



Attachment 1 to Item 2.1.1

Section 4.15 Assessment Report

Date of meeting: 21 December 2023
Location: By audio-visual link
Time: 10:00 a.m.

**Section 4.15 Assessment Report
Environmental Planning & Assessment Act 1979**

Development Application No.	DA0302/23
Date Received	19/12/2022
Proposal	Alterations and additions to existing dwelling
Estimated Cost	\$254,093.10
Legal Description	Lot 101, DP 2555563
Property Address	27 William Cox Drive, Richmond
Area	567sqm
Zoning	R2 – Low Density Residential
Applicant	Nathan Zamprogno
Owner	Nathan Zamporgno
Exhibition Dates	Nil
Submissions	Nil

Recommendation Approval, subject to conditions.

1. Executive Summary

The development application seeks consent for the alterations and additions to the existing dwelling at Lot 101, DP 255563, No. 27 William Cox Drive, Richmond. The proposal includes the partial demolition of existing walls and the extension of the existing dwelling to accommodate for a larger existing bedroom, an additional bedroom with walk-in-robe and an attached workshop. The alterations also include extension of the existing verandah and carport to the front northern facade and proposed new covered deck to the rear southern side of the dwelling.

The subject site comprises of a single storey brick dwelling, timber awning with metal roof, metal carport on concrete slab and associated hardstand space and landscaping. The existing carport accommodates a single car parking space associated with the residential use of the site.

The subject site is zoned R2 – Low Density Residential under the Hawkesbury Local Environmental Plan 2012 (HLEP 2012), with the proposed alterations and additions to the existing dwelling house being a permissible form of development with consent.

In accordance with Council's Community Participation Plan 2019, the Development Application was not required to be notified to adjoining properties. Therefore, no submissions have been received.

The proposal does not seek to vary any of the relevant development standards as per HLEP 2012.

In accordance with the Environmental Planning and Assessment Act 1979, Section 9.1 – Directions by the Minister, this application is reported to the Hawkesbury Local Planning Panel for determination as the application is considered to be a conflict of interest as the development is located on land owned by a Hawkesbury City Council Councillor.

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act), taking into consideration all relevant state and local planning controls.

Having regard to the matters for consideration under Section 4.15 of the EP&A Act 1979 and the context of the site, the proposed development is considered to deliver an appropriately balanced and responsive planning outcome which enables ongoing use of the existing residential dwelling whilst maintaining the amenity of surrounding properties. It is recommended that Development Application DA0302/23 be approved, subject to conditions of consent. The recommended conditions of consent are within Attachment 1.

2. Site Description & Conditions





The subject site is legally described as Lot 101, DP 255563, No. 27 William Cox Drive, Richmond.

The site is a regular shaped allotment with an overall site area of 567sqm. The site has a primary frontage of 21m to the north-western boundary fronting William Cox Drive, a total depth of 27m along the north-eastern and south-western boundaries, and a rear south-eastern boundary length of 21m.

The site has a slight slope of approximately 1.25m from the rear south-eastern boundary to the front north-western boundary. The site is improved by an existing single storey brick dwelling, timber awning with metal roof and metal carport to front north-western facade, concrete driveway and associated hardstand space and landscaping.

The site is located within the established residential neighbourhood of Richmond and is approximately 1.5km from Richmond Railway Station and 1.6km from Richmond Marketplace. The site is located in an R2 – Low Density Residential zone and is surrounded by residential development characterised by detached dwelling house of various architectural styles, varying scale and periods of construction. The built form of the surrounding area is diverse and contains a variety of single and double storey dwelling designs.

The subject site is located south-east of the Hawkesbury River and directly adjoins RE1 – Public Recreation zoned land. The site is located adjacent to Castlereagh Road, which is identified as an SP2 – Classified Road and is opposite R3 – Medium Density Residential zoned land to the south. The site is located south of the State Heritage listed curtilage of Hobartville (SHR No: 00035), which is also identified as a Heritage Item under the HLEP (Heritage Item: 100035). Hobartville is of historic significance as an intact early colonial homestead group for its association with the Cox family and Francis Greenway. Its original grant boundaries determined the extent of the 1810 grid layout of Richmond Township, and it has links, both historic and physical with St Peter's Anglican Church.

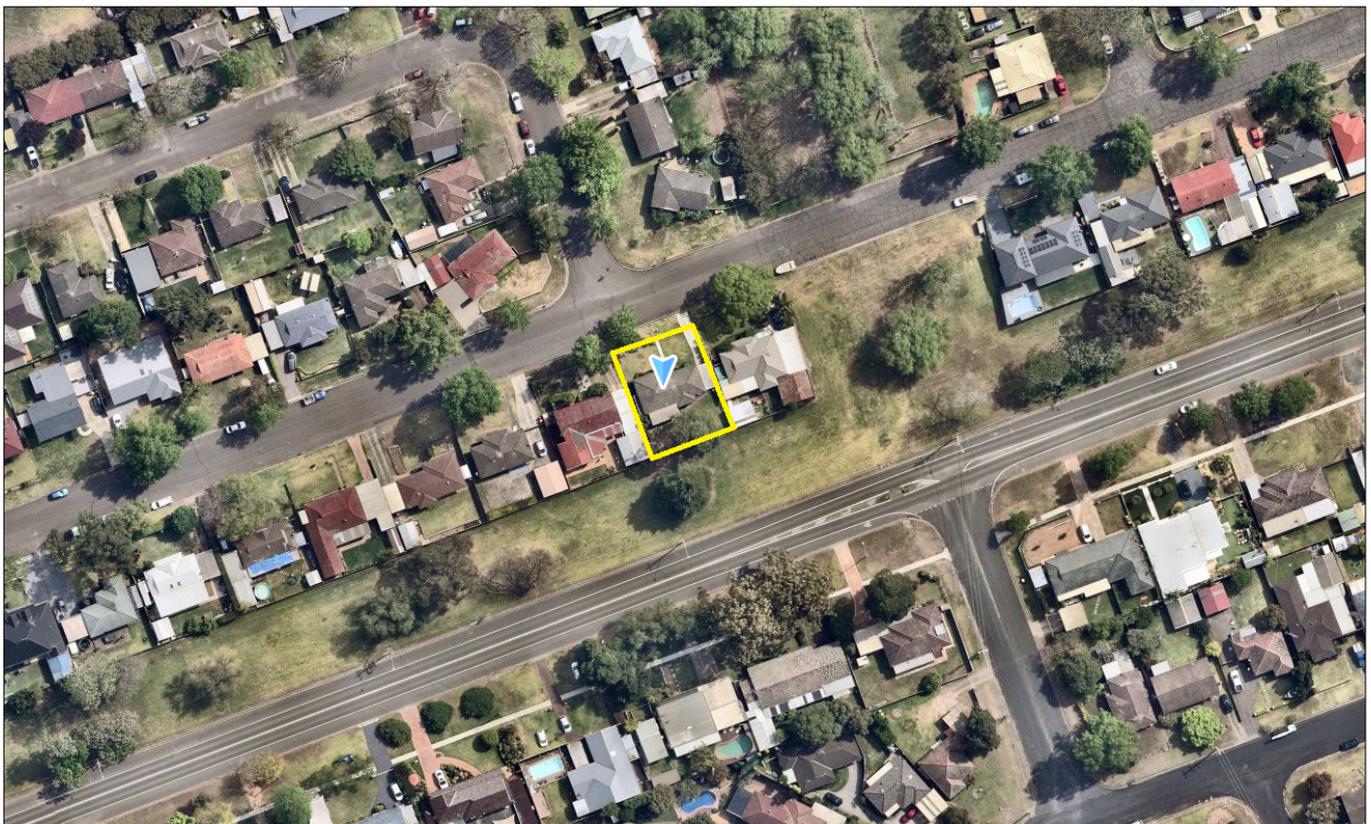


Figure 1 Aerial image of subject site outlined in yellow (Source: Nearmap)

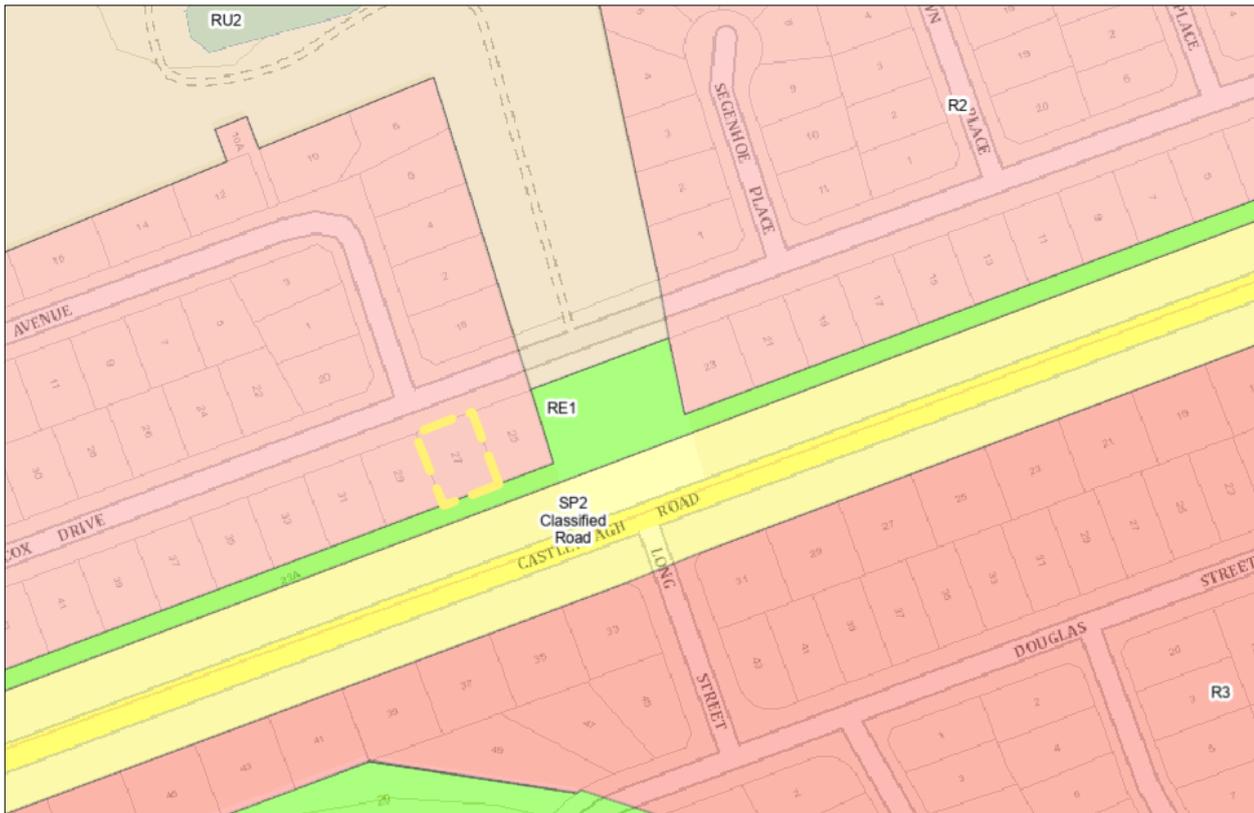


Figure 2 Zoning Map with subject site outlined in yellow (Source: DoP Spatial Viewer)

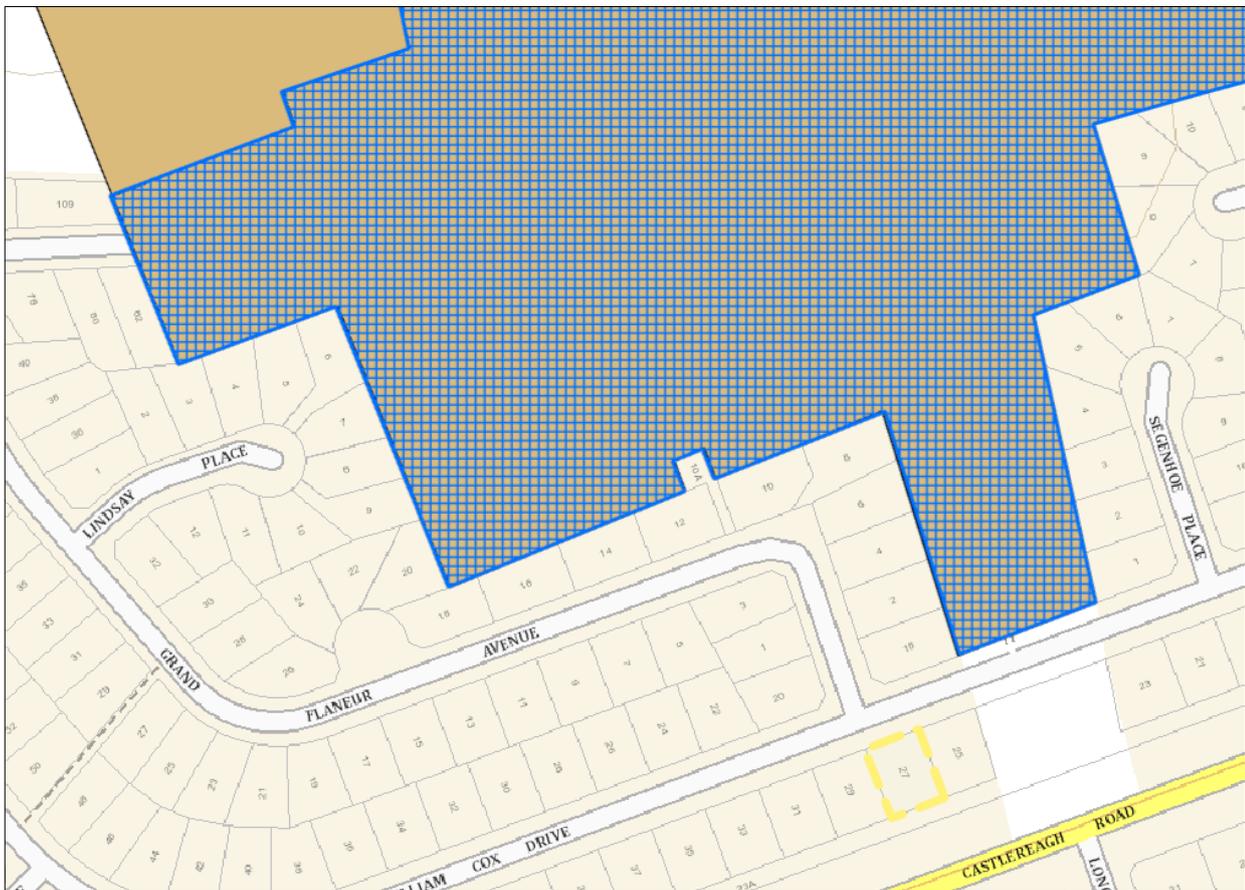


Figure 3

Heritage Map outlining Heritage Item (100035) and State Heritage curtilage of Hobartville (SHR No: 00035) (Source: DoP Spatial Viewer)

3. Relevant Site History

The site was not subject to any previous development applications other than the current development application DA0302/23, which was lodged on 29 September 2023.

4. The Proposal

The proposal seeks consent for the alterations and additions to the existing residential dwelling and will include the following:

- Partial demolition of existing walls;
- Demolition of skillion roof to rear south-eastern façade;
- Extension of existing dwelling to the rear south-eastern side to accommodate for a larger existing bedroom (including robe and linen closet), additional bedroom with walk-in-robe and attached workshop;
- Addition of a covered outdoor deck to rear south-eastern facade measuring a maximum of 10.8m wide x 4m long and 3.5m high;
- Replacement of window to rear south-eastern façade with centre opening sliding window and serving bench;
- Addition of timber deck to front facade measuring 7.01m x 1.5m;
- Extension of existing carport by 1.565m to line up with front building line (proposed carport size of 7.585m x 4.33m); and
- Addition of new face brickwork to carport façade.

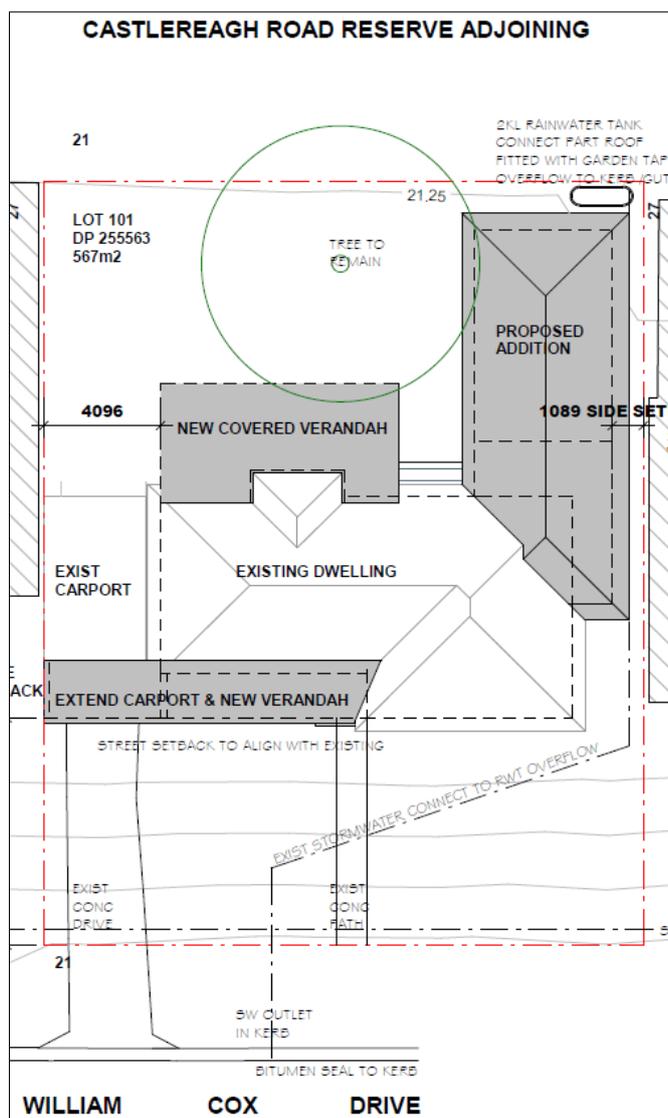


Figure 4 Proposed Site Plan showing alterations and additions to existing dwelling submitted with DA0302/23

5.

Relevant Application History



Date	Comment
29/09/2023	Application lodged on the NSW Planning Portal.
08/08/2023	Internal referral received from Building Surveyor stating no objections, subject to conditions of consent.

6. Referrals

Department	Comment
Building Surveyor	No objections, subject to conditions of consent.

7. Environmental Planning Instruments

7.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy (Biodiversity & Conservation) 2021
- State Environmental Planning Policy (Resilience & Hazards) 2021
- State Environmental Planning Policy (Transport & Infrastructure) 2021
- Hawkesbury Local Environmental Plan 2012 (LEP 2012)
- Hawkesbury Development Control Plan 2002 & 2023 (HDCP 2002 & 2023)
- Hawkesbury City Council Flood Policy 2020

7.2 State Environmental Planning Policy (Biodiversity & Conservation) 2021

The State Environmental Planning Policy (Biodiversity & Conservation) 2021 applies to the site.

Chapter 2 – Vegetation in Non-Rural Areas

The Biodiversity and Conservation SEPP regulates clearing that is not ancillary to development requiring consent. Whereas, clearing that is ancillary to development requiring consent will be assessed as part of the development assessment process. As clearing of some vegetation is required due to the proposed development, any clearing of vegetation will be assessed as part of the development application. The proposal does not include the removal of any trees.

Chapter 6 – Water Catchments

Chapter 6 of the Biodiversity and Conservation SEPP generally aims to improve water quality and river flows, protect and enhance the environmental quality of water catchments and ensure consistency with local environmental plans and principles of ecologically sustainable development. The site is mapped as being located within the Hawkesbury-Nepean Catchment. The proposal has been designed to avoid adverse impact upon water quality and river flows. It is accompanied by generous landscaped area on site to enhance the site's environmental qualities. The proposal has been designed to respond to the surrounding site context, environmental considerations and BASIX requirements to ensure the principles of ecologically sustainable development are demonstrated.

The proposal has been considered against Clause 6.13 of the SEPP. The proposal is not considered to cause interference with the sub-catchment or create adverse impacts to the structure and floristics of native vegetation. The subject site contains existing residential development, with the proposed alterations and additions not considered to create detrimental scenic quality impacts.

Part 13.4 – Strategic conservation planning

The development does not include the removal of native vegetation in order to accommodate for the proposed alterations and additions. The proposal is not considered to create adverse impacts to any significant vegetation in the immediate area and will not cause detrimental impacts to the ecological function of the locality.



7.3 State Environmental Planning Policy (Resilience & Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 applies to the site.

Chapter 4 – Remediation of Land

The aims of this chapter is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. In accordance with this chapter, Council must consider if the land is contaminated, and if it is contaminated, if the land is suitable for the proposed use. The proposal includes alterations and additions to the existing residential dwelling. Minimal earthworks are proposed as part of this application. Given the existing use of the subject site and previous application records indicating no previous potentially contaminating use, there is no specific evidence that indicates the site is contaminated. This is considered to be acceptable in this instance.

7.4. State Environmental Planning Policy – Transport & Infrastructure 2021.

The relevant matters to be considered under Chapter 2 of the SEPP for the proposed development outlined below.

Clause 2.120 Impact of road noise or vibration on non-road development

This clause applies to residential accommodation development that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles and that the consent authority considers is likely to be adversely affected by road noise or vibration.

The subject site is located adjacent to Castlereagh Road to the south-east of the site which is zoned SP2 Classified Road.

Council has requested correspondence from TfNSW regarding traffic counts along this portion Castlereagh Road. Correspondence was received denoting that this stretch of Castlereagh road had a vehicle movement of 10,000 vehicles per day and thus did not trigger this clause.

In this respect, Council is satisfied that the proposed development will not be adversely affected by road noise.

8. Hawkesbury Local Environmental Plan 2012

The relevant matters considered under the HLEP 2012 for the proposed development are outlined below:

8.1. Clause 1.2 Aims of plan

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to provide the mechanism for the management, orderly and economic development and conservation of land in Hawkesbury.*
- (b) to provide appropriate land in area, location and quality for living, working and recreational activities and agricultural production,*
- (c) to protect attractive landscapes and preserve places of natural beauty, including wetlands and waterways,*
- (d) to protect and enhance the natural environment in Hawkesbury and to encourage ecologically sustainable development,*
- (e) to conserve and enhance buildings, structures and sites of recognised significance that are part of the heritage of Hawkesbury for future generations,*
- (f) to provide opportunities for the provision of secure, appropriate and affordable housing in a variety of types and tenures for all income groups in Hawkesbury,*
- (g) to encourage tourism-related development that will not have significant adverse environmental effects or conflict with other land uses in the locality.*

The proposed development will allow for the continued use of the existing residential dwelling. The proposal is considered to align with the aims of the plan under Clause 1.2(b)(c)(d).

8.2. Clause 2.3 Zone objectives and land use table



The site is zoned R2 – Low Density Residential under the HLEP 2012. The objectives of the R2 zone are as follows:

- *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 protect the character of traditional residential development and streetscapes.*
- *To ensure that new development retains and enhances that character.*
- *To ensure that development is sympathetic to the natural environment and ecological processes of the area.*
- *To enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale.*
- *To ensure that water supply and sewage disposal on each resultant lot of a subdivision is provided to the satisfaction of the Council.*
- *To ensure that development does not create unreasonable demands for the provision or extension of public amenities or services.*

The proposed development is considered to be reflective of the above objectives.

The proposed development is best described as alterations and additions to a ‘dwelling house’, which is a permissible form of development in the R2 zone under the HLEP 2012. A ‘dwelling house’; is defined as:

Dwelling house means a building containing only one dwelling.

Clause	Comment
Part 4 – Principal development standards	
4.1 Minimum subdivision lot size	The application does not include subdivision works.
4.2 Rural subdivision	N/A
4.3 Height of buildings	The proposed alterations and additions to the existing single storey dwelling do not exceed 10m in height.
4.4 Floor Space Ratio	There is no nominated FSR for the site.
4.6 Exceptions to development standards	The proposed development does not seek any variation to the development standards.
Part 5 – Miscellaneous provisions	
5.1A Development on land intended to be acquired for public purposes	The deposited plans do not demonstrate that the site is or will be subject to future land acquisition.
5.10 Heritage conservation	<p>The site is not mapped as being an item of heritage significance.</p> <p>The site is located south of the State Heritage listed curtilage of Hobartville (SHR No: 00035), which is also identified as a Heritage Item under HLEP 2012 (Heritage Item: 100035). Hobartville is of historic significance as an intact early colonial homestead group for its association with the Cox family and Francis Greenway. Its original grant boundaries determined the extent of the 1810 grid layout of Richmond Township, and it has links, both historic and physical with St Peter's Anglican Church.</p> <p>The proposed alterations and additions are considered to be minimal in nature and are not likely to create adverse impacts to the nearby heritage items.</p>



5.11 Bush fire hazard reduction	The site is not mapped as being located on bushfire prone land.
5.21 Flood planning	The site is not mapped as being affected by flooding.
Part 6 – Additional local provisions	
6.1 Acid sulphate soils	The subject site is mapped as containing Class 5 Acid Sulfate Soils and is located approximately 420m away from land affected by Class 4 Acid Sulfate Soils. The proposal includes minimal earthworks in order to accommodate for the proposed alterations and additions. The proposal does not include works by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.
6.2 Earthworks	Council's development engineers have reviewed the proposed earthworks involved and support the application subject to the imposition of conditions.
6.6 Development in areas subject to aircraft noise	The site is not considered to fall within the vicinity of the RAAF base Richmond.
6.7 Essential services	The subject site accommodates an existing residential dwelling which has access to a water supply, electricity, sewage disposal, stormwater drainage and suitable road access.

9. Hawkesbury Development Control Plan 2002 & 2023

Consideration of the relevant provisions within the Hawkesbury Development Control Plan 2002 & 2023 is provided below:

CONTROL	COMPLIANCE
Chapter 2: Site Analysis	
4.1 Site Analysis Plan A Site analysis plan must be submitted for construction of any building, external alterations to existing buildings and Torrens title subdivision of land, and must address all matters identified in the acceptable solutions column. The scope of the site analysis will depend on the scale and nature of the development, the sensitivity of the site and the extent of the area that may be affected by the proposed development. The site analysis must clearly demonstrate an appreciation of the site and its context, and the opportunities and constraints on the layout and design of the site. The site must demonstrate that the development will integrate within the streetscape or context when considering scale, proportion and massing.	The development application has provided an architectural set of plans outlining the proposal and providing elevations showcasing all aspects of the proposed alteration and additions. The proposed changes to the front streetscape façade will have a positive impact on the streetscape, with site inspections of adjoining and surrounding properties confirming that the proposal will integrate within the streetscape and will provide for a development which is reflective in scale, proportion and massing to that of adjoining and nearby properties.
Chapter 3: Heritage (HDCP 2023)	
6.7 Development in the vicinity of a Heritage Item or Conservation Area	The site is located south of the State Heritage listed curtilage of Hobartville (SHR No: 00035), which is also identified as a Heritage Item under the HLEP (Heritage Item: 100035). Hobartville is of historic significance as



<p>Any development within the vicinity of a heritage item or heritage conservation area is to be designed and sited so that the heritage significance of the item is conserved.</p> <p>Where development is proposed on land adjacent to or within the vicinity of a heritage item or a heritage conservation area the following is to be taken into consideration to ensure that it will complement the identified significance or setting of the heritage item or the heritage conservation area:</p> <ol style="list-style-type: none"> The character, siting, bulk, scale, height and external appearance of the development The visual relationship between the proposed development and the heritage item or heritage conservation area The potential for overshadowing of the adjoining heritage item or any building within a heritage conservation area The colours and textures of materials proposed to be used in the development The landscaping and fencing of the proposed development The location of car parking spaces and access ways into the development The impact of any proposed advertising signs or structures The maintenance of the existing streetscape, where the particular streetscape has significance to the heritage item The impact the proposed use would have on the amenity of the heritage item The effect the construction phase will have on the wellbeing of a heritage item Avoid making a replica of a heritage building for infill development Incorporate sufficient landscaped area to accommodate deep rooted trees and vegetation to provide screening between the new development and the heritage item or conservation area 	<p>an intact early colonial homestead group for its association with the Cox family and Francis Greenway. Its original grant boundaries determined the extent of the 1810 grid layout of Richmond Township, and it has links, both historic and physical with St Peter's Anglican Church.</p> <p>The proposed alterations and additions are largely concentrated to the rear of the site, with minimal changes proposed to the streetscape facade. The character, siting, bulk, scale, height and external appearance of the proposal is reflective of development in the immediate locality.</p> <p>The proposed additions are single storey and are not considered to create additional overshadowing impacts. The proposal will maintain appropriate landscaping, colours and materials, car parking, residential amenity, and will not create adverse impacts on the nearby heritage item. This is considered to be acceptable in this instance.</p>
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Chapter 5: Traffic Access, Street Design and Parking (HDCP 2023)

<p>4.1 Off Street Parking Rates</p> <p>Parking is to be provided in accordance with Table 1.</p> <p>Dwelling houses: 1 covered car parking space for studios, 1 and 2 bedroom dwellings. 2 covered car parking spaces for dwellings with more than 2 bedrooms.</p>	<p>The proposed alterations and additions do not include changes to the existing vehicle access and car parking arrangement. The site is required to provide 2 covered parking spaces as per the parking rate calculation. The existing dwelling provides 1 covered car parking space in the carport and the proposed alterations and additions will not alter this arrangement. Whilst the proposal will include the extension of the existing carport by 1.565m with new brickwork and metal roller door, it is not sufficient to accommodate two stacked car parking spaces.</p> <p>The proposed alterations and additions are not considered to visually dominate the streetscape and occupy significantly less than 50% of the existing</p>
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	<p>building facade. The site is still able to accommodate for 2 off -street car parking spaces which includes a space on the driveway in front of the carport. This arrangement is contemplated in part 1.9(f) of HDCP 2002, matches the existing situation and is considered to be compatible with the character of the local area.</p>
<p>PART D: SPECIFIC DEVELOPMENT</p>	
<p>Chapter 1: Residential Development</p>	
<p>1.3 Height</p> <p>Maximum height above ground level for single dwellings: 10m</p> <p>Building to the side & back boundary within the Building Height Plane is permitted where:</p> <ul style="list-style-type: none"> - it can be shown that building to the boundary does not reduce the privacy of neighbouring dwellings and their private open space and does not reduce their existing solar access; and - the continuous length of the boundary walls is not more than 10m or is a maximum of 50% of the boundary length; whichever is the shorter. Refer to Figure D1.2. <p>Exemptions to the Building Height Plane may be granted in the following circumstances:</p> <ul style="list-style-type: none"> - single dwellings proposed on flood prone land; - single dwellings proposed on lots with a frontage of less than 14m at the building line; and - chimneys, satellite dishes and aerials. <p>Applicants seeking an exemption to the Building Height Plane must demonstrate clearly why the compliance is unreasonable.</p>	<p>The existing dwelling is single storey and does not exceed a height limit of 10m.</p> <p>The development encroaches into the 45 degree building height plane to a small portion of the eave located to the south-western side of the proposed dwelling addition and to the proposed carport extension located to the north-eastern boundary.</p> <p>Part 1.3(e) permits exceptions to the building height plane requirements and the proposed encroachments are considered to be minor in nature and unlikely to create adverse visual impacts to the streetscape. The proposed alterations and additions ensure that the bulk of the existing dwelling is reflective of the existing local context and will ensure privacy and solar access is maintained to the subject site and adjoining properties.</p> <p>The proposed rear additions will be setback 1.089m from the side boundary and 1.724m from the rear boundary. The proposed rear additions will have a continuous length of 13.19m, exceeding the 10m maximum but provides articulation through window placements. The proposed rear addition is set back 1.05m and the encroachment into the building height plane is not considered to reduce the privacy to the neighbouring south-western property. The proposed dwelling addition includes only a single window servicing the proposed walk-in-robe of Bedroom 1, which will ensure privacy is maintained and solar access is not impacted.</p> <p>The proposed addition to the existing carport is single storey in height and is built to the north-eastern boundary line to align with the existing carport. The encroachment into the building height plane of the carport is not considered to create adverse privacy and solar access impacts to the north-eastern neighbour as the structure is not a habitable space and is used for car parking.</p> <p>This arrangement will ensure the site maintains appropriate private open space, solar access and car parking and is considered to be acceptable in this instance.</p>
<p>1.4 Setbacks</p> <p>For sites fronting a local road, buildings are to be set 7.5m back from the front boundary. In areas where</p>	<p>No changes to the existing 8.031m front setback.</p>



<p>there is prior development the established pattern is to be regarded as the standard setback.</p>	
<p>1.6 Landscaped Areas</p> <p>All forms of residential development are to contain pervious soft landscaped areas to a total of 30% of the total site area. This may be calculated by adding together soft landscaped areas of private and common open space. Development proposals, where required, are to indicate the proportion of the total site area that is:</p> <ul style="list-style-type: none"> - total “soft” landscaped area; - total ground level private open space; and - total common open space. 	<p>The site will maintain a minimum landscaped area of at least 30%.</p> <p>(Calculation: total landscaped area of 272 ÷ 567 = 48% landscaping across the site)</p>
<p>1.7 Private Open Space</p> <p>a. Single dwelling houses and multi-unit housing are to provide at least one area of private open space for each dwelling.</p> <p>b. The total of private open space at ground level must be a minimum of 20% of the site area, regardless of permeability of the surface. This space must:</p> <ul style="list-style-type: none"> - Be capable of containing a rectangle 5 metres x 6 metres per dwelling that has a slope less than 1:10; - not be comprised of any area with a dimension less than 4 metres; and - be exclusive of clothes drying areas, driveways, car parking and other utility areas. <p>c. Private open space shall not be located in the front boundary setback.</p> <p>d. Any above ground level balcony or rooftop area designed for private open space must have a minimum area of 10 square metres with a minimum dimension of 2 metres, as shown in Figure D1.8. This area is not included in the calculation for the provision of total private open space.</p>	<p>The existing private open space is located behind the building line and is a minimum of 20% of the total site area. The private open space achieves a minimum dimension of 5m x 6m.</p>
<p>1.9 Vehicle Access and Car Parking</p> <p>a. Driveways next to any side or rear boundary must have a landscape strip of at least 1 metre to separate them. See Figure D1.10.</p> <p>b. Shared driveways, access lanes and car parks must be setback a minimum of 1.5 metres from windows to main habitable rooms of dwellings. This standard does not apply if the floor level of the dwelling is at least 1 metre above the driveway.</p> <p>c. All driveways must have a minimum width of 3 metres and must be sealed to prevent surface erosion.</p> <p>d. For development that contains more than 2 units driveways are to have a minimum driveway width of</p>	<p>The proposed alterations and additions do not include changes to the existing vehicle access and car parking arrangement.</p> <p>The proposal includes the extension of the existing carport by 1.565m with new brickwork and a metal roller door. The proposed alterations are not considered to visually dominate the streetscape and occupy significantly less than 50% of the existing building facade. This arrangement is considered to be compatible with the existing dwelling and the character of the local area.</p> <p>Car parking is discussed in Chapter 5 under HDCP 2023 (above).</p>



6m from the layback/kerb line to 6m inside the property

- e. Garages and carports must not visually dominate the street facade, should occupy less than 50% of the building facade and must be compatible with the building design.
- f. Uncovered car parking spaces and turning areas can be located within the front setback to the required building line provided that this area is dominated by landscaping and/or addresses established streetscape patterns.
- g. Where parking spaces are located as 90° to the driveway alignment the minimum driveway width adjacent to the space is to be 6.7m, increased as necessary to allow adequate manoeuvring on site.
- h. On site manoeuvring areas shall be provided to allow entry and exit to the site in a forward direction (except for a single dwelling).
- i. On site manoeuvring areas shall be provided to allow entry and exit to and from all car spaces including garage, carports, uncovered spaces and visitor spaces by a single turning movement (except for a single dwelling).
- j. Attached dual occupancies will be assessed on merits in relation to onsite manoeuvring.
- k. Where more than 3 units are served by an access or the access is greater than 30m long, a turning area shall be provided at or near the end of the access.
- l. On site manoeuvring shall be based on the Ausroads Standard 5.0m design vehicle. Templates for this standard are provided in the appendices. When using the templates a minimum of 150mm shall be provided between any fixed object and the extremities of the swept paths.
- m. All on site car spaces shall comply with the minimum dimensions set out in Part C Chapter 2 (Car Parking and Access). Where a space adjoins a wall, fence or other fixed structures, the width shall be increased as follows to allow adequate door opening:
 - On one side only to 3.2m
 - On both sides to 3.8m.
- n. Refer to the following chapters for additional requirements:
 - Part C Chapter 2 - Carparking and Access
 - Part C Chapter 6 - Energy Efficiency
 - Part D Chapter 3 - Subdivision.



<p>1.11 Visual Privacy</p> <p>a. Where there is potential for loss of privacy the proposal should incorporate some of the techniques illustrated in Figure D1.13, Figure D1.15, Figure D1.16, Figure D1.17, Figure D1.18 or similar.</p> <p>b. Where there is no alternative to a window, it should be screened as shown in the hatched area in Figure D1.16.</p>	<p>The proposed alterations and additions are not considered to create any adverse visual and acoustic privacy impacts to adjoining neighbours.</p> <p>The proposal includes the addition of one (1) window servicing the proposed walk-in-robe along the south-western boundary. All other proposed doors and windows are orientated towards the existing private open space of the subject site. This arrangement is unlikely to create overlooking impacts to the adjoining neighbour and their private open space.</p>
<p>1.12 Acoustic Privacy</p> <p>a. Acoustic privacy is to be considered at the design stage and techniques such as those shown in Figure D1.17 or similar are to be used.</p> <p>b. Site layouts should ensure parking areas, streets and shared driveways have a line of sight separation of at least 3 metres from bedroom windows as indicated in Figure D1.18.</p> <p>c. A distance of at least 3 metres should separate openings of adjacent dwellings.</p>	<p>Potential acoustic impacts are mitigated through the design of the proposed dwelling additions, which limit openings along the boundary, the use of existing boundary fencing and the separation of openings and adjacent dwellings by at least 3m.</p>
<p>1.13 External Noise and Vibration</p> <p>a. A noise and vibration assessment must be undertaken by a suitably qualified noise consultant for any proposed residential development other than a single dwelling house located within 100 metres of the railway line or within Australian Noise Exposure Forecast (ANEF) 25 or greater.</p> <p>b. Proposals must comply with the current Environment Protection Authority criteria and the current relevant Australian Standards for noise and vibration and quality assurance and incorporate appropriate mitigation measures.</p>	<p>Correspondence was received from TfNSW denoting that the portion of Castlereagh road adjacent to the subject site is does not have 20,000 vehicle movements per day. Further, the proposed extensions are situated more than 23 metres away from the road frontage. In this respect, Council is satisfied that the proposed development will not be adversely affected by road noise.</p>
<p>1.14 Safety and Security</p> <p>a. Each dwelling is to be provided with direct and convenient pedestrian access to a private or public road.</p> <p>b. Barriers to prevent movement between internal roof spaces of adjoining dwellings are required.</p> <p>c. Elements to be incorporated in site and building design, such as those shown in Figure D1.21 include:</p> <ul style="list-style-type: none">- doorway/entry safety and surveillance to and from the footpath;- illumination of public spaces including all pedestrian paths, shared areas, parking areas and building entries to the relevant Australian Standard;- visibility to the street from the front of the development;	<p>No proposed changes to the sites existing safety and security measures. The existing dwelling will maintain direct and convenient pedestrian access from the public road to the site, surveillance to the street from the existing living room and bedrooms, visibility of the street from the front of the development and restricted access to the rear of the site.</p>



<ul style="list-style-type: none">- restricted access to the rear of the site.	
1.15 Utility and Site Services Where reticulated water is not available, a minimum storage of 100000 litres must be provided. A minimum of 10,000 litres must be available at all times for fire fighting.	Reticulated water is available to the site. No proposed changes.
1.17 Recycling, Garbage and Mail Collection Area Collection areas must be integrated into the overall site and building design, such as the example shown in Figure D1.22.	No proposed changes to existing recycling, garbage and mail collection areas.
1.18 Effluent Disposal Connection to reticulated sewerage is required for all forms of residential development, apart from single dwellings and rural dual occupancies.	Reticulated sewer is available to the site. No proposed changes.
1.18 Fencing and Retaining Walls a. Front fences where not screening private open space walls are to be a maximum height of 1.2m if solid. b. Solid front fences may be 1.8m high and articulated if: <ul style="list-style-type: none">- the site is located on a main or arterial road;- the site is not located within an established heritage character;- the length is limited to 75% of the frontage where private open space fronts the street and some surveillance is maintained from the front dwelling; and- fences do not exceed 10m in length without some articulation or detailing to provide visual interest. c. The integration of trees and natural ground vegetation with the fence line is desirable. d. The setback of the fence will be used for landscaping. e. Solid fences are to be 1 metre from the front boundary where not part of private open space. f. Retaining walls shall: <ul style="list-style-type: none">- not be taller than 500mm;- not cut through roots of any tree to be retained.	No proposed changes to existing arrangement.

Hawkesbury City Council Flood Policy 2020

The application has been assessed against Councils Flood Policy with consideration of the approximate flood extents of the Hawkesbury River. The 1:100 flood level is identified as being at 17.3m AHD. The provided Survey Plan shows the RL's on the site to be between 20-21 AHD. As a result, the site is located above the flood planning layer and no relevant flood planning controls are warranted for the site.

10. Development Contributions

Pursuant to Council's adopted 7.11 Contributions Plan, the proposed works do not trigger development contributions.



11. EP&A Regulations 2021

Applicable regulation considerations for compliance with the Building Code of Australia, PCA appointment and notice of commencement of works, sign on work sites, critical stage inspections and records of inspection will be covered under the recommended conditions of consent.

13. The likely impacts of the development

The proposed development seeks alterations and additions to the existing dwelling which are considered to be minor in nature. The proposal does not include excessive earthworks in order to accommodate for the proposed alterations and additions, with conditions of consent to include appropriate measures to ensure that site stability is maintained during construction.

The proposed works are typical within the streetscape and will not appear visually excessive when viewed from William Cox Drive or Castlereagh Road. The proposal retains the overall design and built form of the existing dwelling house, utilising colours, materials and finishes that reflect the existing dwelling and are compatible with the locality. The proposal retains landscaping and fencing and is not considered to significantly impact upon any significant views along William Cox Drive or the nearby heritage items. The proposed alterations and additions have been designed to ensure the built form and materials complement the character of the area.

The existing dwelling is single storey, with the proposed alterations and additions not creating adverse solar impacts to the subject site or adjoining properties. Additionally, the proposal has been designed to minimise impacts on the aural and visual privacy of adjoining sites.

The proposed development will utilise existing infrastructure including electricity, sewer, water and telecommunication services. Stormwater to be collected through the proposed down pipes and discharged to the rain water tank and Council stormwater system.

The proposal is not considered to result in adverse economic and social impacts. In this regard, the proposed development can be supported subject to the imposition of appropriate conditions.

14. Suitability of the Site

The site is located in an R2 – Low Density Residential zone with the proposal being a permissible form of development with consent. The proposed development will facilitate the ongoing use of the existing residential dwelling whilst maintaining the amenity of surrounding properties. The proposal will not alter the sites compliance with landscaping and private open space. No changes are proposed to the existing parking and access arrangements.

The site is not within an area recognised as being subject to landslip, flooding or bushfire, or any other particular hazards. The proposal will not increase the likelihood of such hazards occurring and is considered appropriate in this instance.

The site is suitable for the proposed development.

15. Public Consultation

In accordance with Council's Community Participation Plan 2019, the Development Application was not required to be notified to adjoining properties. Therefore, no submissions have been received.

16. Public Interest

The proposed development has been considered to relate to the size, shape and context of the site and has been designed in accordance with the existing character of development in the area.

The proposal has been designed to minimise, as far as practicable, any adverse effects on neighbouring properties, with the development complying with the principal controls and/or objectives of the LEP and the DCP. Any non-compliances have been adequately justified. The proposal is not considered to result in adverse amenity impacts to the residents and public. Accordingly, the proposed development is considered to be in the public interest.



17. Conclusion

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

Having regard to the assessment of the proposal from a merit perspective, the development is considered to be appropriate for the site and in the public interest. It is considered that the proposal sufficiently minimises potential adverse impacts on the amenity of neighbouring properties. Hence the development is consistent with the aims of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land. The proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters for consideration under section 4.15 of the Environmental Planning and Assessment Act 1979 and is recommended for approval subject to conditions of consent.

19. Recommendation

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, that Council grant development consent to DA0302/23 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent.

The reasons for the conditions imposed on this application are as follows:

1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant Council Planning instrument.
2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.
3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds.
4. To ensure the relevant matters for consideration under Section 4.15 of Environmental Planning and Assessment Act 1979 are maintained.

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