



## **38 MYOLA ROAD NEWPORT**

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR MAJOR ALTERATIONS AND ADDITIONS  
TO A DWELLING HOUSE INCLUDING A POOL**



Report prepared for  
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## **1.0 Introduction**

**1.1** This is a statement of environmental effects for alterations and additions to an existing dwelling at 38 Myola Road, Newport.

**1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan 2014 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

**1.3** This statement of environmental effects has been prepared with reference to the following:

- Site visit
- Survey prepared by Crux
- Architectural drawings prepared by Superdraft
- BASIX Certificate
- Waste Management Plan

**1.4** The proposed development is compliant with the objectives of Council controls, considerate of neighbouring residents and results in improved amenity for the residents. It is an appropriate development worthy of Council consent and results in a more usable space for the residents and a more attractive dwelling when viewed from all vantage points.

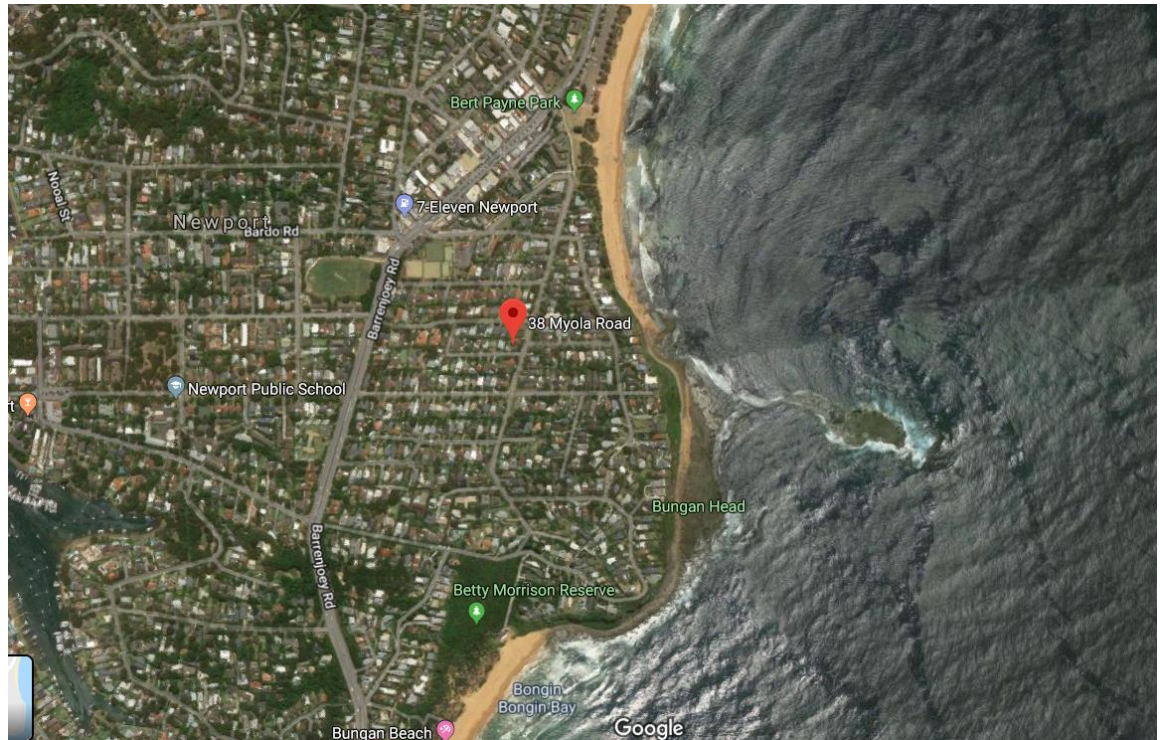
## 2.0 The site and its locality

- 2.1 The site is located at 38 Myola Road, Newport NSW 2016 and is legally described as Lot 7 DP17229.
- 2.2 The site is located on the corner of Myola and Hollywood Road and is irregularly shaped.
- 2.3 With a total area of 555.1m<sup>2</sup>, the site has a front boundary to Myola Avenue of 15.85 metres and the secondary frontage to Hollywood Road of 36.575 metres. The northern side boundary is 36.575 metres (and the western side boundary is 15.85 metres).
- 2.4 The site is currently occupied by a two-storey detached dwelling with separate centrally located garage and pool on the western boundary. Pedestrian access is provided from Myola Avenue and vehicular access from Hollywood Road.
- 2.5 The site is surrounded by detached residential dwellings in all directions. It is in close proximity to Newport Beach.

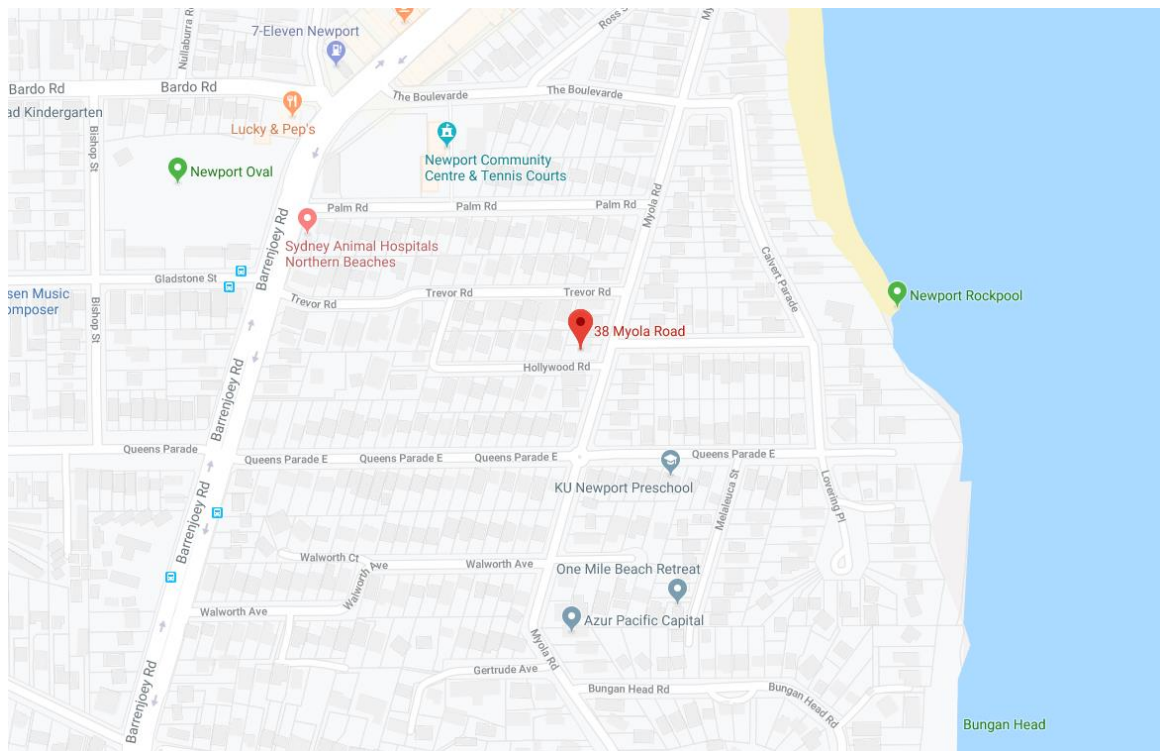


Figure 1. The subject site





**Figure 2. Aerial Image of the site within its locality**



**Figure 3. The site and it's immediate surrounds**





**Figure 4: The site looking west**



**Figure 5: The existing pedestrian access to the dwelling from Hollywood Road.**



Figure 6: The existing pool and garage

### **3. Proposed Development**

- 3.1** The proposed development is for major alterations and additions to an existing dwelling, with much of the existing internal floor plan to be redesigned, a small rear addition, internal garage and revised pool.

Proposed works are detailed as follows:

#### **3.2 Ground Floor**

- Removal of internal walls of existing rumpus room, bedroom 1 and 2, laundry and deck.
- Retention and repair/ replacement of existing external walls as shown on plans
- New layout to include garage, rumpus and laundry, storage and entry.
- Addition on southern boundary to include new kitchen, dining and living area.
- New sliding doors to the east.
- A new deck surrounding the pool and connecting to dwelling.

#### **3.3 First Floor**

- Demolition of the internal staircase, kitchen, living room, bathroom and bedrooms.
- The construction internal staircase, four bedroom including robes and ensuite and bathroom.
- The first floor will be extended to the east.
- New windows facing the east.

#### **3.4 Garage**

- The existing garage will be demolished to provide space for additions and central open space area
- The new double garage will be incorporated into the ground floor of the dwelling.
- Driveway location will be altered to fit with relocation.

#### **3.5 Pool**

- The existing pool will be removed, and new rectangular pool will be constructed in a similar location.
- Pool has a volume of 30.5m<sup>3</sup>.



- Pool has dimensions of 3.1m x 8.2m.

- 3.6** The significant alterations and additions have been designed to provide a contemporary and complementary addition to the site. The use of vertical timber cladding, with rendering and a flat roof will be a positive and attractive component of the Newport locality.
- 3.7** The site is unusual being a corner block, with a southern secondary street frontage. The design retains the existing siting with the additions designed to optimise the northern sun for the residents and ensure an attractive and consistent streetscape.

## 4. Zoning

**4.1** The zoning under the provisions of the Pittwater LEP 2014 is R2 Low Density Residential.



**Figure 8 Extract – PLEP (2014) Zoning Map**

**4.2** A dwelling house (including alterations and additions to a dwelling house) is a permissible use with Development Consent.

## 5. Statutory Framework

### 5.1 State Environmental Planning Policies

#### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

SEPP BASIX applies to the proposal and a compliant BASIX certificate is attached.

### 5.2 Pittwater Local Environmental Plan 2014

The relevant clauses of the Pittwater Local Environmental Plan 2014 are addressed below.

Standard	Requirements	Proposed	Compliance/Comment
Zoning	R2 Low Density Residential	Single dwelling	Compliant
Minimum lot size	700m <sup>2</sup>	555.1m <sup>2</sup>	N/A
Height of buildings	8.5m	6.86m	Compliant
Floor space ratio	N/A	N/A	N/A

#### **Zoning**

The site is zoned R2 pursuant to the provisions of the Pittwater Local Environmental Plan 2014. The proposed alterations and additions to the existing dwelling house are a permissible use, with development consent, in the R2 – Low Density Residential.

#### **Minimum Lot Size**

A minimum lot size of 700m<sup>2</sup> applies to the site. No subdivision is proposed as a part of this development.

#### **Height**

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed alterations and additions comply with a maximum height of 6.86 metres proposed which is lower than the existing pitched roof which is proposed to be removed.



**Floor Space Ratio**

The floor space ratio development standard has not been adopted for the subject site.

**Acid Sulfate soils**

The site is not located in an area nominated as Acid Sulfate soils.

**Earthworks**

Minor, compliant earthworks will be required to prepare the site for construction.

## 5.2 Pittwater Development Control Plan

The relevant sections of the DCP are addressed below.

### Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposed development is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

### Part A Localities

#### Newport Locality

The site is located within the Newport Locality.

The desired character statement for Newport is:

*The Newport locality will remain primarily a low-density residential area with dwelling houses a maximum of two storeys in any one place in a natural landscaped setting, integrated with the landform and landscape. Secondary Dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on the valley floor and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.*

*Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.*

*Future development will maintain a building height limit below the tree canopy and minimise bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.*

*A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.*

*Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.*

*Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.*

*Newport's coastal setting is what contributes most to the distinctive character of the commercial centre. Responsive, energy efficient buildings will support and enhance this relaxed, beachfront character and its outdoor lifestyle, contributing to a unique sense of place. Contemporary design solutions within the commercial centre will respond to Newport's climate and setting, including providing shade and shelter to streets and entries, generous private outdoor spaces, openings that capture ocean breezes, and shade elements.*

The proposed development has been designed taking into consideration the desired character of the location. The scale of the proposal is well designed to ensure retention of the character sought by Council and enhance amenity for the site.

## **Part B General Controls**

### **Heritage Conservation**

The site is not located in a heritage conservation area or immediately adjacent any heritage items.

### **Aboriginal heritage Significance**

The site is not known or anticipated to be home to any aboriginal relics. Should any objects be discovered during construction, appropriate measures will be taken according to NSW Office of Environment and Heritage.



**Landslip Hazard**

The subject site is not located in a geotechnical hazard zone.

**Bushfire Hazard**

The site is not mapped as Bushfire hazard.

**Coastline (Beach) Hazard**

The site is not mapped as Coastline (Beach) Hazard.

**Contaminated and potentially contaminated lands**

The site is not known to be contaminated and to our best knowledge has only ever been developed for low density residential uses.

**Flood Hazard**

The site is not located within a flood prone zone.

**The Natural Environment**

The proposal will have no impact on the natural environment in the locality as the proposed development is located entirely within a highly disturbed portion of the site.

**Water management**

The site is connected to the sewer system.

Stormwater from the proposed extension will be connected to the existing stormwater drainage network.

**Access and parking**

The proposed access and parking modifications will allow for a safer access to the dwelling and remove the current pedestrian and vehicular conflicts in the rear yard.

**Site works and management**

All Council controls and conditions of consent will be complied with in the construction works. Appropriate devices will be used during the construction process to ensure no issues arise with regard to erosion and sedimentation.

**Part C Design Criteria for Residential****Landscaping**

A landscaped area of 50% is required for development in Zone R2. The existing landscaped area is non-compliant at 34% (192m<sup>2</sup>). The proposed landscaped

area is 44% (244.7m<sup>2</sup>). The site also includes 6% (33.3m<sup>2</sup>) of impervious area which provides 50% (278<sup>2</sup>) landscaped area. Accordingly, the development as proposed is fully compliant.

### **Safety and Security**

The proposed alterations and additions increase the safety of the dwelling by increasing the safety and security of the vehicle and pedestrian access to the site. It eliminates the requirement of vehicles accessing part of the site which is used to access the pool.

### **View Sharing**

The proposal will have no impact on views.

### **Solar Access**

Pre and post development shadow diagrams are provided in the attached plan set, illustrating that the proposed development does not result in any new shadows.

### **Visual Privacy**

The proposal will not detrimental impact for neighbour's visual privacy. The proposed windows are designed and located to ensure privacy for the residents and neighbours is maintained. There is ample separation, screening and distance from the neighbouring sites to ensure no acoustic or visual intrusions.

### **Acoustic Privacy**

The proposal will have a negligible impact for neighbour's acoustic privacy, with the development typical of the residential environment.

### **Private Open Space**

The minimum private open space requirement of 80m<sup>2</sup>, directly accessible from a living area is easily accommodated on the site.

### **Waste and Recycling Facilities**

Details of demolition, construction and ongoing waste management are provided in the attached waste management plan.

### **Swimming Pool Safety**

The proposed pool fencing will meet the requirements of the *Swimming Pools Act 1992*.

## **Part D – Newport Locality**

The site is located in the Newport Locality and will be appropriate within the desired character, built form and natural environment criteria as specified in the DCP. The proposed alterations and additions to the dwelling are appropriate within the landscaped streetscape setting.

### **Character**

The proposed development is an appropriate architectural design for the locality. The materials and colours complement the locality and present a pleasing façade when viewed from the public domain. The alterations and additions are consistent with the site, while sitting comfortably in the coastal locality.

### **Building colours, materials and construction**

The proposed materials include vertical timber cladding and metal roofing, in colours consistent with the character of the area. The materials and colours have been selected to fit within the existing character of the area.

### **Front Building Line**

#### ***Myola Avenue (Primary)***

The controls require a 6.5m front setback from Myola Road. The existing dwelling and the proposed additions sit within the setback varying from 7.5m to 11 metres and is fully compliant.

#### ***Hollywood Road (Secondary)***

The site has a secondary frontage to Hollywood Road. It is proposed to retain the 1.42 metre setback existing, and continue this for the small single storey addition along this boundary. Given the secondary nature of the boundary and the retention of the existing building, this is an appropriate solution. This siting allows for a northern and private yard to be provided. It also results in no solar access or privacy implications for any neighbours and a compliant landscaped area.

The view of the site from Hollywood Road will be attractive and a positive addition to the street. We note that the neighbour immediately to the west on Hollywood Road has a similar setback for their garage and this allows for the stepping of setbacks and a consistent line on Hollywood Road.

Similarly, we note that a similar secondary front setback for the site on the southern side of Hollywood Road exists and the precedent is set with the proposed development being consistent and worthy of approval as proposed.





### **Side and Rear setbacks**

The control requires a setback of 2.5m on at least one side, 1m for other side.

The northern side setback is 1m consistent with the existing dwelling.

The western side setback is 6.6 metres to the dwelling which is easily compliant.

A 1m setback is proposed to the replacement swimming pool.

The site has no rear boundary.

### **Building envelope**

A building envelope of 45° measured at a height of 3.5 metres applies to the site. The dwelling sits minimally outside this envelope. However, the breaches to the envelope are existing. Accordingly, the redevelopment of the existing dwelling, retaining the wall heights and boundaries is appropriate as the impact to neighbours will be nil.

### **Construction of Retaining walls, terracing and undercroft areas**

No new retaining walls, terracing or undercroft areas are proposed.

## **6. Section 4.15 Considerations**

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

### **6.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations**

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Pittwater LEP and DCP.

The development is permissible in the R2 zone.

### **6.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality**

#### **Context and Setting**

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?
- the character and amenity of the locality and streetscape?
- the scale, bulk, height, mass, form, character, density and design of development in the locality?
- the previous and existing land uses and activities in the locality?

These matters have been discussed in detail in the body of the statement, appendices and attached specialist reports.

What are the potential impacts on adjacent properties in terms of:

- relationship and compatibility of adjacent land uses?
- sunlight access (overshadowing)?
- visual and acoustic privacy?

- views and vistas?
- edge conditions such as boundary treatments and fencing?

The proposed alterations and additions have been designed to complement the site and its surrounds. The development is appropriate and will have appropriate and complementary impacts for adjacent properties.

### **Access, transport and traffic**

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- travel demand?
- dependency on motor vehicles?
- traffic generation and the capacity of the local and arterial road network?
- public transport availability and use (including freight rail where relevant)?
- conflicts within and between transport modes?
- traffic management schemes?
- vehicular parking spaces?

Traffic will be unaffected by the proposed development.

### **Public domain**

The proposed development will have positive impacts on the public domain with appropriate and attractive alterations proposed.

### **Utilities**

There will be no impact on the site, which is already serviced.

### **Flora and fauna**

There will be no impact.

### **Waste**

There will be no impact.

### **Natural hazards**

The site is not affected by any hazards.

### **Economic impact in the locality**

There will be no impact, other than the possibility of a small amount of employment during construction.

### **Site design and internal design**

Is the development design sensitive to environmental conditions and site attributes including:

- size, shape and design of allotments?
- the proportion of site covered by buildings?
- the position of buildings?
- the size (bulk, height, mass), form, appearance and design of buildings?
- the amount, location, design, use and management of private and communal open space?
- landscaping?

The proposed development is appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and the proposed alterations and additions are well suited to the residential surrounds.

How would the development affect the health and safety of the occupants in terms of:

- lighting, ventilation and insulation?
- building fire risk – prevention and suppression/
- building materials and finishes?
- a common wall structure and design?
- access and facilities for the disabled?
- likely compliance with the Building Code of Australia?

The proposed development will comply with the provisions of the Building Code of Australia. Additionally finishes, building materials and all facilities will be compliant with all relevant Council controls.

### **Construction**

What would be the impacts of construction activities in terms of:

- the environmental planning issues listed above?
- site safety?

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

### **6.3 The suitability of the site for the development**

Does the proposal fit in the locality?

- are the constraints posed by adjacent developments prohibitive?
- would development lead to unmanageable transport demands and are there adequate transport facilities in the area?
- are utilities and services available to the site adequate for the development?

There are no constraints presented by adjacent developments. The proposed development does not impose any unusual development constraints.

#### **Are the site attributes conducive to development?**

The site is appropriate for the proposed development.

### **6.4 Any submissions received in accordance with this Act or the regulations**

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

### **6.5 The public interest**

It is considered that the proposal is in the public interest as it allows for alterations and additions to the existing residential dwelling in an established neighbourhood.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.



## **7. Conclusions**

- 7.1** The proposed development for alterations and additions to the existing dwelling house including a pool house at 38 Myola, Newport is appropriate considering all State and Council controls.
  
- 7.2** When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
  
- 7.3** Considering all the issues, the development is considered worthy of Council's consent.