Development & Environmental Services Committee Agenda

9 July 2019
To All Councillors

You are hereby notified that the next meeting of the Development & Environmental Services Committee will be held on 9 July 2019 in the Barry Rose Room at 10.00am, for the purpose of transacting the undermentioned business.

This meeting will be audio recorded and those in attendance should refrain from making any defamatory statements.

There are to be no other recordings of this meeting without the prior authorisation of the committee.

The Development & Environmental Services Committee consists of

    Cr Kiwa Fisher, Cr Lee Watts, Cr Sue Abbott and Cr Ron Campbell.

STEVE MCDONALD
GENERAL MANAGER

1. APOLOGIES
2. DECLARATIONS OF INTEREST
3. PUBLIC PARTICIPATION
4. SITE INSPECTIONS
5. BUSINESS ITEMS

DEVELOPMENT & ENVIRONMENTAL SERVICES COMMITTEE REPORTS ......................... 1
DESC.07.1 DEVELOPMENT APPLICATION NO. 57/2019 - CARPORT - 13 SOMERSET PLACE, SCON.... 1

6. COUNCILLOR QUESTIONS
Development & Environmental Services Committee Reports

DESC.07.1  DEVELOPMENT APPLICATION NO. 57/2019 - CARPORT - 13 SOMERSET PLACE, SCONE

RESPONSIBLE OFFICER: Mathew Pringle - Director Environmental & Community Services
AUTHOR: Lachlan Melichar – Health, Building & Compliance Coordinator.

PURPOSE

On 14 May 2019, Council received Development Application No 57/2019 for a carport at Lot 9, DP 1207713, 13 Somerset Place, Scone.

The application is being reported to the Development and Environmental Services Committee, as the proposal does not comply with Part 4b.2 of the Upper Hunter Development Control Plan 2015.

RECOMMENDATION

That Council approve Development Application No. 57/2019 for the construction of a carport located at Lot 9, DP 1207713, 13 Somerset Place, Scone, subject to the conditions of consent set out in Attachment 1.

BACKGROUND

Application No: DA 57/2019
Applicant: Mrs C and Mr R Gray
Owner: Mrs C and Mr R Gray
Cl: Buildplan Consultants
8A/26 Balook Drive
BERESFIELD NSW 2322
Proposal: Carport
Location: Lot 9, DP 1207713, 13 Somerset Place, Scone
Lodged: 14 May 2019
Zone: R5 – Large Lot Residential

The subject lot was registered on 11 May 2015 pursuant to development consent DA 225/2009, with a dwelling house subsequently constructed pursuant to Complying Development Certificate CDC 26/2017.

REPORT/PROPOSAL

On 14 May 2019, Council received Development Application No 57/2019 for the erection of a steel skillion carport to the front façade of an existing dwelling, and partially forward of the building line set by the dwelling, at Lot 9, DP 1207713, 13 Somerset Place, Scone.
The development application is being reported to Council as the proposal does not comply with Outcome B of Part 4b.2 of the Upper Hunter Development Control Plan 2015, which requires structures ancillary to a dwelling to be built wholly behind the established building line.

Whilst this outcome does provide scope to permit a carport, or part thereof, to be constructed forward of the building line in certain circumstances, the subject lot does not benefit from any of the circumstances that would otherwise permit such a structure.

The circumstances prescribed are summarised as follows:
- There is an existing pattern of similarly located carports in the street;
- The topography of the land is such that the carport can form part of an existing slope or retaining wall;
- The topography of the land is such that the existing dwelling is located significantly below the street level;
- The dwelling is on a corner lot and the carport fronts the secondary street;
- The existing dwelling is setback significantly further than other dwellings in the street; or,
- The allotment is irregular in shape.

The existing dwelling has established the building line at 10m from the front boundary to its closet point, with articulation of the front façade setting the garage back 2.83m behind this point.

The building line is set at an oblique angle with respect to the front boundary and as such, setbacks tend to increase northwards along the frontage.

The carport will measure 6.7m wide and project 6m from the fascia at the garage, totalling 40.23m² in area, protruding forward of the building line by 3.62m, and will result in a finished setback of 6.38m from the front boundary at the closest proximity.

Where one of the aforementioned circumstances have been met, this outcome permits a carport or part thereof, up to 36m² to be constructed forward of the building line, to a setback of 1m from the front boundary and built to the side boundary.

This does not discriminate between lots based on lot size and, subject to meeting the merits set out in the preceding Outcome A of that part, a 2000m² lot is subject to the same concessions as a 300m² lot, provided that such a lot is within the R1, R5 or RU5 land use zones.

In drawing numerical comparisons with these provisions, in the instance that the proposal had met a prescribed circumstance, it is noted that the proposal exceeds these expectations as follows:

a) The part of the carport forward of the building line will total 21.72m², which consequently is 14.28m² less than the maximum allowable;

b) A setback of 6.38m from the front boundary, which significantly exceeds the 1m allowable otherwise permitted;

c) A side setback of 5.64m as opposed to building to the side boundary.
Whilst the subject carport does exceed the maximum permitted width of 6m by 700mm, this is for the purposes of finishing flush with the width of the garage to the edge of the portico, and would otherwise be unnoticed by eye.

As set out in the planning assessment report, the proposal is demonstrated as being appropriate in respect of the site and locality, will not dominate the streetscape, and complies otherwise with the DCP.

In consideration of the above points, a variation to Outcome B so as to allow the carport to be constructed forward of the established building line is appropriate in this instance.

OPTIONS

1. Approve Development Application No. 57/2019 for the construction of a carport at Lot 9, DP 1207713, 13 Somerset Place, Scone, subject to the conditions of consent in Attachment 1;

2. Refuse Development Application No. 57/2019 for the construction of a carport at Lot 9, DP 1207713, 13 Somerset Place, Scone, and state the reasons for refusal;

3. Defer Development Application No. 57/2019 for the construction of a carport at Lot 9, DP 1207713, 13 Somerset Place, Scone, pending the receipt of further information.

CONSULTATION

Ancillary development is not required to be notified under Part 2 of the Upper Hunter Development Control Plan.

Notwithstanding, the proposal was notified between 29 May 2019 and 12 June 2019 for the purposes of applying proper consideration with respect to the public interest.

No submissions were received in relation to the application, suggesting that the community does not hold concerns with respect to such a development being carried out.

STRATEGIC LINKS

a. Community Strategic Plan 2027

This report links to the Community Strategic Plan 2027 as follows:

Built and Natural Environment

Goal 4 - Plan for a sustainable future

- Implement and regularly review Strategic Land Use Plans, Environmental Planning Instruments and Development Controls, which reflect the needs and expectations of the broad Community.
- Provide efficient and effective advisory, assessment and regulatory services focused on being Customer ‘friendly’, responsive and environmentally responsible.
Plan, facilitate and provide for a changing population for current and future generations.

We are working to achieve the following Community Priorities:

The recommendation to Council has been made with the above goals and priorities in mind.

b. Delivery Program

Assessment of the application is in accordance with the Town Planning Community Strategies:

CS13 - Implement and regularly review Strategic Land Use Plans, Environmental Planning Instruments and Development Controls, which reflect the needs and expectations of the broad Community, and

CS14 – Provide efficient and effective advisory, assessment and regulatory services focused on being Customer ‘friendly’, responsive and environmentally responsible.

c. Other Plans

NIL

IMPLICATIONS

a. Policy and Procedural Implications

NIL

b. Financial Implications

Development application fees totaling $344.00 have been paid by the applicant.

c. Legislative Implications

An assessment of the development application has been undertaken pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 (see attached report). The proposed development is permissible with consent within the R5 – Large Lot Residential land use zone.

d. Risk Implications

Council determinations of development applications in relation to local development can be appealed by a third party in the Land and Environment Court in circumstances where incorrect legal process has been applied.

Furthermore, the applicant has the right under Part 8 of the Environmental Planning and Assessment Act 1979 to appeal the decision of a consent authority to the Court.
In the case of this development application the relevant considerations under the *Environmental Planning and Assessment Act 1979* have been made.

e. Other Implications

The construction of the proposed carport can act to set a precedent for other dwellings in the locality to pursue similar development, particularly via the circumstance prescribed in the previously discussed Outcome B, being as follows - “there is an existing pattern of similarly located carports or garages in the street”.

By establishing such a circumstance, any development applications elsewhere in Somerset Place will be deemed to comply with the DCP, where such does not exceed 36m² in area or 6m in width.

**CONCLUSION**

The application has been assessed as satisfactory against Section 4.15 of the *Environmental Planning and Assessment Act 1979, Upper Hunter Local Environmental Plan 2013* and the Upper Hunter Development Control Plan 2015.

The proposal is unlikely to adversely impact the surrounding locality, and is considered to be an appropriate form of development for the site and within the land use zone.

Accordingly, it is recommended that the application be approved, subject to the imposition of appropriate conditions of consent, and for the following reasons:

- The proposal complies with the Upper Hunter Local Environmental Plan 2013;
- The proposal is generally consistent with the outcomes of the Upper Hunter Development Control Plan 2015;
- The proposal has been assessed as satisfactory against Section 4.15 of the *Environmental Planning & Assessment Act 1979*;
- Will not have an adverse impact on the surrounding locality;
- Community consultation did not result in the receipt of submissions against the proposal.

**ATTACHMENTS**

1. Attachment 1 - Recommended Conditions of Consent
2. Attachment 2 - Planning Assessment Report
3. Attachment 3 - Plans
Identification of approved plans:

1. The development being carried out in accordance with the development application, the drawings referenced below and Statement of Environmental Effects dated 13 May 2019 except where amended by the conditions of consent.

<table>
<thead>
<tr>
<th>JOB REFERENCE NO</th>
<th>DRAWN BY</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>20305 – Site plan and Elevations</td>
<td>HV Aluminium</td>
<td>29/4/2019</td>
</tr>
</tbody>
</table>

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

Operational conditions imposed under the environmental planning and assessment act and regulations and other relevant legislation:

3. All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by legislation)

4. Home Building Act Requirements

   (1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

   (a) in the case of work to be done by a licensee under that Act:
       i. has been informed in writing of the licensee’s name and contractor licence number, and
       ii. is satisfied that the licensee has complied with the requirements of the Home Building Act, or

   (b) in the case of work to be done by any other person:
       i. has been informed in writing of the person’s name and owner-builder permit number, or
       ii. has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was Gazetted, that amount was $10,000. As those regulations are amended from time to time, that amount may vary.
(2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Note: Insurance thresholds are set out in Clause 53 of the Home Building Regulation 2014, stating that for the purposes of sections 92 (3) and 96 (3) (e) of the Act, the amount of $20,000 (inclusive of GST) is prescribed.

(3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

(Reason: Prescribed by legislation)

### Conditions that must be addressed prior to commencement:

5. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

   (a) stating that unauthorised entry to the work site is prohibited;
   
   (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
   
   (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while to building work or demolition work is being carried out, but must be removed when the work has been completed.

The installation is to be approved by the Principal Certifying Authority prior to further commencement of site works.

(Reason: Statutory requirement)

6. No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.

(Reason: Prescribed – Statutory)

### Conditions that must be complied with during demolition and building work:

7. Any person acting on this consent shall ensure that:

   (a) building construction activities are only carried out during the following hours:
       i. between Monday to Friday (inclusive)—7.00am to 5.00pm,
       ii. on a Saturday—8.00am to 5.00pm;

   (b) building construction activities must not be carried out on a Sunday or a public holiday;

   (c) demolition and excavation works must only be carried out between Monday to Friday
(inclusive) between 8.00am and 5.00pm;

unless prior written approval has been obtained from Council.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

8. Building materials and equipment must be stored wholly within the work site, unless prior written approval has been obtained from Council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

(Reason: To ensure public safety and amenity on public land)

9. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred to the public)

10. The applicant shall bear the cost of all restoration works to Council’s property damaged during the course of this development.

(Reason: To ensure the protection of existing public infrastructure)

**Conditions which must be complied with prior to the issue of any occupation certificate:**

11. The building is not to be used or occupied until a final inspection has been carried out and an Occupation Certificate has been obtained from the Principal Certifying Authority.

(Reason: Prescribed - Statutory.)

**Conditions that must be complied with at all times:**

12. At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks, shall be collected and disposed of by way of properly constructed stormwater lines to the existing stormwater drainage on site;

(Reason: To ensure the suitable disposal of stormwater generated by the development)
ADDRESS: LOT: 9 DP: 1207713  
13 Somerset Place Scone

APPLICATION No: DA 57-2019

PROPOSAL: Carport

PLANS REF: DRAWINGS NO. DRAWN BY DATE RECEIVED

<table>
<thead>
<tr>
<th>PLANNING RELATED DRAWINGS / INFO</th>
</tr>
</thead>
<tbody>
<tr>
<td>JN20305</td>
</tr>
</tbody>
</table>

OWNER: Mr R F Gray & Mrs C Gray

APPLICANT: Mrs C Gray & Mr R F Gray  
Cl- Buildplan Consultants  
8A/26 Balook Drive  
BERESFIELD NSW 2322

AUTHOR: Mr L Melichar

DATE LODGED: 14 May 2019

AMENDED: -

ADD. INFO REC'D: -

DATE OF REPORT: 20 June 2019

SUMMARY OF FACTS

ISSUES: The proposal does not comply with Outcome B of Part 4b.2 of the DCP

SUBMISSIONS: Nil

RECOMMENDATION: Approval
DESCRIPTION OF PROPOSAL

The proponent seeks the consent of Council to construct a 6m x 6.705m carport to the front of an existing dwelling located on a 2000m², R5 – Large Lot Residential property at 13 Somerset Place, Scone.

The carport will attach directly to the fascia of the existing garage, comprise metal skillion style construction 40.23m² in area and will have a finished height at the dwelling of 2.175m. Whilst the land does slope away from the dwelling, a minimum 120mm fall across the span of the carport is also indicated on the plans, resulting in approximately 2.3m at its frontage to Somerset Place.

The existing dwelling has established the building line at 10m from the front boundary to a portico, with articulation of the front façade setting the garage back further to 12.83m measured at the wall. The oblique offset of the boundary with respect to the front façade results in greater setbacks north of these points.

Consequently, the proposal will protrude forward of the building line by 3.62m and achieve a 6.38m (6m on the plan) setback to the front boundary at the nearest point. The established side setback of 5.64m will not be altered.
The carport is proposed to be finished in jasper white and paperbark colours so as to supplement the colour scheme established by the existing dwelling.

RELEVANT HISTORY

Registration of the subject lot occurred on 11 May 2015 pursuant to development consent 225/2009.

Subsequently, the existing dwelling was constructed pursuant to Complying Development Certificate numbered 26/2017.

REFERRALS

Referral to any external or internal parties was not deemed to be necessary with regard to the proposal.

SUBMISSIONS

Surrounding properties were notified of the development proposal between 29 May 2019 and 12 June 2019. An advertisement was placed in the Scone Advocate on 29 May 2019.

No submissions were received by Council.

CONSIDERATION

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, are assessed under the following headings:

ENVIRONMENTAL PLANNING INSTRUMENTS

<table>
<thead>
<tr>
<th>UPPER HUNTER LOCAL ENVIRONMENTAL PLAN 2013</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use Table</strong></td>
<td></td>
</tr>
<tr>
<td>Zoning classification</td>
<td>R5 – Large Lot Residential</td>
</tr>
<tr>
<td>Zoning objectives</td>
<td>The proposal is considered to be consistent with the objectives of the zone, with regard to:</td>
</tr>
<tr>
<td></td>
<td>- The proposal will not impact on any rural setting, scenic quality or other environmentally sensitive location;</td>
</tr>
<tr>
<td></td>
<td>- Will not hinder the proper and orderly development of urban areas in the future;</td>
</tr>
<tr>
<td></td>
<td>- Will not unreasonably increase the demand for public services or facilities; and</td>
</tr>
<tr>
<td></td>
<td>- Will not result in any land use conflict with respect to the subject or adjoining land use zones.</td>
</tr>
<tr>
<td>Zoning permissibility</td>
<td>The proposal is permissible as development ancillary to a dwelling house in the R5 – Large Lot Residential zone.</td>
</tr>
<tr>
<td>Part 4 – Principal Development Standards</td>
<td>No controls have been set for the subject lot under Part 4.</td>
</tr>
<tr>
<td>Part 5 – Miscellaneous provisions</td>
<td>No controls have been set for the subject lot under Part 5.</td>
</tr>
</tbody>
</table>
The carport is proposed over an existing slab and, notwithstanding 4 pad footings under posts, earthworks have not been proposed.

Whilst the carport is proposed to be constructed underneath the Obstacle Limitation Surface at 265mAHD, the proposal will not exceed the established eave height of the existing dwelling.

Existing to the dwelling.

The property has a history of residential land use and is not considered likely to have become contaminated.

There are no draft EPI's applying to the land.

There are no provisions in the regulations relevant to the proposal.

The proposal is meets the outcomes to be achieved as set out in the Upper Hunter Development Control Plan 2015, with respect to Parts 10, 11 and 12.

However, the proposal does not comply with Outcome B of Part 4b.2, which requires all ancillary residential structures to be constructed behind the building line.

Furthermore, the subject property does not meet any of the circumstances prescribed within this outcome, that permit the construction of carports forward of the established building line, which are listed as follows:

- There is an existing pattern of similarly located carports in the street;
- The topography of the land is such that the carport can form part of an existing slope or retaining wall;
- The topography of the land is such that the existing dwelling is located significantly below the street level;
- The dwelling is on a corner lot and the carport fronts the secondary street;
- The existing dwelling is setback significantly further than other dwellings in the street; or,
- The allotment is irregular in shape.

In the instance that one of the above circumstances is met, this outcome permits a carport or part thereof, up to 36m² to be constructed forward of the building line and may be built to 1m from the front boundary and built to the side boundary.

This acts to set a size limitation on the carport so to attempt to kerb the extent of the resultant impacts with respect to the close proximity of such a structure to the property boundaries, in conjunction with the variation of the established building line.

Whilst the proposal does not meet the prescribed circumstances, it is noted that all other numerical aspects of this outcome are exceeded with respect to:

a) The part of the carport forward of the building line will total 21.72m², which consequently is 14.28m² less than the maximum allowable;

b) A setback of 6.38m from the front boundary, which significantly exceeds the 1m allowable otherwise permitted;

c) A side setback of 5.64m opposed to building to the side boundary;

d) Whilst the subject carport does exceed the maximum permitted width of 6m by 700mm, this is for the purposes of finishing flush with the width of the garage to the edge of the portico, and would otherwise be unnoticed by eye.
Furthermore, Outcome B does not discriminate between lots based on lot size and, subject to meeting the merits set out in the preceding Outcome A, a 2000m\(^2\) lot is subject to the same concessions as a 300m\(^2\) lot, provided that such a lot is within the R1, R5 or RU5 land use zones.

It is with respect to the extent by which the proposal exceeds such expectations, combined with the size of the lot, the significant setbacks enjoyed by the existing dwelling, the sufficient setback to be achieved by such a structure forward of the building line, and the consideration of the articulation of the façade incorporating a significant degree of the area of the carport behind the building line, that the proposal is a justified variation of this outcome.

---

**ENVIRONMENTAL IMPACTS**

<table>
<thead>
<tr>
<th>Satisfactory</th>
<th>Comment (only if necessary)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Context &amp; Setting</td>
<td>YES</td>
</tr>
<tr>
<td>Built Form</td>
<td>YES</td>
</tr>
<tr>
<td>Potential Impact on Adjacent Properties</td>
<td>YES</td>
</tr>
<tr>
<td>Access, Transport and Traffic</td>
<td>YES</td>
</tr>
<tr>
<td>Stormwater</td>
<td>YES</td>
</tr>
<tr>
<td>Soils</td>
<td>YES</td>
</tr>
<tr>
<td>Flora and Fauna</td>
<td>YES</td>
</tr>
<tr>
<td>Noise and Vibration</td>
<td>YES</td>
</tr>
<tr>
<td>Natural Hazards</td>
<td>YES</td>
</tr>
<tr>
<td>Social Impact on Locality</td>
<td>YES</td>
</tr>
</tbody>
</table>
| Economic Impact on Locality | YES  | The proposal has the propensity to increase the
SUMMARY OF LIKELY IMPACTS OF THE DEVELOPMENT

All likely impacts of the proposed development have been considered within the context of this report.

ENVIRONMENTAL APPRAISAL

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Statutory controls</td>
<td>YES</td>
</tr>
<tr>
<td>2</td>
<td>Policy controls</td>
<td>YES</td>
</tr>
<tr>
<td>3</td>
<td>Design in relation to existing building and natural environment</td>
<td>YES</td>
</tr>
<tr>
<td>4</td>
<td>Landscaping/open space provision</td>
<td>YES</td>
</tr>
<tr>
<td>5</td>
<td>Traffic generation and car parking provision</td>
<td>YES</td>
</tr>
<tr>
<td>6</td>
<td>Loading and servicing facilities</td>
<td>N/A</td>
</tr>
<tr>
<td>7</td>
<td>Physical relationship to and impact upon adjoin development (views, privacy, overshadowing, etc.)</td>
<td>YES</td>
</tr>
<tr>
<td>8</td>
<td>Site Management issues</td>
<td>YES</td>
</tr>
<tr>
<td>9</td>
<td>All relevant S4.15 considerations of Environmental Planning and Assessment Act 1979</td>
<td>YES</td>
</tr>
<tr>
<td>10</td>
<td>Section 89 of the Local Government Act 1993</td>
<td>YES</td>
</tr>
</tbody>
</table>

CONSISTENCY WITH THE AIMS OF PLAN

It is considered that the development is consistent with the specific aims of the plan and the objectives of the zone and development controls.

As such, consent to the development may be granted.
CONCLUSION

The application has been assessed as satisfactory against Section 79C of the Environmental Planning and Assessment Act 1979, Upper Hunter Local Environmental Plan 2013 and the Upper Hunter Shire Development Control Plan 2008.

The proposal is in keeping with the site context, is an appropriate form of development for the site and is unlikely to result in any significant adverse impacts.

Accordingly, it is recommended that the application be approved subject to appropriate conditions of consent.

RECOMMENDATION

PURSUANT TO SECTION 4.16/4.17 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT Council, as the consent authority, grant consent to Development Application No. 57/2019 subject to the conditions set out in the Notice of Determination.

REASONS FOR RECOMMENDATION

- The proposal complies with the Upper Hunter Local Environmental Plan 2013
- The proposal is generally consistent with the outcomes of the Upper Hunter Development Control Plan 2015
- The proposal has been assessed as satisfactory against Section 4.15 of the Environmental Planning & Assessment Act 1979
- Will not have an adverse impact on the surrounding locality
- Community consultation did not result in the receipt of submissions against the proposal

LACHLAN MELICHAR
HEALTH BUILDING & COMPLIANCE COORDINATOR