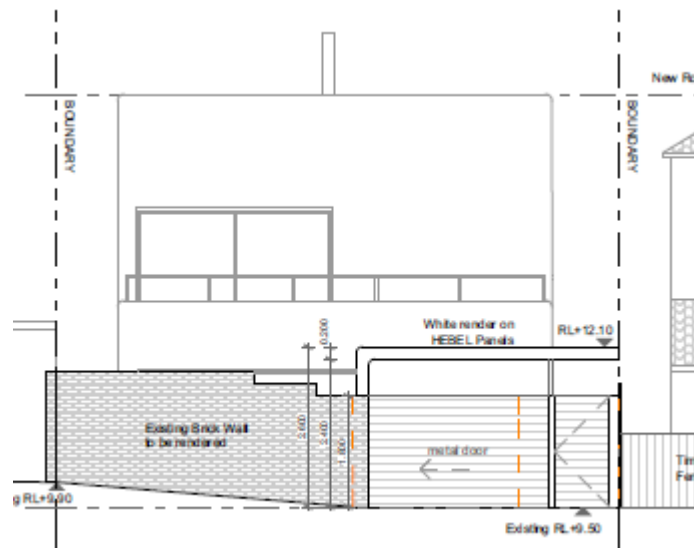




DM Planning

## Statement of Environmental Effects

Alterations and additions to a dwelling house,  
swimming pool and front carport



**15 Blackwood Rd, North Curl Curl**

Report prepared for  
David and Nicole Dunbar

**March 2020**

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## 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of David and Nicole Dunbar to accompany a Development Application (DA) for alterations and additions to a dwelling house, new swimming pool and new carport at 15 Blackwood Rd, North Curl Curl.

This SEE has been prepared and is submitted to Northern Beaches Council (Council) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This SEE describes the site, its surroundings and describes how the proposal addresses and satisfies the objectives and standards the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2011 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

This SEE demonstrates that the proposal is generally consistent with the relevant provisions of the:

- *Warringah Local Environment Plan 2011*
- *Warringah Development Control Plan 2011*
- *State Environmental Planning Policy 55 (Remediation of Land)*
- *State Environmental Planning Policy (BASIX)*
- *State Environmental Planning Policy (Infrastructure)*

This SEE concludes that the proposal is satisfactory when assessed against all relevant requirements. It will make a positive contribution to the streetscape and will result in improved amenity for the existing occupants, with no detrimental environmental or amenity impacts.

We recommend that Council approve the development application subject to the content and findings outlined in this SEE.

## 2 The site, locality and background

### 2.1 Site description and history

The site is located within the Northern Beaches Local Government Area (LGA).

The site is legally described as Lot 33 DP 5748 and is known as 15 Blackwood Road, North Curl Curl. The site is rectangular in shape and has an area of 413.7m<sup>2</sup>. It is located on the eastern side of Blackwood Road. It has a street frontage of 9.145m to Blackwood Road and a length of 45.265m. The site is relatively flat, with a slight fall to the street. There are no significant trees on or immediately adjoining the site.

The site is currently occupied by a 2-storey brick and tile residence and a large outbuilding (previously used as stables) adjacent to the rear boundary. Parking is provided in a single garage at the ground level of the dwelling. Vehicular Access to the site is via a driveway from Blackwood Rd as shown in Figure 3.

The location of the site is shown at Figures 1 and 2.

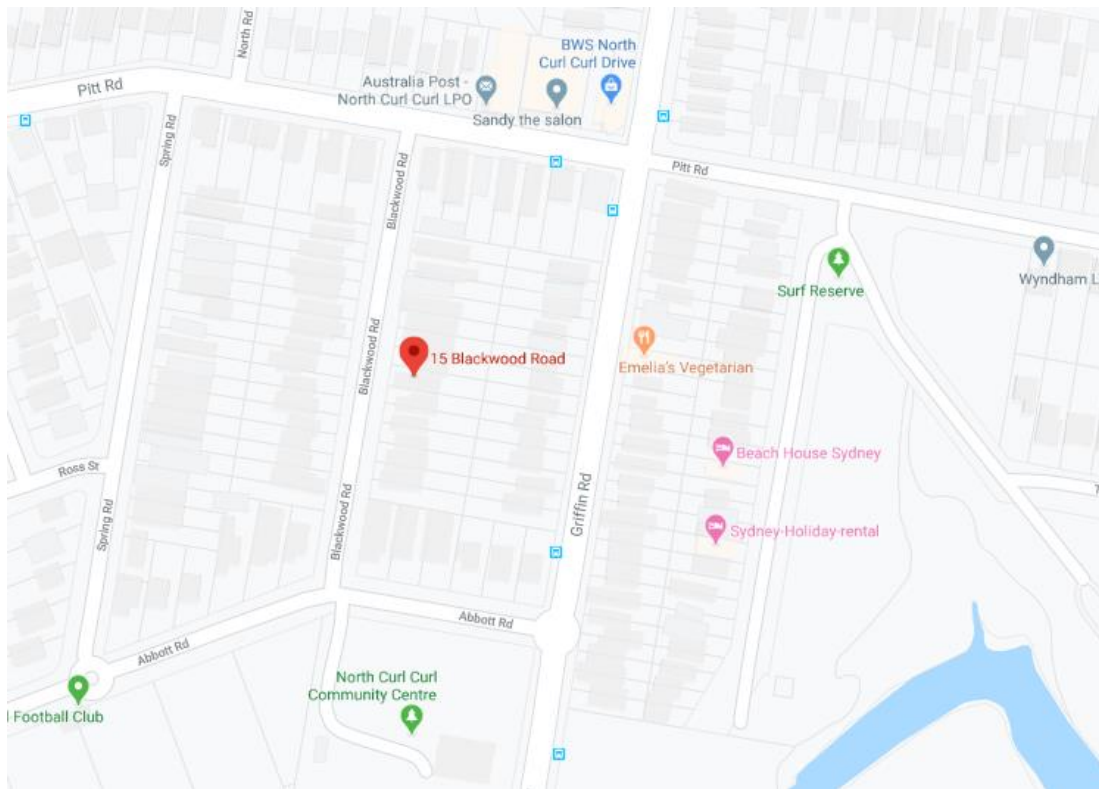


Figure 1. Location of the site (Source: Google Maps)



Figure 2. Aerial view of the site (shaded yellow) and its surroundings (Source: SIX Maps)



Figure 3. Existing dwelling, garage and driveway to the site

## 2.2 Surrounding locality

The locality comprises of predominantly single and two storey detached dwellings with a variety of existing original houses, renovated homes and new more contemporary dwellings.

The properties to the north and south of the site (13 Blackwood Rd) both contain a two-storey contemporary dwelling houses. Both are located much closer to the street than the dwelling house on the subject site.



Figure 4. 13 Blackwood Rd located to the north of the site



Figure 5. 17 Blackwood Rd located to the south of the site

### 3 The proposal

The development application seeks consent for alterations and additions to a dwelling house comprising of:

- Partial demolition of the front and rear of existing dwelling
- Front and rear additions at both levels
- Conversion of existing garage into habitable floorspace
- Reconfiguration and extension of first floor
- Rear ground level terrace
- Rear upper level balcony
- Front carport with storage area
- New colorbond roofing above front and front and rear additions
- Landscaping works including timber decking and additional plantings
- Inground swimming pool
- Render and painting of existing front wall
- Replacement of front gate with separate vehicle and pedestrian gates

The resulting dwelling will comprise of:

**Ground floor:** Dining room, laundry, open plan kitchen, living area, rear terrace,  
**First floor:** Master bedroom suite, two bedrooms, bathroom, study, kids room, front and rear balconies.

The existing vehicle crossing to Blackwood Rd will be retained for access to the carport. The existing rear shed will also be retained.

The proposed external finishes comprise of flat, colourbond roofing, hebel panel walls, concrete flooring, steel framed windows and doors and timber decking.

The existing brick veneer walls will be retained, rendered and painted white. The existing upper level weatherboard walls will be retained and painted white.

Stormwater drainage will be connected to the existing system and will be directed to the Blackwood Rd.

## 4 Environmental planning assessment

### 4.1 Environmental Planning and Assessment Act 1979

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment.

This section of the report provides the planning assessment against the key statutory environmental planning instruments and Development Control Plan relevant to the development. The following detailed assessment of the proposal is provided, and which is based on the heads of consideration contained in section 4.15 of the EP&A Act.

#### 4.15(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:*

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	<ul style="list-style-type: none"> <li>The relevant state environmental planning instruments are addressed at Section 4.2.</li> <li>The relevant provisions of Warringah Local Environmental Plan 2011 (WLEP 2011) are addressed at Section 5.2.</li> </ul>
(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	N/A
(iii) any development control plan, and	The relevant provisions of Warringah Development Control Plan 2011 (WDCP) are addressed at Section 5.3.
(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	N/A
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The requirements of the EP&A Regulations are satisfied. Applicable regulation considerations including demolition, fire safety, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of



Relevant Provision	Comment
	inspection may be addressed by appropriate consent conditions.
(v) (Repealed)	
(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,	<p><b>Environmental Impact</b> The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan 2011 section in this report.</p> <p><b>Social Impact</b> The proposed development will not have a detrimental impact in the locality considering the character of the proposal</p> <p><b>Economic Impact</b> The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
(c) the suitability of the site for the development,	The proposed development is suitable for the site as demonstrated throughout this report.
(d) any submissions made in accordance with this Act or the regulations,	Any submissions made on this subject development application will be duly considered. In addition, the Council will consider any public submissions relating to the proposal during its assessment.
(e) the public interest.	The proposal is in the public interest as it allows for appropriate and positive additions to an existing residential site.

Table 1: Section 4.15(1) assessment

## 4.2 State Planning Policy Controls Overview

The proposal has been designed having regard to the objectives and standards of the relevant planning instruments and policies that apply to the site. Under the provisions of the EP&A Act, the key applicable State Environmental Policies are:

- State Environmental Planning Policy (BASIX)
- State Environmental Planning Policy 55 (Remediation of Land)
- State Environmental Planning Policy (Infrastructure)

The application of the above plans and policies is discussed in detail in the following sections of this SEE.

#### **4.2.1 State Environmental Planning Policy No.55 – Remediation of Land**

Under clause 7(1) (a) of State Environmental Planning Policy No. 55 – Remediation of Land, consideration has been given as to whether the land is contaminated. The site has been used for residential purposes and there is no history to suggest that the site is contaminated. The application does not require further consideration under clause 7(1) (b) and (c) of SEPP 55.

#### **4.2.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

The State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX) seeks to encourage sustainable development within NSW.

An assessment against BASIX has been undertaken and a BASIX certificate has been prepared. The proposed development will comply with targets of the Building Sustainability Index.

#### **4.2.3 State Environmental Planning Policy (Infrastructure)**

Clause 45 of SEPP Infrastructure requires the consent authority to notify the electricity supply authority of any development application (or an application for modification of consent) for any development proposal:

- Within or immediately adjacent to an easement for electricity purposes
- Immediately adjacent to the electricity substation
- Within 4m of an overhead power line
- That includes installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line

It is understood that the proposal will be referred to the electricity supply authority in accordance with Council's usual practice.



## 5 Warringah Local Environmental Plan and Development Control Plan

### 5.1 Numeric controls summary table:

Zone: R2 Low Density			
Site Area: 413.9m <sup>2</sup>			
<b>WLEP 2011</b>			
	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
Building Height	8.5m	6.5m	Yes
<b>WDCP 2011</b>			
B1 Wall height	7.2m	6.5m	Yes
B3 Side boundary envelope	5m and 45 degrees at boundary	Minor encroachment	No
B5 side boundary setbacks	0.9m (north)	1m	Yes
	0.9m (south)	1m	Yes
B7 Front boundary setbacks	6.5m	Dwelling – 9.5m	Yes
		Carport - Nil	No
B9 rear boundary setbacks	6m	There are no new works proposed within the existing rear setback area	N/A
D1 Landscaped Open Space	40% or 165.48m	135m <sup>2</sup> or 33%	No

Table 2: WLEP 2011 and WDCP numerical compliance summary table

## 5.2 Warringah Local Environmental Plan 2011

Warringah Local Environmental Plan 2011 (WLEP) came into force in 2011 and is the primary EPI applying to the Proposal. The applicable Clauses of the WLEP 2011 are:

- Clause 2.3 – Zone objectives and landuse table
- Clause 4.3 – Height of Buildings

An assessment of the development application against the above relevant Clauses of the WLEP 2011 is provided in the following sections of the this SEE.

### **Clause 2.3 – Land Use Zoning and Permissibility**

The site is zoned R2 Low Residential pursuant to the WLEP, as shown in the zoning map excerpt at Figure 6. The provisions of the zone are stated below:

#### **Zone R2 Low Density Residential**

##### **1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

##### **2 Permitted without consent**

Home-based child care; Home occupations

##### **3 Permitted with consent**

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home businesses; Hospitals; Places of public worship; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Veterinary hospitals

##### **4 Prohibited**

Any development not specified in item 2 or 3

**Table 3: Provisions of the WLEP 2011 R2 Low Density Residential Zone**

The proposal is for alterations and additions to a dwelling house and is therefore permissible with consent in the R2 zone. The proposal is consistent with the objectives of the zone.

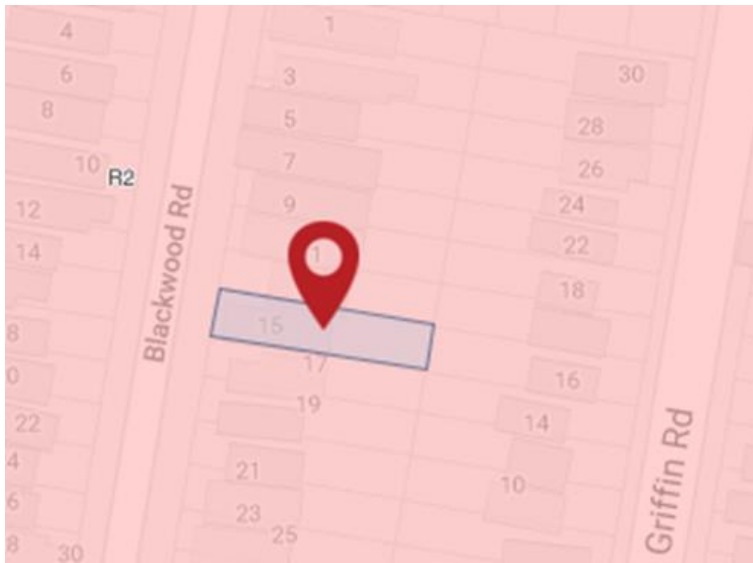


Figure 6. WLEP Zoning Map excerpt (source: NSW eSpatial Viewer)

#### Clause 4.3 – Building Height

Clause 4.3 of the WLEP establishes a maximum building height for the site of 8.5m, as shown in WLEP building heights map.

The height of the proposed dwelling is 6.5m (measure from existing ground level to the top of the new roof) as shown in Figure 8 below which is below the 8.5m maximum building height.

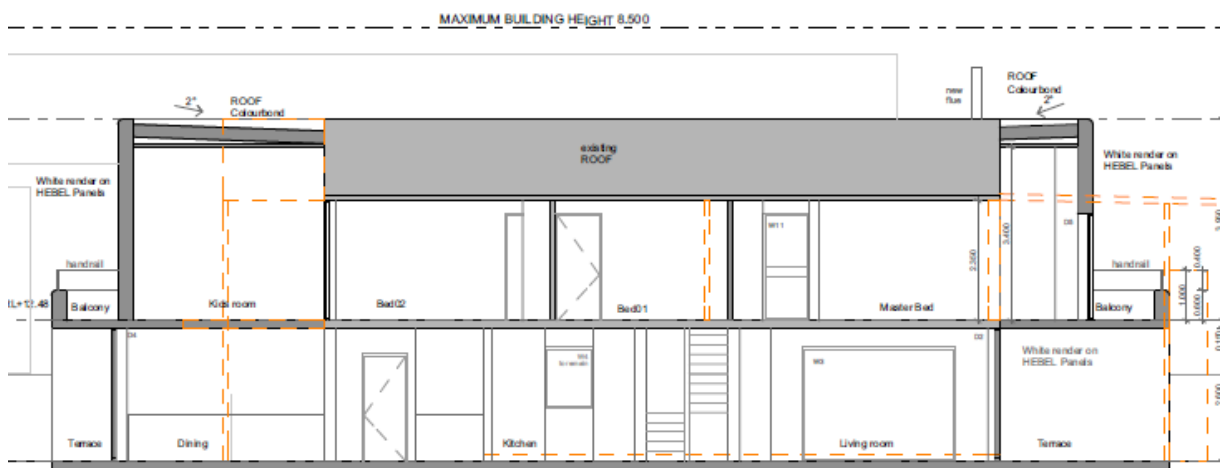


Figure 7. Plan extract showing compliance with 8.5m height control (source: Drew Heath Architect)

### 5.3 Warringah Development Control Plan 2011

The table below summarises the key built form controls relevant to any re-development of the site, made as a development application, to Northern Beaches Council.

The proposal is compliant with the majority of relevant numerical controls with the exception of the side boundary envelope, front setback controls and landscaped area. However, as discussed in section 5.5 below, the objectives of these controls are met.

The proposal is also generally in compliance with the relevant aims, objectives of other key provisions of the DCP. An assessment of the proposal against the relevant provisions of the DCP is provided below:

### 5.4 Relevant Controls:

Built Form Controls	Requirement	Proposed	Compliance
C2 Traffic, Access and Safety	Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315.	No change is proposed to the existing vehicle crossing from Blackwood Rd.	Yes
C3 Parking facilities	Garage doors are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site.  The garage opening is not to exceed 6 metres or 50% of the building width, whichever is the lesser.	The carport design is a simple posted design which has been integrated with the overall dwelling design. It will not dominate the streetscape presentation.  The width of the proposed carport is 4m (including the covered pedestrian entry) which is less than the 50% of the site width.	Yes  Yes
C4 Stormwater	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy.	Stormwater will be collected in a 2200L rainwater tank with the overflow directed to the street.	Yes
C5 Erosion and Sedimentation	All developments which involve the disturbance of land must install and maintain erosion and sediment controls until the site is fully stabilised.	Erosion and sediment control details have been submitted in support of this application.	Yes



Built Form Controls	Requirement	Proposed	Compliance
C8 Demolition and Construction and C9 Waste Management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	A Waste Management Plan has been submitted in support of this application.	Yes
D2 Private Open Space	60m <sup>2</sup> required for dwellings with 3 or more bedrooms with a minimum dimension of 5m	>60m <sup>2</sup>  The proposed development exceeds this requirement with an outdoor terrace, ground level open space, swimming pool and elevated deck areas.	Yes
D8 Privacy	<p><i>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</i></p> <p><i>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</i></p> <p><i>3. The effective location of doors windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</i></p> <p><i>4. The windows of one dwelling are to be located so they do not provide direct or close views (i.e. from less than 9 metres away) into the windows of other dwellings.</i></p>	<p>The proposed dwelling and associated elevated balconies will not give rise to any unreasonable or detrimental privacy impacts on the adjoining dwellings.</p> <p>Adequate spatial separation has been provided to maintain reasonable privacy levels between dwellings.</p> <p>Windows have been sited to avoid direct overlooking of neighbouring properties.</p>	Yes
D6 Access to Sunlight	<i>50% of adjoining dwelling and existing dwelling private open space to have 3 hours sunlight between 9am and 3pm on 21 June</i>	<p>The proposed two storey dwelling will not result in unreasonable overshadowing impacts.</p> <p>Shadow diagrams submitted with the application show some additional overshadowing to No 17 Blackwood Rd, however, the requirements of the DCP are met.</p>	Yes



Built Form Controls	Requirement	Proposed	Compliance
D9 Building Bulk	To minimise the visual impact of the development using good design and innovative architecture	The proposed additions incorporate a flat roof which minimises building bulk and overshadowing.  Varied setbacks, balconies, decks, well-proportioned openings and the use of a variety of materials contribute to minimising building bulk.	Yes
D10 Building Colours and Materials	The visual impact of new development is to be minimised through the use of appropriate colours, materials and landscaping.	The external colours and materials are consistent with the character of the area and will complement the principal dwelling and make a positive contribution to the streetscape.	Yes
D11 Roofs	Roofs should complement the roof pitch and forms of the existing buildings in the streetscape; incorporate eaves for shading; and not cause excessive glare and reflection.	The proposal maintains the existing pitched tiled roof and incorporates sections of flat roof.	Yes
D13 Front fences and walls	Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character.	The existing front wall is to be retained, rendered and painted.	Yes
D14 Site facilities	Site facilities including garbage and recycling enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places	The proposal incorporates appropriate site facilities.	Yes
D15 Side and rear fences	Side and rear boundary fences are to be no higher than 1.8m. All fencing materials are to complement the existing neighbourhood.	No changes are proposed to the existing rear, southern and northern fences.	Yes

Table 4 – WDCP assessment table



## 5.5 Main issues

### B3 Side Boundary Envelope

The proposal shows a minor breach of the side boundary envelope at all four corners of the building, along both the north and south elevations.

The proposal satisfies the underlying objectives of the side boundary envelope control as follows:

- *To ensure that development does not become visually dominant by virtue of its height and bulk.*

Comment:

The proposal breaches the building envelope to a minor extent at all four corners of the upper level. The non-compliance is due to the height of new roof parapet which has been designed to match the height of the existing roof ridge so that the old roof is not visible from the street. The breaches are numerically minor (0.5m) with most of the side elevations compliant resulting in a building that is not visually dominant. The proposed development is consistent this objective.

- *To ensure adequate light, solar access and privacy by providing spatial separation between buildings.*

Comment:

There will be no unacceptable amenity impacts (i.e. solar access or privacy) resulting from the breach of the side boundary envelope. The breach relates to small sections of the front and rear of the building only and do not affect the private open space of neighbouring properties. The proposed development is consistent this objective.

- *To ensure that development responds to the topography of the site.*

Comment:

The proposed additions reflect the levels established by the existing dwelling. The site is flat and the proposed development respects the topography. The proposal is consistent this objective.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the variation to the side boundary envelope control is supported in this particular circumstance.

### B7 Front Boundary Setbacks

The proposal includes an encroachment of the 6.5m front boundary setback. The proposed carport has a nil setback to the front boundary.

Despite the non-compliance with the front building setback control, the proposal is consistent with the objectives of the control as follows:

- *To create a sense openness.*

Comment:

The proposed carport has a flat roof and is a lightweight, open structure. It has been designed to complement the main dwelling house and will not cause an unreasonable impact on the sense of openness in the streetscape. The proposal satisfies this objective.

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment:

Carparking structures with the front setback areas and on nil front setbacks are characteristic of development along Blackwood Road. The proposed carport is consistent with the existing pattern of development. The proposal satisfies this objective

- *To protect and enhance the visual quality of streetscapes and public spaces.*

Comment:

The encroachment of the front setback by the well-designed, unobtrusive carport will contribute positively to the existing streetscape. The single space carport will allow for additional landscaping on its northern side. The proposal satisfies this objective.

- *To achieve reasonable view sharing.*

Comment:

The proposed development complies with the building height, wall height and side setback controls. The proposed carport will not have any unreasonable impact on views. The proposal satisfies this objective.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the variation to the front setback control is supported in this instance.

### **D1 Landscaped Open Space**

The site requires 40% (165.6m<sup>2</sup>) of landscaped open space whereas the proposal includes 32.6% (135m<sup>2</sup>) of the site as landscaped open space, representing a variation of 18%.

Despite the non-compliance with the landscaped open space control, the proposal satisfies the objectives of the control as follows:



- *To enable planting to maintain and enhance the streetscape.*

Comment:

The landscaping in the front setback will be generally maintained, with the carport located in an area previously occupied by the driveway. Additional trees will be planted in the front yard setback to enhance the streetscape. The proposal satisfies this objective.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

The proposal does not include the removal of any indigenous vegetation, alter topographical features beyond the building footprint or affect habitat for wildlife. The proposal satisfies this objective.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low-lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

The site provides adequate landscaped open space areas to enable the establishment of appropriate vegetation. The landscaped plan shows existing vegetation including small to medium feature trees and perimeter shrub planting to provide screening and minimise the bulk and scale of the building. Additional plantings are proposed in the front setback. The proposal satisfies this objective.

- *To enhance privacy between buildings.*

Comment:

A combination of 1.8m boundary fencing and perimeter hedge plantings will enable adequate privacy to be maintained.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment:

The proposal includes a swimming pool with adjoining terrace and deck areas. Lawn area is provided between the swimming pool and the rear shed. Recreational open space is also provided in the front setback area. The proposal has ample outdoor recreational spaces and therefore satisfies this objective.

- *To provide space for service functions, including clothes drying.*

Comment:

The existing service functions will be maintained. The proposal satisfies this objective.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment:

Adequate areas of grass lawn and garden beds assist with the management and infiltration of stormwater.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the variation to the landscaped open space control is supported in this instance.

#### **D6 Access to Sunlight**

The shadow diagrams submitted with the application show that at least 50% of the private open space area of the property to the south (17 Blackwood Rd), will continue to receive in excess of 3hrs of sunlight between 9am and 3pm on June 21. The proposed development satisfies the requirements of this control.

#### **D9 Building Bulk**

The objective of this control is to ensure that development is of good design and not visually obtrusive. The proposal demonstrates a well-articulated design response to the site. The alterations and additions have been designed to incorporate a flat roof, and a variety of materials, colours and surface treatments to reduce building bulk.

Landscape plantings are proposed in the front setback to reduce the visual bulk of the proposed development.

Overall, the proposal will exhibit a building bulk consistent with the streetscape including the adjoining property to the north. The proposed development satisfies the requirements of this control.

## 6 Conclusion

This SEE supports a development application for alterations and additions to a dwelling house, a new carport and a new swimming pool at 15 Blackwood Rd, North Curl Curl.

The merits of this application have been identified in this assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979, Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011.

The proposed development improves the amenity for residents, is consistent with the character of the locality and will make a positive contribution to the streetscape. There will be no unacceptable impacts on surrounding properties

The proposal achieves the objectives of Council's development controls and strategic aims and consequently is suitable for approval on town planning grounds.