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STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED ALTERATIONS AND ADDITIONS

TO

6 Whitney Street, Mona Vale NSW 2103

Prepared by Amanda Elboz
Space Landscape Designs Pty Ltd
13 November 2023

1.0 Site Description and Location

The site is known as 6 Whitney Street, Mona Vale NSW 2103 and legally described as Lot 20, within D.P.702572. The subject site is a rectangular shaped block located on the northern side of Whitney Street with a street frontage of 20m and site area of 700m². The subject site has a fall of just over 4m from the front to the rear of the site. Adjacent to the site on the western boundary is a driveway as a right of carriage way to number 4 Whitney Street.

The subject site is surrounded by detached low density residential developments with mixed architectural styles.

Currently the subject site contains a two storey detached dwelling with double garage. The rear of the site has a covered rear patio over timber deck and paved area with turf area and garden.



Image 1 – Site location courtesy of Northern Beaches Council

2.0 History

There has been no recent applications for developments on the site.

3.0 Locality and Planning

The site is located within Northern Beaches Council and Zoned R2-Low Density Residential.

The site does not contain any heritage items, nor is it within a conservation zone.

The site has been identified as being within the Class 5 Acid Sulfate Soils and within Landscape Area 3.

No other hazards are identified.

The proposed development has been prepared in accordance with Pittwater Local Environmental Plan 2014 and Pittwater Development Control Plan (DCP) 2014 as well as State and Local Environmental Planning Instruments.

4.0 Proposed Works

The proposed works are for alterations and additions and located behind the existing dwelling. The proposed works are to renovate the existing outdoor area and construct a new pool which will provide enhanced recreational needs of the owners and produce a more functional rear yard.

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

- Construction of a new swimming pool with paved surrounds
- Removal of existing retaining walls
- Construction of new retaining walls
- Replace existing paved area with new paving
- Extend existing decking with new stair access
- Removal of 2 exotic trees



Image 2 showing rear of existing dwelling



Image 3 existing rear turf area to be replaced with new swimming pool

5.0 Present and Previous Uses

The site currently contains a residential dwelling. No study has been conducted into the previous uses of the site. The adjoining land is of similar use – private residential.

The present use of the site is not a potentially contaminating activity.

6.0 Applicable Development Standards and Planning Controls

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

- *The Environmental Planning and Assessment Act, 1979 as amended (EP&A Act)*
- *The Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater Development Control Plan (DCP) 2014*

State Environmental Planning Policy (Resilience and Hazards) 2021

Remediation of Land

Chapter 4 of SEPP (Resilience and Hazards) 2021 applies to all land and aims to provide for a state-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. Given the history of residential use of the land, the site is not considered to be subject to contamination and further investigation is not required at this stage.

Overall, the proposed modified development remains consistent with the relevant provisions of SEPP (Resilience and Hazards).

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The volume of the proposed swimming pool is more than 40,000L with the cost of works over \$50,000, therefore a BASIX certificate is required and attached.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Vegetation in nonrural Areas

Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 contains planning controls for the removal of vegetation on the land within non-rural areas of the State. The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of nonrural areas of the State through the preservation of trees and other vegetation.

The subject application will not result in the clearing of any native vegetation or clearing that exceeds the biodiversity offsets scheme. The proposal does not involve clearing that is or forms part of a heritage item, a heritage conservation area, a part of an Aboriginal object or a known Aboriginal place of heritage significance.

Pittwater Local Environmental Plan 2014

The site is zoned R2 – Low Density Residential and the development proposal is permitted with council consent.

4.3 Height of Buildings –

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

4.4 Floor Space Ratio

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

5.10 Heritage conservation

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.

7.1 Acid sulfate soils

The site is identified as being within the Class 5 Acid Sulfate Soils area. Given the minor nature of the proposed works, along with minimal excavation for the pool, no change to the water table is anticipated, and no further investigation is deemed necessary in this instance.

7.2 Earthworks

The proposed retaining walls and pool will not have any detrimental impact on surrounding land as they will be constructed to engineer's details. There will be limited earthworks associated with the proposed development. The overflow of the pool will be connected into the existing sewer system.

Any earthworks will be carefully managed to ensure there are no adverse impacts on the environment or the amenity of the neighbouring properties. A Sediment Control Fence will be installed during construction.

5.0 Pittwater DCP

The following general controls apply to the site.

B1 Heritage Controls

The site does not contain a heritage item or is within a heritage conservation area.
The site has an existing dwelling and cleared lands. It is not known for being a potential Aboriginal place or containing any Aboriginal object.

B2 Density Controls

N/A

B3 Hazard Controls

B3.1 Landslip Hazard

The site is not located on the Geotechnical Hazard Map.

B3.2 Bushfire Hazard

The site is not located within a bushfire zone.

B3.6 Contaminated Land

The land is residential with an existing dwelling. The land is not known to be contaminated and has not been used in the past for a purpose that might cause contamination.

B3.11 Flood Prone Land

The site is not located within a Flood zone.

B4 Controls Relating to the Natural Environment

N/A

B5 Water Management

The impervious area post development is 41m², therefore a rainwater tank is not required.

B5.13 Development on Waterfront Land

N/A

B6 Access and Parking

No changes to existing double garage.

B8 – Site Works Management

B8.1 Construction and Demolition – Excavation and Landfill

Excavation for the swimming pool is a maximum 1800mm and will be 2.1m from the closest boundary. Minimal fill is proposed to provide a level area of turf. Proposed retaining walls will have a maximum height of 1m.

Due to the location of proposed pool on the site, it will have no impact on any adjoining neighbour.

B8.2 Construction and Demolition – Erosion and Sediment Management

Erosion and sedimentation prevention measures will be installed on site to prevent the migration of sediment off the site into the adjoining properties or wetland area. Sediment and Erosion Control notes and diagram is noted on the Erosion and Sediment Control Plan DA-04.

B8.3 Construction and Demolition – Waste Minimisation

Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.

C1 - Design Criteria for Residential Development

C1.1 Landscaping

A Landscape Plan accompanies this application. As the site has existing established gardens, new plants are proposed to the rear only.

Two trees are proposed to be removed. Both are exotic species and assessed by the attached Arborist Report as medium and low retention value. They are located on the western boundary side which is adjacent to a concrete driveway which is a right of carriage way. Therefore it will not impact the privacy of neighbouring house located at number 2 Whitney Street.

C1.2 Safety and Security

New child resistant fencing is proposed around the swimming pool which will comply with AS1926.1-2012 and the Swimming Pools Act.

C1.3 View Sharing

No views will be obstructed by the proposal. The proposed swimming pool is located at ground level.

C1.5 Visual Privacy

The proposal will not cause any additional overlooking of adjoining neighbours due to the new works being located at existing ground level. New screen planting at the rear of the site will provide a buffer from the neighbouring site.

C1.6 Acoustic Privacy

The pool filter box will be housed in a soundproof enclosure.

C1.7 Private Open Space

Private open space is provided to maximise privacy for the occupants.

C1.14 Separately Accessible Structures

N/A

C1.17 Swimming Pool Safety

The proposed pool will meet the requirements of the Swimming Pools Act 1992 with fencing and warning notices.

D Locality Specific Development Controls

D9 – Mona Vale Locality

It is considered that the proposal is consistent with the desired character of the locality. The development is compatible with the existing surrounding development, in terms of bulk and scale and will not be visible from the streetscape. The proposed works do not have any detrimental impact on the amenity of the surrounding properties.

D9.2 Scenic Protection - General

The proposed works will not be visible from any waterway, road or public reserve.

D9.3 Building Colours and materials

The colours and materials will harmonise with the natural environment with paving and retaining walls to be earthy tones.

D9.6 Front Building Line

N/A

D9.7 Side and Rear Building Line

For swimming pools and spas a 1 metre minimum setback from the boundary to the pool coping may be permitted subject to the following:

- *satisfactory landscaping within the setback from the pool or spa coping to the side or rear boundary, and*
- *Council is satisfied that the adjoining properties will not be adversely affected, and*
- *the pool or spa is not more than 1 metre above ground level (existing), and*
- *that the outcomes of this clause are achieved without strict adherence to the standards, and*
- *where the site constraints make strict adherence to the setback impractical, and*
- *where strict compliance with these requirements will adversely impact on the views of adjoining residential properties.*

The proposed pool is setback 1m from the boundary to the pool coping on the eastern side boundary. The setback is 3.1m from the rear boundary. The pool is a maximum of 1.02m above existing GL due to the sloping site. Due to the large rear setback and existing and proposed planting, there will be no overlooking of adjoining properties.

D9.9 Building Envelope

The proposal is at the rear and at ground level and within the building envelope.

D9.10 Landscape Area – General

Land within Area 3 of the Landscape Area Map zoned R2

Total Landscape Area to be 50% of the site

Site Area	700m ²	
Required Landscape Area	350m ²	(50%)
Proposed Landscape Area	278.2m ²	(39.7%)
Plus impervious allowance	42m ²	(6%)
Total Landscape Area	320.2m ²	(45.7%)

The proposed works will have a non-compliance of landscape area by only 4.3%.

We seek approval on merit for the reduced Landscape Area. It is felt this should be deemed acceptable as the required outcomes of the standard have been achieved:

- The bulk and scale of the dwelling has not been altered and therefore no change to the streetscape.
- The pool replaces an area of turf with conservation of natural vegetation and biodiversity is achieved by not removing any trees.
- The proposal increases the existing planting and biodiversity on the site.
- The increase in impervious area is minimal which will have minimal impact on existing stormwater run-off.

D9.12 Fences – General

New pool fencing will be around the immediate pool structure to comply with AS1926.1-2012, the Swimming Pools Act and Swimming Pool Regulations.

D9.14 Construction, Retaining Walls, terracing and under croft areas

The proposed retaining walls are low and all located behind the building and will not be visible from a public place. They provide a more level turf area with new stairs to provide safe access to the lower rear garden area.

6.0 Matters for Consideration under section 79C of the Environmental Planning and Assessment Act 1979.

(i) Impact on the natural environment:

The proposed development will not have any adverse impact on the natural environment. The site has been previously developed for residential use and is located within an established residential area.

(ii) Impact on the built environment:

The proposed development has been assessed against the detailed design provisions contained in the PLEP 2014 and PDCP 2014 and provides an appropriate level of compliance. Bulk, scale, design and finishes of the additions are reasonable with respect to both the existing dwelling and greater context.

Further, no adverse or unreasonable amenity impacts in the form of overshadowing, privacy or view loss towards surrounding properties is foreseen.

(iii) Social and Economic impacts in the locality:

The proposed development will not have any adverse social / economic impacts.

(iv) suitability of the site for the development

The proposed development has been assessed against applicable planning provisions. Having regard to the assessment contained in this report the site is considered suitable for intended development.

(v) the Public Interest:

The proposed development is considered consistent with the objectives of the Environmental Planning and Assessment Act in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. Accordingly, the proposal is deemed consistent with the public interest.

7.0 Conclusion

The proposal has been designed to complement the existing dwelling and improve the amenity of the site for the owners. It has been designed as an upgrade to the existing site and allows the owners a quality of residential lifestyle synonymous with the area. The proposed pool and paved area will provide a useable recreational outdoor area for the owners to enjoy as part of their private open space.

The proposal does not result in any unreasonable impacts on surrounding, adjoining or nearby properties. It is considered the development satisfies the appropriate controls and meets the desired outcomes of Council's planning controls. It is felt that the development has responded to the characteristics of the site and has no effect on the bulk or scale of the existing dwelling and will not negatively impact the streetscape.

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