



STATEMENT OF ENVIRONMENTAL EFFECTS



**PROPOSED SWIMMING POOL, ENTERTAINING AREA & ASSOCIATED SOFT AND HARD
LANDSCAPE WORKS**

FOR

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**7 CURL CURL PDE,
CURL CURL, NSW 2096**

MARCH 2021

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1.0 INTRODUCTION

This statement of environmental effects accompanies a development application for; proposed swimming pool, entertaining area & associated soft and hard landscape works at 7 Curl Curl Pde, Curl Curl (Lot 80, DP 5539).

The purpose of this Statement of Environmental Effects is to describe the proposed development and review the relevant planning requirements relating to the proposal. It provides an assessment of the proposed works in terms of the Evaluation Criteria prescribed under Section 79C(1) of the Environmental Planning and Assessment Act, 1979.

The merits of the proposal are considered in terms of the relevant Northern Beaches Council planning instruments, codes and policies.



Figure 1 - Picture of the subject property viewed from the top (Site is shown within red lines)

2.0 LOCALITY AND SITE

The property is located within the Curl Curl locality, part of Northern Beaches Council, in the County of Cumberland and is shown as Zone R2 'Low Density Residential' on the land zoning map. The site is not within or adjacent to a heritage conservation area. There are no heritage items within the immediate vicinity. The site is currently used as a dwelling, the existing structure consist of a fibro clad residence with metal roofing and a weatherboard shed with limited vegetation on the site. The site has a street frontage of 10.06m to Curl Curl Parade. It has common boundaries with three residential properties. The site is known as 7 Curl Curl Parade, Curl Curl. Lot 80 in DP 5539. The site has an area of 581.7m².

The site is significantly lower than Curl Curl Parade. It falls steeply from south to north, includes large rocky outcrops emerging through the rear garden. The elevation of the site drops from 26.40 AHD in the south western corner to 14.15 AHD at the north eastern corner of the site. A low retaining wall is located along the street boundary. The property is generally rectangular in shape, its southern boundary is 10.06 metres in width, its northern boundary is 10.23 metres in width, its western boundary is 56.91 metres in length and its eastern boundary is 58.77 metres in length. There are no known flooding issues on the site. Natural drainage across the site falls towards the north. Stormwater currently drains towards the northern adjoining properties and flows towards Adams Street. A pit is located at the corner of Adams and Farnell Streets.

The proposed development is subject to Warringah Local Environment Plan 2011 (LEP 2011) and Warringah Development Control Plan (DCP 2011).

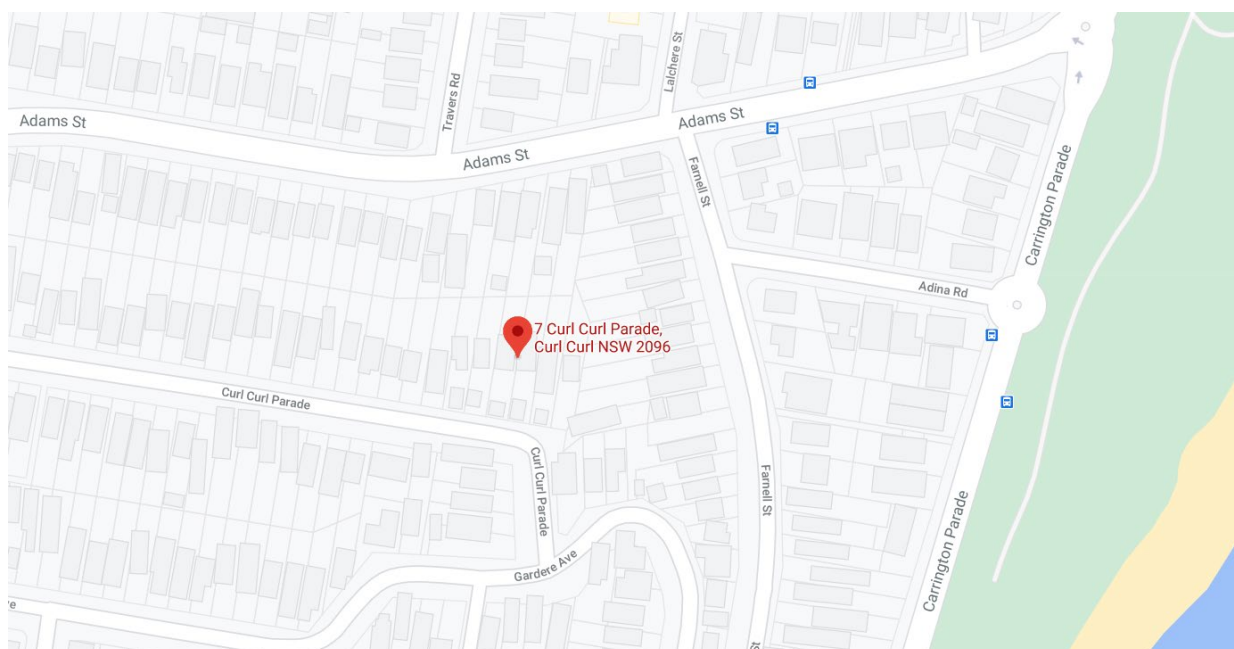


Figure 2 - Locality Map. Source – Google Map (Site is shown with red marker)

3.0 PROPOSAL

The proposal refers to an addition to a previously approved new building to this property - as part of MOD2020/0698. The proposed works are nearly entirely located behind the rear building line and shown in colour on DA-10, DA-11, DA-12 and DA-13.

The addition consists of the following:

- Proposed hardwood decked landing & steps with bench seat outside rear of proposed dwelling allowing access to the upper-level lawn area
- Proposed stone cladding retaining wall with recessed arched alcove to create daybed
- Proposed steel grated staircase connecting upper ground level to swimming pool & lower-level lawn area
- Proposed in-ground swimming pool
- Proposed covered poolside area made of off-form concrete planters to create green roof and built-in seating and steps that connect to the lower-level lawn area
- General landscape upgrade

Proposed hardwood decked landing & steps with bench seating outside rear of proposed dwelling allowing access to the upper-level lawn area

The proposed hardwood decked landing shall create a connection between the indoor living space and the outdoors improving the flow and shared functionality between these two spaces.

The proposed level lawn shall provide a practical open space for the residents. The proposed lawn shall appear nested and integrated within the surrounding planting.

Proposed stone cladding retaining wall recessed with arched alcove to create daybed

The proposed retaining wall shall create a support for the concrete planter that contains the upper lawn level above (which shall be min 1m deep soil). It shall be designed by a licensed structural engineer in order to achieve a durable structure and shall extend from the eastern boundary to the western boundary, to retain existing soil and create garden beds on both sides.

Proposed steel grated staircase connecting upper ground level to swimming pool & lower level lawn area

The proposed steel grated staircase to the eastern side access shall facilitate access to the rear garden, linking the upper ground level to the lower pool and level lawn area. This new staircase shall provide an essential connection for the rear of the property.

Proposed in-ground swimming pool

The swimming pool is proposed to be level with the lower garden area. It is proposed for the new swimming pool equipment soundproof enclosure to be integrated within the garden along the western side boundary, close to the rear of the property.

Proposed covered poolside area made of off-form concrete planters to create green roof and built-in seating and steps that connect to the lower-level lawn area

The green roof shall provide a sheltered entertaining area. The steps down to the lower lawn level shall also act as built-in seating creating an enjoyable and functional outdoor space.

This shall result in a greater engagement from the dwellers with their outdoor spaces, all year round. The rear of the property is currently uninviting due to the slopping and no n landscaped space. Consequently, the proposed outdoor seating and level lawn area shall create a softer and pleasing visual connection from the proposed house, increase usability and functionality to the space at all times.

General landscape upgrade

The current rear garden has been left with no care and maintenance for an extensive period of time, it is underused and predominantly comprises of an unpractical land covered in noxious weeds, which shall be removed by hand. Soils and garden beds affected by the noxious Onion Weed shall in fact be replaced.

The proposed soft landscaping shall result in an instant effect. It partly consists of the implementation of several semi-advanced palm trees. The intent is to ground the residence and soften the appearance of the structure from all angles. The selected species has been chosen for its relatively slow growth, manageable nature and resistance to this type of environment.

The proposed swimming pool & covered poolside area along with new garden shall become focal points, complementing and reflecting the scale and form of the proposed residence, while generating a dramatic increase of amenity within the outdoor space; thereby satisfying the requirements of the owner, whilst ensuring minimal impact on the neighbouring properties.

Sections of the fencing along the eastern, western and the northern rear side boundary are to be replaced. The proposed fencing, coupled with the proposed screen planting along the eastern, western and northern boundaries, shall ensure visual privacy and softening of both subject site and neighbouring properties.

It shall create cohesion between landscape elements and the built form in a balanced manner. The important increase of amenity shall encourage the young family, to interact with their garden while allowing for more comfortable and usable living space.

The proposed development takes the inherent qualities of the property and its setting into consideration. Vigilant care and caution have also been taken with regards to adjoining properties. It has been designed around the existing form and features of the site. The proposal does not impact on any scenic qualities or characteristics of the area.

The general increase of amenity associated with the proposal shall result in a greater engagement from the residents with their outdoors.

It shall create high quality landscape and outdoor spaces connected to the residence. The design is sensitive to the conservation values of the area and shall complement the architectural style of the residence.



Front of property seen from Curl Curl Pde



Rear of property seen from northern boundary



Rear garden area seen from the center of the property looking to north side direction



Rear garden area seen from the center of the property looking to eastern side direction



Rear garden looking towards 58 Adams Street

4.0 DEVELOPMENT CONTROLS AND POLICIES

The Warringah Local Environment Plan 2011 (LEP 2011), current version of 04th March 2021 is the statutory planning instrument that establishes what forms of development and land use are permissible and/or prohibited on all land within the Warringah Local Government Area. LEP 2011 is made up of the written instrument and a series of maps.

Warringah Development Control Plan (DCP 2011) is a policy document. The DCP 2011 provides the detailed objectives and planning guidelines to guide various forms of development in the Warringah Area. The Development Control Plan Maps identify which land parcels in the Warringah Area are subject to certain controls, conditions and policies.

5.0 EVALUATION PURSUANT TO SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

5.1 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

The proposal is not affected by any draft environmental planning instrument.

5.2 LOCAL ENVIRONMENTAL PLAN

Warringah LEP 2011

The following sub-parts of the Warringah LEP 2011 are relevant (but not exclusively):

Part 2 Permitted or prohibited development

Land Use Table

The relevant objectives of this section are as following:

Zone E2 Low Density Residential

(1) Objectives of the 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.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposed development shall meet this control.

Part 6 Additional local provisions

6.1 Acid sulfate soils

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The proposed development shall meet this control.

6.2 Earthworks

(1) *The objectives of this clause are as follows—*

(a) *to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*

The proposed development shall meet this control. Please refer to geo-technical report completed by White Geotechnical Group submitted as part of application.

6.4 Development on sloping land

(1) *The objectives of this clause are as follows—*

(a) *to avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land,*

(b) *to ensure the impacts of storm water runoff from development on or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land,*

(c) *to ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.*

(2) *This clause applies to land shown as Area A, Area B, Area C, Area D and Area E on the Landslip Risk Map.*

(3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*

(a) *the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*

(b) *the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*

(c) *the development will not impact on or affect the existing subsurface flow conditions.*

The property is classified on the Landslip Risk Map as “Area B”. An analysis has been completed and forms part of the geo-technical report attached as part of this application.

5.3 21 DEVELOPMENT CONTROL PLAN

Warringah DCP 2011

The following provisions of the Warringah DCP 2011 are relevant (but not exclusively):

- **Part B Built Form Controls**

- B5 Side Boundary Setbacks**

- Objectives**

- *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.*

- DCP Setbacks Side B 0.9m**

The proposed development shall meet this control. The proposal shall remain within the previously approved building (approved as part of MOD2020/0698) side lines. The proposed side setbacks vary from 1 to greater than 2.250 metres and therefore are all compliant. This shall provide opportunity for deep soil landscape area and ensure privacy and separation from neighbours.

- B9 Rear Boundary Setbacks**

- Objectives**

- *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 relating to privacy between buildings.*
- *To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.*
- *To provide opportunities to maintain privacy between dwellings.*

DCP Setbacks Rear D 6m

The proposed development shall remain within 6meters from the rear boundary and therefore meets this control. This shall provide opportunity for deep soil landscape area and ensure privacy and separation from neighbors.

• **Part C Siting Factors**

C7 Excavation and Landfill

Objectives

- *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.*
- *To require that excavation and landfill does not create airborne pollution.*
- *To preserve the integrity of the physical environment.*
- *To maintain and enhance visual and scenic quality.*

The proposed development generally follows the existing landform and requires minor excavation and fill works. The excavation works to the southern side of the swimming pool area and fill works to the northern side of the level lawn alongside the pergola are to provide significant amenity to the subject while remaining non detrimental to the adjoining properties. The proposal shall as well preserve the integrity of the environment and maintain and enhance the visual and scenic quality.

C8 Demolition and Construction

Objectives

- *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.*

The proposed development will incorporate the waste minimisation principles of Avoid, Reduce, Reuse and Recycle, and conform with the Waste Avoidance and Recovery Act 2001. Specific bins for waste and recycling shall be provided.

C9 Waste Management

Objectives

- *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.

The proposed development meets this control. Bins shall be located on the south eastern edge and hidden within the previously approved carport.

• **Part D Design**

D1 Landscaped Open Space and Bushland Setting

Objectives

- 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

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:
 - 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.

The proposed development meets the minimum landscaped area of 40% as shown on drawing DA-10 Site Analysis & Landscape Area Calculations. The minimum landscape area is 232.68 m² and the proposed landscape area is 234.11m² and therefore complies with this policy.

D15 Side and Rear Fences

Objectives

- To encourage innovative design solutions to improve the urban environment.

Requirements

1. Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary.
2. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped.
3. All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.

The proposed development shall meet this condition. The proposed fence to either the eastern and western boundary sides shall be timber paling painted dark with averaged height and regularly stepped. The rear boundary fence shall be timber paling painted dark 1.8 meters height.

D16 Swimming Pool 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.

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 proposed swimming pool is located at the rear garden therefore meets this control.

- **Part E The Natural Environment**

E10 Landslip Risk

Landslip Risk Class B – flanking slopes; slope angle 5° to 25°

ii) For land identified as being in Area B or Area D: A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application. If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical engineer / engineering geologist and must be submitted with the development application. Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.

The subject property is located within the Geotechnical Hazard Map. The proposed development is supported by a Preliminary Geotechnical Report and shall not generate any geotechnical hazard.

5.4 THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT ON BOTH THE NATURAL AND BUILT ENVIRONMENT, AND THE SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY

The proposed development shall have nil effect on the built environment, no adverse effect on the locality nor the adjacent properties. The proposed development shall have nil impact on the social and economics of the locality. The proposed development shall enhance the vistas from the public domain.

5.5 THE SUITABILITY OF THE SITE FOR DEVELOPMENT

The site has a long history of residential use, and the continued use of the land for residential purposes for a dwelling house is an appropriate use of the land consistent with the residential zoning.

In this circumstance, the site is considered to be very suitable for the continued use for residential purposes as proposed.

5.6 SUBMISSION MADE IN ACCORDANCE WITH THE ACT OR REGULATIONS

The proposal is not an integrated development.

5.7 PUBLIC INTEREST

The public interest is considered in terms of compliance with the relevant planning controls applicable to the proposed development.

The continued use of the land for residential purposes is consistent with the objectives for the residential zone and the desired future character for this area of the Northern Beaches.

The proposal is consistent with the relevant objectives and development standards. The proposal shall have no adverse impacts on the amenity of the neighbouring properties.

The proposal represents an appropriate and desirable improvement to the function and amenity of the property. It is a design that is compatible with the built form and character of the area and the surrounding residential development.

It is the applicant's opinion that there are no discernible issues relating to the proposed development that would be contrary to the public interest.

6.0 CONCLUSION

The development shall not have any significant environmental, social or economic impacts. The proposed development is consistent with relevant Warringah Council development controls and environmental management measures.

The proposed improvements to rear garden have been designed in a manner that shall ensure their successful connection to the proposed residence.

The proposed development shall dramatically increase the amenity and encourage the family to make use of their outdoor recreational space. It shall improve the relation between the proposed residence and the rear garden as well as overall reinforce views and connection between outdoor spaces and features.

The proposed development shall only result in a slight decrease of the landscape area. However, the applicant would like to bring attention to the proposed green roof pergola that despite not being considered 'landscape area' under Warringah DCP11, shall appear as garden for both subject and adjoining properties.

The proposed landscape development considers the inherent qualities of the property and its setting, as well as the inherent qualities of the adjacent properties, and has been designed to integrate well with the form and features of the site. The proposal shall only impact positively on any scenic qualities or characteristics of the area.

Overall, there shall be no negative impacts on the existing locality, visual character of the public realm, the proposal shall result in no loss of amenity, view, solar access to neighbouring properties. All subsequent impacts shall be of a positive nature.

The form and design of the proposal are responsive to the Clients' brief, Northern Beaches Council's planning instruments and to the existing specific site conditions. It is our professional opinion that it represents an appropriate form of development, and shall enhance the visual appearance and amenity of the residence and the surrounding environment.

We understand that this application shall be judged on its merits and believe that Northern Beaches Council should support it.



Carmen Knob
Landscape Architect