

STATEMENT OF ENVIRONMENTAL EFFECTS

Project:
Alterations & Additions at
9 MILGA RD AVALON BEACH 2107
Lot: 6 DP: 21756

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1. Overview of the proposal

The proposed development is for the alterations and additions at 9 Milga Rd Avalon Beach, Lot.6 DP 21756. The alterations and additions include:

- Swimming pool and spa
- Retaining wall at the rear of the property

2. The site

The site is located on the southern side of Milga Road. The property falls away from the street with approximately 4.5m height difference from the front to the rear. All the proposed works is at the rear of the property

3. Planning controls

Zoning: R2 Low density residential: proposed works permitted

Density & Lot size: Not applicable

Floor space Ratio: Not applicable

Geotechnical Hazard: Not affected

Building Height: Not applicable

Heritage Controls: Not applicable

Bushfire Hazard: Not applicable

Critical Habitat: Not applicable

Conservation area: Not applicable

Flood Hazard: Not affected by flood controls

Carparking: Not applicable

Sunlight and overshadowing: Not applicable

View Sharing: Not applicable

Streetscape, fences & character: Not applicable

Building Envelope: Not applicable

4. Setbacks

Setbacks for the Pool and Spa:

- **West Setback:** the proposed setback is equal to the existing timber deck setback (1480mm). The pool and spa coping are less than 1m above the existing ground level. The setback is allowable under clause D1.9 of the Pittwater DCP as there is adequate landscaping, screening for visual/acoustic privacy and is demonstrated that the neighbouring property is not adversely affected. Refer to 5 & 6 below.

Setbacks for retaining walls

- **West & South Setbacks:** The proposed retaining walls setbacks are 1390m for the west and 1265m. the proposal is for masonry construction. This type of construction is allowable in non-environmentally sensitive areas. This corner is heavily screened by the existing hedging and the location of the retaining wall will not increase any overlooking into the neighbouring properties

5. Visual Privacy

The existing hedge on the western side provides full visual privacy from the upper deck. The existing hedge will maintain visual privacy for the proposed spa at the upper deck level. The proposed pool and spa are less than 1m above the existing ground level. The retaining wall will raise the ground level a maximum of 700mm at the lowest point tapering off the be level near the centre of the existing yard. The existing hedging in the south western corner will maintain visual privacy for the neighbouring properties.

6. Acoustic Privacy

Acoustic privacy is provided by the existing hedge along the western boundary. The pool plant location is proposed along the eastern boundary. It is located away from the neighbouring house to improve acoustic privacy.

7. Private Open Space

The existing open space provided for the property is greater than 80sqm. The proposal maintains compliance with this control



8. Swimming Pool Safety

The pool fences proposed comply with AS1926.1 & The Swimming Pools Act. The proposed spa at the upper deck

9. Landscaped Area

The proposal retains a landscaped area of greater than 50%. This is compliant with the landscape controls for Avalon Beach locality

10. Flora Conservation

No trees are to be removed as part of the application

11. Retaining Walls

The proposed retaining walls are proposed to create a more level rear yard. The existing slope at the backyard is approximately 1:15 gradient. The proposal will reduce this gradient to 1:25 to allow a more usable backyard. The proposed retaining walls will be a masonry construction. The large format blocks lends itself to large sandstone blocks or gabion wall construction. The retaining wall along the western boundary may affect the existing sewer line. Appropriate engineering for the footings will be prepared prior to construction

12. Stormwater management

No additional roof area is proposed. The run off from the pool coping will be minimal and will be discharged naturally to the existing lawn area. All pool water will be discharged to the sewer as required.

13. Section 79C(1) Evaluation

Section 79C(1) of the Environmental Planning & Assessment (Amendment) Act 1997 specifies the matters which a consent authority must consider when determining a development application. The following is a summary assessment of the proposed development against the Matters for Consideration in s79C(1) of the Act.

(a)(i) The provisions of any environmental planning instrument.

The site is zoned Residential under the Manly LEP 2013. The proposed development is permissible with consent. The proposal satisfies the provisions in the planning instruments.

(a)(ii) The provisions of any draft environmental planning instrument.

There are none relevant.

(a)(iii) Any development control plan.

The proposal satisfies the relevant controls in the Manly DCP 2013 (Amendment 5) with the exception of the side boundary setback. This small non compliance does not impact neighbouring properties in any way. The proposal will have a positive impact on the streetscape so can be supported for approval.

(a)(iv) Any matters prescribed by regulations.

There are none relevant.

(b) Likely impacts of that development.

There is a positive improvement to the streetscape and no increased overshadowing impact or reduced level of privacy will be likely as a result of this proposal.

(c) The suitability of the site for development.

This proposal is suitable for the property.

(d) Submissions.

None at this stage.

(e) Public interest.

The proposed development has very little impact on the general public. No changes are proposed for car access so there is very little impact on public amenities.

14. Basix

Basix certificate is not required for swimming pool applications with a capacity less than 40,000 litres

15. Conclusion

The overall design has minimal effect on neighbouring properties. As this proposal is compliant with all but one DCP numerical control but still meets all the objectives of both DCP & LEP, this proposal should be supported for approval.

