

10 February 2020

STATEMENT OF ENVIRONMENTAL EFFECTS
PROPOSED RESIDENTIAL SWIMMING POOL AND ASSOCIATED WORKS
GARETH AND MEGAN KIRKBY
8 REDMAN STREET, SEAFORTH 2092
LOT 82 of DP 1088413

Introduction

This statement of environmental effects is to accompany a development application for the construction of a residential rear yard swimming pool and associated works upon land at Lot 82 in DP 1088413 known as No. 8 Redman Street, Seaforth. The 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:

Manly Local Environmental Plan 2013
Manly Development Control Plan 2013
Environmental Planning & Assessment Act, 1979

The Development application is accompanied by the following documentation:-

Right Angle Design and Drafting P1 - site plan/site analysis plan
Right Angle Design and Drafting P2 - plan at rear yard
Right Angle Design and Drafting P3 - pool plan, sections, and elevation
Right Angle Design and Drafting P4 - landscape plan
Right Angle Design and Drafting P5 - sediment control plan
Geographic Solutions Surveyors - AHD survey

This statement describes the subject site and the surrounding area, relates the proposal to the relevant Council planning controls and policies relevant to the site and the type of proposed development. It provides an assessment in consideration of the Environmental Planning and Assessment Act 1979 and as a result of the assessment it is concluded that the development proposed on the site is to be considered acceptable and should be supported by the Council.

SITE DETAILS

| | |
|-----------------------------|--|
| Subject Land | No. 8 Redman Street, Seaforth NSW 2092 Lot 82 DP 1088413 |
| Present Use | Owners principal residence |
| Zoning | R2 General Residential |
| Permissible Development | Yes |
| Heritage Item | No. The property is not in a heritage conservation area. There are no heritage elements on this portion of Redman Street |
| Conservation Area | No. There are no nearby Conservation Areas |
| Coastal Protection | No |
| Landslip | No |
| Bushfire | No |
| Tidal Inundation | No |
| Subsidence | No |
| Acid Sulphate Soils | No |
| Flooding | No |
| Land Reserved for Acquis. | No |
| Biodiversity Certified Land | No |
| Property Vegetation | No |
| | No trees are required to be removed. |
| Contaminated Land | No |

EXISTING

The site area is approximately 335 square metres and is rectangular in shape and is positioned on the corner of Redman Street and Macmillan Street. The legal property description is Lot 82 of DP 1108413. The site is located on the western side of Redman Street with the southern side boundary on Macmillan Street. There is an existing two storey residence occupying the middle portion of the site. As the site has a wide frontage and a narrow depth, there is not a large rear yard for the property. There are substantial grass and garden areas in the front of the site and along the southern boundary.

The whole property has a slope from the western side to the east and from the north to the south, though this slope is less than the front to back. The overall fall is less than 2m. A small driveway leads from the road to the attached garage. There are a number of

trees and mixed plants on the property. No substantial trees are required to be removed with this application. The streetscape is predominately tree lined with large new and old housing on both sides of the roadway. A large number of properties in the area have been renovated, in particular at the side and rear with these renovations including pools and decking.



Figure 1 – Aerial view of 8 Redman Street, Seaforth

The property is located in the R2 General Residential zone and is not located in any Acid Sulphate Class of soil. There are no Landslip Zone implications on this site, Council maps and the 10.7 Certificate confirms that this will not be an issue with this proposal. The property is not located in a flood zone and all discussions with Council have determined that a proposed pool should have no effect on the zoning. The site is not bushfire zone affected.

It is proposed to install a new concrete swimming pool, small in nature, 6.0 x 2.4m, in the south eastern rear portion of the property for the recreational use of the owners. The southern side of the pool will have no coping installed and has been designed to limit access on this and the eastern side to help prevent standing or gathering on these sides of the pool. These boundary portions of the pool have been designed to comply with Council regulations. Though the southern side setback to water is closer to the boundary than Council would prefer, it is to be noted that there is no neighbour on the adjacent land and that the land over the boundary is at a much higher level and behind a 1.8m high boundary fence. There will be no impact on the neighbouring properties, nor will the pool affect passers-by or street traffic.

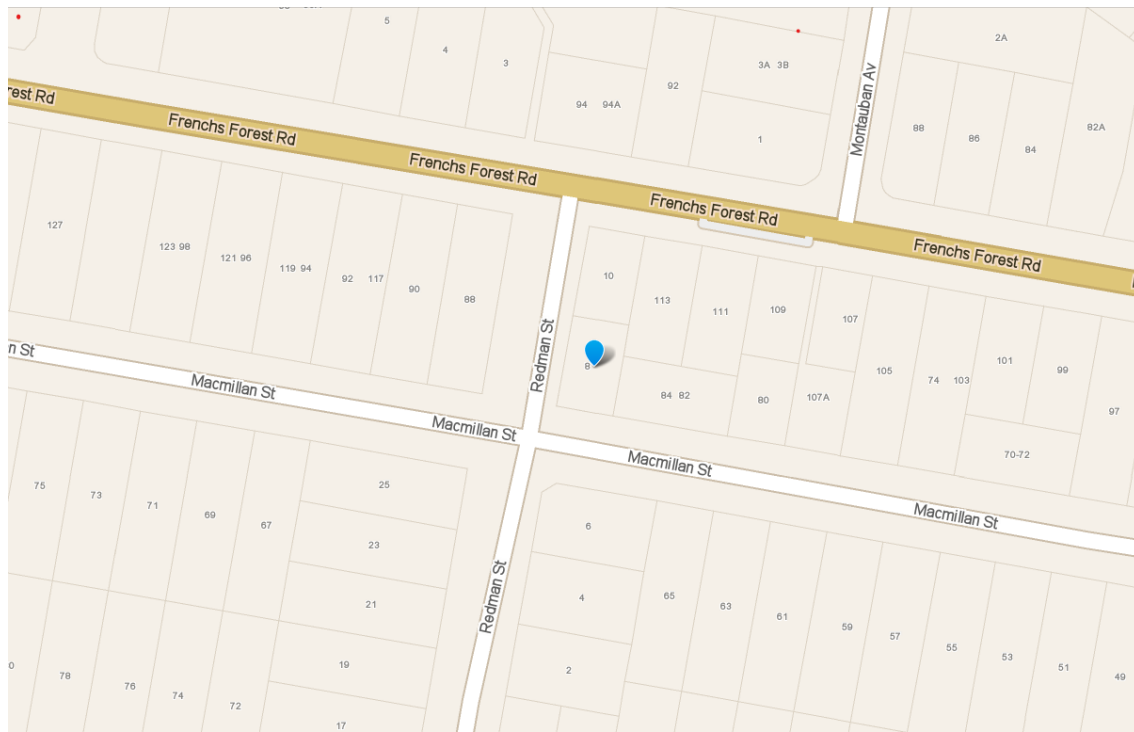


Figure 2 – Location of 8 Redman Street, Seaforth

The pool size has been chosen to limit the impact on neighbouring properties while still providing a pool that meets the owners' requirements. The pool has been located within Council's required rear setback distances while allowing additional setback areas for gardens, planting and screening because of the pool's location. A proper garden area will still be supplied, and minimal coping will be included on the pool sides to ensure that the areas are not used as regular standing areas. Screen planting, will be supplied where possible, surrounding the pool to provide additional privacy to and from the neighbouring residence. There will be no additional paving around the pool with only the maximum 800mm coping areas for safety, access, and cleaning.

No new decking or external structures are proposed with this application. The site will continue to comply with Council regulations regarding landscaped areas and open space. This meeting of requirements should be acknowledged by Council during the assessment as the property is irregular in shape and location and the owners have continued to make a concerted effort to comply.

The pool area will be used for swimming and for relaxation and supervision. The pool area has been specifically designed to ensure that there are large areas outside the pool fencing for recreational activity and family use. The pool will be located completely inground with the northern corners at existing ground level and the southern corners up to 600mm in ground. As the land drops away across the site from south to north, the pool has been designed to have the house side of the pool being located at existing rear deck level, just below floor level of the residence. The addition of the non-walkable area to the rear southern side will help ensure that the proposal is not seen as being intrusive or bulky as the appearance will be one of the pool stepped into the site. The large boundary wall and fencing will also provide privacy as it is not possible to view

down into the neighbouring residence or rear yard. The pool will sit on existing stable rock. There are no Sydney Water sewer lines within the proximity of the proposed works. The side and rear boundaries will have proper fencing, and screen planting, where possible, may be established without violating the Pool Fencing Act. There are numerous pools located in the close vicinity with many of them in similar positions. The pool filtration equipment will be housed in a soundproof enclosure and located outside the pool zone at the furthest location from any neighbour. Childproof fencing 1200mm high min will isolate the pool from the house and fences on the boundary sides will enclose the area.

The development is in compliance with Council controls for the minimum soft landscaped area. The site requires that 35% of open space be landscaped, the site has over 43%. The total Open Space area is requested to be 55% of the total site, the site has 56%. The site meets all landscape requirements, both for landscaped area, 43% of open space, and for the swimming pool not exceeding 30% of the open space. It takes up 14%.

No trees are required to be removed from the site. There will be new plants positioned around the pool location. This new planting will provide privacy and soften the area to the side of the property.

This proposal will continue to meet all requirements regarding site coverage, height plans, building lines, landscaped areas and floor space ratios. There are no Clause 4.6 statements required with this application.

PRINCIPAL DEVELOPMENT STANDARDS MANLY DEVELOPMENT CONTROL PLAN

There will be no demolishing with this application. All work will be carried out in the rear yard. The existing residence will remain. There will be no impact on the streetscape with this portion of the proposal.

The proposed new pool is consistent with the Council requirements, including overshadowing, sight lines, views, and privacy. The work will provide a more usable rear yard for the family. There should be minimal to no impact on neighbouring sites. The scale, form and materials are sympathetic to the streetscape and is a complimentary addition to the streetscape, its design has been guided by other work approved by Council in the immediate neighbourhood. Consideration has been given to the provisions within the Building Typologies and the development is compatible with the outcomes. There are a number of similar approvals in the local vicinity of the proposal.

The building height is compatible with the neighbouring buildings and complies with the objectives of the Site Layout of the DCP. All side setbacks, with the exception of the southern side setback to water, exceed the required setback recommended by Council. The rear setback also complies. There will be no change to the front setback with this proposal. As all work is below floor level for this residence, there will be no change to the streetscape or views.

Heritage Conservation Areas and Heritage Items

The subject site is not listed in the historical Schedule of the Manly Local Environmental Plan (LEP) 2013 as an individual heritage item; nor is it located within any of Council's Heritage Conservation Areas. There are heritage listings for the area though it is important to note that this application will not impact them in any way.

Solar Access

The proposed swimming pool is located on the southern rear side of the site. The height of the proposal and the location on site ensure that there will be no change to any neighbouring property regarding solar access.

To the rear yard the private open space will receive a full complement of sunlight throughout the day. The neighbouring properties will retain existing shadows and should not have any additional windows blocked by shadow as a result of this development.

Visual and Acoustic Privacy

The rear yard addition, located completely in ground, has been planned for this location to minimise impact on neighbours. The pool equipment will be enclosed in a sound suppressing enclosure and will be located outside the proposed pool area. Noise will be at a minimum. Please note that the neighbouring property to the east has been designed to limit views and sight lines, being constructed with only one narrow window on the facing side.

Streetscape

The streetscape will not be altered with this application. No work will be visible from the road.

View Sharing

The proposal has taken the neighbouring properties and views into consideration. The proposed pool is located at rear of the residence and at ground level. There are no portions of the pool located out of ground and it will not be possible to walk on the southern side of the pool. The position of the pool on site also ensures that there will be no change to any neighbouring views and that the proposal will not affect view sharing. The proposal should have no impact on the south, north, and west neighbours regarding views.

Floor Space Ratio

There is no change to the FSR for the site. The property will fully comply with the Council requirements. No Clause 4.6 is required for this application.

Landscaped Area

The proposal will meet all of Council's landscape requirements including landscape ratio and site coverage. The calculation of open space requires 55% of the site. The site exceeds this requirement, the site is in full compliance.

Stormwater

Stormwater on site will continue to flow as existing. The existing stormwater system will be upgraded if necessary. No detention is required as part of this proposal.

Privacy and Noise

The proposal has been kept to as low a level as possible and maintained to the south side of the site. The height and general location of the pool are in keeping with a large number of pools approved by Council for properties on corner blocks. The work has been designed to be as unobtrusive as possible for any neighbouring residences. The proposal is compatible with the established setting and the character of the area.

Site Management

There will be approximately 22 cubic metres of excavation required. All excavation will occur at the proposed swimming pool location with the majority of the fill being removed from site. Any additional fill, with the exception of some topsoil used to refurbish the gardens, will be taken off site by small trucks at the responsibility of the excavating contractor. There will be no stockpiling of soil; it will be removed straight away after excavation. A licensed builder will be conducting all work in and around the residence. During the construction process utmost care and consideration will be taken to ensure the privacy and lifestyle of the neighbouring residences is uninterrupted.

DEVELOPMENT CONTROL PLAN 2013 GENERAL PROVISIONS AND REQUIREMENTS

The Manly Council DCP 2013 applies to all land that the Manly LEP 2013 applies. The subject land therefore falls under the requirements of the DCP.

| CONTROL | REQ'D | PROPOSED | COMPLIES |
|---------|-------|----------|----------|
|---------|-------|----------|----------|

Part C: Place

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| SITE CONTEXT ANALYSIS | Plans of existing conditions on site | Supplied full site analysis on plan and in statement | Y |
| DEMOLITION | Ensure heritage or conservation buildings are retained | Residence is designed to retain and enhance site setting, no heritage implications | Y |
| ALTERATIONS AND ADDITIONS | Ensure the new form complements the surrounding area | The proposal retains the existing street frontage and the new additions are provided as integrated items | Y |
| HERITAGE CONSERVATION AREAS AND HERITAGE ITEMS | Controls the development with Heritage Conservations Areas and Heritage | The property is not heritage listed nor in a conservation area | Y |

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| | Items | | |
| SITE FACILITIES | Provide functional site facilities | Areas have been provided for bins and adequate functioning of the site | Y |
| CONTAMINATION | Ensure the land is not contaminated from past activities | The site is not known to be contaminated and has been a residential property for the past 30+ years. | Y |
| SAFETY BY DESIGN | Preventing crime through design | The proposal seeks to retain the open aspect to the streetscape. | Y |
| EQUITY OF ACCESS AND MOBILITY | Promote consideration of disabled access | The new works will provide an easier living space for disabled or impaired persons. | Y |
| PARKING | | The site has provision for two vehicles | Y |
| LANDSCAPING | Enhance the amenity and visual setting of the property | The landscaped area will be enhanced and upgraded. No trees are required to be removed as part of this development. | Y |
| OPEN SPACE WITHIN THE PUBLIC DOMAIN | Integrate within the public domain | No street works are to be carried out. | Y |
| TREE MANAGENT | | No trees to be removed | Y |
| SIGNS AND OUTDOOR ADVERTISING | | | NA |
| STRUCTURES OVER THE PUBLIC DOMAIN | | | NA |
| MINOR ARCHITECTURAL DETAILS | | | NA |
| LANEWAYS | | | NA |
| ROCK FACES, ROCKY OUTCROPS, CLIFF FACES, STEEP SLOPES AND ROCK WALLS | To conserve rocky outcrops as features and cultural significance | | Y |
| FORESHORE LAND | | | NA |
| GREEN ROOFS AND GREEN LIVING WALLS | | | NA |
| PART 3 – GENERAL PRINCIPLES | | | |
| RESIDENTIAL GENERAL PROVISIONS | | Swimming pool addition have been kept to the rear of the property below ground floor level | Y |
| 3.3 LANDSCAPING | 35% | 43% | Y |
| 3.4 AMENITY | Views and overshadowing | All views and overshadowing have been taken into account, no change to views or shadows | Y |
| 3.5 SUSTAINABILITY | | No Basix certificate required with this application | Y |
| 3.7 STORMWATER | In accordance with Manly 2003 stormwater specifications | No change to stormwater | Y |
| site layout and capacity | Ensure site can accommodate works | Site meets landscape ratios Built upon ratios to remain as existing | Y |
| local character | Development siting and design shall respect and enhance the natural attributes | All work kept to the rear, the view from the street will be retained, the proposal is in keeping with the neighbourhood. | Y |
| building location zone | BLZ to consider the established pattern of | The proposal is directly in keeping with the other residential | Y |

| | | | |
|---------------------------------------|--|---|--------------------------------------|
| | development. | houses on the street | |
| corner sites | | | Y |
| PART 4 | | | |
| setbacks | South side 1000mm North side 1000mm S side first floor 2.4m N side first floor 1.0m Front Rear 6m | 1050 to structure 1250 to water 10m+ Complies Complies As existing 1000mm to structure 1800 to water—pools permitted in setback | Y and N Y N/A N/A Y Y |
| Wall height | Wall height 6.5m | The proposal complies | Y |
| landscaped open space | 55% of site or 200.1sqm 35% soft open space | 56%or 186.4sqm 43% complies | Y Y |
| street orientation | Aligned with street | The existing alignment is retained | Y |
| building height and building envelope | Max 8.5m and 2.5m above wall height | All new work fits within height and building envelope | Y |
| roof pitch | Max 35 degrees Roof pitch in keeping with area and below required heights | No roof with this proposal Pergola structure complies | Y |
| ELEVATION AND MATERIALS | | | |
| building facades | Banding to define storeys and windows | The proposal is designed to take in recommendations of Council | Y |
| Balustrades | | | NA |
| Building Typologies | | The new building is designed to fit into the existing neighbourhood and materials have minimal contrast. | Y |
| Enclosure of verandahs | | | NA |
| Elevation elements | | | Y |
| | Front windows must be habitable rooms | No windows | Y |
| colour schemes | All schemes to match neighbourhood | Colours match existing and neighbouring sites | Y |
| brickwork | Unpainted to remain | All unpainted brick to remain | Y |
| finishes | Compatible with streetscape and period | The work will be in keeping with the site, surrounds, and neighbourhood | Y |
| DORMERS | | | N/A |
| FRONT GARDEN AND ENTRIES | | The front garden will be retained. No new entrances to be created | Y |
| FENCES | Compatible with area | Fencing to comply with pool fencing act | Y |
| ENVIRONMENTAL PERFORMANCE | High level of energy efficiency and comfort | Designed with good insulation, crossflow and light access. | Y |
| PRIVATE OPEN SPACE | Site requires 184sqm | Site will have 186sqm | Y |
| SOLAR ACCESS | Maximise sunlight | No change to shadows. Property will retain a high level of solar access | Y |
| | Include shadow diagrams | No shadows required | Y |
| | Maximise sunlight in main living area | Max sunlight to private open space and to living area | Y |
| | Windows good size and to have shading | No windows with this application | Y |
| | Private open space to receive min 3 hours | Private open space receives the same amount of shadow as existing. | |
| | All habitable rooms to | | Y |

| | | | |
|---|---|--|----|
| | have natural sunlight | | |
| alts and adds | To have min overshadowing | No change | Y |
| | No reduction in sunlight | No reduction in sunlight to main living areas | Y |
| | Maintain solar access to neighbours | All effort made to ensure neighbour has good solar access | Y |
| | Promote view sharing | Views are still all available to all neighbours, work has been kept to a minimum to lessen impact on views and has been designed to promote view sharing | Y |
| | Ensure sight lines to neighbour living areas is not increased | Position on site and height levels as well as setbacks help ensure no sight line issues | Y |
| | Dividing walls and floors to BCA | All work to BCA standard, no increase in site noise | Y |
| | Isolate noise generating areas on site | A new pool filter will be installed to proper soundproofing requirements | Y |
| | Private open space away from living areas of neighbours | Private open space at rear of site | Y |
| CONVERSION OF EXISTING NON-RESIDENTIAL BUILDING | | | NA |
| ADAPTABLE HOUSING | | | NA |

MANLY LOCAL ENVIRONMENTAL PLAN 2013

Zone R2 General Residential Objectives of Zone

- to provide for the housing needs of the community
- to provide for a variety of housing types and densities
- to enable other land uses that provide facilities or services to meet the day to day needs of residents
- to improve opportunities to work from home
- to provide housing that is compatible with the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas
- to provide landscaped areas for the use and enjoyment of existing and future residents
- to ensure that subdivision creates lots of regular shapes that are complimentary to, and compatible with, the character, style, orientation and pattern of the surrounding area
- to protect and enhance the amenity of existing and future residents and the neighbourhood

The application fully complies with the objectives of the LEP 2013. The proposal has been designed to meet the objectives of this zoning.

PART 4 PRINCIPAL DEVELOPMENT STANDARDS – MAP 7

| No. | Standard | Required/ Allowable | Supplied | Complies | Comments |
|-------|---|-------------------------------|-----------------------------------|----------|------------------------|
| 4.1 | Minimum subdivision lot size | 200sqm | 335sqm | NA | No change to existing. |
| 4.1AA | Minimum subdivision lot size for community title schemes | | | NA | |
| 4.2 | Rural Subdivision | | | NA | |
| 4.3 | Height of Buildings | 8.5m | 0.1 | Y | |
| 4.3A | Landscaped areas for Residential accommodation in Zone R1 | 35% of open space on the site | 43% of the open space on the site | Y | |
| 4.4 | Floor Space Ratio | 0.4:1 | | N/A | |
| 4.4A | Exceptions to floor space ratio for active street frontages | | | NA | |
| 4.5 | Calculation of Floor Space Ration | | | Y | |
| 4.6 | Exceptions to development standards | | | NA | Not required |

Part 6 - Additional Local Provisions

6.1 Acid Sulphate Soils – N/A

6.2 Earthworks – A structural engineer will be engaged to monitor the excavation of the site to ensure no damage will occur to neighbouring properties and to mitigate the impacts of the development.

6.3 Flood planning – The property is not located within a flood zone.

6.4 Stormwater management – stormwater on site will remain as existing but will be upgraded or replaced if necessary and in keeping with Council's controls.

6.5 Terrestrial biodiversity—this portion of the LEP is not applicable with this application

6.6 Foreshore Scenic Protection Area—the property does not fall within the foreshore scenic protection area

CONCLUSION

The enclosed assessments of the merits of the application indicate that the proposed development will not have any adverse environmental impact.

The development has taken into consideration design aspects of human comfort such as scale, noise, solar access and shade to both this residence and the neighbouring properties. The design protects the neighbour's amenity including visual and acoustic privacy particularly regarding living areas and private open spaces. The setback from the boundary ensures the amenity of the neighbouring properties is maintained and enhanced and landscaping softens visual appearances. The structure is in keeping with the neighbourhood and the scale of this form is balanced by the existing and proposed vegetation. It is proposed to use quality materials to finish the area and to maintain the architectural style of the existing residence.

The proposed design maintains the general aims and objectives of the Manly LEP and Manly DCP's and enhances the characteristics of the area and the desired outcome of the Balgowlah area.



Proposed pool location from SE boundary



View to proposed pool location from SW boundary



View showing level of ground between proposed pool area and street.
Please note high elevation of fencing and no impact on views



View from across the street, note no views to pool location



View of site across the street



View to site across the street



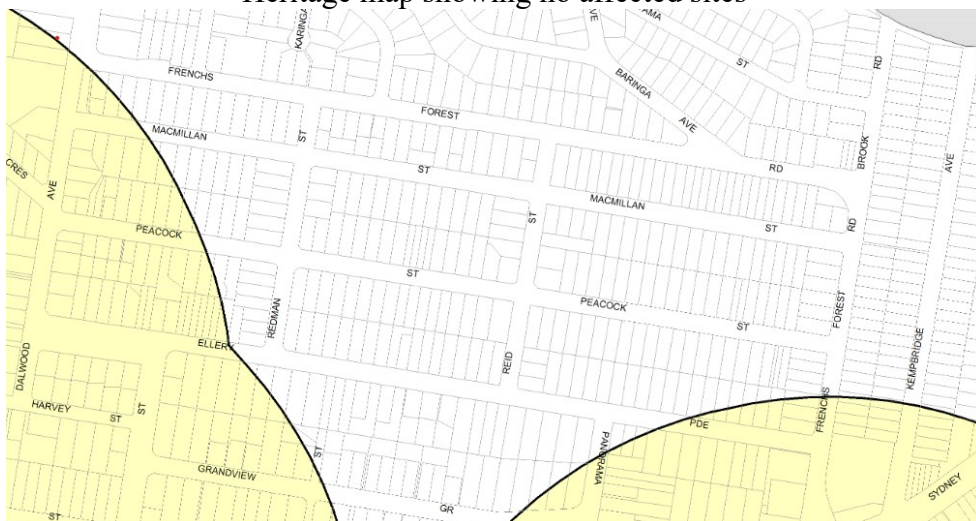
View down from the SE side of the Redman/ Macmillan intersection, no impact on views or privacy



View from public sidewalk
Please note pool location not in view. Also note large excellent setback



Heritage map showing no affected sites



Landslip map—site is not located within any landslip areas