# STATEMENT OF ENVIRONMENTAL EFFECTS

# PROPOSED ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING INCLUDING A NEW DOUBLE CARPORT AND PLUNGE POOL

AT

# **31 JOCELYN STREET, NORTH CURL CURL**

FOR

# **D BURNS & H TOWILL**



Prepared May 2022

# Table of Contents

1.0	Introd	luction	3
2.0	Prope	rty Description	4
3.0	Site D	escription	4
4.0	The Su	urrounding Environment	7
5.0	Propo	sed Development	8
6.0	Zoning	and Development Controls	. 10
	6.1	State Environmental Planning Policy (Resilience and Hazards) 2021	. 10
	6.2	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	. 10
	6.3	Warringah Local Environmental Plan 2011	. 10
	6.4	Warringah Development Control Plan	. 12
7.0	Matte	rs for Consideration under Section 4.15 of the EP&A Act	. 24
	7.1	The provisions of any environmental planning instrument	. 24
	7.2	Any proposed instrument that is or has been the subject of public consultation under this Act and	ł
		that has been notified to the consent authority (unless the Planning Secretary has notified the	
		consent authority that the making of the proposed instrument has been deferred indefinitely or h	nas
		not been approved), and	. 24
	7.3	Any development control plan	. 24
	7.4	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	. 24
	7.5	The regulations (to the extent that they prescribe matters for the purposes of this paragraph),	. 24
	7.6	The likely impacts of that development, including environmental impacts on both the natural and	ł
		built environments, and the social and economic impacts in the locality	. 24
	7.7	The suitability of the site for the development	. 24
	7.8	Any submissions made in accordance with this Act or the regulations	. 25
	7.9	The public interest	. 25
8.0	Conclu	usion	. 25

Appendix: Clause 4.6 – Height of buildings

# 1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of D Burns and H Towill by BD Building Design detailing the proposed alterations and additions to the existing dwelling including a new double carport and plunge pool at **31 Jocelyn Street, North Curl Curl.** 

The architectural plans prepared by BD Building Design are noted as Revision A and comprise:

- DA.00 Existing Site Conditions
   DA.01 Demolition
   DA.02 Site Analysis
   DA.03 Proposed Site Plan / Roof
   DA.04 Site Context Lower
   DA.05 Site Context Mid Level
   DA.06 Site Context Upper
- DA.07 Proposed Elevations
- > DA.08 Shadow Diagrams (9am Winter Solstice)
- > DA.09 Shadow Diagrams Noon Winter Solstice)
- > DA.10 Shadow Diagrams (3pm Winter Solstice)
- > DA.11 Sectional Details

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act, 1979 as amended (EP&A Act)
- The Environmental Planning and Assessment Regulation 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Warringah Local Environmental Plan 2011 (WLEP 2011)
- Warringah Development Control Plan (WDCP 2011)

# 2.0 Property Description

The subject allotment is described as 31 Jocelyn Street, North Curl Curl, being Lot 50 within Deposited Plan 16078 and is zoned R2 Low Density Residential within the provisions of WLEP 2011.

The site is not listed as a heritage item, nor is not located within a conservation area.

The land is noted as being Landslip Area B. Accordingly, the application is accompanied by a Preliminary Geotechnical Assessment prepared by GDK – Keighran Geotechnics, Reference No 19060/GK/1 dated 24 March 2022. This issue will be discussed in further detail within this submission.

There are no other known hazards affecting the site.

# 3.0 Site Description

The property is located on the southern side of Jocelyn Street. The site falls from the upper northwestern front corner down towards the lower south-eastern rear corner, with a fall in excess of 3.29, over the length of the site. The site is rectangular in shape, with a frontage to Jocelyn Street of 15.85m, a length of 29.425m along both side boundaries and a total site area of 461.6m<sup>2</sup>.

The site is currently developed with a single storey brick dwelling with a tile roof, with an attached single garage below. Vehicle access is available via a concrete driveway from Jocelyn Street.

The details of the site are as indicated on the survey plan prepared by Landpartners, Plan Number SY074821.000.4 dated 27 May 2022 which accompanies the DA submission.

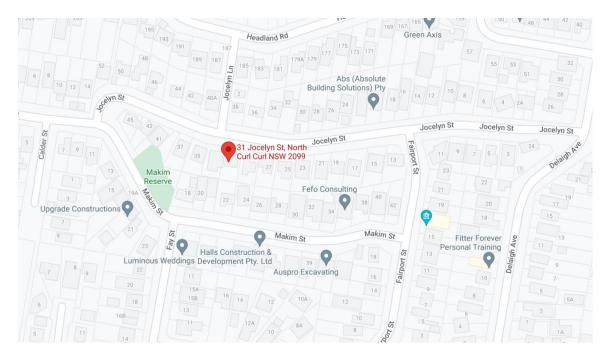


Fig 1: Location of Subject Site (Source: Google Maps)



Fig 2: View of the subject site, looking south from Jocelyn Street



Fig 3: View of the neighbouring dwelling at 33 Jocelyn Street (right) and the subject property (left), looking south from Jocelyn Street



Fig 4: View of the neighbouring dwelling at 33 Jocelyn Street from the rear yard of the subject site, looking west



Fig 5: View of the neighbouring dwelling at 29 Jocelyn Street from the rear yard of the subject site, looking east

# 4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of detached dwellings and associated ancillary structures such as garages, storage sheds and swimming pools. The area is undergoing change with new dwellings to replace existing building stock becoming more prevalent, with a two story form and basement garage in being a convenient form of construction which manages the sloping topography and disguises car parking within the building footprint.

The site and its surrounds are depicted in the following aerial photograph:



Fig 6: Aerial view of locality (Source: Google Maps)

# 5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks consent for the proposed alterations and additions to the existing dwelling, including the construction of a new double carport and a plunge pool.

The proposed new works comprise:

# Lower Level

- > Demolition of the existing single garage
- Construction of a new lower level comprising a double carport, storeroom, rumpus room and internal access stairs

# **Ground Level**

- > Alterations and additions to the existing ground level to provide:
  - o Sunroom
  - Three bedrooms, one with an ensuite
  - o Bathroom
  - o Laundry
  - Internal access stairs
  - Open plan kitchen, living and dining area

# Upper Level

Construction of a new upper level comprising a master suite with ensuite, study and walk-in robe

# **External Works**

- New rear terrace adjacent to kitchen
- Construction of a plunge pool
- > New internal driveway

The resultant development will present as an articulated one and two storey dwelling as seen from Jacelyn Street, with a contemporary & modulated façade which enhances the visual impact of the development to the streetscape.

Stormwater from the new roof areas will be directed to the street gutter in accordance with the existing requirements or where necessary, dispersed within the rear yard of the site.

The proposal will not require the removal of any significant vegetation. New plantings will be provided throughout the site and within planter boxes, as detailed in the Landscape Plans prepared by Cabbage Tree Landscape, Project No 20220326 dated April 2022.

The proposal results in the following development indices:

Site Area:	461.6m <sup>2</sup>
Required Landscaped Area:	40% or 184.64m <sup>2</sup>
Proposed Landscaped Area:	41.64% or 191.60m <sup>2</sup>

# 6.0 Zoning and Development Controls

# 6.1 State Environmental Planning Policy (Resilience and Hazards) 2021

#### **Remediation of Land**

Clause 4.6(1)(a) of SEPP (Resilience and Hazards) prescribes that the consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

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

The proposal meets water, thermal and energy standards required by BASIX. A BASIX certificate has been submitted with the development application.

# 6.3 Warringah Local Environmental Plan 2011

The land is zoned R2 Low Density Residential under the provisions of the WLEP 2011. The proposed works to the existing dwelling house are permissible with consent in the R2 zone.



Fig 7: Extract of Warringah Local Environmental Plan 2011 Source: ePlanning Spatial Viewer

The development of and use of the land for residential purposes is consistent with the zone objectives, which are noted as:

- 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.

It is considered that the proposed alterations and additions to the existing dwelling will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore compliments the locality.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any significant impact on long distance views.
- The proposal will not require the removal of any significant vegetation and maintains a generous area of soft landscaping.

**Clause 4.3** provides controls relating to the height of buildings.

The dictionary of WLEP 2011 defines building height to be:

**building height** (or **height of building**) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The building height limit for development on the subject site is 8.5m. The proposed dwelling will result in a maximum height of 9.01m above existing ground level. The portion of the development that exceeds the 8.5m height plane is limited to the south-east corner of the proposed upper floor, with the non-compliance arising as a consequence of the fall of the land.

**Clause 4.6** provides the mechanism to vary the 8.5m maximum building height development standard. A request made pursuant to clause 4.6 accompanies this statement and application.

Clause 6.2 relates to earthworks.

The proposal will require excavation in order to accommodate the new works. The works will be carried out in accordance with the recommendations of a qualified Structural and Geotechnical Engineer, and therefore satisfy the provisions of this clause.

**Clause 6.4** relates to development on sloping land. The site is identified on Council's Landslip Risk Map as being within Area B.

Accordingly, the application is accompanied by a Preliminary Geotechnical Assessment prepared by GDK – Keighran Geotechnics, Reference No 19060/GK/1 dated 24 March 202.

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

# 6.4 Warringah Development Control Plan

The relevant numerical and performance based controls under WDCP are discussed below:

Part B - Bui	lt Form Controls	
Standard Required	Proposed	Compliance
B1 – Wall heightsMax 7.2mThe objectives of this control are as follows:• To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.• To ensure development is generally beneath the existing tree canopy level.• To provide a reasonable sharing of views to and from public and private properties.• To minimise the impact of development on adjoining or nearby properties.• To ensure that development responds to site topography and to discourage excavation of the natural landform.• To provide sufficient	<ul> <li>the upper floor and therefore does not comply with this control.</li> <li>The variation occurs as a result of the sloping topography of the site, noting that the entirety of the western elevation is compliant with the 7.2m wall height limit.</li> <li>The proposed dwelling has been designed to follow the sloping topography of the site, which together with the articulated wall</li> <li>the articulated wall impact of the development.</li> </ul>	No Acceptable on merit

	-		
	scope for innovative	neighbouring	
	roof pitch and variation in roof design.	properties.	
		The proposed roof form comprises a flat roof which minimises the visual bulk of the resultant dwelling and is suitable for the proposed development and complementary within the locality.	
B2 – Number of storeys			N/A
B3 – Side Boundary Envelope	Buildings are to be maintained below a plane projected at 45 degrees from a height of 5m above the side boundary.	The southern-most corner of the western elevation of the upper level protrudes beyond the side boundary envelope by a maximum of 400mm.	No - Acceptable on merit
	The objectives of this control are as follows: • To ensure that development does not become visually dominant by virtue of its height and bulk. • To ensure adequate light, solar access and privacy by providing spatial separation between buildings. • To ensure that development responds to the topography of the site.	The variation occurs as a result of the sloping topography of the site and is limited in both height and area. The upper floor has been sited in closer proximity to the western boundary to limit impacts upon downwards views available from the upslope property at 33 Jocelyn Street. The proposed dwelling has been designed to follow the sloping topography of the site, and steps down across the width of the site.	
		The non-compliance is associated with a two	

	I		
		storey portion of the	
		dwelling, that is sited	
		in conformity with the	
		minimum side setback	
		prescribed by clause B5	
		of WDCP 2011.	
		The non-compliant	
		portion of the dwelling	
		does not result in	
		excessive bulk or scale	
		as seen from adjoining	
		properties or the	
		public domain.	
B4 – Site Coverage			N/A
B5 – Side Boundary	R2 zoned land 0.9m	<u>Lower level</u>	Yes
setbacks		West = 6.92m	
	The objectives of this	East = 2.57m	
	control are as follows:		
		Ground level	No
	• To provide	West = Nil	Acceptable on merit
	opportunities for deep	East = 2.72m	
	soil landscape areas.		
	• To ensure that		Vac
	development does not	Upper level	Yes
	become visually	West = 1.6m	
	dominant.	East = 6.22m	
	• To ensure that the		
	scale and bulk of		
	buildings is minimised.	The proposed ground	
	_	floor rear additions are	
	• To provide adequate	sited with a nil setback	
	separation between	to the western side	
	buildings to ensure a	boundary.	
	reasonable level of	/	
	privacy, amenity and	The non-compliance is	
	solar access is	limited to the width of	
	maintained.	the kitchen (6.78m).	
	• To provide		
	reasonable sharing of	The manufacture Calls of	
	views to and from	The proximity of the	
	public and private	proposed additions	
	properties.	does not attribute to	
		any unreasonable	
		impacts upon the	
		amenity of the	
		adjoining property as	
		compared to what	

		would be anticipated	
		with a 900mm setback.	
B7 – Front Boundary Setbacks	Minimum 6.5m	Carport = 1.97m	No - Acceptable on merit
	The objectives of this control are as follows:	Dwelling = 6.41m (existing)	
	<ul> <li>To create a sense of openness.</li> <li>To maintain the visual continuity and pattern of buildings and landscape elements.</li> <li>To protect and enhance the visual quality of streetscapes and public spaces.</li> <li>To achieve reasonable view sharing.</li> </ul>	The proposed carport is situated forward of the existing dwelling and the 6.5m minimum front setback prescribed. The location of the carport is limited by the levels of the existing dwelling above and associated head clearance heights. The proposed open carport does not diminish the sense of openness along the streetscape and is compatible with the setbacks of other adjoining and nearby dwellings, with other carports located with	
		reduced setbacks along Jocelyn Street. The visual impact of the carport is softened	
		by the plantings proposed above, and the non-conforming element will not result in adverse impacts upon views currently	
		enjoyed by adjoining or nearby properties.	

B9 – Rear Boundary Setbacks	Minimum 6.0m The objectives of this control are as follows: • To ensure opportunities for deep soil landscape areas are maintained. • To create a sense of openness in rear yards. • To preserve the amenity of adjacent land, particularly relating to privacy between buildings. • To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements. • To provide opportunities to maintain privacy	Ground level = 5.4m – 6.0m Upper level = 7.55m A window seat adjacent to the dining room protrudes within the 6m rear setback by a maximum of 600mm. This minor element on the rear façade does not result in any adverse impacts upon the amenity of adjoining properties and does not detract from consistency with the objectives of this control. The area of the proposed pool is less than 50% of the area of the rear setback	No - Acceptable on merit Yes

	Part C – Sit	ing Factors	
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	The proposal will see the retention of the existing driveway crossover with the construction of a new internal driveway. The works will be constructed in accordance with council's vehicle crossing policy.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade. Parking to be in accordance with AS/NZS 2890.1	The proposed new double carport is appropriately integrated into the design of the dwelling and has been designed in accordance with AS2890.1. The carport is modest in scale and will not visually dominate the façade of the dwelling.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	The application is supported by a Stormwater Management Plan prepared by [insert details] which demonstrates consistency with the clause.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	Sediment and erosion control measures will be carried out as required.	Yes
C7 – Excavation and Landfill	Site stability to be maintained	Excavation and fill are required to accommodate the proposed additions. All works will be carried out in accordance with the	Yes

		recommendations of the consulting Structural and Geotechnical Engineers, and will therefore satisfy the provisions of this clause.	
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed	Yes
C9 – Waste Management	Waste storage area to be provided	Bins storage available on site.	Yes

Part D –	Design	
Min 40% Landscaped Area to be maintained	Landscaped Area = 41.67% or 191.96m <sup>2</sup>	Yes
Min 60m <sup>2</sup> with min dimension 5m	The private open space is directly accessible from the dwelling.	Yes
Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	The works are residential in nature, with noise levels associated with the pool pump mitigated by appropriate measures.	Yes
Dwellings to be orientated to receive northern sun. Appropriate construction to enhance thermal properties and ventilation/natural cooling. Compliance with SEPP (BASIX) requirements	A BASIX Certificate accompanies this application.	Yes
This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.	33 Jocelyn Street The primary area of private open space at 33 Jocelyn Street, being the rear south- eastern upper level deck, is upslope from the subject site and elevated above ground, such that the proposed development will not result in any additional overshadowing of this area. 29 Jocelyn Street The proposed development has been designed to minimise	Yes
	Area to be maintained Min 60m <sup>2</sup> with min dimension 5m Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements Dwellings to be orientated to receive northern sun. Appropriate construction to enhance thermal properties and ventilation/natural cooling. Compliance with SEPP (BASIX) requirements This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter	Area to be maintained41.67% or 191.96m²Min 60m² with min dimension 5mThe private open space is directly accessible from the dwelling.Mechanical noise is to be attenuated to maintain adjoining unit amenity.The works are residential in nature, with noise levels associated with the pool pump mitigated by appropriate measures.Dwellings to be orientated to receive northern sun. Appropriate construction to enhance thermal properties and ventilation/natural cooling.A BASIX Certificate accompanies this application.This control requires that sunlight to at least 50% of private open space to adjoining properties is not to be reduced to less than 2 hours between 9am and 3pm on the winter solstice.33 Jocelyn Street The primary area of private open space at 33 Jocelyn Street, being the rear south- eastern upper level deck, is upslope from the subject site and elevated above ground, such that the proposed development will not result in any additional overshadowing of this area.

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		providing generous setbacks to the eastern boundary, well in excess of the minimum prescribed by this control. The proposal does not result in any unreasonable impacts upon this property with respect to solar access.	
D7 – Views	View sharing to be maintained	The controls require that development should enable the reasonable sharing of views between properties.	Yes
		The proposed additions are likely to impact upon a portion of views currently enjoyed by the adjoining property to the west at 33 Jocelyn Street.	
		The proposal has been sensitively designed to minimise such impacts, by setting back the upper level beyond the 6m minimum prescribed and by maintaining the height of the upper level below that of the balustrade of the upper level rear deck	
		of the adjoining property. As such, all standing views from the side windows of the upper level living room and the rear deck should be maintained.	

lause specifies evelopment is cause sonable poking of able rooms and ple private open	Views in an easterly from a seated position on the upper level rear deck of 33 Jocelyn Street may be partially obstructed by the proposed development. However, this is considered to be reasonable in the circumstances of this site, where the seated easterly views are obtained over a side boundary and when whole views in a south- easterly direction will remain unobstructed, in addition to all views from a standing position. The proposed dwelling has been designed to achieve an appropriate balance between the	Yes
of adjoining rties	obtainment of views and privacy between properties. The development turns away from the upslope property and provides sufficient spatial separation to the downslope property in order to ensure an appropriate outcome is achieved.	
ngs to have a bulk and ectural scale that sistent with ures on nearby djoining	The existing surrounding development comprises a mix of dwellings between one and two storeys in height. The form of the proposed development	Yes
	lause requires ngs to have a bulk and ectural scale that sistent with ures on nearby djoining rties and not to ly dominate the	sufficient spatial separation to the downslope property in order to ensure an appropriate outcome is achieved. Iause requires ngs to have a bulk and ectural scale that sistent with ures on nearby djoining erties and not to

[	stroot or surroundin -	coolo with cr	
	street or surrounding spaces	scale, with an articulated façade, and an overall height that largely complies with Council's statutory height limit.	
D10 – Building Colours and materials		The proposed new works will be finished in materials and tones which complement the existing surrounding in the locality.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposed development provides for a new roof form that is complementary to the locality and does not dominate the skyline.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	No significant glare impacts will result from proposed new works.	Yes
D13 – Front Fences and Front Walls		No new front fencing provided.	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street. Landscaping to be provided to reduce the view of the site facilities.	Bin storage area is available at the site.	Yes
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991		N/A
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage.	Pool is proposed within the rear setback.	Yes

			1	
	Siting to have regard			
	for neighbouring trees.			
D20 – Safety and Security	Buildings are to provide for casual surveillance of the street.	Casual surveillance of the street is available from the dwelling to the street over and through the front landscaped area.	Yes	
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes	
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	A BASIX Certificate is provided to support the development	Yes	
Part E – The Natural Environment				
E1 – Private Property Tree Management			N/A	
E2 – Prescribed Vegetation			N/A	
E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes	
E10 – Landslip Risk	Identified on map as Area B.	The application is accompanied by a Preliminary Geotechnical Assessment prepared by GDK – Keighran Geotechnics, Reference No 19060/GK/1 dated 24 March 2022.	Yes	

# 7.0 Matters for Consideration under Section 4.15 of the EP&A Act

# 7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the WLEP 2011. The provisions of this environmental planning instrument have been satisfactorily addressed within this report and the proposal achieves compliance with its provisions.

The relevant provisions of SEPP (Resilience and Hazards) and SEPP BASIX have also been considered.

7.2 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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft environmental planning instruments applying to the site.

# 7.3 Any development control plan

The development has been designed to comply with the objectives of the applicable controls of WDCP 2011 and will provide a cohesive and sympathetic addition to the site.

In accordance with the provisions of section 4.15(3A) of the EP&A Act, we request that Council applies considered flexibility where the application seeks variations to development controls in the DCP as justified in this report. In particular, we consider that the variation to the minor building envelope and side and front setback controls to be reasonable alternative solutions, noting that the proposal is otherwise consistent with the outcomes of these clauses and the character of the locality.

# 7.4 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

No matters of relevance are raised in regard to the proposed development.

# 7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

# 7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for the proposed alterations and additions to the existing dwelling, has been located and designed to appropriately minimise impacts on the amenity of adjoining properties and is compatible with and will complement the character of the area.

# 7.7 The suitability of the site for the development

The site is considered suitable for the proposed development.

# 7.8 Any submissions made in accordance with this Act or the regulations

This is matter for Council in the consideration of this proposal.

#### 7.9 The public interest

The proposal will not have a detrimental impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

# 8.0 Conclusion

The proposal provides for the construction of additions and alterations to an existing dwelling which will not have any adverse impact on the adjoining properties or the locality.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, there is no statutory impediment or meritorious reason as to why Council should not grant consent to the proposed development.

VAUGHAN MILLIGAN Town Planner Grad. Diploma in Urban and Regional Planning (UNE)