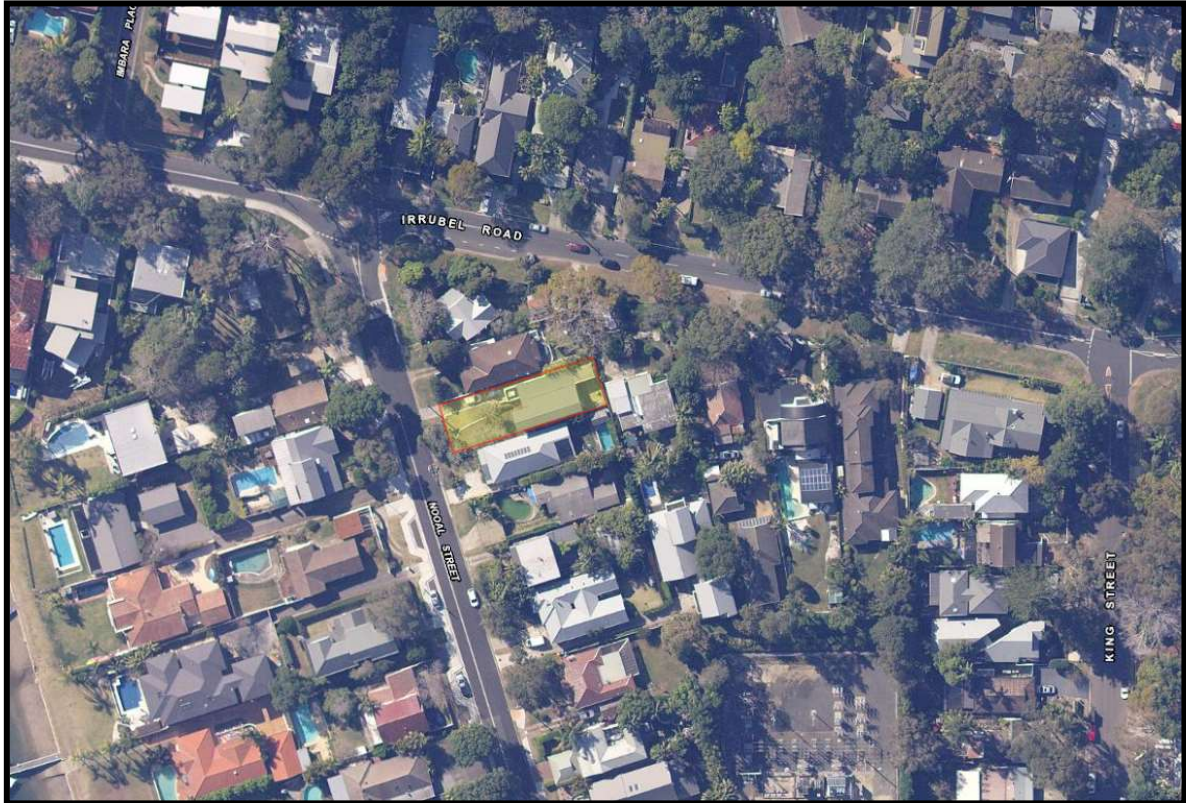


## STATEMENT OF ENVIRONMENTAL EFFECTS



**SITE:** Lot 23 DP 12837  
21 Nooal Street  
Newport

**APPLICANT:** Drafting Help

**PROPOSAL:** Erection of a detached secondary dwelling, retaining walls and new driveway.

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## INTRODUCTION

This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for alterations and additions to the existing dwelling, the erection of a detached secondary dwelling retaining walls and new driveway. This report is based upon plans prepared by Drafting Help.

The proposed works include:

- First floor addition to provide a deck and games room,
- Erection of a single storey secondary dwelling containing a bedroom, bathroom and living space.

The allotment is rectangular in shape with a frontage to Nooal Street of 12.19m, a depth of 39.625m and a total land area of 480.6m<sup>2</sup>. The lot currently contains a two storey dwelling that is to be retained on the allotment as part of the proposed development.

Three trees are required to be removed to site the proposed works. The existing street tree is to be retained in order to maintain the landscape character of the area. Replacement planting and additional landscaping is to be provided upon completion of the construction phase.

All necessary services are available on the site. The site has a gentle fall to the front boundary with drainage to be directed to the existing drainage collection system.

The neighbourhood generally consists of a mix of one and two storey dwellings as anticipated within an existing residential estate.

The following sections of this statement address the likely impact of the proposal on the environment.

## ENVIRONMENTAL EFFECTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

### **(a)(i) Relevant environmental planning instruments**

#### **Pittwater Local Environmental Plan 2014**

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of Pittwater Local Environmental Plan 2014.

The proposed development is defined in the Plan as a “dwelling house” and “secondary dwelling” as per the below definitions.

**dwelling house** means a building containing only one dwelling.

**secondary dwelling** means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

The identified zone permits the ancillary development to a dwelling house and construction of a 'secondary dwelling' subject to development consent from Council.

#### Clause 2.3 Zone objectives and land use table

The objectives of the R2 Zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

The proposed alterations to the existing dwelling and new secondary dwelling is suitably located on the allotment to ensure there is minimal impact on the surrounding properties and the character of the area. The proposed development is a suitable development for the site and is considered to meet the objectives of the R2 zone.

#### Clause 4.3 Height of Buildings

Requirement	Provision	Compliance
8.5m	Height of existing dwelling unchanged and <8.5.	Yes
	Secondary dwelling – 4.85m	Yes

#### Clause 4.4 Floor Space Ratio

Requirement	Provision	Compliance
N/A	N/A	N/A

#### Clause 4.6 Exceptions to development standards

The proposed development does not contravene the development standards of the LEP.

#### Clause 5.4 Controls relating to miscellaneous permissible uses

(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 a floor area of 32.9m<sup>2</sup> complying with this requirement.

#### Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or located within proximity of heritage items.

#### Clause 7.1 Acid sulfate soils

The subject property is identified as being affected by Class 5 Acid Sulfate Soils. The proposal is not considered to lower the water table by 1 meter and requires excavation predominantly within the footprint area only with a depth of less than 1m.

#### Clause 7.2 Earthworks

Due to the topography of the allotment earthworks are required to site the proposed footprint. Earthworks minimised through the use of piers / bearer and joist construction. No excessive impact anticipated.

#### Clause 7.3 Flood planning area

The subject site is not known to be located within a flood planning area.

#### Clause 7.10 Essential Services

All necessary services are available on the site including access to water, sewer, telecommunications and electricity.

\* \* \*

#### Conclusion with respect to LEP requirements

The proposal satisfies the objectives and requirements of the PLEP 2014.

### **(a)(ii) Relevant draft environmental planning instruments**

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

## **(a)(iii) Relevant development control plans**

### **Pittwater Development Control Plan No. 21**

DCP is divided into several sections of generic and individual locality based controls. The subject site is located within the Newport Locality. Assessment of the subject proposal against DCP No.21 is provided as follows;

#### **SECTION A**

##### **A4.10 Locality character statement – Newport Locality**

###### **Context (extract)**

*The Newport Locality was occupied by farming settlements from the early 1800s, and was a port for coastal steamers in the latter part of the nineteenth century. The Newport Hotel built in 1880 attracted visitors from Manly by coach and Sydney by steamer. As the road improved and beach holidays became popular, Newport expanded. Until the 1950s, Newport remained largely a holiday location with few permanent residents. Residential development and permanent occupation of dwellings increased from the 1950s.*

*Since this time, the locality has developed into a predominantly low-density residential area, with dwellings built along valley floor, plateau and slopes. The locality is characterised mainly by one and two-storey dwelling houses on 500-1,300 square metre allotments (some blocks may be smaller), increasing to 950-1,600 square metres on the plateau and slopes. The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes. Medium-density housing adjoins the Newport Commercial Centre along Ocean and Foamcrest Avenues, and in pockets along Kalinya Road, Gladstone Street, Livingston Place, and Queens Parade.*

*The locality is serviced by the Newport Commercial Centre on Barrenjoey Road, north of Bardo Road and South of Coles Parade, and neighbourhood retail centre at Kalinya Street. The locality also contains the Newport Primary School, Newport Arms Hotel, and recreational facilities including the Newport Bowling Club and several reserves.*

*The eastern side of the locality is dominated by the beach and adjoining headlands, with its recreational facilities including Newport Surf Life Saving Club. Whilst the western side is dominated by the Pittwater waterway and its nautical uses. Public pedestrian access around the Pittwater frontage is difficult and should be enabled and enhanced in future developments.*

*Houses and vegetation in the vicinity of Burke Street, Bungan Head Road, Prince Alfred Parade, Queens Parade and Myola Road, indicative of early settlement in the locality, have been identified as heritage items.*

*The locality is characterised by the steep slopes to the north and south, and valley floor. Due to the topography, significant views can be obtained through all points of the compass. Conversely, the slopes and ridge tops of the locality are visually prominent.*

*Substantial tree growth has been established, although the locality contains few*

*natural reserves and bushland areas.*

*The natural features of the locality result in a high risk of bushfire, landslip, flood, coastal (bluff) hazard, and estuary wave action and tidal inundation.*

*The major roads within the locality are Barrenjoey Road, Prince Alfred Parade, Beaconsfield Street, Irrubel Road and Myola Road. Barrenjoey Road which forms a distinct barrier between the east and western sides of the locality, is the primary access road to the northern suburbs of Pittwater. Few pedestrian/cycle links and pathways exist within the locality.*

The proposed development is to be located on a 480.6m<sup>2</sup> existing allotment being in keeping with the typical size for the immediate area. Three trees are identified for removal with the existing street tree to be retained. Replacement planting and landscaping is to be provided to the front of the allotment to ensure the landscape character of the area is maintained.

The proposed development is considered to be consistent with the intended character of the area and the character of Nooal Street. The existing dwelling has been provided with an increased setback allowing the siting of the proposed development forward of the existing dwelling. This siting is considered to allow for a consistent streetscape setback pattern in keeping with the established setback pattern for the area.

The design and style chosen is desired by the market today being of a contemporary nature using appropriate building materials which ensures that the built form will not be out of place and will not detract from the amenity of surrounding properties.

The proposal does not present any detriment to views or streetscape setting and environmental issues are considered to be satisfactorily addressed.

This development application is supported by all the necessary documentation to address the relevant environmental triggers of this Plan, such as landscaping and stormwater plans.

#### Desired Character (extract)

*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 erection of the proposed development will meet with the objectives of the low-density residential character of the area and is in a similar styling to development already constructed within the locality. The proposed secondary dwelling and ancillary works to the existing dwelling are considered to be in keeping with newer development throughout the surrounding area and remains below the dominant tree canopy height.

Three trees are to be removed as part of siting the proposed secondary dwelling, with existing landscaping to be retained to the rear of the allotment to ensure the landscape character of the area is maintained. Replacement planting is to be provided upon completion of the construction phase to enhance the landscape character of the site.

Consideration has been given to the natural features and character of the surrounding area of the site during the design selection process with the proposed works considered to be the most suitable development for the site.

The overall design of the secondary dwelling along with alterations and additions to the existing dwelling has given consideration to the sites environmental constraints, the amenity of neighbouring properties, views obtained from the site and the streetscape.

The proposed dwelling is considered to be in keeping with the desired character of the Newport area.



## SECTION B

### B1 Heritage Controls

The subject property is not identified as an item of heritage significance, within a conservation area or within proximity of a heritage item.

### B3 Hazard Controls

The subject property is not identified to be located within a bushfire prone area.

The subject property is identified as being affected by Class 5 Acid Sulphate Soils. The proposal is not considered to lower the water table, however will require minor excavation of less than 1m. The development is not anticipated to have any specific requirement in respect to Acid Sulfate Soils.

The subject site is not known to be located within a flood planning area.

### B4 Controls Relating to the Natural Environment

The subject site is not identified as being within an area of environmental significance.

### B5 Wastewater management

Drainage from the subject site is to be directed to the existing drainage collection system.

### B6 Access and Parking

The existing driveway access is considered to be suitable to be retained.

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
Driveway width at boundary to be maximum of 3.0m	Replacement driveway capable of complying	Yes
Driveway width at kerb to be maximum of 3.5m	Existing layback and cross over unchanged	Yes
Required parking spaces per dwellings (not secondary dwelling) 1 bedroom – 1 space 2 bedrooms + - 2 spaces	N/A to secondary dwellings. 2 spaces provided to the existing dwelling in a stacked configuration within the existing garage.	N/A Yes
Min. enclosed garage dimensions - 3.0m x 6.0m	2.98m x 12.0m	No – Variation requested

	Minor decrease in the width of the garage. The proposed garage is still capable of meeting the Australian Standards and will not prevent the garage from being used for its purpose.	
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## B8 Site works management

Cut and fill within the site is noted on the accompanying plans. An erosion and sediment control plan is attached with this application for Council's consideration. All sedimentation control devices will be in place prior to any site works for the construction of the alterations and additions or removal of trees.

## SECTION C Development type controls

### C1 Design Criteria for Residential Development

<i>Requirements</i>	<i>Provision</i>	<i>Requirement</i>
<u>C1.1 Landscaping</u> 60% of front setback to be landscaped.	Approx. 69.6% landscaping provided.	Yes
<u>C1.2 Safety &amp; security</u> Be able to view visitor at front door without opening it.  Casual surveillance of front yard.  Adequate lighting provided to minimise possibility of damage. Lighting to minimise annoyance to neighbours.	The proposed development is not anticipated to result in any loss of safety and security to the principal or secondary dwelling. Sight lines from the dwellings to the street frontage are maintained by the development with adequate lighting provided within the front yard to permit access without annoyance to neighbours.	Yes
<u>C1.3 View sharing</u>	The proposed development is not anticipated to have any unreasonable impact on views of surrounding properties. Any views obtained along the street and through the site can still be obtained due to appropriate setbacks.	Yes
<u>C1.4 Solar access</u> 3hrs to POS of proposed and adjoining 9am-3pm.	3hrs solar access provided to the existing dwelling and adjoining dwellings due to	Yes

3hrs to 50% glazing of proposed and adjoining living area windows.	favourable orientation of lot, appropriate setbacks and single storey height of the proposed development. Shadow cast from the proposed development is to the front boundary and not beyond anticipated levels for an allotment with north to the side boundary of the allotment.	Yes
<u>C1.5 Visual privacy</u>	No loss of visual privacy anticipated from the proposed development.	Yes
<u>C1.6 Acoustic privacy</u>	No significant noise source within direct proximity of the subject site.	Yes
<u>C1.7 Private open space</u> 80m <sup>2</sup> POS  Min dimension 3m Max 75% POS in front yard  Principal area 4m x 4m Accessed via living area.  POS to have good solar orientation  POS to include provision of clothes drying facilities.  Secondary dwellings: Informal sharing arrangement for open space is encouraged	80m <sup>2</sup> provided throughout the site. Min >3.0m POS to the front and rear yard. Provided in the rear yard POS accessed as per the existing arrangement Appropriate orientation provided. Solar access available throughout the day due to movement of the sun. Adequate space available with the rear yard.  Capable of complying	Yes  Yes Yes  Yes Yes  Yes  Yes  Yes
<u>C1.9 Accessibility</u>	Appropriate access to and from the site is available.	Yes
<u>C1.11 Secondary dwellings and Rural workers dwellings</u> Not more than 2 dwellings to be located on site.  Contains a maximum of 2 bedrooms  Detached secondary dwelling – Max. 1 storey	Capable of complying  Capable of complying  Detached single storey secondary dwelling.	Yes  Yes  Yes

Attached secondary dwelling – Max. height as per the LEP.	N/A	N/A
A secondary dwelling above a detached garage is not supported.	N/A	N/A
<u>C1.12 Waste and recycling facilities</u>	Adequate area available for bin storage within the site.  Waste Management Plan provided for Council's consideration.	Yes  Yes
<u>C1.17 Swimming Pool Safety</u> Swimming Pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the <i>Swimming Pools Act 1992</i> and regulations. The fencing and warning notices (resuscitation chart) shall be permanent structures.	N/A – no pool proposed.	N/A
<u>C1.20 Undergrounding of utility services</u>	Necessary services/utilities can be provided for the proposal.	Yes

## SECTION D Locality specific development controls

### D10 Newport Locality

#### D10.1 Character as viewed from a public place

Site and area analysis has revealed that numerous developments of a similar style and design to the subject proposal have occurred within the area gradually setting a contemporary development theme.

The secondary dwelling and ancillary development to the existing dwelling has maintained the streetscape appearance of a two storey dwelling that has been effectively characterised. Streetscape presence is reinforced through siting of the proposed development and the enhancement of the landscaping to the street frontage.

Existing and proposed planting within the front setback ensures the development is softened and does not dominate the street. The high quality design of the

development will ensure the visual bulk of the works in is minimised as much as practical for a site containing a two storey dwelling.

Based upon the design of the secondary dwelling and the nature of the proposal relative to the intended surrounding properties, it is considered that the residence will appropriately blend with the intended future character of Nooal Street.

The proposed dwelling will successfully contribute to the streetscape and landscape character of the locality.

### D10.3 Scenic Protection - General

The proposed development is not considered to have any detrimental impact on the scenic character of the area. The proposed development is designed with contemporary design elements to complement the existing dwelling and changing character of the area.

### D10.4 – 10.16 Newport Locality Residential Sectors

This section of the DCP applies to all land within the Newport Locality and provides controls for sector planning (subdivision and layout) and built form. An assessment of the proposed development against the built form controls of this section of the DCP is provided in the following compliance table;

<i>Design Guidelines</i>	<i>Proposed</i>	<i>Compliance</i>
<u>D10.4 / Building colours and materials</u> - Dark & Earth tones	Colour schedule to be provided with DA.	For consideration by Council.
<u>D10.7 / Front Building line</u> Land zoned R2, R3 or E4 adjoining Barrenjoey Road – 10m or established building line, whichever is greater  All other land zoned R2, R3 or E4 – 6.5m or established building line, whichever is greater.	N/A  8.336m to the proposed secondary dwelling in keeping with the existing streetscape.	N/A  Yes
<u>D10.8 / Side and rear building line</u> Land zoned R2, R3 or E4: 2.5m to one side; 1.0m to other side.  6.5m to rear (except land in foreshore)	Setbacks to the existing dwelling unchanged. >2.5m & 1.293m to the proposed secondary dwelling  6.688m to the existing dwelling	Yes  Yes

<u>D10.12 / Landscaped Area – General</u> Landscape area min = 50%	52.43%	Yes
<u>D10.13 / Landscaped Area – Environmentally Sensitive Land</u> Landscape area min. = 60%	N/A to R2 zones	N/A
<u>D10.14 Fences</u>	No front fencing proposed.  Internal dividing fences to be retained / replaced as required in accordance with the Dividing Fences Act.	N/A  Yes
<u>D10.16 / Retaining Walls</u> Retaining Walls visible from street ideally of sandstone or similar materials.  Undercroft areas limited to 3.5m and provided with landscaping.	Retaining walls capable of being suitably constructed where necessary.  No new undercroft areas proposed.	Capable of complying.  N/A

\* \* \*

#### Conclusion with respect to DCP requirements

The proposal is considered to generally satisfy the objectives of the relevant development controls relating to dwellings and secondary dwellings, as contained within DCP No. 21.

#### **(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality.**

The following matters are considered relevant when considering onsite impacts:

##### **Siting and Design**

The proposed contemporary development will be compatible with surrounding developments, and is considered consistent with a typical residential site in a well-established suburban location.

The siting of the secondary dwelling and ancillary works will provide generous boundary setbacks, contributing to spatial separation and openness between buildings.

With respect to external appearance, the design of the proposed development is consistent with other contemporary residential buildings within the locality and will compliment the streetscape. The front façade comprises different building elements including a pronounced decorative front entry feature and varied roof forms. In this

way, the proposal provides a clear definition of the entry and provides varied shadow lines due to the different construction elements and finishes.

### **Sedimentation Control**

Ground disturbance will be limited to minor excavation and filling for construction of a level building platform. All disturbed areas will be provided with sedimentation controls in the form of geofabric fencing and/or stacked hay bales as specified on the site plan.

Soil erosion control measures can easily be provided in accordance with Council's policy with compliance required as a condition of consent. A stabilised access pad will be provided at the point of entry to the site to eliminate soil leaving the construction zone.

### **Noise and Vibration**

All construction work will be undertaken during hours specified within the development consent and/or normal construction hours. No vibration during construction is expected. Noise generated from the dwelling after occupation will be of residential scale only.

## **(c) The suitability of the site for the development**

The subject site is within an established residential area, within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The secondary dwelling and ancillary works to the existing dwelling, the subject of the application, can be constructed with all services necessary and has been designed to suit site constraints and the character of the surrounding area.

The dwelling is permissible with development consent under the provisions of Pittwater LEP 2014, and generally satisfies the objectives of the relevant development control plans as discussed above.

## **(d) Any submissions made in accordance with this Act or the regulations**

Council will consider any submissions received during the relevant notification period for this development application.

## **(e) Public interest**

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.

## CONCLUSION

The proposed secondary dwelling and ancillary works is permissible with development consent under the provisions of Pittwater Local Environmental Plan 2014, and can satisfy the objectives within Pittwater DCP No.21.

It is considered that the construction of a secondary dwelling erected to the front of the existing dwelling will compliment and blend with the existing, and likely future character of this section of Newport. The proposal is not anticipated to have any detrimental impact on the surrounding natural or built environment.

A handwritten signature in black ink, appearing to read 'M Booth'.

Maxine Booth (B.UrbRegPlan & MPIA)

Town Planner

**Urban Planning & Building Consultants**

March 2021