

20 February 2022

**STATEMENT OF ENVIRONMENTAL EFFECTS**  
**PROPOSED SWIMMING POOL AND ASSOCIATED WORKS**  
**NATALIE AND ROBERT WARREN**  
**No. 193 HEADLAND ROAD, NORTH CURL CURL 2099**  
**LOT 3 DP 16078**

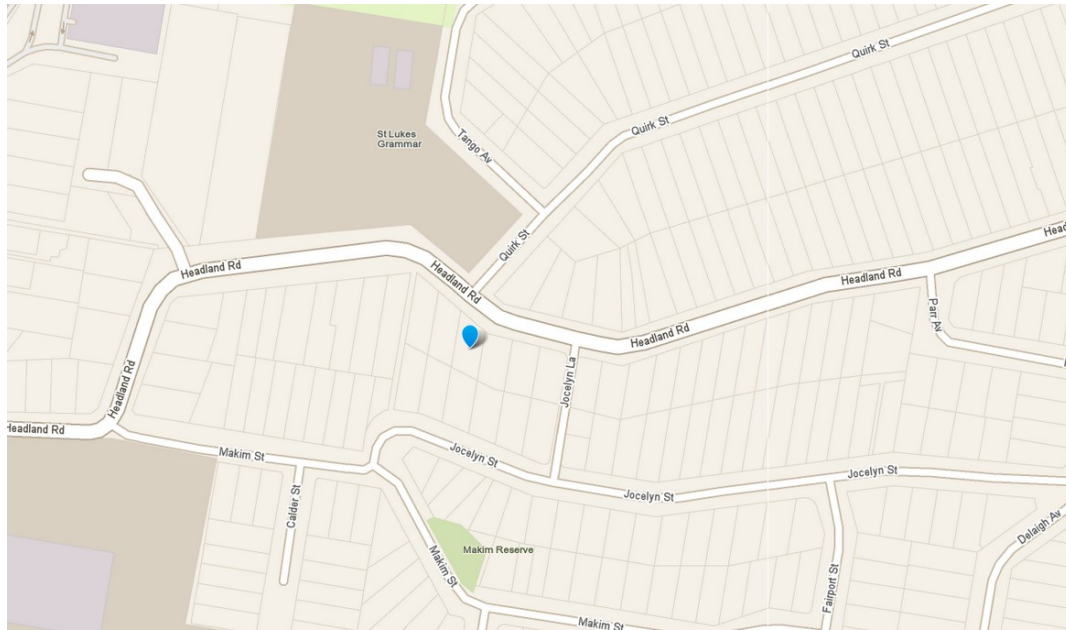
Introduction

This statement of environmental effects is to accompany a development application for the construction of a new rear yard concrete swimming pool and associated works for the residential property at 193 Headland Road, North Curl Curl. This statement outlines the description of the proposed development, the design elements and their impact on the local environment, and details of compliance with local Council policies. In preparation of this development application consideration has been given to the following plans and Acts:

Warringah Local Environmental Plan 2011  
Warringah Development Control Plan 2011  
Environmental Planning & Assessment Act, 2000

Accompanying Documentation

Right Angle Design and Drafting P1	-site plan/site analysis
Right Angle Design and Drafting P2	-plan at rear yard
Right Angle Design and Drafting P3	-pool plan and elevations
Right Angle Design and Drafting P4	-landscape/landscape calculation plan
Right Angle Design and Drafting P5	-sediment control plan
DA Surveys March 2022	-AHD and boundary survey
White Geotechnical Group	-geotechnical assessment



Map showing position of 193 Headland Road, North Curl Curl

### EXISTING

The site area is approximately 543.8 square metres and is a parallelogram in shape. The property is located on the southern side of Headland Road and is positioned near the corner of Quirk Street. The frontage is slightly larger than the rear boundary, being approximately 19.93m, the rear is 17.62m and the two sides are 34.61 for the western side and 29.78 for the eastern. There is an existing two storey residence located in the middle central portion of the property with an existing carport located in front of the house. There is a small timber deck to the rear of the residence providing a small outdoor private area. The remainder of the rear yard is natural landscape consisting of grass, garden, rock, and small scrub. The site has a slope from the northern boundary down to the rear southern with an overall fall of approximately 7m. The position of the house on the site, and the slope of the land, have determined that the majority of the main living areas are located to the rear of the residence. The existing residence has a footprint of 114 square metres. The properties on all sides are residential. The house is located in line with the neighbouring properties. The position of the residence is standard for these blocks and is quite practical on site, ensuring good airflow, light, and privacy. This is mainly due to the slope of the site, allowing the front to be a natural grass and garden area while the rear yard falls away, creating private open space, well below neighbouring windows and floor levels. The properties to either side are similarly situated. This positioning helps ensure that the open space receives good light and is not overshadowing or overshadowed by neighbouring structures. The rear yard is quite a substantial size and is comparable or larger than the neighbouring properties. There are distant views out over the rear of the sites. The rear decked area is at floor level as the ground continues to drop away under it. There is a set of stairs down to the remainder of the rear yard. The rest of the rear yard is natural, with native trees and plantings.

There are no known easements imposed on the property. The front setback is standard for this area. There is to be no change to the front of the residence. All proposed work will not be visible from the Road.

### EXISTING STREETSCAPE

The street, Headland Road, is a substantial street permitting traffic down to the beach and water. The street is almost solely residential houses of a similar nature, single family homes located in the middle and front portion of the site. The properties to the side boundaries are similarly positioned. The properties across Headland Road are a good distance away, over 30m, and at a higher level. The present use of the site and the adjoining properties is residential. It is not known whether the site is on contaminated land or whether there has been any testing. The property is not located in acid sulfate soil nor is it heritage or conservation listed. The possibility of traffic being affected by this proposal is minimal. The proposal will not be widely viewed by the public; only the residents on the road will know that it is there. To the rear of the site, behind the rear properties is the Stirgess Reserve and Curl Curl Lagoon. Neither of these locations will be affected by this proposal. The proposal will have no effect on the amenity of the Reserve.

The property is located in the following zones:

Residential zone R2 Low Residential of the LEP 2011

Landslip Risk Area B: this site does require a geotech report to accompany the submission, a full report accompanies this application

Bushfire Prone Land: NO



Google earth showing location of 193 Headland Road, Please note the large number of swimming pools in the immediate area

## PROPOSAL

This development proposal seeks approval for the following:

- New rear yard concrete swimming pool and associated works

There will be no change to the existing dwelling or to the existing front and side yards or landscaping. The proposal is to create a new concrete swimming pool in the southern rear section of the site for the recreational use of the owners and their family. The swimming pool will be small in nature, 5.0 x 3.5m concrete shell with 300mm copings on the west and south sides, and 800mm on the northern house side. The eastern side of the pool will have varied coping width due to the angle of the property. The limited coping on the rear and western sides have been designed to limit their usage and will not permit standing or walking. The width of the coping is to ensure effective pool safety fencing can be affixed. The only usable areas within the pool fencing will be on the northern house side and the eastern boundary side, where there is a large neighbouring garage ensuring privacy. This design is to limit impact on the neighbouring properties due to the slope of the site. The pool will have setbacks to pool structure that exceed Council requirements to ensure that the neighbouring properties retain their privacy. The coping on the eastern side will encroach on the setback as coping located here will continue to the boundary. The eastern side neighbour's residence is located at a similar elevation and with the pool being positioned at a lower elevation, and behind the neighbouring garage, there will be no impact on the neighbour. This location has been fully discussed with the neighbour and there has been no issue with the proposal. A number of properties in the immediate area have similar pools, the properties to the west of 193 have swimming pools constructed or being constructed. The added slope as the property moves to the rear boundary also ensures that there should be no change in views to and from the residence or the neighbouring residences. Due to the site restrictions, mainly regarding the size of the property, the location of the house, and the solid nature of the rock slope in the rear yard, the pool will be located partially out of ground to the rear of the residence and level with the middle section of the rear yard. It will ensure that minimal excavation is required and that the majority of the rock face on the site is not affected. Though the site is located in the Landslip Area B, there should be no impact on any geotechnical concerns of Council. A full geotech report accompanies this application. There will be no issue with the pool located in this position or partially out of ground as requested. The position of the pool is not only cost effective for the owners, limiting excavation, but should still provide decent privacy and minimal impact on any of the neighbouring properties.

The proposed works have been designed to fully accommodate the runoff that exists on site and should not alter the flow paths. There will be no new paving with this application. The existing decking is porous in order to allow air and water to flow through to the natural ground. From the pool back to the rear boundary, the remainder of the rear yard will continue to be grass and garden. The swimming pool filtration will be located to the south side of the proposed pool well away from all neighbouring residences. The filter will be housed in a

sound suppression enclosure and be located well below boundary block walls and fencing. Childproof fencing 1200mm high min will isolate the pool from the house and the rest of the property. The pool will be fully fenced and screened. Existing stormwater from the house should not be affected and continue to function as constructed. The amount of new hard surfaced area, including the pool water, is less than 31 sqm. This would be reduced if the water area of the pool were counted as permitted by Council. The site will continue to meet soft surface requirements without the need for pool water to be counted.

The new pool, being under 40,000L, is exempt from BASIX. The swimming pool may be used by the Rural Fire Service as a static water supply if there is ever the need. The location near the residence should actually help with this, as water trucks will be able to supply from the pool quite easily. There are no substantial trees within the vicinity of the proposed pool and with the pool located on existing rock, there are no tree roots that will be impacted. No trees are to be removed with this application. The location on site has been chosen to provide the maximum soft landscape ratio for the property. The proposal continues to meet Council's requirements for soft surface as the site will have 54% hard surface or built upon. The Council has a requirement of 40% for soft surface, there will be over 46% soft. Though the site ratios will change with this proposal, the change is minimal. As the site only contains house and garage there are no hard surface areas that could be removed to reduce the site coverage. All proposed works are as minimal as possible and only for access and safety. Please see the accompanying landscape calculation table for defined landscape areas and percentages.

The structure is in keeping with the neighbourhood and the scale of this form is balanced by the existing vegetation. It is proposed to use quality materials to finish the area and to maintain the architectural style of the existing residence.

The development meets all outcomes and objectives of the LEP and Residential DCP and the desired future character of the area.

## ZONING CONTROLS

The following Council documentation is applicable to the property:  
Warringah Local Environmental Plan 2011  
Warringah Development Control Plan 2011  
Environmental Planning and Assessment Act 2000

## LEP PART 4 PRINCIPLE DEVELOPMENT STANDARDS

4.1 Minimum Subdivision of Lot size - Not applicable to this application

4.2 Rural Subdivision – Not applicable to this application.

4.3 Height of Buildings – as shown on the Height of Buildings Map = 8.5m high. The 8.5m building height will be complied with for this application.

4.4 Floor Space Ratio & 4.5 Calculation of Floor Space Ratio and Site Area – Not adopted

4.6 Exceptions to the Development Standards – It is considered that the proposal meets the outlines and objectives of the LEP therefore no exception will be applied for, for this application.

## WARRINGAH DCP

### 1.5-Objectives

- To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood
- To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome
- To inspire design innovation for residential, commercial and industrial development
- To provide a high level of access to and within development.
- To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained
- To achieve environmentally, economically, and socially sustainable development for the community of Warringah

## Part B Built Form Controls

### B3 Side Boundary Envelope

The proposal is not visually dominant by virtue of height or bulk.

There will be adequate light, solar access, and privacy for neighbouring properties, as the work will provide proper spatial separation between buildings. The proposal is located in an area that will ensure that the development has been designed in response to the topography of the site. The location is both logical positioned to ensure minimal upheaval on site.

There are no exceptions to this section of the DCP.

### B5 Side Boundary Setbacks

The proposal maintains the opportunity for deep soil landscape areas on site.

There are substantial setbacks on all sides of the pool with the exception of the eastern side, where the pool paving will be located to the boundary, as the neighbouring garage is. It is important to note that the pool will be at a lower elevation and there is no opportunity for water penetration into the neighbouring site. Existing trees will remain as well. There are no changes to the rear, side, or front deep soil zones. The proposal will remain subtle, as close to the existing

house as functionally possible, while retaining privacy both to and from the neighbours. The work will not be visually dominant. There is a large setback from the rear boundary to ensure planting and screening can occur. No work should be visible from Headland Road and there will be sufficient screening and planting to the rear.

The proposal maintains the DCP setbacks. The side setbacks will be landscaped where possible.

#### B7 Front Boundary Setbacks

The proposal has been designed to maintain the sense of openness that the Council requires. There will continue to be a visual continuity of pattern for all the buildings on the street. There will be no impact on view sharing and no neighbours will have a loss of light, airflow, or privacy.

There is no proposed work in the front yard.

#### B9 Rear Boundary Setbacks

There will be no impact on this portion of the DCP as all work will be a minimum of 4.7m from the rear boundary. All deep soil areas in the rear yard are to be maintained. There is no change to privacy, visual continuity, or sight lines.

### Part C Sitting Factors

#### C7 Excavation and Landfill

All work to be carried out on site will have no adverse impact on the visual and natural environment or the adjoining and adjacent properties. The existing rear yard will be upgraded to help ensure the integrity of the physical environment. The visual and scenic quality of the site and the surrounds will be greatly improved with this application. The position, location, and height of the proposal have all been considered and determined to be the most appropriate location on site to minimise all impacts on the land and the neighbours. There will be no situation created that will create additional siltation or pollution of the local waterways or drainage lines. The majority of the rock shelf will be retained and protected as part of the development.

### Part D Design

#### D1 Landscaped Open Space and Bushland Setting

The pool surface area may be included in the landscape open space. All onsite impervious areas that are naturally occurring are also included in the open space calculations. The chart below fully details all landscape calculations, as does the chart on the accompanying plans.

There are no existing trees that will be impacted with this proposal. No new trees will be planted unless at Council's request. The excavation of the pool will be limited due to the pool being located partially out of ground. Any work involving excavation will be carried out in a thoughtful manner. New landscape works will be carried out to the western and southern boundaries to improve the planting on site.

## D2 Private Open Space

The site complies with private open space requirements. There is a requirement for a minimum 60sqm on site. The site will have well over 100sqm. The proposed location has the best solar access on site for a pool. There will be access to the private open space directly from the living areas of the residence. This area will become more accessible with this application as the proposed works will permit easy access as the open space is lower in the rear of the site. There are sight lines directly from the residential living areas. The primary open space will not be moved or affected.

## D3 Noise

There are two types of noise to be noted with this proposal. There will be the regular swimming pool activity noise of splashing and children's voices. This noise is unavoidable with this proposal. The owners would like to assure Council that the noise should be in regular hours of the day and will not be any different than the numerous properties that are in the area that already have an existing pool. The second noise will be that of the pool filtration equipment and pumps. This equipment will be housed in a sound suppression enclosure, constructed to meet Council standards, located on the southern side of the pool. This position has been chosen to limit all impact on neighbours. The filter equipment will be located below the proposed pool, and this should ensure the neighbour should not be impacted by any of the baffled noise.

## D6 Access to Sunlight

The proposed swimming pool location has been situated to maximise all light access for the site. The pool, located on the south-eastern side of the property will receive sun throughout the day, year-round. This will help ensure that the pool water remains warm and that there will be minimal to no heating required, providing a longer swimming season for the family. The pool position, being located well away from residences in the area, will not overshadow or affect any of the neighbouring properties sight lines or solar access.

## D7 Views

This proposal will have no effect on the sharing of views. The design and position of the pool is practical in its location and use of the site. The existing native trees on site will maintain their canopies and will not be affected by the proposal.

## D8 Privacy

It is important to note that there should be no loss of privacy to either side neighbour. The neighbours at the rear and the neighbours across the road are at a great distance. No neighbour should be affected. Screen planting may be added to ensure privacy is retained and protected.

#### D10 Building Colours and Materials

All colours and materials will be natural in nature and sympathetic to the local surrounding environment. They will blend into the natural streetscape and landscaping.

#### D13 Front Fences and Front Walls

There are no changes to the existing front yard works. There will be no visible slight from the street and the pool will be fully secured to the AS requirements.

#### D14 Site Facilities

The pool and surrounds will be of concrete and tile. There will be no structural elements that would prohibit building and none to encourage bushfire. The pool equipment will be hidden in a sound suppression enclosure and placed below the pool proposal to minimise any impact on neighbours, both for sound and sight. The site should have no need to upgrade existing drainage. The property has good drainage as is, though if during construction it is revealed that work should be carried out, the owners will upgrade. The swimming pool will be directly connected to the sewer for backwashing purposes as per Council requirements.

#### D16 Swimming Pools and Spa Pools

##### Objectives

- To ensure swimming pools and spas are located to preserve the natural environment, streetscape, and residential amenity.
- To encourage innovative design solutions to improve the urban environment.

The proposed pool area has taken these objectives into account. It is located away from neighbouring residences, it is the lower portion of the rear yard, the natural topography lends itself to locating the pool in the proposed location, and it affords the proposal total solar access. The pool may also be used as a static water supply by the Rural NSW Bushfire Service. The pool has been architecturally designed.

##### Requirements

1. Pools are not to be located in the front building setback.
2. Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.
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.

The pool fully complies with these requirements. The pool is located to the rear of the site and it is setback from the rear boundary. The pool will be located below the existing rear deck area at the rear of the house though the structure will not be visible from the street.

The pool has been intentionally sighted to ensure that it has adequate setback from the rear and side boundaries. The pool position and height have been chosen to ensure that the surrounding outdoor areas will provide excellent passive surveillance to the pool area increasing the ability to provide a safe and secure environment. This is a major concern of Council as outlined in section D20.

## D20 Safety and Security

• To ensure that development maintains and enhances the security and safety of the community. The proposed swimming pool will not be visible from the street as it is located behind and below the existing residence. There will be proper pool fencing and screen planting provided as well. The position of the pool will allow for excellent visibility from the residence and the remainder of the rear yard outdoor area. Safety in the pool area is the number one concern for the owners. The pool will be a separate from the rest of the yard and from the house. Any windows that are required to be secured will be in accordance with AS 1926.1-2012 and the Swimming Pools Act 1992. The pool will be isolated from the rest of the property and there will be no access directly to the pool area from the rear yard or the residence.

## E10 Landslip Risk

The property is identified as being located in Landslip area B and therefore the proposal has a full geotech report accompanying this application. The report states the proposal does not propose any risk to the geotech assessment for the area.

## E11 Flood Prone Land

The property is not affected by any of Council's flood zoning maps. The property is not flood affected.

## WARRINGAH DEVELOPMENT CONTROL PLAN

Site information & Building controls	Required	Supplied	Compliance with Controls Y/N	Comments
PART B BUILT FORM CONTROL				
B1. Max ceiling height above natural Ground level	7.2m ceiling	0	Y	
Max building height	8.5m walls	1.6m	Y	
B2. Number of Storeys		2	Y	
B3. Side Boundary Envelope	4m at 45deg		Y	There is no change to the residential structure
B4. Site Coverage	60% max	54%	Y	The site is fully compliant with Council's permitted ratios
B5. Side Boundary Setbacks	0.9m	1000mm to water	Y	The pool paving is within the side setback
B6. Merit Assessment of Side Boundary	-	-	Y	The pool paving is within the eastern side setback, there is no impact on neighbour
B7. Front Boundary Setbacks	6.5m	Existing	Y	As existing
B8. Merit assessment of Front Setbacks	-	-	N/A	

B9. Rear Boundary Setbacks	6m	4.7m	Y	Fully compliant as pools may be in the rear setback
B10. Merit assessment of Rear Boundary Setbacks	-	-	N/A	
B11-Foreshore building Setbacks	-	-	N/A	
B12- National Park Setbacks.	-	-	N/A	
B13-Coastal Cliffs Setbacks	-	-	N/A	
B14-Main Road Setback	-	-	N/A	
B15-Min Floor to ceiling height	-	-	N/A	
PART C SITING FACTORS				
C1-Subdivision	-	-	N/A	
C2-Traffic, Access and Safety			Y	Vehicle access is off the main street.
C3-Parking Facilities		2	Y	Existing parking to remain
C4-Stormwater			Y	Stormwater to remain to residence as existing. The new pool will be designed to better accommodate the rainwater.
C5-Erosion & Sediment			Y	Refer sediment control plan
C6-Building over Council drainage easement			N/A	No easements associated with this property.
C7-Excavation and landfill			Y	
C8-Demolition & construction				A waste management plan will be carried out during the construction certificate.
C9-Waste Management				A waste management plan will be carried out during the construction certificate.
D1-Landscaped Open Space and Bushland Setting	40%	46%	Y	The site will be fully compliant with Council requirements having 46% soft surface, this does include areas less than 2m in width
D2-Private Open Space	60 sq m	60+sqm	Y	
D3-Noise			N/A	
D8- Privacy			Y	
D12-Glare and reflection			Y	Pool structure and screening to be muted to ensure no reflection
D16-Swimming Pools and Spa Pools			Y	Proposal is fully compliant with the Acts

D22-Conservation of energy and water			Y	The development will comply with all conservation requirements of BASIX
PART E–THE NATURAL ENVIRONMENT				
E1-Tree management			Y	No trees to be removed with this application
E2-Prescribed Vegetation			Y	Minimal site disturbance and additional planting is proposed
E6-Retaining Unique Environmental features			Y	There are no natural features on the property or nearby.
E10-Landslip Risk			Y	Zone B, report supplied

### PRIVACY AND NOISE

The proposal has been designed to increase the usability of the site for the owners. The design has also taken into account the position of the house and property in relation to the neighbours and has been designed to try to maximise the privacy and views of the existing residences. Once construction is completed, there should be no further impact on privacy or noise to the adjoining properties.

### SITE MANAGEMENT

There should be approximately 8-10 cubic metres of excavation required with this proposal. All material will be removed from site. A sediment control fence will be in place to contain any runoff during construction.

### BUILDERS INTEGRITY

A specialist, licensed builder will be constructing the swimming pool. During the construction process utmost care and consideration will be taken to ensure the privacy and lifestyle of the neighbouring residences is uninterrupted.

### OWNERS STATEMENT

The family living in this residence are owner occupiers. The house is the family home and the owners wish to make the property as inclusive as possible. The site should have all the amenities that other properties in Warringah are afforded. The family enjoy outdoor living and an active lifestyle. The proposal should help encourage both. The swimming pool is not only a recreation area for the children, but a tool to help ensure that the family has the ability to swim as there are skills necessary in an Australian's life that the owners want to provide. The proximity to the coast for all Australians requires everyone to feel confident and secure in a water environment. The pool will provide this for the family as well as for friends and neighbours. The ability to have it at their own residence is a big plus as they can be assured of proper supervision. The belief is that with an excellent design, proper landscaping, and the utilization of a portion of the site that is underused, this proposal can help improve the neighbourhood design and streetscape.

Author: Robyn Good Draftsperson, Hort CIII, Assoc Dip Structural Engineering, NZCDrafting (Architectural)



View to proposed pool and stairs position from house



View across site to rear boundary showing setbacks and excellent screening



View to pool area showing neighbouring garage



View from rear yard up to existing deck and residence  
Concrete slab is approximate location of pool