



STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR A NEW SWIMMING POOL
(AT AN EXISTING DWELLING)**

**LOCATED AT
11 YULONG AVE, TERREY HILLS
Being Lot 61 in D.P. 1132191**

**On behalf of
Greg & Erris Mullins**

January 2022

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1. INTRODUCTION

This Statement of Environmental Effects accompanies the architectural plans prepared by Cadence & Co Design, Project H20-019, dated 21/12/21, sheets DA000-DA600. The proposal seeks approval for a new swimming pool, on the site identified as Lot 61 in D.P. 1132191 and known as 11 Yulong Ave, Terrey Hills.

For the purposes of this assessment the following documents were considered to be relevant to this proposal:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan 2011*

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against these controls set out by the Warringah Local Environmental Plan 2011 and the DCP.

As demonstrated in the Architectural Drawings, and as assessed in this statement, the manner in which the development of the site is proposed is considered to be acceptable and is worthy of the support of Council.

There is a current approved Development Application (DA2020/1773) and approved Construction Certificate on the site, for alterations and additions to an existing dwelling. The CC works are currently in a state of construction, and all images used in this report are of the site beforehand.

A BASIX certificate was not required for the application, because the volume of the pool is under 40,000L in capacity.

2. SITE DESCRIPTION

The subject allotment is described as 11 Yulong Ave, Terrey Hills, being Lot 61 in D.P. 1132191 and is zoned R2 Low Density Residential under the provisions of Warringah Local Environmental Plan 2011.

There are no identified hazards affecting this site.

The property is located on the Southern side of Yulong Ave.

The site is irregular in shape and has a total area of 733.6m². The site has a kink street frontage with a combined total of 28.275m and a maximum side boundary length of 29.2m.

The site has a fall of approximately 0.8m from front to rear boundary.

The site is currently developed with a one storey brick and timber framed dwelling with a metal roof, and a separate steel framed garage with pitched metal roof.

The site has vehicular access from Yulong Ave, which provides for a layback and crossing to the garage located at the front of the property. This vehicular access also forms a right of way to a rear battle-axe lot, which has an existing two storey dwelling sited on it. This easement forms approximately 105m², of the total 733.6m² site. The other adjoining allotments are residential properties, 9 Yulong Ave being a two-storey semi-detached building and 13 Yulong Ave being a single storey dwelling.



Fig 1: Site Location Map (Source – SIX Maps)



Fig 2: 11 Yulong Ave – view from street



Fig 3: 11 Yulong Ave – view from the rear

3. THE SURROUNDING ENVIRONMENT

The subject property is located within a residential precinct which is characterised by a range of low-density residential forms. This precinct has a nearby small cluster of B1 Neighbourhood Centre shops and also fronts a RE1 Public Recreation Park.

The general vicinity of the site is characterised by a mix of residential dwellings, small scale commercial use properties, parkland and multi-residential subdivisions. These are a mixture one and two storeys and of a variety of architectural styles. The varying age of development in the area has resulted in a mix of material and finishes, with the development in the area generally presenting a varied setback to the public domain.

The relationship of the site to the surrounding environment is illustrated in the following aerial photograph.

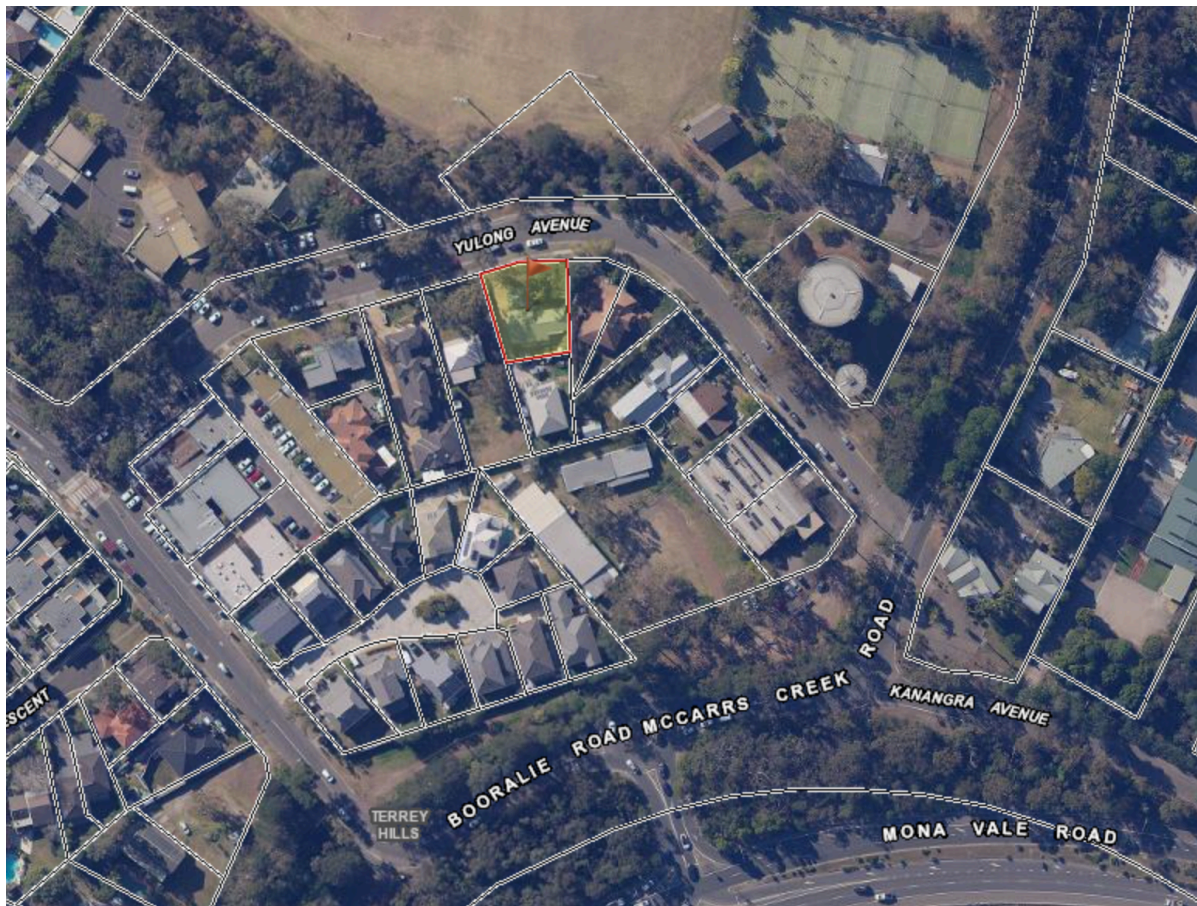


Fig 4: Subject site and surrounding environment: (Source - SIX Maps)

4. PROPOSED DEVELOPMENT

As detailed within the accompanying plans, the proposal seeks to provide for a small new pool to the existing dwelling, comprising 3m x 1.85m of surface water area, surrounding stone paving, glass pool balustrade & new boundary fence.

The proposed pool is not overlooked by the surrounding neighbours and is situated entirely within the rear yard of the property.

The new works will be constructed of a mixture concrete, stone paving, glass & timber.

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

The development indices for the proposal are as follows:

Site Area: 733.6m²

The summary development indices for the proposal are as follows:

Item	Control	Existing	Proposed	Compliance
Soft Landscaped Area	293.4 m ² minimum (40% of site)	276.7 m ² (37.7% of site) Or Excluding Right Of Way 44%	259.3 m ² (35.3% of site) Or Excluding Right Of Way 40%	On Merit
Side setbacks	0.9m	N/A	>900mm setback	YES
Rear setback	1m min to water line	N/A	>1m setback.	YES

5. ZONING & DEVELOPMENT CONTROLS

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

The proposal has been designed to respect the water, thermal and energy standards required by BASIX. A BASIX certificate was not required for the application, because the volume of the pool is under 40,000L in capacity.

5.2 Warringah Local Environmental Plan 2011

The following outlines the controls that are relevant to 11 Yulong Ave, Terrey Hills in relation to the WLEP 2011.

Clause 2.3 Zone objectives and Land Use Table

The subject site is zoned R2 Low Density Residential under the provisions of the WLEP 2011.

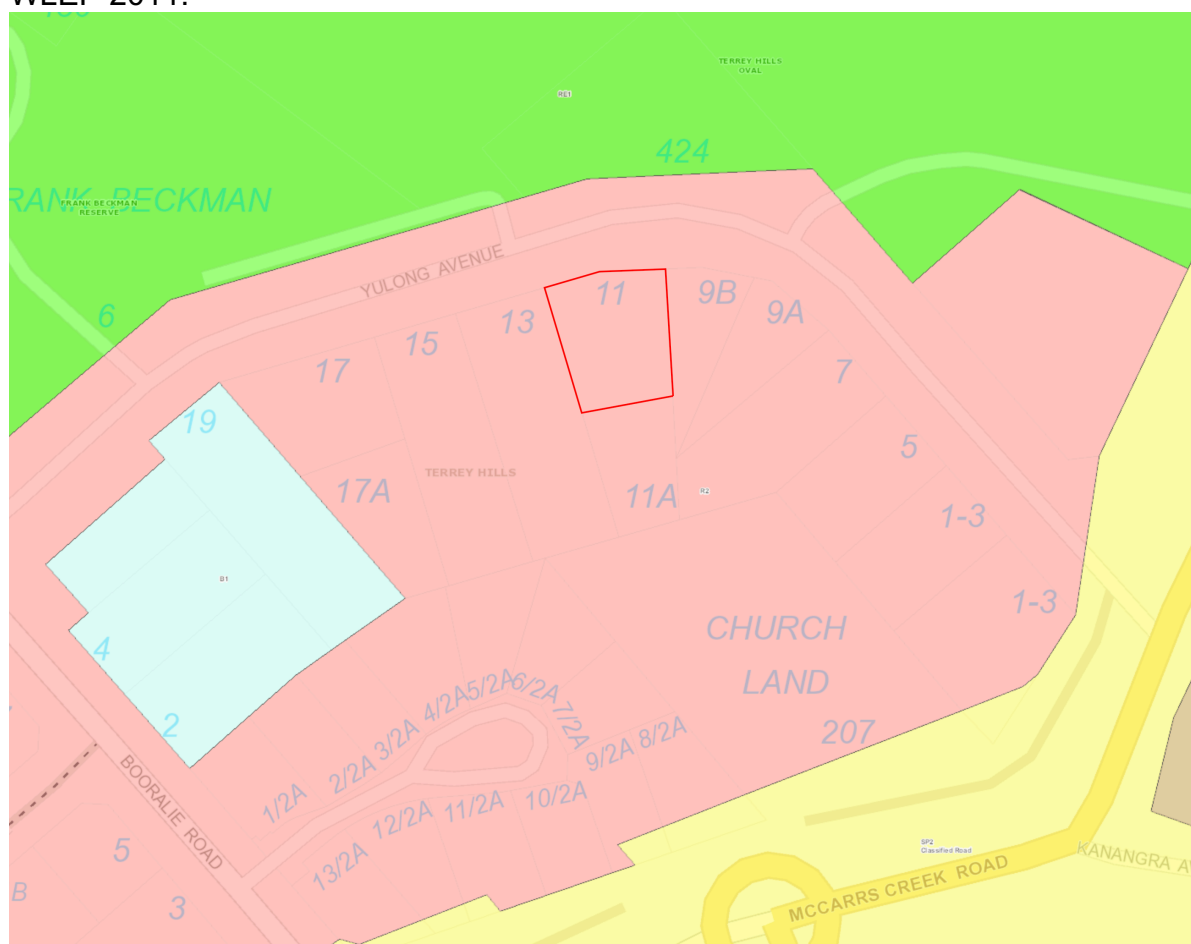


Fig 5: Extract of Warringah Local Environmental Plan 2011

The proposed alterations and additions to the existing dwelling are considered to be permissible with the consent of Council.

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

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterized by landscaped settings that are in harmony with the natural environment of Warringah.*

It is considered that the proposal achieves these objectives for the following reasons:

- The proposed development is compatible with the existing surrounding development, which comprises a variety of single dwellings, and two-storey development.
- The proposal will be consistent with and complement the existing detached housing style within the locality and the surrounding R2 zoned properties.
- The proposed development respects the scale and form of other new development in the vicinity and therefore complements the locality. The proposal provides for alterations and additions to the existing dwelling, which will not have any significant or adverse impact on the neighbouring properties.
- The setbacks are compatible with the existing surrounding development.
- The proposal does not have any adverse impact on long distance views.
- The native landscape planting is kept and is sympathetic to the surrounding parklands.

Warringah Local Environment Plan 2011 Compliance Table

The WLEP 2011 aims to make local environmental planning provisions for land in Warringah in accordance with the relevant standard environmental planning instrument.

The requirements of the relevant areas of the WLEP are summarized below as:

LEP Controls	Control	Proposed	Compliance
Clause 6.2 Earthworks	<i>Development is not to have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</i>	Excavation is limited to well within the boundary of the property. The works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and will therefore	YES

		satisfy the provisions of this clause.	
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5.3 Warringah Development Control Plan 2011

Council's Warringah DCP Part B (Built Form Controls), Part C (Siting Factors), Part D (Design), and Part E (The Natural Environment) provides a range of outcomes and controls which form the primary criteria for the control for development within the subject locality.

The numerical requirements of the relevant areas of the DCP are summarized below as:

Part B Built Form Controls		
B5 Side Boundary Setbacks		
<p>Objectives</p> <ul style="list-style-type: none"> • To provide opportunities for deep soil landscape areas. • To ensure that development does not become visually dominant. • To ensure that the scale and bulk of buildings is minimised. • To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained. • To provide reasonable sharing of views to and from public and private properties. <p>Requirements</p> <ol style="list-style-type: none"> 1. Development on land shown coloured on the CEP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map. 2. Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences. <p>Exceptions to these requirements are granted to Land Zoned R2 in the following way:</p> <p>All Development:</p> <ul style="list-style-type: none"> • Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback. 	<p>The proposed dwelling is set back a minimum 900mm from both side boundaries and is therefore compliant.</p>	<p>YES</p>
B9 Rear Boundary Setbacks		
<p>Objectives</p> <ul style="list-style-type: none"> • To ensure opportunities for deep soil landscape areas are maintained. • To create a sense of openness in rear yards. • To preserve the amenity of adjacent land, particularly 	<p>The new water line of the pool is setback further than the required 1m minimum rear setback.</p> <p>The swimming pool does not exceed 50% of the rear setback area.</p>	<p>YES</p>

<p>relating to privacy between buildings.</p> <ul style="list-style-type: none"> • To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements. • To provide opportunities to maintain privacy between dwellings. <p>Requirements</p> <ol style="list-style-type: none"> 1. Development is to maintain a minimum setback to rear boundaries. 2. The rear setback area is to be landscaped and free of any above or below ground structures. <p>Exceptions to these requirements are granted to Land Zoned R2 in the following way:</p> <p><i>Land Zoned R2 and Land Zoned RU4 with frontage to The Greenway:</i></p> <ul style="list-style-type: none"> • On land zoned R2 Low Density Residential, and land zoned RU4 Rural Small Holdings that has frontage to "The Greenway", Duffy's Forest, where the minimum rear building setback is 6 metres, exempt development, swimming pools and outbuildings that, in total, do not exceed 50% of the rear setback area, provided that the objectives of this provision are met. 	<p>The rear yard still fulfills the required minimum 60sqm of landscape open space.</p>	
Part C Citing Factors		
C2 Traffic, Access and Safety		
<p>Objectives</p> <p>To minimise:</p> <ol style="list-style-type: none"> a) traffic hazards; b) vehicles queuing on public roads c) the number of vehicle crossings in a street; d) traffic, pedestrian and cyclist conflict; e) interference with public transport facilities; and f) the loss of "on street" kerbside parking. <p>Requirements</p> <p><i>Vehicular Access</i></p> <ol style="list-style-type: none"> 1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives. 2. Vehicle access is to be obtained from minor streets and lanes where available and practical. 3. There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way. 4. Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315. 5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification. 	<p>The proposal does not propose any change to the existing crossover/driveway.</p>	<p>YES</p>
C4 Stormwater		
<p>Objectives</p>	<p>The proposal only increases the hard surface area of the site from by 8.02m² – with the majority of the</p>	<p>YES</p>

<p><i>Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;</i> <i>To minimise the risk to public health and safety;</i> <i>To reduce the risk to life and property from any flooding and groundwater damage;</i> <i>Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.</i> <i>Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle</i> <i>Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources</i> <i>To protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.</i></p> <p>Requirements</p> <p><i>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</i> <i>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</i></p>	<p>development size being the water surface of the pool.</p>	
C7 Excavation and Landfill		
<p>Objectives</p> <ul style="list-style-type: none"> <i>• To ensure any land excavation or fill work will not have an adverse effect upon the visual and natural environment or adjoining and adjacent properties.</i> <i>• To require that excavation and landfill does not create airborne pollution.</i> <i>• To preserve the integrity of the physical environment.</i> <i>• To maintain and enhance visual and scenic quality.</i> <p>Requirements</p> <ol style="list-style-type: none"> <i>1. All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</i> <i>2. Excavation and landfill works must not result in any adverse impact on adjoining land.</i> <i>3. Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</i> <i>4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.</i> <i>5. Rehabilitation and revegetation techniques shall be applied to the fill.</i> <i>6. Where landfill is necessary, it is to be minimal and shall</i> 	<p>Excavation is limited to well within the boundary of the property. The works will be carried out in accordance with the recommendations of the consulting Structural Engineer, and will therefore satisfy the provisions of this clause.</p>	<p>YES</p>

have no adverse effect on the visual and natural environment or adjoining and surrounding properties.		
C8 Demolition and Construction		
<p>Objectives</p> <ul style="list-style-type: none"> • To manage demolition and construction sites so that there is no unreasonable impact on the surrounding amenity, pedestrian or road safety, or the natural environment. • To promote improved project management by minimising demolition and construction waste and encouraging source separation, reuse and recycling of materials. • To assist industry, commercial operators and site managers in planning their necessary waste management procedures through the preparation and lodgement of a Waste Management Plan • To discourage illegal dumping. <p>Requirements</p> <ol style="list-style-type: none"> 1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan. 	A Waste Management Plan Report has been submitted along with this application.	YES
C9 Waste Management		
<p>Objectives</p> <ul style="list-style-type: none"> • To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD). • To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste. • To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents, surrounding neighbours, and pedestrian and vehicle movements. • To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services. • To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene. • To minimise any adverse environmental impacts associated with the storage and collection of waste. • To discourage illegal dumping. <p>Requirements</p> <ol style="list-style-type: none"> 1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development 	A Waste Management Plan Report has been submitted along with this application.	YES

<i>Applications must be accompanied by a Waste Management Plan.</i>		
Part D Design		
D1 Landscaped Open Space and Bushland Setting		
Objectives <ul style="list-style-type: none"> • To enable planting to maintain and enhance the streetscape. • To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife. • To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building. • To enhance privacy between buildings. • To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants. • To provide space for service functions, including clothes drying. • To facilitate water management, including on-site detention and infiltration of stormwater. Requirements <p>1. The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting. To measure the area of landscaped open space:</p> <ul style="list-style-type: none"> a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc, and any open space areas with a dimension of less than 2 metres are excluded from the calculation; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open space is 1 metre. 	<p>The minimum Landscaped Open Space of the lot as shown on the DCP Map is 40% of the site area.</p> <p>The lot size is 733.6m². 40% of which would equal a minimum Landscaped Open Space of 293.4m².</p> <p>As per the calculations shown in the submitted master plans (sheet DA400), lodged with this development application, the existing Landscaped Open Space (LOS) calculation is 37.7% of the site. If the right of way easement was to be removed from the site, is LOS figure would increase to 44%.</p> <p>The proposed soft landscape space is 259.3m², which gives an LOS calculation of 35.3%. If the right of way easement was to be removed from the site, this LOS figure would increase to 40% and would be deemed compliant.</p> <p>Of note is that the existing approved DA on the site - DA2020/1773 – took the existing right of way easement into account when determining the LOS percentage.</p>	On Merit
D2 Private Open Space		
Objectives <ul style="list-style-type: none"> • To ensure that all residential development is provided with functional, well located areas of private open space. • To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings. • To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces. • To ensure that private open space receives sufficient solar access and privacy. Requirements	<p>The proposal provides 102sqm of private open space to the rear of the property. This is accessed directly from the main living space of the house.</p> <p>This calculation is shown in the submitted master plans, lodged with this development application.</p>	YES

<p>1. Residential development is to include private open space for each dwelling.</p> <p>2. The minimum area and dimensions of private open space are as follows:</p> <p><i>Dwelling houses (including dual occupancy) and attached dwellings with 3 or more bedrooms: A total of 60m² with minimum dimensions of 5 metres</i></p> <p>3. Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.</p> <p>4. Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.</p> <p>5. Private open space shall not be located in the primary front building setback.</p> <p>6. Private open space is to be located to maximise solar access.</p>		
D3 Noise		
<p>Objectives</p> <ul style="list-style-type: none"> • To encourage innovative design solutions to improve the urban environment. • To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors. <p>Requirements</p> <p>1. Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.</p>	<p>All pool equipment will be housed in a soundproof acoustic equipment box. With such a small size swimming pool, it is expected that very minimal noise will be generated by the equipment in the first place. This box will alleviate any of this minimal noise.</p>	<p>YES</p>
D8 Privacy		
<p>Objectives</p> <ul style="list-style-type: none"> • To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours. • To encourage innovative design solutions to improve the urban environment. • To provide personal and property security for occupants and visitors. <p>Requirements</p> <p>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</p> <p>2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.</p> <p>3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</p>	<p>The swimming pool is contained entirely within the rear yard of the property and tucked behind surrounding fencing.</p>	<p>YES</p>

<p>4. The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.</p>		
D10 Building Colours and Materials		
<p>Objectives</p> <ul style="list-style-type: none"> To ensure the colours and materials of new or altered buildings and structures are sympathetic to the surrounding natural and built environment. <p>Requirements</p> <ol style="list-style-type: none"> In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend into the natural landscape. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade. 	<p>The proposed materiality as shown in the External Finishes Schedule of the master plan set is sympathetic and harmonious with the surrounding dwellings. The soft, warm and natural palette blends into the natural landscape.</p>	<p>YES</p>
D12 Glare and Reflection		
<p>Objectives</p> <ul style="list-style-type: none"> To ensure that development will not result in overspill or glare from artificial illumination or sun reflection. To maintain and improve the amenity of public and private land. To encourage innovative design solutions to improve the urban environment. <p>Requirements</p> <ol style="list-style-type: none"> Sunlight reflectivity that may impact on surrounding properties is to be minimised by utilising one or more of the following: <ul style="list-style-type: none"> Selecting materials for roofing, wall claddings and glazing that have less reflection eg medium to dark roof tones; Orienting reflective materials away from properties that may be impacted; Recessing glass into the façade; Utilising shading devices; Limiting the use of glazing on walls and glazed balustrades and avoiding the use of highly reflective glass; and Selecting windows and openings that have a vertical emphasis and are significantly less in proportion to solid massing in walls. 	<p>The proposal has relatively minimal glazing with minimal pool balustrading supported off spigots.</p> <p>Non-reflective materials are to be used as shown on the External Finishes Schedule of the master plan set that accompanies this application.</p>	<p>YES</p>
Part E The Natural Environment		
E1 Preservation of Trees or Bushland Vegetation		

<p>Objectives</p> <ul style="list-style-type: none"> • <i>To protect and enhance the urban forest of the Northern Beaches.</i> • <i>To effectively manage the risks that come with an established urban forest through professional management of trees.</i> • <i>To minimise soil erosion and to improve air quality, water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.</i> • <i>To protect, enhance bushland that provides habitat for locally native plant and animal species, threatened species populations and endangered ecological communities.</i> • <i>To promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.</i> • <i>To protect and enhance the scenic value and character that trees and/or bushland vegetation provide.</i> <p>Requirements</p> <p><i>Requirements for Vegetation Clearing Permits</i></p> <ol style="list-style-type: none"> 1. <i>Authority to clear a tree or other vegetation is regulated in this plan in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 i.e. 'Vegetation SEPP'. In particular, Part 2 of the Vegetation SEPP sets out the authority to clear vegetation and Part 3 provides for Council to declare under this DCP when a Vegetation Clearing Permit may be issued for clearing of vegetation.</i> 2. <i>–</i> 3. <i>A Vegetation Clearing Permit is required for:</i> <ol style="list-style-type: none"> a) <i>Removal or cutting down of any tree over five (5) metres in height;</i> 	<p>No existing trees are to be removed.</p>	<p>YES</p>
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6. CONCLUSION

The proposed development is development permissible with the consent of the Council under the terms of the Environmental Planning and Assessment Act 1979 and has been assessed against the requirements of Section 79C(1) of the Act, Warringah Local Environmental Plan 2011, and Warringah Development Control Plan 2011.

It is considered that this Statement of Environmental Effects together with the architectural plans have demonstrated that the proposal satisfies the aims and objectives of the planning controls.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

Noah Shirley
Cadence & Co Design
January 2022