

15 January 2021

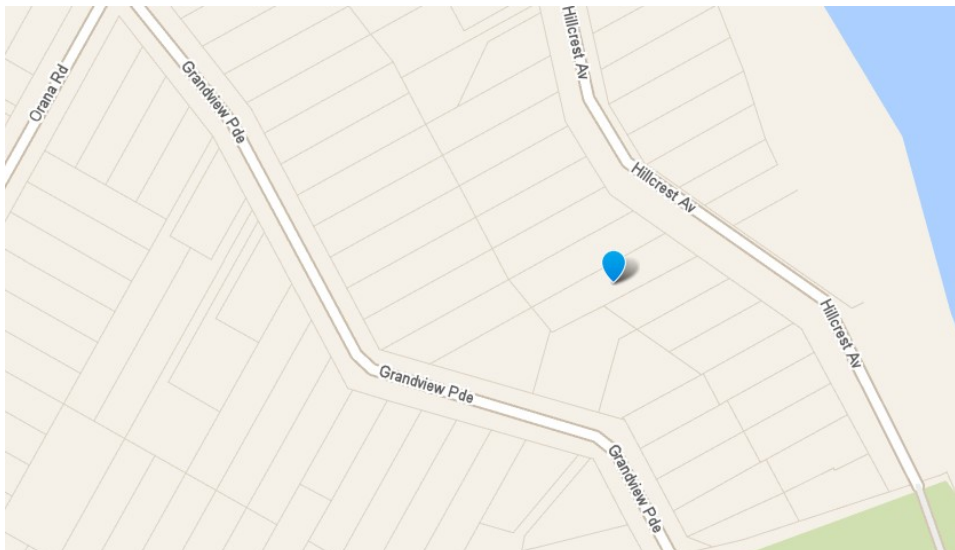
**STATEMENT OF ENVIRONMENTAL EFFECTS**  
**PROPOSED NEW REAR YARD SWIMMING POOL, RETAINING,**  
**AND ASSOCIATE WORKS**  
**STEPHEN WOODS**  
**45 HILLCREST AVENUE, MONA VALE 2103**  
**LOT 37 SECTION C DP 6195**

Introduction

This statement of environmental effects is to accompany a development application for the construction of a new rear swimming pool and associated works for the residential property at 45 Hillcrest Avenue, Mona Vale. The statement has been prepared by Right Angle Design and Drafting on behalf of the owners of the above address. This proposal requests approval for work that is all acceptable and within Council's controls for this property and zoning.

Accompanying 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 and sections
Right Angle Design and Drafting P4	-elevations
Right Angle Design and Drafting P5	-landscape plan
Right Angle Design and Drafting P6	-sediment control plan
Robert Friend Surveys	-AHD survey
White Geotechnical Group	-geotechnical risk assessment
BASIX	-Basix certificate



LOCATION OF 45 Hillcrest Ave, Mona Vale

## SITE DESCRIPTION AND DETAILS

The site is located at 45 Hillcrest Ave, Mona Vale: Lot number 37 of Section C in DP 6195. The total site is approximately 1045 square metres and is rectangular in shape, with angled front and rear boundaries. The frontage is just over 17m while the rear boundary is 15.22m in length. The existing residence on site has been located in the front middle portion of the site to maximise setbacks and ensure that there is excellent rear outdoor and private open space on site. All views and aspects are to the south and west looking out over Mona Vale Headland Reserve and down to Bongin Bongin Bay. The neighbours to the rear also have all views and aspects out to the south west. The neighbouring property to the north is at a higher elevation and has an existing pool on site. The southern side neighbour is at a similar level. Driveway access is from the east and leads to a double garage. The residence itself is two storey. The front entrance to the residence is located on the eastern side, with the living space, views and general usage area of the residence is to the southwest. There are two small balconies at the rear of the residence with paved areas below. The remainder of the rear yard is all grass and garden. The soft surface area of this site is extensive in comparison to other properties in the area. The property slopes from the residence down to the rear boundary with a fall of approximately 6m. The site has over 60% soft surface. There are no easements associated with the site. A Sydney Water sewer line runs along the rear of the site. This will not be impacted by the proposed works. All drainage will continue to be directed into on-site rainwater tanks and the existing stormwater. The neighbouring properties are all similar in ground levels and aspect.

The present use of the site and the adjoining properties is residential. It is not known whether the site is on contaminated land or whether there has been any testing. The property is located in the E4 Environmental Living zone, is in Acid Sulfate soil Class 5, and is not in the immediate vicinity of any heritage item, nor is it located in a Conservation Area. There are no concerns with the Wildlife Corridor. The site does fall within the H2 Geotechnical zone and has been identified as requiring an assessment report. A full report accompanies this application. There are no restrictions regarding Land Acquisition, Urban Release, or Floor Space Ratio. The property does not lie within a Bushfire Prone zone. All work will be conducted in accordance with Council requirements and will satisfy the objectives of the PLEP 2014.

## PROPOSED DEVELOPMENT

The rear yard of the property is divided into two areas, a level area at the rear of the residence used as the private open space area, and a larger area to the rear that slopes away to the rear boundary. The divider between these two areas are two block wall retaining walls that step down the site.

It is proposed to construct a new rear yard swimming pool in the southwestern middle section of the site for the recreational use of the owners and their family. The proposed pool will be medium sized being 9.0 x 4.5m, with a centrally located access area. The pool will meet all requirements for pool position, site coverage, setbacks, and heights out of ground. The setbacks will allow for significant planting for screening and privacy to neighbours. The position of the swimming pool will ensure that it limits its visibility to or from the neighbouring residences. It will be visible from the properties to the rear,

however, the large setback of over 17m should ensure minimal impact on privacy and views.

New stairs will be cut into the existing retaining wall allowing access to the pool on the lower level. The pool and surrounds will be located at or below existing ground level at the house end and due to the slope of the site will be above ground level at the rear of the pool. The pool will be constructed out of concrete with steel framing. The concrete will be in full compliance with the related soil levels. There will be 900mm of coping around the pool to provide adequate access and safety and a non-walkable edge on the rear side to help limit the impact on surrounding sites. A person in the pool will be lower than the existing ground levels. The existing retaining walls will be maintained where possible and replaced and upgraded where construction affects them. The pool area will be constructed as unobtrusively as possible and will be screened from the neighbouring properties. All proper pool fencing and boundary fencing will be in place. There should be little to no impact on the neighbouring properties with this portion of the proposal. The large setback from the rear neighbours and the location of the pool, well below side neighbouring ground floor levels, will ensure privacy. The location will ensure that no trees are damaged or harmed with the excavation. A small palm tree will be moved during excavation and reinstalled. It also ensures that the remainder of the rear yard can remain grass, natural vegetation, and garden. The filter will be housed in a sound suppression enclosure and located at a low level on site as far from neighbouring residences as possible. Childproof fencing 1200mm high min will isolate the pool from the house and the rest of the property. The proposal has been designed to incorporate materials and colours, which will visually tie together the existing parts of the dwelling with the pool and complement the surrounding area. The structure is in keeping with the neighbourhood and the scale of this form is balanced by the vegetation. It is proposed to use quality materials to finish the area and to maintain the architectural style of the existing residence. The pool location does not impact on the adjoining properties by any means of blocking views or noise. There is minimal outdoor paved area to be added that the owners may use for relaxation and entertainment. It is not seen as necessary to remove or replace any existing paving. The owner will ensure that all proper drainage is installed or repaired if necessary. The site at present has excellent stormwater. This will be maintained. The pool size activates BASIX requirements and a rainwater tank is to be installed to ensure compliance. There is a new retaining wall proposed with this application. This wall will be located to the rear of the pool and at a significantly lower level. It allows the site to have an additional level area while keeping the area away from neighbours and residences. Additional local plants may be planted to the boundaries at Council's request. Though the proposal is not in a bushfire zone, the pool may be used as a source of water in the case of a local fire. There are no trees in the proposed location and no roots will be severed with the excavation. There will be no work to the front yard with this proposal.

#### SETBACKS AND BUSHFIRE ZONE

The pool is located behind the building line and a minimum 2500mm from the northern boundary to structure, over 1.0-1.9m from the side southern boundary structure, a minimum of 17m from the rear boundary to pool area

and 10.4m to the retaining wall, and over 40m from the east front boundary, all in keeping with Council's controls. Due to the rear yard being the main outdoor private open space on site, the pool has been positioned to maximise outdoor living area. The size and position of the pool have been prepared to take advantage of the retained area at the rear of the residence. The pool development meets Council's rear 6m-setback requirement. Though pools are permitted to be located within this area, this pool will have a larger setback. The proposed level of the pool is to provide simple access to the pool and provide a practical view from the residence and the rest of the yard and outdoor paving for safety and supervision of the pool area. The pool, having been located below the existing floor level of the residence and the main outdoor entertaining area, has been designed to minimise impact on the neighbouring properties. The natural features of the site will be retained as much as possible.

#### SOLAR ACCESS

The pool though located at a medium height point on the property is located below the ground floor level of the residence and the neighbouring residences, and as such, will have minimal to no impact on the neighbouring residential structures. There will be no affect on solar access or visual sight lines.

#### PRIVACY AND NOISE

The pool has been sited to minimise encroachment and to avoid amenity impacts to the adjoining properties. It is not envisaged that noise from the pool will be a disturbance in this area as the pool and equipment will be located away from neighbouring residences and in a soundproof enclosure. The northern side neighbour has a floor level over 3m higher than the proposed pool as well as a pool in a similar location. The southern side neighbour has floor levels approximately 2.5m higher than the proposed works. There are many private swimming pools located down in this area and this pool should not change the overall affect of the area. The provision of planting and screening will provide a more private area to all neighbours.

#### SOFT LANDSCAPING

The property is located in the E4 Environmental Living zone. This requires 60% landscaped area. The proposal supplies a ratio of 59% for this site. The site has minimal paving, mainly for access and vehicles, there is no large outdoor paved or decked area, and the residence is a reasonable size. This slight reduction in the preferred percentage should be permissible by Council. The pool proposal does add hard surface to the property though the pool water area will be used as a capture area for rainwater helping decrease overland flow. The owners have situated the pool to minimize site impact. There has also been a concerted effort by the owners to minimize proposed paving to ensure that the hard surface ratio remains as low as possible. The owners wish to retain the high percentage of soft surface on site. They have continuously maintained a site that promotes use by local birds and wildlife. The existing driveway and front access are the largest contributor to site coverage on the property. There are no large existing areas of paving for entertaining; the front and rear decking areas are modest and functional. The owner has gone to great lengths to retain the existing soft surface and natural features of the site. All

proposed work will be well away from any residential property. The nearest residences are over 9m away from any structure, 11.5m from pool water.

#### WATER MANAGEMENT

The pool water will be filtered and sanitized. The pool will be drained to the sewer as required. Water falling onto the pool concourse will drain to the pool water area. Stormwater drainage from the residence and the garden will remain as existing. A stormwater plan accompanies this application.

#### SITE MANAGEMENT

There is approximately 28 cubic metres of excavation required on site, which will be carried out by machine. Topsoil and clean fill will be retained to help fill in the small new retained area at the rear of the pool. Any additional excavated material will be removed from the site at the responsibility of the excavation contractor. A silt and sediment control fence will be constructed and maintained on site. Soil will be removed from equipment before exiting the site.

#### BUILDERS INTEGRITY

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



View down to 45 Hillcrest Ave, Mona Vale

Please note the site has excellent setbacks to neighbouring residences and that there are numerous swimming pools in the area

#### DCP REQUIREMENTS AND OBJECTIVES— MONA VALE LOCALITY

To achieve the desired future character of the Locality.

To ensure new development responds to, reinforces and sensitively relates to the spatial

characteristics of the existing built form and natural environment. (En, S, Ec)

To enhance the existing streetscapes and promote a scale and density that is in scale with the height of the natural environment.

The visual impact of the built form is secondary to landscaping and vegetation, or in commercial areas and the like, is softened by landscaping and vegetation. (En, S, Ec)

High quality buildings designed and built for the natural context and any natural hazards. (En, S)

The residential areas are of a diverse style and architecture, a common thread being the landscaped, treed frontages and subdued external finishes.

To preserve and enhance district and local views which reinforce and protect Pittwater's natural context.

To enhance the bushland vista of Pittwater as the predominant feature of the landscape with built form, including parking structures being a secondary component.

To ensure that development adjacent to public domain elements such as waterways, streets, parks, bushland reserves and other public open spaces, compliments the landscape character, public use and enjoyment of that land. (En, S)

### D9.2 Scenic Protection

Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.

The proposal does everything possible to minimise and limit the impact on the site as viewed from the road. There are no public reserves or waterways impacted by this proposal. No work will be visible from the front of the property or the roadway.

### D9.3 Building Colours and Materials

External colours and materials shall be dark and earthy tones

The external surfaces will be muted, with light coloured paving, natural sandstone coloured retaining walls, and glass pool fencing. The pool coping and paving will be of a lighter colour. This will not be visible from the street and should have minimal impact on neighbours.

### D9.6 Front Building Line

6.5 metres or established building line, whichever is greater

The proposal will not exceed the front building line of the property. There is no work in the front of the property for this application. The proposal is not seen as out of the ordinary or exceptional for this type of site. The owners and neighbours do not believe that the proposal is beyond what should be permitted on site.

### D9.7 Side and Rear Building Line

2.5m to at least one side, 1.0 for the other side

6.5 rear (other than where the foreshore building line applies)

The property meets all requirements for side and rear building lines.

### D9.9 Building Envelope

3.5m vertical at boundary, 45 degree slope from there, maximum 8.5m

The property has been specifically designed to meet all requirements for vertical and diagonal envelope setbacks. There is no requirement for a Clause 4.6 with this application.

### D9.10 Landscaped Area

The site is requested to have a landscaped area of 60% of the site area. The use of porous materials and finishes is encouraged.

The site does not comply with the 60% landscaped area for Council residential properties. The property lies within the E4 Environmental Living zone. The site has over 53% landscaped area, all of which is soft. There is a permissible 6% variation available for this property. This brings the total to over 59%. There are soft areas not calculated in these totals that bring the application to the requested 60%. The application has adopted the variations permitted by Council. There is minimal paving or hard surface on site with the exception of the driveway, pool surrounds, and access around the residence.

CONTROL	REQ'D	COMPLIES	COMMENTS	
SUPPLIED				
B1 HERITAGE				
B1.1 heritage conservation		N/A	The site is not heritage listed nor is it in a heritage conservation area	
B1.4 Aboriginal Heritage		N/A	The property is not listed as aboriginal heritage	
B2 DENSITY CONTROLS				
B3 HAZARD CONTROLS				
B3.1 landslip	Y	Y	Y	A full geotech report accompanies this application
B3.2 bushfire	N	N	Y	
B3.3 coastline hazard	N	N	Y	
B3.4 coastline bluff	N/A	N/A	Y	
B3.6 contaminated land	N	N	Y	Land not contaminated
B3.7 estuarine	N	N	Y	Not in hazard zone
B3.11 flood	N	N	Y	Not in flood zone
B3.23 climate change	N	N	Y	Not in climate change zone
B4 NATURAL ENVIRONMENT				
B4.1 flora and fauna	N	N	Y	Not in conservation area
B4.2 wildlife corridor	N	N	Y	No corridor on site
B4.7-22 endangered communities	N	N	Y	No community on site
B4.11 land adjoining bushland	N	N	Y	No secondary report required
B5 WATER MANAGEMENT				
B5.2 wastewater disposal	Y	Y	Y	All wastewater to enter Sydney Water sewage pipes, all stormwater to proper system
B5.3 greywater reuse	N/A	N/A	Y	
B5.4 stormwater harvesting	Y	Y	Y	Stormwater harvested in rainwater tanks
B5.5 rainwater tanks	Y	Y	Y	a rainwater tank required
B5.7 OSD page 16	N	N	Y	Not required
B5.8 water quality	Y	Y	Y	All proper screening to be carried out
B5.10 stormwater discharge into public drainage system	Y	Y	Y	Will comply with stormwater engineering
B5.11 discharge into waterways and coastal areas	Y	Y	Y	Will comply with stormwater engineering
B5.12 drainage to natural watercourses	N	N	N/A	
B5.13 waterfront land	N	N	N/A	
B5.14 drainage easements	N	N	N/A	
B6 ACCESS + PARKING				
B6.1 driveways on public road reserve	N/A	N/A	Y	Will comply with Council required road levels and crossing
B6.3 internal driveways	Y	Y	Y	Internal driveway provided
B6.5 off-street parking	Y	Y	Y	Two spots supplied
B6.7 driveway adjacent to a main road	N	N	N/A	
B6.8 driveway adjacent to a primary road	N	N	N/A	
B8 SITE WORKS MANAGEMENT				

B8.1 excavation and landfill	Y	Y	Y	Will fully comply with DCP, no work to disrupt neighbouring structures
B8.2 erosion and sediment	Y	Y	Y	A full sediment control plan will be enacted on site during demolition and construction
B8.3 waste minimisation	Y	Y	Y	The owners wish to recycle as much material as possible
B8.4 site fencing and security	Y	Y	Y	The site will be secured with proper fencing at all times, locked when not in use
B8.5 works in public domain	Y	Y	Y	Will comply with all work regulations
B8.6 traffic management plan	Y	Y	Y	A full plan will be supplied at Council's request once a builder has been obtained
C1 DESIGN CRITERIA				
C1.1 landscaping	3 trees	3 trees	Y	The site has 3 trees that fulfill landscape requirements. Additional trees may be planted at Council request.
C1.2 safety and security	Y	Y	Y	Building designed to comply
C1.3 view sharing	Y	Y	Y	All views out to south and west, no obstruction of side neighbours, no rear neighbours
C1.4 solar access	3 hours	3 hours	Y	Min 3 hours to private open space and to principal living area of neighbours
C1.5 visual privacy	Y	Y	Y	No direct overlooking of neighbours
C1.6 acoustic privacy	Y	Y	Y	
C1.7 private open space	60sqm	60+	Y	The site has abundant private open space
C1.8 dual occupancy	N	N	N/A	
C1.9 adaptable housing	N	N	N/A	
C1.10 building facades	Y	Y	Y	No visible services on front facade
C1.11 secondary dwelling	N	N	N/A	
C1.12 waste and recycling	Y	Y	Y	Provided on site
C1.13 pollution control	Y	Y	Y	Designed to be efficient and minimise pollution-air, water, noise, land
C1.16 tennis court	N	N	N/A	
C1.17 swimming pool safety	Y	Y	Y	All requirements of NSW and Australia to be met
C1.19 incline lifts, stairways	N	N	N/A	
C1.23 eaves	N/A	N/A	Y	To meet standards
C1.24 public road reserve landscaping and infrastructure	Y	Y	Y	Will maintain and ensure clause is met
C1.25 plant, equipment boxes	Y	Y	Y	No units on roof or balconies
D9 MONA VALE				
D9.1 character as viewed from a public place	Y	Y	Y	Proposal complies with controls
D9.3 colours	Y	Y	Y	
D9.6 front building line	6.5m	6.5m	Y	
D9.7 side building line	1m	1.0 and 2.5m	Y	1.0 and 2.5m setback to all new work
rear building line	6.5m	12m	Y	Pool permitted in rear setback
pool	1m	1.0 and 2.5m	Y	
D9.9 building envelope	8.5m	8.5m	Y	Building complies, no breach of envelope
D9.12 fences	1.8m max	1.8m max	Y	All fencing to not exceed 1.8m in height
D9 retaining walls and terracing	Minimal impact	Y	Y	Retaining walls will have no structural or environmental impact on neighbouring sites
SEPP BASIX	Y	Y	Y	BASIX certificate required and supplied

PHOTOS





Proposed pool position



View from proposed pool position to residence.



View from house to proposed pool position.

Please note the pool is located below the visible retaining wall and the tree will be replanted.



View from proposed pool position to rear boundary, please note large setback.



View from rear boundary to proposed pool location.



View to proposed pool location, pool to be located at top of lower retaining wall





View to pool at number 43 Hillcrest. Please note pool is at a higher elevation than this proposed pool



View from Hillcrest Ave.

No view of rear yard from street. Proposed pool location is not visible from Grandview Parade to the rear as well.