

STATEMENT OF ENVIRONMENTAL EFFECTS



SITE: Lot 57 DP238658
20 Coreen Avenue
Terrey Hills

PROPOSED DEVELOPMENT: Construction of a pool and deck



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INTRODUCTION

This Statement of Environmental Effects is submitted to Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979, in support of a development application for the construction of a swimming pool, deck and stairs. This report is based on plans prepared by Right Angle Design & Drafting, job number, RADD23080, September 2023.

The subject site is north of Coreen Avenue, and is irregular in shape. The site has a frontage of 22m, an average depth of 38m, and total land area 696.9m². The site currently contains a two-storey dwelling and carport which are to be retained as part of the proposed development. In order to site the development, eight (8) trees are required to be removed.

The site has a minor fall to the rear and all necessary services are available to the site. Drainage from the development is to be directed to the existing drainage collection system for the property in accordance with the Concept Drainage Plan attached to this application.

The site is within an established residential area that predominately consists of single and two storey dwellings. It is noted that recent developments within the area have been constructed of a contemporary design, establishing a changing dwelling character for the area. The subject site does not contain a heritage item and is not located within proximity of such items.

The following sections of this statement address the likely impact of the proposal.



LEGISLATIVE REQUIREMENTS

The following sections address the matters for consideration as listed in Part 4 Section 4.15 of the Environmental Planning & Assessment Act 1979. A comment is provided against each relevant matter.

(a)(i) Relevant environmental planning instruments

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 – Standards for Residential Development - BASIX

The proposed in ground swimming pool has a volume of 29,400L. It is understood that a BASIX certificate is only required for swimming pools with volumes greater than 40,000L. Therefore, the proposed development does not need to comply with BASIX and no further assessment is considered necessary in this instance.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

- (1) *A consent authority must not consent to the carrying out of any development on land unless—*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The subject site is within an existing area historically utilised for residential purposes. No previous land uses are known to have occurred on the site that would result in potential land contamination. No further assessment is considered necessary in this instance.



State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Part 2.3 Development controls

Division 15 Railways

Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors

Clause 2.98 Development adjacent to rail corridors

(1) This section applies to development on land that is in or adjacent to a rail corridor, if the development—

- (a) is likely to have an adverse effect on rail safety, or*
- (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
- (c) involves the use of a crane in air space above any rail corridor, or*
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.*

The subject site is not located within proximity to a railway corridor, and does not have a common boundary with a railway corridor. No further assessment is anticipated in this regard.

Division 17 Roads & Traffic

Subdivision 2 Development in or adjacent to road corridors and road reservations

Clause 2.119 Development with frontage to classified road

(1) The objectives of this section are—

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*



- (i) the design of the vehicular access to the land, or*
- (ii) the emission of smoke or dust from the development, or*
- (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The subject site is not located within proximity to a classified road, and does not have a frontage or common boundary with the classified roadway. No further assessment is anticipated in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in Non-rural areas

The aims of this chapter of the policy are understood to relate to the protection of the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural area through preservation of trees and other vegetation.

The proposed development includes the removal of six (6) trees, three to the frontage and one centrally sited. Removal of the identified trees are required to allow the proposed development to occur.

Removal of the identified trees is not known to be of increased biodiversity value and is not anticipated to result in reduced amenity to the proposed development as a result of their removal. Replacement planting is to be provided as part of the proposed development to ensure amenity of the allotment is maintained as a result of the development.

Chapter 6 – Water Catchments

Chapter 6 of SEPP (Biodiversity and Conservation) 2021 aims to protect the environment of the Hawkesbury-Nepean River by ensuring that the impacts of future land uses are considered in a regional context. Of most relevance to the proposal is the requirement to assess the development in terms of the impact of the development on water quality.



Stormwater drainage plans have been prepared and are lodged for Council's consideration. The plans demonstrate that the cumulative impact of water quality for the region will be minimal. Subject to appropriate conditions, the proposal will be consistent with SEPP (Biodiversity and Conservation) 2021, particularly in relation to total catchment management, water quality and the metropolitan strategy.

Warringah Local Environmental Plan 2011

Part 2 Permitted and prohibited development

Clause 2.2 Zoning of land to which this plan applies

The subject site is zoned R2 Low Density Residential pursuant to Clause 2.1 of Warringah Local Environmental Plan 2011.

The proposed development is ancillary development to the existing dwelling on the allotment. A 'dwelling' is defined in the Plan as "*a building containing only one dwelling*".

The identified zone permits the construction of a 'dwelling house' therefore ancillary development is permitted subject to development consent from Council.

Clause 2.3 Zone Objectives and land use table

The objectives of the R2 Zone are as follows:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposed development can satisfy the objectives of the zone as it complements the existing residential setting. Residential amenity can be maintained by the proposed development as the site is within an existing residential area intended for this form of development.



The proposed development is compatible with the existing and future character of the locality. The development is designed to provide a high level of amenity for adjoining residents whilst considering the natural constraints of the site.

The siting of the swimming pool and deck is in the most appropriate location, which minimises disturbance and follows a similar development density evident throughout the area.

The proposed dwelling is considered to meet the objectives of the R2 Zone.

Part 4 Principal development standards

Clause 4.3 Height of Buildings

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
8.5m ridge height	Max. ridge height unchanged by proposal.	Yes

Clause 4.6 Exceptions to Development Standards

The proposed development does not contravene the development standards of the LEP.

Part 5 Miscellaneous Provisions

Clause 5.10 Heritage Conservation

Upon reference to Schedule 5 in relation to Local, State or Regional items of heritage significance including conservation areas, it was revealed that the subject property was not identified as having heritage significance or located within close proximity to heritage items.

Clause 5.11 Bush fire hazard reduction

The subject site is not identified to be bushfire prone land on Council's maps.



Clause 5.21 Flood planning

The subject site is not known to be located within a flood planning area.

Part 6 Additional local provisions

Clause 6.1 Acid Sulfate Soils

The subject site is not identified as being affected by Acid Sulfate Soils.

Clause 6.2 Earthworks

Minimal ground disturbance is required to provide a platform to site the swimming pool and decking. Balanced cut and fill, all earthworks can be suitably battered and/or retained to ensure structural adequacy and minimal impact on the adjoining properties. A suitable drainage system will run throughout the site to mitigate the change in ground levels.

Clause 6.4 Stormwater management

Drainage from the proposed works is to be directed to the existing drainage system on the subject site, with the inclusion of two additional rainwater tanks. Please refer to the attached Concept Drainage Plan.

Clause 6.8 Landslip risk

The site has been identified as a Landslip Risk identified as Area B. Geotech Report to be provided if deemed necessary by Council.

Clause 6.9 Foreshore scenic protection area

The subject site is not identified as being within a foreshore scenic protection area.

* * *



Conclusion with respect to LEP requirements

The proposal is considered to generally satisfy the objectives of all the relevant development standards relating to dwelling houses as contained within Warringah Local Environmental Plan 2013.

(a)(ii) Relevant draft environmental planning instruments

There are no known draft environmental planning instruments that would prevent the subject development from proceeding.

(a)(iii) Relevant development control plans

Warringah Development Control Plan 2011

Part B Built Form Controls

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>B1 – Wall heights</u> Max. wall height 7.2m existing ground to upper ceiling.	No changes to wall heights proposed.	N/A
<u>B2 - Number of Storeys</u> Max. no. storeys shown on DCP No. Storeys map.	No. storeys unchanged by proposal.	N/A
<u>B3 - Side Boundary Envelope</u> Side boundary envelope 45° & 4m or 5m from existing ground (refer DCP Map) Encroachment of the fascia, gutters, eaves permitted.	Proposed works sited within the required side boundary envelope.	Yes
<u>B4 - Site Coverage</u> Site coverage as per Site Coverage Map	N/A – site not mapped.	N/A
<u>B5 – Side Boundary Setbacks</u> As per DCP Side Boundary Setbacks map: - 0.9m.	Min. 1.238m to proposed swimming pool and deck.	Yes
<u>B6 - Merit Assessment of Side Boundary Setbacks</u>	N/A	N/A



For sites shown on map.		
<u>B7 – Front Boundary Setbacks</u> As per DCP Front Boundary Setbacks map: - 6.5m. Corner allotments in R2 and R3 Zones: Where the min. front setback is 6.5m on both frontages the secondary street setback can be reduced to 3.5m	Front setback unchanged by proposal. N/A	N/A N/A
<u>B8 - Merit Assessment of Front Boundary Setback</u> for sites shown on map.	N/A	N/A
<u>B9 - Rear Boundary Setbacks</u> As per DCP Rear Boundary Setbacks map: - 6m.	>6m to proposed works.	Yes
<u>B10 - Merit Assessment of Rear Boundary Setback</u> For sites shown on map.	N/A	N/A
<u>B11 - Foreshore Building Setback</u> As per the map – 15m	N/A	N/A
<u>B12 - National Parks Setback</u> As per the map - 20m	N/A	N/A
<u>B13 - Coastal Cliffs Setback</u> As per map.	N/A	N/A
<u>B14 - Main Roads Setback</u> As per map.	N/A	N/A

Part C Siting factors

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>C2 – Traffic, Access and Safety</u> Suitable vehicular access from a public road.	Vehicular access unchanged by proposal.	N/A
<u>C3 – Parking Facilities</u> Garage/carport integrated into house design.	No changes to carport proposed.	N/A



Laneways to provide rear access where possible.	N/A	N/A
Parking not to obscure views from dwelling to street.	No changes to existing parking arrangements proposed.	N/A
Garage/carport opening max. 6m or 50% building width, whichever lesser.	No changes to garage opening proposed.	N/A
2 spaces per dwelling.	No changes to no. car parking spaces proposed.	N/A
<u>C4 – Stormwater</u> Suitable stormwater system for each site.	Stormwater to be directed to the existing drainage collection system for the property in accordance with the stormwater drainage plans attached to this application.	Yes
<u>C7 – Excavation and Landfill</u> Cut and fill not to impact neighbours. Clean fill only.	Proposed minimal ground disturbance to site the pool and deck with no impact neighbours.	Yes
<u>C9 Waste Management</u> Waste Management Plan to be provided.	Provided.	Yes
Bin storage area to be allocated.	Adequate area remains available on site out of public view.	Yes

Part D Design

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>D1 – Landscape Open Space and Bushland Setting</u> Landscaped open space as per map soft landscape with min 2m width. Subject site = 40%	47% proposed	Yes



<u>D2 – Private Open Space</u> POS area = 1-2 bedrooms – 35m ² min 3m width. 3+ bedrooms – 60m ² min 5m width. Direct access from living area. POS located behind building line. Maximise solar access & privacy.	Private open space area unchanged by proposal.	N/A
<u>D6 – Access to Sunlight</u> Consider solar access & ventilation in siting of dwelling. 3hrs sunlight to 50%POS and glazed areas to living rooms between 9am & 3pm.	Proposed decking sited appropriately on the subject site. Small scale of proposed works as well as generous side and rear setbacks provided ensure that solar access and ventilation will not be impacted by the proposed development. Proposed and adjoining POS and living areas to maintain appropriate level of solar access due to orientation of site, small scale of proposed addition and generous boundary setbacks.	Yes Yes
<u>D7 – Views</u> View sharing to be considered.	No loss of views is anticipated.	Yes
<u>D8 – Privacy</u> Maintain privacy to adjoining properties.	No loss of privacy anticipated by the proposed development due to appropriate boundary setbacks, small scale of addition as well as suitable fences.	Yes
<u>D9 – Building Bulk</u> Avoid large areas of continuous wall planes. Max. fill 1m and to remain within building footprint.	Proposal relates to a swimming pool and decking -no addition wall planes proposed. No fill proposed	N/A N/A



Minimise excavation.		N/A
Orientate dwelling to street.	Existing dwelling appropriately oriented to street. No changes to front façade proposed.	N/A
Use articulation and materials to reduce building mass.	No additional building is proposed.	N/A
<u>D10 – Building Colours and Materials</u> Colours finishes to blend with natural setting.	Proposed decking is of natural colours and the roof is of same materials to match the existing dwelling.	Yes
<u>D11 – Roofs</u> Pitch to complement streetscape. Varied roof forms to be provided. Eaves required.	Proposed flat roof over deck, to provide varied roof form and limit bulk, the existing pitch roof reserved to match the streetscape.	Merits consideration
<u>D12 – Glare and Reflection</u> Materials to minimise glare.	Capable of complying	Yes
<u>D13 – Front fences and Front walls</u> Front fences 1.2m. Solid fences to be articulated and setback for landscaping. Provide casual surveillance (unless excessive noise requires blocking). Gates to remain in boundary when open.	Front fencing does not form part of the proposed development. No change to existing frontage.	N/A N/A
<u>D14 – Site facilities</u> Site Facilities – bin storage, clothes drying etc to be provided	Existing rear yard provides adequate area for site facilities, unchanged by proposal.	N/A
<u>D15 – Side and Rear Fences</u> Side & Rear boundary fencing max. 1.8m measure from low side (can be averaged for sloping sites to allow regular steps).	Capable of complying.	Yes
<u>D16 - Swimming Pools & Spas</u>	Proposed in rear setback.	Yes



Not within primary setback (2ndry setback OK for corner sites). Appropriate setback from trees.	Proposed tree removal	Yes
<u>D19 - Site Consolidation requirements for the R3 & IN1 Zones</u>	N/A	N/A
<u>D20 Safety and Security</u> Casual surveillance of street & suitable lighting.	Proposed works are restricted to the rear of the dwelling and thus casual surveillance of the streetscape remains unchanged by the proposal. No entrapment areas created.	Yes
<u>D22 – Conservation of Energy and Water</u> Design for water and energy conservation.	Water and energy conservation measures implemented.	Yes

Part E The Natural Environment

<i>Requirement</i>	<i>Provision</i>	<i>Compliance</i>
<u>E4 – Wildlife corridors</u> Modification of land with native vegetation >50sqm: - Provide Flora and Fauna Assessment - Provide a Biodiversity Management Plan All other cases of native vegetation removal – achieve control objectives.	N/A	N/A
<u>E7 – Development on land adj. public open space</u> Development adj public reserve to compliment character of reserve. Casual surveillance of public reserve. Landscaping to screen development	N/A	N/A
<u>E8 - Waterways and Riparian Land</u> Waterway Impact Statement for works in waterway.	N/A	N/A



Riparian Land Group A & Group B have specific requirements. APZ not to extend into such land.		
<u>E9 - Coastline Hazard</u>	N/A	N/A
<u>E10 - Landslip Risk</u> As per the map. Geotech required where indicated in Development Control Plan.	The subject site is identified as Landslip Risk Area B. A preliminary assessment completed by White Geotechnical Group provided as part of this development application.	Yes
<u>E11 – Flood Prone Land</u> Flood Risk map indicates level. Requirements outlined in DCP.	N/A	N/A

* * *

Conclusion with respect to DCP Requirements

The proposal is considered to generally satisfy the objectives of the relevant development controls relating to dwellings, as contained within Warringah DCP 2011.

(iii) Relevant planning agreement, or draft planning agreements

There are no known planning agreements that would prevent the proposed development from proceeding.

(b) Likely impacts of the development, including environmental impacts on both the natural and built environment of the locality

The following matters are understood to be relevant when considering on site impacts.



Sitting and Design

The proposed inground swimming pool and landscape works will be compatible in terms of height, bulk and scale with surrounding developments within the area.

The siting of the proposed works provides suitable boundary setbacks, contributing to spatial separation and openness between dwellings

Sedimentation Control

Due to the topography of the site, earthworks will be required for the construction of the proposed alterations and additions, as shown on the development plans. All disturbed areas will be provided with sedimentation controls in accordance with Council's policy with compliance required as a condition of consent.

Waste Minimisation

All waste will be deposited within the waste receptacle in accordance with the waste management plan attached to this application.

Noise and Vibration

All work will be undertaken during hours specified within the development consent. No vibration damage is envisaged to occur during construction.

(c) The suitability of the site for the development

The subject site is within an established residential area within reasonable driving distance to local commercial, retail and transport facilities. The existing road network provides easy access to all locations.

The proposed inground swimming pool and deck, the subject of the application, can be constructed with all services necessary and have been designed to suit site constraints and the character of the surrounding Terry Hills setting.



The proposed works are permissible with development consent under the provisions of Warringah Local Environmental Plan 2011 and generally satisfies the objectives of the Warringah Development Control Plan 2011 as discussed above.

(d) Any submissions made in accordance with this Act or the regulations

Council will consider any submissions received during the relevant notification period for this development application.

(e) Public interest

As the proposal can satisfy the objectives of all relevant planning instruments and development control plan, approval of the subject dwelling is considered to be in the public interest.

CONCLUSION

The proposed development has been considered in respect of the relevant Environmental Planning Instruments and is deemed to be satisfactory with respect to those requirements taking into consideration the overall merits of the design presented.

The residential use of the site is permissible with development consent under the provisions of Warringah Local Environmental Plan 2011 and can satisfy the objectives of the relevant development control plan for the area.

It is considered that the construction of an inground swimming pool and deck will complement and blend with the existing and likely future character of Terry Hills. The proposal is not expected to have an adverse impact on the surrounding natural or built environment.

The appropriateness of the development has been evident within this statement and within the supporting documentation submitted to Council. The proposed inground swimming pool and deck appropriately identifies and relates to the sites use as a residential development.



Having considered the requirements of all environmental planning instruments and DCP's the proposed landuse activity is considered acceptable and maintains the integrity of the existing locality. There are no potential adverse impacts from the development having considered the relevant heads of consideration under S4.15 of the E P and A Act 1979.

Given the relevant planning policies, codes and requirements of the EP & A Act 1979 have been duly satisfied the proposed development is on balance worthy of approval.

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30 November 2023