

A Statement of Environmental Effects (SEE) must be submitted with every Development Application. It must include details of the environmental effects of the development and how these may be mitigated within the proposal.

1. Details of Development

This section provides details of the proposed development, the site and the surrounding area.

- ▶ Provide a description of the development, in accordance with that provided on the application form.
- ▶ Provide a brief analysis of the site, including:
 - a) A general description of the site and its surroundings. This should include physical features of the site such as shape, slope, vegetation, waterways and solar access in winter and summer, prevailing wind direction.
 - b) Consideration of the wider context, for example the size and scale of the adjacent properties and the materials they are constructed from, setbacks, location of private open space.
- ▶ How does the proposal respond to this site analysis?
 - a) Describe what steps you have taken to ensure that the proposal sits comfortably within the surrounding area described in the analysis.

The proposed development includes a single dwelling and separate shed on a currently vacant block. The dwelling contains 3 bedrooms, 2 bathrooms and a separate toilet.

Due to the projects location on a hilltop, the house and shed have been strategically placed on the most level areas of the block in order to minimise excavation and visual impact. It is very rocky soil so we wanted to avoid the need to excavate too much however didn't want a suspended house as this would increase it's height and visual mass. With the aggressive nature of the weather it lent itself to a heavy structure sunken into the hill.

The house is low lying, single-storey with a central courtyard providing protection from the high winds experienced in the ranges. The living spaces and bedrooms dropping down either side of the ridge to minimise views to and from the neighbouring residences and township. It is oriented to the east and the west in order to maximise views to the coast and hinterlands, avoiding any views of the neighbouring cell phone tower on the block to the north. The house has a shallow pool with a depth of 200mm which's purpose is to reflect northern light into the living space so we can have an abundance of natural light throughout the day. It is constructed using locally sourced concrete blocks and cement, with corrugated metal roofs to compliment the rural context along with the proposed shed.

2. Compliance with Council Requirements

Council will assess your proposal against relevant provisions within the *Bega Valley Local Environmental Plan 2013* (BVLEP) and *Bega Valley Development Control Plan 2013* (BVDCP). If your proposal is not in accordance with all the policy requirements, then you must provide a justification as to why (making reference to the provisions).

Complete the table below.

Bega Valley Local Environmental Plan 2013

Principal Development Standards	BVLEP Clause (s)	Complies		Variation Sought	
Zone Objectives	2.3	<input checked="" type="checkbox"/>		<input type="checkbox"/>	Where a variation is sought to a development standard within BVLEP 2013, address Clause 4.6 of the BVLEP and provide justification in space provided below. (See note below for criteria that is required to be addressed as part of the application to vary a Development Standard).
Minimum lot sizes for secondary dwellings in Zones RU5 and R2	4.1A	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
Erection of dwellings on certain rural, residential and environmentally zoned land (i.e. does the lot have a dwelling entitlement?)	4.2A	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
Height of Building	4.3	<input checked="" type="checkbox"/>	Metres	<input type="checkbox"/>	
Floor Space Ratio	4.4 & 4.5	<input checked="" type="checkbox"/>	FSR	<input type="checkbox"/>	
Check if the following clauses apply to your development and indicate compliance or otherwise.		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Controls relating to secondary dwellings	5.4 (9)	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Controls relating to secondary dwellings on land in a rural zone	5.5	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Development below Mean High Watermark	5.7	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Heritage Conservation	5.10	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Dwellings on land in rural, residential or conservation zones (Zones RU1, RU2, RU3, RU4, RU6, R5, C2, C3, C4)	5.16 (3)(b)	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Flood Planning (web links to Council's Flood Studies and BVSC Flood Mapping Showcase)	5.21 & 5.22	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Acid Sulfate Soils	6.1	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Earthworks	6.2	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Coastal Risk Planning	6.4	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Terrestrial Biodiversity	6.5	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Riparian Land and Water Courses	6.6	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Environmentally Sensitive Areas	6.7	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Landscaped Areas (Zones RU5, R2 and R3)	6.18	<input checked="" type="checkbox"/>		<input type="checkbox"/>	

Specify and justify any Clause 4.6 variations to development standards proposed under BVLEP 2013:

NOTE: The application must:

- ▶ address whether strict compliance with the BVLEP Clause 4.6 variation to a development standard, in the particular case, would be unreasonable or unnecessary and why, and
- ▶ demonstrate that there are sufficient environmental planning grounds to justify contravening the BVLEP development standard.

In the justification, please demonstrate the following criteria:

1. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
2. that there are sufficient environmental planning grounds to justify the development standard.
3. the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land.

Bega Valley Development Control Plan 2013

Residential Development Standards	BVDCP Section	Complies		Variation Sought	
<input type="checkbox"/> Character and form	3	<input checked="" type="checkbox"/>		<input type="checkbox"/>	Where a variation is sought, address Clause 1.8 of the BVDCP and provide justification in space provided below.
<input type="checkbox"/> Context and articulation		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Privacy and open space		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Overshadowing		<input checked="" type="checkbox"/>	Metres	<input type="checkbox"/>	
<input type="checkbox"/> Facilities		<input checked="" type="checkbox"/>	FSR	<input type="checkbox"/>	
<input type="checkbox"/> Views		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Setbacks		<input type="checkbox"/>		<input checked="" type="checkbox"/>	
<input type="checkbox"/> Energy and solar access		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Excavation		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Landscaping		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Waste management		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
Rural Development Standards	4	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Buffers		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Setbacks		<input type="checkbox"/>		<input checked="" type="checkbox"/>	
<input type="checkbox"/> Environmental zones		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
General Requirements	5	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Heritage		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Onsite sewage management		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Carparking		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
Engineering Requirements	6	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Parking and driveways		<input checked="" type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> Soil and water management		<input checked="" type="checkbox"/>		<input type="checkbox"/>	

Specify and justify any proposed variations to BVDCP development standards.

The proposed dwelling has been placed with a 17m setback from the eastern boundary as determined by the BAL assessments Asset Protection Zones. This location is partly outside of the designated building envelope shown on Deposited Plan DP 1282469. This designated envelope was specified to meet the requirements of Planning for Bushfire Protection during the subdivision of the lot as shown in the screenshot below from the Section 88B document. This envelope was designated to allow sufficient APZ.

3. Terms of positive covenant fifthly referred to in the abovementioned plan.

Future dwellings constructed upon the lot burdened shall be erected within the area denoted (B) on the plan and in a location that satisfies the requirements of Planning for Bush Fire Protection 2019 unless approval in writing is obtained from Bega Valley Shire Council.

The recent bushfire assessment prepared for the proposal as part of this assessment supports a variation to this building envelope as long as we maintain a 17m setback to the western boundary from the dwelling for Asset Protection Zone. If we were to comply with the designated envelope in DP 1282469 the dwelling would need to be located on the eastern slope of the lot where it would have a greater **visual impact** on the Merimbula town below as well as requiring significant excavation for a level building pad or an elevated structure further increasing its visual dominance. It also would push the development much closer to the 2 neighbouring dwellings, having a negative impact on **protecting amenity**. After investigating the site and Bushfire report, the dwelling has been located on the most level part of the site where it can have the least significant impact on the site and its surrounds as well as minimising risk from grass fires climbing the east and western slope.

The proposed shed seeks a variation to the rear setback of 10m. The proposed setback of 5m was determined in order to allow the shed to be sited on level ground, reducing the need for cut and fill and avoiding rock outcropping. If the building was to comply with 10m setback it would be located on the highest point of the block whereas the shown location for the shed and house are in two slight gulleys on the ridgeline. This siting was also chosen to reduce **visual impact**. On the northern side of the boundary in the neighbouring block is a service road and tower. As there are no dwellings or likelihood of future dwellings in this location, the objectives of the setback to protect amenity to neighbouring dwellings is insignificant.

3. Privacy, Views, Overshadowing and Noise

It is important that your development does not have an adverse impact on your neighbours. The following questions will help to assess this.

- ▶ How does the proposal ensure that the privacy of neighbouring properties has not been affected? Consider the following:
 - a) Placement of windows;
 - b) Views between main rooms and private areas (i.e. rear yards);
 - c) Use of screening, planting and fences to improve privacy;
 - d) Decks, terraces and balconies can be intrusive if not sensitively designed.

The neighbouring houses to the east and south are both approximately 100 meters away from the dwelling and sit below the hillside and behind existing trees on their blocks. They will not be seen from any rooms and balconys within the dwelling as they sit below the line of sight. Due to the distance from the dwelling overshadowing and noise will not be an issue.

- ▶ How does the proposal ensure that there is no loss of views from neighbouring properties? Consider the following:
 - a) Impact of the proposed development on views from adjoining or nearby buildings;
 - b) Specific design options for protecting views.

The development is single storey and very low lying, sunken into the hilltop in order to have minimal visual impact on any nearby buildings. The nearest neighbours to the south and east sit below the development with views to and from blocked by the hillside and existing trees.

- ▶ How does the proposal ensure that there will be no overshadowing of neighbouring properties? Consider the following:
 - a) Analysis of overshadowing, include shadow diagrams;
 - b) Distances between buildings;
 - c) Detail shadowing from existing buildings or structures;
 - d) Topography / slope.

The development is located in the centre of the block, a long distance from any neighbouring residential properties, overshadowing isn't an issue

- ▶ How does the proposal ensure that there will be no unacceptable noise impact on neighbouring properties or be impacted by adjoining noise sources like roads or other landuses? Consider the following:
 - a) Distances between properties;
 - b) Location of new outdoor areas;
 - c) Vehicular movement;
 - d) Placement of air conditioners, pumps and new room windows that could open;
 - e) Acoustic treatment, such as pump housing/ rooms or fencing.

The nearest dwelling is 100 meters away from the proposal with a long slope and existing trees as a buffer from any noise. The nearest road is Omaru Lane which services 2 dwellings beyond the subject lots driveway so road noise from the proposal will be minimal

Alongside this document, please ensure submitted plans illustrate mitigation of these issues for the proposed development (including installation of lights, planting screens, walls and fences, window placements and views between living rooms). If your proposal is likely to create significant noise pollution, please ensure a report from an Acoustic Consultant is submitted.

4. Trees and Vegetation

If any trees are going to be removed, pruned or affected in any way as part of the proposal it is important that appropriate consideration is given at the assessment stage.

- ▶ Does the proposal affect or involve the removal or pruning of any trees on the site?
 - a) If so, please provide details of the proposed tree works and ensure that trees to be removed are clearly shown on the plans.
 - b) If the impacts and/ or trees affected are considered to be significant, you may need to provide an Arborist Report or additional information with the submission documents or during the application process.

There will be no clearing proposed as part of this development. The dwelling, shed and vehicle access will have no impact on existing trees due to the already clear site. The nearest tree to the dwelling is 50m away.

5. Access and Traffic

- Does the proposal involve any new access arrangements to the site? If so, please provide details of the new access arrangements and ensure that they are clearly marked on the plans.
- Does the proposal involve any new parking requirements? If so, please provide details of the parking arrangements, including the number of spaces provided.
- Is legal and practical access available to the site?

Access will be through an existing driveway that was completed when the land was subdivided. There will be 4 open car spaces to the south of the dwelling just off the driveway on level grass.

6. Stormwater and Sewerage

These need to be appropriately addressed in order to ensure that there is no adverse impact on the ground water or water ways.

- Stormwater is rainwater along with anything else that is carried with it. In order to avoid the risk of flooding it is important that it is dealt with efficiently. How will stormwater be disposed of? Please ensure that details are provided on the plans as required.
 - a) Existing council drainage system; or
 - b) Other.

The proposed shed and house roof fallen rainwater is all collected and directed to a 100KL in ground tank. This tanks overflow is then directed to and a series of 3 absorption trenches downslope. The tankwater will feed the house and shed with water reduction systems in place.

- a) To existing sewer; or
- b) On-site system (i.e. septic tank). Please provide details both in this document and on your plans.

The proposal features and on-site sewerage management system. Accompanying the proposal is a Wastewater Design completed by C2C Wastewater Designs which contains an Site Geotechnical Assessment Report - On Site Wastewater Disposal - Effluent Capability Study. This report proposes an Advanced AWTS with Surface Spray Irrigation for effluent treatment and disposal. The report states the site has sufficient room for a Secondary treatment system with surface spray irrigation and nutrient take up area as well as a reserve area. It is designed to accommodate the maximum occupancy of the proposed dwelling.

7. Demolition and Asbestos (if applicable)

Many proposals require the existing structures on site to be removed before the new development can begin. It is important that demolition is dealt with appropriately in these instances.

Does the proposal involve any demolition of any buildings or other structures?

- a) If so, please describe what is being demolished.
- b) How will the waste material be disposed of?
- c) Is there any known asbestos material on the site that will be disturbed as a result of the demolition works?
If yes, please provide details of how this will be disposed of.

No existing structures on site. No demolition required.

8. Cut and Fill (if applicable)

Please provide details if the proposal requires any cut and fill of more than 600mm across the site.

- Does the proposal involve any cut and fill?
 - a) If so, please provide the details on the extent of the cut and fill and ensure that this is shown clearly on the plans.
 - b) How will the importing or removal of material to the site be managed?
 - c) Please provide details of how any surface of stormwater arising from the cut and fill will be dealt with within the site.

The maximum cut and fill on site as shown on the section drawings is 500mm. The building location has been chosen to minimise any cut and fill.

10. Change of Use, Additional Use and Existing Use Rights (if applicable)

Some existing uses are not always permitted in certain zones. However, due to the length of time it has been used in such a way, or other potential reasons, sometimes this use retains existing use rights. In order to ensure this detail is considered, the following information should be submitted where appropriate:

- Proposed use;
- Current use and date commenced;
- Previous uses (and dates commenced and ceased); and
- Proof of continuous use.

This information should also be submitted for all changes of use or additional use applications in order to consider any effect of the existing or past uses.

The proposed use for the site is for a permanent single dwelling.

11. Construction Management Plan

- Please provide details of how any potential impacts during construction will be reduced. Consider noise, dust, traffic, hours of work and deliveries.
- Please provide any other details that you consider will be relevant to the determination of your application that have not been covered elsewhere.

The construction of the project will be conducted to a set program in order to minimise delays and costs. The hours of construction will be standard with work beginning no sooner than 7am and ending no later than 5pm. There will be silt fences erected downslope from earth works on both the shed and house to stop any runoff to neighbouring properties. Tools and materials will be stored on site and workers will travel to and from site together when possible in order to minimise traffic.

12. Ongoing Waste Management

- Please provide details of the likely ongoing waste management arrangements for the proposal. This includes bin storage areas and access, bin types and whether onsite or kerb side pick-up is proposed.

There will be skip bins located on site for the duration of construction. There is a waste management plan for during and after construction. After construction it will be a part of the local waste disposal system as per surrounding properties. Traditional construction methods and usage pose no environmental problems with waste disposal.

13. Schedule of Materials

- Please provide details of the proposed materials and finishes for the proposal, including colour, texture, reflectivity and composition. These materials should be cross referenced with, or included on, the appropriate plans to ensure easy identification of the finish for specific building elements.

The shed will feature concrete floors, concrete block walls (medium colour, natural finish) up to a certain height capped with corrugated zincalume and a corrugated zincalume roof. The proposed zincalume will be custom orb profile with natural finish. The house features concrete block walls (medium colour, natural finish) with anodised aluminium frames to all glazing. The roof will be a Custom Orb Accent 21 profile to accomodate the low pitch, natural zincalume finish.

14. Other Details

- Please provide any other details that you consider will be relevant to the determination of your application that have not been covered elsewhere.