

# STATEMENT OF ENVIRONMENTAL EFFECTS

## PROPOSED SWIMMING POOL AND ASSOCIATED WORKS

PREPARED ON BEHALF OF  
Mr & Mrs Peupion

Nov 2021

# 49 Wheeler Pde  
Dee Why



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## 1. INTRODUCTION

This application seeks approval for the construction of a swimming pool, decking and associated landscaping upon land at **Lot 11 in DP 11866**, which is known as **No. 49 Wheeler Pde Dee Why**.

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

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

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

- Survey Plan prepared by Waterview Surveyors , dated 29.4.21.
- Landscape Site Plan by Urban Escape Landscape Contractors, dated 29.11.21.

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 79C(1) 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

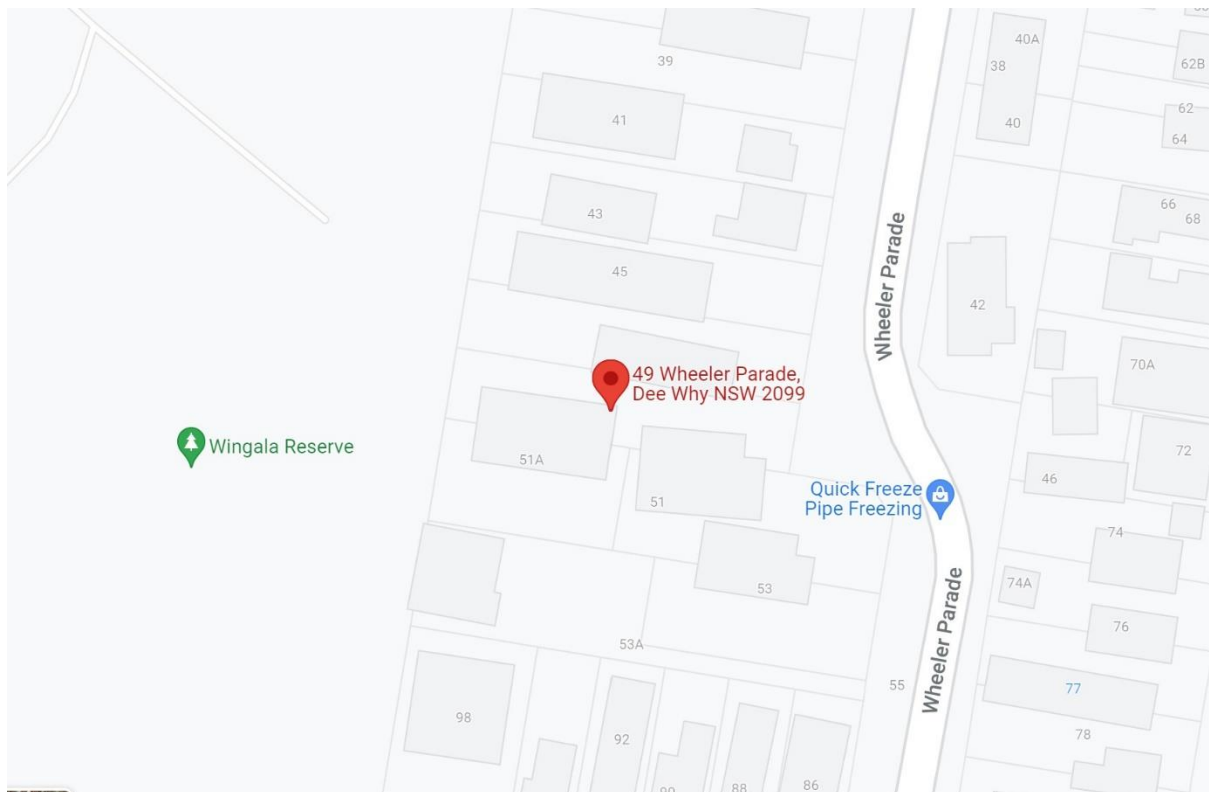
The site is identified as proposed Lot 11 in DP 11866, which is known as No. 49 Wheeler Pde Dee Why with its closest cross street being Headland Rd. The site is located on the Western Side of Headland Rd and is mostly rectangular in shape with a total site area of 782.2m<sup>2</sup>.

The site has slope towards the East with a 9.88m fall over the site length of 61.155m.

Access to the site is from Wheeler Pde.

The site currently comprise of a 2 story dwelling with a side driveways access, various pathways, undulating lawn areas that are currently not retained in the rear garden area and multiple visible rocky outcrops. The house is set towards the fronte of the block. To the west of the house is a sloping / undulating / unretained sloped rear lawn and garden areas with multiple visible rocky outcrops.

The locality is depicted in the following map:



Site Location Map

The site is not identified as being in a flame zone and bushfire Hazard Report does not accompany this application. The site is not identified as being in a geological hazard zone and a geotechnical report does not support this application. The site is





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not listed as a heritage item, is not within a conservation area, nor does it include or comprise critical habitat.

The rear of the site is depicted in the following photographs:



View towards the proposed swimming pool location.





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View towards the pool and deck location.





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View of the existing boundary hedges and sloping lawn. Note the exposed rocky outcrops in the background.





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View along the rear of the house showing unretained slopes and existing small deck / stairs.





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View showing existing rear entry and proposed bifold door location.





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View showing existing retaining wall to be removed.





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View of retaining wall to be removed.



The existing surrounding development comprises predominantly multi-level dwellings and two story residential development. The subject site and existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph



### 3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the construction of a swimming pool / spa, timber decks, rear bifold doors, retaining walls, lawns and garden and associated landscaping. Landscape renewal for this area will be included for privacy and to soften the built form.

All collected stormwater from the development will be captured as per the stormwater design plans that are included in this proposal.

The proposal will result in the following numerical indices:

**Site Area: 782.185 m<sup>2</sup>**

AREA OS4

Calculated site open space 363.16m<sup>2</sup> or 46.4%

**Proposed Natural Landscaped Area:  
328.279m<sup>2</sup> or 41.96% of site open space (as  
defined)**

### 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 Landscaping**

The proposed development meets the necessary criteria regarding ratios of soft landscape areas.

The objects of visual quality and amenity, absorptive areas for on-site infiltration of stormwater have been considered, designed and met.

Performance criteria are met in this proposal with sensitivity to the local native bushland, microclimate, view, minimizing the dominance of the development from the street, relating the indoor living area to useable outdoor recreational space, contributing to the solar efficiency of the dwelling and the proximity and impact of the development to adjoining properties.

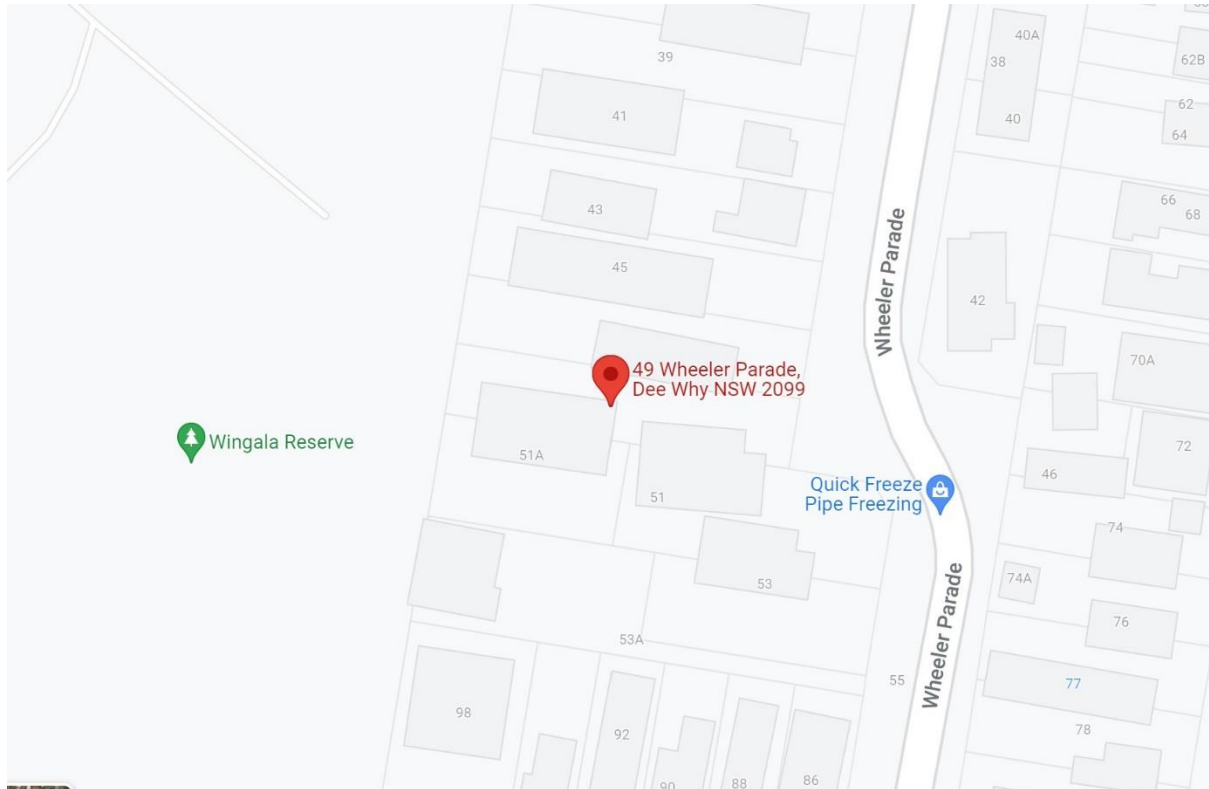
#### **4.2 Planning for Bushfire Protection 2006**

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply. .

#### **4.3 Warringah Local Environmental Plan 2011**

The Warringah Local Environmental Plan 2011 aims to make local environmental planning provisions for land in Warringah in accordance with the relevant standard environmental planning instrument under section 33A of the Act.





Extract of Zoning  
Map

The site is zoned R2 – Low Density Residential. Development for the purposes of outdoor entertaining areas, outdoor bbq area, swimming pool and associated landscaping is permissible in this zone with the consent of Council. It is considered that the proposal is consistent with the objectives of the R2 – Low Density Residential zone for the following reasons:

- 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.

#### **4.4 Warringah Development Control Plan**

The Warringah Development Control Plan (DCP 2011) has been prepared by Council. The DCP contains detailed planning controls that support Warringah LEP 2011.

It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

#### **4.5 Private Open Space**

The proposal meets the objectives of providing useable, sufficient private open space and integrating this with living areas, achieving privacy from the public domain and receiving adequate sunlight.

Performance criteria are met by maximising solar access, ensuring privacy, convenient access from the dwelling and maintaining character and nature of the site. This is achieved with the installation of bifold doors to provide easy access to a timber entertaining deck, swimming pool and adjacent deck and level lawn. The use of a level lawn / gardens and deck adjacent to the pool create a larger, more practical and more useable private open space which works within the constraints of the slope of the site. The proposed works are to be screened with significant plantings.

#### **4.6 Private Recreational Facilities**

This section relates specifically to the proposed deck swimming pool and landscaping in the rear yard of the specified property.

The proposal is located in the most logical position, working with the natural topography of the land. The natural exposed rocky outcrops will remain untouched as part of the proposal. The swimming pool has been positioned to be partly out of the ground as the site slopes to the east with the finished coping height only being slightly higher than the existing rear lawn / garden levels to create usable open space. The poolside deck has been designed to be the same height as the existing adjacent ground levels and is setback from any boundary. The pool is setback significantly from the rear boundary so as not to impact neighbours.

The pool and deck areas are setback from all boundaries. This will allow for adequate screen planting which will reduce the visual impact of the proposal and increase the privacy for neighboring properties.

The proposal meets most of the objectives and performance criteria. In those circumstances where it does not, it can be argued that this is due to the limitations of the slope of the block. This development provides the most considered and well designed solution which has minimal impact on the subject



site and does not affect adjoining properties in any significant way. The deck, lawn and swimming pool and associated landscaping have been designed to be integrated with the landscape and in sympathy with the existing dwelling. Intensive landscaping between the proposed works and adjacent properties and the use of dense plantings to screen the proposal have all been considered, designed and met.

#### **4.7 Excavation, Earthworks and Retaining Walls**

The slope of the subject site and the proposed leveling of the lawn area and gardens have been taken into consideration in this proposal will the excavation material being retained onsite under lawns and gardens where possible and to achieve a safe and useable private open space.

The proposed landscaping and swimming pool will be constructed with the intention of retaining visual characteristics of the site through the use of natural materials such as timber and sandstone and the inclusion of dense planting in new garden beds created between adjacent to the proposed works.

#### **4.8 Environmental Living Zone and Sydney Regional Environmental Plan (Sydney Harbour Catchment)**

The proposed development meets all of the necessary criteria and objectives outlined in the Warringah DCP and the Sydney Regional Environmental Plan.

Performance criteria are met with sensitivity to the form and features of the local topography, retaining the important environmental qualities and characteristics of the area, retaining natural features of the site where possible, micro-climate, ensuring the development is not visually dominant and does not affect the amenity / views of surrounding properties.

#### **4.9 Views**

The proposal will not affect the existing views from neighbouring properties.

##### **4.91 Privacy**

The proposal will increase privacy with the use of screening hedges along the northern, eastern and western boundaries. This will assist in maintaining privacy for both the neighbouring sites and the subject property.

#### 4.92 Solar Access

Solar access to the rear garden will be improved under the proposed development. This will be achieved by creating larger more useable level outdoor recreational areas.

#### 4.93 The Public Interest

It is considered that the proposal is in the public interest in that it will provide for development that is compatible with the existing surrounding development.

### 6. CONCLUSION

This application seeks approval for the construction of a swimming pool / spa, timber decks, retaining walls, bifold doors in the rear of the house and associated landscaping. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011 and the Warringah DCP 2011. The proposed development will be consistent with the objectives of the R2 0- Low Density Residential zoning. The proposed works do not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

Considerations for the following points have been given:

- Similar developments within a 200m vicinity of the proposed development.
- The proposed development not being seen from waterways, public vantage points, foreshores or bushland and the retention of views.
- The development integrating with the natural topography of the site.
- The retention and reuse of any excavated materials on site to maintain the visual characteristics of the area.
- The need for safe and useable private open space.
- The increase in privacy through the use of hedges, fences and privacy screens.
- Increase in visual amenity.
- The need for solar access
- The meeting of objectives, performance criteria and controls in this proposal.

It is therefore considered that the proposed development to an existing dwelling upon land at **No. 49 Wheeler Pde Dee Why** is worthy of the consent of Council.