



## **DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT**

14<sup>th</sup> February 2006

**DSDS10      PROPOSED CARPORT  
LOT6 DP22488 No 29 SEAVIEW STREET,  
SOUTH WEST ROCKS  
FILE: T6-05-553, LA 5803 JGR**

### **SUMMARY:**

Reporting that Council has received an application to build an open carport which does not meet Councils minimum front building alignment requirement and for which an objection has been received.

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**Applicant:** Picton Bros Improvements  
**Subject Property:** 29 Seaview Street, South West Rocks  
**Zone:** Residential 2 (B1)

### **Description of Proposal**

To construct a metal open double carport 4.6m x 5.7m in front of the existing garage at .0m/.366m front boundary setback. ([Appendix I](#))

### **Site**

The site contains an existing split level dwelling and double garage constructed in 1995. The proposed carport is to be situated in front of the existing double garage with a zero to .366m setback to the front boundary, this constitutes a significant encroachment on Councils building alignment which will allow an open carport to extend to 1.5m into the front building alignment.

The side boundary setback is proposed at 900mm, which complies.

### **Heads of Consideration**

The proposal has been assessed having regard for the Heads of Consideration as identified under Section 79C(91) of the Environmental Planning & Assessment Act 1979 with the following matters deemed to be of particular relevance:-

The proposal is not considered to be contrary to the North Coast Regional Environmental Plan 1988 (NCREP 1988) or any State Environmental Planning Policy.

### **Notification**

The proposal was notified in accordance with Councils Policy and (1) objection has been received.

The objection is summarised below with comments, the full objection forms part of the appendices. [\(Appendix J\)](#)

<b>Objection</b>	<b>Planning Comment</b>
1 The proposed structure is at a reduced building alignment not in keeping with the streetscape.	1 There are no immediate encroachments within building alignment precedents in close proximity to the proposal.
2 The proposed carport may represent a hazard to pedestrians especially school children attending the nearby school.	2 The situation with existing vegetation and a narrow road reserve approximately 2m it is considered that a traffic hazard may exist. <a href="#">(Appendix K)</a>

The owner has submitted a letter to Council, providing reasons for the request to the variation to Councils building alignment. The issues raised and comments are summarised below, the letter forms part of the appendices. [\(Appendix L\)](#)

- The proposed carport will not visually impair or interfere with traffic on Seaview Street.
- The carport is constructed from high quality materials which will enhance the appearance of our dwelling.
- There are no alternate positions for our cars, and it will provide protection for our cars.

## **Conclusion**

Having considered all the relevant matters under Section 79(c) of the Environmental Planning & Assessment Act 1979, in approving the application Council could set a precedent in the area. The application for the carport is:

- Contrary to Councils Building Alignments Policy.
- The narrow road reserve creates potential hazards to pedestrians and traffic alike.
- There are no immediate encroachments near the proposal.
- The proposed carport would be visually prominent.
- A double garage exists on the property, which meets Councils requirements for covered carparking and off street parking requirements.

### **REPORT IMPLICATIONS:**

- ***Environmental***

***From information supplied to Council, it is not anticipated that there will be any adverse environmental impacts from the proposed new dwelling.***

- ***Social***

***That for the period of construction, the development will provide employment for local tradespeople and others employed in the building industry.***

- ***Economic (Financial)***

***The proposal is considered to provide an economic benefit only for the period of construction.***

- ***Policy or Statutory***

***The application has been assessed under Section 79(c) of the Environmental Planning & Assessment Act 1979 and Development Control Plan 22 – Local Housing Strategy.***

**RECOMMENDATION:**

- A. That the applicant be invited to withdraw Development Application T6-05-553 for a carport at 29 Seaview Street, South West Rocks.**
  
- B. That unless the application is withdrawn within fourteen (14) days that consent T6-05-553 be refused for the following reasons:**
  - 1. The Application is contrary to Councils Building Alignment Policy.**
  
  - 2. Seaview Street is narrow and could create potential hazards to pedestrians and traffic.**
  
  - 3. Proposed carport if erected would not enhance the streetscape of the area.**
  
  - 4. The proposed carport would be visually prominent.**
  
- C. That the objector be informed of Councils decision.**

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**R B Pitt**  
**DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES**