

10 September 2021

STATEMENT OF ENVIRONMENTAL EFFECTS
PROPOSED RESIDENTIAL SWIMMING POOL, REFURBISHMENT OF
EXISTING OUTBUILDING, NEW FRONT DRIVEWAY, AND ASSOCIATED
WORKS
GAYLE AND IAN GRAHAM
208 WOODLAND STREET, BALGOWLAH 2093
LOT 3 of DP 9777

Introduction

This statement of environmental effects is to accompany a development application for the construction of a residential swimming pool, refurbishment of existing outbuilding, new driveway parking bay, and associated works upon land at Lot 3 in DP 9777 known as No. 208 Woodland Street, Balgowlah. The 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:

Manly Local Environmental Plan 2013
Manly Development Control Plan 2013
Environmental Planning & Assessment Act, 1979

The Development application is accompanied by the following documentation:-

Right Angle Design and Drafting P1 - site plan/site analysis plan
Right Angle Design and Drafting P2 - plan at rear yard
Right Angle Design and Drafting P3 - pool plan, sections, and elevations
Right Angle Design and Drafting P4 - landscape plan
Right Angle Design and Drafting P5 - sediment control plan
Terralinks Surveying - AHD and Boundary survey

This statement describes the subject site and the surrounding area, relates the proposal to the relevant Council planning controls and policies relevant to the site and the type of proposed development. It provides an assessment in consideration of the Environmental Planning and Assessment Act 1979, and as a result of the assessment it is concluded that the development proposed on the site is to be considered acceptable and should be supported by the Council.

SITE DETAILS

Subject Land	No. 208 Woodland Street, Balgowlah NSW 2093 Lot 3 DP 9777
Present Use	Owners principal residence
Zoning	R1 General Residential
Permissible Development	Yes
Heritage Item	No. The property is not in a heritage conservation area. There are no heritage elements on this portion of Woodland Street
Conservation Area	No. There are no nearby Conservation Areas
Coastal Protection	No
Landslip	No
Bushfire	No
Tidal Inundation	No
Subsidence	No
Acid Sulphate Soils	No
Flooding	No
Land Reserved for Acquis.	No
Biodiversity Certified Land	No
Property Vegetation	No
Contaminated Land	No trees are required to be removed. No

EXISTING

The site area is approximately 448.9 square metres and is rectangular in shape, being positioned in the middle of the block on the eastern side of Woodland Street. The legal property description is Lot 3 of DP 9777. There is an existing two storey residence occupying the middle portion of the site. The front and rear yards are similar in size. At present, there is a shared driveway that runs along the rear of the properties from 208 to 212 in the north, with access to Balgowlah Road. This access is a shared driveway owned by the other properties and with a right of way for 208. The access is incredibly narrow and does not suit modern vehicles. The properties at 210 and 212 are forced to manoeuvre their vehicles into tight parking bays before any other vehicles may pass or park. The property at 208 has a gated entrance on the northern side of the site and an outbuilding that was previously used as a garage. Previous owners have converted the

garage to storage. There are substantial grass and garden areas in the front and rear of the property.

The whole property has a slope from the rear eastern side to the front western side, with an overall fall of less than 1.5m. There is no driveway access from Woodland Street. No substantial trees are required to be removed with this application. The streetscape is predominately tree lined with large new and old housing on both sides of the roadway. A large number of properties in the area have been renovated, in particular at the side and rear with these renovations including pools and decking. The Council has also permitted new front driveway access on other properties in the area.



Figure 1 – Aerial view of 208 Woodland St, Balgowlah

The property is located in the R1 General Residential zone and is located in the Acid Sulphate Class 5 area of soil. There are no Landslip Zone implications on this site, Council maps and the 10.7 Certificate confirms that this will not be an issue with this proposal. It will be addressed further in the statement, no Geotech report is required with this application. The property is not located in a flood zone and all discussions with Council have determined that a proposed pool should have no effect on the zoning. The site is not bushfire zone affected.

It is proposed to install a new concrete swimming pool, small in nature, 6.0 x 3.5m, in the north-eastern portion of the property for the recreational use of the owners. The northern and eastern sides of the pool have been designed with minimal coping installed to limit access on this side to help prevent standing or gathering on the boundary side of the pool. Due to the small nature of the rear yard, it is requested that Council permit the pool to be located within the side and rear setbacks usually permitted for pools. The

standard of requirement of 1m to structure and 1.5m to water has been reduced to 900mm to structure and 1.2m to water. This minimal change to the setbacks should not impact on any neighbouring property as the pool is to be located at ground level and adjacent to neighbouring sheds and garages. There will be no impact on the neighbouring properties, nor will the pool affect passers-by or street traffic.

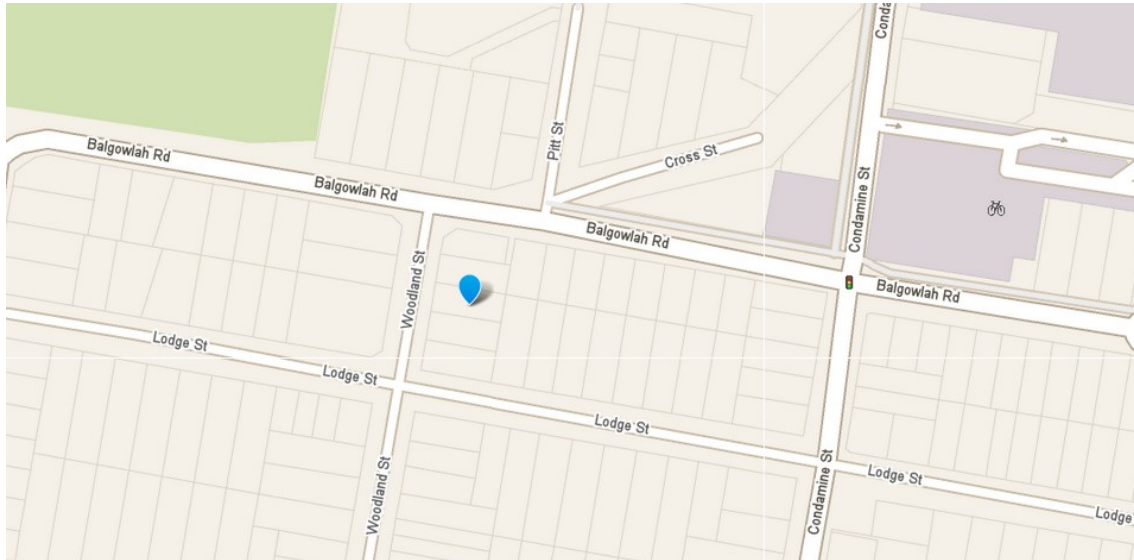


Figure 2 – Location of 208 Woodland St, Balgowlah

The pool size has been chosen to limit the impact on neighbouring properties while still providing a pool that meets the owners' requirements. The pool has been located within Council's required setback distances while allowing additional setback areas for gardens, planting and screening because of the pool's location. A proper garden area will still be supplied, and minimal coping will be included on the pool sides to ensure that the areas are not used as regular standing areas. Screen planting, will be supplied where possible, surrounding the pool to provide additional privacy to and from the neighbouring residence. There will be no additional paving around the pool with only coping areas for safety, access, and cleaning.

No new decking or external structures are proposed with this portion of the application. The site will continue to comply with Council regulations regarding landscaped areas and open space.

The pool area will be used for swimming and for relaxation and supervision. The pool area has been specifically designed to ensure that there are large areas outside the pool fencing for recreational activity and family use. The pool will be located inground with all corners at or just above existing ground level. With the proposal at ground level, and not able to be viewed from the Street, it is not seen as being intrusive or bulky as the appearance will be one of the pool replacing an existing parking area. The boundary fencing will also provide privacy as it is not possible to view down into any neighbouring residence or rear yard. There are no Sydney Water sewer lines within the proximity of the proposed works. All boundaries will have proper fencing, and screen planting, where possible, may be established without violating the Pool Fencing Act. There are numerous pools located in the close vicinity with many of them in similar

positions. The pool filtration equipment will be housed in a soundproof enclosure and located outside the pool zone at the furthest location from any neighbouring residence. Childproof fencing 1200mm high min will isolate the pool from the house and fences on the boundary sides will enclose the area.

The existing rear outbuilding will be demolished and replaced with a smaller proposed shed. This shed will house the outdoor equipment for the site as well as the pool equipment. The existing structure extends to the rear and southern boundaries. It is proposed to locate the new shed in a similar location. All structural elements will comply with the National Construction Code and the required fire ratings. The new shed will be approximately one third as large as the existing structure.

Lastly, it is proposed that a new front yard parking bay and driveway crossing are added to the site. The parking bay will be a maximum of 3000mm in width and extend into the site 7000mm. this will be located on the southern side of the site with direct access from Woodland Street. The side setback will be 900mm. This location is excellent for sight lines, access, and for views. The proposed driveway and crossing will ensure that there is vehicle parking for the property that is easily accessible and far more practical than what is existing.

The development is in compliance with Council controls for the minimum soft landscaped area. The site requires that 35% of open space be landscaped, the site has over 54%. The total Open Space area is requested to be 55% of the total site, the site has 59%. The site meets all landscape requirements, both for landscaped area, 54% of open space, and for the swimming pool not exceeding 30% of the open space. It takes up 13%.

No trees are required to be removed from the site. There will be new plants positioned around the pool location. This new planting will provide privacy and soften the area to the side of the property.

This proposal will continue to meet all requirements regarding site coverage, height plans, building lines, landscaped areas, and floor space ratios. There are no Clause 4.6 statements required with this application.

PRINCIPAL DEVELOPMENT STANDARDS MANLY DEVELOPMENT CONTROL PLAN

There will be some demolishing with this application. The existing rear large storage shed will be removed to be replaced with a small shed and new pool. All of this work will be carried out in the eastern section of the yard. The existing residence will remain. The front driveway access and parking bay will have minimal impact on the streetscape with this portion of the proposal.

The proposed new pool is consistent with the Council requirements, including overshadowing, sight lines, views, and privacy. The work will provide a more usable yard for the family. There should be minimal to no impact on neighbouring sites. The scale, form and materials are sympathetic to the streetscape and is a complimentary

addition to the streetscape, its design has been guided by other work approved by Council in the immediate neighbourhood. Consideration has been given to the provisions within the Building Typologies and the development is compatible with the outcomes. There are a number of similar approvals in the local vicinity of the proposal.

The building height is compatible with the neighbouring buildings and complies with the objectives of the Site Layout of the DCP. As all work is below floor level for this residence, there will be no change to the streetscape or views.

Heritage Conservation Areas and Heritage Items

The subject site is not listed in the historical Schedule of the Manly Local Environmental Plan (LEP) 2013 as an individual heritage item; nor is it located within any of Council's Heritage Conservation Areas. There are heritage listings for the area though it is important to note that this application will not impact them in any way.

Geotechnical Requirements

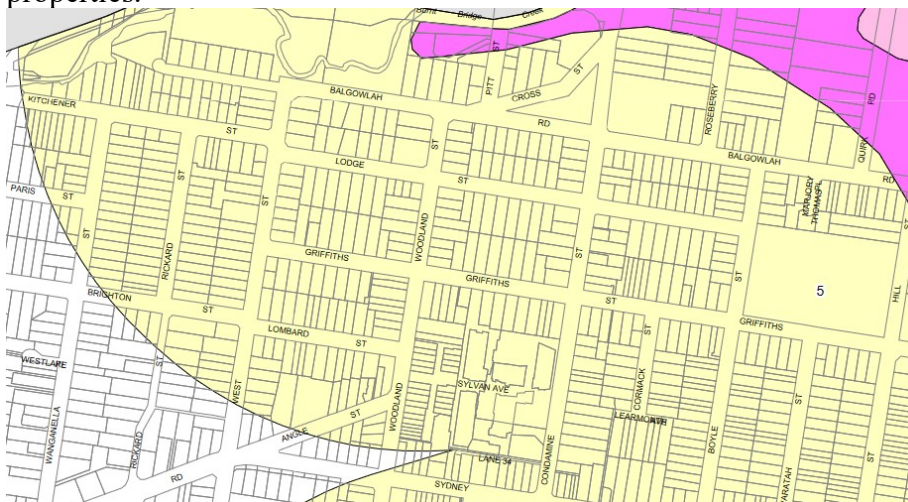
The Development Application & Modification Lodgement Requirements form for 21/22 specifically requires the following information be met.

A Geotechnical report must be submitted where the proposed development involves: any land identified on the LEP Landslip Risk Map. In this regard a DA for development on land identified LEP Landslip Risk Map must consider certain matters under LEP clause 6.8,

any excavation greater than 1m below natural ground level for a basement or basement car parking area,

building works (load bearing) on land contained in geotechnical area 'G1' in the Potential Geotechnical Landslip Hazard Map at Schedule I to the plan, or

building works (load bearing) on other land not contained in geotechnical area 'G1', i.e. areas 'G2', 'G3', and 'G4' where the applicant's Preliminary Assessment of Site Conditions (landslip) determines the need for a Site Stability Report to assess the risk of slope instability and impact of the proposed development on the site and adjoining properties.




Please note that the property does not lie within any zoning identified on the LEP Landslip Risk Map. The site is located in Acid Sulphate Class 5 soil and is not in or near any landslip zoning. Please see map above and zoning table below.

Acid Sulfate Soils Map
Landslide Risk Map
Sheet CL1_003

Acid Sulfate Soils

1	Class 1
2	Class 2
3	Class 3
4	Class 4
5	Class 5

Landslide Risk

	Landslide Risk
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The proposed works are not for any basement or basement parking area, and will not be supporting any load bearing walls or structure. The applicant has made a preliminary assessment of the site conditions and has determined that no geotechnical report is required with this application. The land is flat and stable, the proposed works are at finished ground level, and all work is away from neighbouring structures. The Council's Suggested Checklist for Preliminary Assessment of Site Conditions, located in the DCP, has been used and a similar conclusion was achieved.

Solar Access

The proposed swimming pool is located on the northern side of the site. The height of the proposal and the location on site ensure that there will be no change to any neighbouring property regarding solar access.

The new shed will be reduced in size and height over the structure that currently occupies that portion of the site. The new driveway and parking bay will be at existing ground level.

All designated private open space will receive a full complement of sunlight throughout the day. The neighbouring properties will retain existing shadows and will not have any additional windows blocked by shadow as a result of this development.

Visual and Acoustic Privacy

The pool addition, located completely in ground, has been planned for this location to minimise impact on neighbours. The pool equipment will be enclosed in a sound suppressing enclosure and will be located outside the proposed pool area. Noise will be at a minimum.

Streetscape

The streetscape will not be altered with this application. No work will be visible from the road with the exception of the new driveway crossing and parking bay.

View Sharing

The proposal has taken the neighbouring properties and views into consideration. The proposed pool is located at ground level. It will not be possible to view the pool from the street once work is completed. The position of the pool on site also ensures that there will be no change to any neighbouring views and that the proposal will not affect view sharing. The proposal should have no impact on the south, north, and west neighbours regarding views.

Floor Space Ratio

There is no change to the FSR for the site. The property will fully comply with the Council requirements. No Clause 4.6 is required for this application.

Landscaped Area

The proposal will meet all of Council's landscape requirements including landscape ratio and site coverage. The calculation of open space requires 55% of the site. The site exceeds this requirement, the site is in full compliance.

Stormwater

Stormwater on site will continue to flow as existing. The existing stormwater system will be upgraded if necessary. No detention is required as part of this proposal.

Privacy and Noise

The proposal has been kept to as low a level as possible and maintained to the eastern side of the site. The height and general location of the pool are in keeping with the large number of pools approved by Council in the immediate area. The work has been designed to be as unobtrusive as possible for any neighbouring residences. The proposal is compatible with the established setting and the character of the area.

Site Management

There will be approximately 30 cubic metres of excavation required. All excavation will occur at the proposed swimming pool location with the majority of the fill being removed from site. Any additional fill, with the exception of some topsoil used to refurbish the gardens, will be taken off site by small trucks at the responsibility of the excavating contractor. There will be no stockpiling of soil; it will be removed straight away after excavation. A licensed builder will be conducting all work in and around the residence. During the construction process utmost care and consideration will be taken to ensure the privacy and lifestyle of the neighbouring residences is uninterrupted.

DEVELOPMENT CONTROL PLAN 2013

GENERAL PROVISIONS AND REQUIREMENTS

The Manly Council DCP 2013 applies to all land that the Manly LEP 2013 applies. The subject land therefore falls under the requirements of the DCP.

CONTROL	REQ'D	PROPOSED	COMPLIES
Part C: Place			

SITE CONTEXT ANALYSIS	Plans of existing conditions on site	Supplied full site analysis on plan and in statement	Y
DEMOLITION	Ensure heritage or conservation buildings are retained	Residence is designed to retain and enhance site setting, no heritage implications	Y
ALTERATIONS AND ADDITIONS	Ensure the new form complements the surrounding area	The proposal retains the existing street frontage of the residence, and the new additions are provided as integrated items	Y
HERITAGE CONSERVATION AREAS AND HERITAGE ITEMS	Controls the development with Heritage Conservations Areas and Heritage Items	The property is not heritage listed nor in a conservation area	Y
SITE FACILITIES	Provide functional site facilities	Areas have been provided for bins and adequate functioning of the site	Y
CONTAMINATION	Ensure the land is not contaminated from past activities	The site is not known to be contaminated and has been a residential property for the past 30+ years.	Y
SAFETY BY DESIGN	Preventing crime through design	The proposal seeks to retain the open aspect to the streetscape.	Y
EQUITY OF ACCESS AND MOBILITY	Promote consideration of disabled access	The new works will provide an easier living space for disabled or impaired persons.	Y
PARKING		The site has provision for one vehicle, this wishes to be improved	Y
LANDSCAPING	Enhance the amenity and visual setting of the property	The landscaped area will be enhanced and upgraded. No trees are required to be removed as part of this development.	Y
OPEN SPACE WITHIN THE PUBLIC DOMAIN	Integrate within the public domain	No street works are to be carried out.	Y
TREE MANAGENT		No trees to be removed	Y
SIGNS AND OUTDOOR ADVERTISING			NA
STRUCTURES OVER THE PUBLIC DOMAIN			NA
MINOR ARCHITECTURAL DETAILS			NA
LANEWAYS		The existing rear laneway access will no longer be used for vehicles	Y
ROCK FACES, ROCKY OUTCROPS, CLIFF FACES, STEEP SLOPES AND ROCK WALLS	To conserve rocky outcrops as features and cultural significance	No outcrops or features on site	Y
FORESHORE LAND			NA

GREEN ROOFS AND GREEN LIVING WALLS			NA
PART 3 – GENERAL PRINCIPLES			
RESIDENTIAL GENERAL PROVISIONS		Swimming pool addition has been kept below ground floor level	Y
3.3 LANDSCAPING	35%	54%	Y
3.4 AMENITY	Views and overshadowing	All views and overshadowing have been taken into account, no change to views or shadows	Y
3.5 SUSTAINABILITY		No Basix certificate required with this application	Y
3.7 STORMWATER	In accordance with Manly 2003 stormwater specifications	No change to stormwater	Y
site layout and capacity	Ensure site can accommodate works	Site meets landscape ratios Built upon ratios to remain as existing	Y
local character	Development siting and design shall respect and enhance the natural attributes	All work kept at ground level, the view from the street will be retained, the proposal is in keeping with the neighbourhood.	Y
building location zone	BLZ to consider the established pattern of development.	The proposal is directly in keeping with the other residential houses on the street	Y
corner sites			Y
PART 4			
setbacks	South side 1000mm North side 1000mm S side first floor 2.4m N side first floor 1.0m east Rear 6m	4000 to structure 900 to structure, 1200 to water Complies Complies 900mm pools permitted in setback	Y N N/A N/A N Y
Wall height	Wall height 6.5m	The proposal complies	Y
landscaped open space	55% of site or 246.8sqm 35% soft open space	59%or 263.7sqm 54% complies	Y Y
street orientation	Aligned with street	The existing alignment is retained	Y
building height and building envelope	Max 8.5m and 2.5m above wall height	All new work fits within height and building envelope	Y
roof pitch	Max 35 degrees Roof pitch in keeping with area and below required heights	No roof with this proposal shed structure complies	Y
ELEVATION AND MATERIALS			
building facades	Banding to define storeys and windows	The proposal is designed to take in recommendations of Council	Y
Balustrades			NA
Building Typologies		The new building is designed to fit into the existing neighbourhood and materials have minimal contrast.	Y
Enclosure of verandahs			NA
Elevation elements			Y
	Front windows must be habitable rooms	No windows	Y
colour schemes	All schemes to match neighbourhood	Colours match existing and neighbouring sites	Y
brickwork	Unpainted to remain	All unpainted brick to remain	Y

finishes	Compatible with streetscape and period	The work will be in keeping with the site, surrounds, and neighbourhood	Y
DORMERS			N/A
FRONT GARDEN AND ENTRIES		The front garden will be retained. new front driveway crossing proposed	Y
FENCES	Compatible with area	Fencing to comply with pool fencing act	Y
ENVIRONMENTAL PERFORMANCE	High level of energy efficiency and comfort	Designed with good insulation, crossflow and light access.	Y
PRIVATE OPEN SPACE	Site requires 246sqm	Site will have 263sqm	Y
SOLAR ACCESS	Maximise sunlight	No change to shadows. Property will retain a high level of solar access	Y
	Include shadow diagrams	No shadows required	Y
	Maximise sunlight in main living area	Max sunlight to private open space and to living area	Y
	Windows good size and to have shading	No windows with this application	Y
	Private open space to receive min 3 hours	Private open space receives the same amount of shadow as existing.	
	All habitable rooms to have natural sunlight		Y
alts and adds	To have min overshadowing	No change	Y
	No reduction in sunlight	No reduction in sunlight to main living areas	Y
	Maintain solar access to neighbours	All effort made to ensure neighbour has good solar access	Y
	Promote view sharing	Views are still all available to all neighbours, work has been kept to a minimum to lessen impact on views and has been designed to promote view sharing	Y
	Ensure sight lines to neighbour living areas is not increased	Position on site and height levels as well as setbacks help ensure no sight line issues	Y
	Dividing walls and floors to BCA	All work to BCA standard, no increase in site noise	Y
	Isolate noise generating areas on site	A new pool filter will be installed to proper soundproofing requirements	Y
	Private open space away from living areas of neighbours	Private open space at rear of site	Y
CONVERSION OF EXISTING NON-RESIDENTIAL BUILDING			NA
ADAPTABLE HOUSING			NA

MANLY LOCAL ENVIRONMENTAL PLAN 2013

Zone R1 General Residential Objectives of Zone

- 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
- to improve opportunities to work from home
- to provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas
- to provide landscaped areas for the use and enjoyment of existing and future residents
- to ensure that subdivision creates lots of regular shapes that are complimentary to, and compatible with, the character, style, orientation, and pattern of the surrounding area
- to protect and enhance the amenity of existing and future residents and the neighbourhood

The application fully complies with the objectives of the LEP 2013. The proposal has been designed to meet the objectives of this zoning.

PART 4 PRINCIPAL DEVELOPMENT STANDARDS – MAP 7

No.	Standard	Required/ Allowable	Supplied	Complies	Comments
4.1	Minimum subdivision lot size	200sqm	448.9sqm	NA	No change to existing.
4.1AA	Minimum subdivision lot size for community title schemes			NA	
4.2	Rural Subdivision			NA	
4.3	Height of Buildings	8.5m	3.0	Y	
4.3A	Landscaped areas for Residential accommodation in Zone R1	35% of open space on the site	54% of the open space on the site	Y	
4.4	Floor Space Ratio	0.4:1		N/A	
4.4A	Exceptions to floor space ratio for active street frontages			NA	
4.5	Calculation of Floor Space Ration			Y	
4.6	Exceptions to development standards			NA	Not required

Part 6 - Additional Local Provisions

- 6.1 Acid Sulphate Soils – Class 5, no impact
- 6.2 Earthworks – A structural engineer will be engaged to monitor the excavation of the site to ensure no damage will occur to neighbouring properties and to mitigate the impacts of the development.
- 6.3 Flood planning – The property is not located within a flood zone.
- 6.4 Stormwater management – stormwater on site will remain as existing but will be upgraded or replaced if necessary and in keeping with Council's controls.
- 6.5 Terrestrial biodiversity—this portion of the LEP is not applicable with this application
- 6.6 Foreshore Scenic Protection Area—the property does not fall within the foreshore scenic protection area

CONCLUSION

The enclosed assessments of the merits of the application indicate that the proposed development will not have any adverse environmental impact.

The development has taken into consideration design aspects of human comfort such as scale, noise, solar access, and shade to both this residence and the neighbouring properties. The design protects the neighbour's amenity including visual and acoustic privacy particularly regarding living areas and private open spaces. The setback from the boundary ensures the amenity of the neighbouring properties is maintained and enhanced and landscaping softens visual appearances. The structure is in keeping with the neighbourhood and the scale of this form is balanced by the existing and proposed vegetation. It is proposed to use quality materials to finish the area and to maintain the architectural style of the existing residence.

The proposed design maintains the general aims and objectives of the Manly LEP and Manly DCP's and enhances the characteristics of the area and the desired outcome of the Balgowlah area.