

STATEMENT OF ENVIRONMENTAL EFFECTS

DEVELOPMENT APPLICATION
NEW STREET AND SIDE BOUNDARY FENCING

29 SPRING ROAD
NORTH CURL CURL NSW 2099

SEPTEMBER 2021

REV A



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1. INTRODUCTION

This report is submitted to Northern Beaches Council in support of a Development Application for new front and side and associated landscaping at no. 29 Spring Road, North Curl Curl.

This statement addresses the nature of the proposed development, the characteristics of the site and the proposal within the surrounding area. It also provides an assessment of the proposed development under the provisions of the Warringah Local Environment Plan (LEP) 2011 and Warringah Development Control Plan (DCP) 2011.

This report is to be read in conjunction with the following documents:

- Architectural Drawings prepared by *Alex Bryden Architecture (ABA)*
- Site Survey prepared by *C&A Surveyors*

2. THE SITE & PROPERTY DESCRIPTION

The subject allotment is Lot 31, Section 1, DP 5748 and is known as 29 Spring Road, North Curl Curl. It is located on the eastern side of Spring Road, opposite the intersection with Ross Street.

The site is roughly rectilinear with a width of 9.145m and a depth of 45.265m, running from west (Spring Road) to east (rear boundary). The total site area is 413.9².

The site is almost flat, with the level at the rear boundary approximately 0.1m higher than the level at Spring Road, with stormwater connected to the street gutter.

The site currently accommodates a two-storey detached dwelling of timber framed construction with a metal deck roof and detached single garage with access driveway along the northern boundary.

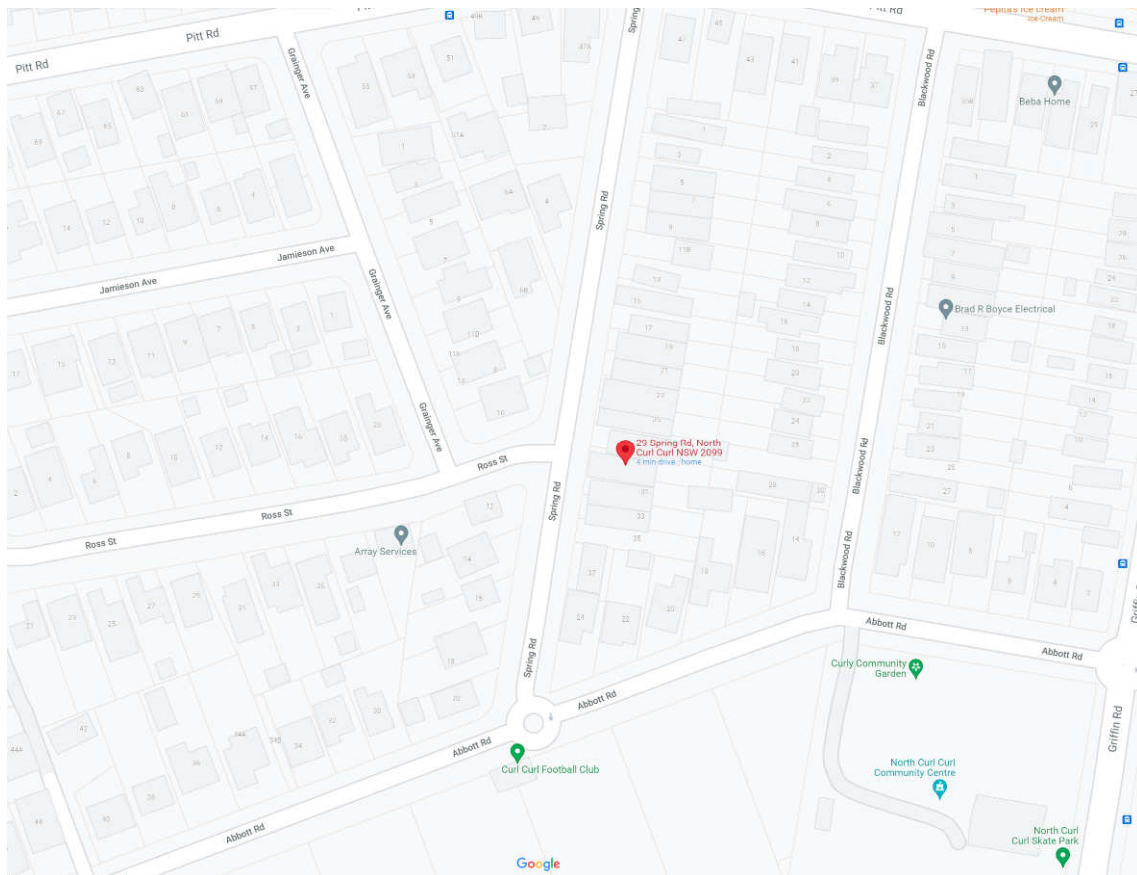


Figure 1 – site location (source: maps.google.com.au)

3. NEIGHBOURING PROPERTIES

The site is bounded by Spring Road to the west and to the north, south and east are single detached residential dwellings.

The residence to the north is 27 Spring Road. No. 27 is a single storey clad house with pitched metal roof and attached carport to the front. The residential development to the south at 31 Spring Road is a two-storey clad house with pitched metal roof and attached carport to the front.

The surrounding streetscape is consistent with single detached dwelling houses and ancillary structures such as garages, car ports and swimming pools sited on large blocks. All surrounding dwellings have front and side fencing of a style suitable to the streetscape and the architectural style of the buildings.



Figure 2 – aerial photograph (source: Google Maps)

4. DESIGN STATEMENT

The proposed application for development involves the following:

- Construction of new street fence
- Construction of new side fence to each side boundary

The proposal is illustrated in the attached DA drawings prepared by *Alex Bryden Architecture* and has been designed to respect the provisions of Warringah Local Environment Plan (LEP) 2011 and Warringah Development Control Plan (DCP) 2011.

	Consideration
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	Consideration of Warringah Local Environment Plan (LEP) 2011 is contained in Section 4 of this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	Not applicable to this proposal.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Consideration of Warringah Development Control Plan (DCP) 2011 is contained in Section 4 of this report
Section 79C (1) (a) (iiia) - Any planning agreement that has been entered into under Section 93F	Not applicable to this proposal.
Section 79C (1) (a)(iii) – Provisions of the regulations	All building work will be carried out in accordance with Clause 78 of the EPA Regulations 2000 and considers the provisions of the Building Code of Australia.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	Consideration of the likely impacts of this development is contained in Sections 4.1, 4.4 and 4.5 of this report
Section 79C (1) (c) – the suitability of the site for the development	The subject land is not affected by any policy that restricts development due to the likelihood of land slip, bush fire, coastal impacts, tidal inundation, subsidence, acid sulphate soils or any other risk. There are no physical, environmental, heritage or utility constraints that would make this site unsuitable for development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	The consent authority will need to consider any submissions received in response to the public exhibition of the proposed development.
Section 79C (1) (e) – the public interest	The proposal has minimal impact on neighbouring properties and is therefore not against the public interest

The compliance of the proposal with the individual controls and objectives of these documents are outlined in the following sections and the tables below.

Warringah LEP 2011 – Part 4 Principal Development Standards

Control	Standard	Proposed	Compliance
Land Zoning	R2 Low Density Residential	No change	Yes
Min Lot Size	450 sqm	No change	Yes
Height of Buildings	8.5m	No change	Yes
Acid Sulphate Soils	Class 5	No change	Yes
Landslip Risk Land	Area A – Slope <5	No change	Yes

Warringah DCP 2011

Control	Standard	Proposed	Compliance
<i>Part C Built Form Controls</i>			
C3 Parking Facilities		No change	-
C4 Stormwater		No change	-
C8 Demolition and Construction		See 'Waste Management Plan'	Yes
C9 Waste Management		See 'Waste Management Plan'	Yes
<i>Part D Design</i>			
D1 Landscape Open Space	<u>40%</u>	No change	-
D6 Access to Sunlight	1. Development should avoid unreasonable overshadowing any public open space. 2. At least 50% of the required area of private open space of each dwelling and at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.	No change	-
D7 Views	1. Development shall provide for the reasonable sharing of views.	No change	-
D8 Privacy	1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties. 2. Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking. 3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.	No change	-
D13 Front Fences and Front Walls	1. Fences, including side fences, located within the street setback area are to be compatible with the existing streetscape character. 2. Where a solid fence is required it is to be articulated to provide visual interest and set back to allow for landscaping to soften and screen the appearance of the fence. 3. Fences located within the front building setback area are to complement the existing streetscape character. 4. Fences are to be constructed to allow casual surveillance, except where there is excessive noise.	1.8m high, 50% open, white painted metal batten fencing with landscaping behind. Casual surveillance is maintained due to open nature of fence and the ground floor level being	Yes

	5. Gates are not to encroach over the property boundary when opening or closing. 6. Fences should complement the architectural period of the building.	0.45m above the street frontage	
D15 Side and Rear Fences	1. Generally, side and rear boundary fences are to be no higher than 1.8 metres on level sites, or 1.8 metres measured from the low side where there is a difference in either side of the boundary. 2. For sloping sites, the height of fences may be averaged and fences and walls may be regularly stepped. 3. All fencing materials are to complement the existing neighbourhood. The use of corrugated metal, barbed wire or broken glass is not permitted.	Side fence to be 1.8m high. White painted solid panel with batten detail to the top portion, to complement existing neighbourhood	Yes

4.1. ZONING AND SITE CONTEXT

The zoning is 2(a) Residential – low density.

Objectives of zone

The objectives of this zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

The zoning allows for:

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals; Water recreation structures

Given the above, the proposal is an allowable use and complies with the objectives of the zone.

The design proposes no changes to existing dwelling on site, with proposed works limited to the street frontage area which currently has minimal boundary fencing. This will respect the scale and form of other developments within the area and have very minimal impact on or change to the existing streetscape.

4.2. FENCING

The subject site currently has a minimal front boundary fence. The proposal is for a 1800mm high, 50% open white painted metal batten fence.

The existing dwelling on the site is 0.45m higher than the level of the property boundary and the window in the front wall of the dwelling is to the main bedroom of the dwelling. As such, to increase the amenity, privacy and security for the occupants, a taller fence is proposed. Due to its open nature, the requirement for casual surveillance is maintained and its style complements the architectural period of the existing building on site.

The proposal aims to provide a style and scale of boundary fencing that compliments and enhances the existing streetscape character, whilst improving the amenity and security of the subject site for the

occupants. There are similar instances of vertical white paling fences on Spring Road, with photos provided in Appendix A.

The objectives of WDCP 2011 Clause D13 Front Fences and Front walls are:

- *To ensure that fencing, terracing and retaining walls are compatible with the existing streetscape character while creating visual interest in the public domain.*

The proposed vertical white battens are compatible with the Australian coastal style of the existing streetscape character. They create visual interest with a neat appearance and clear delineation of the private/public boundary

- *To encourage innovative design solutions to improve the urban environment.*
- The proposed vertical battens are made from aluminium which are an innovative low maintenance product that will not visually degrade over time

- *To avoid a 'walled in' streetscape.*

The proposal is for the battens to be equally spaces and 50% open, which maintains views through the fence, further softened by landscaping, but provides a privacy screening effect to the occupants.

As such, it is considered that the proposed fencing meets and exceeds the desired outcomes of clause D13 of the Warringah DCP 2011.

4.3. PRIVACY, VIEWS AND OVERSHADOWING

The proposed development does not impact on the privacy or views of any adjoining sites.

4.4. OPEN SPACE AND LANDSCAPING

The proposal does not impact on the existing numerical landscape figures.

4.5. SEPP (COASTAL MANAGEMENT) 2018

The subject site falls within the *Coastal Environment Area* under *State Environmental Planning Policy (Coastal Management 2018)*. The SEPP outlines as below:

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

The proposal is considered to have no or minimal impact on any of these areas. The proposed removal of any native vegetation is proposed to be replaced with other native vegetation, as outlined elsewhere in this submission.

(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or

(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposal is considered to have no impact on any of these areas.

5. CONCLUSION

The proposed development at 29 Spring Road provides an attractive and appropriate front and side fence structure that utilises the site efficiently. It is consistent with the surrounding development context in relation to scale, bulk and style, and will provide a high-quality and positive contribution to the streetscape.

The design generally meets or exceeds the provisions of the Warringah Local Environment Plan (LEP) 2011 and Warringah Development Control Plan (DCP) 2011, with the exception of the fence height control. This is considered a very minor departure from the numerical controls of the DCP given it does not result in additional impacts over and above a fully complying scheme and the proposal meets the stated objectives of Council's controls, as well as the suitability to streetscape character.

The scheme has significant merit as a sensitive and attractive development for the area and is consistent with the fencing of contemporary dwellings within the surrounding context. Because of this and the reasons stated in this report, this proposal should be considered worthy of approval.

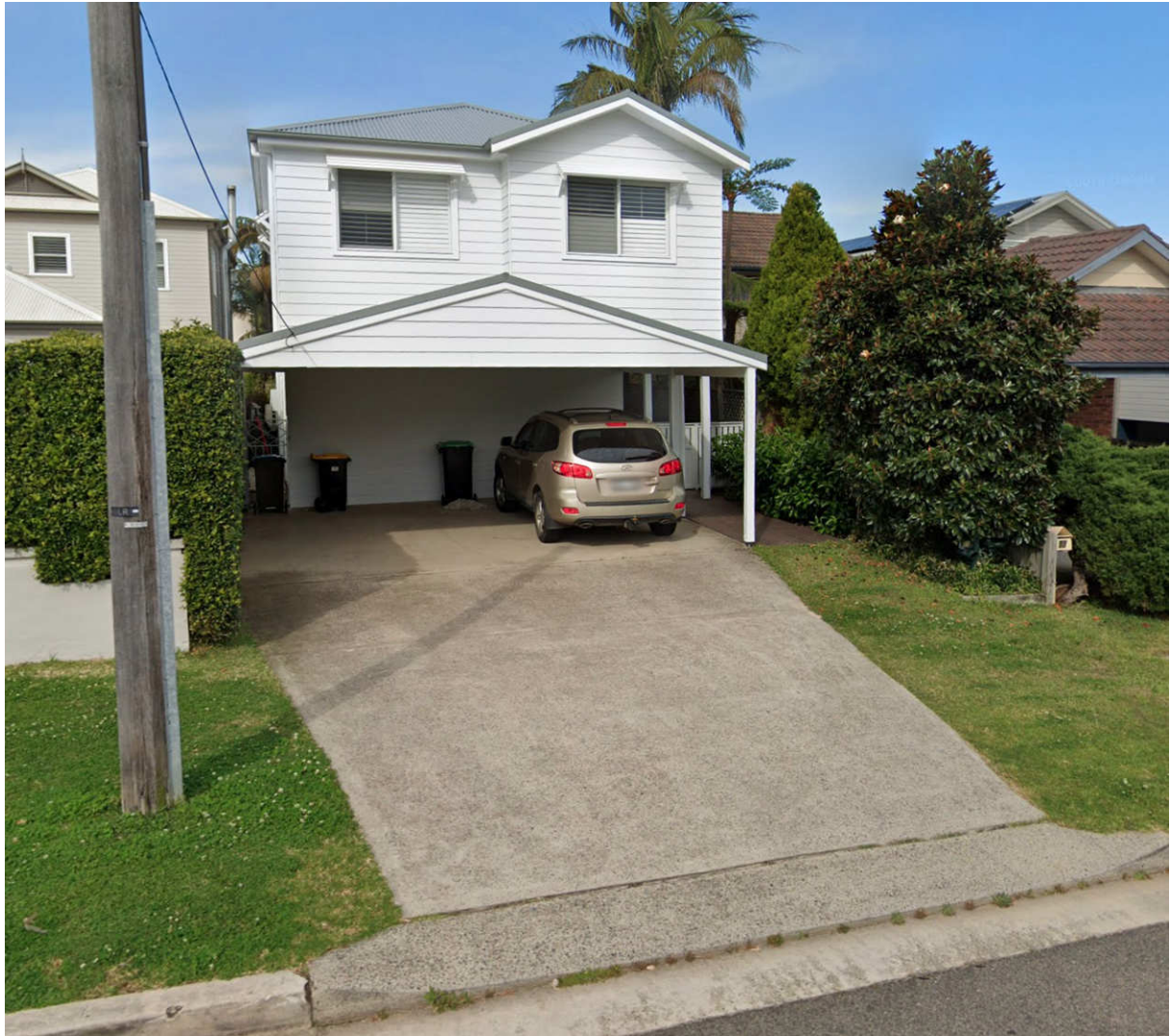
APPENDIX 1 – SITE PHOTOS



The existing dwelling on the subject site. (image courtesy maps.google.com.au)



The adjacent property at 27 Spring Road (image courtesy maps.google.com.au)



The adjacent property at 31 Spring Road (image courtesy maps.google.com.au)



The property opposite at 10 Spring Road, currently under construction with a 1.8m boundary fence



The property opposite at 8 Spring Road (image courtesy maps.google.com.au)



A neighbouring property at 9 Spring Road (image courtesy maps.google.com.au)