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STATEMENT OF ENVIRONMENTAL EFFECTS

For Alterations and Additions

129 Upper Clontarf Street, SEAFORTH NSW 2092

Prepared on behalf of J. and R. Caruana

by Amanda Elboz *Director*
Space Landscape Designs Pty Ltd

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1.0 Site Description and Location

The site is known as 129 Upper Clontarf Street, Seaforth or Lot 189, D.P. 11162. The site is located on the western side of Upper Clontarf Street. The site is irregular in shape with an area of 531.1m². The site is located on the edge of a sandstone ridge with cross-fall slope of approximately 29 degrees. The front setback contains large rock outcrops, trees and turf area.

Currently the site contains a multi storey single dwelling positioned at the rear of the site. Vehicle access is via a driveway from Upper Clontarf Street which is subject to a right of carriageway easement with adjoining neighbour at number 131.

The surrounding area consists of low density detached residential dwellings.

A recent application for alterations and additions to the existing dwelling was approved on 21/5/2020 which included a new driveway, parking area and ancillary works.



Image 1 – Subject Site courtesy of Northern Beaches Council

2.0 Locality and Planning

The site is located within Northern Beaches Council.

The proposed development has been prepared in accordance with Manly Local Environmental Plan (LEP) 2013 and Manly Development Control Plan (DCP) 2013. Considerations has been given to all Environmental Planning Instruments as applicable.

3.0 Proposed Works

The proposal is for alterations and additions. The proposed works consist of a new swimming pool located in the front of the existing dwelling.

4.0 Planning Controls

The subject site is zoned R2 Low Density Residential. The proposed development is permissible within the zone, with consent from the local authority.

Provisions of Manly LEP 2013 as relevant to the proposed development:

CI 4.3 Height of buildings

Standard	Proposed	Complies
8.5m	No changes proposed to existing dwelling The proposed pool is maximum of 3.94m above existing ground level on the southern side and at existing ground level to the northern side.	Yes

CI 4.4 Floor Space Ratio

Standard	Proposed	Complies
0.45:1	N/A –The proposed development does not alter the existing FSR	N/A

CI 5.10 Heritage Conservation

The site does not contain a heritage item nor is it located in heritage area or near an item of heritage.

CI 6.1 Acid sulfate soils

The proposal will not lower the water table to below 1 metre and therefore not likely to impact upon Acid Sulphate Soils.

CI 6.2 Earthworks

There will be limited earthworks due to the majority of the proposed pool being above ground level. The pool has been designed to incorporate the natural slope of the land to minimise earthworks.

5.0 Manly Development Control Plan 2013

The objectives of the primary controls set out in the Manly DCP and the compliance with those controls are outlined below.

PART 3

3.1 Streetscape and Townscape

3.1.1 Streetscape (Residential areas)

The subject site is accessed via a private driveway. Therefore the proposed works will not be visible from Upper Clontarf Street and will not detract from the existing streetscape.

3.2 Heritage Considerations

The site does not contain a heritage item nor is it located in a heritage conversation area.

3.3 Landscaping

3.3.1 Landscaping Design

There is no changes to the existing landscape that was approved in the previous DA 2020/0116. One new native tree is proposed to provide a screen from the car hardstand area.

3.3.2 Preservation of Trees or Bushland Vegetation

No existing trees are to be removed.

3.4 Amenity

The proposal will not result in any addition loss of sunlight, privacy or views to neighbouring dwellings.

3.4.1 Sunlight and Overshadowing

Shadow diagrams have been submitted as part of this development. As shown the proposed new pool does not cause any additional overshadowing to number 127 Upper Clontarf Street.

3.4.2 Privacy and Security

There will be no additional loss of privacy to the adjoining properties. The proposed pool has no walkways to the north or south of the structure which prohibits any overlooking and maintains privacy. The positioning of the pool is located 3.3m from the southern boundary which provides a buffer between the sites. The deep end of the pool will be along the southern side to prevent any privacy impacts to number 127 Upper Clontarf St. There is also existing screen planting along the boundary.

3.4.2.3 Acoustical Privacy

The pool filter box will be housed in a soundproof enclosure. This will provide an acoustic barrier between the pool equipment and neighbouring site. The pool will have a 1.2m glass balustrade on the southern edge to provide additional acoustic protection.

3.4.3 Maintenance of Views

No views will be affected given the location of the proposed pool.

3.5 Sustainability

As the volume of the pool is less than 40,000L a Basix Certificate is not required.

3.6 Accessibility

N/A

3.7 Stormwater Management

Due to the limited pool coping and size of the pool there will be minimal additional stormwater runoff.

3.8 Waste Management

During construction, rubble and waste will be disposed of into a skip located on site. All waste will be disposed of by suitable contractors and be recycled where possible.

The proposed development will not produce additional household waste. The current household waste will continue to be dealt with according to council guidelines.

3.9 Mechanical Plant Equipment

N/A

3.10 Safety and Security

The proposed pool will be surrounded with child resistant fencing to meet relevant legislative requirements.

PART 4 Residential Development Controls

4.1 Residential Development Controls

4.1.2 Height of Buildings – 8.5m

No changes are proposed to the height of the existing building. The pool is located a maximum of 3.94m above natural ground level.

4.1.2.2 Number of Storeys

N/A

4.1.2.3 Roof Height

N/A

4.1.3 Floor Space Ratio – 0.45:1

N/A. The proposed works is an ancillary structure.

4.1.4.1 Street front setbacks

The proposed pool is setback 17.3m from the front boundary and therefore complies.

4.1.4.2 Side setbacks and secondary street frontages

The side setback of the proposed elevated pool is 3.3m.

The side setback requirement on the southern elevation is 1.7m based on a wall height of 5.14m (including pool fencing 1.2m high).

4.1.4.4 Rear Setback

The rear setback requirement is 8m. The proposed pool is setback 17.7m.

4.1.5 Open Space and Landscaping

The site is area OS3 and requires Minimum of 55% open space. Of this 35% is Landscape Area.

Site Area	534.1m ²	
Minimum Open Space	55% of site (293.7m ²)	
Proposed Open Space	57% (306.7m ²)	COMPLIES

Max. Open space above ground	25% of TOS (73.4m ²)	COMPLIES
Proposed OS above ground	23% (71.3m ²)	
Minimum Landscape Area	35% of open space (102.8m ²)	COMPLIES
Proposed Landscape Area	64% (196.2m ²)	

4.1.6 Parking

N/A

4.1.7 First Floor and Roof Additions

N/A

4.1.8 Development on sloping sites

The property is not identified as Landslide Risk Land.

The development has responded to the site as it has been setback from the southern side boundary so it is level with existing ground level on the northern side of the proposed pool. Due to the rock outcrop and steeply sloping block on the southern side, the pool must be over 1m above ground level. Due to site constraints and the layout of the existing dwelling, the pool is located in the most suitable space as it is adjacent to the sites private open space. The pool cannot be located at the rear due to the existing setback of the dwelling.

4.1.9 Swimming Pools, Spas and Water Features

Pools must not be elevated more than 1m above natural ground level unless it would not detract from the amenity or character of the neighbourhood and is a minimum distance from any side boundary equivalent to the heights of the pool above ground.

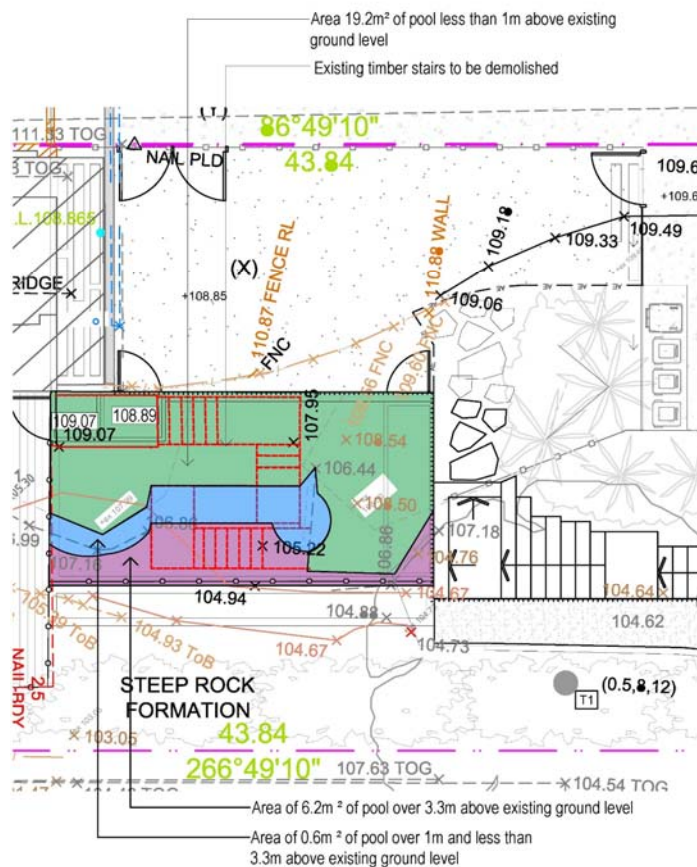
4.1.9.1 Height above ground

It is acknowledged that this proposal does not comply with Clause 4.1.9 and we therefore seek a variation to this clause and seek council's approval based on merit.

The site is unique due to the rocky outcrop spanning the entire length of the property. The site is also subject to a significant slope of approximately 5 - 6 meters and the proposed pool area alone is subject to a slope of 4.13m. The existing ground level within the proposed pool area is highly variable. Careful consideration has been given to ensure it is sited in the optimal location to minimise amenity impacts to number 127 Upper Clontarf St but also to minimise any excavation of rock. A shallow end of 0.4m has been incorporated into the pool design to work with the changing ground levels and minimise rock removal. A step in the pool area has also been incorporated along the entire northern side of the pool to work with the natural slope of the land and minimise rock removal.

The pool is a maximum of 3.94m above existing ground level. It has been setback 3.3m from the side boundary with a waterline set back of 3.5m. Although the setback is not equal to the distance above ground it is deemed reasonable as there is no walkway on the southern side. Therefore privacy and overlooking has been maintained for the adjoining dwelling at number 127. Upper Clontarf Street. The size of the pool is not overly excessive and has been kept to a minimum width of 2.5m increasing to 3.5m where the natural shape of the land permits.

It is also worth noting that given the steep natural slope of the land and uneven terrain, a very small portion (approximately 13%) of the proposed pool area is non-compliant with this clause. The proposed pool is not a large above ground structure and is working to incorporate the uneven natural slope of the land. The pool will also not detract from the character of the neighbourhood as it will not be visible from the street or any public space. At the far southern side of the pool the land is subject to a steep drop and to effectively incorporate this drop but minimise excavation the exceedance of the clause is requested.



4.1.9.3 Proportion of Total Open Space

Swimming pools and associated concourse must not comprise of more than 30% of total open space.

The pool and concourse is a total of 29.8m². This is 9.7% of total open space and therefore complies.

4.4 Other Development

4.4.5 Earthworks

The pool has been designed to incorporate the natural contours of the land and the majority of the pool is above ground level limiting excavation to approximately 15% of the area of the pool. In terms of removal of rock outcrops, the majority of rock outcrop within the pool area will be retained. To ensure stability of the rockface near the eastern edge of the pool it is necessary for the rock to be cut back to form a sheer rock face. The undercut of this rock has been remediated in the past with three steel posts and only one still makes contact with the rock. As per the geotechnical report supplied, remedial works or rock removal is required onsite irrespective of the proposed pool. The undercut rocks will be removed during the construction of the pool inline with the geotechnical recommendations thereby improving site safety in the long term.

4.4.5.3 Filling

No filling is required for the pool.

4.4.5.4 Retaining Walls

N/A

PART 5

5.4 Environmentally Sensitive Lands

N/A

Threatened Species

The land is not known to contain any threatened species nor is it situated as an area of habitat for the little penguin or long nosed bandicoot.

6.0 Summary

The proposal has been designed to improve the amenity of the existing site. Concerns of privacy and overlooking of the neighbours at number 127 has been addressed with the siting of the pool commencing at existing ground level and with a large side setback of 3.3m and no walkable concourse.

The proposed development demonstrates substantial compliance with the objectives of Council's Development Control Plan with the exception of the height of the pool and side setback. As previously stated, it is felt that an exception to the requirement of this clause is warranted and the proposal meets the objectives of this clause.

We trust that Council will view this application favourably.

SITE PHOTOS



Existing stairs to be removed and location of proposed pool



Existing undercut cliff face showing supporting posts