

PENRITH CITY COUNCIL

FAST LIGHT ASSESSMENT REPORT

Application number:	DA21/0536
Proposed development:	Two Storey Dwelling on Proposed Lot 1248
Property address:	31 Cargo Street, WERRINGTON NSW 2747
Property description:	Lot 1248 PP 1272642
Date received:	21 July 2021
Assessing officer	Adem Sertlioglu
Zoning:	SEPP WSA - Affected by Obstacle Limitation SEPP WSA - Affected by Wildlife Buffer Zone E2 Environmental Conservation - LEP 2010 IN2 Light Industrial - LEP 2010 Zone R1 General Residential - LEP 2010 Zone R4 High Density Residential - LEP 2010 RE1 Public Recreation - LEP 2010
Class of building:	Class 1a , Class 10a
Recommendation:	Approve

Executive Summary

Council is in receipt of a development application for the subject development on the subject site and the proposal is a permissible land use with Council consent.

Site & Surrounds

The subject site is situated on the subdivision approved under DA19/0704. It is 300m² in area, is orientated in a east west direction.

An inspection of the site was undertaken on 26/7/2021 and the site is currently awaiting development that is approved as part of subdivision works under DA19/0704

The surrounding area is characterised by residential development.

Proposal

The proposed development involves:

- Construction of two storey dwelling including parking, landscaping and associated drainage works

Plans that apply

LAND RESERVED FOR ACQUISITION
BUSHFIRE PRONE LAND (PARTLY)
CLM ACT 1997 - SITE AUDIT STATEMENT
PENRITH DCP 2014
GENERAL LIST
DCP 2014 - Tree Preservation Controls
DCP 2014 - General Information
PLAN INST - SREP NO 9 EXT IND (NO 2-1995) AA
PLAN INST - SREP NO 20 HAW NEP RIV (NO2-1997) AA
FLOOD RELATED DEVELOPMENT CONTROLS
Local Environmental Plan 2010
No Comp Devel under GHC – Res for Public Purpose
No Comp Devel under GHC – Env Sens Land
No Comp Devel under RH Code - Res for Public Purp
No Comp Devel under RH Code - Env Sens Land
No Comp Devel under C & I (NBA) Code - Pub Purp
No Comp Devel under C & I (NBA) Code - Env Sen Lan
No Comp Devel under LRHDC – Res for Publ Purpose
No Comp Devel under LRHDC – Env Sens Land
No Comp Devel under H Code - Res for Public Purp
No Comp Devel under H Code - Env Sens Land
Asbestos & Contam Land Policies
PRECINCT 2010
SEC 94 CONTRIB PLAN - CULTURAL FACILITIES
SEC 94 CONTRIB PLAN - LOCAL OPEN SPACE 2007
SEC 94 CONTRIB PLAN - DISTRICT OPEN SPACE FACILS
SEC 94 CONTRIB PLAN - WELL PRECINCT
SEC 7.12 CONTRIB PLAN - PENRITH CITYWIDE
STATE ENV PLANNING POLICIES - GENERAL LIST
SEPP WSA - Affected by Obstacle Limitation
SEPP WSA - Affected by Wildlife Buffer Zone
NORTH WARD
E2 Environmental Conservation - LEP 2010
IN2 Light Industrial - LEP 2010
Zone R1 General Residential - LEP 2010
Zone R4 High Density Residential - LEP 2010
RE1 Public Recreation - LEP 2010
LEP 2010 - Clause 7.2 Flood Planning
LEP 2010 - Additional Land Use Notes

- **Section 4.14 - Bushfire prone land assessment**

The development has been assessed in accordance with the matters for consideration under Section 4.14 (Consultation and development consent—certain bush fire prone land) of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following points are made:

- Bushfire report submitted is part of overall subdivision and is approved under DA19/0704. Report reference is prepared by Building Code and Bushfire Hazard Solutions Pty Ltd, Dated 01/10/2019 with reference number being 191311

- In reviewing the submitted report, it is observed that the proposed development on the lot that forms part of this application is not subject to bushfire related controls. A minor portion at the rear of the development is subject to the bushfire overlay however this does not impact the proposed development in any way.

- As such, this proposal is not subject to any bushfire related controls and the application is suitable to proceed in its current proposed form.

- **Section 4.15 - Evaluation**

The development has been assessed in accordance with the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

Is the development permissible in the zone?

Complies

Is the development consistent with any requirements of environmental planning instruments relevant to this proposal (including any applicable SEPP's, SREP's and LEP's)?

Complies

Section 4.15(1)(a)(ii) The provisions of any draft environmental planning instrument

Is the development consistent with any draft planning instruments relevant to this proposal

N/A

Section 4.15(1)(a)(iii) Any development control plan

Is the development consistent with the provisions of any development control plan relevant to this proposal?

Complies - See discussion

Section 4.15(1)(a)(iv) Any applicable regulations

Is the development consistent the provisions of any regulations relevant to this proposal?

Complies

Section 4.15(1)(b) The likely impacts of the development

Context and setting

Is the development consistent with the bulk, scale colour and design of other development in the locality?	Complies
Will the development have only a minor impact of the amenity of the area and the streetscape?	Complies
Is the development compatible with surrounding and adjacent land uses	Complies
Will the development have no or minimal impact on the amenity of the area in terms of:	
Sunlight (overshadowing):	Complies
Visual and acoustic privacy:	Complies
Views or vista:	Complies

Access and Transport

Will the development have no or minimal impact on the local road system	Complies
Is the existing and any proposed access arrangements and car parking on site adequate for the development?	Complies

Heritage

The property is not subject to any heritage order or is identified as heritage under a planning instrument.	Complies
---	-----------------

Soil

The development will have minimal impact on soil erosion and sedimentation	Complies
--	-----------------

Natural and Technological Hazards

The development is not subject to flooding, subsidence or slip	Complies
Land is not considered to be contaminated:	Complies
Bushfire requirements provided for the development	N/A
Acoustic requirements provided for the development	N/A

Site design

The development is sensitive to environmental conditions and site attributes.	Complies
Does the development safe guard the health and safety of the occupants	Complies

Section 4.15(1)(c) The suitability of the site for development

Was the site inspected?	Yes
Does the proposal fit locality?	Yes
Are the site attributes conducive to development?	Yes
Will the proposal have minimal social and economic impacts on the locality?	Yes
Has any applicable 88b instrument been considered?	No
Does the development propose the removal of trees?	No
Have the plans been checked by any relevant developer groups?	N/A
Has a BASIX certificate been provided?	Yes

Section 4.15(1)(d) Any submissions made in accordance with the EPA Act and Regulations?

Was the application required to be publicly notified?	No
Were any submissions received during the public notification period?	N/A

Section 4.15(1)(e)Public Interest

The application will have minimal impacts on public interest	Complies
--	-----------------

Conclusion/Summary

The site is suitable for the proposed development, the proposal is in the public interest, and there is unlikely to be negative impacts arising from the proposed development.

Therefore, the application is worthy of support, subject to recommended conditions.

Recommendation

1. That DA21/0536 for two storey dwelling at 31 Cargo Street WERRINGTON NSW 2747, be approved subject to the attached conditions (Development Assessment Report Part B)

General

1 [A001 - Approved plans that are architecturally drawn](#)

The development must be implemented substantially in accordance with the plans numbered 1-9 inclusive, drawn by A&N Design Group, Job Number 0025693 and dated 24/06/2021 (issue C), and stamped approved by Council, the application form, the BASIX Certificate and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

2 [A008 - Works to BCA requirements \(Always apply to building works\)](#)

The work must be carried out in accordance with the requirements of the Building Code of Australia. If the work relates to a residential building and is valued in excess of \$20,000, then a contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.

{Note: Residential building includes alterations and additions to a dwelling, and structures associated with a dwelling house/dwelling such as a carport, garage, shed, rural shed, swimming pool and the like}.

3 [A019 - OCCUPATION CERTIFICATE \(ALWAYS APPLY\)](#)

The development shall not be used or occupied until an Occupation Certificate has been issued.

4 [A046 - Obtain Construction Certificate before commencement of works](#)

A **Construction Certificate** shall be obtained prior to commencement of any building works.

Demolition

5 [B005 - Mud/Soil](#)

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

Environmental Matters

6 [D001 - Implement approved sediment& erosion control measures](#)

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

The approved sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development and the land, that was subject to the works, have been stabilised and grass cover established.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

7 [D007 - Cut and fill of land requiring Validation Certificate –limited to footprint](#)

Cut and fill operations on the property are only permitted in conjunction with the building works as detailed on the approved plans and specifications, and shall not extend more than 2 metres past the defined building footprint.

Before any fill material is imported to site, a validation certificate issued by an appropriately qualified person is to be provided to the Principal Certifying Authority. The validation certificate must demonstrate that the fill material is free from contaminants and weeds, that it is suitable for its intended purpose and land use, and that it will not pose an unacceptable risk to human health or the environment.

If Penrith City Council is not the Principal Certifying Authority, a copy of the validation certificate is to be submitted to Council for their reference.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

8 **D009 - Covering of waste storage area**

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

9 **D010 – Appropriate disposal of excavated or other waste**

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

BCA Issues

10 **E001 - BCA compliance**

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions, or
- (b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

Health Matters and OSSM installations

11 **F006 - Water tank & nuisance**

The rainwater tank must be maintained so as not to create a nuisance and it must be protected against mosquito infestation.

Construction

12 **H001 - Stamped plans and erection of site notice**

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

13 [H002 - All forms of construction](#)

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

14 [H009 - Cut / fill details \(amended from adopted Council version\)](#)

Cut and fill is limited to a maximum of 1 metre, in accordance with Penrith Residential Construction Works Development Control Plan.

15 [H022 - Survey \(as amended\)](#)

The building shall be set out by a registered surveyor. A Survey Certificate shall be undertaken and submitted to the Principal Certifying Authority when the building is constructed.

16 **H036 - Rainwater Tank (Also impose H037, H038, H039, G005 & Q010)**

The rainwater tank(s) is to be:

- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- structurally sound and constructed in accordance with AS/NZS 3500 1.2- 1998: National Plumbing and Drainage - Water Supply - Acceptable Solutions,
- fully enclosed and all openings sealed to prevent access by mosquitoes,
- fitted with a first flush device,
- fitted with a trickle system to top up from mains water,
- provided with an air gap, and
- installed by a licensed plumber in accordance with Sydney Water's "Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003" and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- A back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater - Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the manufacturer's specifications, and
- Sydney Water and NSW Health requirements

This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted prior to the issue of the Occupation Certificate.

17 **H037 - Safe supply of water from catchment areas (Also impose H036, H038 & H039)**

The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- roof catchment areas must be kept clear of overhanging vegetation,
- gutters must have sufficient fall to downpipes to prevent pooling of water,
- overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- appropriate measures must be installed to prevent foreign materials from contaminating the water which enters the rainwater tank.

18 **H038 - Connection of rainwater tank supply (Also impose H036, H037 & H039)**

The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

19 **H039 - Rainwater tank pumps (Also impose H036, H037 & H038)**

The pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

20 **H041 - Hours of work (other devt)**

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

21 **H special - Salinity**

A detailed soil assessment demonstrating the land is not at risk from salinity is to be submitted to Council. Alternatively, the following measures must be incorporated as part of the construction to minimise the affect of salinity:

- a) The damp proof membrane must be extended to the outside face of the external edge beam up to the finished ground level. (as per clause 3.2.2.6 and figure 3.2.2.3 of the BCA).
- b) Class 32 Mpa (N32) concrete must be used.
- c) Exposure class masonry units must be used below the damp proof course including for strip footings.

Engineering

22 **K016 - Stormwater**

Roofwater drains shall be discharged into the street gutter or common line.

23 **K026 - Stabilised access**

All land required for vehicular access within the site is to be stabilised.

24 **K041 - Infrastructure Bond**

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site or prior to the issue of any Construction Certificate, whichever occurs first. The bond and applicable fees are in accordance with Council's adopted Fees and Charges.

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

25 [K202 - Roads Act \(Minor Roadworks\)](#)

Prior to the issue of a Construction Certificate a Roads Act application, including payment of application and inspection fees shall be lodged with Penrith City Council, as the Roads Authority, for the following works:

- a) Provision of a vehicular crossing/s.
- b) Provision of a heavy-duty vehicular crossing/s.
- c) Provision of path paving for the full property frontage.
- d) Provision of private drainage connections to Council's road drainage system.
- e) Removal of redundant vehicular crossings and reinstatement of kerb and gutter.
- f) Opening the road reserve for the provision of services including stormwater.
- g) Placing of hoardings, containers, waste skips, etc. in the road reserve.
- h) Replacement of damaged kerb and gutter for the full property frontage.
- i) Erection of an awning.
- j) Utility lead in works.
- k) (Other)

All works within the road reserve shall be carried out in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

Penrith City Council (being the Roads Authority under the Roads Act) shall approve the works completed on or over the road reserve. Contact Council's **City Works Department** on (02) 4732 7777 to arrange an inspection of the works (and payment of inspection fees, if required).

26 [K501 Roads Authority clearance](#)

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works within the road reserve have been inspected and approved by Penrith City Council.

27 [K Special - Apply if there is an EASEMENT on the site](#)

No earthworks including cut and fill or building works including a retaining wall, garden shed or other structures of the like are permitted within the easement. The easement is to remain at natural ground level at all times.

Landscaping

28 [L001 - General landscaping \(applies to most building works\)](#)

All landscape works are to be implemented **prior to issue of any Occupation Certificate** and be in accordance with the stamped approved plans and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards", F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan. Landscaping shall be maintained: in accordance with the approved plan, and in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property. If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.

29 [L008 - Tree Preservation Order](#)

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed other than those within 3 metres of the proposed building footprint or as shown on the approved plans without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

30 [Land Registration](#)

Prior to the issue of a Construction Certificate, the land to which the development consent relates shall be registered at the Land and Property Information Division of the NSW Government's Department of Finance, Services and Innovation Following registration of the subdivision, the applicant is to demonstrate compliance with any alterations to the restrictions on the use of the land arising from registration of the 88b instruments that may impact upon the approved stamped plans. This documentation shall be submitted to the Principal Certifying Authority for consideration and approval prior to the issue of a Construction Certificate.

Payment of Fees

31 [P002 - Fees associated with Council land \(Applies to all works & add K019\)](#)

Prior to the commencement of any works on site, all fees associated with Penrith City Council-owned land and infrastructure shall be paid to Council. These fees include Road Opening fees and Infrastructure Restoration fees.

Certification

32 **Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)**

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

33 **Q05F - Occupation Certificate for Class10**

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation/use of the development.

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Appendix - Development Control Plan Compliance

E12	Part C – South Werrington Urban Village Precinct	Complies Y/N	Comments
	Lot Dimensions		
	Minimum Lot Size 230m2 – 450m2	Y	300sqm
	Minimum Lot Frontage 9.5m -15m	Y	10m
	Private Open Space		
	Minimum Area - 40m2	Y	Complies
	Minimum Dimension - 4m	Y	Complies
	Landscaping Site Coverage – 50% Total Area	N	See Discussion above Variation Supported
	Building Setbacks		
	Front – 4.5m	Y	Building Line 4500mm
	Secondary Frontage – 2m	N/A	N/A
	Rear		
	Lots with northern orientation – 8m	N/A	N/A
	All other lots (rear setback)		
	GF – 4m	Y	Complies
	FF – 6m	Y	Complies
	Garage to rear lane/secondary frontage – 0m	N/A	N/A

DCP Non Compliance Discussion

LANDSCAPING:

The applicant has provided a submission in support of the proposal. The submission is made on the basis of varying the following provisions of PDGP Part E12 :

Landscaping Site Coverage

Required = 50%

Proposed = 30%

The applicant has proposed a percentage of landscaping being 30%. This proposal will result in the total landscaped area exceeding the acceptable variation percentage of 30% and will be consistent with the surrounding development.

The proposal includes the provision of increased plantings in the front and side boundaries as well as a large tree in the backyard of the premises which results in the decrease of impervious surfaces.

In order to achieve a further percentage of landscaping, the proposed concrete at the front of the porch is to be removed and replaced with soft landscaping. This is presented via red annotations on the submitted site plan for the application.

The proposal also includes extensive planting within the front setback of the premises including the addition of one large tree to ensure consistency with future surrounding development.

The proposal is supported for the following reasons:

- After construction of the dwelling, there will still be sufficient soft landscaped area located in the rear yard available for the use and enjoyment of the occupants of the site and;
- The variation is considered acceptable in this instance as the development does not have any adverse impact upon the site or surrounding area and is consistent with the objectives of the DCP.