



J.D. EVANS & COMPANY
PTY LIMITED

September 27, 2010

The General Manager
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY N. S. W. 2099

Dear Sir

STATEMENT OF EFFECT

1.0 Introduction

This Statement of Effects accompanies submitted plans No. 1345 - 1 to 5, dated 27th of September 2010, to construct a swimming pool to the property at **No. 12 Quirk Street, Dee Why** for Tim Reilly.

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 of the site in the manner proposed is considered to be acceptable and is worthy of support of the Council.

In preparation of this document, consideration has been given to the following:

The Environmental Planning and Assessment Act, 1979 as amended.

The Environmental Planning and Assessment Regulation 2000.

Warringah Local Environmental Plan 2000

Locality Statement F5 - Curl Curl.

MEMBER

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2.0 Property Description

The subject site is described as No.12 Quirk Street, Dee Why, being Lot 10, Section B within Deposited Plan 8139 and is within the F5 Curl Curl Locality as described within Warringah Local Environmental Plan 2000.

The site is not listed as a heritage item nor is it within a conservation area.

3.0 Site Description

The property is located on the northern side of Quirk Street and is of regular in shape. The site area is only 726.80 square metres in size.

The site is currently developed by a two storey building which will be retained.

The land has a fall to the north and a fall to the west.

The adjoining allotments are single residential buildings of one and two storey. Opposite the site is again single residential buildings of one and two storey.

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4.0 The Surrounding Environment

The general vicinity of the site is characterised by single occupant one and two storey construction.

Development in the area comprises a range of architectural styles and of varying scales of development.

The varying age of the development in the area has resulted in a mix of materials and finishes, with the development in the area generally presenting a inconsistent setback to the public domain.

5.0 Proposed Development

As detailed in the accompanying architectural plans it is proposed to construct a swimming pool to the rear of the dwelling.

The overall scale of the proposed has been kept to a minimum through appropriate setbacks and articulation to maintain a complimentary bulk and scale relationship with the neighbouring buildings.

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6.0 ZONING AND DEVELOPMENT CONTROLS

6.1 Warringah Local Environmental Plan 2000

Desired Future Character

The subject site is located in the F - Curl Curl Lagoon Catchment Locality Statement (F5 Curl Curl) under Warringah Local Environmental Plan, 2000. The Desired Future Character Statement for this locality is as follows:

The Curl Curl Locality will remain characterised by detached style housing in landscaped settings interspersed by existing apartment style housing and a range of complementary and compatible uses.

Future development will relate to the predominant scale of existing detached style housing in the locality and the streets will be characterised by landscaped front gardens and buildings which address the street. The exposed natural sandstone rock outcrops throughout the locality are to be preserved where possible and development on prominent hillsides or hilltops must be designed to integrate with the landscape and topography and complement long distance views of the hill.

It is considered that the proposal is consistent with the Desired Future Character Statement for this locality, in that the proposed use will be compatible with the single residential development in the area.

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Built Form

The following table outlines compliance with the Built Form Controls of the above locality statement;

BUILT FORM CONTROLS

Standard	Required	Proposed	Compliance
Building Height	8.5m	1.85m	Yes
Metres/Storeys	2 storeys	N/A	Yes
Front setback	6.5m	N/A	Yes
Rear setback	6.0m	9.00m	Yes
Side setbacks	0.9m	3.50/3.50m	Yes
Side Boundary envelope	5.0m/ 45 degrees		Yes
Landscaping	40% of site	Min 40%	Yes

Part 4 General Principles of Development Control

In accordance with Part 4 of Warringah Local Environmental Plan 2000, the following **General Principles of Development Control** apply to the proposed development:

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38. *Glare and Reflection*

The proposed swimming pool will not introduce any significant glare or reflection to the neighbouring properties. The materials selected for the external finishes will be of a colour and tone that will not result in glare or reflection to the neighbouring properties.

42. *Construction site*

Appropriate measures will be employed during construction to limit noise, dust and sedimentation issues.

43. *Noise*

The proposed development should not unreasonably impact on the amenity of the surrounding properties.

44. *Pollutants*

The proposal will not introduce any significant pollutants. Commercial waste will be removed from the site by a licensed contractor.

48. *Potentially contaminated land & 49a. Acid sulphate soils.*

As the proposal does not seek to excavate more than one metre, no issues are anticipated as a result of the disturbance of contaminated soils.

50. *Safety and security*

The site is generally occupied during both daylight and night time hours with secure access to the rear of the property. Casual surveillance from the street of the property will still be available.

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61. Views

The subject and neighbours sites do have the advantage of a significant views. The height, scale and location on site of the proposed swimming pool are such that it will not limit the opportunities for an open outlook for the neighbouring properties.

62. Access to sunlight

It is clear that the neighbouring properties will continue to maintain adequate access to sunlight, in accordance with Council's policy requirements.

63. Landscaped open space

The development will maintain a good ratio of landscaped open space and built form. will enable the existing landscape to remain and provide the scale and density commensurate with the building height, bulk and scale.

64. Private open space

The existing private open space is at the rear of the residence and is not being altered.

65. Privacy

The location of the swimming pool will ensure that the adjoining properties will continue to enjoy reasonable privacy and amenity.

66. Building bulk

The existing two storey form of the building has resulted in a building which compares favourably with the other development in the vicinity and particularity with respect to the form of development suggested by the Locality statement.

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70. Site facilities

Suitable area is available within the site for waste storage and recycling areas. It is considered that the development is consistent with the General Principle.

73. Car parking

It is considered that the existing parking arrangement will meet the requirements of the General Principals.

78. Erosion and sedimentation

There are requirements for Erosion and Sediment Controls with this type of construction, All Erosion and Sediment Controls are to be in accordance with and the requirements of the N. S. W. Department of Land and Water Conservation's **Urban Erosion and Sediment Control Manual**.

6.2 Streetscape

The character of the established streetscape along this portion of Quirk Street exhibits a range of development styles and scales. Single and two storey buildings are common in the area. The proposal will present a pitched roof and painted facade will be consistent with the mixed styles of newer development in the area.

As the design of the proposed swimming pool complies with both the numeric and stated performance criteria of Council's Locality Statement, it is considered the proposed development which is of a compatible scale with the surrounding more recent developments will maintain the existing streetscape.

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6.3 Privacy

Considering that the use of the site is residential, maintaining an acceptable level of privacy to the adjoining properties was an issue that has been addressed.

6.4 Overshadowing

Council's stated minimum for solar access is to maintain a minimum of two hours of solar access to the neighbouring properties, during the winter solstice.

6.5 Drainage

Stormwater for the property will be maintained to the existing system in accordance with the requirement of Council's Stormwater Manual.

6.6 Views

The subject site and surrounding properties have substantial views from their respective rear yards. The front yards of the properties do enjoy significant views. The design and positioning of the proposed swimming pool will ensure that there is a reasonable outlook for the neighbouring properties is maintained.

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6.7 Waste Management and Site Facilities

The existing waste disposal facilities for the site will remain. Area is available off street for the storage of waste bins and for recyclable material.

The material resulting from the demolition and construction phase of the works will be sorted on site for recycling and will be transported to Kimbriki Recycling Centre at Terrey Hills. There will be on site for an approved skip bin to be placed inside the property line.

Delivery of materials and equipment will be placed on the street frontage for only a minimum of time.

6.8 Air and Noise

Given the nature of the use, no significant noise or air pollution impacts to the adjoining properties are anticipated.

7.0 MATTERS FOR CONSIDERATION UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

7.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2000 and the relevant supporting Council Locality Plan. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposed achieves compliance with the provisions.

As the proposed use is a residential development under the provisions of the Locality Statement, it is recognised that the proposed use must be justified as being consistent with the Desired Future Character Statement for the locality.

There are no other environmental planning instruments applying to the site.

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7.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.

It is not considered that there are any draft environmental planning instruments applying to this site.

7.3 Any development control plan

The development has been designed to comply with the requirements of the F5 Curl Curl Hill Locality Statement and the General Principles of the Development Control within WLEP 2000.

The development is considered to be consistent with the Desired Future Character of the F5 Curl Curl Hill Locality

It is considered that the proposed designed respects the desired future character objectives of the Locality Plan in that it reinforces the existing residential character of the area and is compatible within the existing uses of the area.

7.4 Any matter prescribed by the regulations that apply to the land to which the development relates.

No matters of relevance are raised to the proposed development.

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7.5 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks approval for the swimnir pool to the pproperty will not impact upon the amenity of adjoining properties of upon the character of the surrounding area. It is considered that the resultant development is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and Locality Plan.

7.6 The suitability of the site for the development

The subject land is within the F5 Curl Curl Hill Locality Plan and is considered suitable for the proposed development.

7.7 The suitability of the site for the development

The subject land is within the F5 Curl Curl Hill locality Plan and is considered suitable for the proposed development.

7.7 Submission made in accordance with this Act or the regulations

This matter for Council is in the consideration of the proposal.

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7.8 The public interest

The proposal will not impact the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be appropriate development.

8.0 CONCLUSION

The principle objective of this development is to seek consent for swimming pool to the property which satisfies the stated objectives of Council's Development Controls. By maintaining our neighbours amenity and by complimenting the existing style and character of the development in the vicinity, the stated objectives have been satisfied.

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

We hope this proposal and Development Application will meet with your approval and look forward to hearing from Council in the near future.

Should you require any further information in regard to the proposal please do not hesitate to contact me on 9918 9206 office or 0418 976 596.

Yours faithfully

J. D. EVANS & COMPANY PTY LIMITED


JOHN EVANS