



STATEMENT OF ENVIRONMENTAL EFFECTS

**PROPOSED SWIMMING POOL:
1/45 NEW STREET WEST, BALGOWLAH HEIGHTS NSW 2093**

PREPARED FOR:
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STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared for Kelly and David Tysoe

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1. INTRODUCTION

1.1. SITE DETAILS

This Statement of Environmental Effects accompanies the Development Application for the installation of a Class 10b structure (BCA) proposed swimming pool and associated landscaping at 1/45 New Street West, Balgowlah Heights.

This statement seeks to express that the proposal complies with Council's ordinances and objectives.

In preparing this Development Application careful consideration has been given to the appropriateness of the development; the sensitivity of the site, its relationship with surrounding properties, and the character of the streetscape and the nature of the surrounding area.

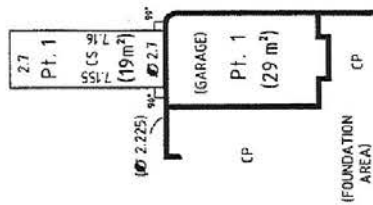
The site is within a Duplex lot strata subdivision. The duplex strata lot subdivision included common areas and private areas associated with each lot. The total lot is made up of several smaller allocated areas. The open space designated to Lot 1 separated into 2 smaller areas connected by common area.

Address:	1/45 New Street West Balgowlah Heights NSW 2093
Deposited Plan:	Lot 1 of Folio: CP/SP71101
LEP Zoning:	RE2 Low Density Residential
Lot 1 Site Area:	265 m2

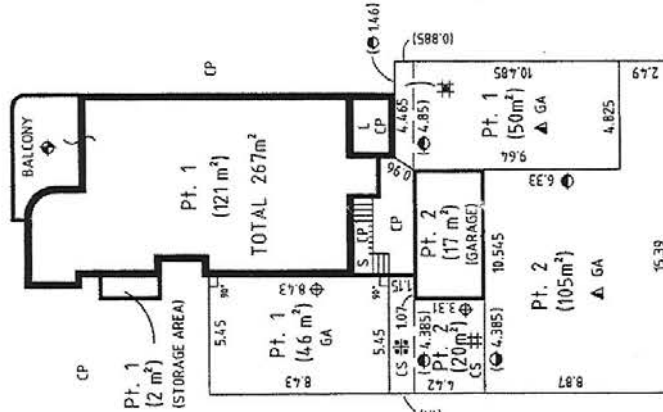
WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

STRATA PLAN FORM 2

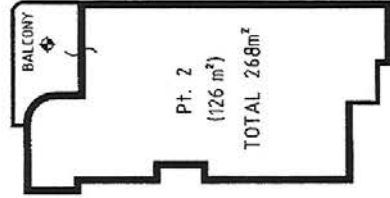
SP71101



LEVEL 1
(LOWER GROUND FLOOR)



LEVEL 2
(GROUND FLOOR)



LEVEL 3
(FIRST FLOOR)

- CP DENOTES COMMON PROPERTY
- S STAIRS
 - L LAUNDRY
 - CS CAR SPACE
 - GA GARDEN AREA
 - PROLONGATION NORTH FACE WALL
 - PROLONGATION SOUTH FACE WALL
 - PROLONGATION EAST FACE WALL
 - NORTH FACE WALL
 - SOUTH FACE WALL
 - WEST FACE WALL
 - THE BALCONY IS COVERED
 - THE CARSPACE IS COVERED

- # THE CARSPACE WHERE NOT COVERED IS LIMITED IN HEIGHT BETWEEN ITS UPPER HARD SURFACE AND 3 METRES ABOVE THE UPPER SURFACE OF LEVEL 2 (GROUND FLOOR)
- ▲ THE GARDEN AREA IS LIMITED IN HEIGHT BETWEEN 2 METRES BELOW AND 3.5 METRES ABOVE THE UPPER SURFACE OF LEVEL 2 (GROUND FLOOR)
- * DENOTES RIGHT OF WAY VARIABLE WIDTH
- ** RIGHT OF WAY VARIABLE WIDTH

Reduction Ratio 1: 200 Lengths are in metres

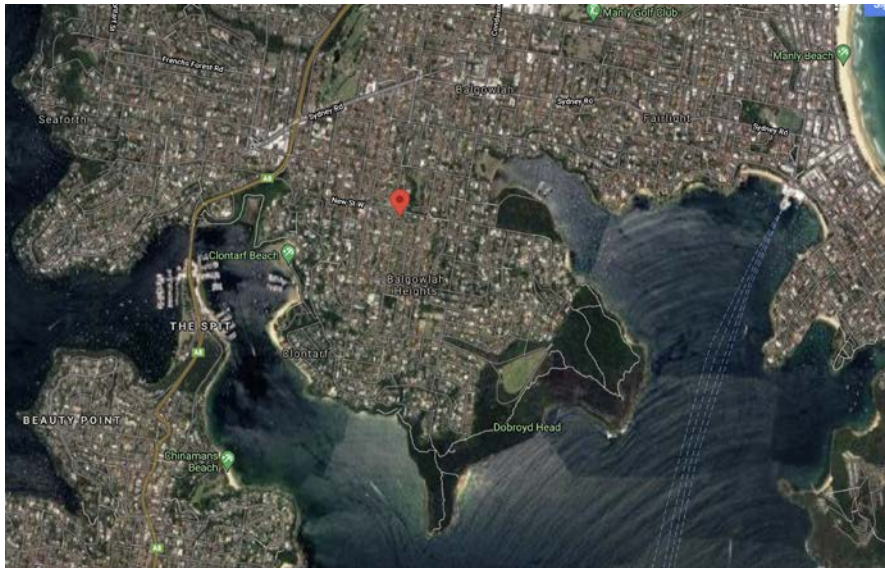
Registered Surveyor *PSL* Authorised Person / General Manager / Appointed Certifier *PSL*

SURVEYOR'S REFERENCE: 6075/5/01 CHECKLIST

1.2. SURROUNDING DEVELOPMENT

The site is located primarily low density residential within urban area. The site location is east of The Spit Bridge and Clontarf Beach between Beatrice Street and Condamine Streets.

Adjoining and surrounding development is characterised by one and two storey dwellings of varying architectural styles. Ancillary structures, such as swimming pools are common in the area.



GOOGLE MAPS 2021
PIN POINT LOCATION



GOOGLE STREET VIEW
2021

1.3. PROPOSED DEVELOPMENT

The proponent is seeking consent for the installation of a swimming pool with associated landscaping and pool safety barriers.

The proposal includes the following:

- The proposed fibreglass swimming pool is to be located to the rear lot behind the existing building line.
- The swimming pool will not be visible from the secondary road along Lewis Street and is not visible from the primary frontage.
- The pool is for residential use only.
- No level changes are anticipated and finished levels will not be greater than 150mm from existing levels.
- The total water capacity of the pool is 18,250 therefore BASIX Certificate is not required;
- The pool and associated fencing will be constructed in accordance with the AS 1926.1-2012;
- The pool pump will be housed in a soundproof enclosure to be located in storage beneath the existing housing duplex;
- Dimensions of the proposed pool is 5m x 3.2m
- Erosion and sediment control measures will be implemented prior to the commencement of works and maintained during the period construction in accordance with the requirements of Managing Urban Stormwater: Soils and Construction 4th Edition – Vol. 1
- Pool engineering specifications have been prepared by the manufacturer.

The development will be carried out on Lot 1 in Strata Plan 71101. The proposed development will not affect Common Property or Lot 2 in Strata Plan 71101.

Requested Variation to Standard in Development Control

The proposed swimming pool is based on standard fibreglass sizing. The selected shell size has been chosen to comply with Council controls as far as is possible. Being a small pool any further reduction in size of the pool would result in a reduction of the positive impact of this development for the owners and their young family. As such the width of the pool will require reduced side setbacks to be adjusted:

- Side setbacks – 800mm
- Rear setback – 1000mm

Compliance with the development standard is unnecessary in this proposal as the project site is a strata development with adjoining boundaries. As such applying the standard setbacks would diminish the accessible space for such small available area.

The design alignment along the eastern boundary would also be reduced. However, rendered buildings adjoin this boundary without windows, creating a walled and private space for the owners.

The minimum distance to the front boundary is over 30m and meets the requirements for location and setback at s4.1.9.2 of the Manly DCP.

Please refer plans and sectional elevations for further information regarding location and compliance to Council planning documentation.



PROPOSED LOCATION
OF SWIMMING POOL

2. PROVISIONS OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

2.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

This section of the Statement provides a planning assessment of the proposed swimming pool covering all heads of consideration under the EP&A Act 1979. The EP&A Act facilitates the preparation of subordinate legislation, consisting of:

- Environmental Planning Instruments (EPIs) including State Environmental Planning Policies (SEPPs),
- Local Environmental Plans (LEPs), and deemed EPIs;
- In relation to the proposed development, the relevant subordinate legislation includes:
 - Manly Local Environmental Plan 2013; and
 - Manly Development Control Plan 2013.

Refer also to the Northern Beaches Planning Certificate for this project.

2.2. SECTION 4.4.6 INTEGRATED DEVELOPMENT

INTEGRATED DEVELOPMENT	SECTIONS	APPLICABLE
Fisheries Management Act 1994	s144, s201, s205, s219	No
Heritage Act 1977	s58	No
Coal Mine Subsidence Compensation Act 2017	s22	No
National Parks & Wildlife Act 1974	s90	No
Protection of the Environmental Operations Act 1997	ss43 (a), 47, 55, ss43 (b), 48, 55, ss43(d), 55,122	No
Roads Act 1993	s138	No
Rural Fires Act 1997	s100B	No
Water Management Act 2000 & Water Management Amendment (General Regulation 2018)	s89,90,91	No

2.3. STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Complying Development consistent with s4 regarding swimming pools. The proposal meets the standard requirements for swimming pools at 3.28.

2.4. LOCAL ENVIRONMENT PLAN (LEP)

The subject site is zoned R2 Low Density Residential.

Manly Local Environment Plan 2013 Land Use Table:

Zone R2 Low Density Residential

1 Objectives of zone

- 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.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Shop top housing; Signage; Tank-based aquaculture; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Advertising structures; Water treatment facilities; Any other development not specified in item 2 or 3

Development Standards consistent with the Manly Local Environmental Plan 2013 and relevant to this proposal:

CLAUSE	PROVISION	COMMENT
1.2	Aims of the plan	The proposal is consistent with the aims of the overall aims for residential development.
4.3	Height of buildings	Not applicable.
4.4	Floor Space Ratio	Not applicable.
5.10	Heritage Conservation	The site is not in a heritage conservation area

CLAUSE	PROVISION	COMMENT
6.1	Acid Sulphate Soils	The proposal is located within Class 5. The proposal is located above 5m AHD at between 71.69 and RL 77.19 and is not within 500m of adjacent Class 1,2,3 or 4. The water table will not be lowered below 1m AHD on adjacent Class 1,2,3 or 4.
6.2	Earthworks	It is believed that this development will not have any detrimental effect on the environmental features of the surrounding land due to the low impact, minor nature of the development. The proposal involves earthworks to facilitate the excavation of the proposed swimming pool.
6.3	Flood Planning	Not applicable.
6.4	Stormwater management	The stormwater will comply with relevant Council requirements. No surrounding properties or development will be impacted.
6.5	Terrestrial biodiversity	The land does not comprise critical habitat, environmental heritage and is not biodiversity certified. No vegetation plans cover the lot.



3. ENVIRONMENTAL IMPACTS

3.1. VEGETATION AND TREES

The proposed development does not require the removal of trees.

3.2. AIR, SOIL AND WATER

The proposal will have no applicable impact on air, soil or water.

3.3. ENERGY, UTILITIES AND SERVICES

The proposal is connected to the reticulated sewer and water and electrical grid.

3.4. SOCIAL IMPACT

The proposal does not introduce a type of development or scale of use that would result in an adverse impact.

3.5. ECONOMIC IMPACT

The proposal provides short term employment opportunities during construction. The proposal would not cause any long-term impact to traffic.

4. SITE SUITABILITY

The subject site is considered suitable for the proposed development. The Statement of Environmental Effects has detailed the following:

- The proposed development is permissible and will be consistent with the relevant zone objectives;
- The development will respect the existing and future character of the immediate and surrounding locality;
- There are no prohibitive constraints posed by the site or those adjacent.

5. PUBLIC INTEREST

There are no public interest considerations that would stop or impede the proposal. All reasonable concerns raised in any submissions will be considered.

6. CONCLUSION

This Statement of Environmental Effects has considered all natural and built constraints and hazards and found the site to be suitable for the proposed ancillary structure (swimming pool). An assessment of the proposed development has not identified any unreasonable adverse environmental or amenity impacts likely to arise as a result of the proposal.

The proposal is considered to meet the relevant planning controls, as discussed within this report.

Council's favourable consideration of the application is requested.

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