

INVERELL SHIRE COUNCIL

NOTICE OF CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING

4 June, 2015

A Civil & Environmental Services Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 10 June, 2015, commencing at 8.30 am.

Your attendance at this Civil & Environmental Services Committee Meeting would be appreciated.

P J HENRY PSM

GENERAL MANAGER






A G E N D A

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Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan
- Inverell Shire Council Delivery Plan
- Inverell Shire Council Management Plan.

Destinations	Icon	Code
<p>1. A recognised leader in a broader context.</p> <p>Giving priority to the recognition of the Shire as a vital component of the New England North West Region through Regional Leadership.</p>		R
<p>2. A community that is healthy, educated and sustained.</p> <p>Giving priority to the Shire as a sustainable and equitable place that promotes health, well being, life long learning and lifestyle diversity.</p>		C
<p>3. An environment that is protected and sustained.</p> <p>Giving priority to sustainable agriculture, the protection and conservation of rivers, waterways bio diversity and the built environment.</p>		E
<p>4. A strong local economy.</p> <p>Giving priority to economic and employment growth and the attraction of visitors.</p>		B
<p>5. The Communities are served by sustainable services and infrastructure.</p> <p>Giving priority to the provision of community focused services and the maintenance, enhancement and upgrade of infrastructure.</p>		S

CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING

Wednesday, 10 June, 2015

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MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 13 MAY, 2015, COMMENCING AT 8.30 AM.

PRESENT: Cr H N Castledine (Chairperson), B C Johnston, P J Harmon and D C Jones, J A Watts, D F Baker and P J Girle.

Also in attendance: Paul Henry (General Manager), Brett McInnes (Director Civil and Environmental Services), Ken Beddie (Director Corporate and Economic Services), Stephen Golding (Executive Manager Corporate and Community Services), Anthony Alliston (Manager Development Services) and Justin Pay (Manager Civil Engineering).

In accordance with Council's Meeting Code, all Councillors present at today's meeting are 'voting delegates'.

APOLOGIES:

An apology was received from Cr Michael for business reasons.

RESOLVED (Harmon/Johnston) that the apology from Cr Michael for business reasons be noted.

SECTION A

1. CONFIRMATION OF MINUTES

RESOLVED (Harmon/Jones) that the Minutes of the Civil and Environmental Services Committee Meeting held on 8 April, 2015, as circulated to members, be confirmed as a true and correct record of that meeting.

2. DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

There were no interests declared.

3. PUBLIC FORUM S13.5.6

There were no members of the public present to speak.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

SECTION B
ADVOCACY REPORTS

DCES-A Cr Watts Delungra District Development Council (DDDC) Meeting S13.15.13

Cr Watts informed the Committee of matters raised at the recent meeting of the Delungra District Development Council (DDDC) such as speed limits, water and sewer problems and slashing.

Cr Watts advised that Jim Townsend has stepped down as president of the DDDC due to personal reasons. It was requested that a letter of appreciation be sent to Jim for his service and commitment to the DDDC.

RESOLVED (Johnston/Jones) that the Committee recommend to Council that Council support the nomination of Mr Jim Townsend for an award.

Cr Castledine Inverell Shire Council On-site Inspections S28.16.4

Cr Castledine advised the Committee of recent on-site inspections of the following work sites:

- Swanbrook Road Medical Centre,
- Nullumanna Road – drainage works, and
- Cameron Park redevelopment.

Cr Baker Library Zone Meeting

Cr Baker informed the Committee of the recent Library Zone Meeting where the NSW State Library newly appointed Executive Director, Public Libraries and Engagement, Lucy Milne attended. Funding was also discussed at this meeting.

Cr Harmon Prime TV 50th Birthday Celebrations

Cr Harmon informed the Committee of his attendance at the Prime TV 50th Birthday Celebrations. Mayors from the surrounding Local Government Areas were present to represent Local Government.

SECTION D DESTINATION REPORTS

1. DA-161/2014 – ONE (1) INTO TWO (2) LOT SUBDIVISION - 8075 GWYDIR HIGHWAY, LITTLE PLAIN - INVERELL POLOCROSSE – REQUEST FOR COUNCIL TO ACCEPT RESPONSIBILITY FOR POLOCROSSE ACCESS ROAD OFF EDDY PARK LANE DA-161/2014

DP-A *RESOLVED (Jones/Harmon) that the Committee recommend to Council that:*

- i) *Council not accept responsibility for the Polocrosse Facility access road off Eddy Park Lane;*
- ii) *Council enter into discussions with the Inverell Polocrosse Club for the closure and purchase of the access road by the club; and*
- iii) *DA-161/2014 be determined subject to:*
 - a) *the requirement that the Inverell Polocrosse is responsible for the maintenance of the 700 metre access Road to an “all-weather all-vehicle” standard; and*
 - b) *any other condition deemed appropriate by the Director Civil and Environmental Services.*

2. DA-59/2015 – “CHILD CARE CENTRE” - EXTENSION OF HOURS OF OPERATION - 6C BREWERY STREET, INVERELL DA-59/2015

DP-A *RESOLVED (Harmon/Jones) that the Committee recommend to Council that Development Application 59/2015 be approved subject to the following conditions of consent:*

Preliminary

- 1. Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for:

- The use of the existing KCL facility as a child care centre, incorporating:
 - Long Day Care;
 - After School Care;
 - Playgroup; and
 - Vacation Care.
- The construction of a bus turning bay.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

2. The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000 (as detailed at the end of this consent).
3. The long day care, after school care and vacation care uses must not commence operation until an Occupation Certificate has been issued.

Prior to Construction of the Bus Turning Bay

4. Prior to the construction of the bus turning bay a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the *Environmental Planning and Assessment Act 1979*. The application for a Construction Certificate, made to Council or an Accredited Certifier, must include plans and specifications demonstrating full compliance with the *Building Code of Australia* and associated standards.
5. The following is to be incorporated into the design bus turning bay:
 - The kerb of the bus turning bay is to be connected with the kerb of the disabled parking space;
 - The southern access crossing from Brewery Street is to be designated as a 'In Only'; and
 - The northern access crossing from Brewery Street is to be designated as an 'Out Only'.

Prior to issue of a Construction Certificate, revised engineering plans showing the above details are to be submitted to and approved by Council.

6. Prior to issue of a Construction Certificate, approval under Section 138 of the Roads Act 1993 is to be obtained from Council for the construction of the northern access crossing from Brewery Street.

During Construction

7. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
 - Works on site are to be carried out in accordance with the *Protection of the Environment Operations Act 1997* in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
 - Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;

- Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;
- Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;
- Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;
- Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and
- Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the *Surveying and Spatial Information Act 2002*. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.

Prior to Operation of Long Day Care, After School Care and Vacation Care

8. Prior to the operation of Long Day Care, After School Care and Vacation Care, an Occupation Certificate must be issued in accordance with Section 109M of the *Environmental Planning and Assessment Act 1979*.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
 - any preconditions to the issue of the certificate required by a development consent have been met.
9. Prior to issue of an Occupation Certificate, the bus turning bay is to be constructed in accordance with the approved engineering plans.
10. Prior to issue of an Occupation Certificate, all landscaping as per the approved plans is to be completed.

Ongoing Use

11. The operation of the Long Day Care is limited to:
- The hours of 8.00am to 3.00pm, Monday, Tuesday and Friday, during School Term Periods;
 - No more than two (2) hours of outdoor activity, between the hours of 8.30am and 12.00pm; and
 - A maximum of twenty-eight (28) children.
12. The operation of the After School Care is limited to:
- 3.00pm to 6.00pm, Monday to Friday, during School Term Periods;
 - No more than two (2) hours of outdoor activity, between the hours of 3.00pm and 5.30pm; and
 - A maximum of twenty-eight (28) children.

13. The operation of the Playgroup is limited to:
 - A maximum of two (2) hours (generally between 9.30am and 11.30am), Wednesday and Thursday, during School Term Periods; and
 - A maximum of thirty-two (32) children.
14. The operation of the Vacation Care is limited to:
 - 8.00am to 6.00pm, Monday to Friday, during School Holiday periods; and
 - No more than two (2) hours of outdoor activity, between the hours of 8.30am and 12.00pm;
 - No more than two (2) hours of outdoor activity, between the hours of 3.00pm and 5.30pm; and
 - A maximum of twenty-eight (28) children.
15. Any food preparation and handling must comply with all applicable legislation/regulation and standards including:
 - *The Food Act 2003;*
 - *Food Regulation 2004;*
 - *Food Standards Australia and New Zealand – Food Standards Code 2001;*
 - *Relevant Australian Standards for Design, Construction and Fit out of Food Premises; and*
 - *Mechanical ventilation – Australian Standard 1668.2-2002 The use of ventilation and air conditioning in buildings - Ventilation design for indoor air contaminant control.*
16. All parking areas, the bus turning bay and landscaping must be maintained in a reasonable manner, in perpetuity.
17. All waste bins and storage areas are to be located and/or screened to not be visible from adjacent public or private land.
18. Any other condition deemed appropriate by the Director Civil and Environmental Services.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr H N Castledine	✓	
Cr P J Harmon	✓	
Cr B C Johnston	✓	
Cr D C Jones	✓	
Cr P J Girle	✓	
Cr J A Watts	✓	
Cr D F Baker	✓	

SECTION E INFORMATION REPORTS

1. ASHFORD WATER TREATMENT PLANT PCG MEETING MINUTES – 20 APRIL 2015 S5.9.12

2. APPRECIATION LETTER S6.8.9
3. AUSTRALIAN BUREAU OF STATISTICS - POPULATION FIGURES
S14.16.9
4. WORKS UPDATE S28.21.1/08
5. AUSTRALIAN GOVERNMENT BLACKSPOT PROGRAM FUNDING
S15.8.20
6. GWYDIR HIGHWAY MAIN BRIDGE PAVEMENT RESURFACING
S1.2.3/08

RESOLVED (Harmon/Jones) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 13 May, 2015, be received and noted.

At this juncture, the time being 9.28am, Cr Watts left the meeting.

SECTION F
GENERAL BUSINESS

GM-A Cr Harmon Kurrajong March Re-enactment S3.6.6

It was noted that traffic control for the Kurrajong March Re-enactment will cost approximately \$6,700. Cr Harmon requested the Committee consider a recommendation to Council for support of this event.

Manager Civil Engineering, Mr Justin Pay advised the Committee that a traffic plan is currently being submitted to the NSW Police for approval and costs. Council has recommended a 'rolling traffic method' to reduce impacts to traffic.

RESOLVED (Harmon/Johnston) that the Committee recommend to Council that the General Manager and Mayor meet with the Kurrajong March Re-enactment Committee to discuss costings for the event and possible Council support. A report will be tabled at a future Economic & Community Sustainability Committee Meeting.

At this juncture, the time being 9.32am, Cr Watts returned to the meeting.

GM-N Cr Harmon 2015 Opera in the Paddock S26.3.14

Cr Harmon advised the Committee of an approach by Peta Blyth regarding the possibility of Council supporting Opera in the Paddock re-running the cancelled 2015 event. The proposed new event date is 10 March, 2016.

RESOLVED (Harmon/Johnston) that the Committee recommend to Council that the matter be considered upon receipt of a formal request from the Opera in the Paddock Committee.

Cr Watts Inverell Art Society Meeting

Cr Watts advised of her attendance at a recent Inverell Art Society Meeting. During that meeting, Colleen Nancarrow, Vice President of the Inverell Art Society asked when the seating outside the Gallery would be installed.

The Director Civil & Environmental Services, Mr Brett McInnes advised that detailed manufacturing plans of the street furniture are currently being developed as part of this current budget for the Town Centre Renewal Plan and Evans Street is the trial site for the new street furniture to be installed in the next financial year.

Cr Johnston Town Centre Renewal Plan (TCRP)

Cr Johnston asked about Cr Jones' version of the TCRP that has been shown as an alternate to the Council adopted TCRP to the community.

Cr Jones tabled his plan.

Cr Girle Council Subdivision Costs

Cr Girle advised of an approach from a local Real Estate regarding the lack of available land for sale and the lack of subdivisions in Inverell. Concern was expressed that the Inverell Shire subdivision costs are higher compared to surrounding Local Government areas.

The General Manager tabled the Development Services Charges for Inverell Shire Council and other Councils in the region. The General Manager spoke about the supply and demand and Council's support for subdivision in Inverell.

Cr Baker Street Furniture Manufacturing

Cr Baker asked about the opportunity of local manufacturing of the street furniture for the Town Centre Renewal Plan.

The Director Civil & Environmental Services, Mr Brett McInnes advised that detailed plans of construction are being developed which will allow for the opportunity of in-house production or local manufacturing.

Director Civil & Environmental Services Public Health Issue S24.12.5

Director Civil & Environmental Services, Mr Brett McInnes requested a matter regarding Public Health be referred to Closed Committee for discussion.

RESOLVED (Harmon/Watts) that the matter be referred to Closed Committee for consideration as:

- i) the matters and information are 'commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.' (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- ii) on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and*
- iii) all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

Manager Development Services Metasite (Optus Contractors)

Manager Development Services, Mr Anthony Alliston advised the Committee of three (3) identified sites in Inverell for Optus Mobile equipment. Mr Alliston informed the Committee of the sites and issues and Council's preferred site.

Mr Alliston sought comment from the Committee.

At this juncture, the time being 10.34am, Cr Watts left the meeting.

Manager Open Space Strategy (OSS)

Development
Services

Manager Development Services, Mr Anthony Alliston advised the Committee of the 'start-up' meeting for the OSS and the matters to be discussed on 27 May, 2015.

Ross Planning has been engaged in the development of Council's OSS, inclusive of stakeholder management. Mr Alliston advised of a desktop audit of Open Spaces in Inverell.

Mr Alliston will send a formal invitation to all Councillors to attend the OSS meeting on 27 May, 2015 at 1.00pm in the Council Chambers.

At this juncture, the time being 10.35am, Cr Watts returned to the meeting.

Cr Castledine School Zone Flashing Lights – Gilgai

Cr Casteldine asked when the flashing lights at the Gilgai school zone will be installed.

The Director Civil & Environmental Services and General Manager advised that all indicators have been for 2016.

GM-A Cr Johnston John Bourke's Passing S2.13.1

Cr Johnston informed the Committee of the passing of Mr John Bourke. Cr Johnston spoke of Mr Bourke's voluntary efforts for the community and assistance to Council.

RESOLVED (Johnston/Harmon) that the Committee recommend to Council that a letter of appreciation be sent to the family of the late Mr John Bourke.

SECTION G
CONFIDENTIAL REPORTS IN CLOSED COMMITTEE
(SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)

At 10.53am, the Chairperson noted that no members of the public were present at the meeting.

CLOSED COMMITTEE REPORTS

RESOLVED (Harmon/Watts) that the Committee proceed into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Committee, at 11.15am, the Chair verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

1. Public Health Issue S24.12.5

GM-A *That the Committee recommend to Council that the matter of the public health issue be*
DCES-A *dealt with by the General Manager and the Director Civil and Environmental Services as addressed in Closed Committee.*

ADOPTION OF RECOMMENDATION

RESOLVED (Jones/Baker) that the recommendation from Closed Committee be adopted.

There being no further business, the meeting closed at 11.16am.

CR H N CASTLEDINE

CHAIRPERSON

TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 10/06/2015

ITEM NO:	1.	FILE NO: DA-137/2014
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DA-137/2014 – ALTERATIONS AND ADDITIONS TO DWELLING – 15A BRAE STREET, INVERELL NSW 2360	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY

An application has been received for alterations and additions to the dwelling at 15A Brae Street, Inverell. The works consist of:

- Construction of a third storey on the northern side of the dwelling containing:
 - Master bedroom;
 - En-suite; and
 - Walk-In-Robe.
- Construction of an internal staircase; and
- Reconstruction of the dwelling entry.

The site is known as Lot 2 DP 590681, which is zoned 'R1 General Residential' pursuant to the Inverell Local Environmental Plan 2012. The development is characterised as alterations and additions to a 'dwelling house', which is permissible with consent.

Lot 2 DP 590681 is located within the Ross Hill Heritage Conservation Area, but is not identified as an item of environmental heritage.

The site is located on the eastern side of Brae Street, adjacent to the Macintyre River. It is a battle-axe allotment, with a 70 metre access handle. Two (2) separate dwellings are located between the site and Brae Street.

The application was most recently notified to adjoining neighbours from 8 May, 2015 to 27 May, 2015. As a result of the exhibition period, three (3) submissions were received by way of objection. The main issues raised by the submission makers are:

- Bulk, height and scale;
- Loss of views;
- Loss of privacy;
- Overshadowing;
- Heritage conservation;
- Sewer capacity; and
- Impact on property values.

The application has been examined having regard to the matters for consideration detailed in Section 79C of the *Environmental Planning and Assessment Act 1979* and other statutory requirements.

APPLICATION DETAILS

Applicant:	Mr Mark John Warrener
Owner:	Mr Mark John Warrener & Mrs Emma Louise Warrener
Application No:	DA-137/2014
Address:	15A Brae Street, Inverell
Title Particulars:	Lot 2 DP 590681
Proposed Development:	Alterations and Additions to Dwelling
BCA Classification	Class 1a
Site Area:	1477m ²
Zoning:	R1 General Residential
Existing Use:	Residential Dwelling

DA-137/2014 - APPLICATION HISTORY

<u>Date</u>	<u>Comment</u>
12 November 2014	Application lodged. The initial application lodged with Council was for the third storey addition to be located on the southern side of the dwelling.
12 November 2014	Neighbour notification period begins.
26 November 2014	Neighbour notification period ends. Two (2) submissions by way of objection received during notification period.
27 November 2014	Late submission received.
	Request for further information, with the following required to continue the assessment of DA-137/2014:
4 December 2014	<ul style="list-style-type: none"> - A design brief providing rationale for the location and size of the third storey addition; - A schedule of external colours and materials; - Shadow diagrams; - Photomontages; - Certificate of structural adequacy of the existing dwelling to carry a third storey; - BASIX certificate; and - Details on the capacity of the existing sewer pump-out system.
28 April 2015	<p>The applicant re-designed the development, with the third storey addition relocated to the northern side of the dwelling. This is permitted under Section 55 (1) of the Environmental Planning and Assessment Regulation 2000, which states:</p> <p><i>A development application may be amended or varied by the applicant (but only with the agreement of the consent authority) at any time before the application is determined.</i></p>
28 April 2015	New plans and the information requested by Council submitted, reflecting the location of the third storey on the northern side of the dwelling.

8 May 2015

Following the re-design of the development, further neighbour notification commences.

27 May 2015

Further notification ends. Three (3) submissions by way of objection received.

SUBJECT SITE AND LOCALITY

The site is known as Lot 2 DP 590681, being addressed as 15A Brae Street, Inverell (refer Figure 1).

Lot 2, DP 590681 is located on the eastern side of Brae Street, adjacent to the Macintyre River. It is a battle-axe allotment, with a 70 metre access handle. Two (2) separate dwellings are located between the site and Brae Street (refer Figure 2).

The surrounding area is residential, predominantly large single dwellings, on varying lot sizes. A mixture of height and scale is present in Brae Street, notable examples including:

- A two (2) storey dwelling at 17 Brae Street;
- The significant site coverage of 17A Brae Street; and
- A three (3) storey dwelling at 13A Brae Street.

To the rear of the site are public recreation areas along the Macintyre River, including Campbell Park, Big W, Coles and Pasterfield Car Park are located on the other side of the river from the development.

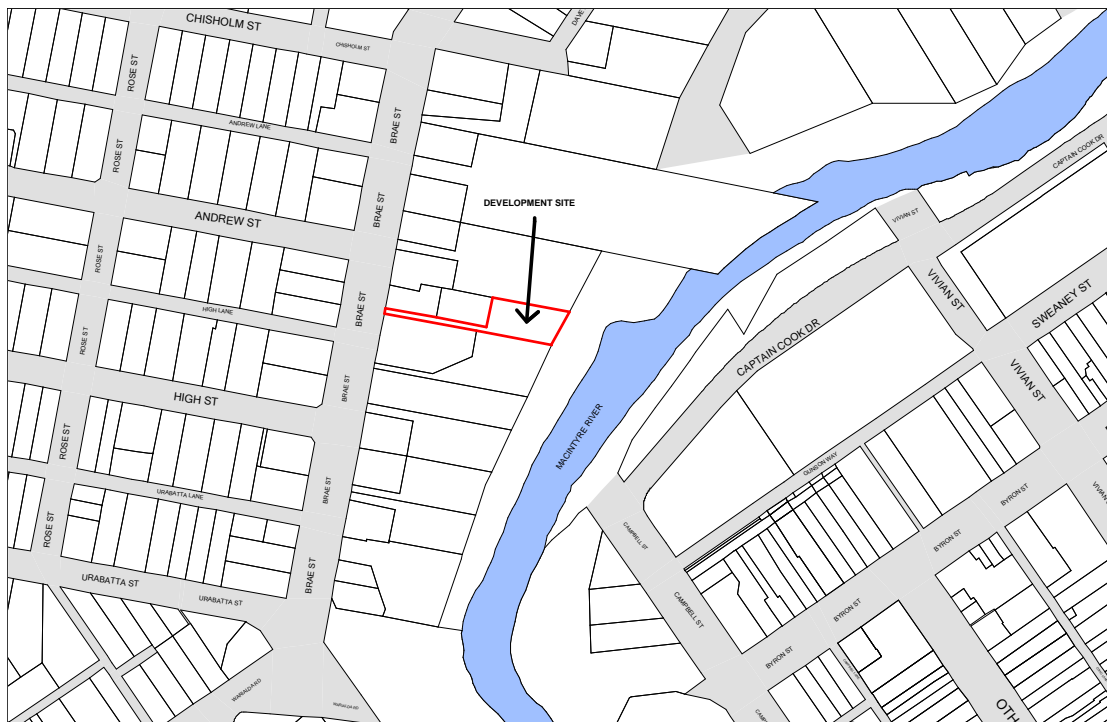


Figure 1 – Locality Plan



Figure 2 – Aerial Image

Lot 2, DP 590681 is located within the Ross Hill Heritage Conservation Area, but is not identified as an item of environmental heritage (refer Figure 3).



Figure 3 – Heritage Conservation Area (red hatching) and items of environmental heritage (brown)



Figure 4 - Photo from Brae Street



Figure 5 - Photo from Driveway



Figure 6 – Photo from Rear Yard of Development Site



Figure 7 - Photo from Macintyre Riverbank of Development Site and Surrounds

PROPOSED DEVELOPMENT

The proposal is for alterations and additions to the dwelling at 15A Brae Street, Inverell. The alterations and additions will consist of:

- Construction of a third storey on the northern side of the dwelling containing:
 - Master bedroom;
 - En-suite; and
 - Walk-In-Robe.
- Construction of an internal staircase; and
- Reconstruction of the dwelling entry.

Construction of a Third Storey

It is proposed to construct a master bedroom, walk-in-robe and en-suite on top of the existing dwelling. It will be located on the northern side of the dwelling.

This addition will have a total floor area of approximately 49.5 square metres, measuring 6.06 metres wide x 8.47 metres long. It will have a wall height of 2.4 metres with a “flat” roof pitched at 2 degrees.

The addition will be within the footprint of the existing dwelling and will not be any closer to the sites boundaries.

The proposed external colours and materials are:

- Roof – “Shale Grey” Trimdek;
- Gutter/Fascia – “Woodland Grey”;
- New Walls – Dulux “Malay Grey” Scyon Cladding; and

It is intended to paint the existing dwelling brickwork Dulux “Malay Grey” to match the addition.

The following windows are proposed in the addition:

- Northern Wall – High sill (1500mm) windows;
- Eastern Wall (Macintyre River) – Sliding doors with a glass balustrade;
- Southern Wall – Windows with angled privacy screens; and
- Western Wall – None.

PLANS & DOCUMENTATION

Following Council’s request for further information and the re-design of the development, the following information is included as Appendix 1 (D33 – D52):

- Design plans:
 - Site plan;
 - Floor plan;
 - Elevations;
 - Section; and
 - Shadow diagrams.
- Design brief; and
- Photomontages.

REFERRALS UNDERTAKEN & OTHER APPROVALS REQUIRED

Internal Referrals

The application was referred to Council’s Building Surveyor, Mr Jade McIlwain. The following comments were made:

The development involves additions to a Class 1a building. The development is generally in accordance with the Building Code of Australia; however, further information is required in relation to structural elements, including:

- *A Certificate of Structural Adequacy attesting to the load carrying capabilities of the existing structure to support the proposed additions; and*
- *Separate details prepared by a practicing Structural Engineer for:*
 - Tie-down and bracing; and*
 - Structural steelwork.*

Development Planner Comment

Whilst structural matters are typically considered in a Construction Certificate assessment, for the purpose of this development application, it is considered prudent for Council to be comfortable that in principle, the development will be structurally adequate.

Structural adequacy was one of the matters included in the request for further information to the applicant.

The applicant subsequently submitted correspondence from David C. Jones Pty Ltd (Consulting Engineer) indicating the additions are feasible to be made structurally adequate in terms of support and holding down arrangements. Actual structural certification and/or plans will be undertaken subject to obtaining development consent.

This is considered to be sufficient to allow Council to consider the proposed development and there are not considered to be any Building Code of Australia matters which would preclude the issuing of development consent.

The application was referred to Council's Heritage Advisor. The following comments were received:

The building is not identified as a heritage item within Council's LEP; however, it is within the Ross Hill Heritage Conservation Area. While there are several heritage items in Brae Street, none of these adjoin or are adjacent to the subject property.

The property is essentially a battle axe block – the existing building being well setback from the street and only being visible where you come to the end of the driveway. It cannot be seen with any great degree, from the street.

Buildings along the street are predominantly single storey. However, the building at 17 Brae Street is two storeys when viewed from the street. The subject building with the alterations and additions will also be two storeys (when viewed from the front).

I consider that the proposal, as submitted, will tend to be compatible with the character of the surrounding area. However, I would recommend that the materials, finishes and colours on the alterations and additions respect the character of other buildings in the conservation area which are predominantly of muted colours with roofing material being non-reflective.

Development Planner Comment

The proposed colours "shale grey" colourbond roof, "woodland grey" gutter/fascia and "Malay Grey" cladding are considered to be consistent with the Heritage Advisor's comments.

External Referrals

No external referrals were required for this application.

Other Approvals

Subject to development consent, the following additional approvals are required for this development:

- Construction Certificate.

Council Policies

It is considered that no Council policies apply to this development.

ASSESSMENT - STATUTORY REQUIREMENTS – S.79C

In determining a Development Application, a consent authority is to take into consideration the following matters that are of relevance to the development, the subject of the Development Application.

State Environmental Planning Policies

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

CLAUSE	TITLE	COMMENT AND ASSESSMENT
6	Buildings to which this policy applies	A BASIX certificate has been submitted and is considered satisfactory.

Local Environmental Plans

Inverell Local Environmental Plan 2012

CLAUSE	TITLE	COMMENT AND ASSESSMENT
1.2	Aims of Plan	<p><i>The particular aims of this Plan are as follows:</i></p> <ul style="list-style-type: none"> <i>a) To encourage sustainable economic growth and development,</i> <i>b) To protect and retain productive agricultural land,</i> <i>c) To protect, conserve and enhance natural assets,</i> <i>d) To protect built and cultural heritage assets,</i> <i>e) To provide opportunities for growth.</i> <p>The development will not impact the significance of the Ross Hill Heritage Conservation Area of nearby heritage items. There will be no reduction in the availability of natural assets such as the Macintyre River.</p> <p>The development is not inconsistent with the aims of the LEP.</p>
2.1	Land use zones	<p>The site is zoned R1 General Residential. The development is characterised as alterations and additions to a "dwelling house", which is permissible with consent.</p> <p>The objectives of the R1 zone are:</p> <ul style="list-style-type: none"> ▪ <i>To provide for the housing needs of the community.</i> ▪ <i>To provide for a variety of housing types and densities.</i> ▪ <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i>

		The development will provide an additional choice in housing without impacting on the housing needs of the community. The development is consistent with the R1 General Residential zone.
5.10	Heritage Conservation	<p><i>The objectives of this clause are as follows:</i></p> <ul style="list-style-type: none"> <i>a) To conserve the environmental heritage of Inverell,</i> <i>b) To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i> <i>c) To conserve archaeological sites,</i> <i>d) To conserve Aboriginal objects and Aboriginal places of heritage significance.</i> <p>The site does not contain any heritage items, archaeological sites, aboriginal objects or aboriginal places of significance.</p> <p>The site is within the Ross Hill Heritage Conservation Area, but there are no heritage items adjacent or adjoining the site. The dwelling and the proposed additions are not visible from Brae Street, being screened by the two dwellings at the front.</p> <p>Council's Heritage Advisor has reviewed the proposal and considers that the development will not impact the heritage significance of the Ross Hill Conservation Zone.</p>
6.6	Essential Services	<p>The following services are already connected to the site:</p> <ul style="list-style-type: none"> ▪ Electricity; ▪ Telephone; ▪ Council's water supply; and ▪ Council's sewer system – Sewage from the dwelling is discharged to Council's system via an on-site sewage pump system. <p>The development is not considered to significantly burden the above service infrastructure. There will be no changes to the vehicle access arrangements for the site.</p>

Development Control Plans

Inverell Development Control Plan 2013 – Chapter 1 Introduction

CLAUSE	TITLE	COMMENT AND ASSESSMENT
1.11	Notification of Applications	<p>The initial application lodged with Council was notified from 12 November, 2014 to 26 November, 2014.</p> <p>Following the re-design of the development and submission of further information, the application was further notified from 8 May, 2015 to 27 May, 2015.</p>

		As a result of the 2 nd notification period, three (3) submissions by way of objection have been received. These submissions have been addressed further in the report.
1.12	Advertising Applications of	The development did not meet the criteria to be advertised.

Inverell Development Control Plan 2013 – Chapter 3 Residential Accommodation

CLAUSE	TITLE	COMMENT AND ASSESSMENT
3.3	Site Analysis	<p>The applicant has provided a design brief providing their rationale for the location and size of the third storey addition. The matters they have considered include boundaries, overshadowing, views, privacy and topography.</p> <p>This is consistent with this clause and Council has sufficient information to enable a merit based assessment of the design and associated brief.</p>
3.4	Neighbourhood Character	<p>The character of the area is residential, predominantly large single dwellings, on varying lot sizes. A mixture of height and scale is present in Brae Street, notable examples including:</p> <ul style="list-style-type: none"> ▪ A two (2) storey dwelling at 17 Brae Street; ▪ The significant site coverage of 17A Brae Street; and ▪ A three (3) storey dwelling at 13A Brae Street. <p>The proposed development includes an addition of a third storey which is not inconsistent with the neighbourhood character.</p> <p>Additionally, the dwelling would only appear as three storeys when viewed from the rear. When viewed from the front (17A Brae Street), it would only appear to be two storey.</p>
3.5	Streetscape	The development site is located behind 17 & 17A Brae Street, which prevent the dwelling being visible from Brae Street. Therefore, the development is not considered to impact the streetscape.
3.6	Density	The site coverage of the development is considered to be acceptable and is consistent with the mixture of densities in the Brae Street area. Of note, is the adjoining 17A Brae Street, which is nearly at 100% site coverage.
3.7	Building Height	<p>The outcome of this clause states:</p> <p style="text-align: center;"><i>Generally buildings should not exceed two storeys.</i></p> <p>Whilst this development includes the addition of a third storey, the dwelling will only appear as 3 storeys from the rear. When viewed from the front (17A Brae Street), the dwelling will only appear as two storey.</p>

		<p>This is considered to be consistent with the intent of this clause.</p> <p>It should also be noted that there is already an example of a 3 storey dwelling on the adjacent 13A Brae Street.</p> <p>Rather than limiting building height based on the number of storeys, it is considered more reasonable to assess the potential impacts on adjoining land associated with the height being:</p> <ul style="list-style-type: none"> ▪ Privacy and Amenity; ▪ Solar access; and ▪ Views. <p>These matters are discussed in further detail in the SUBMISSIONS section of this report.</p>
3.8	Setbacks	The proposed additions are within the same footprint and setbacks of the existing dwelling from the side boundaries, which is acceptable.
3.9	Private Open Space	There will be no changes to the provision of private open space on the site.
3.10	Privacy and Amenity	This matter is discussed in further detail in the SUBMISSIONS section of this report.
3.11	Solar Access	These matters are discussed in further detail in the SUBMISSIONS section of this report.
3.12	Access and Parking	The site has adequate provision for the parking of three vehicles, which is satisfactory. No further parking requirements apply.
3.13	Utilities	<p>The following services are already connected to the site:</p> <ul style="list-style-type: none"> ▪ Electricity; ▪ Telephone; ▪ Council's water supply; and ▪ Council's sewer system – Sewage from the dwelling is discharged to Council's system via an on-site sewage pump system. <p>The development is not considered to significantly burden the above service infrastructure.</p>
3.14	Stormwater Drainage	The site has natural fall to the Macintyre River which is acceptable. There will be no increase in total roof area; therefore, there will be no increase in stormwater runoff.
3.15	Landscaping	The proposed development is not considered to require specific landscaping. Significant landscaping is already present on the site when viewed from Campbell Park/Macintyre River bank.
3.16	Site Facilities	There will be no changes to the provision of facilities on the site.
3.17	Earthworks	No earthworks are proposed.
3.18	Security	No specific safety or security standards apply to additions to a single dwelling.

3.19	Ancillary Development	No ancillary development is proposed.
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Inverell Development Control Plan 2013 – Chapter 7 Heritage

CLAUSE	TITLE	COMMENT AND ASSESSMENT
7.3 Alterations and Additions		
7.3.1	Scale, Form and Character	As discussed above in Chapter 3 of the IDCP 2013, the bulk, scale and character of the proposed works are not inconsistent with the surrounding residential development. Additionally, the view of the development from Brae Street is obscured by the dwellings on 17 and 17A Brae Street.
7.3.2	Facades	The facade of the dwelling is acceptable and will not be visible from the street, the view being obscured by the dwellings on 17 and 17A Brae Street.
7.3.3	Siting, Setback and Orientation	The location of the addition is within the existing footprint and setbacks of the existing dwelling and will not impact on the heritage conservation area. Impacts (solar access, privacy, etc.) associated with the location of the addition is discussed in further detail in the SUBMISSIONS section of this report.
7.3.4	Roof Form and Shapes	The roof has been pitched at 2 degrees to match the existing roof and to reduce the overall height of the building. This is considered acceptable.
7.3.5	Verandahs and Awnings	No verandahs or awnings are proposed.
7.3.6	Verandahs and Awnings within the Inverell CBD and Ashford Town Centre	Not applicable to this development.
7.3.7	Shopfronts	Not applicable to this development.
7.3.8	Accessibility	Not applicable to this development.
7.3.9	Materials, Finishes and Colours	The following colours and materials have been proposed: <ul style="list-style-type: none"> ▪ Roof – “Shale Grey” Trimdek; ▪ Gutter/Fascia – “Woodland Grey”; ▪ New Walls – Dulux “Malay Grey” Scyon Cladding; and ▪ Existing Walls - Dulux “Malay Grey” Painted Brickwork. <p>The above colours and materials are satisfactory. It is recommended that any subsequent consent be conditioned that prior to issue of an occupation certificate, the entirety of the new walls and existing walls be finished in the same colour.</p>
7.3.11	Removal of Unsympathetic Alterations and Additions	Not applicable to this development.
7.3.12	Services and New Technologies	To minimise any visual impact associated with antennae, satellite dishes, solar panels, etc., it is recommended the any subsequent consent include a condition prohibiting installation of such equipment from being installed on the addition.

7.3.13	Landscaping	The proposed development is not considered to require specific landscaping. Significant landscaping is already present on the site when viewed from Campbell Park/Macintyre Riverbank.
7.3.14	Fences	Fencing does not form part of this development.

The likely impacts of that development

Matters	Consideration
Context & Setting	As discussed in the assessment against the provisions of the Inverell Development Control Plan 2013, the proposed development is not inconsistent with the surrounding residential development or neighbourhood character.
Access, Transport & Traffic	The site has sufficient on-site parking for the single dwelling and there will be no changes to the access arrangements from Brae Street.
Utilities	<p>The following services are already connected to the site:</p> <ul style="list-style-type: none"> ▪ Electricity; ▪ Telephone; ▪ Council's water supply; and ▪ Council's sewer system – Sewage from the dwelling is discharged to Council's system via an on-site sewage pump system. <p>The development is not considered to significantly burden the above service infrastructure.</p>
Heritage	<p>The application has been assessed against Chapter 7 Heritage of the Inverell Development Control Plan 2013 and referred to Council's Heritage Advisor for review.</p> <p>The assessment has determined that the location of the site behind 17 and 17A Brae Street is such, that the development will not significantly impact the significance of the Ross Hill Heritage Conservation Area.</p> <p>There are no heritage items adjoining or adjacent to the site, which would be adversely affected by the development.</p>
Other Land Resources	The site is not considered suitable for other land resources, e.g. agriculture, mining, etc.
Water	<p>The Macintyre River adjoins the site to the east. The development is within the existing footprint of the dwelling and will not:</p> <ul style="list-style-type: none"> ▪ Encroach on the Macintyre River; ▪ Be affected by possible flooding; or ▪ Result in any significant increase in stormwater.
Soils	No earthworks are required for this development.
Air & Microclimate	The development is not considered to have an adverse impact on air or microclimate.
Flora & Fauna	The site is not considered to contain any protected flora or fauna, nor is the development likely to impact potential species along or within the Macintyre River.
Waste	The development will not result in excessive waste generation. The dwelling has access to Council's garbage and recycling collection service. A condition of any subsequent consent can enforce appropriate disposal of construction waste.

Energy	A BASIX certificate has been submitted demonstrating compliance with energy efficiency and thermal comfort targets.
Noise & Vibration	Any potential noise or vibration impacts would be limited to construction which can be appropriately mitigated with conditions of any subsequent consent.
Natural Hazards	The development is not subject to natural hazards, i.e. flooding or bush fire.
Safety, Security & Crime Prevention	The development is not considered to have an adverse impact on safety or security.
Social Impacts in the Locality	The development is not considered to have an adverse social impact.
Economic Impact in the Locality	The development is not considered to have an adverse economic impact.
Site Design & Internal Design	The applicant has demonstrated due consideration of impacts during the design of the alterations and additions. A detailed assessment of the impacts (views, privacy, solar access) associated with the development has been undertaken in further detail in the SUBMISSIONS section of this report.
Construction	Impacts (e.g. noise, vibration, waste, etc.) associated with construction activities can be mitigated with conditions of any subsequent consent.
Cumulative Impacts	A detailed assessment of the impacts (views, privacy, solar access) associated with the development has been undertaken in further detail in the SUBMISSIONS section of this report.
Climate Change	The development is not considered to impact factors influencing climate change.

Suitability of the Site

In assessing the suitability of the site, two (2) matters are considered:

Does the proposal fit in the locality?

To determine whether the proposal fits in the locality, the Planning Principle in relation to compatibility with surrounding development in *Project Venture Developments Pty Ltd v Pittwater Council [2005] NSWLEC 191* has been considered.

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve...Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

- *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*

The development is not considered to have an adverse physical impact on surrounding land. A detailed assessment against privacy, views and solar access have been undertaken in the SUBMISSIONS section of this report. The development potential on adjoining land will not be constrained.

- *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

The proposed addition will not be visible from Brae Street, being screened by the dwellings on 17 and 17A Brae Street. There will be negligible impact on the streetscape.

There are a number of similar sized dwellings around the site, notably a two storey dwelling on 17 Brae Street and three storey dwelling on 13A Brae Street. Furthermore, when viewed from the front (17A Brae Street), the dwelling will resemble a two (2) storey dwelling.

The proposed materials and colours are sympathetic to surrounding buildings and the conservation area as per the requirements of Council's Heritage Advisor.

It is considered the appearance of the proposed development will be harmonious with surrounding development.

Are the site attributes conducive to development?

All essential services (water, sewer, electricity and telephone) are already connected to the site. The disposal of sewer is via a pump-out system, which the applicant has demonstrated has capacity for the additional bedroom/en-suite.

The site is not unduly constrained by natural hazards such as bush fire and flooding. Whilst being in the Ross Hill Conservation Area, the site is screened from view from Brae Street and is not adjacent to any heritage items.

Legal and practical access is available from Brae Street and sufficient on-site parking is available for the dwelling.

Overall, it is considered that the site attributes are conducive to the proposed development.

Submissions

The application was most recently notified to adjoining neighbours from 8 May, 2015 to 27 May, 2015. As a result of the exhibition period, three (3) submissions were received by way of objection.

The submissions have been circulated separately to Committee Members with the Business Paper.

The matters raised in the submissions have been considered below.

Loss of View

The submission maker has objected to the loss of view caused by the proposed third storey addition.

At present, the development site and the neighbouring 17A Brae Street share the available view. Neither property owns exclusive rights to the view. To decide whether the reduction in view for 17A Brae Street is reasonable, the four-step assessment process established in a *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*, known as the Planning Principle – Views – general principles, has been undertaken below.

- *The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

Figures 8 and 9 below show the existing view available from the principal outdoor living area (pool area) of 17A Brae Street, Inverell. As can be seen, the view encompasses:

- The dwelling on 15A Brae Street;
- Partial horizon;
- Existing trees; and
- Sky.

The important components of the view are considered to be the horizon and sky. When viewed directly from the centre of the pool area, the view of the horizon and sky is partially obscured by the trees. When viewed from the end of the pool area, a greater view is available of the sky and horizon.

The internal livings areas of 17A Brae Street also enjoy window views to the east and south-east.



Figure 8 – View from Centre Pool Area



Figure 9 – View from End of Pool Area

The available views from 17A Brae Street have been assigned an importance rating as follows:

View Location	Type of View	Importance	Comment
Centre Pool Area	Horizon	Medium	Principle outdoor area, but view is obscured by trees and dwelling.
Centre Pool Area	Sky	Medium	Principle outdoor area, but view is partially obscured by trees and dwelling.

End of Pool Area	Horizon	High	View available in south-east direction
End of Pool Area	Sky	High	View available in south-east direction
Inside Dwelling	Horizon	High	View available in east and south-east direction
Inside Dwelling	Sky	High	View available in east and south-east direction

- *The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

The location of views has been discussed above. For the purpose of this assessment, consideration of views has been taken from a standing position, as this provides the greatest amount of view available.

- *The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

The applicant has provided photomontages, which are included within the Appendix to this report. Two (2) photomontages showing the addition from the pool area of 17A Brae have been extracted from the photomontages and included below as Figures 10 and 11.

The submission maker provided a photomontage of their own with their submission; however, this is not considered to be an accurate reflection as:

- The addition has been shown closer to 17A Brae Street than proposed;
- The artist impression of the view is not representative of the actual view; and
- The existing vegetation has not been considered.

For the assessment of view sharing for DA-137/2014, it is considered that the applicant's photomontages are relatively accurate representation. These photomontages have been verified via numerous site inspections by Council staff and have been used to assist Council in assessing the proposal.

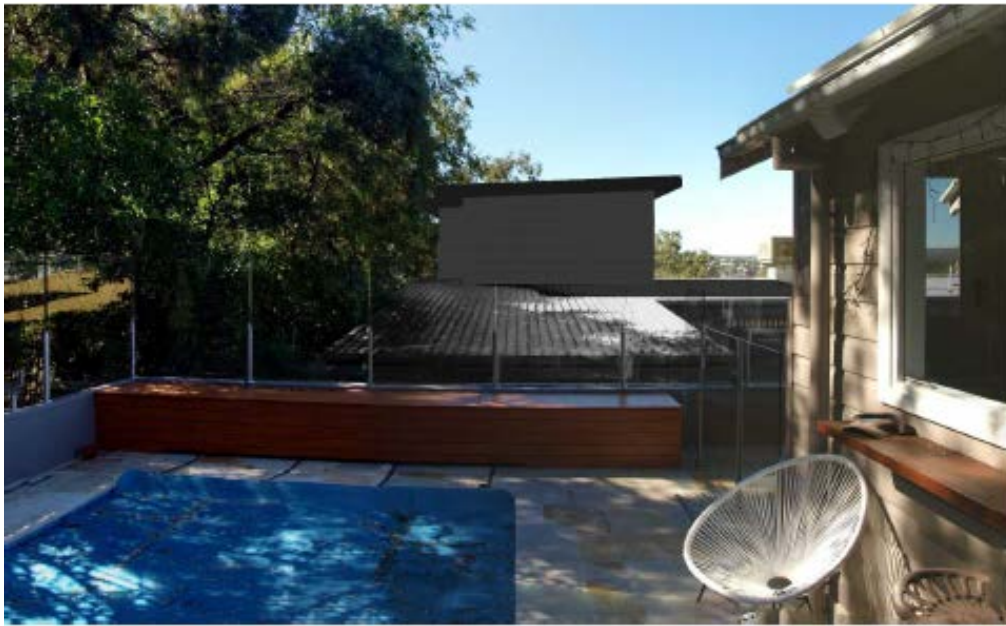


Figure 10 – Photomontage Extract – Centre Pool Area



Figure 11 – Photomontage Extract – End of Pool Area

In consideration of the importance of the views (see previous assessment) and the photomontages provided by the applicant, the extent of impact is assessed as:

View Location	Type of View	Impact	Comment
Centre Pool Area	Horizon	Minor	This view is already obscured by existing vegetation. The proposed addition is not considered to significantly increase the amount of view obscured.
Centre Pool Area	Sky	Minor	A significant amount of sky will still be visible around the proposed addition.
End of Pool Area	Horizon	Minor	The view to the south-east is still available.
End of Pool Area	Sky	Minor	The view to the south-east is still available.

Inside Dwelling	Horizon	Minor	The addition is not in direct line of sight from the dwelling, with the view to the east and south-east still available.
Inside Dwelling	Sky	Minor	The addition is not in direct line of sight from the dwelling, with the view to the east and south-east still available.

It is considered that the proposed development will have a minor impact on views from 17A Brae Street, Inverell.

- *The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

As assessed throughout this report, the proposed development is compliant with Council's planning controls. The applicant has submitted a design brief providing the rationale for the location of the addition, with due consideration to amenity impacts. Amenity such as privacy and solar access has been considered below and are not considered to be significantly impacted.

Given the impact on amenity is minimal and the development is compliant with Council controls, it is considered the minor impact on views from 17A Brae Street is not unreasonable.

Overall, the development will result in a minor impact on the medium importance view from the pool area of 17A Brae Street, which is already obscured by existing vegetation. The addition will not encroach significantly on the higher importance views; therefore, this impact will also be minor. The development is compliant with Council's planning controls and the minor impact on views is not considered unreasonable.

On this basis, it is considered that the proposed development will not have an unreasonable impact on the views on 17A Brae Street.

View from Public Areas

In addition to views from the adjoining 17A Brae Street, it is also considered prudent for Council to consider the view of the development from public spaces. Particular consideration should be given to the views around the Macintyre River, which are used for public recreation.

These public recreation areas enjoy natural views (water, trees, etc.), which are largely undisturbed by buildings. It is therefore considered important that the proposed development does not protrude into the skyline or dominate views from the riverbank.

The applicant has submitted photomontages showing the proposed development from the riverbank and Campbell Street. As can be seen, the proposed addition will blend and be lower than the surrounding trees.

Council staff have undertaken site inspections and can verify that the development is not considered to have an adverse visual impact when viewed from public areas.

Loss of Privacy

Submission makers have raised objections based on loss of their privacy as a result of the development. The following matters are of relevance to this development when considering the loss of privacy on adjoining land:

- The location of living areas on adjacent land;
- Separation distance and angle;
- Location and design of windows;
- Line of sight; and
- Barriers.

In consideration of the above factors, it is concluded:

- There will be no loss of privacy for 17A Brae Street as:
 - There are no windows on the western side of the addition.

The privacy assessment of 17A Brae Street is shown in Figure 12.



Figure 12 – Privacy Assessment 17A Brae Street

- There will be no loss of privacy for 21 Brae Street as:
 - The windows on the northern side of the dwelling have a sill height of 1500mm;
 - Vegetation along the boundary between 15A and 21 Brae Street provide a visual barrier; and

- The angle and distance between the proposed addition and principle living areas on 21 Brae Street prevent direct line of sight.

The privacy assessment of 21 Brae Street is shown in Figure 13.

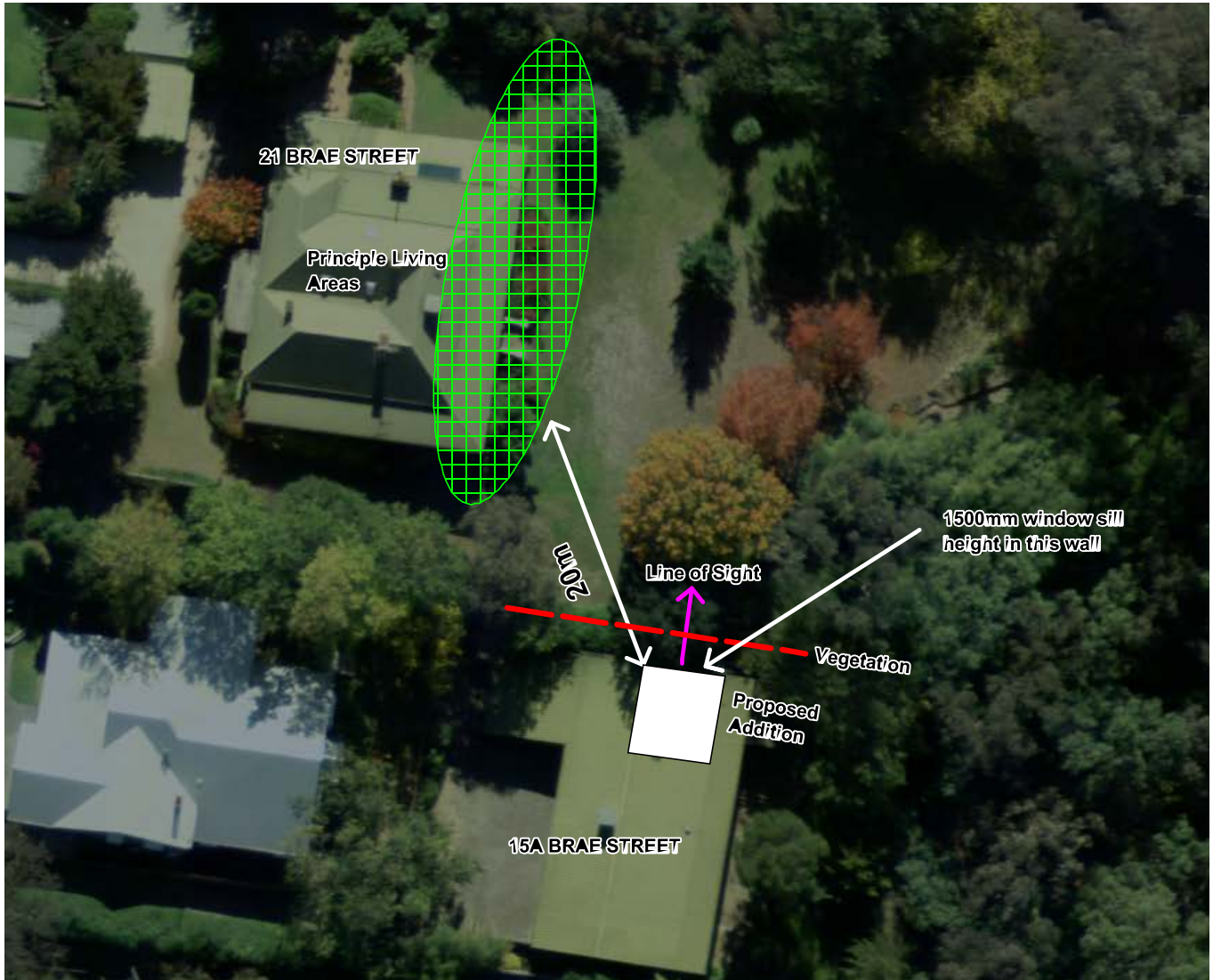


Figure 13 – Privacy Assessment 21 Brae Street

- There will be no loss of privacy for 13A Brae Street as:
 - There is a separation distance of 30 metres; and
 - Angled privacy screens have been proposed by the applicant to prevent direct line of sight.

The privacy assessment of 13A Brae Street is shown in Figure 14.

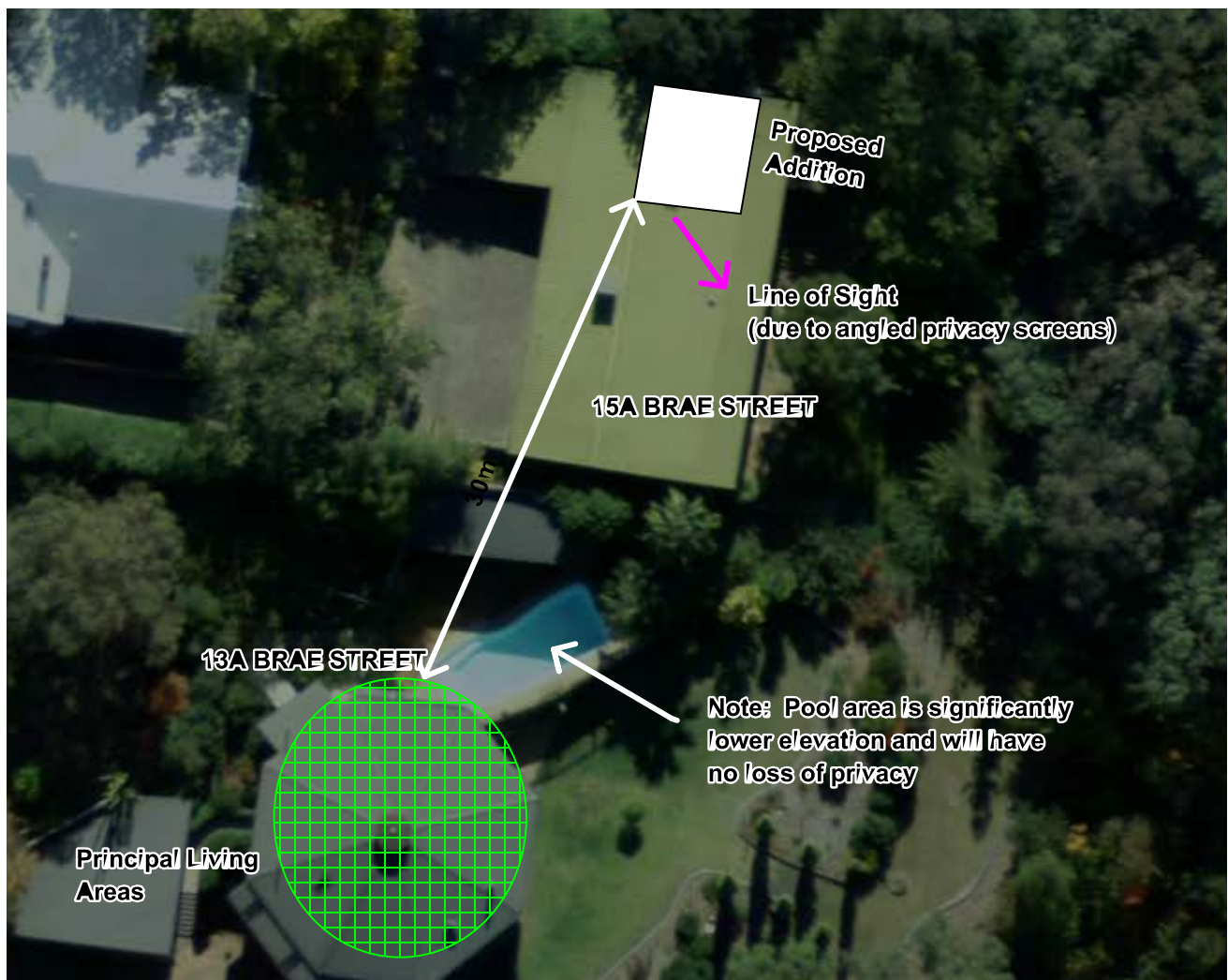


Figure 14 – Privacy Assessment 13A Brae Street

Solar Access and Shading

An objection has been raised in relation to unreasonable overshadowing of the adjoining 17A Brae Street, Inverell.

The applicant has submitted shadow diagrams, which show that neither the existing dwelling nor the proposed addition will overshadow 17A Brae between the hours of 9am to 3pm on the winter solstice.

The submission maker has submitted a conflicting shadow diagram which shows the neighbouring dwelling already in shadow at 9am, with the proposed development increasing the amount of shadow at 9am. A review of these diagrams identifies the following issues with the submission makers shadow diagrams:

- The diagrams do not fully depict the development site and adjoining property in relation to buildings or boundaries; and
- The angle of the sun (azimuth) for the diagrams is 44° 11' 11", which is correct. This equates the sun being to 44 degrees east of north (north-east) with any shadow in a south-west direction.

However, the submitted shadow diagrams appear to show shadow being cast in a north-west direction. It would appear these diagrams have placed 'North' and consequently the sun in the wrong location.

For the assessment of solar access for DA-137/2014, it is considered that the applicant's shadow diagrams are an accurate representation and will form the basis of Council's assessment of solar access. This is also supported by Figure 5, which was taken by Council staff at 9.23am on 1 June, 2015 and shows the shadow cast in a south-west direction; similar to as shown on the shadow diagrams provided by the applicant.

Council does not have specific controls in relation to solar access. Therefore, the following Access to Sunlight Planning Principle in The Benevolent Society v Waverley Council [2010] NSWLEC 1082 should be considered:

- *The ease with which sunlight access can be protected is inversely proportional to the density of development. At low densities, there is a reasonable expectation that a dwelling and some of its open space will retain its existing sunlight. (However, even at low densities there are sites and buildings that are highly vulnerable to being overshadowed.) At higher densities sunlight is harder to protect and the claim to retain it is not as strong.*

Brae Street is considered a low density area; therefore, there is a reasonable expectation that sunlight will be protected.

As can be seen in the shadow diagrams provided by the applicant, the existing proposed addition does not result in any overshadowing at 9am or 12 pm. Whilst there is an increase in shadow at 3pm, this is towards the Macintyre River, which is acceptable.

- *The amount of sunlight lost should be taken into account, as well as the amount of sunlight retained.*

As demonstrated in the shadow diagrams provided by the applicant, there will be no sunlight lost for 17A Brae Street, Inverell.

- *Overshadowing arising out of poor design is not acceptable, even if it satisfies numerical guidelines. The poor quality of a proposal's design may be demonstrated by a more sensitive design that achieves the same amenity without substantial additional cost, while reducing the impact on neighbours.*

The development is not considered to be a poor design. The applicant has provided a design brief providing rationale for the location and size of the proposed. As shown in the shadow diagrams provided by the applicant, this due consideration of design matters has resulted in no shadowing of 17A Brae Street.

- *To be assessed as being in sunlight, the sun should strike a vertical surface at a horizontal angle of 22.5o or more. (This is because sunlight at extremely oblique angles has little effect.) For a window, door or glass wall to be assessed as being in sunlight, half of its area should be in sunlight. For private open space to be assessed as being in sunlight, either half its area or a useable strip adjoining the living area should be in sunlight, depending on the size of the space. The amount of sunlight on private open space should be measured at ground level.*

As there will be no overshadowing of 17A Brae Street, it is not considered necessary to take into consideration the angle of sunlight on surfaces.

- *Overshadowing by fences, roof overhangs and changes in level should be taken into consideration. Overshadowing by vegetation should be ignored, except that vegetation may be taken into account in a qualitative way, in particular dense hedges that appear like a solid fence.*

The applicant has provided shadow diagrams showing shadow from the existing dwelling and from the new addition. These diagrams are acceptable, taking into consideration the levels of the site and adjoining land.

- *In areas undergoing change, the impact on what is likely to be built on adjoining sites should be considered as well as the existing development.*

Brae Street is a fully developed area, with any development primary being in-fill alterations and additions. The area is not considered to be undergoing change.

It is clearly demonstrated in the shadow diagrams provided by the applicant that the proposed development will not result in adverse overshadowing of adjoining properties. The applicant's shadow diagrams are considered to be an accurate depiction of site conditions. They have been verified by numerous site inspections by Council staff. A photo (Figure 5) was taken at one such site inspection, at 9.23am, which confirmed the dwelling in the morning casts a shadow in a south-west direction, and has negligible impact on the adjoining 17A Brae Street.

Consideration of the Access to Sunlight Planning Principle determines that the development complies with solar access standards.

Height, Bulk and Scale

The submission makers object that the height, bulk and scale of the proposed development are inconsistent with Council's planning controls and incompatible with the neighbourhood.

A Planning Principle has been established in *Veloshin v Randwick Council [2007] NSWLEC 428*, which raises the following questions for consideration in the assessment of height, bulk and scale:

- *Are the impacts consistent with impacts that may be reasonably expected under the controls? How does the proposal's height and bulk relate to the height and bulk desired under the relevant controls?*

The Inverell Development Control Plan 2013 – Chapter 3 – Residential Accommodation specifies the following in relation to height:

3.7 Building Height

Outcome

- *To ensure that buildings minimise impacts on adjoining properties from overshadowing, overlooking and excessive bulk and scale.*
- *Generally buildings should not exceed two storeys.*

Acceptable Solution

- *Demonstration, to Council's satisfaction, that the erection of a building would not:*
 - *Detrimentially increase the overshadowing of adjoining properties;*
 - *Significantly obstruct views from adjacent buildings and public places; or*
 - *Have an adverse impact on the scenic or landscape quality of the locality.*

As demonstrated throughout this assessment report, the development complies with the above outcomes and acceptable solutions. Although the addition is a third storey, when viewed from the front (Brae Street) side it will only appear as two (2) storeys.

Consideration of Council's controls and also the other Planning Principles established by the NSW Land and Environment Court, demonstrate that the proposed addition will not result in significant loss of views or sunlight.

The impacts associated with the height, bulk and scale of the development are considered be minimal as reasonably expected under Council's planning controls.

It is noted that the submission maker has referenced a development standard limiting building height to 8 metres. The standard was contained within the Inverell Local Environmental Plan 1988, which no longer applies. Nevertheless, the matters for consideration in this clause have been discussed below:

On any land to which this plan applies, a person may only erect a building greater than 8 metres in height after the Council is satisfied that the building would not:

(a) detrimentally increase the overshadowing of adjoining properties,

This has been assessed above. The proposed development is not considered to adversely impact access to sunlight for the adjoining properties.

(b) significantly reduce the level of privacy enjoyed by adjoining land owners,

This has been assessed above. The proposed development is not considered to adversely impact the privacy of adjoining land.

(c) significantly obstruct views from adjacent buildings and public places, or

This has been assessed above. The proposed development is not considered to adversely impact the views enjoyed by 17A Brae Street, Inverell.

(d) have an adverse impact on the scenic or landscape quality of the locality.

The locality is within a heritage conservation area. As assessed the site is obscured from view from Brae Street and the development is not considered to adversely impact the scenic qualities of the heritage. The development is also not considered to impact scenic views along the Macintyre River.

Whilst the 1988 LEP has been superseded by the 2012 LEP, consideration of the above provisions has demonstrated that the development is consistent with current planning controls and Council's historic approach to the assessment of height, bulk and scale.

- *Does the area have a predominant existing character and are the planning controls likely to maintain it? Does the proposal fit into the existing character of the area?*

The character of the area is described as:

- Predominantly single dwellings;
- Whilst predominantly single storey dwellings there a number of multi storey dwellings present, most notably 17 Brae Street (2 storeys) and 13A Brae Street (3 storeys). 17 Brae Street is visible in Figure 4;
- Varying degrees of lot sizes and site coverage.

Consideration should also be given to the height, bulk and scale of the 17A Brae Street, the nearest adjoining dwelling. The height, bulk and scale of 17A Brae Street is considered to be quite significant, given:

- The raised floor height from bearer/joist construction;
- Pitch of the roof;
- Significant site coverage;
- Retaining wall along the boundary with the development site.

The height, bulk and scale of 17A Brae Street can be seen in Figures 15 and 16.



Figure 15 – 17A Brae Street (Front)



Figure 16 – 17A Brae Street (Rear)

The proposed development will result in:

- A single dwelling on the property;
- The dwelling being 3 storeys, but appearing as 2 storeys from the front (17A Brae Street); and
- The total floor area of dwelling will be 364 square metres. With a lot size of 1477 square metres, this is site coverage of approximately 25-30%.

It is considered that the height, bulk and scale of the proposed development fits with the existing character of the area and is not dissimilar to the height, bulk and scale of the adjoining 17A Brae Street.

- *Is the proposal consistent with the bulk and character intended by the planning controls?*

As discussed above, the proposal is consistent with the bulk and character intended by Council's planning controls.

- *Does the proposal look appropriate in its context?*

The dwelling is screened from Brae Street by 17 and 17A Brae Street. It is also heavily screened by vegetation when viewed from the riverbank. Furthermore, whilst being three (3) storeys, when viewed from the front, it will only appear as two (2) storey. It is considered that the development will look appropriate in the context of the area.

The proposed development has been assessed against Council's planning controls and the Planning Principle for the assessment of height, bulk and scale. It is determined that the height, bulk and scale of the development is consistent with Council's controls and the character of the area.

Heritage Conservation

The submission makers object on the basis of an adverse impact on the Ross Hill Heritage Conservation Area and nearby heritage items.

As shown in Figure 3, there are no heritage items adjoining or adjacent to the site. The nearest heritage item "Oban" is located to the north, at a distance (boundary to boundary) of approximately 45 metres with another property in between (21 Brae Street). The development is not considered to impact on the heritage significance of "Oban".

The significance of the Ross Hill Heritage Conservation Area is primarily concerned with maintaining the streetscape and character of heritage items and non heritage items directly facing or visible from Brae Street. In this regard, the addition will not be visible from Brae Street as the site is located at the rear of 17 and 17A Brae Street.

As part of the assessment of DA-137/2014, the application was referred to Council's Heritage Advisor for comment. The Advisor's full comments can be seen in the INTERNAL REFERRALS section of this report; however, his concluding statement is provided below:

I consider that the proposal, as submitted, will tend to be compatible with the character of the surrounding area. However, I would recommend that the materials, finishes and colours on the alterations and additions respect the character of other buildings in the conservation area which are predominantly of muted colours with roofing material being non-reflective.

The development complies with the controls contained in the Inverell Development Control Plan 2013 – Chapter 7 – Heritage Conservation and referred to Council's Heritage Advisor. This has concluded that the proposed development will not adversely impact the significance of the Ross Hill Heritage Conservation Area or any nearby heritage items.

Capacity of Sewerage System to Cater for Additional Bedroom and Bathroom

The submission makers have questioned whether Council's sewerage system has sufficient capacity to cater for the proposed additional bedroom/en-suite.

This matter was referred to Council's Manager Environmental Engineering, Mr Graham Bendeich for consideration. The following comments were provided:

There is a 150mm diameter gravity sewer line running through these properties which serve a total of approximately 15 properties in Brae Street. A 150mm diameter gravity line has the capacity to serve up to 150-200 properties depending on grades.

With only 15 properties connected it is only running at approximately 10% of capacity. An extra bedroom on a dwelling would be an insignificant increase in load on the sewer system.

A diagram of Council's sewer system is provided in Figure 17.



Figure 17 - Indicate Sewer Main Location Diagram

The applicant has submitted sufficient information demonstrating that the on-site pump out system has capacity to cater for the proposed development.

Impact on Property Values

There is no empirical evidence, or expert evidence put forward to suggest the proposed development will reduce property values in the area. It is considered that possible devaluation of property values is not an impact itself but rather a result of an impact.

Therefore, it is necessary for Council to consider the impacts behind the perception of property devaluation. As discussed throughout this report, particularly in respect to views, sunlight and privacy, the overall impact on the adjoining properties is not considered unreasonable. It is considered that the concerns relating to negative impacts on property values are not sufficient to warrant rejection of the application.

Planning Principle – Impact on Neighbouring Properties

In addition to the consideration of the matters raised by submission makers, *Davies v Penrith City Council [2013] NSWLEC 1141*, contains a Planning Principle specifying criteria for assessing general impact on neighbouring properties, which is considered relevant to this development. The following questions are relevant to the assessment of impacts on neighbouring properties:

- *How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?*

The proposed development is not considered to significantly decrease the amenity of adjoining land. As assessed above, the adjoining land will still retain sunlight and privacy, with only a minimal reduction in view for 17A Brae Street.

- *How reasonable is the proposal causing the impact?*

An additional bedroom with an en-suite and walk-in-robe is not a significant intensification of the dwelling use. Rather than developing the entire length of the dwelling, the applicant has maintained a small footprint to minimise impacts. The proposed development is not unreasonable.

- *How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?*

17A Brae Street is dependant on views which are located over the top of the development site. Alternative locations were considered for the proposed addition; however, the potential impacts on views were similar or greater.

Given the slope of the site and limited parking area, it is reasonable to expect that any additions to 15A Brae Street would be vertical. The applicant has responded to the vulnerability of 17A Brae Street by limiting the size and location of the proposed development.

This assessment has determined that the impact on views, sunlight, privacy, etc. is minimal. Any further reduction or re-design of the development to remove impacts altogether would result in an unreasonable loss of development potential for 15A Brae Street.

- *Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?*

The minimal impact caused by the development does not arise out of poor design. The applicant has provided a design brief demonstrating consideration of adjoining land.

- *Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal?*

As assessed throughout this report, the proposed development is considered to comply with the relevant planning controls, principally the Inverell Local Environmental Plan 2012 and Inverell Development Control Plan 2013.

Public Interest

The application is not considered to be prejudicial to the public interest.

Conclusion

DA-137/2014 has been assessed against the Inverell Local Environmental Plan 2012, Inverell Development Control Plan 2013 and the planning principles established by the New South Wales Land and Environment Court.

This assessment has concluded that the proposed additions to the dwelling at 15A Brae Street, including the addition of the proposed third storey, is permissible and will not have an unreasonable impact on adjoining properties.

Objections have been received based on loss of privacy, views and solar access. These matters have been thoroughly assessed. The design of the development has given appropriate consideration to adjoining properties and this assessment concludes that:

- The development will not result in the loss of privacy for adjoining properties;
- The development will not result in the loss of sunlight for adjoining properties; and
- Whilst there will be a minimal loss of view for 17A Brae Street, this is not unreasonable and should not preclude issuing of development consent.

The site is within the Ross Hill Heritage Conservation Area. The development is not considered to impact the significance of the heritage conservation area or heritage items. The height, bulk and scale of the development are not incompatible with the surrounding area.

Overall, the development is permissible under the relevant planning controls and will have minimal environmental impact. It is recommended that DA-137/2014 be approved subject to conditions of consent.

RECOMMENDATION:

That Development Application 137/2014 be approved subject to the following conditions of consent:

Preliminary

1. Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the *Environmental Planning and Assessment Act 1979*.

Consent is granted for:

- Construction of a third storey on the northern side of the dwelling containing:
 - Master bedroom;
 - En-suite; and
 - Walk-In-Robe.
- Construction of an internal staircase; and
- Reconstruction of the dwelling entry

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

2. The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the *Environmental Planning & Assessment Regulation 2000* (as detailed at the end of this consent).

Prior to Construction

3. Prior to the commencement of any building works on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the *Environmental Planning and Assessment Act 1979*. The application for a Construction Certificate, made to Council or an Accredited Certifier, must include plans and specifications demonstrating full compliance with the *Building Code of Australia* and associated standards.

During Construction

4. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
- Works on site are to be carried out in accordance with the *Protection of the Environment Operations Act 1997* in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
 - Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;
 - Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;
 - Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;
 - Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and
 - Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the *Surveying and Spatial Information Act 2002*. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.

Prior to Occupation

5. Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the *Environmental Planning and Assessment Act 1979*.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

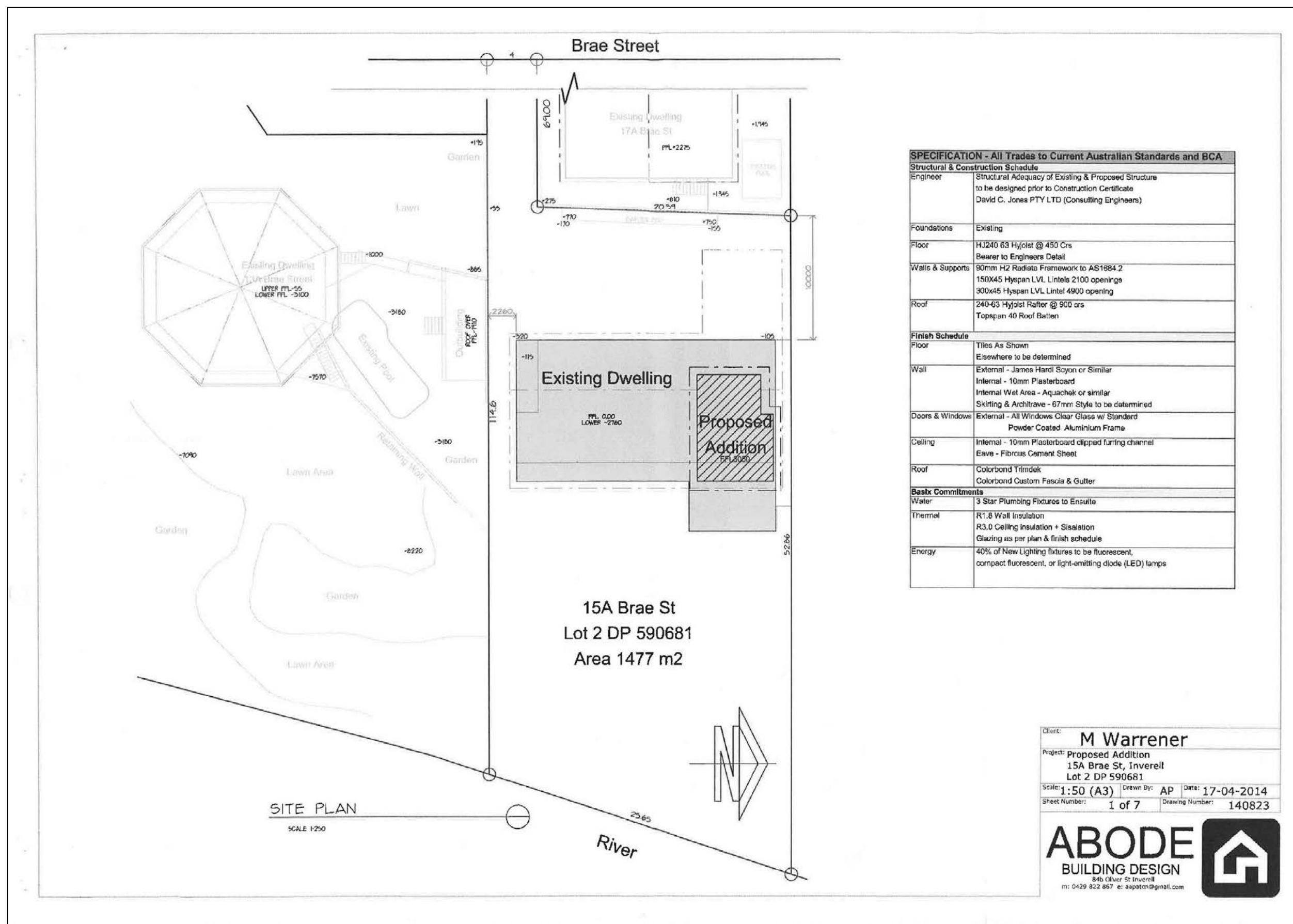
- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
 - any preconditions to the issue of the certificate required by a development consent have been met.
6. Prior to issue of an Occupation Certificate, all stormwater (i.e. roof water and/or surface water) shall be drained in accordance with *Australian Standard 3500.3 Plumbing and drainage*.
7. Prior to issue of an Occupation Certificate, the proposed addition and the entirety of the remaining dwelling are to be finished in the same external colour.

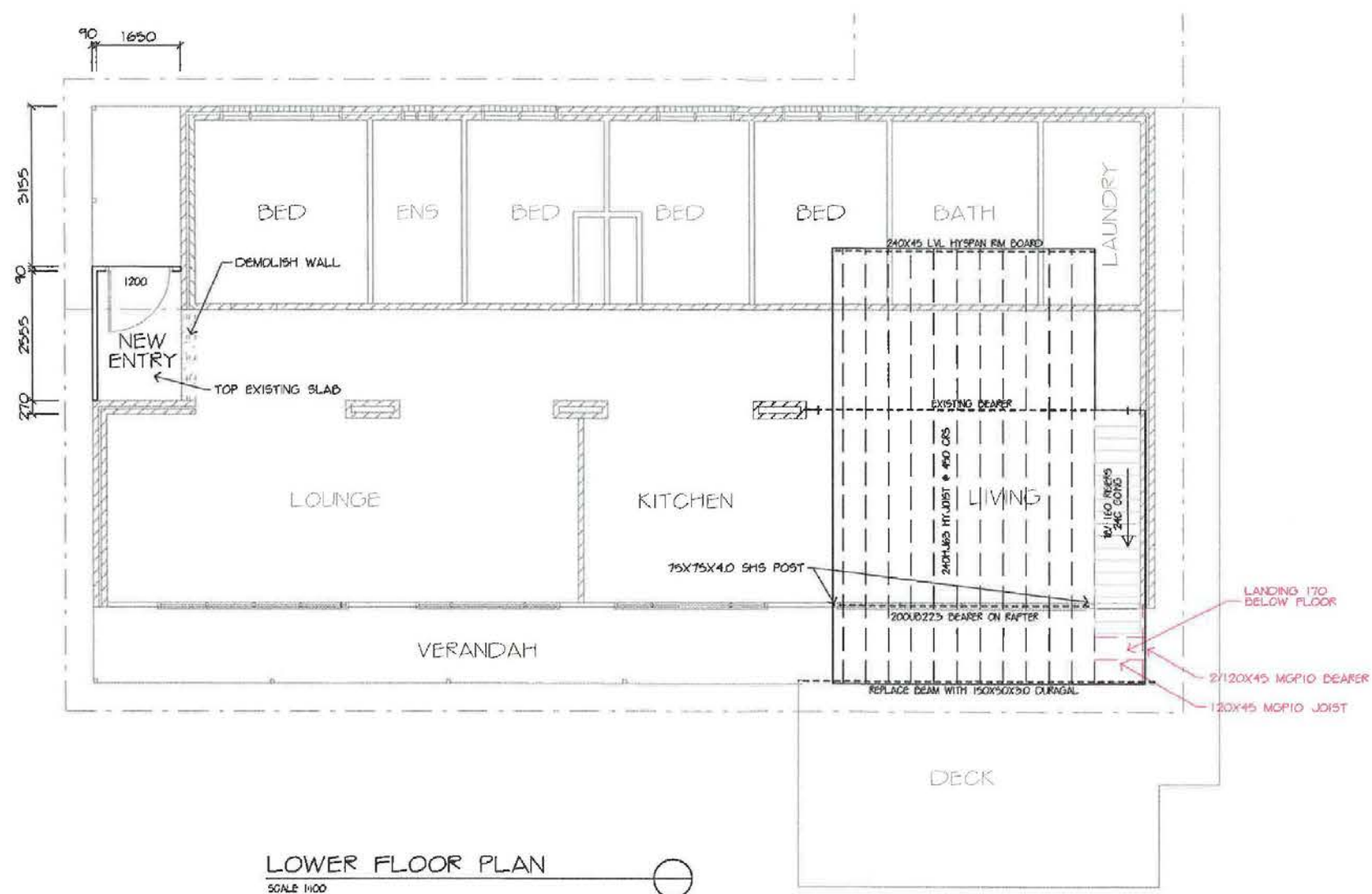
Ongoing Use

8. No aerial, antenna, communication dishes, air-conditioning units or similar devices are to be installed on the external walls or roof of the third storey addition.

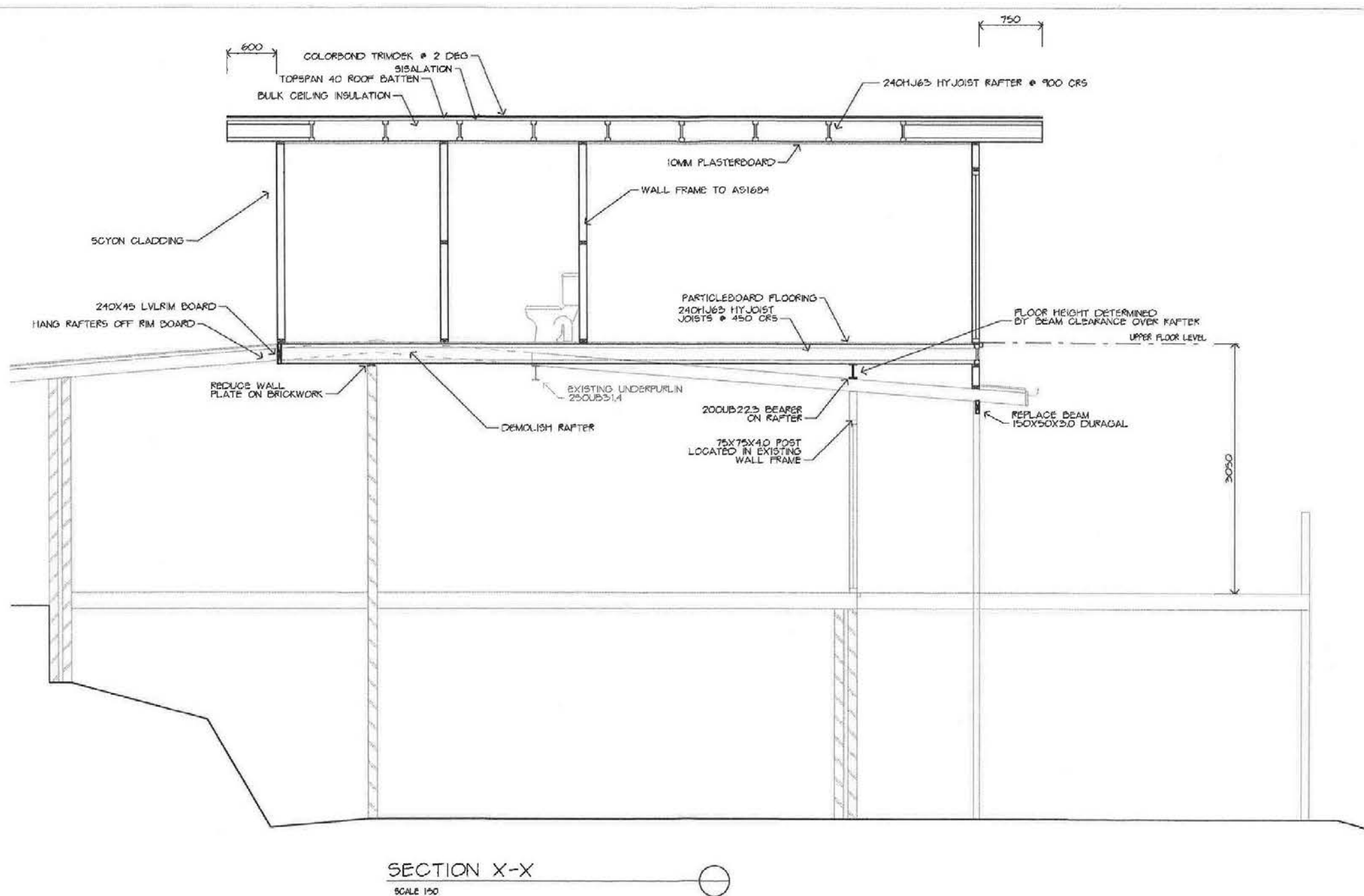
- | |
|--|
| <p>9. Any other condition deemed appropriate by the Director Civil and Environmental Services.</p> |
|--|

APPENDIX 1





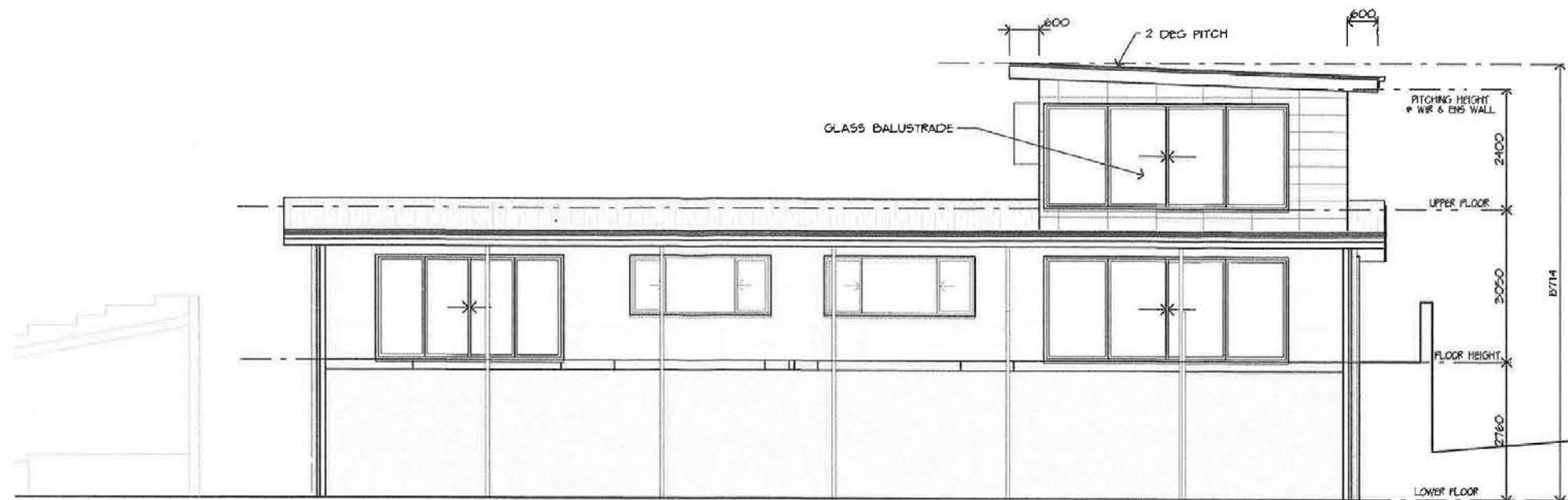
Client:	M Warrenner		
Project:	Proposed Addition 15A Brae St, Inverell Lot 2 DP 590681		
Scale:	1:50 (A3)	Drawn By:	AP
		Date:	17-04-2014
Sheet Number:	3 of 7	Drawing Number:	140823



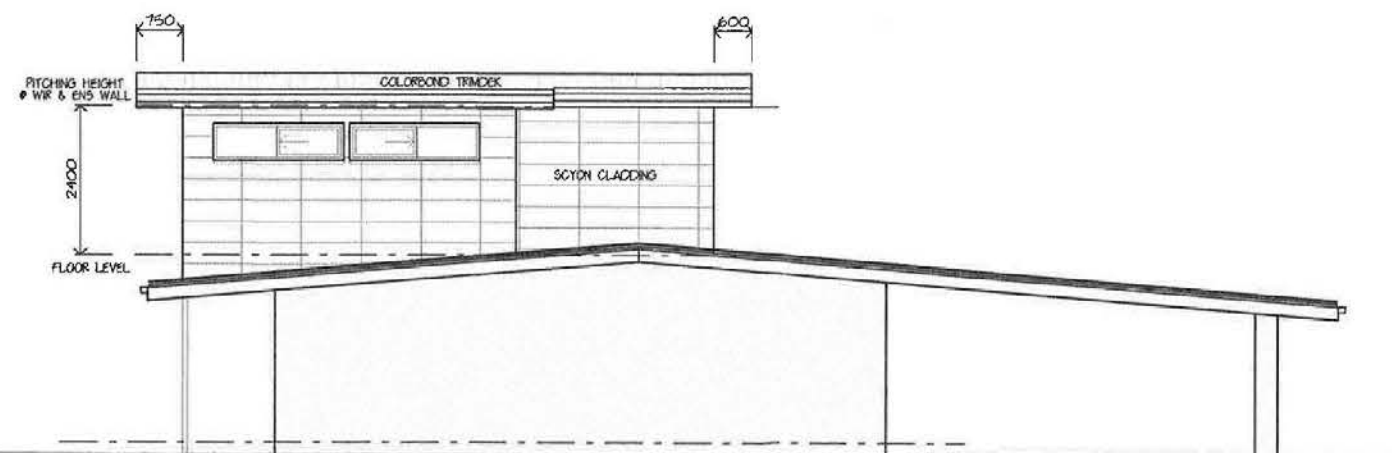
Client:	M Warrener		
Project:	Proposed Addition 15A Brae St, Inverell Lot 2 DP 590681		
Scale:	1:50 (A3)	Drawn By:	AP
		Date:	17-04-2014
Sheet Number:	4 of 7	Drawing Number:	140823

ABODE
BUILDING DESIGN
84b Oliver St Inverell
m: 0429 822 867 e: aapaton@gmail.com





EASTERN ELEVATION

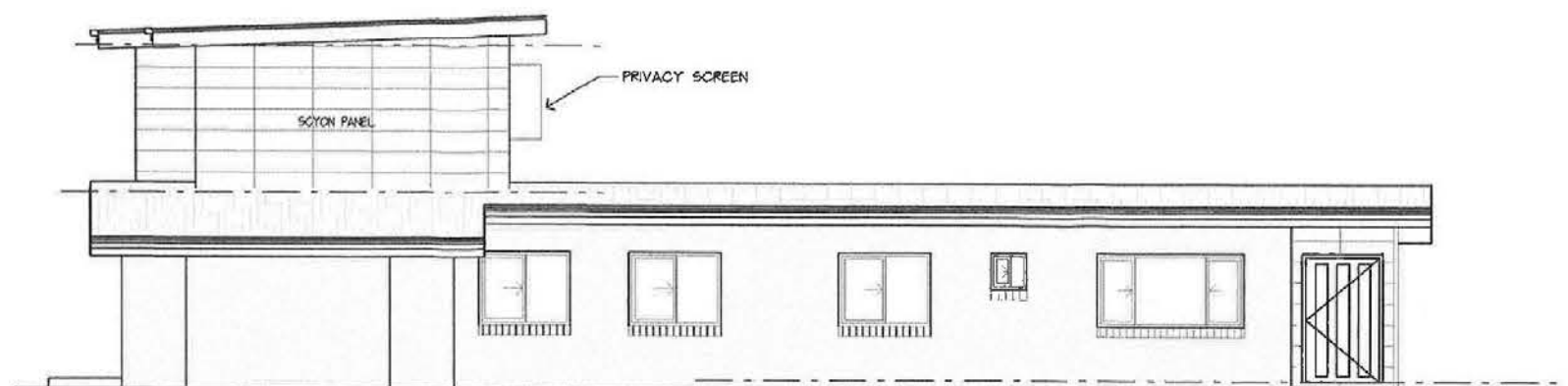


NORTHERN ELEVATION

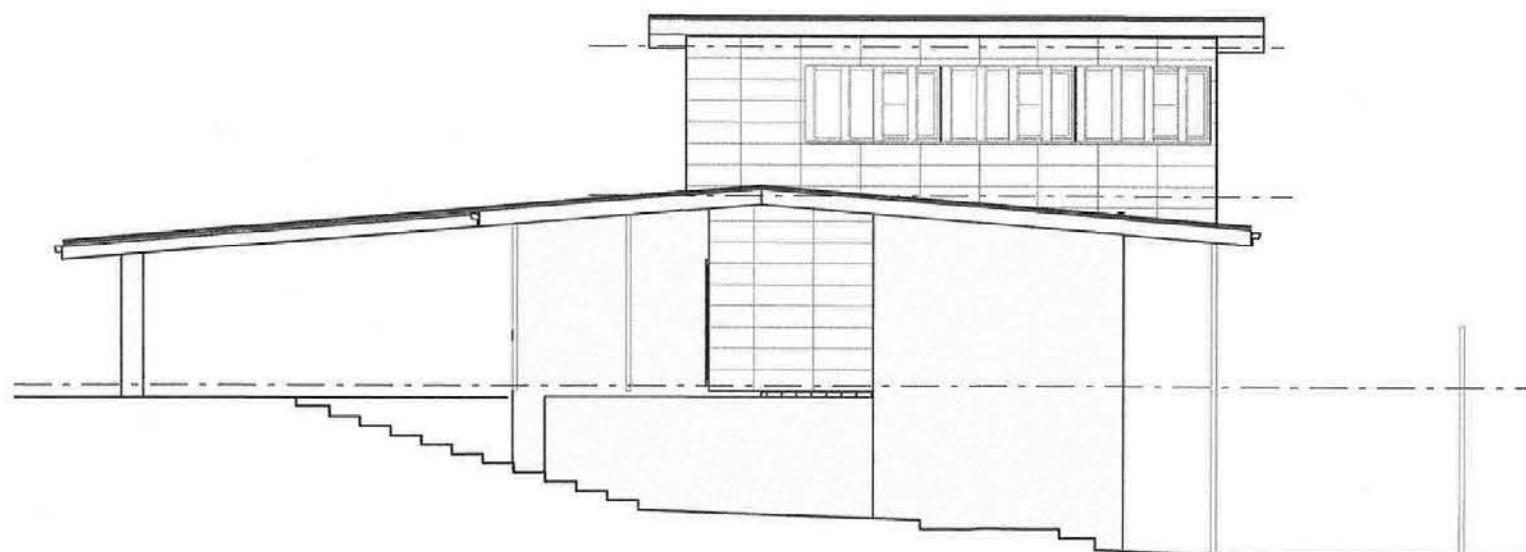
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Project:	Proposed Addition 15A Brae St, Inverell Lot 2 DP 590681		
Scale:	1:50 (A3)	Drawn By:	AP
		Date:	17-04-2014
Sheet Number:	5 of 7	Drawing Number:	140823

ABODE
BUILDING DESIGN
84b Oliver St Inverell
m: 0429 822 867 e: aapaton@gmail.com





WESTERN ELEVATION

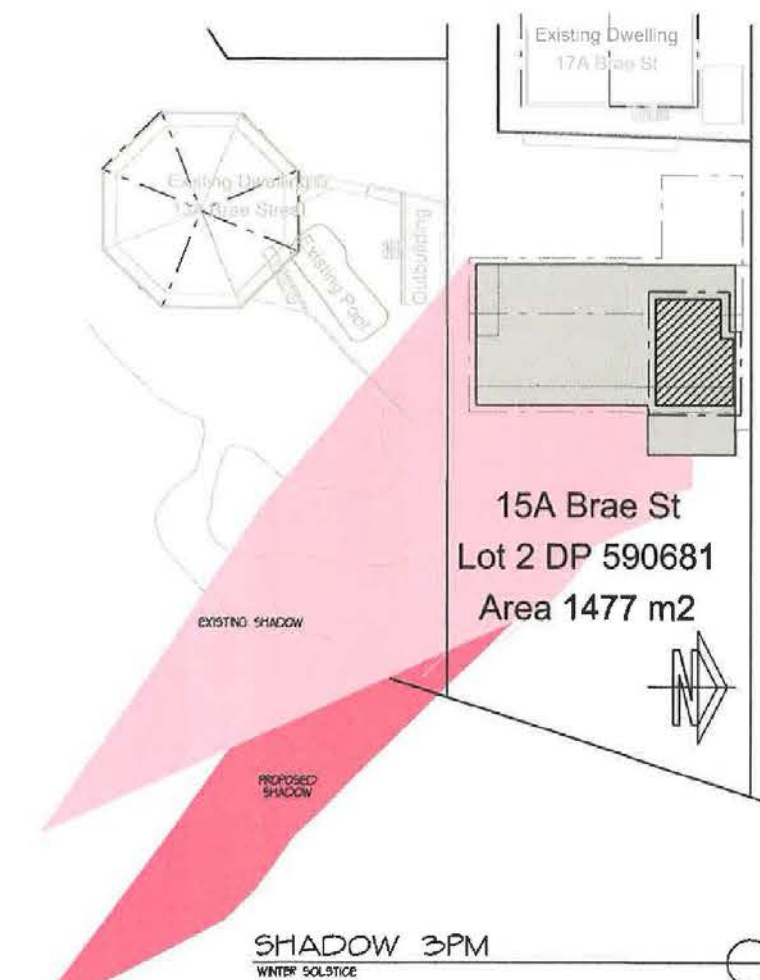
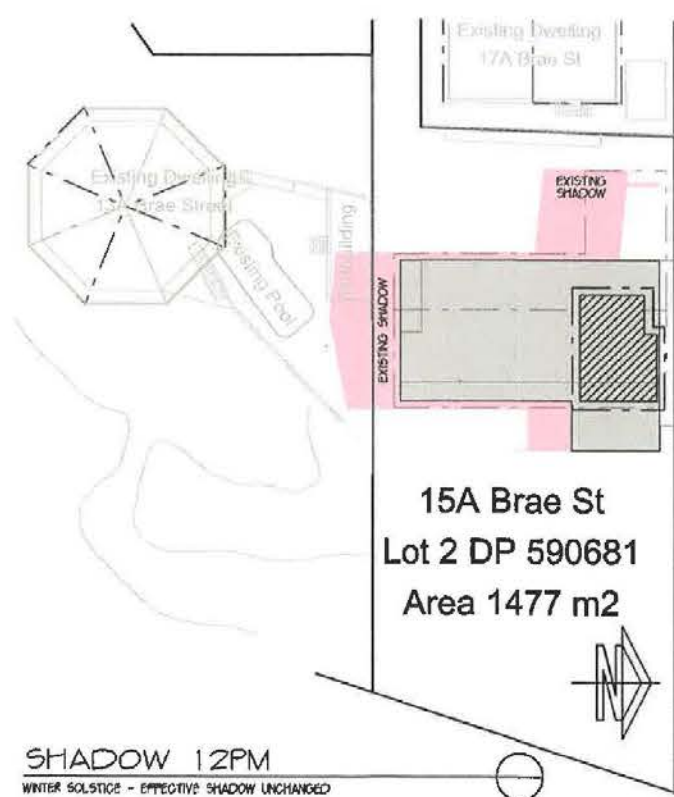
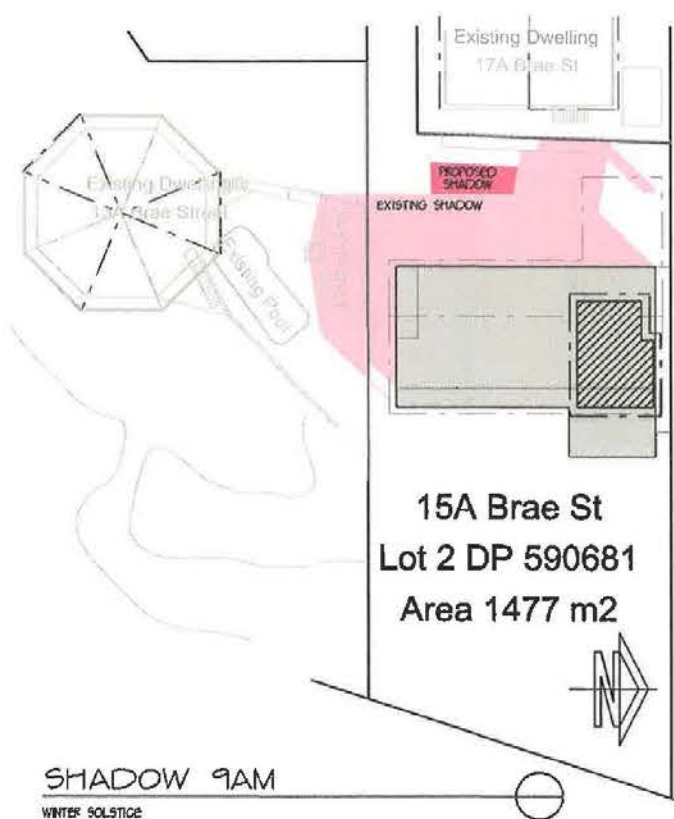


SOUTHERN ELEVATION

Client: M Warrenner			
Project: Proposed Addition			
15A Brae St, Inverell			
Lot 2 DP 590681			
Scale: 1:50 (A3)		Drawn By: AP	Date: 17-04-2014
Sheet Number: 6 of 7		Drawing Number: 140823	

ABODE
BUILDING DESIGN
84b Oliver St Inverell
m: 0429 822 867 e: stepaton@gmail.com





Client:	M Warrener		
Project:	Proposed Addition 15A Brae St, Inverell Lot 2 DP 590681		
Scale:	1:50 (A3)	Drawn By:	AP
		Date:	17-04-2014
Sheet Number:	7 of 7	Drawing Number:	140823

ABODE
BUILDING DESIGN
84b Oliver St Inverell
m: 0429 822 857 e: aapaton@gmail.com



Further Information regarding proposed addition located at

15A Brae St Inverell DA-137/2014

Prepared by ABODE Building Design – 17/04/2015

INVERELL SHIRE COUNCIL

20 APR 2015

DESIGN RATIONALE

EXISTING DEVELOPMENT

Currently 15A has a two storey double brick residence. The main floor level has 4 bedrooms & 2 Bathrooms. Additionally the lower floor has a 'granny flat' with its own bathroom and kitchen.

DESIGN BRIEF

Design a master bedroom suite with associated Walk-in-Robe & Ensuite. The Suite is to be large enough to be a retreat area along with being as a sleeping area. The proposed room is to take advantage of the view to the East and South over the river and avail itself to morning sun.

SITE OPPORTUNITIES

The Site is a typical residential block with normal opportunities for residential development. Beyond this there is the specific opportunity of the view to the East and South along the McIntyre River.

SITE CONSTRAINTS

- **Existing building proximity to boundaries** - The existing residence is built close to the northern and Southern Boundaries (1250 & 2260 respectively). This restricts any development towards these boundaries.
- **Vehicle manoeuvring** – The site is a 'battle-axe' which necessitates the turning of vehicles on the site. The current vehicle turning area to the west of the house is barely adequate and cannot be encroached on any further.
- **Overshadowing** – The close proximity of the neighbouring houses combined with the significant fall on and adjacent the site gives a heightened impact of overshadowing. Currently the existing residence overshadows the Pool area of 13A Brae St and equally 17A Brae St overshadows the existing vehicle turning area of the existing development. Any further development of the site has a great chance of increase the overshadowing 17A Brae St.
- **Interference with view** - The Site along with 13A, 17A, 21 Brae St share with varying amounts have a view to the South and East over the town and up the McIntyre valley.
 - **13A Brae St** – Has direct frontage to the view. Any further development of 15A Brae St will have no impact upon their view
 - **17A Brae St** – Is located behind 15A Brae St and therefore looks over the existing residence for their view. The view, from this residence, can be seen from the master bedroom, living area, laundry and pool area. Currently this residence enjoys an uninterrupted vista, limited on the North by existing trees and the south the natural lie of the land.
 - **21 Brae St** – has direct frontage to McIntyre River with the house being located further up the bank. There is significant vegetation between the house and the river equating to only limited views. Along the shared boundary there are a number of established trees.
- **Loss of privacy** – The proximity of the residences brings a heightened concern for privacy particularly from overlooking

- **Topography** - The site falls consistently at approximately 5% to the existing dwelling and then the land falls steeply by approximately 30%-35% from the residence to the river. The topography greatly complicates any development further towards the river
- **Conservation area** – Under Inverell LEP 2012 the Brae St area is a heritage conservation area. Given the “battle axe” arrangement of the site and the two dwellings located directly in front the development will have insignificant impact to the amenity of the surrounding area

EXPLORED SOLUTIONS

- **in front of existing Living area** – to build a pod structure off the Eastern side in-front of existing living area
- **additional storey at southern end of house** - (as per plans ABODE 140822 10-11-2014)
- **additional storey at 3 metres off southern end of house** - (Similar to ABODE 140822 10-11-2014, moved away from southern edge of the building by approximately 3 metres)
- **additional storey at Northern end of house** - (as per plans ABODE 140823 17-11-2014)

PROPOSED SOLUTION

ABODE Plan 140822 10-11-2014 as part of DA-137/2014 is redacted for the following shortcomings have been identified;

- Overshadowing of pool area and private outdoor space of 13A Brae St
- Loss of view from 17A Brae St as a result of the proposed addition being in the middle of the outlook

It is proposed to proceed with an addition as per plans ABODE 140823 17-11-2014 being an additional storey located at the Northern end of the house. This proposed outcome;

- Fulfils the brief and desires of the owners.
- Constraints of boundary proximity, vehicle manoeuvring, topography & loss of privacy are all adequately dealt with.
- Has no significance to the streetscape regarding the heritage conservation area.
- Overshadowing of the pool area and private outdoor space of 13A has been eliminated with no further impact created by the proposed addition.
- Loss of View from 17A Brae St has been minimised with the proposed structure being moved to the northern limit of their view.
- The loss of view from 21 Brae St has been hypothetically and insignificantly increased (hypothetically due to the highly vegetated state of the block). Currently there are established trees along the shared boundary. If in the future if the vegetation on 21 Brae St were reduced the site would have direct views over the river via its own direct frontage.

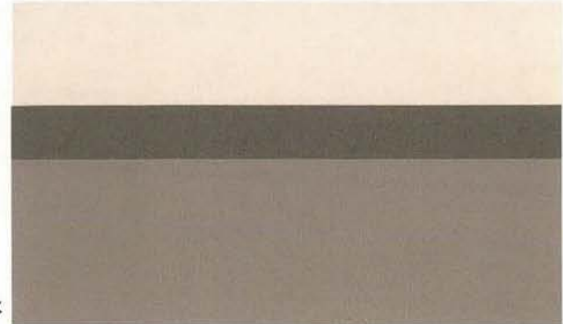
SCHEDULE OF FINISHES

Roof – “Shale Grey” Colorbond Trimdek

Gutter & Fascia – “Woodland Grey”

New Wall - Dulux “Malay Grey” Scyon Cladding

Existing Walls - Dulux “Malay Grey” Painted Brickwork



SEWER PUMP

Located onsite there is a sewer tank & pump to service the residence. This tank and pump is currently fully functional. The Tank is a concrete tank with a capacity of 2400 Litres. The pump is automatic being volume triggered and operates at 7.8 L/s. Calculating with AS3500.2 (tables 6.1 & 6.2) the dwelling has plumbing fixtures currently rated to create a continuous flow of 2.0 L/s. The extra load will raise this by an extra 0.5 L/s giving a total of 2.5 L/s. Therefore the current sewer pump and tank can sufficiently handle the extra load created by the addition.

STRUCTURAL CERTIFICATION

See attached email from David C Jones dated 16/04/2015

PHOTOMONTAGES

To be facilitated on 21/04/2015 in connection with Inverell Shire Council Staff Members

Kind Regards

Andrew Paton

ABODE Building Design

Subject: Warrener House Extension 15A Brae St Inverell
From: David Jones <david@dcjones.com>
Date: 16/04/2015 12:17 PM
To: Andrew & Amelia Paton <aapaton@gmail.com>
CC: David Jones <david@dcjones.com>

Hi Andrew,

Following my telephone conversation with Chris Faley at Council, I am confirming that your drawings of the proposed modification to the upper bedroom location are feasible to be made structurally adequate in terms of support and holding down arrangements.

I think it unwise for me to specify beam sizes and holding down/bracing arrangements until the neighbours have given their blessing to the proposal.

Regards,

David Jones
Chartered Professional Engineer
for and on behalf of
David C. Jones (Consulting Engineers) Pty Ltd
ABN 65 001 816 039
david@dcjones.com
0427 210222

Photomontage regarding proposed addition located at

15A Brae St Inverell DA-137/2014

Prepared by ABODE Building Design – 6/05/2015

PHOTOS FROM 17A BRAE ST

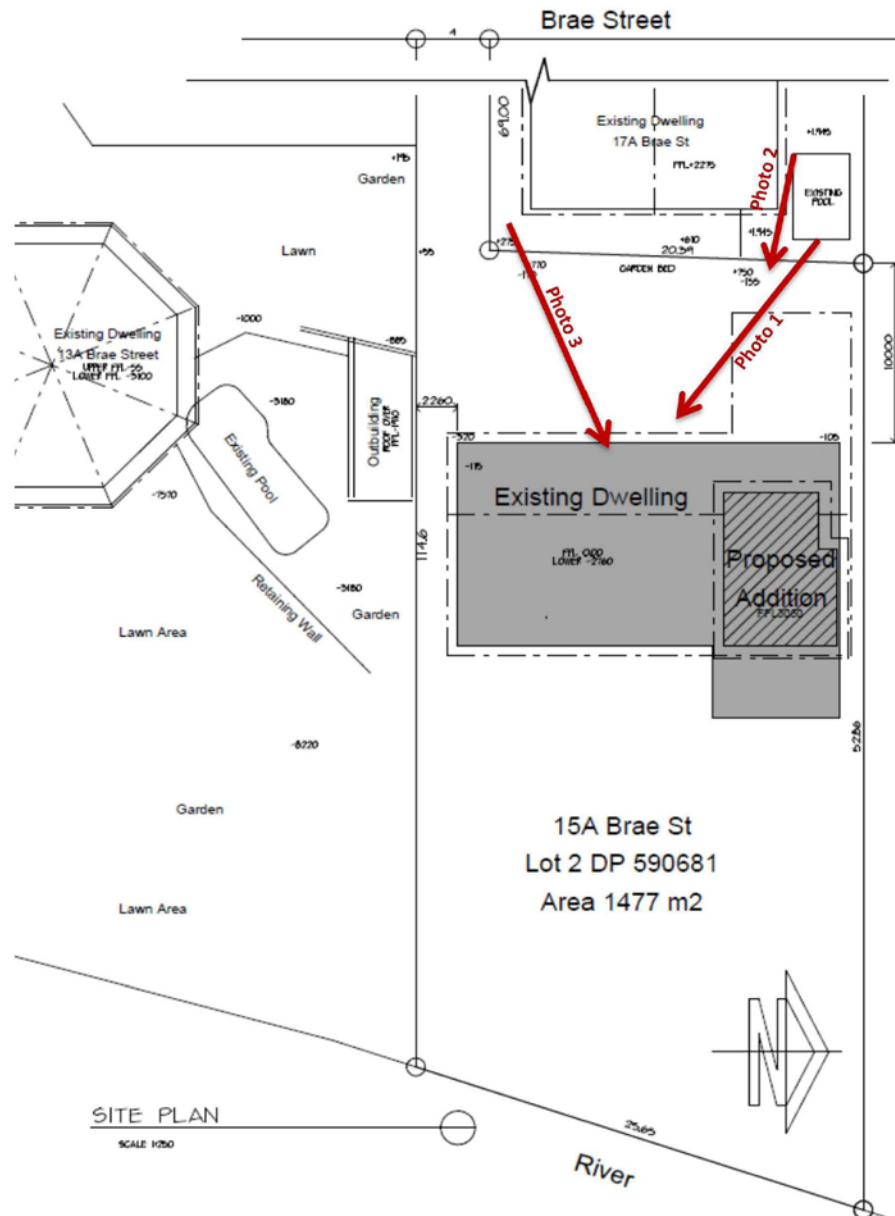


PHOTO 1 (CENTRE EASTERN END OF POOL)



Existing

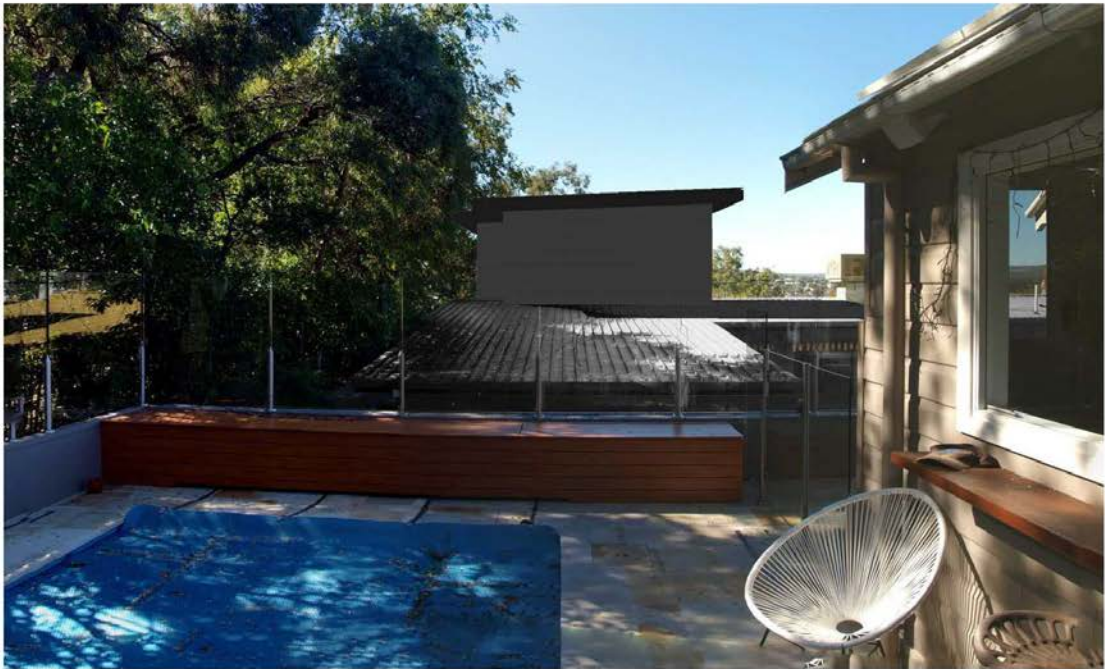


Proposed Development

PHOTO 2 (SOUTH WESTERN CORNER OF POOL)



Existing



Proposed Development

PHOTO 3 (SOUTH EAST CORNER OF 17A BRAE ST 1200 ABOVE FLOOR LEVEL)



Existing



Proposed Development

PHOTOS FROM PUBLIC AREAS

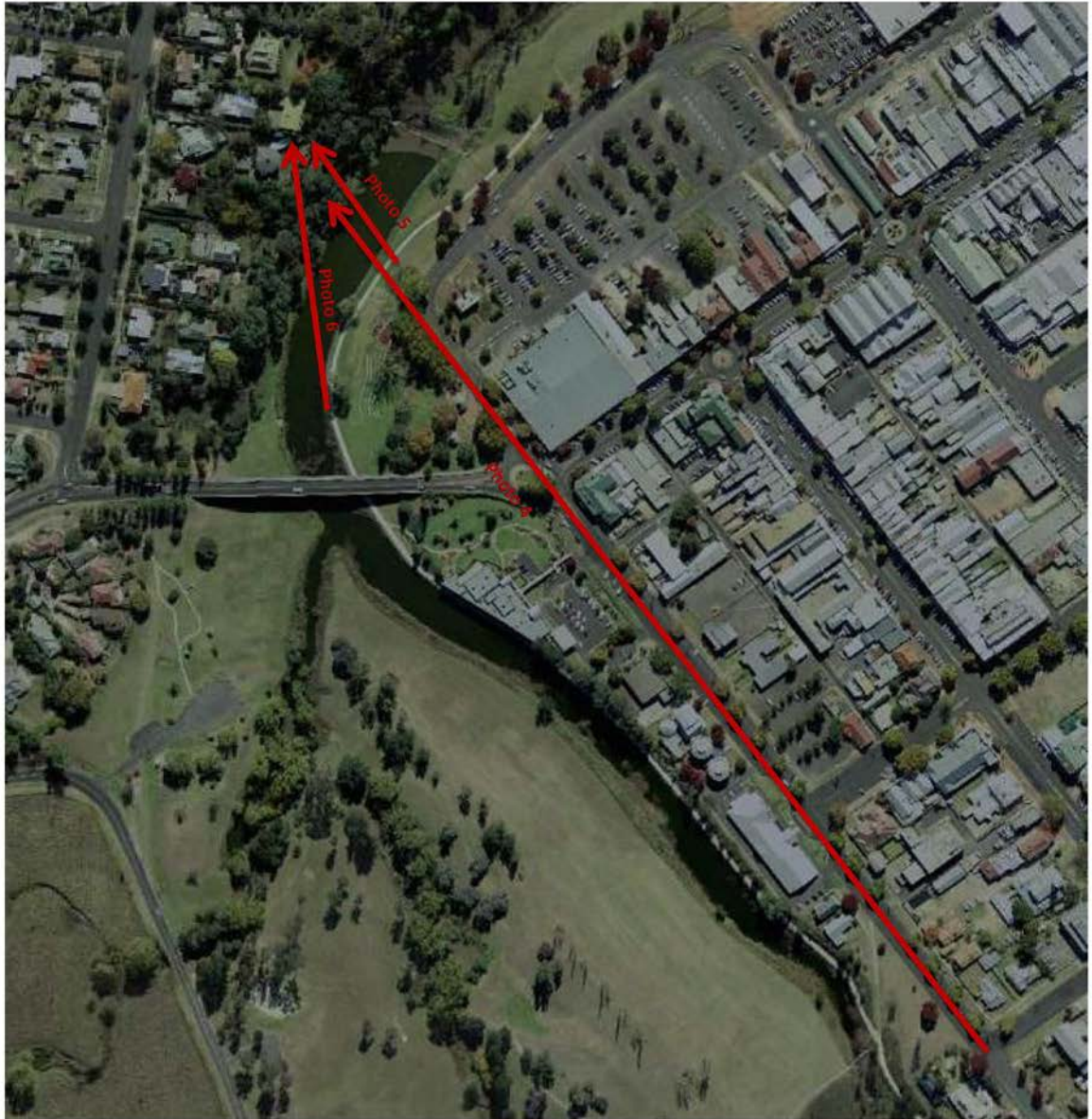


PHOTO 4 – CORNER OF CAMPBELL & RIVERS ST



Proposed Development

PHOTO 5 - CAMPBELL PARK



Existing



Proposed Development

PHOTO 6 – MAIN BRIDGE



Existing Panned Out



Existing



Proposed Development

TO CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING 10/06/2015

ITEM NO:	1.	FILE NO: S5.9.12
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	ASHFORD WATER TREATMENT PLANT PCG MEETING MINUTES – 12 MAY 2015	
PREPARED BY:	Hayley Nichols, Corporate Support Officer - Publishing	

SUMMARY:

Meeting held on Tuesday, 12 May, 2015.

COMMENTARY:

MINUTES OF THE ASHFORD WATER TREATMENT PLANT PROJECT CONTROL GROUP MEETING HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 144 OTHO STREET, INVERELL ON TUESDAY, 12 MAY, 2015 COMMENCING AT 10.00AM.

PRESENT: Cr Phil Girle (Chairman), Graham Bendeich (Manager Environmental Engineering), Tony Turner (Water and Sewer Coordinator), Darrell Hughes (Operations Coordinator), Brett McInnes (Director Civil & Environmental Services) and Mark Bryant (Environmental Engineering Technical Officer).

APOLOGIES:

Paul Pay (Manager Financial Services) and Anthony Alliston (Manager Development Services).

CONFIRMATION OF MINUTES

RESOLVED (Bryant/Bendeich) that the Minutes of the Ashford Water Treatment Plant Project Control Group Meeting held 20 April, 2015 as circulated to members be confirmed as a true and correct record of that meeting.

DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

There were no interests declared.

MATTERS ARISING

Nil.

i) ASHFORD WATER TREATMENT PLANT PROJECT S5.9.12

RESOLVED (Turner/Hughes) that:

- i) *the information be received and noted; and*
- ii) *the Ashford Water Treatment Plant PCG endorse the payment to Water Treatment Australia Pty Ltd of \$262,095.18 (incl GST) for progress Claim No 11 (April 2015).*

SECTION F
QUESTIONS WITHOUT NOTICE

Darrell Hughes Civil Works

Darrell Hughes enquired about the progress of the design for civil concrete works at the site.

Mark Bryant advised that he is currently working on the plans.

NEXT MEETING

The next meeting will be held on a date to be advised.

There being no further business, the meeting closed at 10.15am.

ITEM NO:	2.	FILE NO: S28.21.1/08
DESTINATION 5:	The communities are served by sustainable services and infrastructure.	S
SUBJECT:	WORKS UPDATE	
PREPARED BY:	Justin Pay, Manager Civil Engineering	

SUMMARY:

This report is intended to keep Council updated on the capital works and maintenance programs.

COMMENTARY:

Cameron Park Upgrade

Work is continuing on the Cameron Park upgrade project. Road works are now completed along Cameron Street with a bitumen seal planned in conjunction with other urban works projects mid June.

Mansfield Street Reconstruction – Greaves Street to Bennett Street

Works are substantially underway on the Mansfield Street – Greaves Street to Bennett Street, reconstruction project. The scope of works includes construction of kerb and gutter, pavement reconstruction, underground drainage and bitumen sealing. Earthworks and drainage works are now completed and pavement works are continuing. The project is scheduled for completion by the end of June.

Bingara Road – Michells Lane

Pavement rehabilitation works on a 1.2km section of the Bingara Road is now complete. Bitumen sealing was completed at the end of May.

Ashford Road “Karoola” Reconstruction 3 Sisters – Stage Two

Works are continuing on Stage two (2) of this realignment and widening project. All drainage works have been completed in preparation for realignment and widening. Major earthworks have commenced, removing the crests and filling the hollows to improve the vertical alignment. Major earthworks will continue over the next couple of months with pavement works and bitumen sealing planned to be completed by end of August.

Maintenance Grading

Maintenance grading works were undertaken on the following roads during May, 2015:

SR 9	North Star Road	15.1km
SR 13	Apple Tree Flat Road	23.5km
SR 17	Holdfast Road	30.8km
SR 24	Mount Hallam Road	24.0km
SR 25	Baltimore Loop Road	23.9km
SR 27	Atholwood Road	21.7km
SR 31	Hillview Road	6.2km
SR 51	Wells Crossing Road	11.0km
SR 107	Northcotts Road	1.7km
SR 142	Loxton Road	1.1km
SR 143	Mackie Lane	1.0km
SR 234	Kings Plains Road	21.0km
SR 267	Spring Mountain Road	15.0km
SR 268	Stumans Road	2.5km
SR 270	Inverness Road	1.0km
SR 350	Jindalee Road	6.7km

Total 206.2km

Reactive grading works were undertaken on the following roads during May, 2015:

SR 18	Milkomi Road	8.3km
SR 193	Wiltshire Road	0.5km
SR 194	Glenwood Road	0.5km
SR 196	Onus Road	3.0km

Total 12.3km

Gravel Resheeting Program

No Gravel resheeting works were undertaken during May, 2015.

Gravel Patching

Gravel patching works were undertaken on the following road during May, 2015.

SR 161 Delungra Cemetery Road

Other Maintenance Activities

Council's State, Regional and Local Roads, Urban and Village Street maintenance activities are continuing as required. Town maintenance will continue as required.

RECOMMENDATION:

That the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 10 June, 2015, be received and noted.