

Register of SEPP 1 - Development Standard Variations

| Council DA reference number | Lot number | DP number | Apartment/ Unit number | Street number | Street name | Suburb/Town | Postcode | Category of development | Environmental planning instrument | Zoning of land | Development standard to be varied | Justification of variation | Extent of variation | Concurring authority | Date DA determined dd/mm/yyyy |
|-----------------------------|------------|-----------------|------------------------|---------------|--------------------|---------------|----------|--|-----------------------------------|--|-----------------------------------|---|---|----------------------|-------------------------------|
| 10.2007.758.1 | 2, 24 | 778346, 809895 | | 95 | St Helena Road | McLeods Shoot | 2481 | 14: Other | Byron LEP | Zone No. 7(d)(Scenic Escarpment Zone) | Clause 11 - Minimum lot size | <p>The proposed boundary adjustment between the two lots will result in the creation of two undersized allotments having regards to the 40 hectare minimum for 7(d) Zoned land.</p> <p>No additional dwelling entitlements or lots will be created and pursuant to the Directors Generals Directions dated 27 Aug 1991, Concurrence can be assumed.</p> | The boundary adjustment is to ensure that the smaller lot (Lot 25 – 5 ha) complies with the minimum land size requirements under the Public Health (Disposal of Bodies) Regulations 2002. | Council | 12/05/2008 |
| 10.2008.19.1 | 6, 65 | 872595, 1040526 | | | Rifle Range Road | Bangalow | 2479 | 14: Other | Byron LEP | Zone No. 1(b1)(Agricultural Protection Zone) Part Zone No. 2(a)(Residential Zone) | Clause 11 - Minimum lot size | <p>The proposed boundary adjustment will only affect the access handle (Zone No. 2(a)(Residential Zone). The area of land within Zone No. 1(b1)(Agricultural Protection (b1) Zone) contained within the existing Lot 6 will not be decreased.</p> <ul style="list-style-type: none"> The existing Lot 6 was created as a result of a Council approved subdivision, in accordance with BLEP 1988, and consequently has a dwelling entitlement. There are no additional dwelling entitlements created as a result of the proposal. Pursuant to section 5(a)(i) of the EP&A Act 1979 the proposed development does not result in the loss of any rural zoned land. Pursuant to section 5(a)(ii) of the EP&A Act 1979 the proposed development results in more residential land available for future subdivision. Moreover, the proposed development provides for more economic use of the land. | <p>Allotment: Lot 6 DP 872595 Existing Area: 6.71 hectares Proposed Area: 6.415 hectares</p> <p>Allotment: Lot 65 DP 1040526 Existing Area: 5.063 hectares Proposed Area: 5.365 hectares</p> | Council | 23/05/2008 |
| 10.2008.206.1 | 10 | 1111203 | | | Teak Road | Federal | 2480 | 14: Other | Byron LEP | Zone No. 1(a)(General Rural Zone) Part Zone No. 1(b2)(Agricultural Protection Zone) | Clause 11 - Minimum lot size | <ul style="list-style-type: none"> Schedule 13 BLEP 1988 provided a development standard for the nine (9) neighbourhood lots ranging from 0.3 to 0.9 hectares. Four of the proposed allotments exceed the 0.9 ha as follows: 1.55 ha, 1.59 ha, 1.62 ha & 0.955 ha. The allotments all comply with the minimum lot standard. The proposed variation to the standard does not increase the density of the subdivision. There is no detrimental impact on either the rural amenity or the natural environment. The proposed amendment provides an increased buffer from the adjoining macadamia nut farm to the west. The proposed amendment will provide greater asset protection zones for the purpose of bush fire safety. | Amend lot sizes ranging from 0.3 to 0.9 hectares. Four of the proposed lots exceed the maximum of 0.9 ha. | Council | 23/05/2008 |
| 10.2008.170.1 | 23, 100 | 801442, 1016338 | | | Granuaile Crescent | Bangalow | 2479 | 14: Other | Byron LEP | Zone No. 1(b1)(Agricultural Protection Zone) Zone No. 1(a)(General Rural Zone) Zone No. 2(a)(Residential Zone) | Clause 11 - Minimum lot size | <ul style="list-style-type: none"> The application is demonstrated to be consistent with the Planning NSW Boundary Adjustments Policy; Compliance with the development is considered unreasonable, unnecessary and not practical in the circumstances of the case; The application will result in the positive outcomes as demonstrated within the report; The application does not raise any matter of significance for state or regional planning; No public benefit is likely to result from maintaining the arbitrary development standard; The objection is sought, not to depart from sound planning, but to provide a reasoned solution to the circumstances of the situation. | The objectives of the proposed development are to create a suitable sized allotment around the existing dwelling and rationalise the allotment configuration of the subject lands by consolidating the three lots into two lots. | Council | 6/06/2008 |
| 10.2008.24.1 | 62 | 247655 | | 79 | Paterson Street | Byron Bay | 2481 | 1: Residential - Alterations & additions | Byron LEP | Zone No. 2(a) (Residential Zone) | Clause 40 - Height of building | <p>Due to the slope of the landform the top most part (3rd level) of the dwelling will range from approximately 8.7m – 9.7m above the existing ground level, hence the variation will occur for only a portion of the roof. It should also be noted that revised plans were submitted to lower the pitch of the roof on the top floor addition to reduce the overall height.</p> | The plans indicate that the proposed alterations and additions will result in the overall height of the dwelling being greater than the maximum height requirement of 9.0m above the existing ground level. The first floor height of the dwelling will also be greater than the maximum required height of 4.5m. The breaches occur as a result of the additional top floor level (bedroom) and the associated roof. | Council | 30/06/2008 |

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| 10.2008.206.1 | 7 | 238693 | | 140 | Beach Road | Broken Head | 2481 | 1: Residential - Alterations & additions | Byron LEP | Zone No. 1(a)(General Rural Zone) | Clause 40 - Height of building | <p>The existing dwelling is not in accordance with Clause 40.</p> <p>The proposed top floor height is reduced from the existing but still in breach of the development standard.</p> | <p>The existing building is not in accordance with subclause 2 (ii) (i) ie the floor of the topmost floor of the existing dwelling is approximately 8.4 metres above existing ground level.</p> <p>The existing building is not in accordance with subclause 2 (ii) (i) ie the vertical distance between the topmost part of the building and the existing ground level below is approximately 9.5 metres.</p> <p>The proposed alterations and additions will result in an improvement on the non compliance with subclause 2 (ii)(i) in that the topmost floor level, an observation deck, is replaced with a roof. It is proposed to move the outer wall of the existing top floor bedroom out 1.5m, to the line of the existing narrow terrace, and to construct a terrace in place of a colourbond roof of the floor below (the terrace to become the new roof).</p> <p>That terrace is 6.0metres above existing ground level and while still not compliant with subclause 2(ii)(i),it is a great improvement on the existing breach.</p> <p>The proposed alterations will result in</p> | Council | 18/07/2008 |
| 10.2007.511.1 | 2, 3, 13 | 1059200, 1096637 | 1 | Dingo Lane | Myocum | 2482 | 14: Other | Byron LEP | Zone No. 1(a)(General Rural Zone (hatched)), Zone No. 1(b1)(Agricultural Protection Zone), Zone No. 1(d)(Investigation Zone), Zone No. 1(c1)(Small Holdings Zone) | Clause 11 - Minimum lot size | <p>Lot D - Lot D is to be used for a quarry, and not for forestry, agriculture or a dwelling-house, the 40 hectare minimum allotment size under the 1(d) Investigation Zone does not apply.</p> <p>Lot C - Allotment is 38.9 hectares in area which is 97.25% of the minimum allotment size</p> | <p>Requirement: Each lot in Zone 1(a) to have a minimum area of 40 ha Proposed Lot D - 14.63 ha (Quarry) Proposed Lot C - 38.9 ha (Agriculture and dwelling-house)</p> | Council | 25/07/2008 | |
| 10.2008.381.1 | 358 | 704247 | | | Broken Head Road | Byron Bay | 2481 | 14: Other | Byron LEP | Zone No. 6(b)(Private Open Space Zone) Part Zone No. 7(a)(Wetlands Zone) | Clause 40 - Height of building | <p>Although greater than 9.0 metres in height, they are consistent with the existing lighting infrastructure for the rugby and soccer fields at the Byron Recreation Grounds and are essential to the optimum safe operation of the football ground. The proposed new lighting, using current advanced lighting technology, will result in less light spill than the existing lighting in accordance with AS</p> | <p>Replace and relocate the existing light poles. The new light poles proposed are up to a maximum height of 18.5 metres above ground level. The proposed poles fall under the definition of ancillary structures to a 'recreation area' under Byron Local Environmental Plan 1988. The requirement is 9.0 metres above ground level.</p> | Council | 11/08/2008 |
| 10.2008.186.1 | 373, 158 | 755695 | | 239 | Skinners Shoot Road | Skinners Shoot | 2481 | 14: Other | Byron LEP | Zone No. 1(a)(General Rural Zone) Part Zone No. 7(d)(Scenic Escarpment Zone) | Clause 11 - Minimum lot size | <p>The proposal relates to two existing allotments that are already below the 40ha requirement, the proposed boundary adjustment will not increase impacts by way of fragmenting rural land. No objections are raised to varying the minimum 40 hectare requirement in this circumstance (given the existing allotments are below 40ha).</p> | <p>Requirement: Each lot in Zone 1(a) to have a minimum area of 40 ha, Proposed: Lot 373 DP 729103 - 1.795 ha (<i>Currently 2.252 ha</i>) Lot 158 DP 755695 - 1.269 ha (<i>Currently 0.809 ha</i>)</p> | DG of Department of Planning | 20/08/2008 |

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| 10.2008.231.1 | 1, 11, 18, 19 | 1123564, 251882, 7582 | 166 | Lighthouse Road | Byron Bay | 2481 | 3: Residential - New second occupancy | Byron LEP | Zone No. 2(a)(Residential Zone) | Clause 40 - Height of building Clause 17 - Floor space ratio | <p>Height:</p> <ul style="list-style-type: none"> • Strict adherence to the development standard would inhibit the economic use and development of the land. • The proposed variation to the standard does not hinder proper management of the land. • The proposed variation does not negatively impact on the social or economic welfare of the community. • Plans were amended at the request of Council. Dwelling No. 1 was lowered 200mm. Dwelling No. 2 was lowered 300mm. • The proposed variation is a suitable response to the constraints of the site. The average slope of the land is 15% and excavations associated with the existing dwelling present design challenges. • The proposed dual occupancy complies with the 9m overall height development standard. • The proposed development maximises the potential oceanic vista to the west. • Outdoor living spaces can be provided at the same level as the adjoining floor. • The variation in the development standard involves an internal portion of the building and does not negatively impact on the amenity of the area. <p>Floor Space Ratio:</p> <ul style="list-style-type: none"> • Strict adherence to the development standard would inhibit the economic use and development of the land. • The proposed variation to the standard does not hinder proper management of the land. • The proposed variation does not negatively impact on the social or economic welfare of the community. • Plans were amended at the request of Council and the proposed development would comply through the subject proposal. | <p>Height: Requirement - Upper floor must not exceed 4.5m above existing ground level Proposed: 4.9m Floor Space Ratio: Requirement - maximum 0.5:1 Proposed - 0.51:1</p> | Council | 1/09/2008 |
| 10.2008.6.1 | 103 | 1061562 | 9 | Green Frog Lane | Bangalow | 2479 | 14: Other | Byron LEP | Zone No. 1(a)(General Rural Zone) | Clause 11 - Minimum lot size | <p>A small portion of the site is zoned 1(a). This portion will be fully located in proposed Lot 4 of an area of 4697 m2. The proposed development will result in an area of land zoned 1(a) that is less than 40 ha. Approximately half of proposed Lot 4 to be located in the Zone 1(a) and one half located in the Zone 2(a). Proposed Lot 4 has sufficient land within the zone 2(a) to comply with all relevant lot size requirements for an urban lot. Therefore, the status quo will not be affected as the small portion of 1(a) land will remain as a portion of a larger allotment which derives its usage from the land zoned 2(a) that is also zoned 2(a).</p> | <p>Requirement: Each lot in Zone 1(a) to have a minimum area of 40 ha Proposed: Lot 4 of 4697 m2 part located in Zone 1(a).</p> | Council | 3/09/2008 |
| 10.2008.287.1 | 27 | 31166 | 9 | Pacific Esplanade | South Golden Beach | 2483 | 2: Residential - Single new dwelling | Byron LEP | Zone No. 7(F2) (Urban Coastal Lands Zone) | Clause 14(7) - Floor Space Ratio | <p>The subject development is constrained by noise, coastal erosion, bushfire and is only 7.6m wide.</p> <ul style="list-style-type: none"> • The bulk and scale of the building is not excessive or out of character in relation to surrounding development. • The surrounding development built prior to planning controls have a floor space ratio greater than 0.5:1. • The proposed development does not impact on amenity or streetscape. • The proposed dwelling is a four (4) bedroom home which is considered a standard requirement in today's lifestyle and not out of character for the area. • The departure from the FSR requirements in the subject proposal is considered suitable and reasonable. | <p>Floor space ratio of 0.57:1 - LEP requirement is 0.5:1</p> | DG of Department of Planning | 26/09/2008 |

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| 10.2008.518.1 | 1, 2 | 859775 | 594 | Broken Head Road | Byron Bay | 2481 | 14: Other | Byron LEP | Zone No. 1(b1)(Agricultural Protection Zone) / Zone No. 7(d)(Scenic Escarpment Zone) | Clause 11 - Minimum lot size | <p>i. The objectives of the EPA Act & the North Coast Regional Environment Plan are upheld.</p> <p>ii. There will be no loss of agricultural land.</p> <p>iii. There will be minimal impact on the natural environment.</p> <p>iv. The subdivision/boundary adjustment does not set an adverse precedent.</p> <p>v. No additional allotments, dwelling entitlements, or potential for them, is created</p> <p>vi. The proposed boundary adjustment will not result in any loss of natural or man-made resources in the area.</p> <p>vii. The proposal will not hinder the management of natural areas.</p> | The two allotments are approximately 1.9ha and 2ha | Council | 24/10/2008 |
| 10.2008.478.1 | 7 | 1027489 | 2C | Pacific Vista Drive | Byron Bay | 2481 | 1: Residential - Alterations & additions | Byron LEP | Zone No. 2(a) (Residential Zone) | Clause 40 - Height of building | <p>The bulk and scale of this building will not be out of character with the development in this area. The design allows sufficient space between building structures to maintain privacy and provide a development that is aesthetically pleasing, compatible with the rest of the development, and provides the home owner with a useable development that meets their needs.</p> <p>It can be taken from the objectives that the applied limit to an upper floor level is designed to limit the potential for overlooking of adjoining properties. In this regard the additional height (0.5m) above the maximum floor level will not create any overlooking beyond what may be possible at the prescribed height (4.5m). The nearest affected dwelling is located behind the proposed deck and it is a condition of this report that a privacy screen be provided at the end of this deck.</p> | Requirement - Upper floor must not exceed 4.5m above existing ground level Proposed: 5m | Council | 20/11/2008 |
| 10.2008.112.1 | 17 | 251882 | 178 | Lighthouse Road | Byron Bay | 2481 | 1: Residential - Alterations & additions | Byron LEP | Zone No. 2(a)(Residential Zone) | Clause 40 - Height of building | <p>The applicant has demonstrated that strict adherence to the development standard would inhibit the economic use and development of the land. The variation in the development standard applies only to approximately 18m² of the top most floor level. The land slopes away steeply to the north on this portion of the lot. The overall height of the building complies with clause 40 BLEP. The variation in the development standard does not negatively impact on the amenity of the area. Moreover, the proposed dwelling house is an improvement on the existing dwelling house with respect to clause 40 BLEP.</p> | Vary the maximum height of the upper floor level from 4.5m to 6.4m covering an area of 17.53m ² | Council | 10/07/2008 |
| 10.2008.575.1 | 1, 8 | 878549, 622736 | 53 | Melaleuca Drive | Byron Bay | 2481 | 14: Other | Byron LEP | Zone No. 1(d)(Investigation Zone Part Zone No. 7(a)(Wetlands Zone) | Clause 11 - Minimum lot size | <p>• The granting of consent for the reduced lot sizes raises no matters of state significance and nor does it diminish the public benefit of the standard</p> <p>• There is a public benefit in that the larger size allotment created by increasing the size of lot 1 gives a greater opportunity for disposal of effluent on-site and maintaining an adequate buffer area for bush fire protection of the existing dwelling house.</p> | <p>Requirement: Minimum lot size - 40ha</p> <p>Allotment: Lot 1 DP 878549 - Existing area 1.01 ha Proposed: Lot A: 21.34ha</p> <p>Allotment: Lot 8 DP 622736 - Existing area 40.47 ha Proposed: Lot B: 20.14 ha</p> | DG of Department of Planning | 28/11/2008 |

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| 10.2008.360.1 | 3 | 1004514 | | Bayshore Dr | Byron Bay | 2481 | 10: Mixed | Byron LEP | Zone No. 2(v)(Village Zone) / Zone No. 4(a) - Industrial Zone | Clause 40 - Height of building | <p>* Inspections of the site in September and October 2008 found that the majority of the property had been filled as part of temporary approvals for stockpiling issued by Byron Shire Council. The proposal seeks to permanently retain stockpiled fill on site, and construct the new building works on top of it. As the ground level will be raised, the proposed buildings will not appear to be excessive in height. The non-compliances with the requirements of Clause 40 are only evident when measured from the pre-filled levels of the site. Given the circumstances of the case it is unreasonable to comply with the requirements of Clause 40 for the 23 building groups.</p> | <p>* Clause 40 of Byron Local Environmental Plan 1988 provides that in the 2(v) Village and 4(a) Industrial zones, a maximum height of 4.5 metres to the topmost floor level and 9.0 metres topmost part of the building applies to all buildings. These height requirements apply to the 'existing ground level', ie. the level of the ground prior to filling.</p> <p>* The SEPP No. 1 objection details the extent of which each group of buildings exceed the requirements of Clause 40. The worst affected group (Group 23) is made of commercial buildings containing professional suites, apartments, canteen, retail, office and recreational uses. Buildings within this group have a maximum overall height of 10.8 metres and a maximum uppermost floor level of 5.3 metres.</p> <p>The uppermost floor levels of buildings within the remaining groups are no greater than 5.2 metres above existing ground level. The overall heights of these building groups are no greater</p> | Council | 18/12/2008 |
| 10.2008.604.1 | 5 | 565766 | 114 | Frasers Road | Mullumbimby | 2482 | 2: Residential - Single new dwelling | Byron LEP | Zone No. 1(a)(General | Clause 40 - Height | <p>Due to the relative isolation of the dwelling, the surrounding vegetation and separation from other dwellings due to the steep topography in the locale, the variation to the standard will not create a negative amenity impact.</p> <p>The variation sought is supported in this case because:</p> <ul style="list-style-type: none"> the area of infringement is small, the site has significant slope constraints, the variation will not compromise the zone objectives, the variation will not result in a building which appears large and bulky in the locale, and the building will not detract from the amenity of the area. | <p>The area of offending eave is approximately 2.64</p> | Council | 23/12/2008 |
| 10.2008.211.1 | 5 | 251205 | 10 | Palm Valley Drive | Byron Bay | 2481 | 2: Residential - Single new dwelling | Byron LEP | Zone No. 2(a) - Residential Zone | Clause 40 - Height of buildings | <ul style="list-style-type: none"> The site slopes steeply down to the north east; Existing ground conditions associated with the existing dwelling house; The plans were amended in response to a request from Council in order to minimise the disturbance on the littoral rainforest within the site (refer to section 1.1 of this report for further detail). Minimal negative impact on the amenity of the area. | <p>The variation in the development standard (4.5m topmost floor level) applies to a total of approximately 10m² on levels 5, 4 & 3. The variation in the development standard (9.0m topmost part of the building) applies to a small section of the roof of the ensuite on level 5.</p> | Council | 14/11/2008 |
| 10.2008.627.1 | 2, 4 | 609219, 576068 | 15 | Middle Pocket Road and 284 The Pocket Road | The Pocket | 2483 | 14: Other | Byron LEP | 1(b1)- Agricultural Protection Zone | | <p>The application proposes a boundary adjustment between two (2) lots that will not result in the creation of new or additional dwelling entitlements but will rationalise the lot layouts to enable better land management.</p> | <p>The application proposes a boundary adjustment that would transfer an area of 0.284 hectares of Lot 4 DP 576068 to Lot 2 DP 609219.</p> | Council | 8/01/2009 |

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| 10.2008.612.1 | 101, 102, 1878 | 1001878 | | | Pacific Highway | Ocean Shores | 2483 | 14: Other | Byron LEP | Zone No. 1(a) General Rural / Part 9(a)Wetlands | Clause 11 - Minimum lot size | The purpose of the boundary adjustment is to create an allotment for the purpose of transferring to NSW DECC to be an addition to Billinudgel Nature Reserve. | Currently Lot 101 = 1.67ha, Lot 102 = 28.49ha and Lot 107 = 0.13ha totalling 30.29ha. The proposal involves the creation of two lots from the three existing lots. - Lot A comprises 0.36 hectares of land within Zone 7(a) Wetland and SEPP 14 Wetland is to be dedicated to DEC to form part of the Billinudgel Nature Reserve and will have no dwelling entitlement. - The remainder of the land is proposed to become one lot, Lot B, and will retain the one dwelling entitlement. | Council | 20/01/2009 |
| 10.2008.563.1 | 1, 2, 1 | 1077449 126052 | 21 | Dry Creek Road | Upper Main Arm | 2482 | 14: Other | Byron LEP | Zone No. 1(a) - General Rural Zone / PART 7(d) - Scenic Escarpment Zone | Clause 11 - Minimum lot size | The application proposes a boundary adjustment between three (3) lots that will not result in the creation of new or additional dwelling entitlements but will rationalise the lot layouts to enable better land management. | Current lot Lot area Lot area Lot 1 - 42.14 ha 41.68 ha (new lot 1) Lot 2 - 42.14 ha 42.60 ha (new lot 2) Lot 1 - 0.801 ha 0.801 ha (new lot 3) | DG of Department of Planning | 28/01/2009 | |
| 10.2008.732.1 | 1169 | 243480 | 6 | Katya Court | Ocean Shores | 2483 | 2: Residential - Single new dwelling | Byron LEP | Zone No. 2(a) (Residential Zone) | | <ul style="list-style-type: none"> The bulk and scale of the building is not excessive or out of character in relation to surrounding development; Only a small area (< 12m2) of the top most floor level of the proposed dwelling will be greater than 4.5m above the existing ground level; The applicant has designed the dwelling sympathetic to the landform and attempts to limit the amount of excavation works required; The proposed development does not impact on amenity of the neighbourhood or streetscape; The requested variation is less than 10% of the development standard, i.e. less than 4.95m above existing ground level; The departure from the requirements of Clause 40 in the subject proposal is considered suitable and reasonable. | <10% - Exceeds the maximum topmost floor level height by 0.4m (Requirement 4.5m, proposed 4.9m) | Council | 27/03/2009 | |

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| 10.2009.17.1 | 3 | 715746 | 55 | Bullgarra Road | Wilson's Creek | 2482 | 2: Residential - Single new dwelling | Byron LEP | Zone No. 7(d) – (Scenic/Escarpment Zone) | Clause 40 - Height of buildings | <ul style="list-style-type: none"> The house is to be constructed in an existing terraced cutting that contains an existing small dwelling that is proposed for demolition. The height variation is required to achieve vehicle access to the carports located at the higher level of the dwelling from the existing internal access road. The access design negates the requirement for excavation works that would be required to maintain the 9.0m standard. Such excavation works are not in accordance with Objective (d) of Zone 7(d) Scenic/Escarpment Zone 'to minimise soil erosion from escarpment areas'. Although the proposed dwelling is slightly higher, 0.5m, than the currently approved dwelling which is 9.0m high, the proposed dwelling is generally less bulky and sits lower into the environment. There are no discernable sightlines to the dwelling from neighbouring properties or public places and the roof peak is lower than the adjacent tree canopy. The building is not visible from the street. Therefore the proposed dwelling is in accordance with Objective 1(b) of Clause 40 ie 'to ensure that the height and scale of deve | Proposed overall height is 9.5m which is a 5.5% increase in the development standard of 9.0m | Council | 30/03/2009 |
| 10.2008.749.1 | 108 | 1038243 | 37 | Leslie Street | Bangalow | 2479 | 2: Residential - Single new dwelling | Byron LEP | Zone No. 2(a) - Residential Zone | Clause 14(7) - Floor Space Ratio | <ul style="list-style-type: none"> The subject allotment is a small allotment, 402.3m², and contains a steep slope; The bulk and scale of the building is not excessive or out of character in relation to surrounding development; The proposed development does not impact on amenity or streetscape; The proposed dwelling is a four (4) bedroom home which is considered a standard requirement in today's lifestyle and not out of character for the area; The departure from the FSR requirements in the subject proposal is considered suitable and reasonable. | <10% -exceeds the Floor Space Ratio by 0.04 (Requirement 0.5:1, proposed 0.54:1) | Council | 1/04/2009 |