

STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and
Additions

8 Camera Street, Manly

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Statement of Environmental Effects

Alterations and Additions

8 Camera Street, Manly

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1 Introduction

This document forms a component of a development application that proposes alterations and additions to the existing dwelling. The proposed design and detailing will reinforce the desired future character of the locality, maintain the significance of the heritage items within proximity of the site and contribute to the built form quality of development within the sites visual catchment. In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act, 1979 as amended;
- The Environmental Planning and Assessment Regulation;
- Manly Local Environmental Plan 2013 (“MLEP”); and
- Manly Development Control Plan 2013 (“MDCP”).

The proposal is permissible and in conformity with the development standards and built form controls contained within the applicable statutory planning regime. The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended and is appropriate for the granting of consent.

2 Site Analysis

2.1 Site Description and Location

The site is identified as being lot 8 in DP 75266. The site has an area of 341.9m² and is rectangular in shape with a frontage to Camera Street of 12.255m and approximate depth of 27.85m. An aerial location view is provided as figure 1 below.

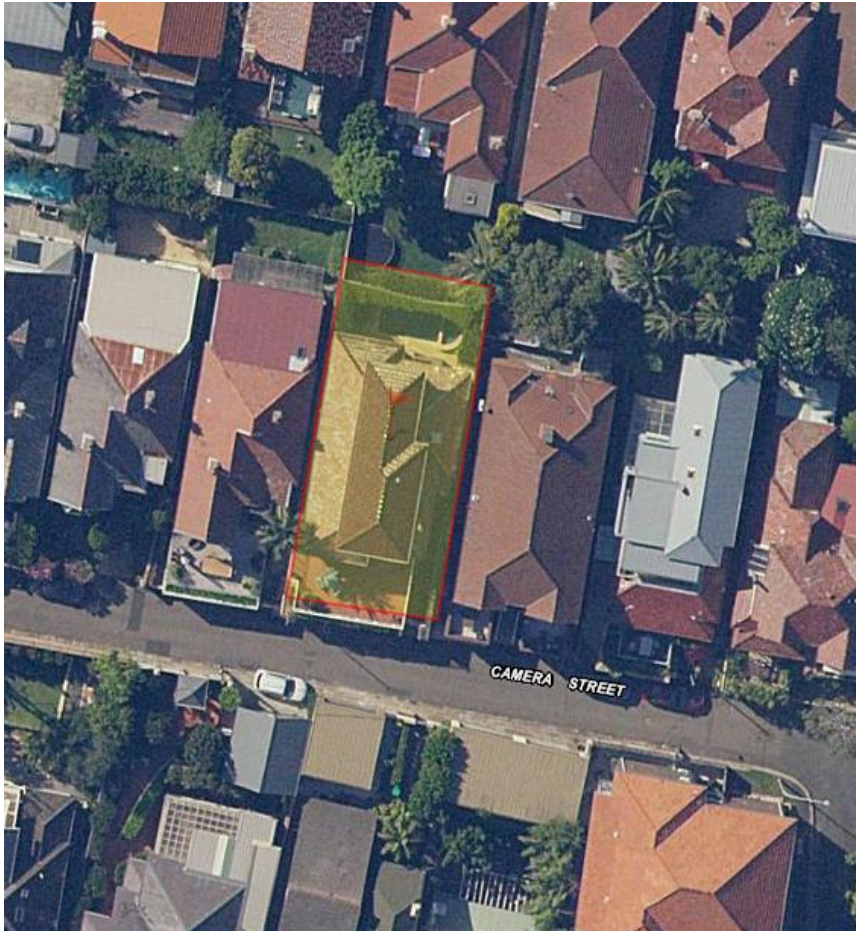


Figure 1: Site Location Map (Source: Six Maps)

The site is occupied by a 2 storey dwelling with a lower level garage at street level. A swimming pool is located in the rear yard. The dwelling is elevated above the level of the road with a terrace located above the garage.

The adjoining properties are occupied by one and two storey detached dwelling houses interspersed by multi storey residential flat development in the local area. The locality benefits from a plethora of open space and foreshore recreational areas.

3 Description of Development

3.1 Details of the Proposed Development

The proposed development will require the partial demolition of internal and external walls to accommodate the new design . Specifically, the works proposed are as follows:

Garage Level:

- New garage doors to replace existing.
- New pedestrian security gate adjacent to the garage door to replace existing

Ground Floor:

- Internal reconfigurations
- Demolition of bay window and openings to the terrace. The bay window is to be squared off with new bi-fold door openings proposed to access the front terrace.
- Proposed open pool cabana

First Floor:

- Minor internal reconfigurations and new walls

A schedule of materials and finishes is proposed on the architectural plans with new materials to match the existing. The new works can connect to the existing stormwater management system on site. A landscape plan is also provided.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential environmental impacts are discussed below.

4.1 Manly Local Environmental Plan 2013

4.1.1 Zoning and Permissibility

The subject site is Zoned R1 General Residential. The objectives of the zone are as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Dwelling houses are permissible with consent in the R1 zone and the works relate to the alterations and additions of the existing dwelling.

4.1.2 Floor Space Ratio

Pursuant to clause 4.4 in the LEP, the site has a maximum floor space ratio (FSR) control calculated at 0.75:1. The objectives of the FSR control are as follows:

- a) *to ensure the bulk and scale of development is consistent with the existing and desired streetscape character,*
- b) *to control building density and bulk in relation to a site area to ensure that development does not obscure important landscape and townscape features,*
- c) *to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,*
- d) *to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,*
- e) *to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres.*

The FSR proposed for each dwelling is calculated at 0.54:1 which is compliant with the development standard.

4.1.3 Height of Buildings

Pursuant to clause 4.3 in the LEP the max building height is measured at 11m. The objectives of the control are as follows:

- a) *to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,*
- b) *to control the bulk and scale of buildings,*
- c) *to minimise disruption to the following:*
 - i. *views to nearby residential development from public spaces (including the harbour and foreshores),*
 - ii. *views from nearby residential development to public spaces (including the harbour and foreshores),*
 - iii. *views between public spaces (including the harbour and foreshores),*

As indicated on the elevations and section drawings the dwelling will maintain its existing overall height and will remain compliant with the 11m development standard.

4.1.4 Heritage Conservation

Pursuant to clause 5.10 MLEP 2013 development consent is required for any of the following:

- a) *demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
 - (i) *a heritage item,*
 - (ii) *an Aboriginal object,*
 - (iii) *a building, work, relic or tree within a heritage conservation area,*

The stated objectives of this clause are as follows:

- b) *to conserve the environmental heritage of Manly,*
- c) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- d) *to conserve archaeological sites*
- e) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The property is not heritage listed or located within a heritage conservation area however is located within proximity of a number of heritage items being:

House	14 Camera Street, Manly
Houses	83 Sydney Road, Manly
Stone kerbs	Manly Municipal area

Statement of Heritage Impact

This statement of heritage impact has been prepared in accordance with the standard guidelines of the NSW Heritage Office.

Heritage Considerations

The following aspects of the proposal respect or enhance the heritage significance of the adjacent buildings for the following reasons:

- The proposed works will have no residential amenity impact on any adjoining heritage item in terms of privacy and overshadowing and will not impact on views to and from the items.
- The works maintain a complimentary and compatible streetscape appearance. The proposed development will not be perceived as inappropriate or jarring in a streetscape context.
- The proposal does not require the removal of any sandstone kerb blocks to facilitate vehicular access to the site.

The following aspects of the proposal could detrimentally impact on heritage significance.

- None identified.

The following sympathetic solutions have been considered and discounted for the following reasons:

- The works proposed will be sympathetic to the existing dwelling with regard to colours and finishes. In this regard, the proposal will predominately maintain its relationship with the heritage items within the vicinity.

Having given consideration to the impact of the proposed works on the significance of the adjacent heritage items I have formed the considered opinion that:

- The proposed works will not affect the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of any item of environmental heritage or its setting;

- Accordingly the proposed works will have a neutral impact on the significance of the heritage items and their setting

Council can be satisfied that there is no statutory impediment to the granting of consent to the proposed works in this instance.

4.1.5 Acid Sulfate Soils

Pursuant to clause 6.1 of the LEP the objective is to ensure that development does not disturb expose or drain acid sulfate soils and cause environmental damage. The site is mapped as being within class 5 acid sulfate soils which pose the least amount of risk. No significant excavation works are proposed that would risk disturbing acid sulfate soils.

4.1.6 Scenic Protection Area

Pursuant to clause 6.9 of the LEP the subject site is located within the foreshore scenic protection area. The objective of this clause is to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.

It is considered that the proposed development does not significantly alter the built form and its bulk and scale that it would result in any unreasonable impacts to the scenic quality of the foreshore area.

4.2 Manly Development Control Plan 2013

The relevant provisions of the Manly Development Control Plan 2013 in relation the proposed works are detailed as follows:

Control	Requirement	Proposed	Compliance
Streetscape (Residential Areas) 3.1	Streetscape is defined and represents the inter-relationship between buildings, landscape and open spaces in the street scene. Local amenity and identity are closely linked to streetscape character. Development should recognise predominant streetscape qualities, such as building form, scale, patterns, materials and colours and vegetation which	<p>The proposed development is consistent within the streetscape and will largely maintain its streetscape presentation with regard to its bulk and scale.</p> <p>No predominant architectural style dominates the area with a mix of older and newer styles of development present in the streetscape.</p>	Yes

Control	Requirement	Proposed	Compliance
	contributes to the character of the local area.	The works will utilise a range of materials and finishes which are identified on the architectural drawings and seek to match the existing. The terrace above the garage will include landscaping treatments via the planter boxes proposed to the perimeter which will further improve and soften the dwellings streetscape presentation.	
Garages, Carports and Hardstand Areas 3.1.1.4	<p>a) Garages, carports and hardstand areas must be designed and sited in a manner that does not to dominate the street frontage by:</p> <p>i) its roof form, material choice and detailing by being subservient to the associated dwelling; and</p> <p>ii) being compatible with the streetscape and the location in relation to front setback criteria.</p> <p>b) Exceptions to setback criteria referred to in this paragraph may be considered where parking structures are a positive element of the streetscape.</p>	The 2 car garage will be retained with the existing garage doors to be replaced for new. It is considered that new garage doors will contribute positively to the streetscape and heritage items in the vicinity.	Yes

Control	Requirement	Proposed	Compliance
Heritage Considerations 3.2	<p>To retain and conserve environmental heritage and cultural significance of Manly including:</p> <ul style="list-style-type: none"> significant fabric, setting, relics and view associated with heritage items and conservation areas; the foreshore, including its setting and associated views; and potential archaeological sites, places of Aboriginal significance and places of natural significance. 	<p>This has been addressed in section 4.1.4 of this report.</p>	<p>Yes</p>
Landscape Design 3.3.1	<p>To encourage appropriate tree planting and maintenance of existing vegetation.</p> <p>To retain and augment important landscape features and vegetation remnant populations of native flora and fauna.</p>	<p>The terrace above the garage will see an enhancement of landscaping treatments with the inclusion of new planter boxes to the perimeter. In this regard, it will achieve a softening and screening of the dwelling while providing an increase in soft landscaping on the site.</p> <p>Landscaping enhancements are also proposed to the rear yard adjacent to the rear boundary. This will provide for an increase of soft landscaping while</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
		providing additional privacy screening. The existing rear hedge is to be replaced with native species as indicated on the landscape plan provided.	
Preservation of Trees 3.3.2	<p>To protect and enhance the urban forest of the Northern Beaches.</p> <p>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.</p>	No trees proposed to be removed. New planting and trees proposed on the landscape plan provided.	Yes
Sunlight Access and Overshadowing 3.4.1	<p>New development (including alterations and additions) must not eliminate more than one third of the existing sunlight accessing the private open space of adjacent properties from 9am to 3pm at the winter solstice (21 June) ; or</p> <p>Where there is no winter sunlight available to open space of adjacent properties from 9am to 3pm, the calculations for the purposes of sunlight will relate to the equinox in March and September from 9am to 3pm.</p>	<p>Shadow diagrams have been prepared and included within the architectural set.</p> <p>The minor external works proposed do not result in significant additional overshadowing occurring to adjoining properties. The proposed is consistent with the control.</p>	Yes

Control	Requirement	Proposed	Compliance
Privacy and Security 3.4.2	<p>To minimise loss of privacy to adjacent and nearby development by:</p> <ul style="list-style-type: none"> appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings; mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings. <p>To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.</p> <p>To encourage awareness of neighbourhood security.</p>	<p>New garage door and pedestrian entry gate at street level improve the security on site.</p>	<p>Yes</p>
Maintenance of Views 3.4.3	<p>To provide for view sharing for both existing and proposed development and existing and future Manly residents.</p> <p>To minimise disruption to views from adjacent and nearby development and views to and from public spaces including views to</p>	<p>The works will not significantly alter the existing built form of the dwelling. As such, it is considered that existing view corridors will be maintained to adjoining properties.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>the city, harbour, ocean, bushland, open space and recognised landmarks or buildings from both private property and public places (including roads and footpaths).</p> <p>To minimise loss of views, including accumulated view loss 'view creep' whilst recognising development may take place in accordance with the other provisions of this Plan.</p>		
Stormwater Management 3.7	<p>To manage urban stormwater within its natural catchments and within the development site without degrading water quality of the catchments or cause erosion and sedimentation.</p> <p>To manage construction sites to prevent environmental impacts from stormwater and protect downstream properties from flooding and stormwater inundation.</p>	<p>New works can connect to the existing stormwater management system</p>	<p>Yes</p>
Waste Management 3.8	<p>To facilitate sustainable waste management in a manner consistent with the principles of</p>	<p>The waste generated from the demolition will be sorted and disposed of appropriately. Materials will</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
	<p>Ecologically Sustainable Development (ESD).</p> <p>Encourage environmentally protective waste management practices on construction and demolition sites which include:</p> <ul style="list-style-type: none"> • sorting of waste into appropriate receptors (source separation, reuse and recycling) and ensure appropriate storage and collection of waste and to promote quality design of waste facilities; • adoption of design standards that complement waste collection and management services offered by Council and private service providers; • building designs and demolition and construction management techniques which maximises avoidance, reuse and recycling of building materials and which will minimise disposal of waste to landfill; and • appropriately designed waste and recycling 	<p>be recycled or reused where appropriate.</p> <p>Bin storage can be located within the garage.</p>	

Control	Requirement	Proposed	Compliance
	<p>receptors are located so as to avoid impact upon surrounding and adjoining neighbours and enclosed in a screened off area.</p> <p>Encourage the ongoing minimisation and management of waste handling in the future use of premises.</p> <p>To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.</p>		
<p>Safety and Security</p> <p>3.10</p>	<p>To ensure all development are safe and secure for all residents, occupants and visitors of various ages and abilities.</p> <p>To ensure that the design process for all development integrate principles of 'Safety in Design' to eliminate or minimise risk to safety and security.</p> <p>To contribute to the safety and security of the public domain.</p>	<p>Appropriate levels of safety and security achieved.</p>	<p>Yes</p>

Control	Requirement	Proposed	Compliance
Wall Height 4.1.2.1	Approximately 7.9m based on the slope of the land.	Existing wall heights are maintained.	Yes
Number of Storeys 4.1.2.2	2 storeys	The existing dwelling is 2 storeys with a lower level garage due to the topography. This arrangement is maintained with this proposal.	Yes
Roof Height 4.1.2.3	Max 2.5m	Roof will be retained.	Yes
FSR 4.1.3	0.75:1	0.54:1	Yes
Front Setback 4.1.4.1	Street Front setbacks must relate to the front building line of neighbouring properties and the prevailing building lines in the immediate vicinity.	No change to the front setback. The ground floor extension to square off the opening to the front terrace is consistent with the prevailing front setbacks to the dwellings on the street.	Yes
Side Setbacks 4.1.4.2	1/3 of wall height All new windows from habitable dwellings of dwellings that face the side boundary are to be setback at least 3m from side boundaries;	No change to established side setbacks to the dwelling. The pool cabana is proposed to be 179mm off the side boundary. The structure is proposed to be open and lightweight. Timber privacy screen with	No – minor non-compliance to the pool cabana

Control	Requirement	Proposed	Compliance
		<p>bamboo roof will form the cabana which is considered not to give rise to any privacy or visual impact concerns. In this regard, it is considered that the pool cabana will not raise any amenity impact concerns with regard to privacy, overshadowing or view loss.</p>	
Rear Setback 4.1.4.4	8m	<p>No change to rear setback to the dwelling.</p> <p>A rear setback of 112mm to the pool cabana is proposed. The rear private open space is currently devoid of any covered or shaded areas to be able to enjoy recreational activities associated with the existing pool. The open and lightweight pool cabana provides for an enhancement of the amenity of the rear private open space and increased enjoyment of the existing pool.</p> <p>Landscaping opportunities have not been compromised with the proposed cabana with an increased in soft landscaping on site proposed and new landscaping treatments proposed along the rear boundary.</p>	<p>No –</p> <p>Non-compliance to pool cabana.</p>

Control	Requirement	Proposed	Compliance
		The pool cabana setbacks are considered worthy on merit.	
Open Space and Landscaping	55% Open Space 35% Soft Landscaping	<p>The existing development does not comply with the private open space and landscape area controls. The proposed works will see an increase to private open space from 85.7m² (38.7%) to 92.8m² (41.9%) and an increase to soft landscape from 14.9m² (13.5%) to 22.1m² (20%).</p> <p>While the proposed works will not result in compliance with this control, it is considered acceptable on merit considering it represents an improvement above the existing circumstance. The increase will provide the occupants with greater amenity which contributes positively to the streetscape.</p>	No – increased above existing

4.3 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as Amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (in *italic*) to help identify the issues to be considered have been prepared by the Department of Planning and Environment. The relevant issues are:

(i) The provision of any planning instrument

The proposal is permissible and generally in conformity with the General, Development Type and Locality Specific Controls contained within Manly Development Control Plan.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent.

(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

Manly DCP applies.

(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), and

N/A

(v) Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)

N/A

(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,

Context and Setting

i. What is the relationship to the region and local context in terms of:

The scenic qualities and features of the landscape

The character and amenity of the locality and streetscape

The scale, bulk, height, mass, form, character, density and design of development in the locality

The previous and existing land uses and activities in the locality

The Alterations and Additions is entirely commensurate with that established by adjoining development and development generally within the sites visual catchment with no adverse residential amenity impacts in terms of views, privacy or overshadowing.

ii. *What are the potential impacts on adjacent properties in terms of:*

Relationship and compatibility of adjacent land uses?

sunlight access (overshadowing)

visual and acoustic privacy

views and vistas

edge conditions such as boundary treatments and fencing

These matters have been discussed in detail earlier in this report. The works have been designed such that potential impacts are minimal and within the scope of the built form controls.

Access, transport and traffic:

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

Travel Demand

dependency on motor vehicles

traffic generation and the capacity of the local and arterial road network

public transport availability and use (including freight rail where relevant)

conflicts within and between transport modes

Traffic management schemes

Vehicular parking spaces

2 off street parking spaces are maintained.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will be connected to service the new dwellings.

Flora and Fauna

N/a

Waste Collection

Normal domestic waste collection applies to the existing dwelling house.

Natural hazards

N/A

Economic Impact in the locality

The proposed development will not have any significant impact on economic factors within the area notwithstanding that it will generate additional employment opportunities through the construction period with respect to the proposed works.

Site Design and Internal Design

Is the development design sensitive to environmental considerations and site attributes including:

size, shape and design of allotments

The proportion of site covered by buildings

the position of buildings

the size (bulk, height, mass), form, appearance and design of buildings

the amount, location, design, use and management of private and communal open space

Landscaping

These matters have been discussed in detail earlier in this report. The potential impacts are minimal and within the scope of the general principles, desired future character and built form controls.

How would the development affect the health and safety of the occupants in terms of:

lighting, ventilation and insulation

building fire risk – prevention and suppression

building materials and finishes

a common wall structure and design

access and facilities for the disabled

likely compliance with the Building Code of Australia

The proposed development will comply with the provisions of the Building Code of Australia as required by Clause 98 of the Environmental Planning and Assessment Regulation 2000. There

will be no detrimental effects on the occupants through the building design which will achieve the relevant standards pertaining to health and safety.

Construction

What would be the impacts of construction activities in terms of:

The environmental planning issues listed above

Site safety

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

(c) The suitability of the site for the development

Does the proposal fit in the locality

Are the constraints posed by adjacent development prohibitive

Would development lead to unmanageable transport demands and are there adequate transport facilities in the area

Are utilities and services available to the site adequate for the development

Are the site attributes conducive to development

The site is located in an established residential area. The adjacent development does not impose any unusual or impossible development constraints. The proposed development will not cause excessive or unmanageable levels of transport demand.

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed works.

(d) Any submissions received in accordance with this act or regulations

It is envisaged that Council will appropriately consider any submissions received during the notification period.

(e) The public interest

The architect has responded to the client brief to provide for a dwelling of design merit that provides a high level of amenity for the future occupants whilst appropriately addressing the sites setting and maintaining the amenity of the nearby residential properties. The development will provide a quality built form outcome on the site.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of good design that satisfies the outcomes and controls contained within the adopted legislative framework. Accordingly, approval of the development would be in the public interest.

5 Conclusion

The Alterations and Additions is permissible with consent and consistent with the intent of the LEP and DCP controls as they are reasonably applied to the proposal. The works are considered relatively minor and with the development largely maintaining its bulk and scale and streetscape presentation. In that regard, the works will be sympathetic to the heritage sensitivities within the vicinity.

It is considered that the proposal is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed dwelling is compatible with the existing streetscape and development in the local area generally.
- The proposed dwelling will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of exceptional design merit, that satisfies the outcomes and controls contained within the adopted legislative framework.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.