

# **STATEMENT OF ENVIRONMENTAL EFFECTS- Rev A**

**Statement of environmental effects for:**  
Swimming pool and associated landscaping.

**Date:** 25<sup>th</sup> November 2022

**Address:** 167 Riverview Rd. Avalon Beach  
NSW 2107  
Lot 102 DP 803977

**Prepared By:** Stephen Crosby & Associates Pty. Ltd,  
PO Box 204 Church Pt. NSW 2105

**For:** S, S, J & S Ehrlich

**Planning documents:**

- Pittwater DCP 21
- SEPP Coastal Management
- SEPP Biodiversity & Conservation 2021
- PLEP 2018
- Fisheries Management Act 1994
- Water management Act 2000
- Water Management (General) Regulation 2018
- Swimming Pools Act 1992

**The Application:**

The application is for construction of a waterfront swimming pool ancillary to the existing dwelling on freehold land at 167 Riverview Road, Avalon Beach.

The proposal is set out on drawings prepared by Stephen Crosby & Assoc. Pty Ltd.-

2201 - DA01 Rev.5 - Site Plan

2201 - DA02 Rev.2 - Landscape Areas Plan

2201 - DA03 Rev.3 - Sections & Elevations

Supporting documents:

Site survey drawing prepared by Rygate Surveyors Ref. 71619

BASIX Certificate A 465710

Arboricultural Assessment prepared by The Tree Guardian dated 22 May 2022.

Geotechnical Report with ASS assessment prepared by Crozier Geotechnical Consultants Ref. 2021-278.1 dated May 2022.

Marine Ecology Assessment prepared by Waterfront Surveys dated 30 March 2022.

Stormwater Plan prepared by Warren Smith Consulting Engineers Ref. 7647000 C6.01 1.

AHIMS Site Assessment dated 26 Nov. 2021.

Design Structural Adequacy letter from SDA Structures Pty. Ltd. dated 2 June 2022.

**Site:** 167 Riverview Rd. Avalon Beach 2107, Lot 102 DP 803977.

The site is zoned C4 Environmental Living under the Pittwater LEP 2014. Swimming pools and seawalls are permitted within the Foreshore Setback Zone pursuant to Clause 7.8(2)(b) of the LEP.

The site is located on the eastern foreshore of Pittwater opposite Longnose Point, and mid-way between Paradise Beach and Stokes Point. The site rises at an average grade of 35deg from a reclaimed foreshore with a stone seawall behind the Mean High Water Mark (MHW by Title). The site contains a dwelling with shared driveway off

Riverview Road leading down to garage parking above the dwelling.

There is also a boat shed straddling the MHWL, with surrounding decking for access, and slip rails.

The proposal is to construct a swimming pool on concrete pile footings behind, and seaward of, the existing stone seawall. This work is all within the land title area, above the MHWL. The works shall include a set of steps access the water be located at the southern end of the seawall.

The proposed works are considered Integrated Development as determined by the Planning Policies listed in the Planning Documents at the beginning of this SEE.

The swimming pool shall be fenced in accordance with the requirements of the Swimming Pools Act 1992 and regulations.

Access from the existing dwelling to the pool and paving area shall be by the existing stepped pathway down to the waterfront and boat shed area.

Pool pump and filter equipment shall be housed in an acoustically insulated room within the existing boat shed.

To the south on Lot 1 DP 1147783 is a dwelling sited uphill and over 25m from the proposed swimming pool.

To the north, Lot 1 DP 863011, there is no dwelling or outdoor recreation area within 30m of the proposed pool.

**Foreshore Building Setback Line:**

Structures proposed to be located within the FBS area include the proposed replacement seawall, new paving and swimming pool. These structures are permitted pursuant to Clause 7.8(2)(b) of Pittwater LEP 2014.

**Details of the proposal are as follows:**

Site area:	1,659 m <sup>2</sup>
Site area less ROW	1,541.8 m <sup>2</sup>

**WATER ACCESS STEPS**

South boundary setback	1.0 m
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**POOL**

Surround level	2.30 m AHD
Water level	2.15 m AHD
Pool fence height	1.20 m

**SITE COVERAGE:**

Dwelling (existing)	142.5 m <sup>2</sup>
Verandahs	63.9 m <sup>2</sup>

Pathways & paving	134.4 m2	
Timber decks	37.6 m2	
Boat shed (above MHW)	14.8 m2	
Driveway & carport (excl. ROW)	<u>70.0 m2</u>	
Total hard surface	463.2 m2	
Approved dwelling additions	71.7 m2	
Approved timber deck to lift	15.7 m2	
Proposed pool & paving	<u>50.5 m2</u>	
TOTAL HARD SURFACE	601.1m2	
Allowable		
Building 40% =	616.7 m2	
Hard Landscape 06% =	<u>92.5 m2</u>	
Total =	709.2 m2	
Total proposed hard surface	601.1 m2	Complies

#### **Survey:**

A detail survey of the site including the existing dwelling accompanies the application. The survey drawing indicates location of property boundaries, built structures and trees. Spot levels to AHD are shown. Neighbouring dwellings are indicated on the survey.

#### **Geotechnical Risk:**

The site is zoned potential landslip. A Geotechnical Risk Analysis report has been prepared and accompanies this application. Refer report Ref. 2021-278-1 prepared by Crozier Geotechnical Consultants supporting this application. Risk to the proposed structures is considered acceptable when the recommendations in the report are followed.

Concrete piers for the pool shall be excavated into bedrock using hand tools, removing vibration issues for neighbouring sites. The report concludes, "The proposed works are considered suitable for the site and may be completed with negligible impact to existing nearby structures."

#### **Acid Sulphate Soils Risk:**

An ASS Risk zone 1 lies within the west of the site associated with the Pittwater Foreshore. The risk of the works generating ASS has been assessed with the Geotechnical assessment by Crozier and their reports states, "based on the scope of works proposed, the lowering of the water table is not envisaged and excavation of AS bearing soils will not occur."

In accordance with PLEP 2014 (section 7.1, Section 6, (b), an ASS Management Plan in association with the Development Consent is not required.

#### **Design Structural Adequacy:**

The proposed works have been assessed by SDA Structures Pty Ltd from a structural engineering perspective, taking into account the Geotechnical report and Arboricultural Assessment, and the works are deemed to be able to meet the requirements of the BCA

Vol.2 and the relevant SAA Codes of practice.

**Bushfire Risk:**

The site is NOT zoned bush fire prone land and no Bushfire Risk Assessment was prepared for the proposal.

**External materials and colours:**

Seawall- existing	Sandstone
Sea stairs	Sandstone
Pool External faces	Natural grey concrete
Pool Internal	Natural stone tiles

**Land Vegetation:**

There are 2 trees within 5m of the proposed paving and pool. An Arboricultural report has been prepared for this application by The Tree Guardian. They have inspected the site and determined the 2 trees, no's. 1 & 2 in the report are indigenous protected species, one in fair to poor health and the second in good health. A subsoil root investigation was carried out to confirm there would be no impact on either tree with this proposal.

The report recommended the trees be retained, and tree protection barriers be installed during the construction stage in accordance with AS4970:2009 - Protection of trees on development sites.

The report concluded, " No below or above ground impact is anticipated for either tree" with the proposed works.

**Marine Ecology:**

An assessment of the foreshore immediately seaward of the existing sandstone seawall was carried out by Waterfront Surveys in March 2022. Their report forms part of the documentation for this application. A site inspection found no sand beds in the intertidal area in front of the site, and the new pool piers would be entirely on the intertidal rock platform. The base of the pool itself forward of the seawall would sit above the rock platform allowing periwinkles and mulberry whelks inhabiting the rock shelves to remain. There is no algae or seagrass within the adjacent site area.

The installation of the concrete piers seaward of the seawall would create additional habitat for these native species.

SEPP Biodiversity & Conservation has identified the site as containing some material of biodiversity value, however the NSW Planning website appears to identify the relevant part of the site as not having any identified biodiversity value.

**Aboriginal Heritage:**

A site assessment by the Aboriginal Heritage Information Management System (AHIMS) in November 2021 found there were no Aboriginal sites or places in or near the site.

**Access and Services:**

Site access is via Riverview Rd. although materials could be delivered to the site by barge at high water.

**Construction Methods:**

Storage areas for building materials and sediment control barriers are shown on the Site Plan No.2201 - DA 01.

**Excavation:**

There is minor excavation for pool piers to support the pool above the rock seabed forward of the seawall. Excavation for this work shall be by hand and be carried out in accordance with the recommendations in the Geotechnical Report submitted with the application.

Any material excavated for the footings shall be removed from the site.

**Stormwater management:**

The site has stormwater disposal pipes running along both north and south property boundaries. These carry ground water and roof water from the overflow of the roof water collection tank down through the seawall to Pittwater. A Stormwater Plan showing the existing tank and pipes is submitted with this application. The swimming pool shall have access to the water stored in the rainwater tank.

Stormwater falling on the paving will flow directly into Pittwater. Stormwater falling on the pool surface will be treated through the pool filter system.

**Solar Access & Views:**

The swimming pool and associated paving additions to the dwelling are well below the floor levels of the adjacent dwellings and will have no adverse impact on solar access to the adjoining properties, or view impacts from neighbouring properties.

**Proposed works viewed from a public place:**

The continuous sandstone seawall, broken up by the steps at the southern end, pool in the centre and existing boat shed at the northern end provides a natural stone link common to much of the waters edge in Pittwater. The pool itself occupies less than 40% of the waterfront site boundary.

The pool wall facing the waterway is glass with water on both sides, on a natural grey concrete base of the pool. Sitting above the seabed the pool will create interesting light and shade patterns on the rock shelving at low tides.

The proposed works are modest in scale and will not have any material impact on views of the site from the Pittwater waterway.

**Construction Waste Management:**

Construction waste generated during building shall be taken to Kimbriki Tip for sorting and recycling where appropriate. A Waste Management Plan is submitted with the development application.

Sediment fences shall be installed prior to seawall footing excavation works where shown on Site Plan drawing No. 2201 - DA 01 Rev5.

## **SEPP COASTAL MANAGEMENT 2018**

The policy applies to this site.

### **Division 3 Coastal environment area**

- (1) (a) The swimming pool additions to the existing dwelling shall have no adverse impact on the integrity and resilience of the biohysical, hydrological and ecological environment.
  - (b) The size, bulk and scale of the proposed swimming pool in keeping with similar structures on the foreshore of Pittwater.
  - (c) N/A
  - (d) N/A
  - (e) **Access** There are no changes to foreshore public access with this proposal. There is no work proposed seaward of the MHW (by Title)
  - (f) No impact envisaged.
  - (g) N/A
- (2) (a) The pool addition shall have no adverse impact as above.
  - (b) The proposal has been designed and coloured to reflect the existing natural rock landscape and minimise impacts on the natural environment.
  - (c) N/A
- (3) N/A

### **Division 4 Coastal use area**

- (1) (a) (i) Public access along the flat rock foreshore is unchanged with this proposal. Steps from the seabed to the existing reclamation at both ends of the waterfront boundary allow waterfront access across the site, although this is on private land..
  - (ii) No overshadowing or loss of views.
  - (iii) N/A
  - (iv) N/A
  - (v) N/A
- (b) (i) No adverse impacts anticipated
  - (ii) N/A
  - (iii) N/A
- (c) The size, bulk and scale of the proposed swimming pool works are in keeping with similar structures on the foreshore of Pittwater.
- (2) N/A

### **Division 5 General**

- 15 No increase to coastal hazards as the works are well above the Mean High Water Mark
- 16 Consent authority to consider.
- 17 Consent authority

**18** N/A

**STEPHEN CROSBY**