

STATEMENT OF ENVIRONMENTAL EFFECTS

**CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO AN EXISTING
DWELLING INCLUDING A NEW CARPORT**

LOCATED AT

6 ASHDOWN PLACE, FRENCHS FOREST

FOR

LAUREN & PAUL WHITE

**Prepared
April 2019**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of Lauren & Paul White by Action Plans, Drawings No. DA00-DA20, dated 27 March 2019, detailing the construction of alterations and additions to an existing dwelling including a new carport at **6 Ashdown Place, Frenchs Forest**.

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*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as 6 Ashdown Place, Frenchs Forest, being Lot 43 within Deposited Plan 216410 and is zoned R2 Low Density Residential within the provisions of the Warringah Local Environmental Plan 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, with no other hazards identified. A Geotechnical Investigation has been prepared by Ascent Geotechnical Consulting, Report No AG19051 dated 25 March 2019 and is discussed further within this submission.

The site is noted as being within Bushfire Prone Land. A Bushfire Hazard Assessment Report has been prepared by Bushfire Planning Services, Ref No. 2469, dated 28 March 2019 and will be attached to this submission.

3.0 Site Description

The property is located on the southern side of Ashdown Place, adjacent to the cal-de-sac. The site falls to the north towards the front boundary. The site is irregular in shape, with an arced frontage of 21m to Ashdown Place, eastern and western side boundaries of 35.305m and 41.91m respectively, and a rear boundary of 17.375m. The land has a total site area of 743.3m².

Stormwater from the site is directed via gravity to the street gutter in Ashdown Place.

The site is currently developed with a two storey clad dwelling with a tile roof and associated landscaping and concrete path.

The details of the site are as indicated on the survey plan prepared by TSS Total Surveying Solutions, Reference No. 20864, Drawing No. 2086414820, undated, which accompanies the DA submission.

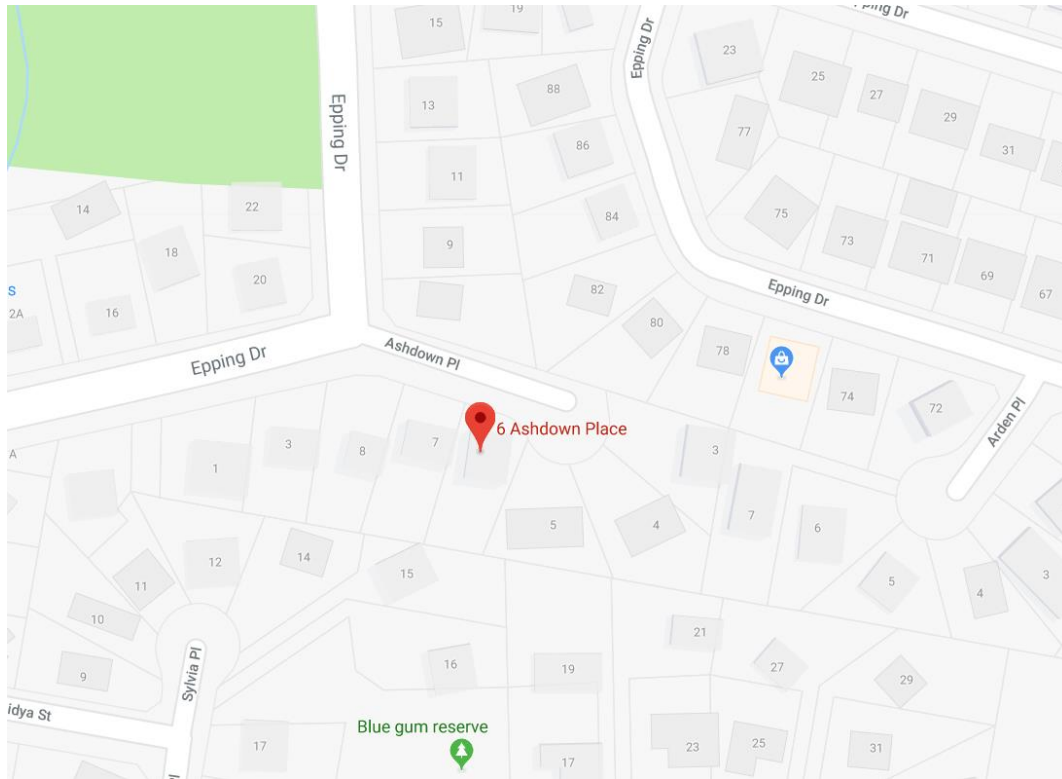


Fig 1: Location of Subject Site
(Source: Google Maps)



Fig 2: View of existing dwelling and existing carport (to be enclosed), looking south from Ashdown Place



Fig 3: View of existing driveway and location of new carport, looking south from Ashdown Place



Fig 4: View of existing dwelling, looking south-east from Ashdown Place



Fig 5: View of existing dwelling, looking south-west from Ashdown Place cul-de-sac



Fig 6: View of neighbouring dwelling at No 4 Ashdown Place

4.0 The Surrounding Environment

The general vicinity of the site is characterised by a mix of single detached dwellings and associated ancillary structures such as garages, storage sheds and swimming pools.

The sites immediately to the north and south comprise similar two storey dwellings.

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

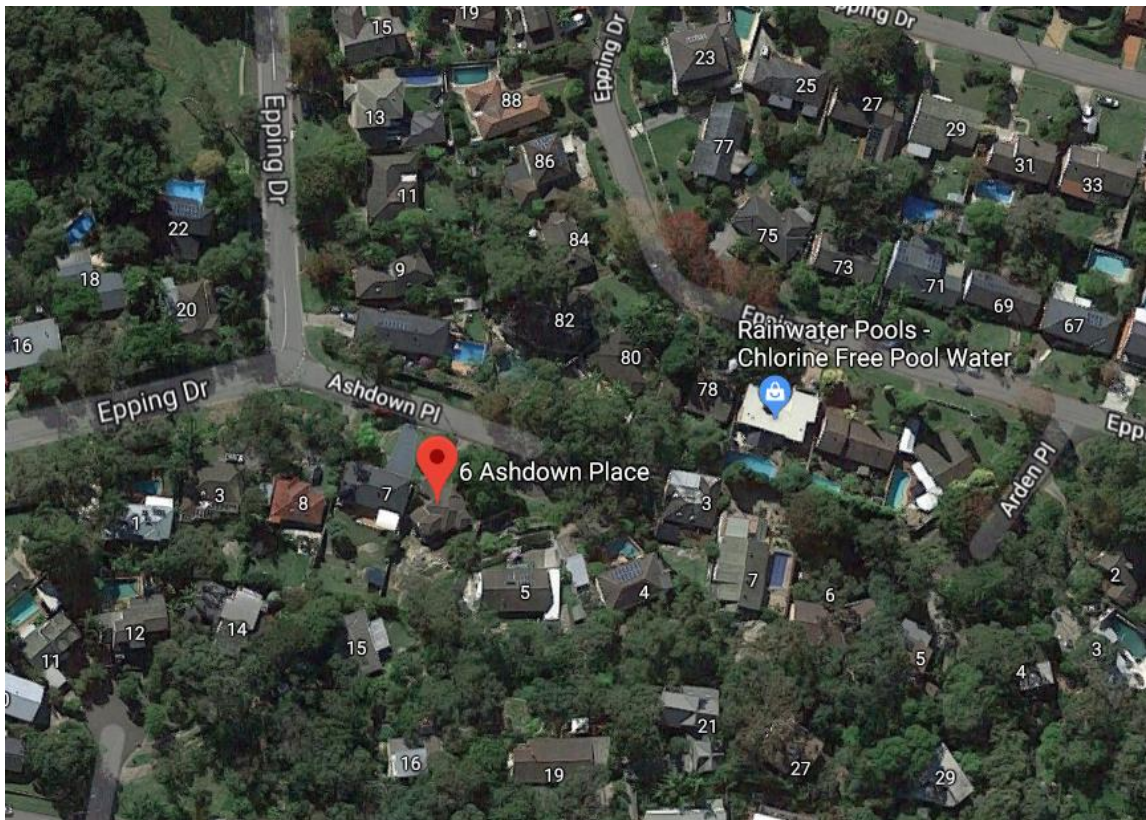


Fig 7: Aerial view of locality
(Source: Google Maps)

5.0 Proposed Development

As detailed within the accompanying plans the proposal seeks consent for the construction of alterations and additions to an existing dwelling, including a new double carport at street level.

The proposed works comprise:

Ground Floor

- Retention of and extension to the existing ground floor area to provide for butler's pantry, proposed new living and kitchen area and covered deck.

First Floor

- Alterations and additions to existing first floor to provide for new bathroom.

External Works

- Excavation within the front yard to provide for a new double carport and bin storage area at the street level.

The proposed new works to the dwelling will comprise painted brickwork and aluminium framed windows to match the existing and colourbond metal roof sheeting for the new carport and covered deck roofing. The external finishes schedule is provided as Sheet DA15.

The dwelling will retain its present modest two storey appearance to Ashdown Place, with an articulated façade which reduces the visual impact of the development on the streetscape.

Given the slope of the existing driveway and the limited area to provide for an additional car space, the proposed excavated garage will provide for functional and safe access to two off street car spaces.

The collected roofwaters will be directed to the street gutter in Ashdown Place, following existing on-site services.

The proposal results in the following development indices:

Site Area:	743.3m ²
Required Landscaped Area:	297.32m ² or 40%
Proposed Landscaped Area:	398.08m ² or 53.5% (see WDCP Part D1 discussion)

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 – Remediation of Land and in particular Clause 7(1)(a) suggests that a 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 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The SEPP commenced on 25 August 2017 and replaced Clause 5.9 of Warringah Local Environmental Plan 2011.

The aims of the SEPP are detailed in Clause 3 and note:

The aims of this Policy are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and*
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.*

In this instance, the proposal will not see any loss of any substantial vegetation and is therefore considered to be consistent with the aims of the SEPP.

6.4 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 dwelling are permissible in this zone under the WLEP 2011.



Fig 8: Extract of Warringah Local Environmental Plan 2011

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 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 the existing landscaped area or long distance views.

Clause 4.3 provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be (over):

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 in this portion of Frenchs Forest is 8.5m. The external alterations and additions to enclose the carport will not increase the overall height of the carport, with the new brickwork to extend to the underside of the existing brickwork. The new works comfortably comply with Council's maximum building height.

The proposed new carport will see a maximum height of 3.393m, which also complies with the council's maximum height control.

Clause 6.2 relates to earthworks.

The proposal is accompanied by a Preliminary Geotechnical Assessment prepared by Ascent Geotechnical Consulting, Report No AG19051 dated 25 March 2019, which concludes that the proposal meets Council's requirements subject to compliance with the recommendations contained within the report.

Additionally, the works will be carried out in accordance with the recommendations of a qualified structural engineer.

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

Accordingly, a Preliminary Geotechnical Assessment prepared by Ascent Geotechnical Consulting, Report No AG19051 dated 25 March 2019. Subject to the recommendations contained within this report, the proposal is considered to satisfy the provisions of this clause.

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.

6.5 Warringah Development Control Plan

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

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	The new external alterations and additions readily comply with this control with a maximum proposed wall height of approximately 4.52m. The objectives of this control read as follows: • <i>To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.</i> • <i>To ensure development is generally beneath the existing <u>tree</u> canopy level.</i> • <i>To provide a reasonable sharing of views to and from public and private properties.</i> • <i>To minimise the impact of development on adjoining or nearby properties.</i> • <i>To ensure that development responds to site topography and to discourage <u>excavation</u></i>	Yes

		<i>of the natural landform.</i> • <i>To provide sufficient scope for innovative roof pitch and variation in roof design.</i> The proposed development will follow the sloping topography of the site, which minimises the visual impact of the development. The proposal will not see any unreasonable loss of views for neighbouring properties. The proposal readily complies with this control.	
B2 – Number of storeys	No requirement identified on map		N/A
B3 – Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m	The proposal generally complies with the side boundary envelope. The shadow diagram information provided with the application confirm that in excess of 50% of the private open space of the neighbouring dwelling will continue to receive at least three hours of solar access between 9am – 3pm.	Yes – on merit
B4 – Site Coverage	No requirement identified on map		N/A

B5 – Side Boundary setbacks	R2 zoned land 0.9m	Proposed alterations and additions to stand in excess of 0.9m from northern and southern side boundaries. The new carport presents a setback of 0.9m to the western side boundary and is well setback from the eastern side boundary.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A
B7 – Front Boundary Setbacks	Minimum 6.5m	The minimum setback to the new works to enclose the existing carport are largely behind the 6.5m front boundary setback, with the existing carport support column standing approximately 200mm within the front setback. Given the slope of the existing driveway and the limited area to provide for an additional car space, the proposed excavated garage to the front boundary will provide for functional and safe access to two off street car spaces. The objectives of this control are as follows: • <i>To create a sense of openness.</i>	Yes – on merit

		• To maintain the visual continuity and pattern of buildings and landscape elements. • To protect and enhance the visual quality of streetscapes and public spaces. • To achieve reasonable view sharing. The proposed new carport presents a nil setback to the front boundary. The new carport with level and direct access to the road will see improved safety and function for the parking for the residents and will see the improvement of on-site parking by providing for an additional off street parking space. The majority of the front setback area will be retained for soft landscaping and will not detract from the visual amenity off the neighbourhood. The open structure for the new carport will present a modest form that will not dominate the Ashdown Place Streetscape and is therefore acceptable on merit.	
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B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9- Rear Boundary Setbacks	Min 6m rear setback	No changes to existing compliant rear setback.	N/A
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
B13 – Coastal Cliffs Setback	No requirement identified on map		N/A
B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A
Part C – Siting Factors			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	The proposal provides for a new vehicle crossing which will address Council's policies.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposal will see the construction of a new double carport. The proposed carport is modest in scale and will not visually dominate the dwelling's façade. The parking and access design will meet the relevant standards.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments	Existing stormwater directed to Council drainage system in Ashdown Place.	Yes

	and Minor Works Specification	The proposal will see stormwater directed to the council drainage system in Ashdown Place.	
C5 – Erosion and Sedimentation	Soil and Water Management required	The proposal is accompanied by a sediment and erosion control plan.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 – Excavation and Landfill	Site stability to be maintained	Minimal excavation is required to accommodate the proposed new carport. All works will be carried out in accordance with the recommendations of the consulting Geotechnical and Structural engineers.	Yes
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 within car space and front yard	Yes
Part D – Design			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	The proposal will maintain a landscaped area of 398.08m ² or 53.5% and therefore complies with this control. The development within the site will continue to achieve the Objectives of the	Yes

		controls, which are noted as: Objectives • <i>To enable planting to maintain and enhance the streetscape.</i> • <i>To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.</i> • <i>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.</i> • <i>To enhance privacy between buildings.</i> • <i>To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.</i> • <i>To provide space for service functions, including clothes drying.</i> • <i>To facilitate water management, including on-site detention and infiltration of stormwater.</i> The proposal will provide for sufficient area for the private open space and	
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		recreational requirements of the owners, whilst maintaining good areas of deep soil planting within the front and rear yard area.	
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m ² with min dimension 5m	The private open space is directly accessible from the dwelling. The majority of the private open space is within the rear yard.	Yes
D3 – Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	Proposed works are residential in nature.	N/A
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun Appropriate construction to enhance thermal properties and ventilation/natural cooling Compliance with SEPP (BASIX) requirements	The site enjoys good access to northern sun to the front and rear yards.	Yes
D6 – Access to sunlight	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.	Whilst the proposal will see some additional overshadowing, the neighbouring dwellings will not see any adverse solar access or overshadowing impacts.	Yes
D7 – Views	View sharing to be maintained	The controls require that development should enable the	Yes

		reasonable sharing of views. The works see alterations and additions to the existing dwelling. The subject site and neighbouring properties enjoy district views to the north. The compatible roof height and low-pitched roof form of the new works, along with the appropriate side setbacks, will ensure that the primary outlook for the surrounding properties is not unreasonably diminished.	
D8 – Privacy	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties	The new covered deck will not unreasonably reduce the privacy enjoyed by the neighbours. The existing separation between the dwelling and the neighbouring dwelling will reduce any overlooking.	Yes
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces	The existing surrounding development comprises a mix of one and two storey dwellings. The form of the proposed development is modest in height and scale, with an articulated façade, and will not	Yes

		visually dominate Ashdown Place.	
D10 – Building Colours and materials		The proposed new works will be finished in colours which complement the existing development on site and the locality.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	The proposed new alterations and additions provide for a low-pitched roof that does not dominate the skyline. Further the roof minimises bulk and scale and maximises view retention to adjoining properties.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The existing external finishes and colours will be retained and the proposed new finishes will complement the existing dwelling. No significant glare impacts will result from proposed new works.	Yes
D13 – Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street	No new fences proposed.	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 will be available in the garage or surrounding the dwelling. Existing mailbox to be retained.	Yes

D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	No new fences proposed	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. Siting to have regard for neighbouring trees.	No pool proposed with the works.	N/A
D17 – Tennis Courts	N/A		N/A
D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. 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
D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles,	No signage proposed	N/A

	pedestrians or potentially hazardous road features or traffic control devices.		
Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	No significant protected trees are affected by the works.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area B.	The proposal is accompanied by a Preliminary Geotechnical Assessment prepared by Ascent Geotechnical Consulting, Report No AG19051 dated 25 March 2019, which concludes that the proposal meets Council's requirements subject to compliance with the recommendations contained within the report.	Yes
E11 – Flood Prone Land	Not identified on map		N/A

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. It is considered that the provisions of these environmental planning instruments have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

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

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

It is not considered that there are any draft environmental planning instruments applying to the site.

7.3 Any development control plan

The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.

It is considered that the proposed design respects the aims and objectives of the DCP however we note that the Environmental Planning and Assessment Amendment Act 2012 No 93 (Amendment Act) which received assent on 21 November 2012 commenced on 1 March 2013.

Key amongst the amendments are requirements to interpret DCPs flexibly and to allow reasonable alternative solutions to achieve the objectives of DCP standards.

The new section 3.42 provides that the 'principal purpose' of DCPs is to 'provide guidance' on:-

- giving effect to the aims of any applicable environmental planning instrument
- facilitating permissible development
- achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 4.15(3A) which:

- prevents the consent authority requiring more onerous standards than a DCP provides,
- requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying DCP provisions with which a development application does not comply,
- limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that Council applies considered flexibility where the application seeks variations to numerical development controls in the DCP as justified in this report. In particular we consider that the variation to the front setback control is a reasonable alternative solution to compliance where the

site's slope and the topographical constraints and existing on site development present a challenge to full compliance with the controls.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site which will make a positive contribution to the area.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and will provide a cohesive and sympathetic addition to the site and which will make a positive contribution to the area.

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 construction of alterations and additions to an existing dwelling including a new carport which have been located and designed to appropriately minimise impacts on the amenity of adjoining properties and are compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard for the relevant provisions of the SEPP, Council's LEP and DCP.

7.7 The suitability of the site for the development

The site is considered suitable for the proposed development.

The proposal will provide for the construction of alterations and additions to an existing dwelling including a new carport.

It is suggested that the proposal will not have a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

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 impact upon the environment or the character of the locality and the considered location of decks will mitigate any unreasonable visual impacts on 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 alterations and additions to an existing dwelling including a new carport, together with associated landscaping, which will not have a detrimental 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, the issue of Development Consent under the delegation of Council is requested.

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