

STATEMENT OF ENVIRONMENTAL EFFECTS

16 GRANDVIEW DRIVE, NEWPORT

CONSTRUCT DETACHED SECONDARY DWELLING

**PREPARED ON BEHALF OF
Mr & Mrs Miles**

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1. INTRODUCTION

This application seeks approval for the construction of a detached secondary dwelling upon land at Lot 93 in DP 16029 which is known as **No. 16 Grandview Drive, Newport.**

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Pittwater Local Environmental Plan 2014.
- Pittwater Development Control Plan 2014.

The following details and documents have been relied upon in the preparation of this document:

- Survey Plan prepared by Adam Clerke Surveyors Pty Ltd, Job No. 750BC, dated 19/07/2020.
- Architectural Plans prepared by Michal Korecky, Drawing No. 20064, Issue 1 and dated 09/09/2020.
- BASIX Certificate No. 1137791S and dated 21 September 2020.
- Geotechnical Investigation prepared by White Geotechnical Group, Ref No. J2919 and dated 21 September 2020

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 93 in DP 16029 which is known as 16 Grandview Drive, Newport. The site has an area of 557.2m² with a frontage of 12.19m to Grandview Drive. The rear boundary of the site fronts Crown of Newport Reserve. The site which is located on the north-eastern side of Grandview Driveway has a depth of 45.725m. The locality is depicted in the following map:



The site currently comprises a multi-level dwelling with metal roof which is stepped down the site. A parking platform is located forward of the dwelling adjacent to the Grandview Drive street frontage. The property has a significant fall from the street frontage (RL36.77) towards the rear boundary (RL18.9).

The site is depicted in the following photographs:



View of Rear Yard and Proposed Location of Secondary Dwelling



Rear View of Site from Adjoining Reserve

The existing surrounding development comprises of a mix of original housing stock interspersed between larger more modern two storey dwellings. The sites relationship with the surrounding properties is depicted in the following aerial photograph:



Aerial Photograph of the Subject Site

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of a detached secondary dwelling. The secondary dwelling is to be constructed of external clad walls with a metal low pitched roof.

The secondary dwelling is proposed to be located in the rear yard. Setbacks of 2.607m and 0.95m are provided to the sites northern and southern boundaries, respectively. A setback of 1.659m is provided to the rear boundary which adjoins a public reserve.

All collected stormwater will be directed to a level spreader adjacent to the reserve via rainwater reuse tanks as detailed in the Stormwater Drainage Concept Plan submitted with the application.

The secondary will essentially comprise the following:

Two bedrooms (each with ensuite), kitchen with laundry and living area.

The proposal will result in the following numerical indices:

Site Area: 557.2m²

Landscaped Area: 245.7m² or 44.1%

4. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Northern Beaches Council.

4.1 Pittwater Local Environmental Plan 2014

The site is zoned E4 Environmental Living under the provisions of the PLEP 2014. Development for the purposes of secondary dwelling is permissible with the consent of Council within the E4 zone.

The relevant provisions of the PLEP which relate to the proposed development are detailed in the attached table:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 (2FA) Height of Buildings	Max height for detached secondary dwelling in E4 zone is 5.5 metres.	5.497m	Yes

The following clauses also applies:

Clause 5.4 Controls Relating Miscellaneous Permissible Uses

Subclause (9) provides:

- (9) *Secondary dwellings - If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater—*
- (a) *60 square metres,*
 - (b) *25% of the total floor area of the principal dwelling.*

The proposed secondary dwelling has an area of ##m² which complies with this clause.

A Geotechnical Investigation Report has been prepared by White Geotechnical Group which in summary provides:

The proposed development is suitable for the site. No geotechnical hazards will be created by the completion of the proposed development provided it is carried out in accordance with the requirements of this report and good engineering and building practice.

There are no specific other provisions of the LEP that apply to the proposed development.

4.2 Pittwater Development Control Plan 2014

Council's Pittwater DCP 2014 Part B (General Controls), Part C (Design Criteria) and Part D10 Newport Locality Statement provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

4.2.1 Section A Introduction

A4.10 Newport Locality

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.

It is considered that the proposal is compatible with the desired character of the locality by providing for a detached secondary dwelling in the rear yard. The proposed development does not require the removal of any vegetation and there is sufficient area available for landscaping on site.

The proposed works do not have any detrimental impact on the amenity of the surrounding properties.

4.2.2 Part B General Controls

The General Controls applicable to the proposed dwelling are summarised as:

B3.1 Landslip Hazard

As noted previously, a Geotechnical Investigation Report has been prepared by White Geotechnical and forms part of the submission. This report addresses the controls of this clause and the LEP.

B4.7 Pittwater Spotted Gum Forest

The proposed secondary dwelling is located on a previously cleared portion of the site. There is no significant vegetation in the rear yard and the works will not impact on the Pittwater Spotted Gum Forest Community.

B5.10 Stormwater Discharge to Public Drainage System

All collected stormwater will be discharged to a level spreader on site via rainwater reuse tanks and in accordance with Council controls and the Stormwater Drainage Concept Plan submitted with the application.

B6.3 Off-street Car Parking Requirements

This clause requires 2 off street parking spaces for large dwellings (2 bedrooms or more) and 1 space for secondary dwellings.

A hardstand parking area which can accommodate two cars is located immediately forward of the dwelling. A third space is provided on an existing hard stand area adjacent to the street frontage and the southwest corner of the site.

The proposal complies with this clause.

B8.1 Construction & demolition – excavation and landfill

The controls seek to achieve the outcomes:

Site disturbance is minimised.

Excavation and construction not to have an adverse impact.

Excavation operations not to cause damage on the development or adjoining property.

There is no significant cut or fill required, given the pier and beam construction of the proposed secondary dwelling.

B8.2 Construction & Demolition – Erosion and Sediment Management

The controls seek to achieve the outcomes:

Waterways, coastal areas, watercourses, drainage systems and the public domain are protected from the transportation of sedimentation from development sites. (En)

Reduction of waste throughout all phases of development. (En)

Public safety is ensured. (S)

Protection of the public domain. (S, En)

The proposal will incorporate an Erosion and Sediment Management Plan which has been submitted with the application and will be implemented prior to works commencing on site.

4.2.3 Part C Design Criteria

The Design Criteria applicable to the proposed development and are summarised over as:

C1.1 Landscaping

The controls seek to achieve the outcome:

A built form dominated and complemented by landscaping.

Landscaping that reflects the scale and form of development.

Retention of canopy trees by encouraging the use of pier and beam footings.

Development does not result in significant loss of the urban forest.

Reduced risk of landslide.

The proposed secondary dwelling is located on a previously cleared portion of the site. The proposal does not require the removal of any protected vegetation. The proposal incorporates a pier and beam construction to minimise impacts on any vegetation.

C1.2 Safety and Security

The controls seek to achieve the outcomes:

*On-going safety and security of the Pittwater community.
Opportunities for vandalism are minimised.*

The secondary dwelling is proposed to be orientated towards the north to allow for good solar access. The deck will allow direct views of people approaching the dwelling and views over the adjoining reserve.

C1.3 View Sharing

The controls seek to achieve the outcomes:

*A reasonable sharing of views amongst dwellings.
Views and vistas from roads and public places to water, headland, beach and/or bush views are to be protected, maintained and where possible, enhanced.
Canopy trees take priority over views.*

The site and surrounding properties enjoy views of the adjoining reserve to the east. Given the steep topography of the site, the existing surrounding dwellings will sit well above the height of the proposed secondary dwelling. The low pitched roof form and appropriate boundary setbacks also assist in maintaining good views from the surrounding properties. The proposal will not result in the loss of any significant views from the adjoining properties.

C1.4 Solar Access

The controls seek to achieve the outcomes:

*Residential development is sited and designed to maximise solar access during mid-winter.
A reasonable level of solar access is maintained to existing residential properties, unhindered by adjoining development.
Minimal need for artificial lighting.*

The required controls to achieve the outcomes are to ensure that private open spaces of the subject and adjoining dwellings maintain a minimum of 3 hours of solar access in mid winter.

Shadow diagrams have been provided. These diagrams indicate that the proposal maintains 3 hours of solar access to the private open space to the adjoining properties and that the shadowing does not extend to the habitable buildings on the adjoining properties.

The proposal complies with the requirements of this clause.

C1.5 Visual Privacy

The controls seek to achieve the outcomes:

Habitable rooms and outdoor living areas of dwellings optimise visual privacy through good design.

A sense of territory and safety is provided for residents.

The required controls to achieve the outcomes are to ensure that the private open space, recreation areas and living rooms within 9m of a development are suitably protected to limit the effects of direct overlooking.

The secondary dwelling is orientated to the north east to maximise solar access. The dwelling is setback 3.607m from the wall of the dwelling to the northern side boundary with the deck setback 2.607m. This setback is considered appropriate to enable sufficient visual separation and allow for landscaping within the side boundary setback. Further the secondary dwelling is orientated away from the habitable areas and principal private open space of the adjoining property.

The proposal complies with this clause.

C1.6 Acoustic Privacy

The controls seek to achieve the outcomes:

Noise is substantially contained within each dwelling and noise from any communal or recreation areas are limited.

The required controls to achieve the outcomes are to ensure that noise sensitive living areas and bedrooms are located away from major noise sources.

It is considered that the proposed secondary dwelling is provided with appropriate setbacks and the considered design will ensure that acoustic privacy to the adjoining properties is provided.

C1.7 Open Space

The controls seek to achieve the outcomes:

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants.

Private open space is integrated with, and directly accessible from, the living areas of dwellings.

Private open space receives sufficient solar access and privacy.

The required controls to achieve the outcomes are to ensure that dwellings are provided suitable private open space with an area and at a grade which will facilitate outdoor private recreation. A minimum of 80m² is required for dwelling houses with the clause noting that secondary dwellings are encouraged to have informal shared open space. The principal dwelling on site has ample open space through the provision of decks and the area immediately to the rear of the dwelling. Similarly, the area immediately adjacent to the secondary dwelling can be utilised for private open space of the new dwelling.

The proposal complies with the requirements of this clause.

C1.9 Adaptable Housing and Accessibility

The controls seek to achieve the outcomes:

The community's lifecycle housing needs are met within Pittwater through well designed adaptable housing.

All members of the community enjoy equitable access to buildings to which the general public have access.

Housing for older people and people with a disability are accessible, adaptable and safe.
(S)

Equitable access in the public domain.

Single dwellings and associated structures are not required to provide access in accordance with AS4299-1995.

C1.12 Waste and Recycling Facilities

The controls seek to achieve the outcomes:

Waste and recycling facilities are accessible and convenient, and integrate with the development.

Waste and recycling facilities are located such that they do not adversely impact upon amenity of the adjoining development or natural environment.

There is sufficient area on site behind the building line, for the storage of waste and recycling receptacles so that they are not visible from the public domain. The proposal complies with the requirements of this clause.

C1.23 Eaves

The controls seek to achieve the outcomes:

Housing that reflects the coastal heritage and character of Pittwater.

Optimise roof forms.

Appropriate solar access and shading is achieved.

This clause requires dwellings to be provided with eaves having a minimum width of 450mm. The proposal complies with this clause.

4.2.4 Part D Design Criteria

A summary of the DCP controls for the **D10 Newport Locality** is provided below:

D10.1 Character as Viewed from a Public Place

It is considered that the proposed secondary dwelling is compatible with the requirements and objectives of this clause for the following reasons:

- The secondary dwelling is located in the rear yard and is not visible from the Grandview Drive.
- The secondary dwelling is designed of lightweight materials and lowline roof pitch to minimise bulk and scale. The structure presents as similar bulk and style to other outbuildings when viewed from the adjoining reserve.
- The proposal provides for setbacks to all boundaries that are compatible with the existing surrounding development and allow for landscaping.
- The proposal does not provide for the removal of any protected vegetation. The pier and beam construction ensures that existing palms can be retained.

D10.4 Building Colours and Materials

The proposal incorporates natural tones which are recessive and will harmonise with the natural environment and complement the existing surrounding dwellings.

D10.7 Front Building Lines

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

Equitable preservation of views and vistas to and/or from public/private places.

The amenity of residential development adjoining a main road is maintained.

Vegetation is retained and enhanced to visually reduce the built form.

Vehicle manoeuvring in a forward direction is facilitated.

To enhance the existing streetscapes and promote a scale and density that is in keeping with the height of the natural environment.

To encourage attractive street frontages and improve pedestrian amenity.

To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing urban environment.

This clause requires a minimum setback of 6.5m to the street. The proposed works are in the rear yard and therefore this clause is not applicable.

D10.8 Side and Rear Building Lines

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Substantial landscaping, a mature tree canopy and an attractive streetscape.

Flexibility in the siting of buildings and access.

Vegetation is retained and enhanced to visually reduce the built form.

A landscaped buffer between commercial and residential zones is achieved.

To ensure a landscaped buffer between commercial and residential zones is achieved.

The numerical requirements of this clause require a setback of 2.5m to one boundary and 1.0m to the other boundary. A setback of 6.5m is required to the rear boundary.

The proposal provides for setbacks of 2.6m and 0.95m to the northern and southern side boundary, respectively. The minor non-compliance of 50mm to the southern boundary is negligible and does not result in any detrimental impact. The southern elevation presents as a single level outbuilding type structure. There is only one narrow window on this elevation which serves the kitchen with the building orientated towards to the north. Amendment to comply with this control would not serve any benefit.

The proposal provides for a setback of 1.478m to the rear boundary. This is considered justified in this instance for the following reasons:

- The site adjoins a public reserve immediately to the rear. Therefore, the non-compliance does not have any detrimental impact on any residential zoned land.
- Numerous other structures have been approved with reduced setbacks to boundaries fronting this reserve and which is clearly evident in the aerial photo.
- This reserve is a drainage reserve. The secondary dwelling is designed as a lightweight structure that presents as an outbuilding and will not detract from the character of the locality when viewed from the adjoining reserve.
- Requiring strict compliance would reduce amenity to the surrounding properties as the secondary dwelling would be required to be more elevated and would be located closer to habitable areas of the adjoining buildings reducing their privacy and amenity.
- The proposal complies with Council's building envelope provisions which aim to reduce bulk and scale.
- Existing vegetation adjacent to the rear boundary will provide screening to the proposed structure when view from the adjacent reserve.

D10.11 Building Envelope

The controls seek to achieve the outcomes:

To achieve the desired future character of the Locality.

To enhance the existing streetscapes and promote a building scale and density that is below the height of the trees of the natural environment.

To ensure new development responds to, reinforces and sensitively relates to spatial characteristics of the existing natural environment.

The bulk and scale of the built form is minimised.

Equitable preservation of views and vistas to and/or from public/private places.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties.

Vegetation is retained and enhanced to visually reduce the built form.

The required controls to achieve the outcomes are to maintain the development within a height envelope which provides for a height of 3.5m with an angle projected at 45°. The proposal complies with this clause, with eaves being an allowed encroachment.

D10.13 Landscaped Area – Environmentally Sensitive Land

The controls seek to achieve the outcomes:

Achieve the desired future character of the Locality.

The bulk and scale of the built form is minimised.

A reasonable level of amenity and solar access is provided and maintained.

Vegetation is retained and enhanced to visually reduce the built form.

Conservation of natural vegetation and biodiversity.

Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels.

To preserve and enhance the rural and bushland character of the area.

Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.

This clause requires a landscaped area of 60% of the site area. The proposal provides for a landscaped area 245.7m² or 44.1%. The variation is considered justified for the following reasons:

- The proposal provides for a bulk and scale that is compatible with the existing surrounding development. This is demonstrated by compliance with the building envelope provisions of the DCP.
- The proposal provides for ample solar access to the adjoining properties in accordance with Council controls.
- The proposal does not require the removal of any protected vegetation. The proposed pier and beam construction ensures existing palm trees can be retained.

- The proposal provides for all collected stormwater to discharge to a level spreader which adjoins the reserve. The proposal will not result in additional runoff to adjoining residential properties.

There are no other provisions of the DCP that are relevant to the proposed development.

5. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan 2014. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

The Likely Impacts of the Development

It is considered that the development provides for a detached secondary dwelling on an existing residential allotment without detrimentally impacting on the character of the area. In this respect the development provides for a lightweight single level building that is appropriately orientated and separated from the surrounding dwelling. The proposal is compatible with the desired future character in this locality in terms of bulk and scale.

The Suitability of the Site for the Development

The subject site is zoned E4 Environmental Living and the construction of a secondary dwelling in this zone is permissible with the consent of Council. The development is of a bulk and scale that is consistent with the existing surrounding development.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide a new detached secondary dwelling that is consistent with other development in this locality without impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the construction of a detached secondary dwelling. As demonstrated in this report the proposal is consistent with the aims and provisions of the Pittwater LEP 2014 and Pittwater 21 DCP 2014. The proposed dwelling does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed detached secondary dwelling upon land at **No. 16 Grandview Drive, Newport** is worthy of the consent of Council.

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