

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED DEVELOPMENT

Proposed Vergola (awning) Louvered Roof System to 2nd floor balcony of existing residence

SUBJECT PREMISES

62 Herbert Ave, Newport

OWNER

Mr & Mrs Richman

COUNCIL

NBC Council

DATE

25th March 2021

1.0

EXISTING SITE FEATURES

The development site is known as 62 Herbert Ave, Newport and is located on the northern side of the street. The site is a residential allotment of approx 598.2m², which currently is developed by 2 storey building. Access to the site is via the existing driveway from Herbert Avenue.

The locality as characterised by other residential allotments with a mixture of single and two storey buildings with a mixture of brick and tile and timber clad and tile dwellings.

2.0

PROPOSED DEVELOPMENT

The proposal is for construction of a Vergola louvered roof system (awning) attached to the 2nd floor deck area of the existing dwelling. The proposed Vergola will have an area of 16.6m². The awning will be erected over existing decking and therefore there will be no change to the existing built upon area.

3.0

ASSESSMENT CRITERIA

Pursuant to Section 79C(1) of the Environmental Planning & Assessment Amendment Act 1979 the following heads of consideration apply: -

3.1

Pittwater LEP 2014

The premises are situated in area zoned E4 Environmental Living and an awning or shade structure, associated with a dwelling, is permissible in this zoning with Council consent. The LEP has outlined the site is not considered to be a heritage item or to impact upon an item of Heritage significance.

3.2

P21 DCP

Compliance with P21 DCP is summarised in the following: -

3.2.1

STREETSCAPE

The proposed is at the rear of the building and has been designed to be sympathetic with the residence.

3.2.2

SOLAR ACCESS

The height, setback and location of the proposed will not adversely impact on the level of solar access currently enjoyed by the neighbouring properties.

3.2.3

PRIVACY

The height of the proposed Vergola shall not unreasonably impact upon adjoining properties and is within Council's allowable guidelines.

3.2.4

LANDSCAPED AREA (Area 1)

The proposed shade structure will be built over existing decking area. There will be no change to landscaped area, the existing and approved landscaped area remains 71.1%, therefore complies with councils control of 60%.

3.2.5

DRAINAGE CONTROL

The proposed shade structure will be connected to the existing gutter. There is no change to paved areas.

3.2.6

SOIL AND WATER MANAGEMENT

It is not considered necessary to implement further soil & water management strategies during the construction of the Vergola.

3.2.8

FLORA AND FAUNA

No impact to flora and fauna.

3.2.9

VEHICLE ACCESS AND PARKING

Access to the site is via the existing driveway to facilitate construction.

3.2

HAZARDS

3.2.2

LANDSLIP AREA

The property falls within H1 area of the Geotechnical Hazard Map. The proposed development will be constructed to remove risk to an acceptable level and complies with the requirements of the Geotechnical Risk Management Policy. The proposed awning will be designed, sited and will be managed to avoid any geotechnical risk or significant adverse impact on the development and the land surrounding the development.

3.3

NEWPORT LOCALITY

3.3.1

SCENIC PROTECTION

The proposed Vergola will have no impact the natural environment when viewed from a waterway, road or public reserve.

3.3.2

BUILDING COLOURS AND MATERIALS

The colours and materials of the proposed awning will harmonise with the natural environment, with the visual prominence of the Vergola being minimised.

3.3.4

HEIGHT

The proposed Vergola will have a maximum elevation of 2.5m from the decking level, a total height of 7.16m above existing ground level and is within councils guidelines.

3.3.6

SETBACK

There is no change to existing setbacks.

The proposed Vergola is being built over an existing hardstand area. There is no change to site coverage.

3.4

STATE ENVIRONMENTAL PLANNING POLICIES

The following State Environmental Planning Policies apply to the site:

- ◆ State Environmental Planning Policy No 1 – Development Standards.
- ◆ State Environmental Planning Policy No 4 – Development without consent and Miscellaneous Exempt and Complying Development.
- ◆ State Environmental Planning Policy No 6 – Number of Stories.
- ◆ State Environmental Planning Policy No 8 – Surplus Public Land.
- ◆ State Environmental Planning Policy No 9 - Group Homes.
- ◆ State Environmental Planning Policy No. 10 – Retention of Low-Cost Rental Accommodation
- ◆ State Environmental Planning Policy No 11 – Traffic Generating Development.
- ◆ State Environmental Planning Policy No 14 – Coastal Wetlands
- ◆ State Environmental Planning Policy No 16 – Tertiary Institutions.
- ◆ State Environmental Planning Policy No 19 – Bushland in Urban Areas
- ◆ State Environmental Planning Policy No 21 – Caravan Parks.
- ◆ State Environmental Planning Policy No 22 – Shops and Commercial Premises.
- ◆ State Environmental Planning Policy No 30 – Intensive Agriculture.
- ◆ State Environmental Planning Policy No 32 – Urban Consolidation (Redevelopment of Urban Land).
- ◆ State Environmental Planning Policy No 33 – Hazardous and Offensive Development.
- ◆ State Environmental Planning Policy No 34 – Major Employment – Generating Industrial Development.
- ◆ State Environmental Planning Policy No 35 – Maintenance Dredging of Tidal Waterways.
- ◆ State Environmental Planning Policy No 37 – Continued Mine and Extractive Industries.
- ◆ State Environmental Planning Policy No 38 – Olympic Games and Related Projects.
- ◆ State Environmental Planning Policy No 44 – Koala Habitat Protection.
- ◆ State Environmental Planning Policy No 45 - Permissibility of Mining.
- ◆ State Environmental Planning Policy No 48 – Major Putrescible Landfill Sites.
- ◆ State Environmental Planning Policy No 50 – Canal Estate Development.
- ◆ State Environmental Planning Policy No 55 – Remediation of Land.
- ◆ State Environmental Planning Policy No 63 – Major Transport Projects.
- ◆ State Environmental Planning Policy No 64 – Advertising and Signage
- ◆ State Environmental Planning Policy No 65 - Design Quality of Residential Flat Buildings.

- ◆ State Environmental Planning Policy (Seniors Living) 2004
- ◆ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- ◆ State Environmental Planning Policy (ARTC Rail Infrastructure) 2004.

Consideration has been given to the abovementioned policies, no additional requirements are outlined which impact on the proposed development.

3.5

SUBMISSIONS

The neighbouring properties will be advised of the development proposal in accordance with Council's Notification Policy. Should objections be received it is hoped Council will enable mediation to occur in order to resolve any issues.

3.6

PUBLIC INTEREST

Public interest should be considered when assessing any submissions made in relation to the development proposal.

4.0

CONCLUSION

The development proposal has demonstrated compliance with the Locality DCP, achieving the outlined requirements in regard to landscaped area, solar access and setback provisions. The proposed Vergola achieves the objectives of the zone.

The minor size and scale of the development compliments the existing character of the area and achieves the desired future character of the locality without having an adverse impact on the amenity, privacy and existing levels of solar access currently enjoyed by the neighbouring properties.

Accordingly, it is recommended that the development proposal be supported.