

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

FOR

**CONSTRUCTION OF  
A CONCRETE SWIMMING POOL,  
PERGOLA, VERGOLA, DECKING  
& ASSOCIATED LANDSCAPE WORKS**

AT

**37 Fairlight Crescent, Fairlight NSW 2094**

PREPARED FOR

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June 2024

**BY**

**CONTOUR LANDSCAPE ARCHITECTURE**

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## 1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) Report has been prepared to support a Development Application in relation to 37 Fairlight Crescent, Fairlight NSW 2094 ('the subject site'). This SEE accompanies drawings dated January 2023 including Site Plan (C1), Section AA (C2), Section BB (C3), Section CC (C4), Elevation D (C5), Elevation E (C6), Site Analysis (C7), Sediment Control Plan (C8), Stormwater Drainage Plan (C9), Materials & Waste Management Plan (C10), Landscape Compliance Plan (C11).

The application seeks approval for the construction and installation of a concrete swimming pool, pergola, vergola, decking and associated hard/soft landscaping noted on the provided documentation.

This Statement explains how the proposal has addressed the relevant controls and objectives contained in the following documents:

- Manly Development Control Plan 2013 (MDCP)
- Manly Local Environment Plan 2013 (MLEP)

This SEE provides the following:

- Description of the site and surrounding development;
- Description of the proposed development; and
- Response to applicable development & environmental planning controls

## 2.0 SITE DESCRIPTION

### 2.1 PROPERTY DESCRIPTION & ZONING

The subject site is identified by formal survey as 37 Fairlight Crescent, Fairlight NSW 2094 and legally identified as Lot 14 Section E in DP3742.

The property is zoned C4 - Environmental Living. The development is consistent in size with surrounding properties and the current streetscape.

The subject property has five noted boundaries as per submitted survey. Total site area is 680.8 square metres.

The property is a regular block flanked by Fairlight Crescent to the East and Fairlight Walk (Zone RE1 - Public Recreation) to the West. The subject property falls across the site length by 7m. Currently erected on the site toward the Eastern property boundary is a two storey brick residence. The north west corner of the residence has a setback of 21500mm from the western boundary flanking Fairlight Walk (RE1).

The predominant areas of private open space for the residence consist of elevated and uncovered tiled alfresco, raised curved lawn, and tiered garden areas are located to the West of the Residence. These tiered levels are formed by existing natural rock outcrops and existing sandstone walling. The site is dominated by a number of large protected trees to the west of site (refer submitted Arborist Report) including significant sized Araucaria heterophylla to and Eucalyptus botrioides.

The adjacent neighbours to the subject property consist of Lot 15 Section E in DP3572 to the north; consisting of an existing two storey residence and decking with a setback of 6450mm to the western boundary flanking Fairlight Walk (RE1). The neighbour to the south is SP 4731, consisting an existing 3 storey residential unit block and basement carpark. This building by submitted survey is 13m in height. The north west corner of the building has a setback of 9150mm from its western boundary flanking Fairlight Walk (RE1).

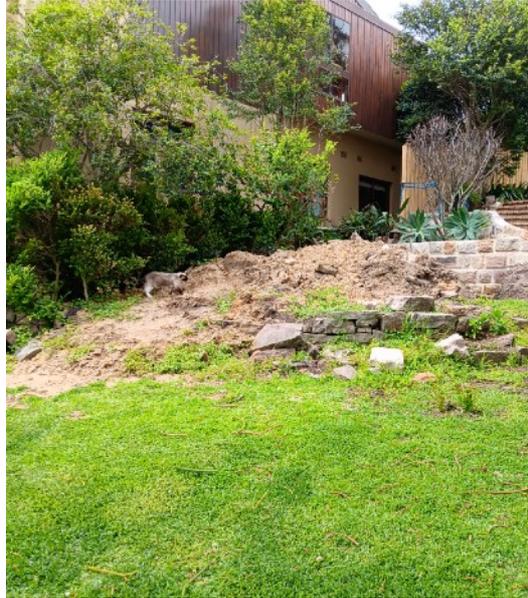
The surrounding area comprises predominantly residential use with a variety of housing styles and sizes erected on various sized allotments. Nearby residential development comprises both single dwellings and multi-storey development. The dominant character of the area is a bushland setting, featuring steeply sloping residential blocks that provide views and connection to the Harbour. There is a close physical and visual connection between the Fairlight Walk (RE1) and the adjacent properties along this Harbourside stretch. There is a variance in how these blocks relate to this walk, some more open, some more closed dependent on their respective blocks.

In this regard - the subject property could be described as 'open' and accessible to Fairlight Walk, with little to minimal privacy or visual screening. This currently limits the amenity and use of the existing open spaces on site.

The property is not listed as having identified items of Heritage under provisions of MLEP. The property is not identified as being on Bush Fire Prone Land. The property is identified as requiring Geotechnical Assessment, and therefore the findings and recommendations of the submitted report Ref AG 24085.

### 3.0 THE PROPOSED DEVELOPMENT

#### 3.1 PROPOSED SWIMMING POOL



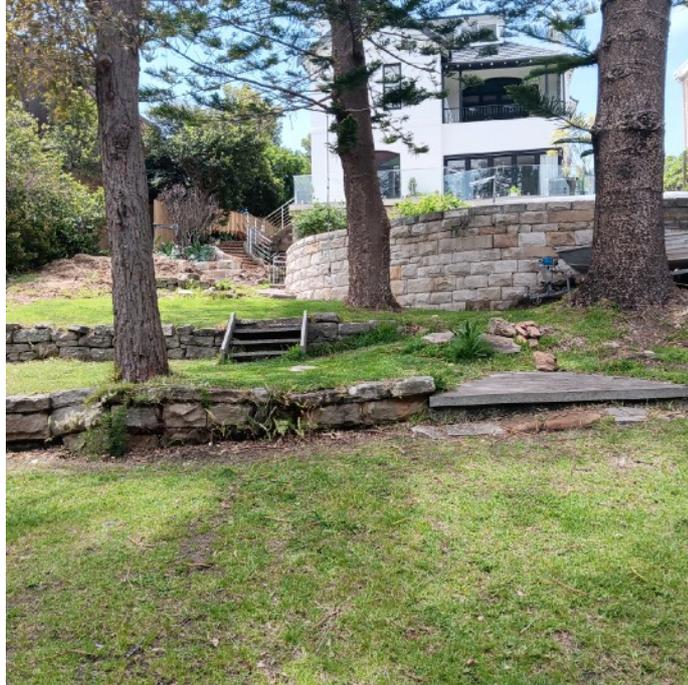
*(Above) Proposed Pool & Pergola Location*

The proposed development consists of construction and installation of a Concrete Swimming Pool and Pergola, including associated Hard and Soft Landscaping Works.

The proposed swimming pool generally meets all the objectives and controls as set out in *Manly Development Control Plan 2013* (MDCP).

- A concrete swimming pool nominal 6.71 metres long and 3.2 metres wide for recreational purposes shall be provided to the north-western part of the subject property as shown on plan.
- The proposed swimming pool waterline has a variable perpendicular setback to its adjacent northern boundary as noted on site. The waterline at its most eastern point shall be setback by 1735mm, with the waterline's most western point setback by 4530mm. The waterline shall have a setback to the rear western boundary at the pools most western point of 4650mm.
- The proposed setbacks from all boundaries to the swimming pool concourse and existing areas of lawn to rear setback shall be converted to support dense screening plant material, enhancing visual and aural privacy from neighbouring properties and from the adjacent Fairlight Walk. This will greatly assist in maximising the open space opportunities on site, whilst also providing appropriate and ample privacy. Therefore shall assist in fulfilling objectives as detailed in 'MDCP 4.1.9 Swimming Pools, Spas & Water Features', and 'MDCP 4.1.4.4 Rear Setbacks'.
- It is noted that the proposed swimming pool concourse shall have less visual dominance when compared to the adjacent raised lawn area and curved sandstone wall currently on site. The design and shape of the pool and concourse has been designed to fit visually into the existing terraced character of the site.
- It is noted that the proposed works shall have significantly less visual dominance when compared with adjacent two storey residence and decking erected to Lot 15, and the three storey residential unit at SP4731; and has comparable setbacks.

- With reference to 'MDCP 4.1.9.1.ii - Height Above Ground' the pool is positioned at a minimum distance from any side boundary equivalent to height of the swimming pool concourse at any point above existing ground level. This permits the concourse to be appropriately screened from neighbouring properties and rear walk.



*Proposed pool and pergola position (L) of Existing raised lawn and sandstone wall (R), dwelling in background*

- The proposed swimming pool location is most suitable given the topography of the site and is in keeping with other properties backing along the stretch of Fairlight Walk.
- The privacy to the pool area shall be enhanced from neighbouring properties by the proposed pergola, conversion of existing lawn areas to the rear setback to planting, and the expansion of the native tree canopy to the northern boundary.
- Proposed native trees have been provided as noted on plan to further enhance visual screening, whilst strengthening the local tree canopy under specific objectives of the C4 - Environmental Living. It is noted that the number of native trees proposed greatly exceed the minimum requirement for the subject site, as per 'MDCP 4.1.5 Open Space & Landscaping - Figure 37 - Minimum Number of Native Trees Required'.
- Additional walling as supported by submitted Arborist report shall support terraced screen planting provide additional softening of the proposed works.
- The pool positioning ensures that the primary open lawn space is still retained on site.
- The pool position ensures that the existing tree canopy is retained and allows for additional sub-storey planting for visual screening.
- The proposed swimming pool shall greatly heighten the amenity of the property, and will afford greater subsequent connection to the surrounding bushland setting.

- The proposed swimming pool shall be fenced with pool fencing that complies with all applicable swimming pool fencing codes and requirements.
- The proposed swimming pool filtration equipment shall be contained in a specially designed acoustic control structure that exceeds Environmental Protection Agency noise reduction requirements and all Australian Standards.
- All poolside coping areas shall fall towards drainage inlets or gardens with all collected waters disposed of to the appropriate disposal service system. An overflow pipe shall be installed within the swimming pool with contaminated water directed to the sewerage system.
- The proposed swimming pool has a capacity of 32.2kL.

### **3.2 PROPOSED OPEN-STYLE PERGOLA**

The proposed development consists of installation of a proposed open-style pergola as noted on plan.

The proposed Pergola generally meets all the objectives and controls as set out in the MDCP.

- A proposed pergola shall be positioned as noted on plan at the eastern end of the swimming pool concourse. The finished RL of the structure shall be nominal RL 10.96. The roof ridge of the structure shall be nominal RL 13.81.
- The proposed pergola's size and scale has been considered with regards to shape, bulk and scale, heightening the amenity of the proposed concourse of the property whilst heightening privacy.
- The proposed pergola design has been considered with relation to form, scale, bulk materials as per MDCP.
- The setback of 12,383mm from the western boundary shall permit the proposed to be recessive.

### 3.3 PROPOSED DECKING



A proposed deck has been provided as shown on plan that shall greatly enhance the amenity of the proposed lawn area, as well as providing additional private open space to the rear of the dwelling.

- The proposed deck shall be set at the same lawn area level (RL 11.53) has been setback from the adjacent boundary so as to permit the planting of dense screening material creating appropriate privacy to the neighbouring property and rear of site. New boundary fencing shall be provided to the southern boundary to heighten privacy from the adjacent apartment building.
- With reference to the submitted Landscape Compliance Plan (C11) the subject property is well below its maximum total open space above ground percentage permitted.
- The proposed deck is of an appropriate size for the property and has not been enclosed.
- Existing areas of the raised lawn shall be converted to planting as noted on plan
- Proposed native trees have also been provided as noted on plan to further enhance visual screening, whilst strengthening the local tree canopy under specific objectives of the C4 - Environmental Living.
- The open grass areas that dominate the rear setback of the property shall be converted to support dense screen planting, permitting an improvement to the current site conditions whilst fulfilling objective 2 and 4 of 'MDCP 4.1.5 Open Space & Landscaping' - 'to maximise soft landscaped and open space at ground level, encourage appropriate tree planting and maintenance of existing vegetation and bushland'; 'to maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.'

### 3.4 PROPOSED VERGOLA



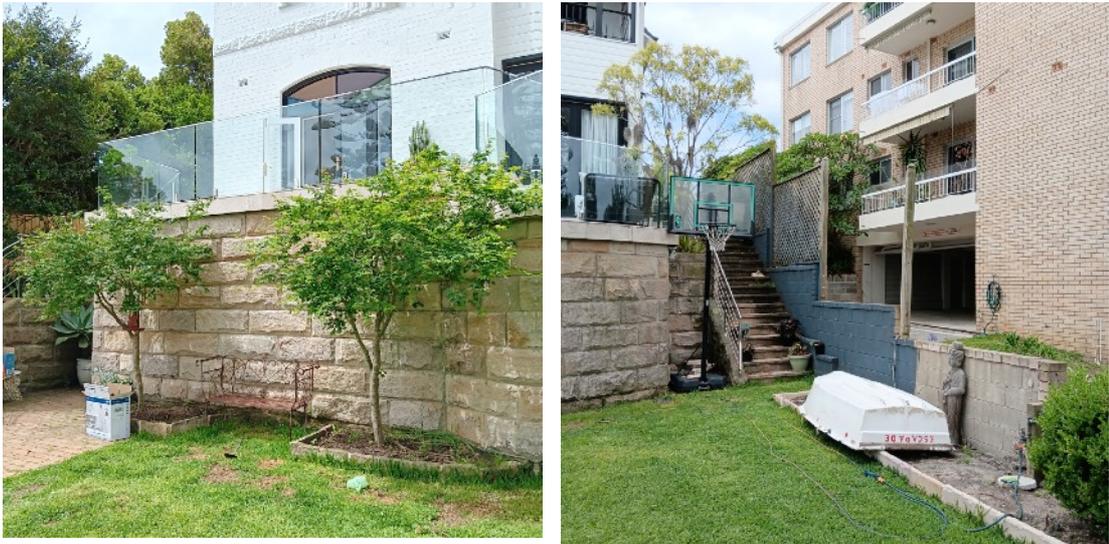
*(L & R) Proposed Vergola location to north face of dwelling, looking west -  
Viewed from within property, looking west toward Lynwood Avenue*

The proposed development consists of installation of a proposed vergola as noted on plan.

The proposed Vergola generally meets all the objectives and controls as set out in 'MDCP 4.1.5 Open and Space & Landscaping'.

- A proposed Vergola shall be positioned as noted on plan at the south-western face of the existing dwelling. The finished RL of the structure shall be nominal RL 14.07, at the same level of the existing paved area adjacent to the dwelling. The roof ridge of the structure shall be nominal RL 17.37.
- The existing alfresco area to the residence lacks any physical protection from the elements, greatly limiting usage and enjoyment of the primary open space to the dwelling.
- The proposed Vergola's size and scale has been considered with regards to the existing building on site and associated external finishes. It has been considered with regards to shape, bulk and scale, heightening the amenity of the primary private open space of the property; improving the current site condition.
- With a setback of over 17m from the boundary fronting Lynwood Avenue shall permit the proposed to be recessive to the dwelling.

### 3.5 ASSOCIATED HARD AND SOFT LANDSCAPING



*(L) Position of new opening to existing walling, (R) To south-east corner of building, location of W.C, planters, new boundary fencing*

- An existing area of concrete as noted on plan shall be converted to use as a W.C (water closet). Roofing shall be provided above as noted on plans and shall capture stormwater run off from the existing upper alfresco area. Existing access stairs adjacent shall also be converted to tiered planters. This will ensure that ample water is captured on site, reducing the impact on public stormwater infrastructure. This greatly satisfies objective 4 of 'MDCP 4.1.5 Open Space & Landscaping' - 'to maximise water infiltration on-site with porous landscaped areas and surfaces and minimise stormwater runoff.' Setbacks on plan as noted.
- New 1.8m boundary fencing shall be provided above the existing western boundary sub-wall to extent shown on submitted plans. In its current state, this majorly inhibits the use of the existing private open spaces. Consideration must be made for this reason.
- Proposed native trees have also been provided as noted on plan to further enhance visual screening, whilst strengthening the local tree canopy under specific objectives of the C4 - Environmental Living.
- All areas of existing lawn and garden shall be retained and expanded as noted.

## 4.0 SITE DEVELOPMENT COMPLIANCE

### Land Zoning – C4 Environmental Living

The subject site is zoned C4 – Environmental Living under the provisions of the *Manly Local Environment Plan 2013 (MLEP)*. The objectives for this zone are:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To protect tree canopies and ensure that new development does not dominate the natural scenic qualities of the foreshore.
- To ensure that development does not negatively impact on nearby foreshores, significant geological features and bushland, including loss of natural vegetation.
- To encourage revegetation and rehabilitation of the immediate foreshore, where appropriate, and minimise the impact of hard surfaces and associated pollutants in stormwater runoff on the ecological characteristics of the locality, including water quality.
- To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.

The proposed development is permissible within the zoning, satisfies these objectives and fulfils all numerical requirements with regarding the relevant minimum landscaped area as set out in 'MDCP 4.1.5.1 - Minimum Residential Total Open Space Requirements for an C4 zoning, Area OS' , as detailed below;

Site Area	680.8m <sup>2</sup>
Minimum Required Total Open Spaced Area - 55%	374.44m <sup>2</sup>
<b>Proposed Total Open Spaced Area (TOS) - 59%</b>	<b>401.24m<sup>2</sup></b>
Required Landscaped Area - 35% of TOS	131.05m <sup>2</sup>
<b>Proposed Landscaped Area - 76% of TOS</b>	<b>286.83m<sup>2</sup></b>
Maximum TOS Above Ground - 25% of TOS	100.31m <sup>2</sup>
<b>Proposed TOS Above Ground - 15% of TOS</b>	<b>58.42m<sup>2</sup></b>

## **5.0 SUMMARY**

This proposal should be supported and approved by Council.

The proposed works have been carefully considered in conjunction with the existing residence, structures and topography and also with consideration for the public recreation zone, and in strengthening the connection to bushland setting.

The proposed development complies with the objectives of the MDCP and MLEP. The proposed development will greatly enhance the amenity of the Subject Property whilst ensuring that the development 'retains and augments important landscape features and vegetation.'

All proposed work shall be undertaken to the highest standards utilising high quality material and finishes.

The proposed works comply with council's planning guidelines as set out in the MDCP and MLEP. It has been demonstrated herein that the intent and objectives of the guidelines have been more than satisfied.

The proposal will improve the property, significantly improve the amenity of the existing Residence and should be supported by Council.