

**Development Application**  
and  
**Statement of Environmental Effects**

to

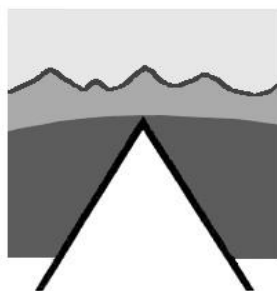
**Byron Shire Council**

for

**Relocated Dwelling House with Alterations and Additions,  
Carport, New Driveway and Tree Removal**

at

**Lot 1 DP631177  
163 The Saddle Road,  
Brunswick Heads**



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**July 2019**

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### Appendices

- A. Bushfire Assessment
- B. On-site Waste Water Assessment
- C. SEPP 55 Preliminary Site Investigation
- D. Survey Plan

### Plan set

Michael Spiteri Architectural Drafting

Dated: July 2019

Job No: 19.18

# 1 Introduction

## 1.1 Purpose and Structure of this Report

This report provides a statement of environmental effects (SoEE) for:

**Relocated Dwelling House with Alterations and Additions, Carport, New Driveway and Tree Removal**

This report is structured as follows:

- **Section 1** - Introduction - introduces the report and explains the circumstances of the case.
- **Section 2** - The site and locality - introduces the site and describes the context of the site within its immediate and broader locality.
- **Section 3** - The proposed development - describes the proposal for which this application is seeking planning consent and also describes the objectives of the proposed development.
- **Section 4** - Statutory planning assessment - examines the consistency of the proposed development with the provisions of relevant planning policies, objectives, statutory instruments and legislation.
- **Appendices** – Provides specialist assessments and reports that accompany this application.

## 1.2 Circumstances of the Case

In summary, the development application includes the following:

**Relocated Dwelling House with Alterations and Additions, Carport, New Driveway and Tree Removal**

The proposal is located on a property at 163 The Saddle Road, Brunswick Heads described as Lot 1 on Plan Number DP631177, as depicted in that attached plan set and survey plan.

The aim of this application is to suitably relocate an existing dwelling building onto the site as a rural dwelling house and provide vehicular access and parking, with minimal disturbance to native vegetation and provide adequate bushfire management and on-site wastewater management.

The proposal is located within both the RU2 – Rural Landscape Zone of the Byron LEP 2014 where dwelling houses are permitted with consent. A part of the site is also within DM – Deferred Matters of the Byron LEP 2014 however no works are proposed within the deferred area.

The proposal comprises a relocated single storey dwelling with detached double carport. The dwelling will be relocated from a previous site with a new deck addition constructed on the south-eastern side. The dwelling will be situated on posts with the property having a slight gradient from the south-west down to the north-east. It includes three bedrooms, one bathroom, a living room and open plan kitchen/dining room. The existing veranda wraps around the northern corner of the dwelling and will join onto the new deck on the south-eastern side to form sheltered outdoor amenity space along three full sides of the dwelling. The double carport will be located on the south-western side of the dwelling.

The relocated dwelling will require new a driveway new crossover to be constructed that connects to The Saddle Road. Internally, a new gravel driveway will provide access to the new double carport. This new driveway requires the removal of some native and exotic vegetation, being three native trees (2 x Guioa, 1 x Penta Ash) and two Camphor Laurel trees. The native trees to be removed as common, pioneer species and will be offset with compensatory plantings.

In light of the structure being relocated from a previous site, BASIX requirements are not applicable to this proposal.

As depicted in the attached plan set, the proposed dwelling is made up of the following:

Dwelling: 127.7m<sup>2</sup>  
Dwelling's veranda & deck: 108.5m<sup>2</sup>  
Carport: 36m<sup>2</sup>

The lot is mapped as containing bushfire prone land therefore a Bushfire Risk Management Assessment has been attached to the application.

An on-site wastewater management system is proposed to service the relocated dwelling with a specialist assessment report attached to the application including a section 68 application.

The following sections of the report describe the various aspects of the proposal and assess the consistency of the application with applicable planning provisions. The proposal is considered a suitable use for the subject land and is considered to be in the public interest.

## **2 The Site and Locality**

### **2.1 The Region**

The Far North Coast Region covers an area of 10,170 square kilometres. The Region extends from the Queensland border down the coast to Evans Head and west to Woodenbong and Tabulam. These are the traditional lands of the Bundjalung Nation.

The current population is more than 236,500 and since 2001 has been increasing by an average of 2,500 people each year. The community lives in the three regional centres of Tweed Heads, Lismore and Ballina; the five towns of Murwillumbah, Casino, Mullumbimby, Byron Bay and Kyogle; 36 rural and coastal villages; 110 small villages and numerous rural communities.

The Far North Coast is the most biologically diverse region in NSW and the third most in Australia. Through a combination of environmental features and recreational experiences, the Region has an opportunity to further develop as a widely recognised domestic and international tourism destination.

The character of the Region has evolved from its natural environment together with economic development over 150 years. From the early timber industry and agricultural beginnings to the more recent alternative life-stylers and sea-changers, the environment has always had a major influence on the Region and its community.

The Far North Coast Regional Plan 2036 projects an overall population of 286,100 people by 2036. This represents an additional 49,600 people or a 21% increase for the period 2011–2036.

## 2.2 The Locality

The site is located approximately 3km south-west of Brunswick Heads and 3.5km east of Mullumbimby (both in linear measurements). It therefore has convenient access to shopping facilities and community services located in both of these centres.

The settlement pattern of the locality comprises a mix of smaller to larger rural and semi-rural lots.



**Wider Locality** (Source: Six Maps, NSW LPI)



**Nearby Locality** (Source: Six Maps, NSW LPI)



## 2.3 The Site

The subject site is located at 163 The Saddle Road, Brunswick Heads described as Lot 1 on Plan Number DP 631177 and has an area of approximately 5.8 hectares. The Survey Plan is attached within Appendix D.

The site is flanked by The Saddle Road to the west and is located within the RU2 – Rural Landscape zone with patches of DM- Deferred Matter land.

The subject property has an irregular shape which retains roughly two hectares of relatively level grassland area in its north-western portion with sparsely to densely mature vegetation occupying the balance of the lot. The site also features a farm dam in its north-eastern portion with associated small watercourses and drainage lines.

The image below shows the lot in context with its immediate surrounds.

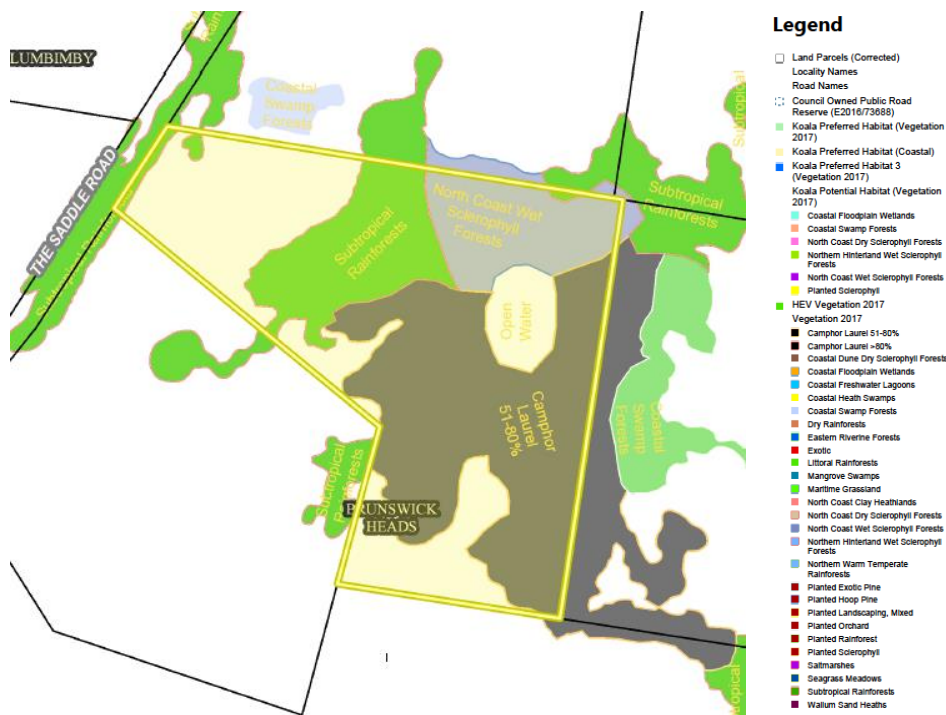


**Subject Site** (Source: Six Maps, NSW LPI)

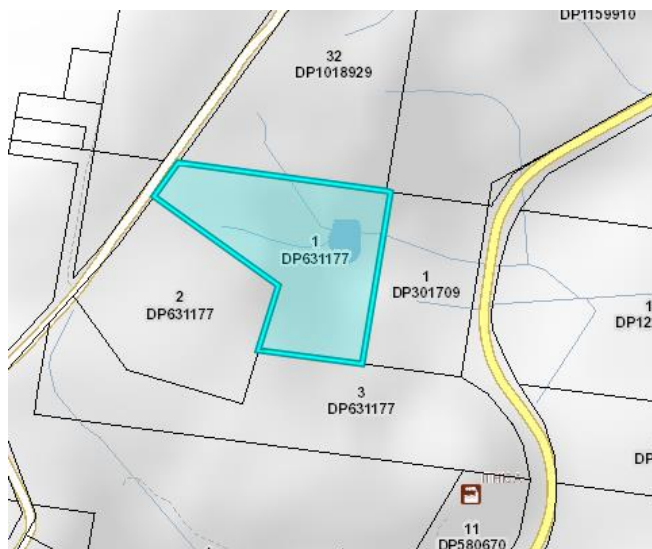
## 2.4 Environmental Mapping

### • Ecological Values

A portion of the property with direct road frontage is cleared grassland. The balance of the lot is mapped as containing native vegetation comprising Subtropical Rainforest and North Coast Wet Sclerophyll Forests in the northern portion of the site, and Camphor Laurel (51-80%) in the southern portion. There are also other small patches of cleared grassland. The property is not mapped as containing areas on the NSW Biodiversity Values map.



Byron Council Vegetation Mapping (Source: Byron Shire Council)



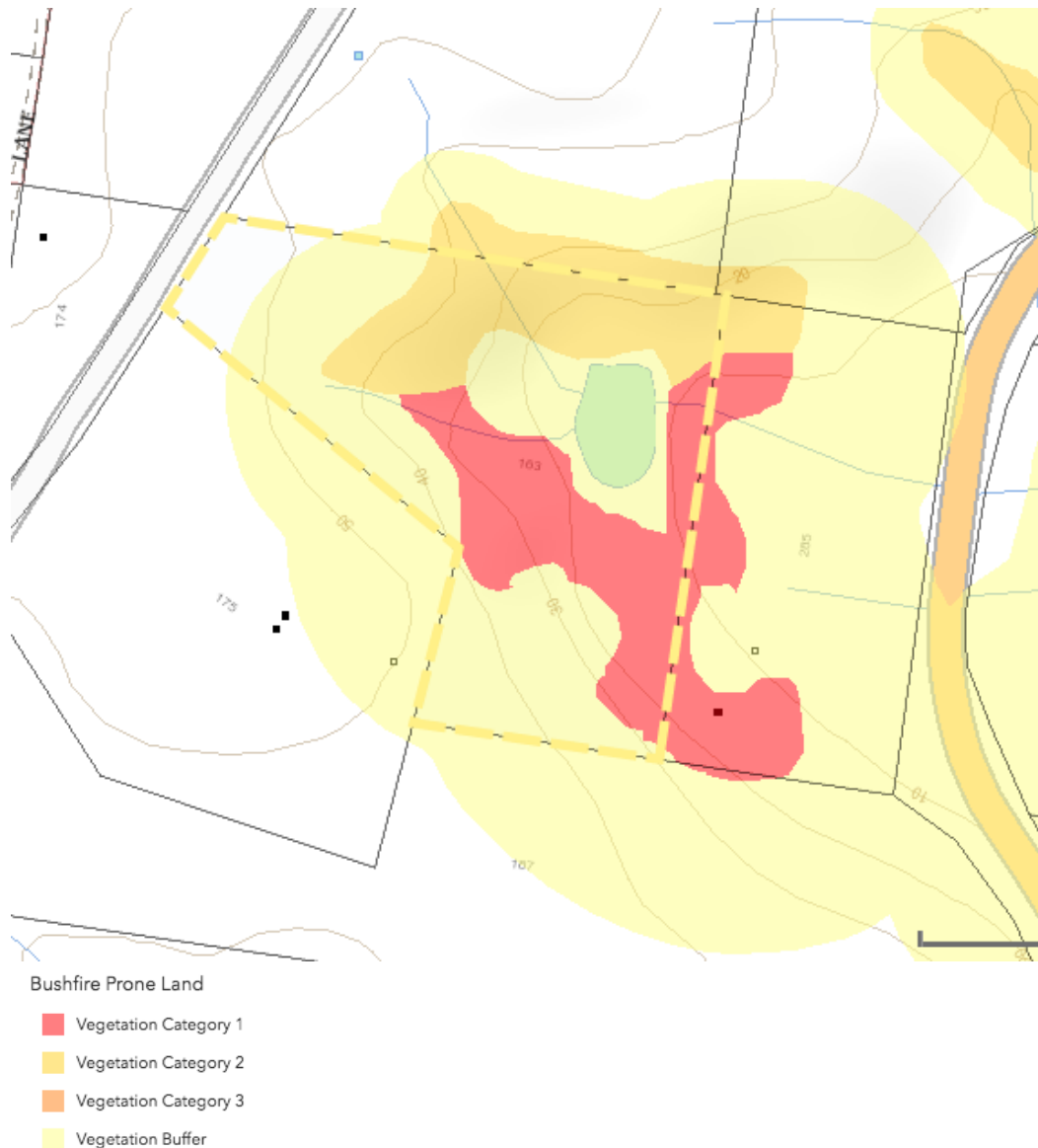
NSW Biodiversity Values Map

Relocated Dwelling House with Alterations and Additions, Carport, New Driveway and Tree Removal

- **Bushfire Mapping**

Parts of the site are mapped as containing bushfire prone land, as provided by the NSW State Government mapping. This includes Vegetation Buffer, Vegetation Category 1 and Vegetation Category 2, as shown in the map below.

Appendix A of this report provides a specialist bushfire assessment addressing the requirements of Planning for Bushfire Protection 2006.



- **Flooding**

The site of the proposed dwelling is not flood prone land.

## 3 The Proposal

*This section of the report describes the proposed development for which this application is seeking planning consent and also lists the objectives of the proposed development in an environmental planning context.*

### 3.1 Objectives of the Proposal

The proposal's objectives include the following:

- Attain development approval for a relocated dwelling house on the subject site;
- Locate the proposed dwelling house in a suitable location that achieves the objectives of the zone and relevant provisions;
- Provide adequate bushfire management for the proposal;
- Reduce potential for land use conflicts to occur;
- Retain the scenic amenity and semi-rural character;
- Provide for adequate on-site management of wastewater;
- Provide appropriate vehicular access and parking arrangements;
- Protect the existing ecological values on the site; and
- Comply with all relevant environmental planning provisions.

### 3.2 The Proposed Development

This application seeks development consent for the relocation and associated construction works of a dwelling house and carport, to be suitably located within a constraint free location on the property. The site is currently free of any structures within a cleared grassland area in its north-western portion of the property. The proposed buildings will be placed on the lot to facilitate a new family sized dwelling house on the rural property.

The proposal comprises a single storey dwelling with detached double carport. The dwelling will be relocated from a previous site with a new deck constructed on the south-eastern side. The dwelling will be situated on posts with the property having a slight gradient from the south-west down to the north-east. It includes three bedrooms, one bathroom, a living room and open plan kitchen/dining room. The existing veranda wraps around the northern corner of the dwelling and will join onto the new deck on the south-eastern side to form sheltered outdoor amenity space along three full sides of the dwelling. The double carport will be located on the south-western side of the dwelling.

Small portions of relocated dwelling will be demolished. This includes external walls and partitions to open up the veranda and allow it wrap around the dwelling unimpeded. Some external walls will also be altered to allow larger openings.

The relocated dwelling will require new a new crossover to be constructed to The Saddle Road. Internally, a new gravel driveway will provide access to the new double carport.

As depicted in the attached plan set, the proposed dwelling is made up of the following:

Dwelling: 127.7m<sup>2</sup>

Dwelling's veranda & deck: 108.5m<sup>2</sup>

Carport: 36m<sup>2</sup>

The accompanying site plan within the plan set depicts the location of the dwelling house, carport, driveway and water tank. The plan set also contains the floor plans, sections and elevations of the proposed dwelling.

The proposed dwelling house is suitably located on a cleared portion of the site achieving sufficient setbacks from all boundaries so as not to encroach on the location of any future neighbouring dwellings.

The design approach has been to site and extend upon the relocated dwelling house to capitalise on local views and the Northern Rivers sub-tropical climate including generous outdoor areas with northern and eastern aspects.

### **Architectural Design**

The proposal has been designed by Michael Spiteri Architectural Drafting who specialise in traditional and contemporary small scale residential projects around the North Coast. As can be seen in the attached drawings, the relocated dwelling is pretty typical of the Northern Rivers/Queensland vernacular. The siting of the relocated dwelling and associated deck extension has been carefully considered with the client to respond to the existing opportunities and constraints on site to produce a quality and modest proposal.

The proposed location on the site represents an opportunity to maximise northerly and easterly vistas on an existing cleared portion of the site, achieve significant separation from native vegetation to the east, and achieve an adequate buffer from bushfire prone land on the site.

It is proposed to have a large south-east facing deck as well as a section of veranda on the north-eastern façade; both of which will maximise access to sunlight. The dwelling also has window and door openings along all four facades to maximise passive lighting, heating, cooling and ventilation. The siting of the dwelling also takes advantage of north-easterly vistas as contours drop in this direction. This provides a green rural backdrop to the dwelling adding significant amenity values.

The floor plan layout is such that the open plan kitchen/dining has direct access to the new deck through 4.2m bi-fold doors. Through this design, the dwelling links the outdoor and indoor areas together which capitalises on the sub-tropical climate of the region and promotes use of the outdoor amenity areas.

Due to the topography of the site which drops from the south-west to the north-east, the dwelling will be situated on posts. The dwelling will be single storey and the highest roof ridge will be roughly 7.65m above ground level which is below the allowable maximum height.



The relocated dwelling includes a combination of hipped and gable roofs with roof lines that are low pitched and extend out with generous eaves that provide shelter from the north coast rain and shade from the summer sun. The new deck will have a flat roof at a slight 3° pitch. The existing dwelling's roof is Colorbond custom orb in a light tone and external weatherboard cladding in a light tone for the walls. The new deck will connect with the existing relocated dwelling through the use of Trimdek roofing with timber flooring and balustrades.

A detached double carport will be located immediately south-west of the dwelling. It is proposed to have a gable roof and colorbond custom orb sheeting, both of which will complement the relocated dwelling.

Due to significant vegetation on the site and adjoining sites, as well as the generous setbacks from all neighbouring properties and associated structures, the dwelling will maintain adequate privacy and will settle into the landscape. Accordingly, the proposal is consistent with the prevailing rural character of the locality.

### **3.3 Infrastructure**

#### **3.3.1 Vehicular Access and Parking**

Access to the site from The Saddle Road corridor will be via a new gravel surfaced driveway. The access arrangements comply with all relevant standards for bushfire including the provision of a turning circle. Car parking will be provided within the proposed new covered carport.

#### **3.3.2 Wastewater Management**

An on-site wastewater management system will be utilised to treat and dispose of wastewater as provided in the attached On-site Wastewater Management Report (Appendix B).

#### **3.3.3 Water Supply**

A domestic water tank to comply with the requirements of the Bushfire Risk Management Plan is proposed.

#### **3.3.4 Bushfire Management**

Appendix A provides the Bushfire Assessment by Sustainable Home Solutions. This assessment addresses the consistency of the application with Planning for Bushfire Protection 2006. The relocated dwelling and studio also achieve the recommended Asset Protection Zones (APZ), Inner Protection Area (IPA) and Outer Protection Area (OPA). Water supply will also be provided in accordance with recommendations.

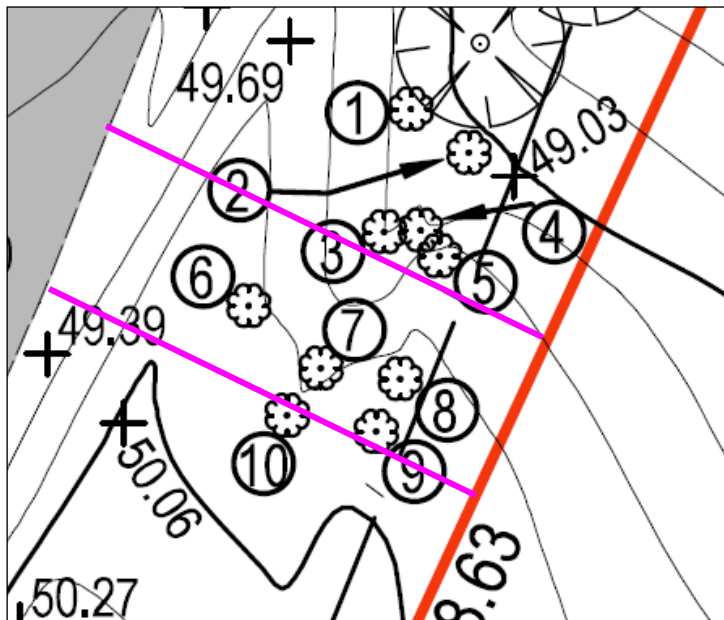
The proposal is therefore compliant with all aspects of Planning for Bushfire Protection 2006 based on the findings/recommendations of the report. The proposed dwelling house will implement all recommended measures to ensure bushfire resilience. It is anticipated that this will be secured by condition.

### 3.4 Tree Removal

The proposed new driveway and entrance connecting to Saddle Road has been located to minimise impacts on native vegetation Saddle Road Corridor, which is mapped on Byron Council HEV Vegetation overlay.

The proposed new driveway will require the removal of some exotic and native trees, as depicted on the survey plan by Heath & McPhail Surveying. The location will have minimal impact on large native trees within the road corridor and the removal of the three common rainforest pioneer species will be offset by compensatory plantings. Other larger native trees in the Saddle Road corridor have been avoided and protected. The overall character of The Saddle Road will not be significantly impacted by the proposal.

Tree survey I.D.	Species	Approx. Height (m)	DBH (m)
6	Guioa ( <i>Guioa semiglauc</i> )	4	0.1
7	Penta Ash ( <i>Pentaceras australis</i> )	8	0.1
8	Camphor Laurel ( <i>Cinnamomum camphora</i> )	-	-
9	Camphor Laurel ( <i>Cinnamomum camphora</i> )	-	-
10	Guioa ( <i>Guioa semiglauc</i> )	5	0.1



Extract from survey plan showing location of tree removal with 4m wide driveway outlined in pink.

## 4. Environmental Planning Assessment

*Section 4 - Environmental Planning Assessment examines the consistency of the proposed development with the provisions of relevant planning policies, objectives, statutory instruments and legislation.*

The chapter is set out as follows:

- 4.1 Applicable SEPPs
- 4.2 Byron Local Environmental Plan
- 4.3 Byron Development Control Plan
- 4.4 S4.15 Evaluation
- 4.5 S7.3 Test of Significance

### 4.1 Applicable SEPPs

#### 4.1.1 SEPP 44 - Koala Habitat Protection

*The aim of this policy is:*

- *to encourage the proper conservation and management of areas of natural vegetation that provide habitat for Koalas,*
- *to ensure permanent free populations over their present range, and*
- *to reverse the current trend of population decline.*

SEPP 44 criteria are addressed as follows:

*1. Does the subject land occur in a local government area identified in Schedule 1?*

Yes, the Site occurs in Byron Shire LGA which is a Schedule 1 location.

*2. Is the landholding to which the DA applies greater than 1 hectare in area?*

Yes, the landholding is greater than 1 hectare.

*3. Is the land potential Koala habitat?*

*If a Koala food tree species is found to constitute more than 15% of the total number of trees in the upper and lower strata of the tree component then the property is assessed as having Potential Koala Habitat.*

The site does not contain potential Koala habitat.

*4. Is the land core Koala habitat?*

*Core Koala habitat is identified in SEPP 44 as an area of land with a resident population of Koalas, evidenced by attributes such as breeding females and recent sightings of and historical records of a population.*

The site is not identified as core Koala habitat.



#### 5. Is there a requirement for the preparation of a Plan of Management?

A Plan of Management for koalas is not required based on this assessment.

### 4.1.2 SEPP 55 – Remediation of Land

*The object of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land.*

A specialist assessment to address the requirements of SEPP 55 is provided in Appendix C of this report.

### 4.1.3 SEPP (BASIX) 2004

The proposal involves the relocation of a dwelling house onto the site. BASIX requirements are therefore not applicable to this application in accordance with the regulations.

### 4.1.4 SEPP (Primary Production and Rural Development) 2019

#### ***Aims of Policy***

*The aims of this Policy are as follows:*

- (a) to facilitate the orderly economic use and development of lands for primary production,*
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,*
- (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,*
- (e) to encourage sustainable agriculture, including sustainable aquaculture,*
- (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,*
- (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors*

The proposal is consistent with the Primary Production and Rural Development SEPP by being a proposed dwelling houses that utilises an existing cleared area of the site and integrates with the existing land use of the site. It is unlikely that any land use conflicts will arise as a result of the proposal and the ecological values of the property will be maintained. It does not raise any issue in regards to the Rural Planning Principles.

## 4.2 Byron Local Environmental Plans

The Byron Local Environmental Plan (BLEP) 2014 is the current principal planning instrument applying to land within Byron Shire that prescribes the land use zoning and key planning provisions that apply to the site of the proposal.

### 4.2.1 Byron LEP 2014 - Objectives

Clause 1.2 of the Byron Local Environmental Plan (BLEP) 2014 provides the aim and objectives of the plan.

This application is considered consistent with the aims and objectives of Clause 1.2 of Byron LEP 2014.

### 4.2.2 LEP Zoning

The following graphic depicts the site's zoning under the Byron LEP 2014 which contains RU2 – Rural Landscape and DM - Deferred Matter areas.

The deferred matter area is limited to the portion of the site mapped as containing HEV Vegetation. As detailed above, due to the scale of the application, this area will not be affected by the proposal.

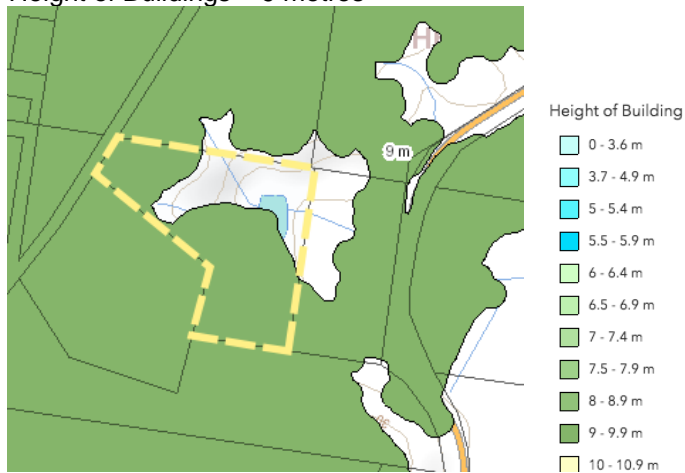
The proposed dwelling will be located wholly within the RU2 – Rural Landscape zone.



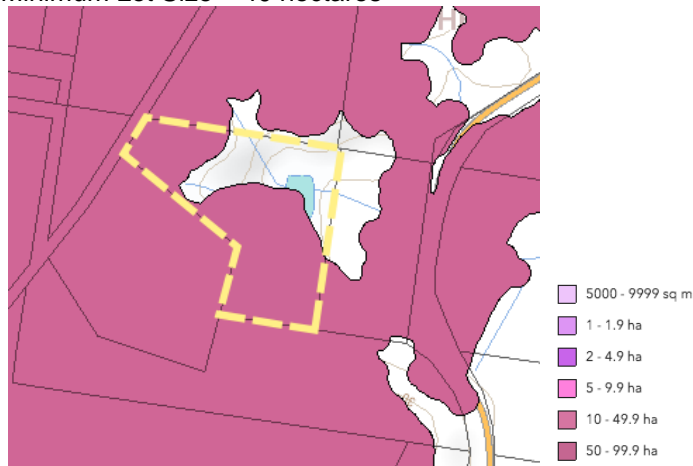
Byron LEP 2014 Zoning

### 4.2.3 Byron LEP 2014 Maps

- Height of Buildings – 9 metres



- Minimum Lot Size – 40 hectares



### 4.2.4 Byron LEP 2014 - Provisions

#### Clause 2.3 Zone objectives and Land Use Table

The applicable zone is addressed below:

#### Zone RU2 - Rural Landscape

##### Objectives of zone

- 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.*

Dwelling houses are listed as a permissible use with consent within the RU2 Rural Landscape zone.

The proposal is considered consistent with the objectives of the RU2 zone. The proposed dwelling has been located to ensure that existing ecological and agricultural values are preserved and maintained.

The rural character or scenic qualities of the locality will not be significantly impacted by the proposal as the proposal is modest in nature.

#### **Clause 4.2A Erection of dwelling houses and dual occupancies on land in certain rural zones**

*The objectives of this clause are as follows:*

- (a) to minimise unplanned rural residential development,*
- (b) to enable the replacement of lawfully erected dwelling houses and dual occupancies in rural zones.*

The proposed dwelling house is seeking approval pursuant to this clause, that permits dwelling houses and dual occupancies to be erected within rural zones.

#### **Clause 4.3 Height of buildings**

*The objectives of this clause are as follows:*

- (a) to achieve building design that does not exceed a specified maximum height from its existing ground level to finished roof or parapet,*
- (b) to ensure the height of buildings complements the streetscape and character of the area in which the buildings are located,*
- (c) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development*

The maximum height of the building is below 9 metre height limit as demonstrated in the plan set.

#### **Clause 6.2 Earthworks**

*The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*

The gently sloping site will require minor earthworks for the proposed dwelling, as depicted within the plan set. All earthworks will be conducted with best practice measures in place to ensure there are no negative impacts associated with the work.

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

*Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:*

- (a) the supply of water,*

- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable vehicular access.

Water supply will occur by means of roof water harvesting and storage in accordance with best practice management.

Electricity and telecommunication services will need to be connected to the site which will be undertaken by the relevant authorities.

The specialist assessment demonstrates that suitable onsite waste water management can be achieved for the proposal.

Suitable vehicular access is proposed with a new driveway access point to The Saddle Road.

### 4.3 Byron Development Control Plan

The Byron Development Controls Plan (DCP) 2014 applies to site for the proposed development application.

#### 4.3.1 Byron DCP 2014

PROVISION	COMMENT	COMPLIES
<b>PART B CONTROLS APPLYING GENERALLY TO DEVELOPMENT APPLICATIONS</b>		
B2 Preservation of Trees and Other Vegetation	<p>The proposed dwelling is located on cleared land and requires no removal or modification of native vegetation.</p> <p>The proposed new driveway requires the removal of three native trees and two exotic trees within the road reserve.</p> <p>The three native trees to be removed will be compensated with additional plantings. The removal of the two Guioa trees and one Penta Ash are common, quick growing pioneer species and is not considered to result in any significant ecological impacts while other larger native trees are protected.</p>	Yes

B3 Services	<p>Electricity and phone services will need to be connected to the site which will be undertaken by the relevant authorities.</p> <p>A water tank will be installed for water supply.</p> <p>On-site wastewater is addressed in the attached report in Appendix B.</p>	Yes
B4 Traffic Planning, Vehicle Parking, Circulation and Access	The proposed dwelling will be accessed via a new driveway crossover connecting to The Saddle Road. Minimal internal works are required to provide a gravel driveway to the double carport. A turning area is proposed that will comply with Bushfire Access requirements.	Yes
B6 Buffers and Land Use Conflict	There are no apparent potential land use conflicts requiring additional buffering.	Yes
B8 Waste Minimisation and Management	A SWMMP will be provided at the construction certificate stage.	Yes
B14 Excavation and Fill	The proposal will require some minor earthworks for the proposed dwelling.	Yes
<b>CHAPTER D2 – RESIDENTIAL ACCOMMODATION AND ANCILLARY DEVELOPMENT IN RURAL ZONES</b>		
<b>D2.3 Dwelling Houses</b>		
D2.3.1 On-Site Car Parking	The new dwelling provides two undercover parking spaces (carport) in close proximity to the dwelling. It has been designed to complement the primary dwelling's architecture and is safe and accessible.	Yes
D2.3.2 Recycling and Waste Management and On-site Sewage Management	Adequate space for storage and collection of garbage and recyclables is achieved. On-site sewage management will be achieved in accordance with the attached wastewater report.	Yes

## 4.4 S4.15 Evaluation

This section assesses the consistency of the application in relation to the provisions of Section 4.15 Evaluation of the Environmental Planning and Assessment Act, 1979, as amended.

*(1) Matters for consideration—general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
  - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

The relevant Environmental Planning Instruments are addressed as follows:

- State Environmental Planning Policies - refer to section 4.1 of this report.
- Local Environmental Plans - refer to sections 4.2 of this report.
- Development Control Plans - refer to section 4.3 of this report.

In summary, the proposal is a permissible development and satisfies the relevant objectives of the applicable planning provisions of the Byron LEP 2014.

Section 4 of this report demonstrates this application is consistent with applicable planning objectives and provisions.

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

- **Ecological**

In terms of the natural environment, the proposal does not have any significant impacts on natural ecosystems or any threatened species of ecological community. The proposed relocated dwelling has been located so that bushfire management requirements can be met without disturbance of vegetation. The proposed new driveway will require removal of a small number of native trees and Camphor Laurel that will have minimal ecological impacts and be compensated for with additional plantings.



- **Visual and scenic issues**

The proposed dwelling house does not adversely impact on the scenic character or visual amenity of the rural locality. The dwelling is modest in nature and is located in a central location on the lot, it therefore does not pose visual or scenic issues. The architectural style of the building is considered to be highly suitable for the locality as demonstrated by the plan set. The site has a dwelling entitlement and rural dwellings of this nature form part of the scenic rural landscape.

- **Soil and geotechnical issues**

The proposal will not create any significant soil erosion risk with best practice procedures being followed during all site works and ongoing use of the site. The red krasnozems soils at the site of the proposal are suitable for a dwelling of this size and scale.

- **Agricultural**

The site has limited values for the purposes of large-scale agricultural pursuits. The proposed dwelling permits the land owners to reside on the rural property and undertake small-scale farming activities on the site.

- **Traffic impacts**

Access to the site is via a proposed new single driveway crossover to The Saddle Road. A gravel driveway will link the crossover to the carport and service the dwelling house. Due to the minor scale of development, the proposal will not result in a worsening of traffic impacts in the locality. There are excellent sighting distances in both directions from the proposed new driveway entrance.

- **Land use Conflicts**

The proposal is unlikely to generate any rural land use conflicts within the locality or with adjoining land with suitable buffers in place.

- **Bushfire**

The wider site is mapped as bushfire prone. The specialist report within Appendix A demonstrates the proposal can comply with Planning for Bushfire Protection 2006.

- **Social impacts**

The proposed dwelling will provide additional social benefits by providing family-sized accommodation on the rural property.

- **Economic**

The proposed dwelling will generate positive economic outcomes by providing local tradesmen and suppliers with work opportunities during the construction phase.

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

This report and the various specialist detailed assessments accompanying this application further demonstrate the suitability of the site for the proposed use. All of the required services can be provided to the proposed dwelling.



*(d) any submissions made in accordance with this Act or the regulations,*

Council will advertise the development application and seek submissions from the public as appropriate.

*(e) the public interest.*

Section 1.3 of this report describes the circumstances of the case. The proposal provides a larger accommodation option with no long-term adverse impacts to the site or the immediate locality. The proposal is considered in the public interest.

## 5 Usage Note

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## **APPENDIX A**

# **Bushfire Risk Management Plan**

## **APPENDIX B**

### **On-Site Wastewater Assessment**

## **APPENDIX C**

### **SEPP 55 Preliminary Site Investigation**

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Relocated Dwelling House with Alterations and Additions, Carport, New Driveway and Tree Removal

163 The Saddle Road,  
Brunswick Heads

July 2019

## **APPENDIX D**

### **Survey Plan**