a) the works involve the disturbance of less than 1 tonne of soil, and*
- (b) the works are not likely to lower the watertable.*

As the proposed construction is slab on ground with concrete pad footings it is reasonable to assume that minimal excavation will be required and this clause is satisfied.

Clause 6.2 – Earthworks

Minor earthworks are proposed to enable construction of the slab on ground and footings.

Clause 6.6 – Essential services

All essential services are currently provided to the dwelling.

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

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

**4.8 Byron Development Control Plan 2014**

Chapter B1 – Biodiversity

The proposal does not require the removal of any natural vegetation.

Chapter B2 – Preservation of trees and other vegetation

No significant trees are required to be removed as part of this application.

Chapter B3 – Services

All services required for the development are already available at the property including water, sewer and stormwater.

Clause B3.2.4 Stormwater management

As the proposal seeks to provide a minor addition with minimal increase in roof area of approx. 26.8 m<sup>2</sup>, this represents an increase of approximately 17% (existing area approximately 13.5 m x 11.5 m = 155.25 m<sup>2</sup>). Extra stormwater discharge to the system will be negligible. Stormwater approval is not required for this application.

Chapter B8 – Waste minimisation and management

Only the required materials will be brought onto the site during construction of the proposed alterations. Any additional waste generated during

construction will be taken away from the site in accordance with the requirements of this chapter.

Chapter B9 – Landscaping

Some planting will be undertaken by the owners following construction of the alterations to the dwelling.

Chapter B14 – Excavation and fill

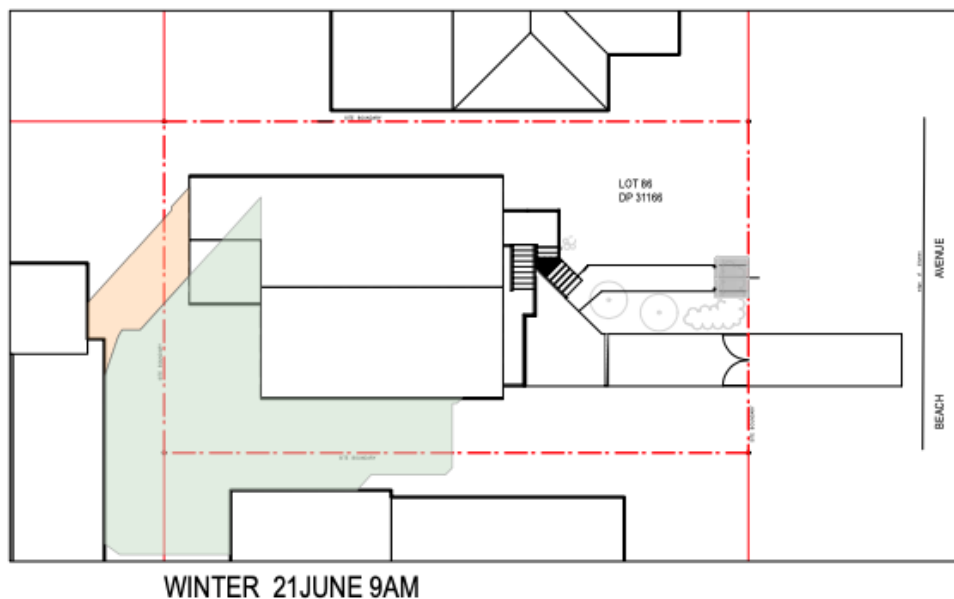
Minor excavation is required for construction of the pad footings and slab on ground but these are deemed to satisfy the criteria of this clause.

**Chapter D1 – Residential accommodation in urban, village & special purpose zones**

Clause D1.2.1 – Building height plane

The alterations involve addition of a covered bedroom and deck on level 2 of the dwelling. The generated shadow diagrams included in the appendices of this report demonstrate that no adverse effects on the adjoining properties are foreseen by the proposed development beyond the 9am during winter months (see below). The rest of the day the adjoining property will receive direct sunlight and it is deemed that the proposed BHP breach complies with the objective and performance criteria of the clause and can be supported in this instance.

Shadow Diagram:



Clause D1.2.2 – Setback from boundaries

The proposal will decrease the setback to the rear (western) boundary to 2.1m. The proposal meets the minimum setback requirements.

Clause D1.2.4 – Character and visual impact

The proposed development has been designed to complement 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 due to the louvres proposed on the upper floor windows looking west over the neighbouring property and there are no

windows proposed on the northern elevation of the upper floor. The deck on the southern elevation is setback more than 8m from this boundary and therefore it is deemed that the potential to overlook the southern neighbour is negligible. The proposed materials and form of the additions suit the character of the dwelling and locality.

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

##### *Social and Economic Impacts*

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

##### *Impacts on the Built Environment*

The proposed alterations and additions to the dwelling are considered to be complementary to the existing character of the locality and consistent with the objectives of the R2 Low Density Residential Zone. The development is not likely to impact on the built environment or adversely impact on adjoining residents.

##### *Impacts on the Natural Environment*

The proposal does not require the removal of any significant vegetation and additional planting will be undertaken by the land owners following construction of the additions. Stormwater will be directed to the existing stormwater system. Any impacts on the natural environment are deemed to be negligible.

##### *Suitability of the site for the Proposed Development*

The proposed development is within the R2 Residential Zone where the alterations to the dwelling are permitted with consent. All existing and proposed works have been designed to complement the existing character of the locality and minimise impact to adjoining residents. The site has access to all required services and additional stormwater can be collected and disposed of to the existing system. There are no issues caused by potential loss of privacy, building setbacks or overshadowing. 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 use of the unauthorised works and construction of 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 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 and amenity for the land owner.



#### Usage Note

The plans to this document were prepared for the exclusive use of the land owners to accompany a Development Application to Byron Shire Council for approval for the development of land described herein and is not to be used for any other purpose or by any other person or corporation. Matt Walker accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this document for a purpose other than that described above.

The maps, development plans and figures shown in this report are suitable only for the purposes of this report. No reliance should be placed on this information for any purpose other than for the purposes of this report. All dimensions, number, size and shape of lots/buildings as shown on plans in this document are subject to detailed engineering design plans and final survey and may vary subject to conditions of consent issued by Council.