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STATEMENT OF ENVIRONMENTAL EFFECTS

For Alterations and Additions

53 Gardere Avenue
Curl Curl NSW 2096

Prepared on behalf of S. Priest

By A. Elboz *Director*
Space Landscape Designs Pty Ltd

6th July 2021

1.0 Site Description

This Statement of Environmental Effects has been prepared in accordance with the relevant policy and legislation as set out by Northern Beaches Council. Consideration has been given to Warringah Council Local Environment Plan 2011, Warringah Council Development Control Plan 2011 and applicable State Environmental Planning Policies.

The subject site is known as 53 Gardere Avenue, Curl Curl, NSW 2096; described as Lot 139, D.P.5539. The site is rectangular with a site area of 455.8m². The subject site has a south boundary frontage to Gardere Avenue and public pathway adjacent to the rear northern. The site has a gentle slope to the existing dwelling. At the rear there is an approximate 3m high rock face with a lower garden with a gentle slope.

The subject site has an existing two storey dwelling with a separate garage located forward of the building.

Gardere Avenue is a cul-de-sac with a range of single and double storey dwellings.

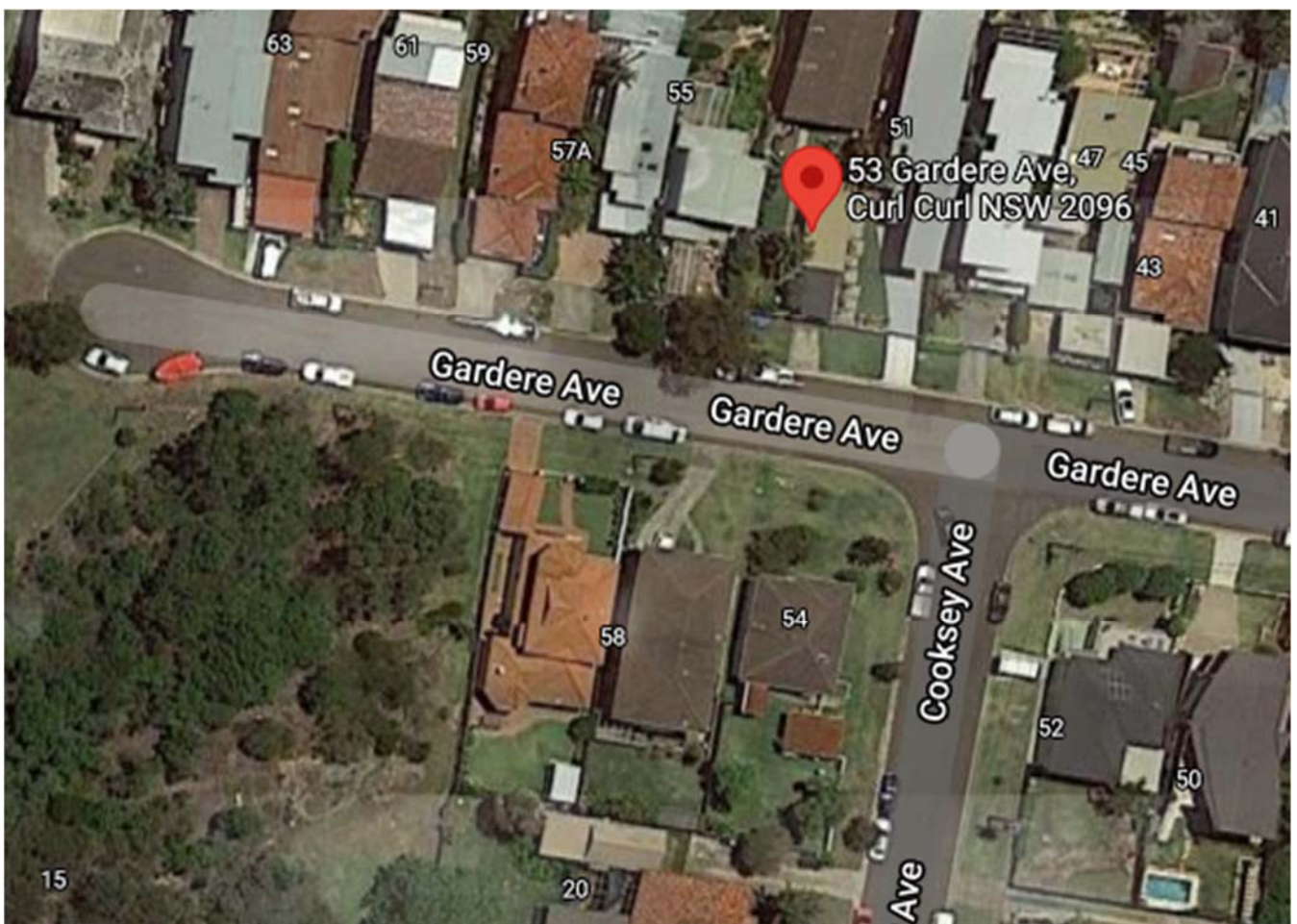


Image 1 - Site location courtesy of Google Maps

2.0 The Proposal

The proposal seeks approval for the following external alterations and additions:

- Construct new concrete swimming pool and associated deck.
- Construct new external stairs

3.0 Planning Considerations

Relevant pieces of legislation applicable to this development is as follows:

SEPP No.55 – Remediation of Land

The site has an established history of residential zoning and use and has not been zoned for industrial, agricultural or defence purposes at any time. Therefore there is no evidence to suggest the land is likely to be contaminated and render it unsuitable for continued residential use.

Warringah LEP 2011

Zoning

The site is zoned R2 Low Density Residential and the proposed works are permissible and consistent with the aims and objectives of the LEP.

Permissibility

The development does not propose a change in the type of building, therefore the approved residential development is permissible within the low density residential zoning.

Floor Space

The proposal does not alter the existing floor space as all proposed works are external.

Height

The standard height of buildings permitted is 8.5m. The development does not propose a change in the building height of the existing dwelling.

Heritage

The property is not identified as a heritage item, is not located near a heritage item and the site is not in a Conservation Area.

Hazard

The site is zoned Landslip Risk Map – Area A and B.

A preliminary Geotechnical Assessment has been attached to this application. The report states that provided good engineering and building practice is followed, no further Geotechnical assessment is required.

Acid Sulfate Soils

The present and previous use of the site is residential. The site is located adjoining other residential sites. Although no testing has been done it can be assumed the site is not contaminated.

Earthworks

The proposed works will not have any detrimental impact on surrounding land. The majority of the pool is above ground level with a small area of cut required due to the sloping site.

Development on Sloping Land

A Geotechnical Assessment Report accompanies this application and supports the proposed new works.

Warringah Development Control Plan 2011 (WDCP 2011)

Built form controls as applied to proposed works

Built Form Controls	Requirement	Proposed	Comments	Complies
B1 Wall Heights	7.2m	N/A		
B2 Number of storeys	8.5m	N/A		
B3 Side boundary Envelope	4m	N/A		
B5 Side Boundary Setbacks	0.9m	900mm to deck 2445mm to pool water.		Yes

B7 Front Boundary Setbacks	6.5m to primary street frontage	N/A		
B9 Rear Boundary Setback	Maximum 50% of 6m rear setback	Maximum rear setback is 30.2m ² Proposed rear setback is 36.3m ²	Non-compliant by 6.1m ²	No

Comment:

There is a shortfall of rear boundary setback of 6.1m² or 9.9%. Council may consider a variation where it is demonstrated that the objectives of the clause can be achieved. Therefore merit consideration is sought due to the minimal non-compliance and the as demonstrated below.

- To ensure opportunities for deep soil landscape areas are maintained*
The proposed Landscape Plan incorporates planting to the rear, west and eastern boundaries. As the boundary fence will not form part of the pool enclosure, the planting will obtain a height of up to 4m providing adequate privacy and deep soil areas.
- To create a sense of openness in rear yards*
The rear of the site has a 3m rock face creating a lower garden that is not useable. The proposal is similar to the rear of other sites on the northern side of Gardere Avenue. A general sense of openness will be achieved with the central pool area surrounded with boundary landscaping.
- To preserve the amenity of adjacent land, particularly relating to privacy between buildings.*
The proposed pool will be looked upon by the adjoining neighbour's dwelling to the east (51 Gardere Ave). As the pool is located at a similar level as the pool at 51 there will be no overlooking between the rear yards. Due to the large setback of the dwelling from the rear boundary, there will be no overlooking between the neighbouring dwelling to the west (55 Gardere Ave). The rear of the subject site is adjacent to a public walkway. Given the distance to the neighbour at the rear (42 Curl Curl Parade) and the existing high screening plantings, privacy will be maintained between the dwellings.
- To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.*
The proposal is similar to the rear gardens of other sites located on the northern side of Gardere Avenue.
- To provide opportunities to maintain privacy between dwellings.*
The proposed planting to the rear, east and western side of the rear boundaries will increase privacy at the lower rear level. Given the steep topography of the land, the rear is overlooked from adjoining properties. Due to the large setback of the dwelling from the rear boundary, privacy is maintained between the neighbouring dwelling to the west (55 Gardere Ave). The rear of the subject site is adjacent to a public walkway. Given the distance to the neighbour at the rear (42 Curl Curl Parade) and the existing high screening plantings, privacy will be maintained between the dwellings.

Therefore it is considered the proposed development achieves the required objectives and outcomes of the rear boundary setback and is worth of support on merit.

Siting Factors	Requirement	Proposed	Comments	Complies
C1 Subdivision		N/A		
C2 Traffic, Access & Safety		N/A		
C3 Parking facilities	2 spaces	N/A	Existing parking provided	
C4 Stormwater		The proposed development will increase the overall impervious area by 1.1m ² .		Yes

C5 Erosion and Sedimentation		Refer to plan DA-01		Yes
C6 Building over or adjacent to council easements		N/A		
C7 Excavation and Landfill		Excavation will be minimal due to majority of pool above ground level.	The excavation will not reduce the visual and scenic quality of the site.	Yes
C8 Demolition and Construction		Refer to plan DA-01 and DA-02.	Site waste and material storage location shown.	Yes
C9 Waste Management		Existing council collection maintained	Waste Management Plan submitted.	Yes

DCP Part D - Design

Design	Requirement	Proposed	Comments	Complies
D1 Landscape Open Space	40% of 455.8m ² = 182.3m ²	179.5m ² or 39.4%		No – 0.6% variation

There is a shortfall of Landscape Open Space of 0.6%. Council may consider a variation where it is demonstrated that the objectives of the clause can be achieved, Therefore merit consideration is sought for Landscape Open Space due to the minimal non-compliance and the proposal achieving the required objectives and outcomes as demonstrated below.

The objectives of the clause are:

- *To enable planting to maintain and enhance the streetscape.*

The proposed pool is located towards the middle of the rear lower yard. There is no change to the existing streetscape.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

The existing site at the rear is very steep with grasses and shrubs across the rear boundary. No trees are to be removed. The development improves the site with a new variety of planting to the east, west and rear boundary. Majority of new plants are native.

- *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.*

The proposed landscaping will provide sufficient areas to establish a range of shrubs and grasses. The pool is located at the rear lower garden and will not add to the bulk or scale of the existing building.

- *To enhance privacy between buildings.*

The proposed planting surrounding the pool will ensure reasonable privacy between dwellings.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants*

The proposed pool will provide an outdoor recreational opportunity for the owners and their children. At present the rear of the site is unusable due to the steep topography.

- *To provide space for service functions, including clothes drying.*

The site has an existing dwelling and established spaces for service functions.

- *To facilitate water management, including on-site detention and infiltration of stormwater*

The area between the proposed pool and surrounding boundaries is all permeable, allowing the infiltration of stormwater. However as these areas are under 2m they do not count toward Landscape

Open Space. The removal of a concrete path and paving at the front of the site increases the infiltration of stormwater. Therefore we request approval on merit as the site complies with the objectives of the clause and is only a very small non-compliance.				
D2 Private Open Space	60m2	60m2		Yes
D3 Noise	To ensure noise emission does not diminish the amenity of the area.		The development will not result in any unreasonable noise for the type of development. The filter box will be housed in a soundproof enclosure.	Yes
D4 Electromagnetic Radiation		N/A		
D6 Access to sunlight		N/A		
D7 Views		No views will be obstructed as located at lower rear yard.	No impact	Yes
D8 Privacy	Visual and acoustic privacy	The pool is located at lower rear yard. The filter box will be housed in a soundproof enclosure.	The pool will not cause any overlooking of adjacent neighbours.	Yes
D9 Building Bulk	Minimise visual impact.	N/A		Yes
D10 Building Colours and Materials	Ensure colours and materials are sympathetic to the surrounding natural and built environment.	The pool coping will be a natural colour with timber deck. These are sympathetic to the surrounding natural and built environment.		Yes
D11 Roofs	Designed to improve the urban environment	N/A		Yes
D12 Glare & Reflection		N/A		
D13 Front Fences and Front Walls	Fencing is to complement the existing streetscape character, including articulation and allow for casual surveillance.	N/A		
D14 Site Facilities		N/A	Existing dwelling	
D15 Side and Rear Fences	Maximum 1.8m	N/A		

D16 Swimming Pools and Spa Pools	Pools and spas are not to be in the front setback	Proposed pool is situated in the rear setback.		Yes
D17 – D21		N/A		
D22 Conservation of Energy and Water		BASIX is not required as pool volume less than 40,000L.		

DCP Part E – The Natural Environment

Planning Control	Comments
E1 Private Property Tree Management	No trees are proposed to be removed.
E2 Prescribed Vegetation	The site is not located on Threatened & High Conservation Habitat. The proposal does not involve the removal of native vegetation.
E3 Threatened Species, populations and ecological communities	There are no threatened species existing upon the site.
E4 Wildlife Corridors	The site is not located within a Wildlife Corridor
E5 Native Vegetation	There will be no effect on native vegetation.
E6 Retaining unique environmental features	N/A.
E7 Development on land adjoining public open space	N/A.
E8 Waterways and Riparian Lands	N/A.
E9 Coastal hazard	N/A.
E10 Landslip Risk	The site is zoned Land Slip Risk Map-Area A and Area B. A Geotechnical Assessment Report is attached to this application and supports the proposed works.
E11 Flood Prone Land	N/A

Summary

The proposal has been designed to complement the existing dwelling and improve the amenity of the site for the owners. The pool will allow a recreational outdoor area for them to enjoy.

The proposed pool will be looked upon by the adjoining properties given the steep topography of the land. The rear of the subject site is adjacent to a public walkway. The neighbour at the rear 42 Curl Curl Parade has existing high screening plants providing a buffer between the sites. The height of the pool and distance from 42 Curl Curl Parade along with proposed and existing landscaping will ensure reasonable privacy between properties. The pool at 51 Gardere Avenue has been approved at RL33.23 at over 2m above the existing ground level. The proposed pool is located at RL33.29 therefore there will be no privacy issues between the two pools.

The rear of the site is very steep and it is considered that the proposed pool is not out of character with similar structures within the rear yards of dwellings located on the northern side of Gardere Avenue. The neighbouring dwelling to the west at 55 Gardere Ave is located at the front of the site with a large rear garden. Therefore the pool will not be overlooking any principal private open space with proposed planting to provide reasonable amenity for both sites.

The proposal does not result in any unreasonable impacts on surrounding, adjoining or nearby properties. It is felt that the development has 'responded to the characteristics of the site and the qualities of the surrounding neighbourhood' and is considered acceptable.

We trust Council will view this application favourably and support the proposal.

SITE PHOTOS



Image 2 – Rear of subject site looking north showing location of proposed swimming pool



Image 3 – Rear of subject site looking north east showing neighbouring pool at 51 Gardere at a similar level as the proposed pool