

Statement of Environmental Effects

Proposed New Swimming Pool - DA issue A

Site Address: 9 / 2A Booralie Rd, Terrey Hills

Lot 10 / DP 270547

Client: SIOBHAN KURJ

Prepared by
RICH CARR ARCHITECTS
Issue A – April 2021

Contents

1.0 Introduction	3
2.0 Property Description	3
3.0 Site Description.....	3
4.0 Proposed Development	6
4.1 Land Use.....	6
4.2 Driveway Extension and Vehicular Access.....	6
4.3 Utility Services.....	6
4.4 Site Preparation Works.....	6
5.0 Zoning and Development Controls.....	6
5.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.....	6
5.3 The Warringah Local Environmental Plan 2011 (WLEP 2011).....	7
6.0 The Warringah 2011 Development Control Plan (WDOP 2011).....	10
7.0 Environmental Planning and Assessment Consideration	10
7.1 Character of the locality.....	10
7.2 The Built Environment.....	10
7.6 Vegetation	11
7.7 Environmental Hazards.....	11
7.8 Construction Impacts	11
8.0 Conclusion	11

1.0 Introduction

This Statement of Environmental Effects accompanies DA documentation prepared by Rich Carr Architects on behalf of Siobhan Kuryj, dated April 2021, to detail the proposed swimming pool at 9/2A Booralie Rd, Terrey Hills.

This Statement reviews the proposed development by assessing the relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, (as amended) including:

- The Warringah Local Environmental Plan 2011
- The Warringah Development Control Plan 2011

2.0 Property Description

The subject allotment is described as 9/2a Booralie Rd, being Lot 10 within Deposited Plan 270547 and is zoned R2 low density residential with a portion of the land zone SP2 under the Warringah Local Environmental Plan 2011.

The dwelling is not listed as a heritage item or within a Conservation Area.

The property is not noted as being affected by any flood planning or bushfire prone land controls.

The proposed works are located in lands noted as SP2 land and will be subject to review by RMS as part of this application.

3.0 Site Description

The site is located within a subdivided allotment which has primary access to Booralie rd. Booralie road is also located over the rear fence. The driveway access is a shared right of carriageway which links 8/2a Booralie road. The proposed works do not impact this right of carriageway. The allotment boundary is considered irregular in shape with an allotment width at the front building line of 15.7m and a total site area of 425.5m². The shared access handle has an area of 61.5m² and the resultant site area is 364.4m². a boundary ID survey has been prepared in conjunction with this application by Geodesy Surveyors dated 25.03.21.

The property has 3 easements described below as

- D – easement to drain water 0.6m wide with variable width (front of block)
- D - Easement to drain water 3.1m wide with variable width (front of block)
- R – Right of carriageway 3.1m wide
- S – easement for services – 3.1m wide and variable width

It is noted that none of the above easements are affected by the proposed works.

The site is currently occupied by a 2 storey residential dwelling. No changes to the dwelling are proposed. All works proposed are considered external, minor and of a landscape nature.



Fig 1: Overall Location image (Source: Six Viewer Maps)

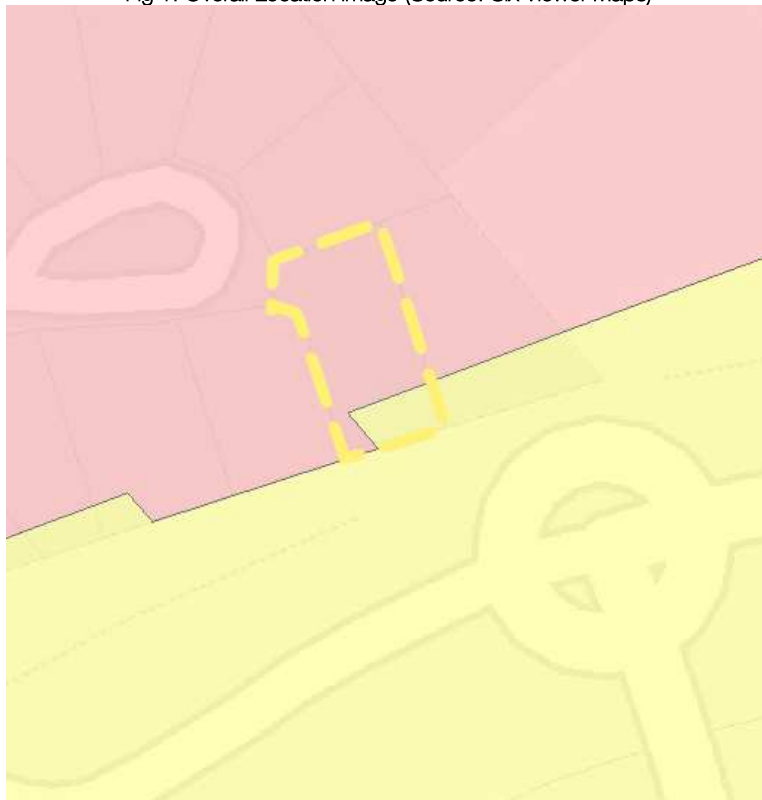


Fig 2: Image of R2 zoning and Sp2 zoning of lands



Fig 3: site image (Source: Geodesy surveyors)



Fig 4: site image (Source: Client)



Fig 5 & 6: site image (Source: Client)

4.0 Proposed Development

As detailed within the accompanying plans, the proposal seeks approval for a new swimming pool with associated paving and fence works all of which is located within the backyard of the dwelling.

4.1 Land Use

The proposed development is for landscaping works (swimming pool) to service the residential dwelling house.

4.2 Driveway Extension and Vehicular Access

No change proposed

4.3 Utility Services

No Change proposed

4.4 Site Preparation Works

Site preparation works will be limited to minor grading of earth to provide suitable site levels for the proposed landscaping. Excavation for the pool will be required and is to be completed per the construction sediment and erosion control plan and waste management plan prepared as part of this application. No substantial tree removal or demolition is being proposed as part of this application.

5.0 Zoning and Development Controls

5.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal does not require a BASIX report to be submitted as the pool capacity is less than 40,000L

5.3 The Warringah Local Environmental Plan 2011 (WLEP 2011)

Clause 2.3 Land Use Zones and Zone Objectives

R2 land use - The land is partially zoned 'R2 Low Density Residential' under the provisions of the WLEP 2011.

The development of and use of the land for residential purposes is consistent with the R2 zone objectives, which are noted as:

- 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 development of and use of the land for residential purposes is consistent with the R2 zone objectives, which are noted as:

SP2 Landuse - The land is partially zoned 'SP2 - infrastructure' under the provisions of the WLEP 2011.

The development of and as described by zone objectives are noted as:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

It is understood that the RMS works relating the SP2 zoned land partially to the rear of the property have been finalised. All proposed works are within the property boundary and are located within the rear setback controls as required by the WDCP2011. The proposal has been designed to keep the swimming pool as close to the house as possible. It is considered that the proposal is reasonable and is an improvement to the residential dwelling. The incursion of the swimming pool into the SP2 zoned land is considered minor.

It is considered that the proposed Swimming pool dwelling is permissible and meets the objectives of the LEP, and will be consistent with the desired future character of the surrounding locality

Clause 4.3 Height of Buildings

The maximum permissible building height noted by the LEP is 8.5m – no change is proposed to height

Clause 5.3 Development near zone boundaries

Development near zone boundaries Objectives

1. The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
2. This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 10 metres.
3. This clause does not apply to—
 - a. land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
 - b. land in Zone RU4 Primary Production Small Lots, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B3 Commercial Core, Zone B4 Mixed Use, Zone B5 Business Development, Zone B7 Business Park, Zone IN1 General Industrial, Zone IN2 Light Industrial, Zone RE2 Private Recreation or Zone E4 Environmental Living, or
 - c. land within the coastal zone, or
 - d. land proposed to be developed for the purpose of sex services or restricted premises.
4. Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—
 - a. the development is not inconsistent with the objectives for development in both zones, and
 - b. the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.
5. This clause does not prescribe a development standard that may be varied under this Plan.

Development near zone boundaries Response;

It is considered that the minor nature of the proposal and the relationship with the boundaries as within 10m of the zone boundary is considered consistent with the above noted objectives providing flexibility for a more logical approach to the appropriate development of the site.

Clause 6.4 Development on Sloping land

The site is not identified as within a landslip risk map. The site is considered to have a minor cross fall of 510mm across the site which equates to 1.5% - measured from the Eastern corner (high point) to the Western corner (low point). The site is identified at Geotechnical landslip classification A. The proposal is considered minor with no further action/report required.

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP 2011.

6.0 The Warringah 2011 Development Control Plan (WDCP 2011)

The Warringah 2011 Development Control Plan applies to the proposed development. The relevant provisions of the DCP are summarised in the table below

Part/Section	Guideline	Proposed Swimming pool	Compliance
Section A	Shaping Development in Pittwater		
A1-A4	Introduction	The proposal is consistent with the provisions in Part A of the DCP.	Y
Section B	General Controls		
B5	Side Setbacks	Proposed 0.95m setbacks to side boundary	Y
B7	Front Setbacks	N/a	Y
B9	Rear Setbacks	3.6m rear setbacks. Swimming pools are permissible to be within 50% of the rear 6m setback. Proposal complies	Y
Section C	Siting Factors		
C1.1-9	Siting factors	The proposal is consistent with the provisions and objectives of the precinct	Y
Section D	Locality Specific Development Controls		
D1	Landscaped open Space	40% required – proposal complies – refer to site plan calculations for details.	Y
D2	POS	60m ² POS is possible – no change to POS proposed	Y
D16	Swimming pools and spa's	The proposal is consistent with the provisions and objectives of the precinct	Y
Section E	The Natural Environment		
E10	Landslip area	Landslip Class A – no further action required – proposal complies with requirements	Y.

There are no other clauses of the WDCP 2011 that are considered to be relevant to the proposed development. It is therefore considered that the proposal meets the objectives the requirements of the WDCP 2011.

7.0 Environmental Planning and Assessment Consideration

7.1 Character of the locality

The proposed development is for purposes of a swimming pool and associated landscaping which is consistent with the character of the locality.

7.2 The Built Environment

The proposal has an appropriate scale and built form. The scale and built form is consistent with its proposed use and will sit in harmony with surrounding built structures.

7.3 Streetscape and Public Domain

The proposal will not be visible from the street

7.4 Interface with Surrounding Properties

The proposal will be concealed behind site fences.

7.5 Access

No change to access is proposed

7.6 Vegetation

No substantial trees are proposed to be removed as part of the proposed development.

7.7 Environmental Hazards

The only recognised environmental hazard relates to Terrestrial Biodiversity and Acid sulphate soils (Class 5) which is considered minor with the site.

7.8 Construction Impacts

The site of the proposed development has sufficient size and separation distance for conventional construction techniques to be contained within the site boundaries. Given this, it is anticipated that there will be no unreasonable impact on neighbours or the environment during construction. Construction activities will include measures to management potential impacts including site access control, dust management, vehicles limited to being on site, noise and vibration limited to standard work hours, erosion and sediment control in line with Council's standard consent conditions.

7.9 Social and Economic Impact

It is considered the proposed swimming pool will have an overall positive social and economic impact given the proposal will be increasing the amenity of the dwelling uplifting the quality of housing in the locality in terms of amenity.

7.10 Suitability of the Site

The site is suitable for the proposed development in the following respects:

- it is located in a zone in which the proposed type of development is permissible;
- it is surrounded by compatible residential use;
- it has appropriate site access;
- the site area and dimensions are capable of supporting the proposed development;
- utility services are currently available at the site and have capacity to support the proposed development; and there are no environmental constraints of such significance as to preclude the proposed development.

8.0 Conclusion

This statement assesses the application for a new swimming pool and associated landscaping at 9/2a Booralie Rd, Terrey Hills. We conclude that the proposal is permissible; complies with and is consistent with development standards applicable to the site; has no negative impact on the neighbourhood and no negative environmental impact or amenity of the surrounds.

The proposal as documented will provide a positive contribution to the dwelling. Based on the proposal's strong performance against all key planning objectives, the application is submitted for favourable assessment.



Prepared By

Richard Carr

Director

Registered Architect – NSW ARB 9697

 RICH CARR
ARCHITECTS | RICH·CARR·ARCHITECTS.COM
E: richard@richcarrarchitects.com