

# STATEMENT OF ENVIRONMENTAL EFFECTS

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PROPOSED ALTERATION AND ADDITION  
TO AN EXISTING DWELLING – NEW POOL

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2/4 BRISBANE PL, CROMER, 2099  
SP76625  
PREPARED OCTOBER 2022



## TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>3</b>
<b>Site Description.....</b>	<b>4</b>
<b>Existing Streetscape .....</b>	<b>5</b>
<b>The Proposal .....</b>	<b>6</b>
<b>RELEVANT CLAUSES OF LEP - PRINCIPAL DEVELOPMENT STANDARDS.....</b>	<b>9</b>
<b>WARRINGAH DEVELOPMENT CONTROL PLAN 2011 .....</b>	<b>10</b>
<b>Section 1.5 – OBJECTIVES .....</b>	<b>10</b>
<b>Part B Built Form Controls .....</b>	<b>10</b>
<b>Part C Sitting Factors .....</b>	<b>12</b>
<b>Part D Design .....</b>	<b>12</b>
<b>CONCLUSION .....</b>	<b>20</b>

# INTRODUCTION

This Statement of Environmental Effects accompanies architectural plans prepared on behalf of Mr. and Mrs. S & R BENNETT by Sun Architecture and Landscape Design, dated 14 October 2022, detailing the proposed alterations and additions to an existing dwelling, including new swimming pool and associated works at 4 Brisbane Pl, Cromer, 2099. This 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:

1. Warringah Local Environmental Plan, 2011
2. Warringah Development Control Plan, 2011
3. The Environmental Planning and Assessment Regulation, 2021
4. Environmental Planning & Assessment Act, 1979

Accompanying documentation includes for:

- a) Cover Page
- b) Landscape General Notes
- c) Landscape Plan, Sections and Calculations
- d) Sediment Control Plan
- e) Geotechnical Assessment

This application has been designed and prepared to Northern Beaches Council specifications and design standards. There are no current applications registered for this site. This proposed work will not be visible from the road and will be contained within the rear yard of the property in which fences are typically 1.8m in height currently. Details regarding structure, site coverage, and trees are all fully addressed.

## Site Description

The site is located at 4 Brisbane Pl, Cromer, 2099: lot number 2 in SP 76625 and is located within Residential zone R2 Low Residential within the provisions of the Warringah Local Environmental Plan 2011. The total site is approximately 652m<sup>2</sup> and is partially triangular in shape with side frontage to the Cull De Sac of Brisbane Pl. Lot 2 consist of a 4-bedroom upper story town house with a standalone garage and individual access. The owner of Lot 2 shares a common space driveway with lot 1 of SP 76625. Lot 2 is situated within a quiet cull de Sac street whereby the subject lot backyard shares its backyard frontage with Brisbane pl. The rear yard is all soft surfaces with grass and garden beds and an existing copper log retaining wall. All fences to the subject backyard are a minimum 1.6m high and up to 1.8m in height providing significant privacy.

Lot 2 of SP 76625 has an additional yard further to the north of 4 Brisbane Pl and is known as the ‘frontyard’ for Lot 2 SP76625, consisting of grass and hedging up to 2m high.

The site has no easements on title.

The present use of the site and the adjoining properties is residential. It is not known whether the site is on contaminated land or whether there has been any testing. The property is in the R2 Low Density Residential zone, is not in an Acid Sulfate soil zone, and is not in the immediate vicinity of a heritage item or Conservation Area. There are no concerns with the Wildlife Corridor or bushfire prone land. The site does not fall within the Flood Risk Category zone and has not been identified as requiring a flood risk assessment. There are no restrictions regarding Land Acquisition, Urban Release, or Floor Space Ratio.

The subject land is situated within the Landslip Risk Map – Area A less than 5 degrees under the Warringah LEP 2011. As such a preliminary geotechnical assessment has been prepared by White Geotechnical Group accompanied with this submission

## Existing Streetscape

The street, Brisbane Place, is a residential street that accommodates local traffic only, with all near properties residential. With the street constructed as a dead end, not far past this residence, the area is only trafficked by the local residents. The street is solely residential houses of a similar nature, the majority of which are similar or larger in size and each having pools.

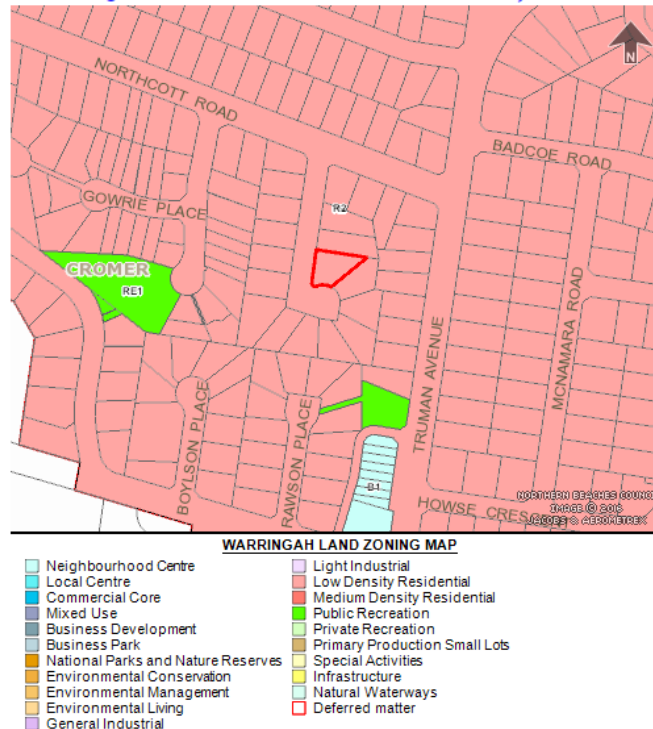
The present use of the site and the adjoining properties is residential. It is not known whether the site is on contaminated land or whether there has been any testing. The property is not located in acid sulfate soil nor is it heritage or conservation listed. The possibility of traffic being affected by this proposal is minimal and only during construction. The construction of the new pool is to be of prefabricated nature minimising the number of trades and resources to construct a conventional pool insitu. The proposal will not be widely viewed by the public; only the residents on adjoining properties will know that it is there, and for the majority of the work, only during construction.





*Satellite image from Northern Beaches Website – Noting all houses having pools in the street*

♦ Warringah LEP2011 - Land zoned R2 Low Density Residential



*Warringah Land Zoning Map*

## The Proposal

This development proposal seeks approval for the following:

- New concrete swimming pool and associated works, located in the southern portion of the site.

There will be no change to the proposed dwelling on site. All pool work will be located to the immediate southern side of the existing garage that is bound by a large existing blockwall and timber paneled fence. The proposed pool will be at existing ground level. A small amount of paving will be included between the pool and fences to ensure that the existing fence footings are not impacted and that there is sufficient room inside the proposed pool fencing for supervision and safety. The pool has been designed to be as subtle as possible for neighbouring properties. All work is as far as possible from all neighbouring residences.

The proposed pool will be located on an existing retained grassed yard area. The idea is to create a functional outdoor space for the recreational use of the owners and their family. The remainder of the site will continue to be grass and garden.

The swimming pool will be small in size; being a 4.6m x 2.6m **plunge** pool with stairs and internal seating. Pool copings within the pool area will not exceed 600mm on the boundary sides and there will be no decking inside the pool fencing. The pool will have setbacks that exceed Council requirements to ensure that the neighbouring properties retain their privacy. A number of properties in the immediate area have pools and there are numerous precedents for pools of this size and located similarly on sites. There should be no change in views to and from the residence or the neighbouring residences. The current architecturally designed pool area is the best location on the property for a pool.

The pool has been designed to limit the impact on any excavation, tree roots or neighbouring structures. The pool will be fully fenced and screened from the rest of the property. It should not be visible to passerby's. All residences located across the road are at such a distance and at a level so as not to be affected.



*Proposed yard area for new pool – 2/4 Brisbane Pl, Cromer, 2099*

No additional hard surface has been added with this application outside of the pool and coping structure. The aim is to keep as much natural landscaping around the proposal as possible. The proposed garden and grassed areas will continue to permit rainwater to flow through and be absorbed by the soil below.

Existing stormwater from the house should not be affected and continue to function as constructed; it will be upgraded if necessary. All stormwater flows into excellent pipes that flow to the large easement on an adjacent lot to the western side of this site.

The proposal is not accompanied by a BASIX Certificate as the pool is under 40,000L. The swimming pool may also be used by the Rural Fire Service as a static water supply if there is ever the needed with major bushland approximately 500m from the subject site. The location on site has been chosen to provide the maximum soft landscape ratio for the property and to maintain yard space for recreational use. The proposal does meet Council's requirements for soft surface, with approximately 46% of the site grass and garden. Though the site ratios will change with this proposal, the site will continue to far exceed Council requirements of 40%. Please see the accompanying landscape calculation table for defined landscape areas and percentages.

The structure is in keeping with the neighbourhood and the scale of this form is balanced by the existing vegetation. It is proposed to use quality materials to finish the area and to maintain the architectural style of the existing residence. The development meets all outcomes and objectives of the LEP and Residential DCP and the desired future character of the area.



## RELEVANT CLAUSES OF LEP - PRINCIPAL DEVELOPMENT STANDARDS

4.1 Minimum Subdivision of Lot size - Not applicable to this application

4.2 Rural Subdivision – Not applicable to this application.

4.3 Height of Buildings – as shown on the Height of Buildings Map = 8.5m high.  
The 8.5m building height will be complied with for this application.

4.4 Floor Space Ratio & 4.5 Calculation of Floor Space Ratio and Site Area – Not adopted

4.6 Exceptions to the Development Standards – It is considered that the proposal meets the outlines and objectives of the LEP therefore no exception will be applied for, for this application.

6.2 Earthworks - Minimal earthworks are required associated with footings to facilitate the proposed alterations and additions to the dwelling. Excavation of a greater depth is required for the swimming pool in the rear yard. The proposed standard depth of excavation is well distant from adjoining properties and unlikely to give rise to adverse impacts.

## WARRINGAH DEVELOPMENT CONTROL PLAN 2011

### **Section 1.5 – OBJECTIVES**

To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood

- To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome
- To inspire design innovation for residential, commercial, and industrial development
- To provide a high level of access to and within development.
- To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained
- To achieve environmentally, economically, and socially sustainable development for the community of Warringah.

### **Part B Built Form Controls**

#### B3 Side Boundary Envelope

The proposal is not visually dominant by virtue of height or bulk. There will be adequate light, solar access, and privacy for neighbouring properties, as the work will provide proper spatial separation between buildings. The proposal is located in areas that will ensure that the development has been designed in response to the topography of the site. The location is positioned to ensure minimal upheaval on site. There are no exceptions to this section of the DCP.

#### B5 Side Boundary Setbacks

The proposal maintains the opportunity for deep soil landscape areas on site. The Council required setbacks to each side boundary will continue to be met ensuring planting and grassed areas can be maintained. There is a small change to the deep

soil zones on site as the new pool structure and coping will provide additional hard surface. The proposal, though not insubstantial, will remain subtle, as all work will be well below the floor levels and the majority of the actual yard ground levels of the adjacent neighbours. The southern boundary will be maintained for necessary pool screening and planting to occur. No pool work should be visible from Brisbane Place and there will be sufficient screening and planting to the side boundaries if required. The proposal maintains the DCP setbacks. The side setbacks will be landscaped where necessary and as shown in landscape plans.

#### B7 Front Boundary Setbacks

The proposal has been designed to maintain the sense of openness that the Council requires. There will continue to be a visual continuity of pattern for all the buildings on the street and no such visual change to the frontage. There will be no impact on view sharing and no neighbours will have a loss of light, airflow, or privacy. The proposed pool location is deemed to be in the rear yard for this property although not a traditional backyard as such shares 2 frontages on to Brisbane Place. The new pool proposal meets the objectives of this section by maintaining a sense of openness, whilst maintaining the visual continuity and pattern of buildings and landscape elements. The pool will be set down from the street level, meaning no change to the street amenity and aesthetics

#### B9 Rear Boundary Setbacks

The pool is deemed to be situated within Lot 2 rear backyard although in front of the house eave alignment. The application is deemed to meet the objective of the this section as there the design maintains a sense of openness in the rear yard, preserves the amenity of neighbouring properties, as per section B7, maintains the existing visual continuity and pattern of buildings, enhances the existing yard amenity and landscape design. The pool will be set down from the street level, meaning no change to the street amenity and aesthetics. There is no change to privacy, visual continuity, or sight lines.

## **Part C Sitting Factors**

### C7 Excavation and Landfill

All work to be carried out on site will have no adverse impact on the visual and natural environment or the adjoining and adjacent properties. The existing southern yard will be upgraded to help ensure the integrity of the physical environment. The visual and scenic quality of the site and the surrounds will be improved with this application. The position, location, and height of the proposal have all been considered and determined to be the most appropriate location on site to minimise impacts on the land and the neighbours. There will be no situation created that will create additional siltation or pollution of the local waterways or drainage lines.

The position and height of the pool have been chosen to limit excavation where possible and to ensure that the existing slope of the site and trees on the property remain unaffected.

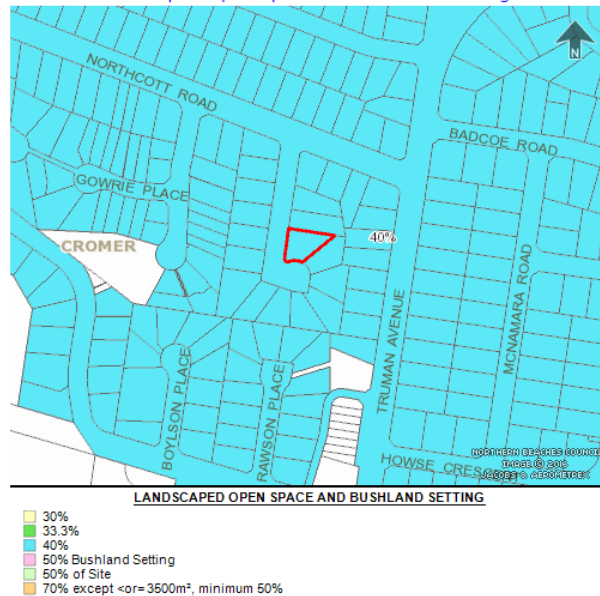
## **Part D Design**

### D1 Landscaped Open Space and Bushland Setting

The pool surface area is included in the landscape open space. All onsite impervious areas that are naturally occurring are also included in the open space calculations. The chart below fully details all landscape calculations, as does the chart on the accompanying plans. There are no existing trees that will be impacted with this proposal. No new trees will be planted unless at Council's request. The excavation of the pool will be carried out in a thoughtful manner. The works are similar to a large number of adjacent residences. This proposal is in keeping with the area and previous builds.



◆ DCP - Landscaped Open Space and Bushland Setting 40% of site



LANDSCAPE CALCULATION	
ITEM	SIZE
SITE AREA FOR LOT 2	422 m <sup>2</sup>
<b>HARD SURFACE</b>	
HOUSE	169 m <sup>2</sup>
COVERED DECK / ALFRESCO	inc above
PROPOSED POOL PAVEMENT	28 m <sup>2</sup>
<b>TOTAL HARD SURFACE OF THE SITE (49%)</b>	<b>197m<sup>2</sup></b>
EXISTING LANDSCAPE SURFACE (53%)	224 m <sup>2</sup>
PROPOSED LANDSCAPED AND OPEN SPACE AREA (INC POOL) OF THE SITE - POST DEVELOPMENT	198 m <sup>2</sup> (46.9%)
DCP REQUIRED LANDSCAPE OPEN SPACE AND BUSHLAND SETTING	40%
COMPLIANCE CHECK	46.91% V 40% - COMPLIES

## D2 Private Open Space

The site complies with private open space requirements. There is a requirement for a minimum 60sqm on site. The site will have over 60sqm. The majority of this is on flat or slightly sloped land, all fully usable by the residents. The proposed location has good solar access on site. There will be access to the private open space directly from

the living areas of the residence. There are sight lines directly from the residential living areas. The primary open space will not be moved or affected.

### D3 Noise

Once work is completed on site there are two types of noise to be noted with this proposal. There will be the regular swimming pool activity noise of splashing and children's voices. This noise is unavoidable with this proposal however all others house's on the street each have their own pool. The owners would like to assure Council that the noise should be in regular hours of the day and will not be any different that the numerous properties that are in the area that already have an existing pool. The second noise will be that of the pool filtration equipment and pumps. This equipment will be housed in a sound suppression enclosure, constructed to meet Council standards, located to the southern side of the residence. This position has been chosen to limit impact on neighbours. The filter equipment will be enclosed in a sound suppression box, ensuring the neighbours should not be impacted by any of the baffled noise.

### D6 Access to Sunlight

The proposed swimming pool location has been situated to maximise all light access for the site. The pool, though located on the southeastern side of the property, will receive sun through a large portion of the day, year-round. This will help ensure that the pool water remains warm and that there will be minimal to no heating required, providing a longer swimming season for the family. The pool level, being located away from any boundaries and at or below neighbouring residences floor levels, will not overshadow or affect any of the neighbouring properties sight lines or solar access.

### D7 Views

This proposal will have no effect on the sharing of views. The design and position of the pool is practical in its location and use of the site. The existing native trees on site will maintain their canopies and will not be affected by the proposal.

### D8 Privacy

It is important to note that there should be no loss of privacy to either side

neighbour. No neighbour should be affected.

#### D10 Building Colours and Materials

All colours and materials will be natural in nature and sympathetic to the local surrounding environment. They will blend into the natural streetscape and landscaping.

#### D13 Front Fences and Front Walls

Boundary fencing will be upgraded where necessary with this application. New pool fencing will also be installed on site. This will help ensure that the site has realistic and safe access. An existing double gate fronting Brisbane Place is earmarked to be removed with a continuation of the existing fence either side proposed. This gate will assist in the ease of construction of the pool until such a time.

#### D14 Site Facilities

The pool, being a pre-formed concrete pool, should not impact on the site much at all. There will be no structural elements that would prohibit building and none to encourage bushfire. The pool equipment will be placed in a sound suppression enclosure and placed beside the existing garage, to minimise any impact on neighbours, both for sound and sight. The site should have no need to upgrade existing drainage. The property has good drainage as is, though if during construction it is revealed that work should be carried out, the owners will upgrade. The swimming pool will be directly connected to the sewer for backwashing purposes as per Council requirements.

#### D16 Swimming Pools and Spa Pools

##### Objectives

- To ensure swimming pools and spas are located to preserve the natural environment, streetscape, and residential amenity.
- To encourage innovative design solutions to improve the urban environment.

The proposed pool area has taken these objectives into account. It is located the required setback away from neighbouring residences, the natural topography lends

itself to locating the pool in the proposed location, and it affords the proposal solar access.

**Requirements:**

1. Pools are not to be located in the front building setback.
2. Where there are 2 frontages, swimming pools and spas are not to be situated in the primary street frontage.
3. Swimming pools and spas are to be setback from any trees. Australian Standard AS4970-2009 Protection of trees on development sites is to be used to determine an appropriate setback.

Due to the nature of the site the pool is required to be located similarly to a corner block allotment and will be located in front of the front eaves. The pool is located in what is known as the backyard of 2/4 Brisbane Pl, and is screened by a 1.8m solid rendered block and timber paling fence. The pool is situated well below any site lines from the street and does not affect the amenity of the street. The pool is situated on the southern side of the site with a clear north facing aspect, and it is setback from the boundary in accordance with local DCP standards. The pool will be located below the existing access areas of this property and side neighbouring residences and the structure will not be visible from the street.

A minimum 900mm setback will be used to ensure adequate planting and screening are provided where required. The pool has been intentionally sighted to ensure that it has adequate setback from all boundaries. The pool position and height have been chosen to ensure that the surrounding outdoor areas will provide excellent passive surveillance to the pool area increasing the ability to provide a safe and secure environment and to not visually impact the streetscape. This is a major concern of Council as outlined in section D20. Fencing has been designed to be a minimum of 1800mm high if the pools perimeter fence shares that with the boundary fence and will be in accordance with the fencing regulations.





*Photo of the 2/4 Brisbane Pl Backyard where the pool is proposed to be located*

#### D20 Safety and Security

- To ensure that development maintains and enhances the security and safety of the community.

The proposed swimming pool will not be visible from the street as it is situated well below street level and located behind existing planting and solid block fence walls, as well as screened by surrounding structures. There will be compliant pool fencing and screen planting provided to all boundary fences. The position of the pool will allow for excellent visibility from the main residence and the remainder of the yard outdoor area. Safety in the pool area is the number one concern for the owners. The pool will be separate from the rest of the yard and from the house. The pool will be isolated from the rest of the property and there will be no access directly to the pool area from the residence.

#### E6 Retaining unique environmental features

Not applicable

E7 Development on land adjoining public open space

Not applicable

E8 Waterways and Riparian Lands

Not applicable

E8 Waterways and Riparian Lands

The property is not affected by any of Sydney waterways and riparian land zoning maps.

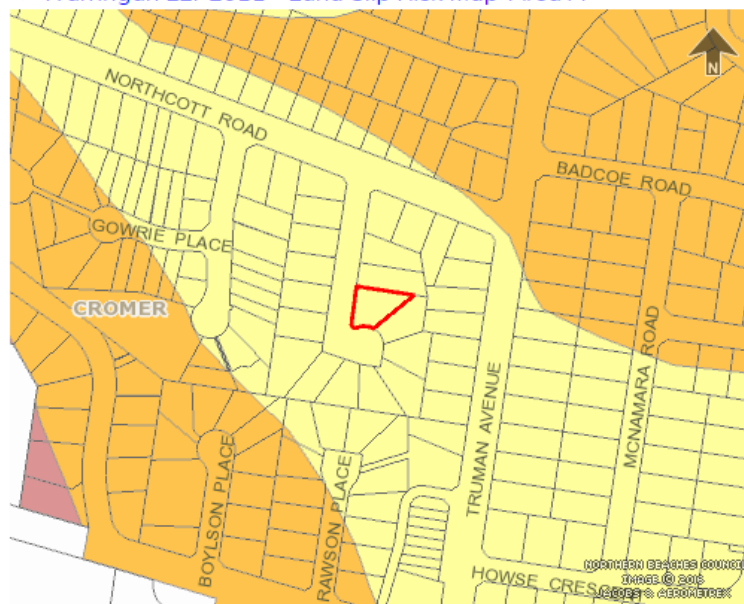
E9 Coastline Hazard

Not applicable

E10 Landslip Risk

The property is identified as being located in Landslip area A and under the WDCP requirements, land identified as being in Area A is under the discretion of the council for a preliminary assessment. A preliminary geotechnical assessment has been undertaken by Whites Geotechnical group and is accompanying this submission.

Warringah LEP2011 - Land Slip Risk Map-Area A



WARRINGAH LANDSLIP RISK MAP

- Area A - Slope less than 5 degrees
- Area B - Flanking Slopes from 5 to 25 degrees
- Area C - Slopes more than 25 degrees
- Area D - Collaroy Plateau Area Flanking Slopes 5 to 15 degrees
- Area E - Collaroy Plateau Area Slopes more than 15 degrees

E11 Flood Prone Land

The property is not affected by any of Council's flood zoning maps. The property is not flood affected.



## CONCLUSION

The proposal is consistent with the zoning and zone objectives. The proposal is satisfactory in consideration of the design principles prescribed under the DCP and in the main relates to improving the quality of living space on-site. The proposed development complies with the wall height control. The proposed breach to the building envelope and building height control is reasonable pursuant to clause 4.6 of the WLEP.

The applicant has specifically sought to provide a development with a high quality design, which reflects contemporary planning and design initiatives. A site-specific design has been developed.

The proposed development provides for an improved level of amenity for the residents. The proposal has been designed to enhance the appearance of the dwelling without compromising the amenity of adjoining residents. The proposed development is respectful of the amenity of neighbouring properties and will not give rise to adverse overshadowing or privacy impacts in the context of site circumstances. The proposal is reasonable pursuant to the provisions of the LEP/DCP.

In view of the above, the proposed development is appropriate and Council approval is recommended