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STATEMENT OF ENVIRONMENTAL EFFECTS

For Alterations and Additions

103 Arthur Street
Forestville NSW 2087

By A. Elboz (AILA RLA No:22214)
Space Landscape Designs Pty Ltd

22nd September 2025

1.0 Property Description

The subject site is known as 103 Arthur Street, Forestville NSW 2087 and legally described as Lot 3 within D.P.112668, and is zoned R2 Low Density Residential under the provisions of Warringah Local Environment Plan 2011.

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 Landslip Area B – Flanking Slopes 5 to 25.

No other hazards are identified.



Image 1 - Site location courtesy of Northern Beaches Council

2.0 Site Description

The site is located on the low side of the road. The site is a rectangular shape with a total area of 815.7m². It has a front boundary of 20.37m, with eastern and western side boundaries of 40.235m each and rear southern boundary of 20.37m.

Topographically, the land slopes downward from the front boundary (AHD 101.64) towards the south-eastern corner at the rear (AHD 95.41).

The existing development on site comprises of a part two-storey brick residential dwelling set within a landscaped garden.

The surrounding locality consists of one and two-storey residential dwellings of varying architectural styles and ages, also within landscaped environments.

3.0 The Proposal

The proposal seeks approval for the following alterations and additions located at the rear of the site:

- Construction of a new swimming pool
- Construction of new retaining walls
- Fill in existing rear timber deck stairs and relocate deck external stairs



Image 2 looking towards the rear SE boundary and location of proposed pool



Image 3 – showing rear SW boundary and location of proposed tiered retaining walls

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 (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *Warringah Local Environmental Plan 2011 (WLEP 2011)*
- *Warringah Development Control Plan 2011 (WDCP 2011)*

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 development remains consistent with the relevant provisions of SEPP (Resilience and Hazards).

State Environmental Planning Policy (Sustainable Buildings) 2022

All works are external works however a new swimming pool is proposed that has a volume greater than 40,000L, therefore a BASIX certificate is required and forms part of this application.

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.

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.

The proposed retaining wall and swimming pool will demonstrate a maximum building height of 1.4m above natural ground level.

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 B.

A Preliminary Geotechnical Assessment has been provided by White Geotechnical Group and forms part of this application. No further geotechnical input is required, provided good design and building practices are followed.

Bushfire

The site is not classified as bush fire prone land.

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, no change to the water table is anticipated, and no further investigation is deemed necessary in this instance.

Earthworks

The proposed works will not have any detrimental impact on the surrounding land as they will be constructed to engineer's details. An ag pipe will sit behind the proposed new walls and be connected into the existing stormwater system.

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 | 1.4m | | Yes |
| B2 Number of storeys | 8.5m | N/A | | |
| B3 Side boundary Envelope | 4m | | | Yes |
| B5 Side Boundary Setbacks | 0.9m | 0.9m retaining wall to western side boundary | | Yes |
| B7 Front Boundary Setbacks | 6.5m to primary street frontage | | | N/A |
| B9 Rear Boundary Setback | Maximum of 50% of 6m rear setback (122.2m ²) = 61.1m ² | 25.5m ² (20.7%) | | Yes |

Part C Siting Factors

| Siting Factors | Requirement | Proposed | Comments | Complies |
|---|-------------|---|---|----------|
| C1 Subdivision | | N/A | | |
| C2 Traffic, Access & Safety | | N/A | | |
| C3 Parking facilities | 2 spaces | N/A | | |
| C4 Stormwater | | Retaining wall | The ags pipes behind the new retaining walls will be connected into the existing stormwater system. | Yes |
| C6 Building over or adjacent to council easements | | N/A | | |
| C7 Excavation and Landfill | | Excavation will be limited to approximately 1.2m deep due to the pool being raised above existing ground level. | The soil will be reused as fill for the rear turf area. | Yes |
| C8 Demolition and Construction | | Refer to plan DA-02. | Site waste and material storage location shown on DA-06. | Yes |
| C9 Waste Management | | Existing council collection maintained | Waste Management Plan submitted. | Yes |

Part D - Design

| Design | Requirement | Proposed | Comments | Complies |
|-------------------------|---|---|--|----------|
| D1 Landscape Open Space | 40% of 815.7m ² = 326.28m ² | 424.5m ² or 52% | | Yes |
| D2 Private Open Space | 60m ² | 60m ² | | Yes |
| D3 Noise | To ensure noise emission does not diminish the amenity of the area. | The filter box will be housed in a sound proof enclosure. | The development will not result in any unreasonable noise for the type of development. | Yes |

| | | | | |
|------------------------------------|--|--|--|-----|
| D4 Electromagnetic Radiation | | N/A | | |
| D6 Access to sunlight | | The proposed works will not overshadow any adjoining neighbour due to structures close to existing ground level. | | Yes |
| D7 Views | | No views will be obstructed | No impact | Yes |
| D8 Privacy | Visual and acoustic privacy | The proposal will increase privacy due to new planting. | The filter box will be housed in a sound proof enclosure. | Yes |
| D9 Building Bulk | Minimise visual impact. | | None of the structures will be visible from neighbouring sites of the streetscape. | Yes |
| D10 Building Colours and Materials | Ensure colours and materials are sympathetic to the surrounding natural and built environment. | The pavers will be natural colour and sympathetic to the surrounding natural and built environment. | | Yes |
| D11 Roofs | Designed to improve the urban environment | N/A | | |
| 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 | A new boundary fence is required to comply with AS1926.1 | | Yes |
| D16 Swimming Pools and Spa Pools | Pools and spas are not to be in the front setback | The pool is located in the rear | | Yes |
| D17 – D21 | | N/A | | |
| D22 Conservation of Energy and Water | Pool is more than 40,000L, cost of works over \$50,000 | | BASIX certificate is required | Yes |

DCP Part E – The Natural Environment

| Planning Control | Comments |
|---|--|
| E1 Private Property Tree Management | No trees are proposed to be removed. The pool is located over 3m from the neighbouring tree. |
| 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 | No existing rocks outcrops are located on the subject site. |
| 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 B. A Preliminary Geotechnical Assessment has been provided by White Geotechnical Group and forms part of this application. No further geotechnical input is required, provided good design and building practices are followed. |
| E11 Flood Prone Land | N/A |

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 WLEP 2011 and WDCP 2011 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 does not result in any unreasonable impacts on surrounding, adjoining or nearby properties. It is considered that the development has responded to the characteristics of the site and will not negatively impact the streetscape.

The proposed development has been assessed with reference to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, as well as all supporting documentation. The proposal is permissible under Warringah LEP 2011 and aligns with its objectives. It also demonstrates compliance with the detailed design criteria set out in Warringah DCP 2011.

Accordingly, the proposal is considered acceptable from an environmental planning perspective and is recommended for Council's support, subject to suitable conditions of consent.