

# STATEMENT OF ENVIRONMENTAL EFFECTS

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## PROPOSED DEVELOPMENT

Proposed construction of a swimming pool, landscaping and associated decking to the northern side of approved CDC for alterations and additions of an existing dwelling.

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## SUBJECT PREMISES

75 Parkes Road, Collaroy Plateau NSW 2097

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## OWNERS

Mr M Blake & Ms M Green

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## COUNCIL

Northern Beaches Council

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## DATE

13/09/2021

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The development site is known as 75 Parkes Road, Collaroy Plateau and is located on the eastern side of Parkes Road. The site is a residential allotment of 929.5sqm, which is currently developed by a split-level dwelling. The site has a gradient to the front, the construction of the pool does not involve the removal trees, or vegetation. Access to the construction site is via front of property at 75 Parkes Road Collaroy Plateau.

Front boundary	12.19m
Rear boundary	31.57m
North western boundary	56.45m
South eastern boundary	46.11m
Site Area (approx)	929.5m2 (approx)

Locality Map



## 2.0

## PROPOSED DEVELOPMENT

The proposal is for a semi above ground swimming pool, decking and associated landscaping. The swimming pool will be installed on a sloping allotment and will have a surrounding raised concourse area involving a maximum elevation of 1200mm from NGL. The pool has been sited to provide minimum site disturbance due to sandstone rock on site.

The proposed building works is separate to the existing residence and complements the approved CDC for the alterations and addition built and natural elements of the area and is consistent with the dominant design themes of the existing residence and locality.

The proposed shall not impact upon the privacy currently enjoyed by adjoining properties. The pool will be separated from the dwelling by an isolation fence. The fence and barriers to the pool will comply with the Swimming Pools Act 1992 & Regulations and are to be constructed in accordance with AS 1926.1-1993 "Fencing for Swimming Pools".

The proposal will not require the removal of any significant vegetation to accommodate the new works.

## 3.0

## ASSESSMENT CRITERIA

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan(DCP)*

## 3.1

## WDCP

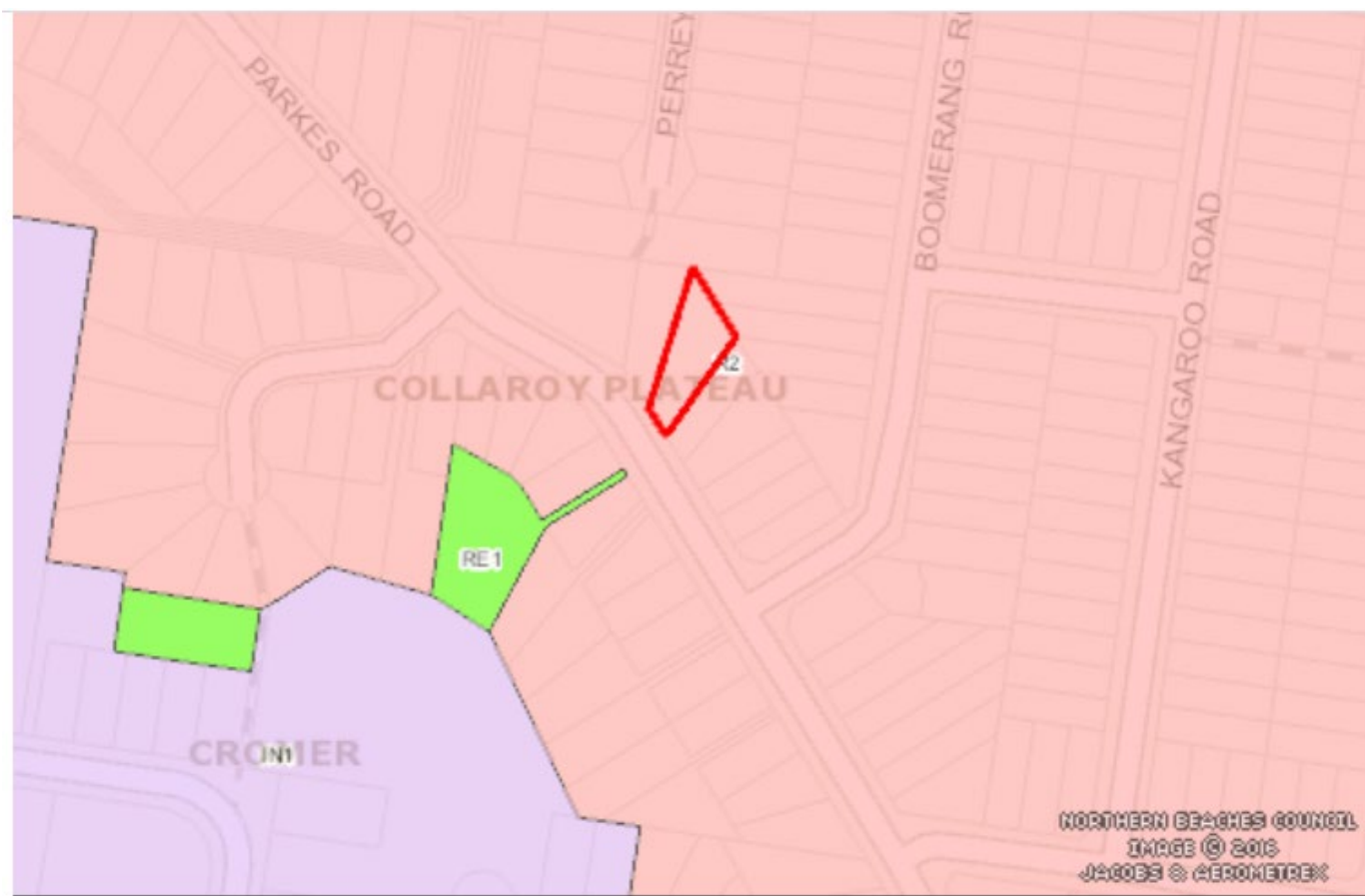
The premises are situated in area zoned R2 Low density Residential and an inground swimming pool, decking and landscaping associated with a dwelling house is permissible in this zoning, with Council consent.

Compliance with DCP is summarised in the following: -

DCP Requirements	Proposal	Compliance
Front Setback	Pools are not to be located in the front building setback.	Yes
Minimum Landscaped area 40%	Proposed landscaped area 510.4sqm (54.9%)	Yes
Side setback 0.9m	1m	Yes

The DCP has outlined the site is not considered to be a heritage item or to impact upon an item of Heritage significance.

Fig: Extract of Warringah Local Environmental Plan 2011 – Land Zoning Map



# **WARRINGAH LAND ZONING MAP**

Neighbourhood Centre	Light Industrial
Local Centre	Low Density Residential
Commercial Core	Medium Density Residential
Mixed Use	Public Recreation
Business Development	Private Recreation
Business Park	Primary Production Small Lots
National Parks and Nature Reserves	Special Activities
Environmental Conservation	Infrastructure
Environmental Management	Natural Waterways
Environmental Living	Deferred matter
General Industrial	



## Warringah Local Environmental Plan 2011

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

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provides 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.*

It is considered that the proposed new swimming pool will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing detached style housing within the locality.
- The proposed development respects the scale and form of other new development in the vicinity and therefore compliments the locality.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any significant impact on the existing landscaped area or long distance views.

**Clause 6.4** relates to development on sloping land. The site is noted on Council's Landslip Risk Map as being within Area D of Warringah LEP 2011-Landslip .

- Sloping between 5-15 degrees. Good engineering and building practices will be followed in the earthworks and development of the proposed pool.

The proposal will therefore satisfy the provisions of this clause.

In application we also reference adherence to the DCP as follows:

Part B - Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 7.2m	N/A	N/A
B2 – Number of storeys	No requirement identified on map	N/A	N/A

B3 – Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m	N/A	N/A
B4 – Site Coverage	No requirement identified on map	N/A	N/A
B5 – Side Boundary setbacks	R2 zoned land 0.9m	Side set back meets the requirement at 1m from side boundary.	Yes
B6 – Merit assessment of Side Boundary Setbacks	No requirement identified on map		N/A
B7 – Front Boundary Setbacks	Minimum 6.5m	Pool will be 9.6m from setback as per plan.	Yes
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9 – Rear Boundary Setbacks	Min 6m rear setback	The pool meets this requirement.	Yes
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
B13 – Coastal Cliffs Setback	No requirement identified on map		N/A

B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A

Part C – Siting Factors			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	The existing vehicle cross will be maintained.	Yes
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Existing parking unchanged.	Yes
C4 – Stormwater	Minor Developments and Minor Works Specification	Existing stormwater diverted into stormwater easement and into road verge.	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	Erosion and sediment control measures to be provided, as detailed in the Sediment Control Plan sheet 2 of 8 of Approved Architectural Plans CDC-0177122.	Yes
C6 – Building over or adjacent to Constructed Council Drainage Easements	All development on land containing or adjacent to or proposing to reconstruct/relocate a public <u>drainage</u> system must comply with Council's Water Management Policy and Building Over or Adjacent to Constructed Council Drainage Systems and	The building is not adjacent to or constructed over any council drainage easements.	Yes

	Easements technical specifications.		
C7 – Excavation and Landfill	Site stability to be maintained		Yes
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed	Yes
C9 – Waste Management	Waste storage area to be provided	Bins storage available next to existing driveway. Additional bins for any additional waste are also available on site.	Yes
<b>Part D – Design</b>			
D1 – Landscaped Open Space and Bushland	Min 40% Landscaped Area to be maintained	The proposal will maintain a landscaped area of 510.4sqm 54.9% of the site area and therefore complies with this control.	Yes
D2 – Private Open Space	Dwelling houses with three or more bedrooms Min 60m <sup>2</sup> with min dimension 5m	The existing private open space is retained and enhanced through the introduction of the proposed swimming pool.	Yes
D3 – Noise	Compliance with NSW Industrial Noise Policy Requirements	The pool filter will be contained within an acoustic enclosure to reduce nuisance.	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	Dwellings to be orientated to receive northern sun	The site enjoys good access to north western sun to the front and rear yards.	Yes



D6 – Access to sunlight	N/A – low level of proposed works will not have any effect on the solar access enjoyed by the neighbouring dwellings	This proposal meets this requirement as no sunlight will be affected to neighbouring properties.	Yes
D8 – Privacy	<p>The pool is located in the front yard of the site and the existing privacy enjoyed by the neighbours will be maintained.</p> <p>The existing perimeter screening will minimise opportunities for overlook to adjoining neighbours.</p>	This clause specifies that development is not to cause unreasonable overlooking of habitable rooms and principle private open space of adjoining properties proposed pool and screening will retain a suitable level of privacy between the properties.	Yes

D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the street or surrounding spaces	The existing surrounding development comprises a mix of one and two storey dwellings. The proposed pool and deck is modest in height and scale.	Yes
D10 – Building Colours and materials		The pool and decking will be provided with neutral and finishes to respect the surrounding residential locality.	Yes
D11 – Roofs	The LEP requires that roofs should not dominate the local skyline.	N/A	N/A
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	<p>The proposed finishes and colours will be selected to reflect the surrounding residential locality.</p> <p>No significant glare impacts will result from proposed new works.</p>	Yes

D13 – Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street.	N/A – no new front fencing proposed	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have	Bin storage area is available adjacent to the garage.	Yes
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	The existing side and rear fencing will be maintained.	N/A
D16 – Swimming Pools and Spa Pools	Pools are not to be located in the front building setback. Siting to have regard for neighbouring trees.	Proposed swimming pool is located within the front yard, but is 9.6m from the boundary, so not within the front building setback. No trees are in the area.	Yes
D17 – Tennis Courts	N/A		N/A
D18 – Accessibility	Safe and secure access for persons with a disability to be provided where required	Not applicable to residential development	N/A
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the street is available from the dwelling to the street.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	The pool is compliant to SEPP BASIX and does not require a BASIX certificate as is less than 40,000 litres.	Yes

D23 – Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	No signage proposed	N/A
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Part E – The Natural Environment			
E1 – Private Property Tree Management		No significant protected trees are affected by the works.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 – Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area D.		Yes
E11 – Flood Prone Land	Not identified on map		N/A

**Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979**

**The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. It is considered that the provisions of these environmental planning instruments have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

**Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and**

It is not considered that there are any draft environmental planning instruments applying to the site.

**Any development control plan**

The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.

It is considered that the proposed design respects the aims and objectives of the DCP.

The development respects the streetscape character objectives of the DCP and will provide a cohesive and sympathetic addition to the site which will make a positive contribution to the area.

**Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4**

No matters of relevance are raised in regard to the proposed development.

**The regulations (to the extent that they prescribe matters for the purposes of this paragraph),**

No matters of relevance are raised in regard to the proposed development.

**The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the proposal, which seeks consent for the proposed construction of a new swimming pool, which has been located and designed to appropriately minimise impacts on the amenity of adjoining properties and are compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard for the relevant provisions of the SEPP, Council's LEP and DCP.

**The suitability of the site for the development**

The site is considered suitable for the proposed development.

The proposal will provide for the construction of a new swimming pool and decking.

It is suggested that the proposal will not have a detrimental impact on the amenity of the adjoining properties or any impact on the streetscape.

### **3.2**

### **SUBMISSIONS**

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The neighboring properties have been advised of the development proposal in accordance with Council's Notification Policy. Should objections be received it is hoped Council will enable mediation to occur in order to resolve any issues.

### **3.3**

### **PUBLIC INTEREST**

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The proposal will not impact upon the environment or the character of the locality and the considered location of habitable room windows and decks will mitigate any unreasonable visual impacts on the amenity of adjoining properties and is therefore considered to be within the public interest.

### **4.0**

### **CONCLUSION**

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The pool and deck is ancillary to a dwelling and for private use only. It is to the Northern Side of the existing dwelling and shall not impact upon streetscape. The pool shall be fenced in accordance with the provisions of the *Swimming Pools Act 1992*.

The minor size and scale of the development compliments the existing character of the area and achieves the desired future character of the locality without having an adverse impact on the amenity, privacy and existing levels of solar access currently enjoyed by the neighboring properties.