

TUESDAY PROJECTS

TOWN PLANNING



Statement of Environmental Effects

14 O'Connors Road, Beacon Hill

"New swimming pool and external works"

30 November 2024

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PROJECT DETAILS

Client: Lisa Lin
Subject land: 14 O'Connors Road, Beacon Hill
Lot Description: Lot 13 in Deposited Plan 18643
Proposed development: New swimming pool and external works.
Council: Northern Beaches Council

The report is prepared by Emma Rogerson
Specialist Town Planner
Master of Urbanism (Urban and Regional Planning) (USYD)
Bachelor of Architecture and Environments (USYD)
Planning Institute of Australia (Assoc.) eligibility



I certify that the contents of the Statement of Environmental Effects to the best of my knowledge, has been prepared as follows:

- In accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2021;
- The statement contains all available information that is relevant to the environmental impact assessment of the proposed development;
- To the best of my knowledge the information contained in this report is neither false nor misleading.

Emma Rogerson

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared for Lisa Lin to accompany a Development Application (DA) to Northern Beaches Council for a new swimming pool and external works at 14 O'Connors Road, Beacon Hill.

More specifically, the proposed development comprises of the:

- **Removal** of two trees; and the
- **Construction** of new in-ground swimming pool, boundary fencing and landscaping.

The reconstruction of the existing dwelling is approved under Complying Development Certificate CDC2024/0864. This DA does not seek to make any changes to the approved dwelling house. Instead, this DA will complement the CDC by improving the quality and diversity of private open space for the property.

The swimming pool will not be obviously visible from the public domain, given the significant difference in terrain and heavy landscaping between the O'Connor Road frontage and the site. New fencing and a generous setback will reduce its visibility from Mary Street, the secondary frontage.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and compliance with all relevant DCP and LEP objectives.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Document	Author	Date
Architectural Plans	Andy's Home Design	November 2024
Site Survey	Aspect Development and Survey	May 2025

2.0 SITE ANALYSIS & CONTEXT

2.1 The Site

The site is located at 14 O'Connors Road, Beacon Hill and is legally described Lot 13 in Deposited Plan 18643. The site is located on the western side of O'Connors Road, at the intersection with Mary Street.

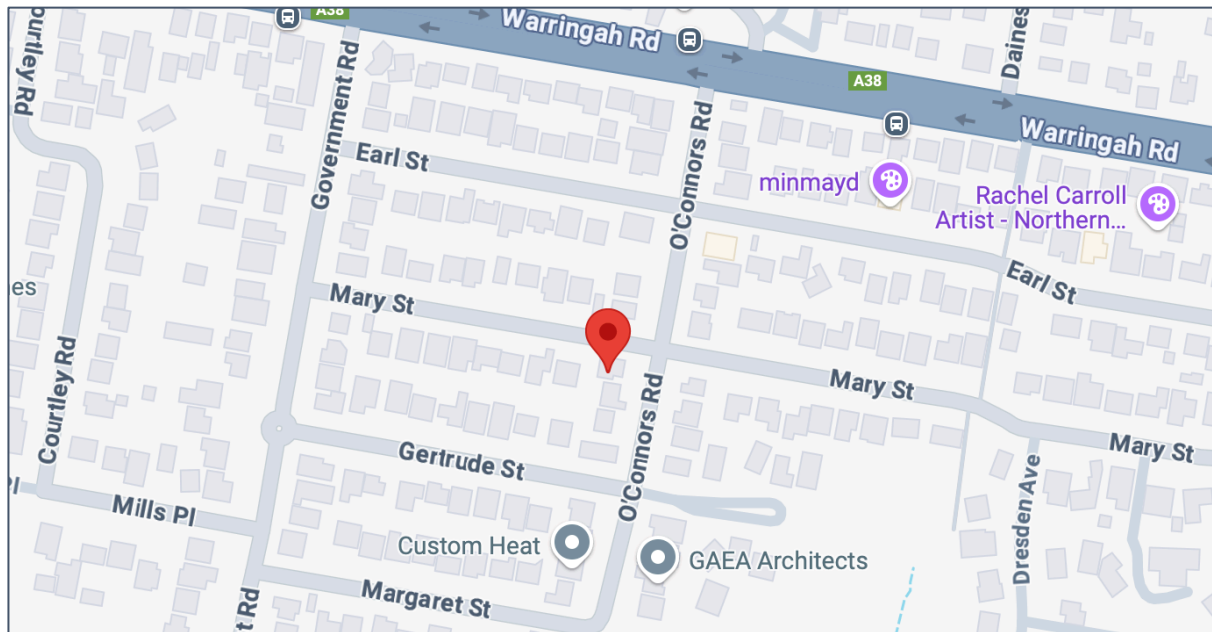


Figure 1 – Site locality map (Google Maps, 2024)



Figure 2 – Aerial map (NearMaps, 2024)

The site is rectangular with a total area of 464.4 square metres by survey, with a 30.48 metre primary street frontage to Mary Street, and a 15.24 metre secondary frontage to O'Connors Road. The

western boundary measures 15.24 metres and the southern boundary measures 30.48 metres. The site is relatively flat.

The site currently contains a detached dwelling house and garage. Landscaping and paving is located within setbacks. Vehicular and pedestrian access is available from Mary Street.

The land is zoned R2 Low Density Residential under the provisions of Warringah Local Environmental Plan 2011 (LEP).



Figure 3 – Subject site as viewed from May Street (Google Maps, 2020)



Figure 4 – Subject site as viewed from O'Connors Road (Google Maps, 2020)

2.2 The Locality

The site is located within the local residential area of Beacon Hill. The locality comprises primarily of low density residential development of one to two storeys high. The area predominantly features buildings of a contemporary architectural style.

The development site adjoins a two-storey dwelling to the west at 15 Mary Street, and a two-storey dwelling to the south at 16 O'Connors Road.



Figure 5 – Neighbouring site at 16 O'Connors Road (Google Maps, 2024)



Figure 6 – Neighbouring site at 15 Mary Street (Google Maps, 2024)

Notable sites in the area include:

- Goroka Park
- Beacon Hill Reserve
- Eco Spray Car Wash
- Brookvale Creek

2.3 Connectivity and Public Transport

The site has good access to public transport, with a bus stop located within a 3 minute walk (200 metres) of the property which is serviced by the 193 and 174X bus routes. These route easily connect the development site with key destinations including the Sydney CBD and Warringah Mall Shopping Centre, allowing residents of the site to access employment, education and recreation without requiring a private car. As the need for a private car is reduced, as is the demand for both on and off-street car parking.

2.4 Development History

A search on Council's DA Tracker returned the following results for recent development approvals associated with the site:

[Complying Development Certificate CDC2024/0874](#)

Construction of 2 storey dwelling and detached garage - 8067950 (Submitted: 07/11/2024)

[Complying Development Certificate CDC2024/0686](#)

Demolition of Existing Structures (Submitted: 12/09/2024)

The works proposed under this DA intend to complement the recently approved CDC's.

3.0 THE PROPOSAL

3.1 Overview

The Development Application proposes a new swimming pool and external works at 14 O'Connors Road, Beacon Hill. More specifically, the proposed development comprises of the:

- **Removal** of two trees; and the
- **Construction** of new in-ground swimming pool, boundary fencing and landscaping.

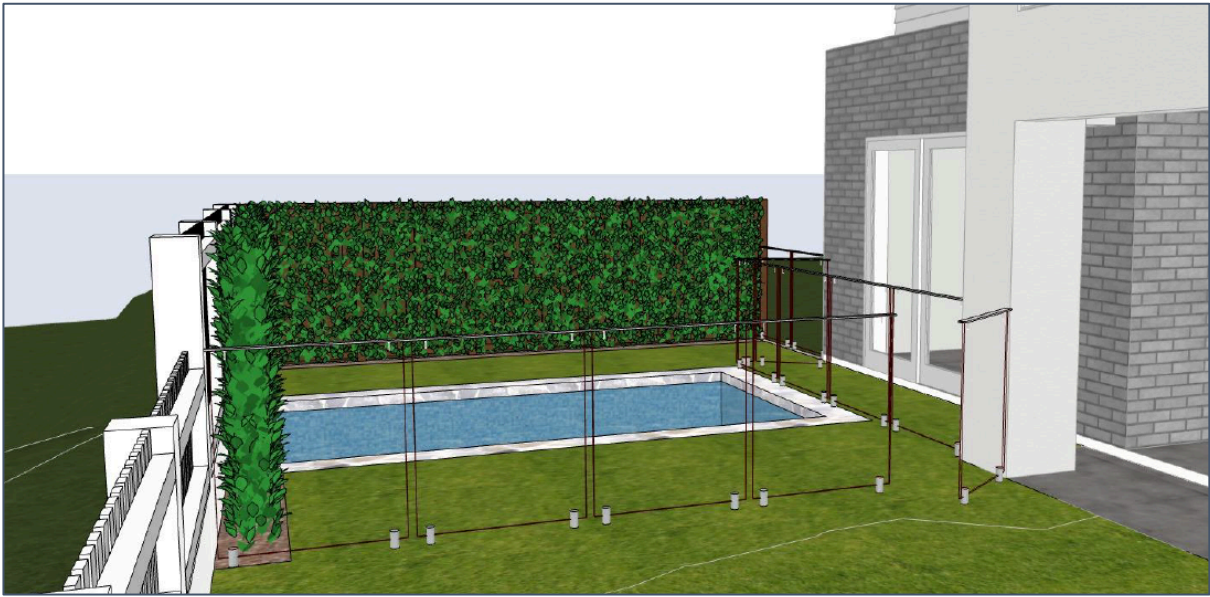


Figure 7 – Proposed pool and surrounding garden area (Andy’s Home Design, 2024)

The proposal has been designed to relate to its site and to the streetscape in relation to appearance, envelope, setbacks, bulk and scale. The contemporary design utilises high quality materials and detailing to present an unobtrusive visual outcome for the locality. The development will not visually dominate the existing or recently CDC-approved dwelling.

Please refer to plans prepared by Andy’s Home Design.

3.2 Development Configuration

The proposal does not alter the development configuration of the dwelling on site, in respect to both the existing one and the CDC-approved one.

3.3 Numerical Overview

A brief numerical overview of the development parameters for the proposed development is included in the following table

Table 1: Key development components

Component	Requirement	Proposal	Compliance
Site area	Minimum 600m ²	Unchanged by DA	Complies
Height	Maximum 8.5m	<8.5m	Complies
Boundary setbacks	Minimum	Approximately	
<ul style="list-style-type: none"> • Front (Mary) • Front (O’Connors) • Side (south) • Side (west) 	<ul style="list-style-type: none"> 6.5m 3.5m 0.9m 0.9m 	<ul style="list-style-type: none"> 10.49m 0.46m 2.3m >0.9 	<ul style="list-style-type: none"> Complies On merit Complies Complies

Landscaped Area	Minimum 40%	42%	Complies
Private Open Space	Minimum 60m ²	Unchanged by DA	Complies

4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

4.1 Statutory and Policy Compliance

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011

The primary statutory document that relates to the subject site and the proposed development is Warringah Local Environmental Plan 2011. The primary non-statutory plan relating to the subject site and the proposed development is Warringah Development Control Plan 2011.

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 7, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the residential purpose. Thus, there is no further consideration required under Clause 7(1)(b) and (c) of this SEPP.

4.1.2 State Environmental Planning Policy (Sustainable Buildings) 2022

This SEPP does not apply to the proposed development, because the pool does not have a volume of 40,000 or more. A BASIX certificate is therefore not required.

4.1.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

This SEPP repeals clause 5.9 and 5.9AA of the Warringah LEP in relation to the regulation of clearing vegetation. Section 9(2) of the SEPP confers the assessment criteria for the removal of vegetation to the Council's DCP.

Two trees are being proposed for removal under this Development Application which is considered to be of an acceptable environmental impact given the retention of other mature trees on and around the site, and the provision of high quality and generously dimensioned deep soil area on site.

4.1.4 Warringah Local Environmental Plan 2011

The development complies with the provisions of Warringah Local Environmental Plan 2011 (LEP 2011).

Zoning and permissibility

The site is located in Zone R2 Low Density Residential.

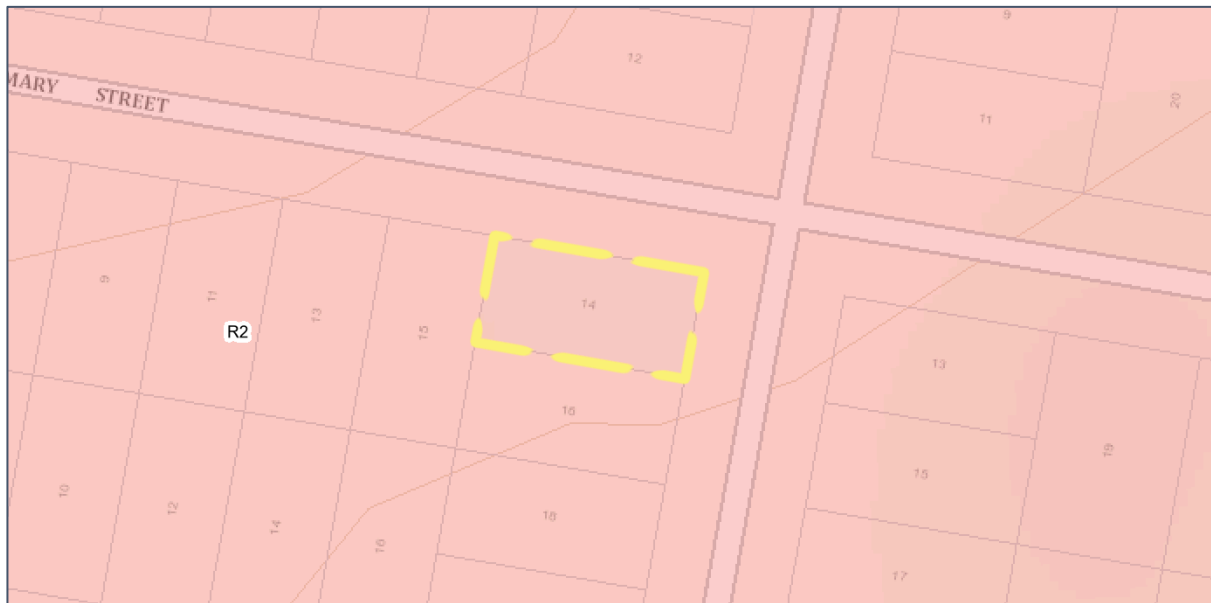


Figure 8 – Land Zoning Map (NSW Planning Portal)

The development is identified to be *works ancillary to a dwelling house*, which is permitted with consent in the R2 Low Density Residential zone.

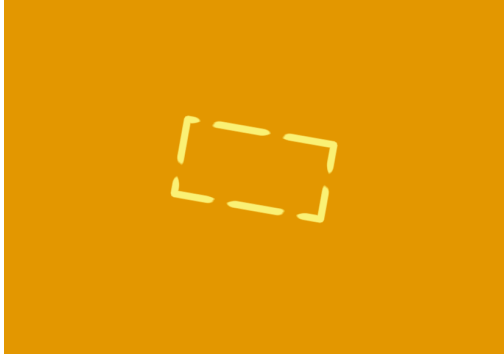
The objectives of the zone are:

- *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 ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposed new swimming pool and external works meet the relevant land use zone objectives. The development will upgrade the quality and diversity of private open space, in an area where there is a high demand for swimming pool and garden areas. The proposal will not prevent other sites from hosting land uses that provide facilities or services to meet the day to day needs of residents. The landscaped character of the area will be upheld through the retention of most significant landscaping on and near the site.

Development Standards and Additional Local Provisions

Clause	Development Standard	Comment
Clause 4.3	<p>Height of Buildings</p> <p>The LEP Height of Building Map stipulates that the maximum building height permitted for the site is 8.5 metres.</p>	<p>Compliance achieved</p> <p>The proposed height of the fencing and pool development is well below 8.5m.</p>
Clause 4.4	<p>Floor Space Ratio</p> <p>The LEP Floor Space Ratio Map does not stipulate any maximum floor space ratio for this site.</p>	Not applicable.
Clause 5.10	<p>Heritage Conservation</p> <p>The site is not identified as a Heritage Item, nor is it located within a Heritage Conservation Area (HCA). It is also not considered to be located within the close vicinity of any Item or HCA, or as a contributory item.</p>	Not applicable.
Clause 6.1	<p>Acid Sulphate Soils</p> <p>The Acid Sulphate Soils Map does not show the development site as affected by acid sulphate soils.</p>	Not applicable.
Clause 6.2	<p>Earthworks</p> <p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	<p>Compliance achieved</p> <p>The proposal is considered to be consistent with the requirements of this clause as the development is not expected to disrupt or have a detrimental effect on the drainage patterns and soil stability of the locality. Nor is it likely to disturb relics and have an adverse impact on any waterway, drinking water catchment or environmentally sensitive area. This is due to the reasonable extent of cut and fill included within the proposal, which will not drastically alter the existing terrain and environmental functions and processes.</p>

Clause 6.4	<p>Development on sloping land</p> <p>The subject site is identified to be located within a landslip risk hazard zone, specifically 'Area B – Flanking Slopes 5 to 25'.</p>  <p>Figure 8 – Landslip Map (NSW Planning Portal)</p>	<p>Compliance achieved</p> <p>The proposal involves reasonable earthworks associated with the pool which are not considered to threaten the geotechnical stability of the site and will not produce any increase in landslide risk.</p> <p>New works will occur on already flat terrain.</p> <p>Refer to the Geotechnical Report submitted alongside this DA for further consideration.</p>
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4.1.5 Warringah Development Control Plan 2011

The development achieves a high level of compliance with the provisions of Warringah Development Control Plan 2011.

Control	Comment	Compliance	
PART B – BUILT FORM CONTROLS			
B5 Side Boundary Setbacks			
1	Minimum side setbacks of 0.9m	Side setbacks greater than 0.9m are provided to the southern and western boundaries.	Yes
2	Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.		Yes
B7 Front Boundary Setbacks			
1	Minimum front setback of 6.5m to the primary frontage, and 3.5m to the secondary frontage.	The new pool is more than 6.5m from the Mary Street primary frontage. Refer to Part 4.1.6.1 of this SEE for discussion relating to the secondary frontage setback.	Yes Acceptable upon merit
2	The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences	The proposed front Mary Street setback is landscaped, save for the proposed driveway and pedestrian entry.	Yes

Control		Comment	Compliance
B9 Rear Boundary Setbacks			
1	Minimum rear setback of 6m.	The corner lot does not lend itself to a rear boundary.	N/A
PART C - SITING FACTORS			
C4 Stormwater			
-	Refer to Stormwater Documentation	Refer to Stormwater Drainage Plan.	Yes
PART D - DESIGN			
D1 Landscaped Open Space and Bushland Settings			
1	40% of the site must be reserved for Landscaped Area	A compliant 42% landscaped area is provided.	Yes
D2 Private Open Space			
2	A minimum total of 60m ² with minimum dimensions of 5 metres of private open space is to be provided.	More than 60sqm of private open space is provided in the garden and pool area, with minimum dimensions of 5m.	Yes
3	Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.	The POS (garden and pool) is directly accessible from habitable rooms.	Yes
D6 Access to Sunlight			
2	At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21	No adverse shadow is caused by the proposal.	Yes
D8 Privacy			
1	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.	Boundary fencing provides privacy between neighbours and the public domain.	Yes
D10 Building Colours and Materials			
3	The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.	In accordance with the finishes schedule provided, the proposed colouring and materiality is not inconsistent with the existing and CDC-approved building.	Yes
D13 Front Fences and Front Walls			
1	Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character.	The proposed O'Connors Road and Mary Street fencing is not inconsistent with the surrounding	Yes

Control		Comment	Compliance
3	Fences located within the front building setback area are to complement the existing streetscape character.	area. Further, landscaping will continue to provide screening from the O'Connors Road side.	Yes
4	Fences are to be constructed to allow casual surveillance, except where there is excessive noise.	Views will still be possible across the Mary Street fencing, as it is maximum 750mm high.	Yes

D15 Side and Rear Fences

1	Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.	New side fencing along a portion of the southern boundary is 1.8m high.	Yes
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D16 Swimming Pools and Spa Pools

1	Pools are not to be located in the front building setback.	See (2) below.	N/A
2	Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.	The swimming pool is not located in the primary Mary Street frontage.	Yes
3	Swimming pools and spas are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.	Noted.	Yes

PART E – THE NATURAL ENVIRONMENT

E10 Landslip Risk

1	The applicant must demonstrate that: <ul style="list-style-type: none"> The proposed development is justified in terms of geotechnical stability; and The proposed development will be carried out in accordance with good engineering practice. 	The proposal involves minor earthworks. The reasonable works on a relatively flat portion of the site are not considered to threaten the geotechnical stability of the site and will not produce any increase in landslide risk. A geotechnical assessment has been prepared and submitted under this Development Application.	Yes
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4.1.6 Merit Assessment

The NSW planning system acknowledges that strict compliance with numerical controls is not always necessary in order to adequately meet the underlying planning objectives of the quantitative control. In particular circumstances (which are generally impacted by a unique site constraint or established pattern in the immediate locality), an improved planning outcome can be achieved through an innovative

and carefully considered design which may by consequence require the variation of a numerical control. As a result of this, consent authorities may approach numerical controls with flexibility where warranted.

This section discusses the proposed variation of any numerical controls by this Development Application and highlights how the proposal meets the associated objectives, achieving a positive planning outcome when assessed on its merits.

4.1.6.1 Secondary Front Setback

The WDCP 2011 stipulates a minimum 3.5m front setback to secondary street boundaries requirement. The new swimming pool will encroach into this setback. This variation is considered to meet the underlying objectives of the control and therefore be acceptable for approval by Council on merit for the following reasons:

- The pool is not visible from the O'Connors Road frontage, due to the drastic difference in terrain between the site and the street, and the presence of dense landscaping and an electricity box which obstructs sightlines. As such, the new pool encroachment will not be visible from this perspective, and no change to the character of the O'Connors Road streetscape will be produced.
- The pool will not be highly noticeable from the primary Mary Street frontage, given its generous 10.49m setback from this boundary and its in-ground location. Fencing and the generous setback will reduce the appearance of the pool as viewed from this perspective.
- The pool location is constrained by the location of the existing and CDC-approved dwellings. In order for enough space to be provided between the dwelling and the pool enclosure area to facilitate pedestrian entry, the pool needs to sit closer than 3.5m to the O'Connors Road boundary.
- The proposed variation still allows for the landscaped character of the area to be supported, as the majority of existing landscaping on and near the site is retained.
- The amenity of neighbours is unchanged by the variation, as the pool does not result in any adverse shadow, bulk or privacy issues for adjoining sites.

4.2 Strategic Planning Context

The proposal aligns with the desired strategic outcomes identified for the area, detailed within the Northern Beaches Council Local Strategic Planning Statement, the 'A Metropolis of Three Cities' Region Plan, and the Eastern City District Plan.

4.3 Impacts of the Development

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the development is of a minor scale and nature, and does not present unreasonable environmental, social and economic impacts.

Impacts on Natural and Built Environment

The development involves the removal of two trees which is considered to be of acceptable environmental impact given the generous other plantings retained under this Development Application which will allow the site to contribute to the areas tree canopy and support the localities natural landscape and ecological network.

The proposed built form allows the neighbouring sites to retain their access to privacy, solar access, pleasant outlook and overall residential amenity. The high quality materials proposed for use during construction, and the skilful design of the proposed development will also upgrade the presentation of the site to the street and improve aesthetic quality of the streetscape.

Social and Economic Impacts

The development increases the social amenity of the property with the improved private open space. This will improve the way of life for future residents.

The short term economic impacts are positive, with the generation of employment opportunity through the physical construction stages. The use of high quality materials will ensure a durable final built outcome, reducing the need to rebuild in the near future, resulting in a positive long term financial and sustainability outcome.

4.4 Suitability of the Site

The subject site is considered suitable in size and shape to accommodate the new swimming pool and external works. The proposal does not introduce any incompatible uses to the site. The works are permissible under the R2 Low Density Residential zone.

4.4.1 Access to Services

The site is located within an established residential area with excellent access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

4.4.2 Parking and Access

No changes to site parking and access are proposed by this Development Application.

4.4.3 Hazards

The site is in an area recognised by Council as being subject to landslip. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance. A Geotechnical report has been prepared and submitted with this Development Application, confirming the suitability of the proposal.

4.4.4 Stormwater Management

The proposal is suitable on stormwater management grounds. The development seeks to utilise the existing stormwater system in place currently on site, which is considered to be capable of accommodating the additional stormwater captured by built works under the proposal. Refer to the Stormwater Drainage Plan submitted with this Development Application.

4.4.5 Waste Management

The proposal will not alter the existing ongoing waste management operation on site. Waste storage and collection will not change. Refer to the Waste Management Plan submitted with this Development Application for further information, including detail on the waste management associated with the demolition and construction stages of the proposal.

4.5 The Public Interest

The proposal is considered to be in the public interest as it produces nominal environmental, social and economic impacts. Furthermore, it improves the quality of the subject site without unreasonably impacting on the amenity of neighbouring properties.

The proposed development has been designed to relate to the size, shape and context of the site and has been designed in accordance with the desired future character for development in the area.

The proposal seeks to provide a residential development that makes efficient use of space on the site in a prime location that is in high demand for spacious and functional private open space. In addition, the proposal has been designed to minimise as far as practical any adverse effects on existing and future neighbouring properties. The proposal is consistent with the applicable LEP and DCP provisions except where identified and justified in this Statement of Environmental Effects. Accordingly, the proposed development is considered to be in the public interest.

5.0 CONCLUSION

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social and economic impacts of the new swimming pool and external works at 14 O'Connors Road, Beacon Hill. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a permissible development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood.

Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the proposed development at 14 O'Connors Road, Beacon Hill as described in this application is reasonable and supportable, and worthy of approval by Northern Beaches Council.