

Proposed Swimming Pool

at

20 Jackson Street

Balgowlah Heights

Prepared for Wisdom Pools and Landscapes

**Planning Outcomes Pty Ltd
September 2022
0417 467 509**

1. Description of Proposal: Swimming Pool

The swimming pool has a length of 7m and width of 3m. There is an extended part of the swimming pool that is 1m wide and 1.8m long. There is a spa that is 2m by 1.8m.

The pool has a depth ranging from 1200mm to 1900mm.

2. Site and Streetscape Analysis

The site has a rectangular shape and is located on the eastern side of Jackson Street. The site has an east west orientation and has a frontage to Jackson Street of 9.45m and a length of 46.135m. The site area is 429.9m².

The site slopes away from the street to the rear of the site and has a diagonal cross fall of approximately 1.23m (21.31m -22.54m) from the rear south-east corner to the front north-west corner.

The site is not bushfire or flood prone. The dwelling is on scenic protection land.

3. SEPP (Resilience and Hazards) 2021 - Chapter 4 - Remediation of Land

The site has a history of residential use and it is considered that the site is unlikely to be contaminated. For this reason, no further investigation is considered necessary.

4. Manly LEP 2013

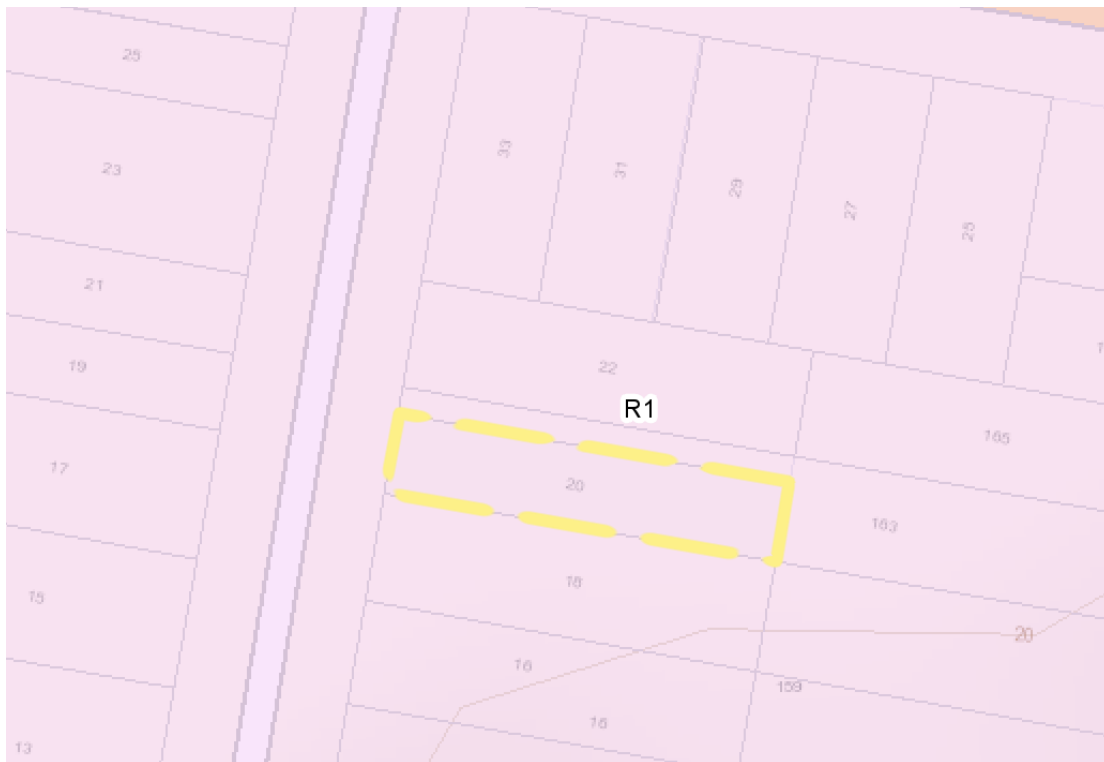
The site is zoned R1 General Residential. A dwelling is a permissible use in the R1 zone and a swimming pool is an ancillary use.

The objectives of the R1 General Residential Zone are:

- *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 swimming pool is consistent with the objectives of the R1 General Residential Zone.

| | Development Standard | Compliance |
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| Zoning | R1 General Residential | A swimming pool is a permissible use in the zone being ancillary to a dwelling house. |
| FSR | 0.5:1 | Complies |
| Height | 8.5m | Less than 8.5m. |
| Heritage | The site is not a heritage listed item. The site is not located in a Heritage Conservation Area. | There are no heritage items in the vicinity of the subject site. |
| Lot size | 300 m ² | 429.9m ² Complies |



20 Jackson St Balgowlah Heights

5. Manly DCP 2013

The general aims of this plan are to:

- a) *Ensure that development contributes to the quality of the natural and built environments.*
- b) *Encourage development that contributes to the quality of our*

streetscapes and townscapes.

- c) *Ensure that development is economically, socially and environmentally sustainable and to require the principles of ecologically sustainable development to be taken into consideration when determining development applications.*
- d) *Ensure future development has consideration for the needs of all members of the community.*
- e) *Ensure development positively responds to the qualities of the site and its context.*
- f) *Ensure development positively responds to the heritage and character of the surrounding area.*

It is considered that the proposed development is consistent with the objectives of the DCP.

Residential Development Objectives

Objectives for residential development that are relevant to the development proposal include:

Objective 4)

To improve the quality of the residential areas by encouraging landscaping and greater flexibility of design in both new development and renovations.

It is considered that the proposed development meets the above objectives for residential development.

5.1 Compliance Table

| 4.1.9 Swimming Pools, Spas and Water Features | |
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| Control | Compliance |
| 4.1.9 Swimming Pools, Spas and Water Features Objectives <ul style="list-style-type: none">• 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;• To be appropriately located so as not to adversely impact on the streetscape | <i>Swimming pool is located behind the dwelling house in the rear yard so that it will not impact on the character of the locality or the streetscape.</i> <i>All views will be partially screened by the boundary fences. As the pool is located close to existing ground levels, it is considered that it will not adversely impact the privacy of adjoining dwellings.</i> |

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| <p>or the established character of the locality</p> <ul style="list-style-type: none"> • To integrate landscaping; and • To become an emergency water resource in bush fire prone areas | <p><i>Complies.</i></p> |
| <p>4.1.9.1 Height above ground Swimming pools and spas must be built on or in the ground and not elevated more than 1m above natural ground level. Consideration of any exception to exceed the height above ground must demonstrate that any swimming pools and/or spa and their curtilage and/or concourse more than 1m above natural ground level:</p> <ul style="list-style-type: none"> i. would not detract from the amenity or character of the neighbourhood; and ii. is a minimum distance from any side boundary equivalent to the height of the swimming pools and/or spa and their curtilage and/or concourse at any point above existing ground level. | <p><i>Proposed swimming pool is a maximum of 600mm above ground. Complies - maximum height above existing ground levels: 360mm.</i></p> |
| <p>4.1.9.2 Location and Setbacks Swimming pools and spas must not be located within the front setback i.e. between the front boundary of the lot and the building line. Consideration of any exception to the required location must demonstrate that any swimming pools and/or spa and their curtilage and/or concourse:</p> <ul style="list-style-type: none"> i. does not detract from the amenity or character of the neighbourhood; and | <p><i>The swimming pool is located behind the dwelling. Rear setback of pool is >1.5m.</i></p> <p><i>The site is small with a narrow width of 9.45m. For this reason the side setback of the outer edge of the pool/spa concourse from the side and rear boundaries is less than 1m, with the water line being also less than 1.5m from the boundary.</i></p> <p>4.1.9 Swimming Pools, Spas and Water Features Objectives</p> |

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| <p>ii. is a minimum distance from the front boundary equivalent to at least twice the height of the swimming pools and/or spa and their curtilage and/or concourse at any point above existing ground level.</p> <p>The setback of the outer edge of the pool/spa concourse from the side and rear boundaries must be at least 1m, with the water line being at least 1.5m from the boundary.</p> | <ul style="list-style-type: none"> • 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; • To be appropriately located so as not to adversely impact on the streetscape or the established character of the locality • To integrate landscaping; and • To become an emergency water resource in bush fire prone areas <p><i>The proposed side setback will not adversely impact privacy as the pool will be partially screened by the boundary fence.</i></p> <p><i>Further, the pool needs to be placed at the side of the site to maintain a useable courtyard/lawn area and integrate the landscaped area which would not be able to be achieved if the swimming pool was located in the middle of the site.</i></p> <p><i>It is considered that the swimming pool side setback complies with the objectives above..</i></p> |
| <p>4.1.9.3 Proportion of Total Open Space Swimming pools and associated concourse areas must not comprise more than 30% of the total open space.</p> | <p><i>Complies the area of the pool and coping is less than the total open space area on the site.</i></p> |
| <p>4.1.9.4 Other matters - sewer connections, pumps, structural certificates, rainwater tank and pool blankets</p> | <p><i>Complies.</i></p> |

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| <p>All swimming pools and spas must be connected to the sewerage system</p> <p>Pumps and filters must be located, enclosed and acoustically controlled to limit noise to the appropriate standard.</p> <p>A spa pool must not be located on a deck or balcony unless the structural integrity of the deck or balcony to accommodate the spa is certified by a structural engineer.</p> <p>A separate rain water tank, of adequate capacity, must be installed to recharge the pool when required; and</p> <p>Swimming pools should be covered with a secure “pool blanket”, or similar device, when not in use to minimise water loss by evaporation and to conserve energy in heated pools.</p> | |
| <p>4.1.5 Open Space and Landscaping. Landscaped Area (minimum percentage of Total Open Space Open Space) - at least 35% of open space</p> <p>Total Open Space (minimum percentage of site area) - at least 55% of site area</p> <p>Principal Private Open Space - minimum 18m² and must have horizontal dimension of 3m in all directions.</p> | <p><i>Total Site Area: 429.9m².</i></p> <p><i>Total Open Space: (55% of site area: 236.445m²)</i></p> <p><i>Required Landscape Area (35% of Private Open Space Area): 82.756m²)</i></p> <p><i>Complies -proposed landscape area:112.9m².</i></p> <p><i>Private Open space complies.</i></p> |
| <p>4.4.5.2 Cut and Fill Filling must not exceed 1m above natural ground level. Excavation shall be generally limited to 1m below natural</p> | <p><i>Complies - cut and fill is less than 1m.</i></p> <p><i>Complies - maximum height above existing ground levels: 360mm.</i></p> |

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| ground level with the exception of basement parking areas (which will be contained within the footprint of the building) and swimming pools | |
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6. Matters for Consideration Pursuant to Section 4.15 (79C) of the Environmental Planning and Assessment (Amendment) Act, 1997

(a) the provisions of:

- (i) any environmental planning instrument;**
- (ii) any draft environmental planning instrument**
- (iii) any planning agreement**
- (iv) any development control plan;**
- (v) any matters prescribed by the regulations**
- (vi) any coastal management plan**

that apply to the land to which the development application relates.

The proposed development at 20 Jackson St Balgowlah Heights is zoned R1 General Residential Zone and is a permissible use under the provisions of the *Manly Local Environmental Plan 2013*. The proposed development complies with the development standards contained in the *Manly Local Environmental Plan 2013*. The proposed development complies with the guidelines for development contained in the *Manly Development Control Plan*. Any departure from the guidelines contained in the DCP are considered to be minor and are justified in the table above.

(b) the likely impacts of the development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.

- it is considered that the proposed development will not have an adverse impact on the environment.
- stormwater management will be according to Council requirements and sedimentation will be appropriately controlled during construction.
- it is considered that the potential impact of the proposed development in terms of privacy to adjoining residences is minimal and reasonable;
- the social and economic impacts of the development are considered minor due to the size of the development proposal.

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

The site is considered suitable for the construction of the swimming pool and spa and has no major environmental constraints to development.

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

The development will be subject to Council's Notification Policy.

(e) *the public interest*

The proposed development will make a positive contribution to the existing housing stock and is recommended for approval.