

From: noreply@byron.nsw.gov.au
Sent: Wednesday, 19 April 2023 2:02 PM
To: council
Subject: 10.2023.63.1 - eForm Submission Object - [REDACTED]
Attachments: SubmissionReceipt-DevelopmentApplicationSubmission-SUB1061.pdf; Final Objection DA-10.2023.63.1.pdf



10.2023.63.1 - eForm Submission Object - [REDACTED]

10.2023.63.1 - eForm Submission of Object - [REDACTED]
Receipt No. SUB1061

Attachments: [Final Objection DA-10.2023.63.1.pdf](#)

Contact details	
Name	[REDACTED]
Organisation (where relevant)	[REDACTED]
Email	[REDACTED]
Phone	[REDACTED]
Postal address	[REDACTED]
Application details	
Development application number	10.2023.63.1
Street address	20 Fig Tree Lane
Suburb	Myocum
Type of development proposed	Residential
Submission details	
Type of submission	Object

Grounds for submission	As per Letter attached
File upload	Final Objection DA-10.2023.63.1.pdf
Declarations	
Lodgement declarations	<p>I declare that the information in my submission is true and correct.</p> <p>I have read and acknowledge the Political Donations, Privacy Statement and Submissions and Confidentiality declarations.</p>

[REDACTED]

From:

Sent:

[REDACTED]
Wednesday, 10 May 2023 4:08 PM

To:

Subject:

Attachments:

[REDACTED]

[REDACTED]

Please find attached a letter of representation on behalf of Ballina constituent [REDACTED]


Also attached is [REDACTED] original letter to [REDACTED]

Looking forward to your response in this matter.

Kind regards,

[REDACTED]

[REDACTED]



I felt compelled to write to you to appraise you of a recent development application that has been submitted to Byron Shire council.

It frankly is at odds with much of your vision and concerns for the electorate . We moved here to Myocum in 2021 , encouraged by the sense of community and rural life style ...the property we purchased benefited from your campaign to assist Koala's , with grants to plant trees .

Imagine our distress when we see our neighbour , who we have never met as he does not live there has put in an application that resembles a resort . Additional dwellings , tennis court , sauna , club house , locker rooms All of which is totally inconsistent with a normal residence and our community . We have already had to suffer parties (he rents it out) , noise , and drug needles discarded on the roadside 10 metres from our gate. We advised council ,(see pictures attached) who were prompt in attending to clean up the mess.

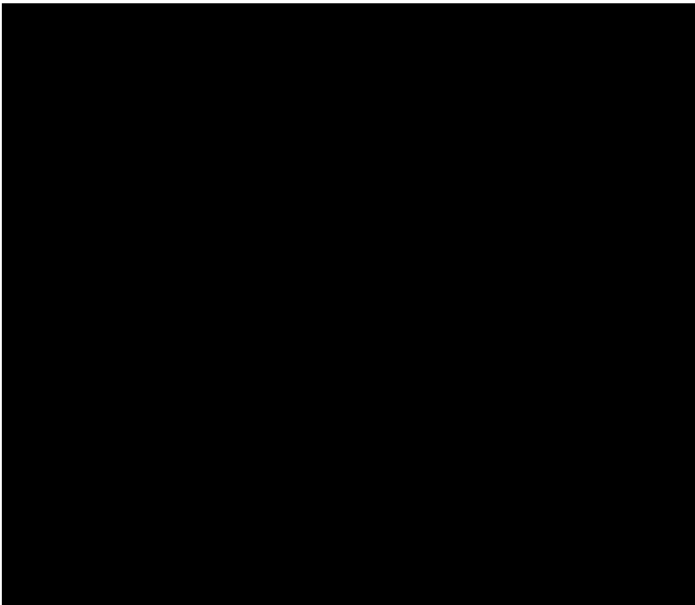
The scale of this development is in my view a commercial project and will have significant impact if allowed to proceed in its current form. It was originally submitted under a company name but later changed to the individual owners, The change in my view being a mere disguise.

We have laid out our concerns and delivered a letter by hand to council offices yesterday.



[REDACTED]

From: [REDACTED]
Sent: Tuesday, 18 April 2023 8:54 AM
To: council
Cc: [REDACTED]
Subject: Submission for application (10.2023.63.1)
Attachments: syringes outside 20[2].jpg; cars outside 20[2].jpg; syringes 2 outside 20[2].jpg



Re: Objection to DA 10.2023.63.1

We recently received notification that [REDACTED] 20 Fig Tree Lane Myocum, has applied for a DA (number 10.2023.63.1). We have reviewed the application and have a number of concerns with what is proposed and would like to object as outlined below.

[REDACTED] The appeal of the property was the fact that it was a peaceful rural setting that also was home to a wide variety of wildlife, particularly nocturnal animals. In the sale of the property, the agent highlighted particular environmental programs such as the koala corridor (funded by government) and how our property had been given funding to plant trees that would attract more koalas to this beautiful location. As a result we have a large number of young eucalypts that were planted thanks to this funding.

The other appeal to the area for us was living in a community.

[REDACTED] has always been rented on Booking.com to visiting tourists. This has resulted at times in parking issues with cars often parking on our verge right up to our front gate (see attached photo). In addition to the parking hazards, we reported to council a disturbing find during the weekend of Splendour in the Grass last July - the grass verge outside number 20 had a large number of syringes that had been used and dumped during a weekend of guests at the property (see enclosed photo - which was sent to council at the time so it should be on record).

Upon reviewing the DA, we feel that it impacts our home and quality of life in a number of ways:

Privacy - the Clubhouse that is proposed is not only grossly oversized for a residential property but the location is far too close to our drive and living spaces. It is sitting right on our boundary.

The features of the Clubhouse suggest that this is going to lead to a lot of large parties that will affect our quality of rural living.

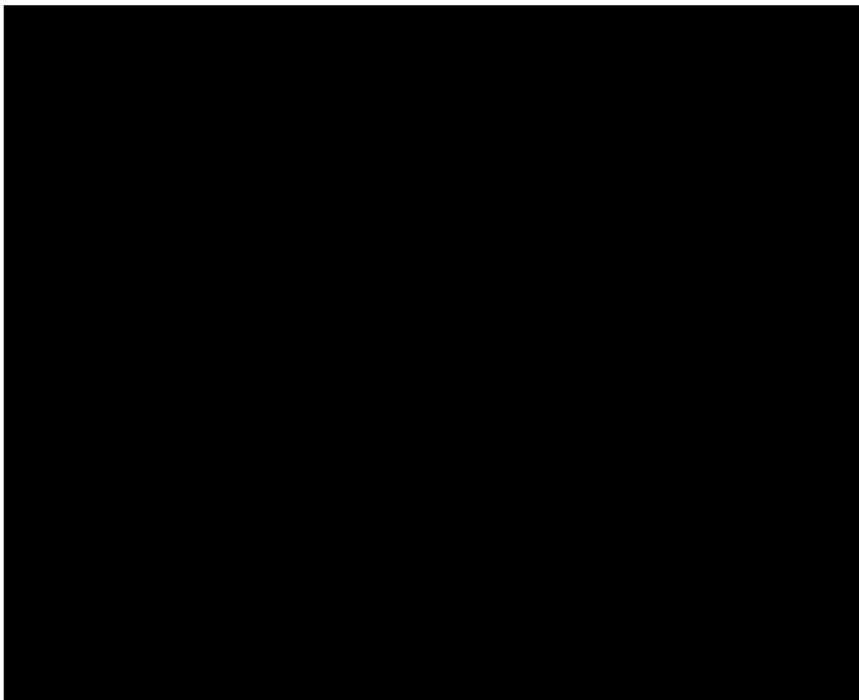
Noise pollution - The peace will be impacted by not only the continual bouncing of tennis balls but the music that will be played from the sound system in the wet bar area. The fact that the Clubhouse (interesting use of name for a so called residential design) has lockers, also leads us to wonder about the commercial use of this property. Depending on the wind, we are already impacted by the various live bands or DJs that are brought in to entertain visiting guests. By creating this new space so close to our living areas, we will definitely be affected. There appears to be little consideration in the DA for providing solutions to noise control in our direction.

Visual pollution - the size of this structure and the location is definitely going to impact our experience of living in a peaceful rural enclave. Not only the size and location but the fact that the design is suggesting tennis court lights for night time play. This surely cannot sit well with a council that has always been highly supportive of the environment. Having a large Clubhouse with tennis court lighting will surely impact the nocturnal species that live currently in our area.

The current owners are not residents of the street and as such, have little regard for the community side of living in the region. From our point of view, this application is a further enhancement to a commercial venture. The Tennis Pavilion/Clubhouse is set up with facilities like a commercial resort. We believe this will attract even greater numbers of guests to a property that already has a history of noise, parking issues and drug waste dumped on our public path that is regularly walked not just by people and pets, but also wildlife.

As a result, we bitterly object to this proposed DA. We object because we will have to live with the eventual build, not the owners, as they choose to live elsewhere and derive an income from this property. We don't need to highlight to council the overwhelming negative feeling and impact that these rentals create in a sadly diminishing community. We have also noticed that this submission was first applied for under a Company and has since been amended to a private application. This change has heightened our belief that the DA has a heavy focus on a non residential purpose.

We hope that Byron Bay Council carefully reviews this submission and agrees that the areas we have highlighted above are valid and recommend major amendments to the existing DA.



Byron Shire Council
70 Station Street
PO Box 219

10 May 2023

[REDACTED]

Please find *enclosed* a copy of correspondence I received from [REDACTED]

[REDACTED] has contacted my office about a DA application at 20 Fig Tree Lane, Myocum (number 10.2023.63.1).

[REDACTED] has raised a number of concerns about the development including parking hazards, noise pollution and visual pollution. I share his concerns that the development is very commercial in nature. I understand that until we have better regulations of Short Term Holiday Let properties that aspect of the development might fall outside your scope. However, I think that [REDACTED] raises valuable objections to the scale and nature of the development proposal.

[REDACTED] is concerned that the proposed DA is oversized for a residential property and that the location is very close to their drive and living spaces.

[REDACTED] notes that he has been in contact with Byron Shire Council about this matter and has requested that I make representations to you on his behalf.

I would be grateful for any assistance or additional information you can provide [REDACTED]

I look forward to receiving your response, at your earliest convenience.

[REDACTED]

19th April 2023



Attention : The General Manager
Byron Shire Council
PO Box 219
Mullumbimby, NSW 2482

RE: Objection to DA. 10.2023.63.1

Dear Sir/Madam,

This letter highlights the concerns that I have in relation to the DA. 10.2023.63.1, for 20 Fig Tree Lane Myocum, NSW 2481 , Lot 2 DP 1222432 Byron (hereafter the “DA”)

In support of this **objection** to the DA, I would like to bring to your attention the below points and summarised on the last page , that I believe impact both visual and audio amenity, not only my home but other homes in the vicinity.

It should also be noted that in several documents the term “Clubhouse” is used, this is of a **major** concern, this is a quite family orientated street , such a development may encourage a significant increase in traffic flow, noise and possibly other undesirable activities.

It also begs the question that a “Clubhouse” implies the potential for greater numbers of non – residents , possibly resulting in other undesirable behaviour's, and increase's in noise and traffic thus loosing the street appeal that all residents currently enjoy and love.

There is also a major concern that this DA is a prelude to a business venture , given the scale of the DA and the use of terms “Clubhouse” and a rather large accommodation footprint, which would suggest there maybe an alternative use planned , hence the scale of the DA.

We also note the Land is Zoned R5, the use of this property for any Club related activities would also be inappropriate and is currently prohibited in the 2014 LEP as I understand.

Off street parking is a major problem , when this property is leased on the STRA (Short Term Rental Accommodation) the area outside the property is generally crowded with vehicles and little consideration is given to local residents, of course if this DA is approved, it will be significantly worse as there seems no desire to park within the confines of the property.

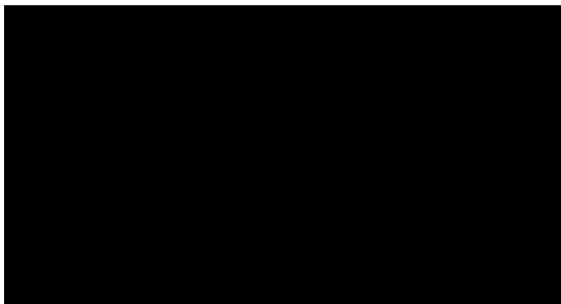
Of course we understand that the Byron Council has no or little authority when it comes to STRA, however it must be a consideration when the effects concern all residents in the street.

The Clubhouse and tennis court are excessive in statue , and do not blend in with the Objectives of the Zone R5 Large Lot Residential (2014 LEP) as such they should be scaled back considerably. In particular lighting and noise will be a major concern to residents on the Southern boundary and these should be all considered in the DA application.

The environmental impact of the court lighting will be significant , this area is adjacent to a Koala corridor and we have a responsibility to protect our native fauna and flora, adding obtrusive lighting and noise will only exacerbate the problem.

In summary the following page lists the various points that are of major concern to myself and I'm sure that other residents in Fig Tree Lane will share my concern. I formally OBJECT to this DA in its current form.

Regards



Points of OBJECTION – DA 10.2023.63.1

Secondary Dwelling

1. The proposed Secondary dwelling is 267 sq meters (**Clause 5.4 of LEP 2014**)
2. Fire access to the secondary dwelling is problematic.

Clubhouse

1. Lighting – major concern for residents on the boundary
2. Size – the clubhouse and tennis court are excessive
3. Noise – both visual (lighting) and audible noise will be much greater
4. Loss of visual amenity

Other Concerns

1. Parking – in adequate off street parking
2. Traffic generation
3. The owner may say that it is a "Residential Dwelling", but plans for the clubhouse and secondary dwelling clearly show that there is an alternative use of the premises.
4. Environmental.





