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Exceptions to Development Standards

PROPERTY DETAILS

LOT 167 DP 786254

492 Fishermans Reach, Road Fishermans Reach. 2441.

PROPOSAL DESCRIPTION

NEW 2 STORY RESIDENCE

PLANNING INFORMATION

The proposal seeks an exemption to the development standard in accordance with Kempsey Local Environmental Plan 2013, Clause 4.6 *Exceptions to development standards*.

Clause 4.6 provides “appropriate degree of flexibility in applying certain development standards to particular development”.

The exemption sought relates to Clause 4.3 Height of Buildings, which is nominated at 8.5m in the LEP. The objectives in this Clause include *preserving existing character, provide transition in built form, and protect amenity of existing and future dwellings from adverse impacts on privacy, solar access*.

The proposed maximum building height is 9.5m above natural ground level, representing an 11% increase in the overall building height.

This increase is approximately proportionate to the necessary raising of the whole building to satisfy the minimum floor requirement defined by the Flood Policy. I.e. The same building bulk and form would be under 8.5. if not required to be raised above the design flood level. Although this is not justification for the proposed building height in itself, it is one defining factor in the proposal.

Consideration HAS BEEN given to the roof form to reduce impacts of bulk and shadowing. Proposed roof form is hipped in character, with the highest part of the roof ridge located

approximately in the centre of the building and lot width, thereby minimizing the impact of the over height section of the roof from a showing viewpoint. This is further described as follows.

Side setbacks, in Table 8 of the NSW Housing Code, indicate that an 8.5m building height could be permitted within 2.5m of a side boundary for a lot width of 18-24m. The proposal has its 8.5m plus height beginning at 6.6m from the south side boundary, thereby having much less impact than the “complying” height/setback formula in both bulk and shadowing.

Refer drawing DA.11 Section 2 for graphical representation.

The proposed built form and bulk is compatible with its adjacent neighbor to the south.

The proposal is considered to be utilising an appropriate degree of flexibility to achieve the objectives of the LEP.

Ends...