

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR THE CONSTRUCTION OF A PROPOSED SWIMMING POOL

AT

1/16 HIGH STREET, MANLY

FOR

LEE-ANNE AND RICHARD O'BRIEN



**Prepared
June 2025**

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1.0 Introduction

This Statement of Environmental Effects accompanies architectural details prepared on behalf of Lee-Anne and Richard O'Brien by Premier Pools, Job No. P1034, Sheets L-01 - L-08, dated 14 May 2025 to detail the construction of a proposed in ground swimming pool and associated works at **1/16 High Street, Manly**.

This Statement reviews the proposed development by assessing the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, (as amended) including:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Manly Local Environmental Plan 2013*
- *Manly Development Control Plan 2013*

2.0 Property Description

The subject allotment is described as **1/16 High Street, Manly**, being Lot 1 within Strata Plan 100667 and is zoned R1 General Residential under the Manly Local Environmental Plan 2013.

The building is not listed as a heritage item within Schedule 5 of the Manly Local Environmental Plan 2013, nor is it noted as being within a conservation area. The site is in the vicinity of Heritage Item I2 "All Stone Curbs".

In addition, the site is within a Foreshore Scenic Protection and Biodiversity Area. These matters will be discussed further within this submission.

The land is identified as being Landslip Hazard G4 and a Geotechnical Report prepared by White Geotechnical Group, Reference J5982A dated 16 June 2025 accompanies this submission.

No other hazards have been identified.

3.0 Site Description

The site is rectangular in shape and is located on the south-western side of High Street and falls away from the street frontage. The site has a frontage to High Street measuring a total of 12.195m. The south-eastern and north-western side boundaries measure 35.285m and 35.295m respectively. The rear boundary measures 11.52m. The site (SP100667) has a total area of 418.3m².

The site is currently developed by a one and two storey rendered attached dual occupancy with a slate and metal roof. Vehicular access is available from High Street via a concrete driveway with parking available within a carport and open car space within the front setback.

A recent Development Consent – DA 2023/1808 for the construction of a carport to replace a pre-existing carport which had been damaged through tree branch drop was approved by Notice of Determination dated 14 February 2024.

The approved carport was constructed under Construction Certificate No CC2024/0553 determined 21 May 2024, with an Occupation Certificate issued for the carport under OC 2044/1116 submitted 13 November 2024.

The details of the site are included on the survey plan prepared by CMS Surveyors Pty Ltd, Reference No. 12798C, dated 21 March 2025, which accompanies the DA submission.

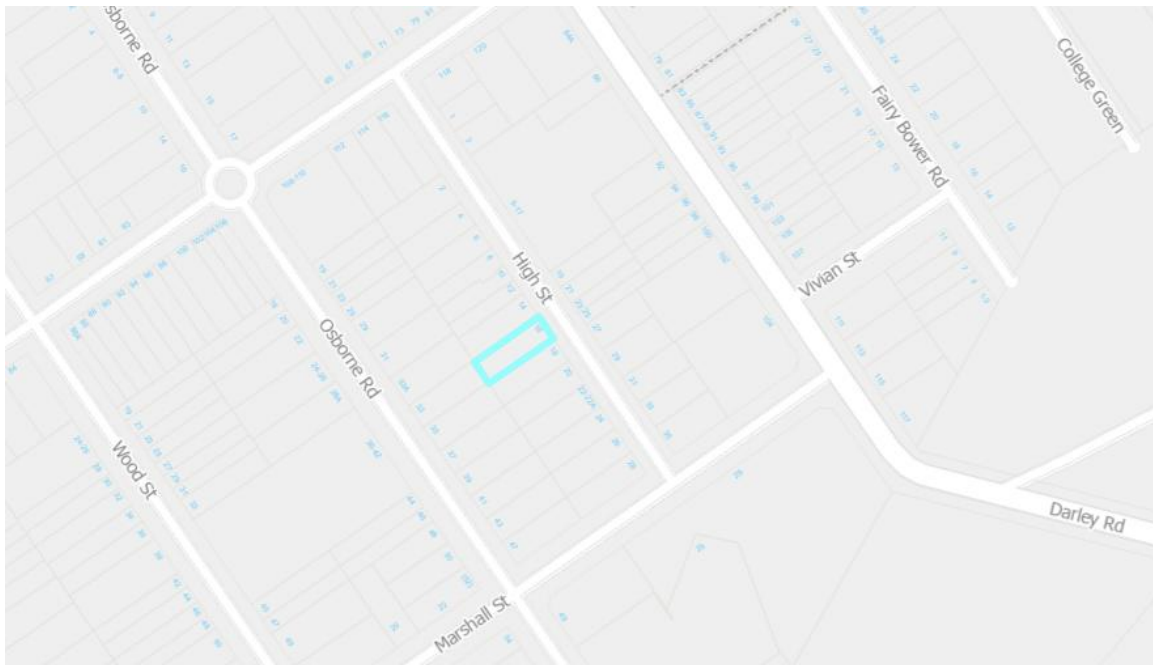


Fig 1: Location sketch
(Source: NBC Planning Maps)



Fig 2: View of the subject lot – RHS of existing building, looking south-west from High Street

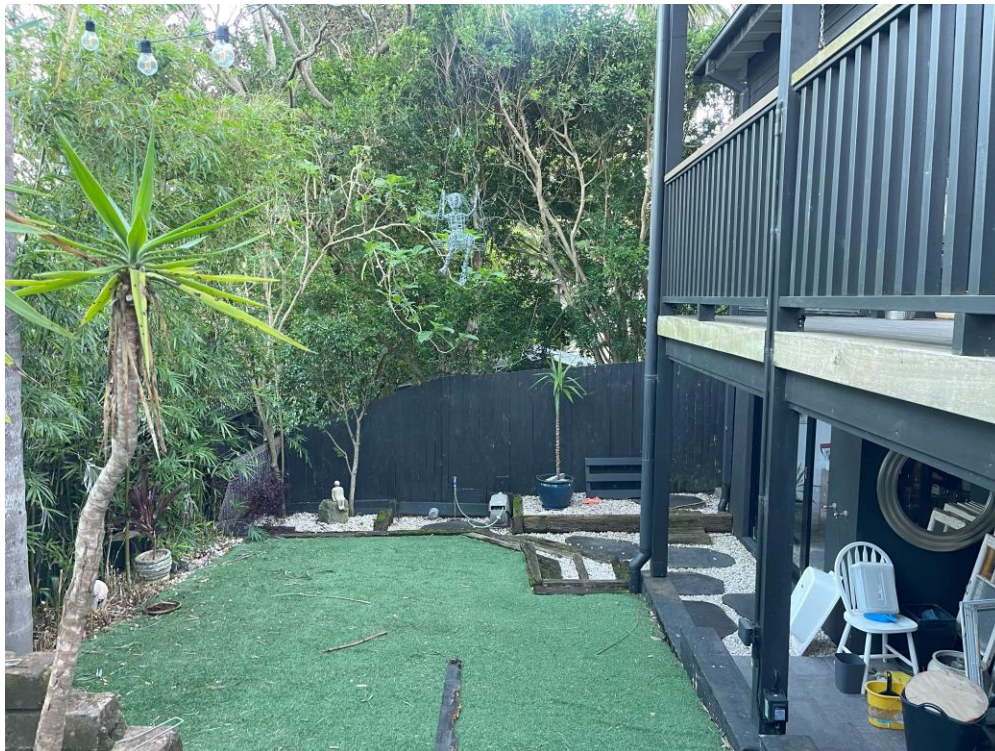


Fig 3: View of the location of the proposed pool within the rear yard, looking north-west



Fig 4: View of the rear yard and the location of the proposed, looking west towards the rear corner of the yard



Fig 5: View of the rear yard and the location of the proposed, looking south-east west towards the rear corner of the yard

4.0 Surrounding Environment

The area surrounding the site is predominantly represented by a mix of residential development comprising dwellings, generally with height between one and three storeys

The dwellings in the vicinity have been designed with living areas and associated open space that are oriented to take advantage of the waterfront location and views which are available to the site.

As can be seen in the figure below, swimming pools are not uncommon features in the rear yards of the surrounding properties.

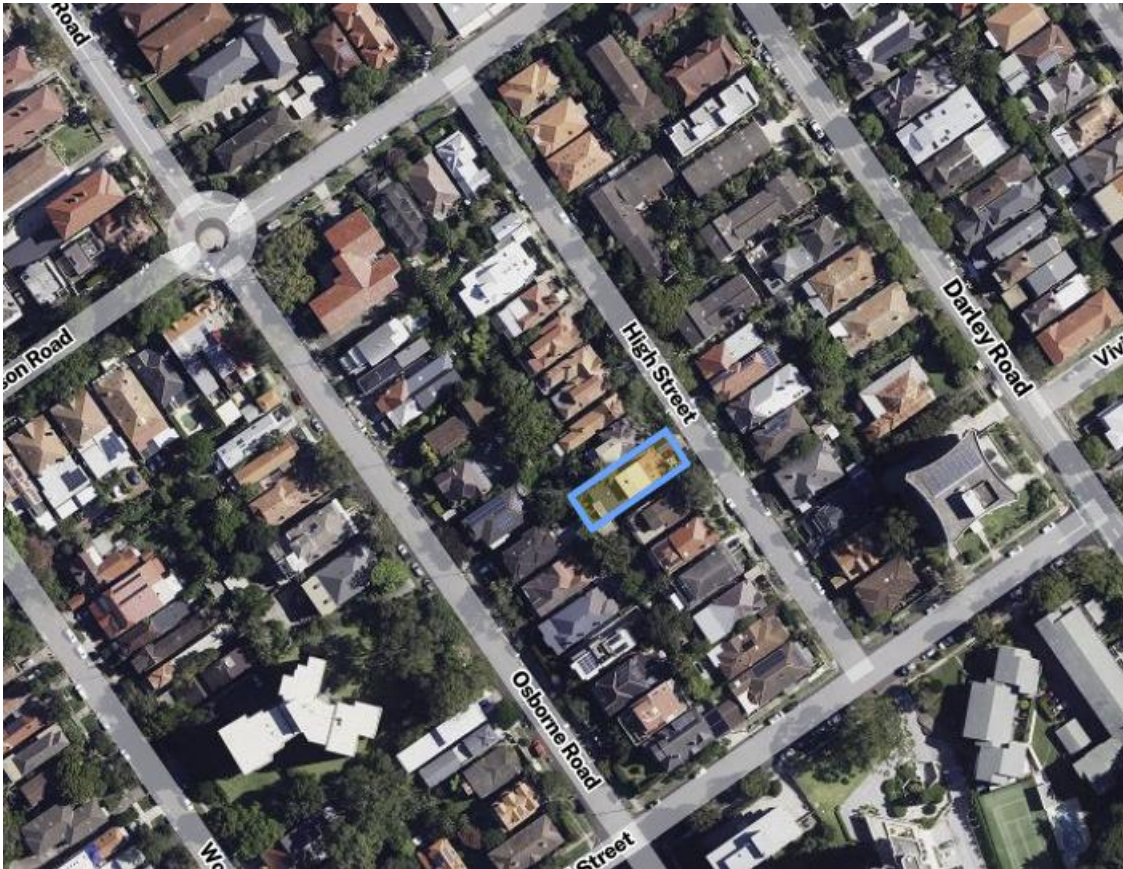


Fig 6: Aerial view of subject site
(Source: Six Maps)

5.0 Proposed Development

As detailed within the accompanying plans prepared by Premier Pools, the proposal seeks consent for the construction of a proposed new in ground swimming pool and associated works including a new low level deck, within the rear yard of the site.

The proposed swimming pool will be provided to the south-west of the existing dwelling and within an existing terraced yard area.

The proposed swimming pool is partly above ground (+690mm) due to the sloping topography of the site. The design minimises excavation and provides a seamless transition from the at grade decking to the swimming pool.

The proposal will not require the removal of any significant vegetation, with only an existing exempt palm species to be removed and maintains the existing soft landscaped area. The existing plantings will assist with screening the built form of the proposed swimming pool and deck.

The external finishes of the new works comprise earthy tones which will complement the existing dwelling and surrounding locality.

The development indices for the site are:

Site Area	418.13m ²
Required Open Space/Landscape	55% of site area/35% of open space
Proposed Open Space	43.3% or 182m ²
Proposed Landscape	19.3% of open space or 35m ²

6.0 Zoning and Development Controls

6.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

No vegetation is proposed to be removed as part of the proposed development. There are no trees within the site that have been identified as Heritage Items or identified within a Significant Tree Register. The proposal does not impact on vegetation on neighbouring properties or the surrounding public domain. No further consideration of this chapter is required.

Chapter 6 Water catchments

Chapter 6 of this SEPP relates to Water Catchments to which Sydney Harbour Catchment is a part. The primary aim of the SEPP is to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained as an outstanding natural and public asset of national heritage significance for existing and future generations.

The SEPP also aims to achieve a high quality urban environment and provide a consolidated, simplified and updated legislative framework for future planning.

The site is located within the Sydney Harbour Catchment but is not identified as a strategic foreshore site, as land within the wetland's protection area or within the Foreshores and Waterways Area. The proposal satisfies the general provisions under Clauses 6.6-6.10 and no further consideration is required.

6.2 State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

Overall, the proposed modified development remains consistent with the relevant provisions of SEPP (Resilience and Hazards).

6.3 State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX certificate is not required in this instance as the swimming pool and deck volume is less than 40kL.

6.4 Manly Local Environmental Plan 2013

The land is zoned R1 General Residential under the provisions of the MLEP 2013.

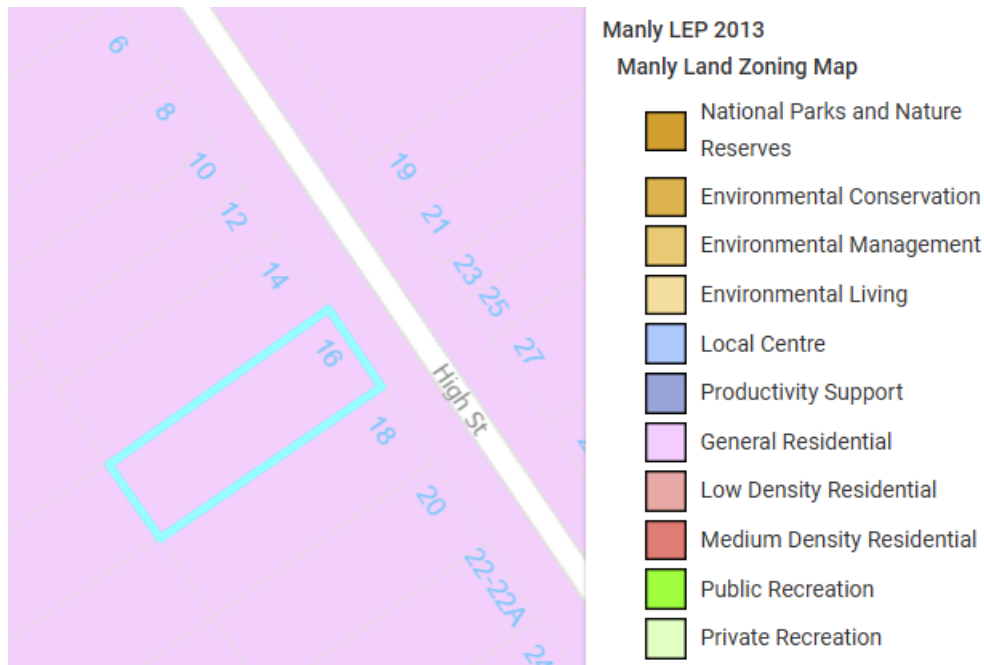


Fig 7: Extract of Manly Local Environmental Plan 2013 Zoning Map

The development of and use of the land for residential purposes is consistent with the objectives of the R1 General Residential, which are noted as:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

It is considered that the proposed new swimming pool and deck will achieve the zone objectives and are consistent with the established character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other dwellings in the vicinity and therefore complements the locality.
- The setbacks are compatible with the existing surrounding development.
- The site is utilised as housing and will continue to maintain the residential use.
- The works will provide for a new swimming pool and deck which will maintain the residential scale and character of the locality.
- The proposal will maintain an appropriate level of amenity to the adjoining properties.

- The proposal does not unreasonably obstruct any significant views from private property or the public domain.
- As detailed in this report the proposal maintains appropriate solar access to the surrounding properties.

Clause 4.3 – Height of buildings

The dictionary supplement to the LEP notes building height to be:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The building height limit for development in this portion of Manly is 8.5m. The balustrade to the proposed swimming pool is up to 2m in height when measures from natural ground level and therefore readily complies with this control.

Clause 4.4 – Floor space ratio

The proposal will not see any change to the floor space ratio of the existing dwelling.

Clause 5.10 – Heritage conservation

The dwelling is not listed as a heritage item within Schedule 5 of the Manly Local Environmental Plan 2013, nor is it noted as being within a conservation area. The site is in the vicinity of Heritage Item I2 “All Stone Curbs”.

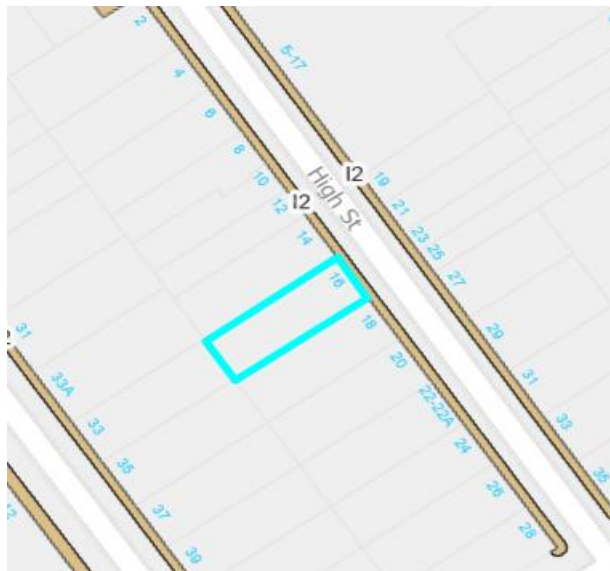


Fig 8 – MLEP Heritage Map
(Source: NBC Planning Maps)

Given the works are located within the rear of the dwelling and not visible from the heritage listed stone curbs no further investigation is required. A condition of consent can be provided if necessary to ensure no construction works will damage the heritage listed stone curbs.

Clause 6.2 – Earthworks

The proposed works will not require any substantial disturbance of the existing site conditions, with the exception of the minor excavation required to accommodate the proposed swimming pool.

All works will be carried out under the supervision and direction of the consulting Structural Engineers and will be managed to ensure that the amenity and safety of the subject and neighbouring dwellings will be protected.

Clause 6.4 – Stormwater management

The proposal meets the objectives of the clause as stated below in that:

- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and*
- (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and*
- (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

As the extent of hard and soft areas will remain largely unchanged, the proposal will not see any change to the existing stormwater arrangements.

Clause 6.5 – Terrestrial biodiversity

The proposal meets the objectives of the clause as stated below in that:

- (a) protecting native fauna and flora, and*
- (b) protecting the ecological processes necessary for their continued existence, and*
- (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

The site is identified as being in Council's Biodiversity Area. The proposal provides for a new swimming pool and deck which is modest in size. The proposal will require the removal of an existing exempt Cocos Palm and maintains a generous landscaped area.

The proposal is in keeping with the objectives of this clause.

Clause 6.8 – Landslide risk

The site is identified on Council's DCP mapping as being within Area G4 on the Landslip Hazard Map. As the proposed swimming pool will be located within the rear yard of Lot 1 and requires

minor disturbance of the site. A Geotechnical Report prepared by White Geotechnical Group, Reference J5982A dated 16 June 2025 accompanies this submission.

All works will be carried out under the supervision and direction of a Structural Engineer and will be managed to ensure that the amenity and safety of the subject and neighbouring dwellings will be protected. The proposal will therefore satisfy the provisions of this clause.

Clause 6.9 – Foreshore scenic protection area

The objectives of this clause is as follows:

The objective of this clause is to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.

The proposal provides for the construction of a new swimming pool and deck which is modest in size and will not be visually dominant within the foreshore area.

The existing landscape plantings will be retained, which assist with softening and screening the built form of the development.

The proposal is therefore in keeping with the desired outcomes of this clause.

There are no other clauses of the MLEP 2013 that are considered to be relevant to the proposed development.

It is considered that the proposal achieves the requirements of the MLEP.

6.5 Manly Development Control Plan 2013

Council's DCP Development Control Plan 2013 – Amendment 14 provides the primary control for development within the area.

The DA submission will address the Council's submission requirements outlined in Part 2 – Process.

The primary areas which are applicable to the proposed works are detailed within Part 3 – General Principles of Development & Part 4 – Development Controls and Development Types.

Clause 3.1.1 Streetscape (Residential Areas)

The proposed works are to be constructed to the rear of the site and will not be visible from the streetscape.

The intended outcomes are noted over as:

- i) *complement the predominant building form, distinct building character, building material and finishes and architectural style in the locality;*
- ii) *ensure the bulk and design of development does not detract from the scenic amenity of the area (see also paragraph 3.4 Amenity) when viewed from surrounding public and private land;*
- iii) *maintain building heights at a compatible scale with adjacent development particularly at the street frontage and building alignment, whilst also having regard to the LEP height standard and the controls of this plan concerning wall and roof height and the number of storeys;*
- iv) *avoid elevated structures constructed on extended columns that dominate adjoining sites such as elevated open space terraces, pools, driveways and the like. See also paragraph 4.1.8 Development on Sloping Sites and paragraph 4.1.9 Swimming Pools, Spas and Water Features;*
- v) *address and compliment the built form and style any heritage property in the vicinity to preserve the integrity of the item and its setting. See also paragraph 3.2 Heritage Considerations;*
- vi) *visually improve existing streetscapes through innovative design solutions; and*
- vii) *Incorporate building materials and finishes complementing those dominant in the locality. The use of plantation and/or recycled timbers in construction and finishes is encouraged. See also paragraph 3.5.7 Building Construction and Design*

The proposal will see the construction of a new swimming pool and deck, and will not see any change to the existing dwelling. Due to the new works being located wholly within Lot 1 of the rear yard of the site, the proposal will not alter the existing streetscape of High Street.

The existing landscaping will continue to soften and screen the new works as viewed from neighbouring properties.

The new works are complementary to the existing locality and the surrounding development, and are therefore worthy of Council's support.

Clause 3.3 Landscaping

The proposed new works will not see any reduction in the available area of soft landscaping. The new works will present an appropriate form and footprint, which is appropriately set back from the street, side and rear boundaries. The new works seek to replace the existing artificial grass and paved area within the rear with a new swimming pool and decking which does not require the removal of any landscaping.

The existing and proposed landscaping on site will continue to minimise overlooking to neighbouring properties.

Clause 3.4 Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- | | |
|---------------------|---|
| <i>Objective 1)</i> | <i>To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties.</i> |
| <i>Objective 2)</i> | <i>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</i> |

It is suggested that the works will achieve these objectives as:

- The proposed works comprise a new swimming pool and deck which is suitably set back from the side and rear boundaries, and together with the existing landscape plantings, this ensures that the proposal will not result in any impacts on the privacy of neighbouring dwellings. In addition, limited pool coping is provided to the swimming pool, which further minimises opportunities for overlooking.
- The proposed new works will not see any unreasonable diminution of the solar access enjoyed by the neighbouring properties. The new works are modest in bulk and scale, and the existing form of the dwelling remains unchanged.
- The proposed swimming pool and deck pool will not see any change to the existing maximum ridge height of the dwelling. The new works readily comply with the statutory height limit.

Clause 3.5 Sustainability

A BASIX certificate is not required in this instance as the swimming pool and deck volume is less than 40kL.

Clause 3.7 Stormwater Management

It is proposed to retain the existing stormwater arrangements which direct water to the rear of the site. The works will not see any increase in the existing stormwater arrangements.

Part 4 – Residential Development Controls**Site Area 418.3m² - Density Sub Zone D3 (250m² per lot)****Compliance Table**

Control	Required	Proposed	Compliance
Clause 4.1.1 Residential Density & Subdivision	Density Area D3 – 1 dwelling per 250m ²	Site area 418.3m ²	Yes – existing site and dimensions are unchanged
Clause 4.1.2 Height of Buildings	Maximum height – 8.5m	N/A – remains unchanged	N/A
	Wall height – 7.6m	N/A – remains unchanged	N/A
	Max two storeys	N/A – remains unchanged	N/A
	Roof height – 2.5m above wall height	N/A – remains unchanged	N/A
Clause 4.1.13 Floor Space Ratio (FSR)	0.6:1	No change to existing floor area.	N/A – remains unchanged.
Clause 4.1.4 Setbacks (front, side and rear)	<u>Front</u> a) Relate to neighbouring sites and the prevailing building lines or 6m c) Projections into the front setback may be accepted for unenclosed balconies, roof eaves, sun-hoods, chimneys, meter boxes and the like, where no adverse impact on the	The proposed pool setbacks are assessed under Clause 4.1.9 Swimming Pools, Spas and Water Features. The existing setbacks of the dwelling remain unchanged.	N/A

Control	Required	Proposed	Compliance
Side Boundary setback – 1/3 of wall height Rear setback – 8m	streetscape or adjoining properties is demonstrated to Council's satisfaction. <u>Side</u> 1/3 x wall height		
Clause 4.1.5 Open space and Landscaping	Area OS 3 Open space: Min 55% site area Landscaping: 35% of open space	Proposed open space – 43.3% or 182sqm. Proposed landscaped area – 19.3% or 35sqm. The proposal will not see any change to the existing open space area. Although the works do not fully comply with the landscaped area control, the proposal increases the overall landscaped area through the removal of the artificial turf and inclusion of new lawn within the rear of the site. The site will not see the removal of any significant trees or vegetation and the existing plantings which soften and screen the built form of the development.	Yes, on merit.

Control	Required	Proposed	Compliance
		Given the site constraints of the existing development limiting full compliance with the control, the net increase in landscaped area warrants merit support of the development application.	
Clause 4.1.6 Parking	Min 2 spaces	The existing car parking will remain unchanged.	N/A
Clause 4.1.6.4 Vehicular Access	a) All vehicles should enter and leave the site in a forward direction. b) Vehicular access and parking for buildings with more than 1 dwelling is to be consolidated within one location, unless an alternative layout/design would better reflect the streetscape or the building form. c) Vision of vehicles entering and leaving the site must not be impaired by structures or landscaping. d) Particular attention should be given to separating	The existing driveway access to the site will not be altered.	N/A

Control	Required	Proposed	Compliance
	pedestrian entries and vehicular crossings for safety.		
Clause 4.1.6.6 Tandem, Stacked and Mechanical Parking Areas	The design location and management of parking facilities involving tandem, stacked and mechanical parking (including car stackers, turntables, car lifts or other automated parking systems) must consider the equitable access and distribution of parking spaces to all occupants and visitors to the building. In this regard: a) all parking spaces in any tandem or stacked arrangement are to be allocated to the same dwelling/strata unit and must not be used as visitors parking; and b) where the proposed development involves a tandem, stacked and mechanical parking arrangement which necessitates more than one parking space being attributed to a single	The existing car parking will remain unchanged.	N/A

Control	Required	Proposed	Compliance
	dwelling unit under paragraph i) above; Council must be satisfied that sufficient parking spaces are reasonably allocated to all other dwelling units within the development.		
Clause 4.1.7 First Floor and Roof Additions	a) First floor additions must complement the architectural style of the ground floor and where possible retain existing roof forms. Notwithstanding setback provisions, the addition may follow the existing ground floor wall setbacks providing adjoining properties are not adversely impacted by overshadowing, view loss or privacy issues. b) The dwelling and the form of alterations and additions must retain the existing scale and character of the street and should not degrade the amenity of surrounding residences or the aesthetic quality of Manly. In this regard, it may be preferable that the	N/A	N/A

Control	Required	Proposed	Compliance
	addition be confined to the rear of the premises or be contained within the roof structure.		
Clause 4.1.8 Development on Sloping Sites	<i>Area G4 – Potential Hazards and Requirements</i> i. Geotechnical assessment may be required depending on location and nature of development and man-made cut and fill. ii) Residential footings are to be in accordance with AS2870.	The proposed works comprise minor excavation to provide for the new swimming pool and deck. Geotechnical Report prepared by White Geotechnical Group, Reference J5982A dated 9 April 2025 accompanies this submission All works will be carried out under the supervision and direction of the consulting Structural Engineers and will be managed to ensure that the amenity and safety of the subject and neighbouring dwellings will be protected.	Yes
Clause 4.1.9 Swimming pools, spas and Water features	Height above ground not more than 1m	The proposed swimming pool will be up to a maximum of 690mm above existing ground level at the north-western and of the coping, however there is no trafficable coping provided to the pool perimeter where it is elevated above	Yes – on merit

Control	Required	Proposed	Compliance
		ground, in order to minimise the opportunity for any additional overlooking of the neighbouring properties. A new timber deck is proposed at ground level to the south-east of the pool, which again by not introducing an elevated form above existing ground will, is intended to minimise any additional overlooking opportunity to the surrounding properties. The objectives of this control are as follows: • <i>To be located and designed to maintain the privacy (visually and aurally) of neighbouring properties and to minimise the impact of filter noise on neighbouring properties</i> • <i>To be appropriately located so as not to adversely impact on the streetscape or the established</i>	Complies Complies

Control	Required	Proposed	Compliance
		<i>character of the locality</i> • <i>To integrate landscaping; and</i> As discussed, the consequence of the site falling towards the north-west, the pool itself will be partially above ground however the design of the pool does not provide for a trafficable coping to the perimeter of the elevated portion of the pool. The existing landscape planting between the rear boundary and the pool shell will be retained to further assist in softening the appearance of the pool in the rear yard and maintain privacy for the surrounding properties. The swimming pool and deck is suitably separated from neighbouring properties to minimise overlooking or unreasonable impacts on the amenity of the neighbouring properties.	

Control	Required	Proposed	Compliance
	Setback of outer edge of pool concourse from side and rear boundaries must be at least 1m with water line being at least 1.5m from the boundary	The proposed pool shell stands between 1.227m and 1.241m to the rear boundary, however given there is no trafficable coping along the south western side of the pool, the setback to the water line will be between 1.427m & 1.441m, marginally less (73mm & 59mm) than the DCP control. For the reasons outlined previously, given that the pool shell is a maximum of 690mm above ground, with no trafficable coping to the portion of the pool where it is above ground level the consequence of the slope towards the north-west and the existing planting bed along the rear, south-western boundary of the site will be maintained, the minor variation to the control is considered to be acceptable in this instance The proposal will not result in adverse amenity impacts for neighbouring properties in terms of privacy or overlooking and the site will maintain	Complies – on merit

Control	Required	Proposed	Compliance
	Pool not to exceed 30% of total open space	suitable landscaped area to be integrated with the proposed built form. Proposed swimming pool and deck and existing pool <30%	Complies
Clause 4.1.10 Fencing	Freestanding walls and fences between the front street boundary and the building are to be no more than 1m high above ground level at any point.	No freestanding walls or fences proposed	N/A

Schedule 1 – Map D Areas where Assessment of Significance required (for Little Penguins and/or Long Nosed Bandicoots)

The site is located within Map D and therefore within an area of significance for little penguins and/or long nosed bandicoots. It is unlikely the construction of the new swimming pool will have an impact on either of these, however a detailed report can be provided should further concern be raised during the assessment of the development application.

7.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

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

7.2 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft instruments applying to the land.

7.3 Any development control plan

The development has been designed to comply with the requirements of Council's Manly Development Control Plan 2013.

It is considered that the proposed design respects the aims and objectives of the DCP however we note that the Environmental Planning and Assessment Amendment Act 2012 No 93 (Amendment Act) which received assent on 21 November 2012 commenced on 1 March 2013.

Key amongst the amendments are requirements to interpret DCPs flexibly and to allow reasonable alternative solutions to achieve the objectives of DCP standards.

The new section 3.42 provides that the 'principal purpose' of DCPs is to 'provide guidance' on:-

- giving effect to the aims of any applicable environmental planning instrument
- facilitating permissible development
- achieving the objectives of the relevant land zones.

The key amendment is the insertion of section 4.15(3A) which:

- prevents the consent authority requiring more onerous standards than a DCP provides,
- requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying DCP provisions with which a development application does not comply,
- limits the consent authority's consideration of the DCP to the development application (preventing consideration of previous or future applications of the DCP).

We request that Council applies considered flexibility where the application seeks variations to numerical development controls in the DCP as justified in this report. In particular we consider that the variation to the to open space and landscaping requirements are a reasonable alternative

solution to compliance where the site conditions results in a challenge to designing for new development which fully respects the landscaped area criteria.

It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

7.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

No matters of relevance are raised in regard to the proposed development.

7.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for construction of a new swimming pool and deck will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the residential character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's MLEP 2013 and Council's Codes and Policies, in particular the Manly DCP 2013.

7.7 The suitability of the site for the development

The subject land is currently zoned R1 General Residential under the Manly Local Environmental Plan 2013 and is considered suitable for the proposed development.

7.8 Any submissions made in accordance with this Act or the regulations

This is a matter for Council in the consideration of this proposal.

7.9 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

8.0 Conclusion

The principal objective of this development is to provide for the proposed construction of a new swimming pool and deck which respects and complements the site's location.

It is considered that the proposed works satisfy the stated objectives of Council's Development Controls. By maintaining our neighbours amenity and by complementing the existing style and character of the surrounding locality, the stated objectives have been satisfied.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

VAUGHAN MILLIGAN

Town Planner

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