

Statement of Environmental Effects



Construction of a Swimming Pool to an Existing Single Storey House.

82 Bynya Road Palm Beach NSW 2108

Project Ref: 190701

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1.0 Introduction

1.1 Terms of Reference

This document comprises a Statement of Environmental Effects to accompany an application for the construction of a swimming pool to an existing single Storey house at 82 Bynya Rd, Palm Beach NSW 2108.

1.2 Report Aims

The aim of this report is:

- To provide an assessment context by describing key elements of; (a) the site; (b) the surrounding local environment; and (c) existing planning controls.
- To describe the proposal; and
- To assess the potential impacts and environmental effects of the proposed development of the subject site.

1.3 Site Analysis

The design process has identified key features of the site and its immediate surroundings. The submitted Site Plan shows graphically the slope of the land by RL's and contours and various other relevant features on the subject site. Proposed location of the extension, existing vegetation and property boundaries are also indicated. Adjoining properties and dwellings together with their window placements are shown in relation to the subject site. Services such as power poles, driveways, kerb and gutter, street trees and survey marks are indicated.

2.0 Subject Site

2.1 *Figures of the subject site and surrounding*

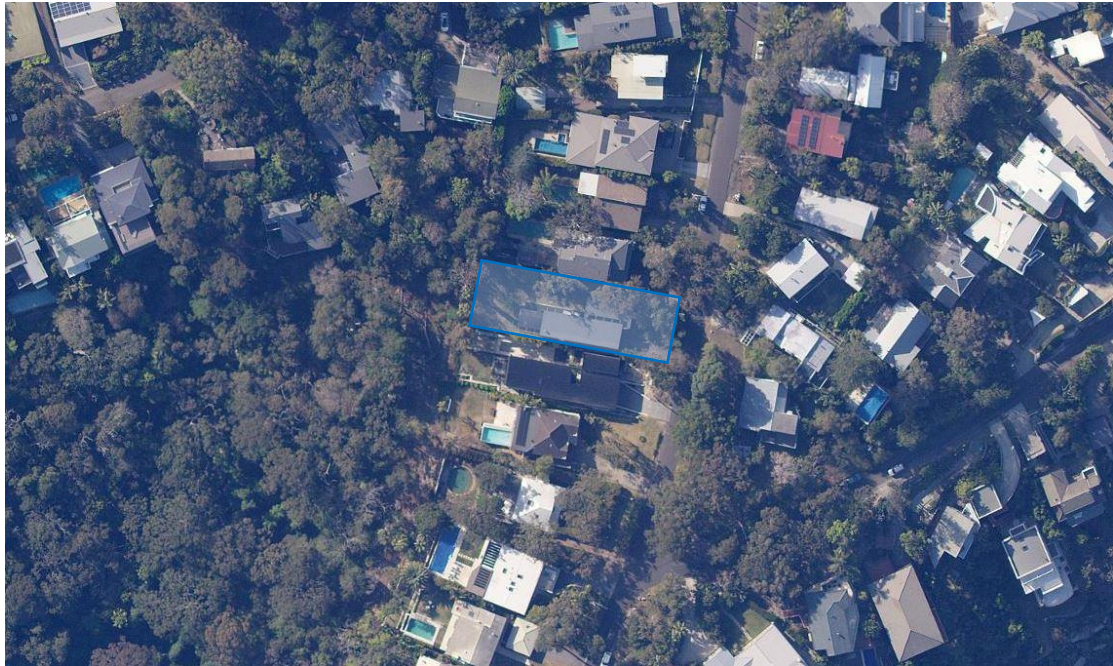


Figure 1 The Site

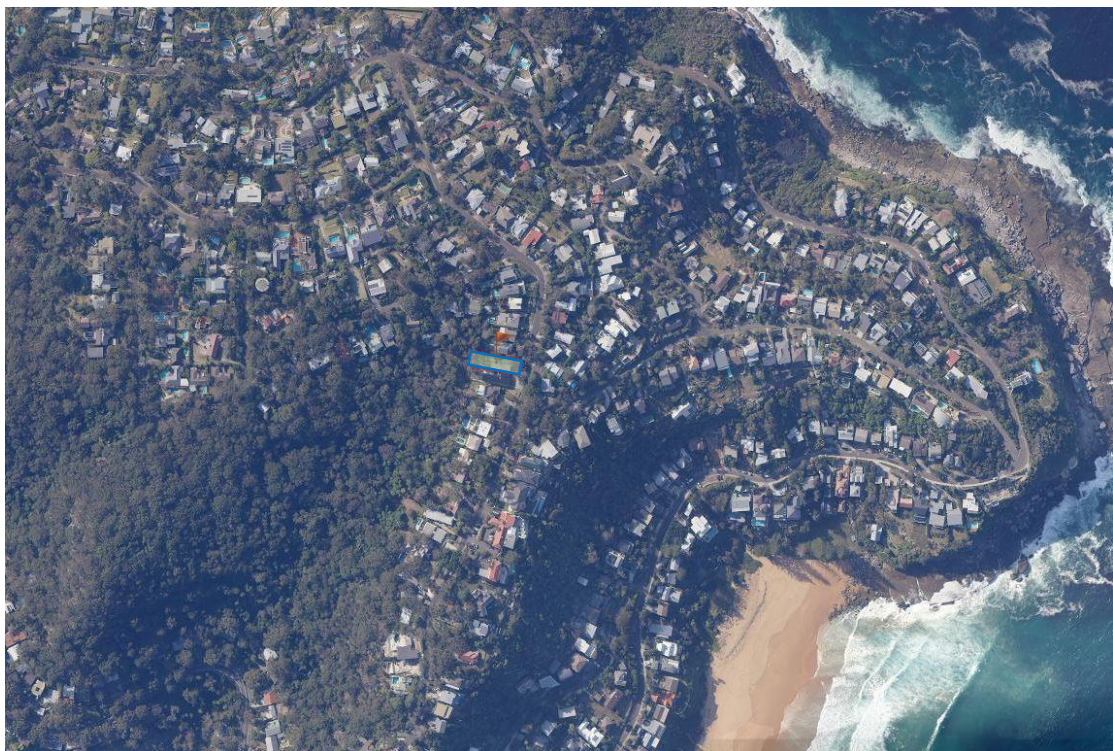


Figure 2 Aerial Context

2.2 Site Description and Location

The subject property is a block of 739.80 m² with a predominant East to West Orientation. The site is generally rectangular having a frontage and address to Bynya Road of 15.37 metres, depth of approximately 48.77 metres.

The design has considered both the needs of the owner and statutory of the Northern Beaches Council.

2.3 Legal Description

The subject site is known as Lot 41, DP 14630 No. 82 Bynya Rd, Palm Beach.

2.3.1 Improvements and Current Use on the Subject Site

The property is occupied by a beautiful existing steel, timber & glass constructed house. The house is designed with a open plan which is further enhanced through connecting to its surrounding context. Its prominent glazed openings allow significant presence of natural light and ventilation.

2.3.2 Vegetation and Topography

The subject site has a significant slope of 3 meters from the North-Easterly corner of the site to the South-Westerly Corner. The Land is on a heavily vegetated site and is also Zoned E4- Environmental Living.

2.3.3 Drainage and Utilities

Water, Electricity and Sewer are all available for the street and will be connected to the proposed works.

3.0 Proposed Development

The proposed development has been designed by MM Design Studio and comprises of a swimming pool addition to an existing steel, timber and glass constructed single storey dwelling with a lower level. The pool extends across the existing timber constructed deck allowing the pool to be viewed from the inside.

As the subject site is located on a BAL-FZ zone the proposed works of the pool will be constructed in order to retain and maintain all fire precautions to comply with Section 9 Bal-FZ of AS 3959-2009. The decking of the pool is to be constructed using steel framing with fibre cement panels with no gaps in between to comply with AS 1530.8.2.

The fibre cement panels selected will be of a timber look to match the existing deck extension to maintain the existing characteristic of the house. The edge of the pool is to be finished with a natural stone finish.

4.0 Statutory Planning Framework

4.1 Pittwater Local Environmental Plan 2014

4.1.1 Zoning

Zone E4 Environmental Living

Objectives

- *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 provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors*

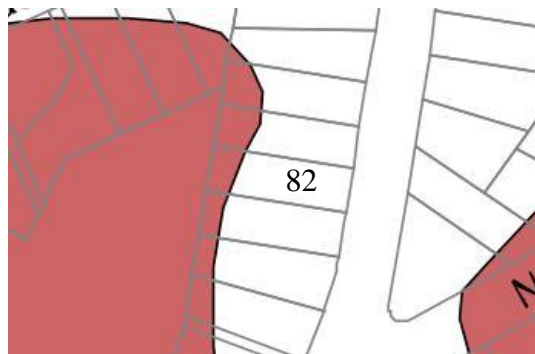
Proposal	Comply
The proposed works are of low impact and are designed to keep and maintain the existing dwelling and its surrounding context. The pool extends from the existing decking using a similar finish.	Yes

4.1.2 Geotechnical Hazards

Clause 7.7: Geotechnical hazards

Objectives

- (1) *The objectives of this clause are to ensure that development on land susceptible to geotechnical hazards:*
- (a) *matches the underlying geotechnical conditions of the land, and*
 - (b) *is restricted on unsuitable land, and*
 - (c) *does not endanger life or property.*



Proposal	Comply
The subject site is situated on a Geotechnical Hazard H1 on the Geotechnical Hazard Map. The proposed works on the subject site seem to be significantly distant from the marked areas indicated on the map as they are towards the rear boundary.	Yes

4.1.3 Biodiversity

Objectives

The objective of this clause is to maintain terrestrial, riparian and aquatic biodiversity by:

- (a) protecting native fauna and flora, and*
- (b) protecting the ecological processes necessary for their continued existence, and*
- (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*

Proposal	Comply
The proposed works have a very minor impact on the subjects site landscape as it is only a pool addition. The existing house remains the same and all landscape controls are still being maintained.	Yes

4.1.4 Heritage Conservation

Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Pittwater,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

Proposal	Comply
The subject site of 82 Bynya Rd Palm Beach is not associated to be a heritage Item or contains any heritage items.	Yes

4.2 Pittwater 21 Development Control Plan

4.2.1 Palm Beach Locality

Desired Characteristic

A4.12 Palm Beach Locality

The Palm Beach locality will remain primarily a low-density residential area with dwelling houses in maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape. Secondary dwellings can be established in conjunction with another dwelling to encourage additional opportunities for more compact and affordable housing with minimal environmental impact in appropriate locations. Any dual occupancy dwellings will be located on the lowlands and lower slopes that have less tree canopy coverage, species and habitat diversity and fewer other constraints to development. Any medium density housing will be located within and around commercial centres, public transport and community facilities. Retail, community and recreational facilities will serve the community.

Future development is to be located so as to be supported by adequate infrastructure, including roads, water and sewerage facilities, and public transport.

Future development will maintain a building height limit below the tree canopy and minimise bulk and scale whilst ensuring that future development respects the horizontal massing of the existing built form. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Development on slopes will be stepped down or along the slope to integrate with the landform and landscape, and minimise site disturbance. Development will be designed to be safe from hazards.

The design, scale and treatment of future development within the commercial centres will reflect a 'seaside-village' character through building design, signage and landscaping, and will reflect principles of good urban design. Landscaping will be incorporated into building design. Outdoor cafe seating will be encouraged.

A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and enhanced to assist development blending into the natural environment, to provide feed trees and undergrowth for koalas and other animals, and to enhance wildlife corridors.

Heritage items and conservation areas indicative of the Guringai Aboriginal people and of early settlement in the locality will be conserved.

Vehicular, pedestrian and cycle access within and through the locality will be maintained and upgraded. The design and construction of roads will manage local traffic needs, minimise harm to people and fauna, and facilitate co-location of services and utilities.

4.2.2 - B3.2 Bushfire Hazard

Objectives

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (Ec)

Controls

All development is to be designed and constructed so as to manage risk due to the effects of bushfire throughout the life of the development.

Proposal	Comply
The subject site of 82 Bynya Road Palm Beach is located on a BAL-FZ zone. All proposed works of the pool will be constructed in order to maintain all fire precautions to comply with Section 9 Bal-FZ of AS 3959-2009. The decking of the pool is to be constructed using steel framing with fibre cement - timber look panels with no gaps in between to comply with AS 1530.8.2.	Yes

4.2.3 - C1.1 Landscaping

Objectives

A built form softened and complemented by landscaping. (En)

Landscaping reflects the scale and form of development. (En)

Retention of canopy trees by encouraging the use of pier and beam footings. (En)

Development results in retention of existing native vegetation. (En)

Landscaping results in the long-term retention of Pittwater's locally native tree canopy. (En)

Landscaping retains and enhances Pittwater's biodiversity by using locally native plant species (En)

Landscaping enhances habitat and amenity value. (En, S)

Landscaping results in reduced risk of landslip. (En, Ec)

Landscaping results in low watering requirement. (En)

Controls

All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species. Species selection and area of landscape to be locally native species is determined by extent of existing native vegetation and presence of an Endangered Ecological Community. Note if the land is within an Endangered Ecological Community there will be a Development Control specifically covering the requirements for Landscaping in an Endangered Ecological Community.

In all development a range of low-lying shrubs, medium-high shrubs and canopy trees shall be retained or provided to soften the built form.

At least 2 canopy trees in the front yard and 1 canopy tree in the rear yard are to be provided on site. Where there are existing canopy trees, but no natural tree regeneration, tree species are to be planted to ensure that the canopy is retained over the long-term. Where there are no canopy trees the trees to be planted are to be of sufficient scale to immediately add to the tree canopy of Pittwater and soften the built form.

Each tree planted is to have a minimum area of 3 metres x 3 metres and a minimum 8m³ within this area to ensure growth is not restricted

Proposal	Comply
The proposed swimming pool addition is of low impact and has a minor impact on the existing landscape. Landscape is still being retained and all compliance is still being met as the pool decking adds sufficient use of private open space along with the landform.	Yes

4.2.4 - C1.7 Private Open Space

Objectives

Dwellings are provided with a private, usable and well-located area of private open space for the use and enjoyment of the occupants. (S)

Private open space is integrated with, and directly accessible from, the living areas of dwellings. (S)

Private open space receives sufficient solar access and privacy. (En, S)

Controls

Minimum 80m² of private open space per dwelling at ground level, with no dimension less than 3 metres. No more than 75% of this private open space is to be provided in the front yard.

Within the private open space area, a minimum principal area of 16m² with a minimum dimension of 4m and grade no steeper than 1 in 20 (5%).

Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas.

Private open space areas are to have good solar orientation (i.e. orientated to the north-east or north-west where possible). Where site or slope constraints limit optimisation of orientation, the private open space area must have access to some direct sunlight throughout the year (see Solar Access). Private open space should be located to the rear of the dwelling to maximise privacy for occupants.

Proposal	Comply
The swimming pool addition creates better use of private open space as it utilises the existing area as a place for leisure for residents to sit and relax by the pool. The proposal is situated in an ideal location as it makes use of the northern sun.	Yes

4.2.5 - C1.17 Swimming Pool Safety

Objectives

The promotion of personal safety. (S)

Compliance with Swimming Pools Act 1992 and Regulations (En, S)

Controls

Swimming pool fencing and warning notices (resuscitation chart) shall be manufactured, designed, constructed, located and maintained in accordance with the [Swimming Pools Act 1992 and regulations](#). The fencing and warning notices (resuscitation chart) shall be permanent structures.

Proposal	Comply
The proposed swimming pool is designed in compliance of the Swimming Pools Act 1992 and regulation associated to them. The pool contains a 1.2m fence to comply with AS 1926.1-2007. The pool is to also contain a gate with self-closing & latching devices covered by an approved shield.	Yes

4.2.6 - D12.3 Building Colours and Materials

Objectives

Achieve the desired future character of the Locality.

The development enhances the visual quality and identity of the streetscape. (S)

To provide attractive building facades which establish identity and contribute to the streetscape.

To ensure building colours and materials compliments and enhances the visual character its location with the natural landscapes of Pittwater.

The colours and materials of the development harmonise with the natural environment.(En, S)

The visual prominence of the development is minimised. (S)

Damage to existing native vegetation and habitat is minimised. (En)

Controls

External colours and materials shall be dark and earthy tones as shown below:



Proposal	Comply
The proposed swimming pool addition maintains the existing desired characteristic of the locality. The building colours and materials used enhance the existing site context through its connection to the site. The extended decking is of timber look - fibre cement panels which will match the present timber decking. The retaining wall along the edge will include a natural stone finish. The timber used is of a dark brown which complies with council regulations.	Yes

4.2.7 - D12.6 Side and Rear Building line

Objectives

To achieve the desired future character of the Locality. (S)

The bulk and scale of the built form is minimised. (En, S)

Equitable preservation of views and vistas to and/or from public/private places. (S)

To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.

To ensure a reasonable level of privacy, amenity and solar access is provided within the development site and maintained to residential properties. (En, S)

Substantial landscaping, a mature tree canopy and an attractive streetscape. (En, S)

Flexibility in the siting of buildings and access. (En, S)

Vegetation is retained and enhanced to visually reduce the built form. (En)

To ensure a landscaped buffer between commercial and residential zones is established

Controls

Land	Side & Rear Building Line Setback (metres)
Land zoned R2 Low Density Residential or E4 Environmental Living	2.5 to at least one side; 1.0 for other side 6.5 (rear) unless Foreshore Building Line applies <u>Dual Occupancy:</u> 2.5 to at least one side; 1.0 for other side 6.5 (rear) unless Foreshore Building Line applies <u>Residential flat buildings and multi dwelling housing:</u> see below

Variations

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and*
- Council is satisfied that the adjoining properties will not be adversely affected, and*
- the pool or spa is not more than 1 metre above ground level (existing), and*
- that the outcomes of this clause are achieved without strict adherence to the standards, and*
- where the site constraints make strict adherence to the setback impractical, and*
- where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.*

Proposal	Comply
Side Setback = 1705 mm	Yes

4.2.8 - D12.10 Landscape Area – Environmentally Sensitive Land

Objectives

Achieve the desired future character of the Locality. (S)
The bulk and scale of the built form is minimised. (En, S)
A reasonable level of amenity and solar access is provided and maintained. (En, S)
Vegetation is retained and enhanced to visually reduce the built form. (En)
Conservation of natural vegetation and biodiversity. (En)
Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. (En)
To preserve and enhance the rural and bushland character of the area. (En, S)
Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.(En, S)

Controls

The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.

The use of porous materials and finishes is encouraged where appropriate.

Any alterations or additions to an existing dwelling shall provide a minimum 60% of the site area as landscaped area.

Variations

Provided the outcomes of this control are achieved, the following may be permitted on the landscaped proportion of the site:

- 1. impervious areas less than 1 metre in width (e.g. pathways and the like);*
- 2. for single dwellings on land zoned R2 Low Density Residential or E4 Environmental Living, up to 6% of the total site area may be provided as impervious landscape treatments providing these areas are for outdoor recreational purposes only (e.g. roofed or unroofed pergolas, paved private open space, patios, pathways and uncovered decks no higher than 1 metre above ground level (existing)).*

Proposal		Comply
SITE AREA	739.80 m ²	Yes
REQUIREMENT	60% 443.88 m ²	
LANDSCAPED AREA	410.30 m ²	
IMPERIOUS LANDSCAPE (6%)	44.38 m ²	
OVERALL LANDSCAPE	61.46 % 454.70 m ²	

4.2.9 - D12.13 Construction, Retaining walls, Terracing and undercroft areas

Objectives

To achieve the desired future character of the Locality.
To protect and minimise disturbance to natural landforms.
To encourage building design to respond sensitively to natural topography

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas.

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Undercroft areas shall be limited to a maximum height of 3.5 metres. Adequate landscaping shall be provided to screen undercroft areas.

Where retaining walls (for vehicular access) have been erected on the eastern side of Barrenjoey Road, a consistent treatment needs to be adopted (e.g., cement blocks or sandstone walling), to help lessen the impact of these walls. The area between the wall and the road shall be suitably landscaped to help screen it from view without limiting site lines to the street.

Where guardrails have been erected around carparking or roof top structures on the western side of Barrenjoey Road, these should be painted green or brown, with reflector strips used to delineate the edges at night.

Proposal	Comply
The proposed decking is to be constructed using steel framing with pier and beam footings. The decking itself is to be constructed with timber look fibre cement slates to match the existing appearance of the dwelling. The retaining wall on the edge of the swimming pool is constructed with a natural stone finish to also match the existing natural landform.	Yes

5.0 Construction Activities

Regarding the proposed construction works, it is anticipated these would extend over period of approximately 1-2 months. Construction activities would be limited to the normal hours and days stipulated by Council. The equipment machinery used in the construction works will comply with relevant Australian Standards regarding noise emissions.

6.0 Conclusion

The proposed development has been designed to meet all of the objectives and requirements of the planning instruments, codes and guidelines. This, we believe has been achieved both in spirit and intent. The proposed development when completed will positively contribute to the existing built form of the locality without compromising the amenity of adjoining properties, particularly in relation to visual and aural privacy. The proposal is compatible with Council's planning objectives and controls for the site, and the locality. Accordingly, in the circumstances of the case, given a lack of detrimental impacts, the proposal is considered appropriate and is submitted to Council for favourable consideration subject to appropriate conditions.