

STATEMENT OF HERITAGE IMPACT

Date : 25 March, 2019
Property : 21 Palm Beach Road, Palm Beach
Property Description : Lot 7B DP13374
Prepared by : Network Design

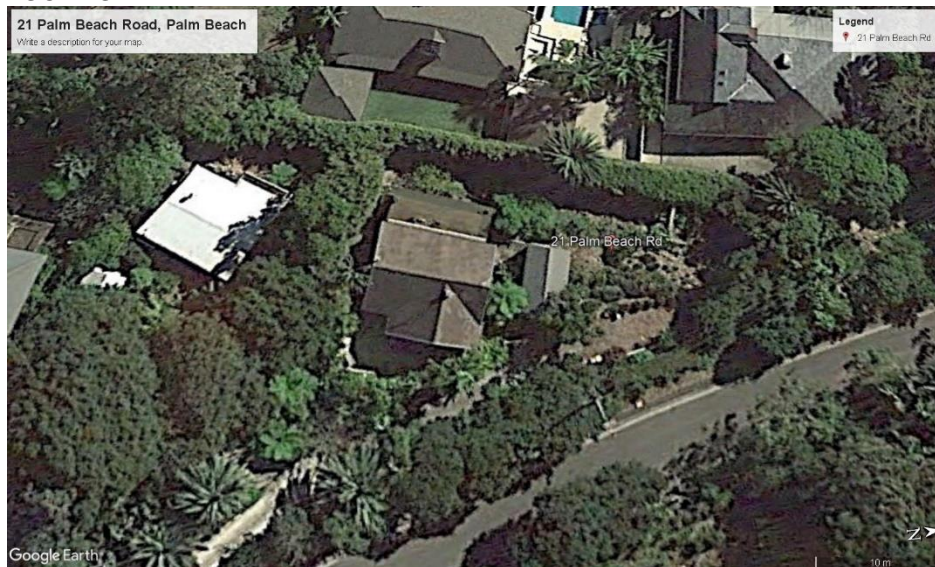
PURPOSE OF STATEMENT

This statement has been prepared to assess the potential impacts of a proposed garage and storeroom on a heritage item located at the subject property.

GROUNDINGS OF STATEMENT

The house on the subject property known as 'Winten' is noted within Schedule 5 of Pittwater Local Environmental Plan as local heritage item 2270056.

LOCATION



Aerial photo of house known as 'Winten' with existing garage and storeroom adjacent
Source Google earth

PHYSICAL

The property is a large 953m² residential block, located on the western side of Palm Beach Road. The block is generally triangular in shape with a street frontage of 60.43 metres. The block tapers in depth from 34.715 along the southern boundary to nil metres at the northern end.

Natural surface falls steeply towards the west at approximately 30%.

The existing house is located down off the road and is 3.6 metres off the front boundary and 3.7 metres from the southern side boundary. The house is one and part two stories in height with the upper floor constructed of timber clad with weatherboards and fibro. The fibro cladding is finished with traditional timber batten detail. The lower floor level has been developed within the original sandstone foundation walls. Large timber decks have been added at the rear and extend across the full width of the house at both levels with stairs at the southern end interconnecting the two decks. The upper level deck is secured with frameless glass handrails. Sliding doors have been installed into the rear walls of both levels to provide access onto the decks. At the front the house flows onto an extensive paved terrace. Sliding doors have been installed to one side of the front wall to provide internal access onto the terrace. Apart from a sliding window to the kitchen the remainder of the house retains its original timber casement windows. The original corrugated metal roof has been replaced at some time in the past with a slate roof.

There is a detached single garage located approximately 4 metres off the northern side of the house. The garage is accessed via a long driveway that traverses along the street boundary up to Palm Beach Road near its intersection with Pacific Road. There is a gravel turning area to the north of the garage which allows vehicles to enter and exit the property in the forward direction. Due to the steep fall in natural surface the garage is elevated at the rear where the original sandstone foundation walls and piers have been infilled to create a storage area. The aged garage structure is in poor condition.

The house and garage are surrounded by extensive gardens which provide the property with a private secluded setting. The steep road verge is over 6 metres deep and contains thick natural vegetation which screens any significant view of the house and garage from the road.

The nearest adjoining house is to the south and located over 11 metres from the subject residence. It is a single storey weatherboard structure with a low pitch metal roof.

At the rear there is a house further down the hill approximately 15 metres from the rear deck of the subject house. A thick bamboo screen extending along the southern side and rear boundary provides privacy between the subject residence and the two adjoining residences.



Looking at No.21 from Palm Beach Road



Looking at front of house from paved terrace



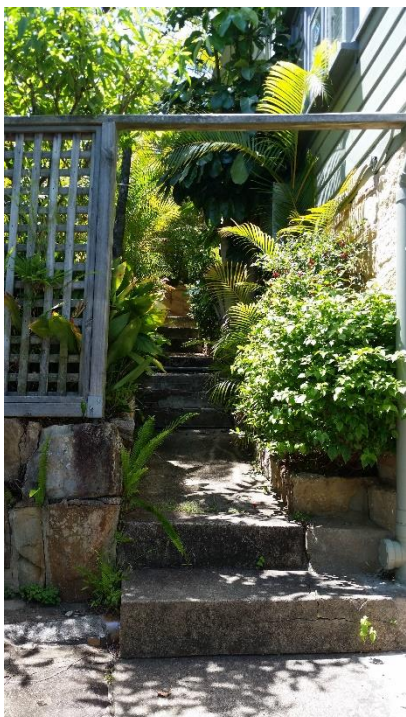
Looking at northern side of house from front of garage



Looking at southern side of house



Looking at rear of house



Looking at setback area between house and garage



Looking at northern side of existing garage



Looking at rear of garage

PROPOSED DEVELOPMENT

It is proposed to demolish the existing aged garage and storeroom and rebuild a new garage and storeroom in the same location. The new garage will be 2 metres wider than the existing garage to provide parking for two vehicles.

IMPACT OF THE PROPOSED DEVELOPMENT

The relevant provisions of the Pittwater Local Environmental Plan 2014 are:

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Pittwater,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

(2) Requirement for consent

Development consent is required for any of the following:

- (
 - a) *demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
 - (i) *a heritage item,*
 - (ii) *an Aboriginal object,*
 - (iii) *a building, work, relic or tree within a heritage conservation area,*
 - b) *altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
 - c) *disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
 - d) *disturbing or excavating an Aboriginal place of heritage significance,*
 - e) *erecting a building on land:*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
 - f) *subdividing land:*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

Comment: It is proposed to construct a new building on land containing a heritage item and therefore consent is required. There is no work proposed to the actual heritage item (house)

(3) When consent not required

However, development consent under this clause is not required if:

- a) *the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:*
 - (i) *is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and*
 - (ii) *would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or*
- b) *the development is in a cemetery or burial ground and the proposed development:*
 - (i) *is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and*
 - (ii) *would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or*
- c) *the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or*
- d) *the development is exempt development.*

Comment: The proposed development requires consent.

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

Comment: The proposed development is for a garage and storeroom that will be located 4 metres from the heritage item and will replace an existing garage in that location. The area between the garage and house is established with vegetation creating a natural delineation between the house and new garage. The new garage is to be setback a further 1.2 metres from the front of the house compared to the existing garage to be demolished. The design, detailing and materials of the new garage will generally match both that of the house and existing garage to be demolished.

We propose there will be no undue impact on the significance of the heritage item.

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Comment: This document has been prepared for Council's assessment of the potential heritage impacts on the subject item.

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

Comment: As there is no work proposed to the heritage item a Conservation Management Plan is not warranted.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies):

- (a) notify the Heritage Council of its intention to grant consent, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

Comment: The subject property is not identified as being of archaeological significance.

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement*
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

Comment: The subject property is not identified as being of Aboriginal significance.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

Comment: The subject item is not identified as being of state significance.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*

- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

Comment: Conservation incentives are not being sought.

Pittwater DCP 2014

B1.2 Heritage Conservation - Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites

Outcomes

Conservation of the environmental heritage of Pittwater LGA in accordance with the principles contained in the Burra Charter.

Enhancement of the identified heritage values and significant character of the heritage conservation areas and encourage contemporary design that responds appropriately to their character.

Development respectful of environmental heritage, undertaken in a manner that is sympathetic to, and does not detract from, any heritage significance.

Controls

Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment.

Comment: The design, detailing and materials of the new garage will generally match both that of the house and existing garage to be demolished. The garage will be setback a further 1.2 metres than the existing with a total setback of 5.45 metres from the front of the house. The garage will be setback 4 metres from the side of the house matching that of the existing garage.

Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to minimise the impact on the heritage significance by providing an adequate buffer zone, and maintaining and respecting significant views to and from the heritage item, heritage conservation area, archaeological site or potential archaeological site.

Comment: The garage will be setback 4 metres from the side of the house matching that of the existing garage. The existing setback area is established with mature vegetation that provides a clear delineation between the house and the garage.

CONCLUSION

As per the commentary above the proposed new garage and storeroom will replace an existing aged garage with a new garage and storeroom that will generally match the existing garage in form, finishes and detailing.

The new garage will be slightly wider to allow the accommodation of two vehicles as per Council's vehicle parking requirements. The additional width will not result in any undue bulk that will detract from the existing house. Satisfactory setbacks from the house to the garage combined with the existing vegetation buffer between the structures will ensure the house will be read in isolation and its architectural integrity maintained.

It is our opinion that the proposed development will have minimal if any heritage impact on the existing house and that the proposal is supportable by Council.