

## AMENITY

<b>Policy Type: Council Policy</b> <b>Policy Owner: Director Urban Planning</b>	<b>Policy No. CP- 067</b> <b>Last Review Date: 20 September 2011</b>
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### POLICY OBJECTIVES

The objectives of this policy are:

- To ensure that when new development is proposed, due consideration is given to the preservation of reasonable amenity for occupiers of adjoining properties and the surrounding area;
- To provide guidance in the consideration of amenity impacts arising from proposals seeking variations under the Performance Criteria of the Residential Design Codes (R-Codes); and
- To provide assistance in the consideration of all planning applications against the amenity provisions contained within Clause 7.8 of Community Planning Scheme No. 5 (CPS5).

### POLICY SCOPE

Planning applications made pursuant to CPS5, the R-Codes and Council policies require Council to consider the potential amenity impacts arising from the proposed development.

In particular, the Performance Criteria within the R-Codes include the requirement to consider amenity in relation to the impacts of a proposed departure from the Acceptable Development criteria for residential developments.

Clause 7.8 of CPS5 also includes a more general consideration of amenity which all development applications must be assessed against prior to any approval being issued.

### DEFINITIONS

Amenity for the purposes of this policy is defined as follows:

*Means all those factors which combine to form the character of an area and include the present and likely future amenity.*

### POLICY STATEMENT

#### 1 Amenity Impact Statements

- 1.1 Part 3 of the R-Codes requires that a written justification be submitted where an acceptable development provision of the R-Codes has not been satisfied and the proposal relies on satisfying a performance criterion. In such cases, and in those where variations to the provisions contained in CPS5 and Council policies are proposed, the Council may require

the Applicant to provide written justification as part of any application submission. This would be in the form of an Amenity Impact Statement.

1.2 In addition to the above, where a proposal satisfies the relevant provisions contained within CPS5, the R-Codes and Council Policy, the Council may still require the submission of an Amenity Impact Statement where it is considered that the proposal may result in significant adverse impacts upon the amenity of an adjoining property or the surrounding locality. Applicants will be advised of their obligations in respect of the latter on a case by case basis, taking into consideration the individual merits of development being proposed.

1.3 Amenity Impact Statements must:

- Demonstrate how the proposed development satisfies the Performance Criteria, variation criteria, or objectives of CPS5, the R-Codes or Council Policy;
- Demonstrate that consideration has been given in the design of the development to the impact on the amenity of adjacent properties and/or the locality; and
- Outline the measures that are proposed to be employed to remove or mitigate any adverse impacts that might result from the development. Consideration must be given to both residential and visual amenity impacts.

1.4 An Amenity Impact Statement may be supported by illustrative information including photographs, photo montages, sketches and models.

## **2 Assessment of Amenity**

2.1 In considering the impact of a proposed development on the amenity of an adjoining property and/or the surrounding locality, the Council may have regard to any factor relevant to the amenity of the adjoining property and/or the surrounding locality and the impact of the proposed development upon that amenity including but not limited to:

- Access to daylight and ventilation to major openings;
- Access to direct sunlight and ventilation to outdoor living areas;
- The sense of confinement resulting from cumulative building bulk;
- The location of existing trees and vegetation;
- Access to views of significance;
- The difference in ground levels between the sites;
- Articulation of the elevations in terms of varied setbacks, design features, building materials and treatments;
- Impact upon the existing streetscape;
- Degree to which the development reflects the scale of the existing built form within the streetscape;
- The amount of open space around buildings;
- The design and external appearance, including exterior cladding of any new building or addition and its effect on the amenity of existing buildings and the area generally;
- Any other site specific characteristics on the adjoining properties or within the surrounding area;
- Any other relevant aspects of the character of the adjoining property and/or the surrounding area (as the case may be) that may be affected by the proposed development.



### **3 Architectural and Urban Design Advisory Panel**

- 3.1 Where a proposal is considered to have the potential to result in a significant adverse impact upon the adjoining properties or locality, the Council may refer the application to the Council's Architectural and Urban Design Advisory Panel for consideration.
- 3.2 The consideration of the application by the Council's Architectural and Urban Design Advisory Panel will be undertaken in accordance with the Council's Architectural and Urban Design Advisory Panel policy.

#### **References that may be applicable to this Policy**

Legislative Requirements:

Procedure, Process Maps, Work Instructions:

Other Plans, Frameworks, Documents Applicable to Policy:

Delegated Authority No:

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#### **ORIGIN/AUTHORITY**

Ordinary Meeting of Council

20 September 2011

#### **ITEM NO.**

P11/3246

#### **REVIEWS**