

Dear Sir/ Madam,

This submission makes the following objections in response to DA 10.2017.600.1 (Strata subdivision: Two lots) and DA 10.2017.589.1 (New dwelling to create Dual Occupancy):

- **Subdivision and proposed strata lot area** – The proposed strata lots would be 499m² each, i.e. substantially less than the minimum allotment size stated as 600m² in the Byron LEP 2014. The variation sought to allow a lot size of 499m² is completely unacceptable and is in no way in keeping with the amenity of the area. The submission states “It is unreasonable to apply the minimum lot size map to a strata subdivision of these development types when the parent lot is significantly less than the area required to achieve two or more lots”. This statement mocks the precise reason that minimum lot sizes are stated in the LEP in the first place, i.e. to ensure that the size and spacing of developments are in keeping with the character of the neighbourhood. Rangal Rd is a quiet residential street. It is not the town centre of Ocean Shores, and is certainly far from the example subdivisions with lot sizes less than 600m² which are all located several kilometres away in the vicinity of Balemo Drive, rather than in the relaxed and spacious beach side area of North Ocean Shores/ South Golden Beach.
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- **Flooding and fill** - The proposed filling needs to be reconsidered or at least justified:
 - o 10.2017.589.1 states that “fill works are minimal with a max height of ~300mm” but in the same paragraph, confusingly states that “it will not exceed 1m”. The fill requirements would definitely be known by the architect and builder at this stage and should be shown on plans/ drawings along with the natural ground level and finished floor level.
 - o The DCP states that “Council will not support filling beneath the building footprint...unless it can be demonstrated it will not impact on the floodplain”. Insufficient information is provided in the DA with regards to flood planning and the impact of filling on the floodplain, including redirecting of flow path around the property. DA 10.2017.589.1 states that whilst the property is mapped as flood affected, cumulative impact on flooding “may have been investigated” during planning for the subdivision, however this would have been 30-40+ years ago and is not considered sufficient to determine the impact from the proposed development in the present day.
- **Building Height Plane, Design and Suitability** - The proposed development exceeds the building height plane on the western side. The proposed development significantly overshadows, and would be significantly overshadowed by the development proposed on the eastern half of the block (i.e. the other half of the proposed dual occupancy). The proposed development does not make use of natural light or the northern aspect of the property. In fact, the main living area of the property faces southwest. The upper living areas of the property are also substantially larger than the lower living areas. A double storey dwelling with a smaller upper living area which is appropriately designed to maximise passive solar radiation (ie not south facing) would be acceptable.
- **Character and amenity** - The proposed two-storey dwelling to create a detached dual occupancy development is not in keeping with the low density residential

character of the locality, or of desired built form and character of the street and neighbourhood. The closest such dual occupancies/ subdivisions are located near the more commercial precinct on the corner of Beach Ave and Helen Street, South Golden Beach (opposite the skate park), and over on Rajah Rd, Ocean Shores. Approving of this development would set a precedent for much higher-density building to occur in the immediate vicinity, which is against the current and future amenity of the neighbourhood desired by local owners and residents in North Ocean Shores and South Golden Beach. The surrounding properties on Rangal Road, Berrimbilla Court, Gloria Street and surrounding streets are all single occupancy, and predominantly single storey dwellings with large amounts of open space and greenery. The proposed development is located directly across the road from a nature reserve which leads to the beach and development in this area should be in keeping with the natural bushland setting.

- **Preservation of trees** - DA 10.2017.589.1 states that none of the established trees are likely to be disturbed or removed. However, in demolishing the previous dwelling, two trees were topped without Council approval (one along the back easement and one on Council land at the north-east entry). These disturbances have already greatly affected the amenity of neighbouring residences, the north eastern tree in particular as it shielded neighbouring properties from the headlights of oncoming traffic on Rangal Rd.

In view of the above objections, we do not support the variation sought for a strata subdivision with lot sizes less than the 600m² required by the Byron LEP 2014. We would be pleased to see a DA submitted for a dwelling in keeping with the character of the neighbourhood and designed to use natural light.

Please consider our objections in determining these DA's.

Kind regards,