

17 December 2019

STATEMENT OF ENVIRONMENTAL EFFECTS
PROPOSED SWIMMING POOL, DECKING, AND ASSOCIATED
WORKS
JENNEFER AND CAMERON LAIRD
25 WORROBIL STREET, NORTH BALGOWLAH 2093
LOT 142 DP 11936

Introduction

This statement of environmental effects is to accompany a development application for the construction of a residential swimming pool, decking, and associated works at 25 Worrobil Street, North Balgowlah. 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:

Warringah Local Environmental Plan 2011
Warringah Development Control Plan 2011
Environmental Planning & Assessment Act, 2000

Accompanying Documentation

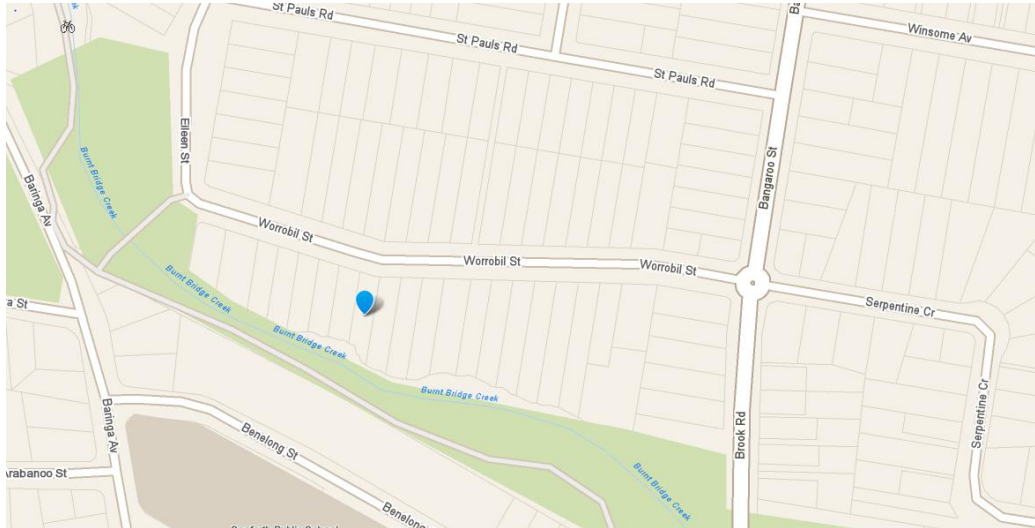
Right Angle Design and Drafting P1	-site plan/site analysis
Right Angle Design and Drafting P2	-plan at pool
Right Angle Design and Drafting P3	-pool plan and sections
Right Angle Design and Drafting P4	-environmental site management plan
Urban Garden	-landscape plan and planting
Total Surveying Solutions	-AHD survey
Northern Beaches Council	-flood information report
ACCON Engineers	-flood assessment report

EXISTING

The site area is approximately 516.1 square metres and is rectangular in shape, with a small triangular portion on the rear southern side. The front boundary is 9.855m, the rear boundary is 11.8m, the eastern side is 48.9, and the western side is 38.0m in length. The property is located on the southern side of Worrobil Street. The road is a narrow residential street positioned between Brook Road and Eileen Street. To the rear of the site lies Burnt Bridge Creek.

There is an existing single-family residence located on the middle of the site though this residence is to be removed and replaced with a new family home. With the exception of the front access driveway and paving, the rear alfresco, and

paving down the side of the residence, all other areas on site are soft surface with the remainder of the large rear yard is all grassed areas and garden.



Location of 25 Worrobil Street, North Balgowlah

The new residence has been designed with excellent stormwater functionality though the site does have the capacity to flow to the creek at the rear as there is a gradual slope to the site from the front to the rear. The properties to either side are similarly situated. This positioning helps ensure that the open space receives good light and is not overshadowed by neighbouring structures. The east/west aspect is a bonus on these sites. The neighbouring residences to the north are at a similar or higher elevation.

There are no known easements imposed on the property. There is a substantial front setback and a reasonably large Council verge on the front of the property.

EXISTING STREETScape

The street, Worrobil Street, is a small residential street that runs from Brook Road to Eileen Street and is almost completely single-family homes. To the rear of the site lies Burnt Bridge Creek. With the land all sloping to the rear, there are no views except out across the Creek.

The properties to the side boundaries are similarly positioned. There are no nearby heritage or conservation listed properties. 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 any acid sulfate soil zone. The proposal will not be widely viewed by the public, only the residents on the Street will know that it is there as the work will not be visible from the street. The pool should not be visible from the Reserve as it is at a low level, the property has a rear fence, and the proposal is around ground level.

The property is located in the following zones:
Residential zone R2 Low Residential of the LEP 2011
Landslip Risk Area B
Riparian Land and flood affected land

As the property is located within Council's Landslip Area B sloping land geotech region, a full Geotech report has been supplied with this application. The report was prepared for the proposed residence and should cover all concerns of Council. The property, located within the Council's flood affected lands and Riparian Zone, also has an accompanying report detailing both zonings. All zonings are fully addressed in this statement. A Northern Beaches Flood Information Request accompanies this application.



Please note the large number of pools in the area. All are located within the flood zoning locality, many are out of ground or partially out of ground.

PROPOSAL

This development proposal seeks approval for the following:

New rear yard concrete swimming pool, new decking, and associated works
There will be no change to the existing dwelling or to the existing front yard landscaping. The proposal is to create a new concrete swimming pool in the rear section of the site for the recreational use of the owners and their family. With the open level space provided to the rear, there should be no concerns constructing a

pool in the rear yard of the property. The excellent setbacks to neighbouring residences, existing fencing and screening, as well as there being no sight line or shadow concerns, make the rear yard an excellent position to place a pool. The position of the pool is not only cost effective for the owners, but actually should have the least impact on any of the neighbouring properties. Other residences on the Street have already received permission for swimming pools, spas, and outbuildings in similar locations. The neighbouring properties have had this proposal discussed with them, when possible, and to date there are no objections or concerns. There have been friendly discussions to ensure that the boundary fencing will continue to comply with the Pool Fencing Act as well.

The pool will be fully fenced and screened from the street and from neighbouring sites. It should not be visible to passerbys. There are no residences located to the rear as the land to the rear is Burnt Bridge Creek land and is classified as a Reserve, is located at a lower level, and is used as a natural drainage channel. The levels on both sides of the road and all surrounding residential properties are similar.

The proposed pool will be located over 7.3m to structure from the far rear boundary, over 6.1m from the western side boundary, and 1000mm to structure on the eastern side. All setbacks fully comply with Council's preferred setback distance. The position of the pool has been designed to ensure that there is excellent access to the rest of the rear yard and to ensure that pool fencing will not be affected with the location of the new residence.

Upgraded stormwater from the proposed new house should not be affected and continue to function as constructed. The new pool will not require a BASIX Certificate as the pool is under 40,000L, being approximately 35,300L, with an additional 4100L for the spa. No BASIX report accompanies this application. The swimming pool may also be used by the Rural Fire Service as a static water supply if there is ever the need. The location on site, away from the residence and accessible, should actually help with this as hoses will be able to supply from the pool quite easily. No substantial trees are required to be removed in conjunction with the development, though some existing low-level screen planting will be removed or repositioned. The pool position has been chosen to minimise impact on any trees on site. The large existing tree on site will be located over 5m from any excavation zone.

The small amount of proposed decking is requested to allow access from the residence down to the rear yard. This will allow for a set of stairs and safe access to the pool area.

The proposed position of the pool also ensures the maximum soft landscape ratio for the property. The proposal, due to the irregular shape of the site, does not meet Council's 40% soft surface requirements. The main reason for this is a large part of the soft surface on site is less than 2m in width. The site will have 27% soft surface when calculated at 2m in width or more. It is important to note that the proposed works will not increase hard surface on site as the owners will ensure that an equal amount of hard surface is removed. It is also important to note that an additional 74.4 sqm of the site is soft, just under 2m wide. The is approximately 13%. This puts the site at over 43% of the site being soft surface.

This soft ratio does not include the existing and proposed decking on site. All decking will be constructed above natural ground material. This will permit another 10% of the site to absorb rainwater and runoff. It is quite rare to find a property in the Northern Beaches that would have upwards of 53% permeable area. Please see the accompanying landscape calculation plan for defined landscape areas and percentages.

The southern side boundary fencing between the two neighbouring properties will be removed and replaced to ensure full compliance with the Pool Fencing Act. All other boundary fencing will be a maximum of 1.8m in height with internal pool fencing of 1.2m.

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.

LEP PART 4 PRINCIPLE 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.

WARRINGAH DCP

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 an area that will ensure that the development has been designed in response to the topography of the site. The location is both logical 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.

There are regulation setbacks to each side boundary ensuring planting and grassed areas will be maintained. Existing trees will remain as well. There are no changes to the side or front deep soil zones. The proposal will remain subtle, as all work on the boundary sides will be at ground level or have no walkable areas. The work will not be visually dominant. The proposed work should not be visible at all from Worrobyl Street.

The proposal maintains the DCP setbacks on all boundaries. There will be no encroachments on any setback. The side setbacks will be landscaped.

B7 Front Boundary Setbacks

The proposal will have no effect on this portion of the DCP as no work is proposed to the front of the residence. There will continue to be a visual continuity of pattern for all the buildings on the street. There will be no impact on view sharing and no neighbours will have a loss of light, airflow, or privacy.

B9 Rear Boundary Setbacks

All rear boundary setbacks will be complied with. The rear structures will not encroach on the 900mm setback from the boundary. All other proposed work will exceed this distance. 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 front yard will remain as is. The visual and scenic quality of the site and the surrounds will be greatly 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 all 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.

Part D Design

D1 Landscaped Open Space and Bushland Setting

The pool surface area is to be 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. The site will meet Council's required soft surface requirements if areas less than 2m in width are permitted to be counted. The location of the proposed pool has been positioned to ensure that any trees will not be impacted by the work.

The owners do an excellent job of maintaining a high level of garden on site and help maintain the native bushland to the rear of the property.

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. If the Council will include the area around the swimming pool, this number increases dramatically. The proposed location has the best 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

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. The owners would like to assure Council that the noise should be in regular hours of the day and will not be any different than 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 below the proposed alfresco. This position has been chosen to limit all impact on neighbours.

D6 Access to Sunlight

The proposed swimming pool location has been situated to maximise all light access. The pool, located on the south eastern side of the property will receive full sun throughout 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 near ground level, will not overshadow or affect any of the neighbouring properties sight lines or solar access. The pool is located on the lowest portion of the site.

D7 Views

This proposal will have no affect on the sharing of views. The design and position of the pool is innovative in its location and use of the site. The existing 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. The neighbours across Worrobil will likely not even realise that the proposal has been constructed and the side neighbours will have floor levels above the proposed pool level. No neighbour will be affected. The neighbouring properties have been contacted, where possible, about the proposal and to date there are no concerns about the work.

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

The existing front yard will remain as existing. There will be no visible gates from the street and the pool will be fully secured to the AS requirements. The fencing between the residence and the rear of the site will be replaced and upgraded where necessary.

D14 Site Facilities

The pool and surrounds will be of concrete and tile. There will be no structural elements that would prohibit building and none to encourage bushfire. The pool equipment will be hidden in a sound suppression enclosure and placed below the residential alfresco to minimise any impact on neighbours, both for sound and sight.

The site will have existing drainage upgraded as necessary. The property has excellent drainage as is. 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 existing rear yard will remain largely gardenised and grassed, all level, with excellent setbacks and screening from neighbours. The rear yard provides numerous positive reasons to locate a pool in this location. It is well away from neighbouring residences, it is at a low level in comparison to neighbouring residential floor levels, the natural topography lends itself to locating the pool in the proposed location, and it affords the proposal total solar access. The pool may also be used as a static water supply by the Rural NSW Bushfire Service.

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.

The proposal will fully comply with these requirements. The pool will be located partially out of ground due to the slope to the rear of the site but will not be visible from the street. The pool has been intentionally sighted to ensure that it has adequate setback from the rear and side boundaries as well as ensuring that the existing trees on site are not affected. The lower rear yard will provide excellent passive surveillance to the pool area from the residence, increasing the ability to provide a safe and secure environment. This is a major concern of Council as outlined in section D20.

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 at a level well below street level and all work is directly behind the existing residence on site. There will be proper pool fencing and screening provided as well. The position of the pool will allow for excellent visibility from the residence and the remainder of the rear yard outdoor area. Safety in the pool area is the number one concern for the owners. The pool will be a separate from the rest of the yard and from the house. Any windows that are required to be secured will be in accordance with AS 1926.1-2012 and the Swimming Pools Act 1992.

E10 Landslip Risk

The property is identified as being located in Landslip area B and requires a geotech report with this application. A full report that includes the proposed residence is included.

E11 Flood Prone Land

The property is located in a number of Council flood affected listings. The site is zoned as part of Warringah Riparian zone flood affected land. This zoning requires that the proposal address Part E11 of the DCP, Flood Prone Land. Using the required Council charts and zonings, it is determined that the pool falls under Matrix 1 part I1. The effects of Part I are that a pool should be located in-ground with a coping flush with natural ground level. If not possible to have the pool coping flush with natural ground level, it must be demonstrated that the development will result in no net loss of flood storage and no impact on flood conveyance on or from the site.

The proposed works are located partially out of ground level on all four corners due to the slope of the site. A full flood assessment report has been supplied by ACCON Engineering and the pool has been designed to ensure that there will be no effect on any overland flow, nor will it impact on any conveyance across the site.

All electrical equipment and chemicals associated with the pool will be stored above the Flood Planning Level.

Council's Flood Risk Management Policy also states that:

The objectives of this Policy are:

(a) To ensure a sustainable and holistic catchment wide approach is taken to development, of both private land uses and public facilities, on flood prone land;

(b) To increase public awareness of the hazard and extent of land affected by all potential floods, including floods greater than the 1% AEP flood;

- (c) To ensure the flood risk associated with development is minimised;
- (d) To manage the risk to life, damage to property and impacts on the natural environment caused by flooding and inundation by controlling development on flood prone land;
- (e) To ensure the development is compatible with the flood risk through the application of risk-based controls that take into account social, economic, ecological and design considerations;
- (f) To ensure that proposed development does not expose existing development to increased risks associated with flooding;
- (g) To ensure that effective development controls apply so that development is carried out in accordance with these objectives and the requirements of this policy;
- (h) To ensure that the preparation of flood related information required to be lodged under this Plan are carried out by *suitably qualified professionals* with appropriate expertise in the applicable areas of engineering.

All objectives of this policy will be complied with during construction to ensure the smallest impact on the site and neighbouring sites. Pools are permitted within this area, as a large number of existing pools in the area attest to. The proposed pool will be located at a level below all neighbouring floor levels and should not impact overland flow.

Rural Fire Service (RFS)

The Rural Fire Service is positive regarding a swimming pool being added to the property. The pool may be used as a static water supply by the RFS and is in a great location for tankers to be able to use the pool as a water source. Due to the sloped nature of the site and the surrounding properties, as well as the proximity to the parkland to the south, the pool is well situated to protect the property from bushfire as well as provide a firefighting source for all neighbouring properties.

1.5-Objectives

WARRINGAH DEVELOPMENT CONTROL PLAN

Site information & Building controls	Required	Supplied	Compliance with Controls Y/N	Comments
PART B BUILT FORM CONTROL				
B1. Max ceiling height above natural Ground level	7.2m ceiling	1.4	Y	
Max building height	8.5m walls	1.4	Y	
B2. Number of Storeys		2	Y	
B3. Side Boundary Envelope	4m at 45deg		Y	There is no change to the residential structure
B4. Site Coverage	60%	56%	Y	
B5. Side Boundary Setbacks	0.9m	1.0m	Y	There is no encroachment with pool structure to any side boundary
B6. Merit Assessment of Side Boundary	-	-	N/A	
B7. Front Boundary Setbacks	6.5m	6.5m	Y	All work behind building

B8. Merit assessment of Front Setbacks	-	-	N/A	
B9. Rear Boundary Setbacks	6m	7.3m	Y	As existing, no changes within 6m of the rear boundary Pool is permitted in rear setback
B10. Merit assessment of Rear Boundary Setbacks	-	-	N/A	
B11-Foreshore building Setbacks	-	-	N/A	
B12- National Park Setbacks.	-	-	N/A	
B13-Coastal Cliffs Setbacks	-	-	N/A	
B14-Main Road Setback	-	-	N/A	
B15-Min Floor to ceiling height	-	-	N/A	
PART C SITING FACTORS				
C1-Subdivision	-	-	N/A	
C2-Traffic, Access and Safety			Y	Vehicle access is off the main street.
C3-Parking Facilities		2	Y	Existing parking to remain
C4-Stormwater			Y	Stormwater to remain to residence as existing. The new pool will be designed to better accommodate the rainwater.
C5-Erosion & Sediment			Y	Refer sediment control plan
C6-Building over Council drainage easement			N/A	No easements associated with this property.
C7-Excavation and landfill			Y	
C8-Demolition & construction				A waste management plan will be carried out during the construction certificate.
C9-Waste Management				A waste management plan will be carried out during the construction certificate.
D1-Landscaped Open Space and Bushland Setting	40%	27% as existing or 43%	N for areas greater than 2m Y if including areas less than	The proposal will have the required soft surface areas if areas less than 2m in width permitted

			2m	
D2-Private Open Space	60 sq m	60+sq m	Y	
D3-Noise			N/A	
D8- Privacy			Y	
D12-Glare and reflection			Y	Paving will be muted in colour
D16-Swimming Pools and Spa Pools	Not in front setback		Y	
D22-Conservation of energy and water			Y	The development will comply with all conservation requirements of BASIX
PART E-THE NATURAL ENVIRONMENT				
E1-Tree management			Y	No trees to be removed
E2-Prescribed Vegetation			Y	Minimal site disturbance and additional planting is proposed
E6-Retaining Unique Environmental features			Y	There are no natural features on the property or nearby.
E10-Landslip Risk			Y	
E11-Flood Prone Land	Y	Y	Y	The proposed pool is permitted in this zoning

PRIVACY AND NOISE

The proposal has been designed to increase the usability of the site for the owners. The design has also taken into account the position of the house and property in relation to the neighbours and has been designed to try to maximise the privacy and views of the existing residences. Once construction is completed, there should be no further impact on privacy or noise to the adjoining properties.

SITE MANAGEMENT

There should be approximately 20 cubic metres of excavation required with this proposal. All material will be removed from site. A sediment control fence will be in place to contain any runoff during construction.

BUILDERS INTEGRITY

A specialist, licensed builder will be constructing the swimming pool. During the construction process utmost care and consideration will be taken to ensure the privacy and lifestyle of the neighbouring residences is uninterrupted.

OWNERS STATEMENT

The family living in this residence are owner occupiers. The house is the family home and the owners wish to make the property as inclusive as possible. The site should have all the amenities that other properties in Warringah are afforded. The

family is relatively young and enjoy outdoor living and an active lifestyle. The proposal should help encourage both. The swimming pool is not only a recreation area for the children, but a tool to help ensure that the family has the ability to swim as there are skills necessary in an Australian's life that the owners want to provide. The proximity to the coast for all Australians requires everyone to feel confident and secure in a water environment. The pool will provide this for the family as well as for friends and neighbours. The ability to have it at their own residence is a big plus as they can be assured of proper supervision. The belief is that with an excellent design, proper landscaping, and the utilization of a portion of the site that is underused, this proposal can help improve the streetscape.

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