



**782 BARRENJOEY ROAD
PALM BEACH**

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR SIDE AND REAR BOUNDARY FENCE OF
AN EXISTING DWELLING**



Report prepared for
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1.0 Introduction

1.1 This is a statement of environmental effects for a side and rear boundary fence for an existing dwelling within the E2 zone.

1.2 The report describes how the application addresses and satisfies the objectives and standards of the Pittwater Local Environmental Plan 2014, the Pittwater 21 Development Control Plan and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

1.3 This statement of environmental effects has been prepared with reference to the following:

- Site visit
- Architectural drawings prepared by Action Plans
- Survey

1.4 The proposed development is compliant with the objectives of Council controls, considerate of neighbouring residents, environment and streetscape and results in improved amenity and security for the residents of the site. It is an appropriate development worthy of Council consent.

2.0 The site and its locality

- 2.1 The site is located on the eastern side of in Barrenjoey Rd in Palm Beach, with its closest cross Street being Etival Street approximately 60 metres to the south.
- 2.2 The site has a total area of 973.8m², with a frontage of 21.36m. The lot slopes steeply from east to west towards the street frontage.
- 2.3 The site is currently occupied by a two storey weather board dwelling with a metal roof. A single driveway currently enters the site on the southern side of site and provides access to an open double basement garage and concrete hardstand area. Adjoining the rear of the dwelling is a tiled forecourt and inground pool. The rear of the site includes a landscaped area and a cubby house.
- 2.4 This site is within walking distance to Hitchcock Park with Etival Street providing access to the foreshore.
- 2.6 The site is surrounded by detached residential dwellings in all directions. The closest retail area is Avalon Shops which are approximately 2.3 km to the south.

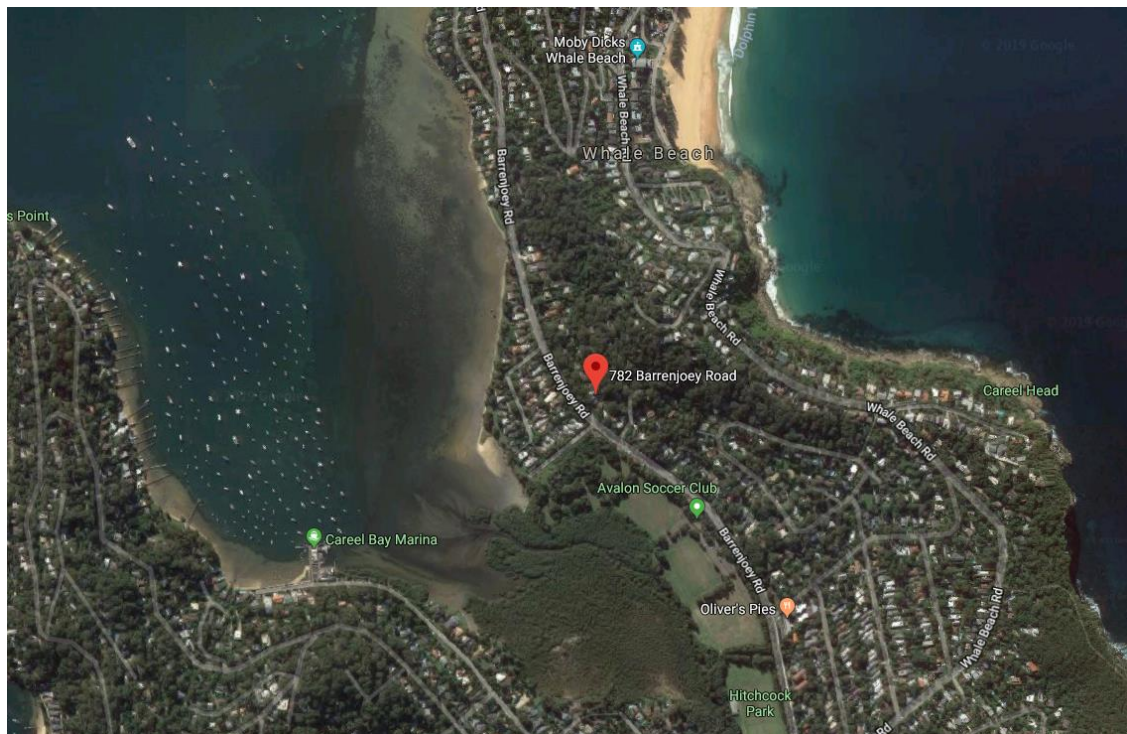


Figure 1. The subject site

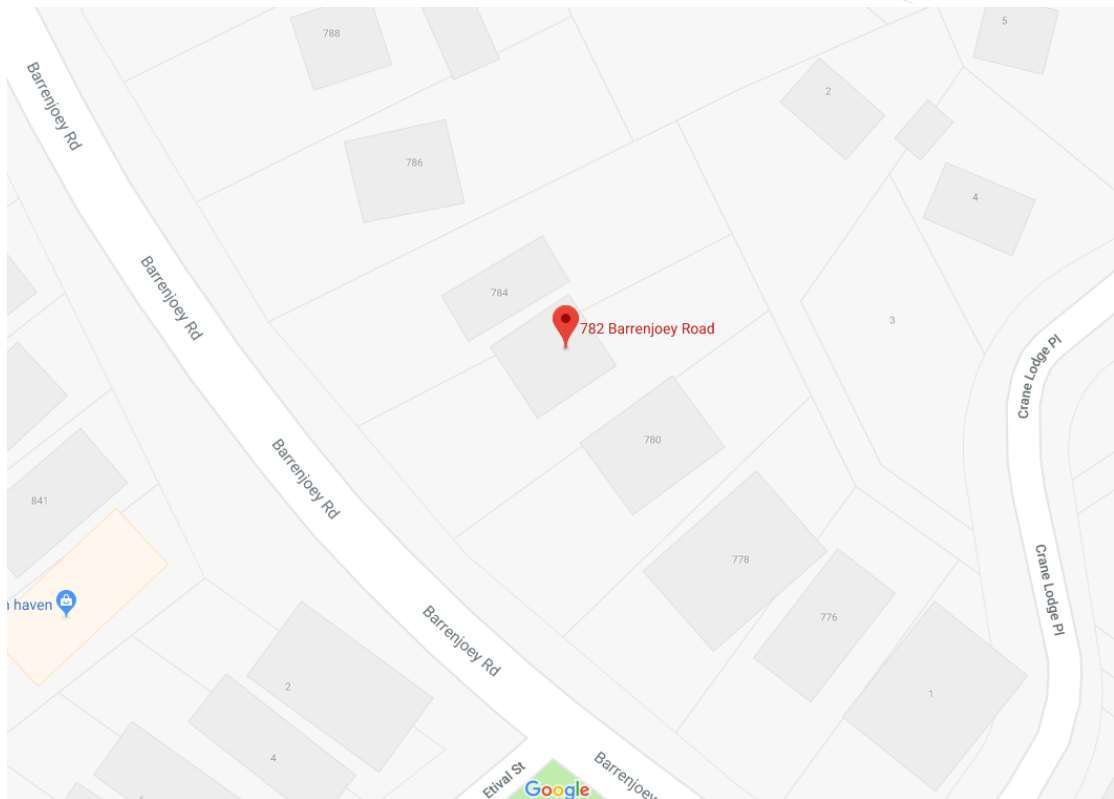


Figure 2. The subject site and neighbouring properties

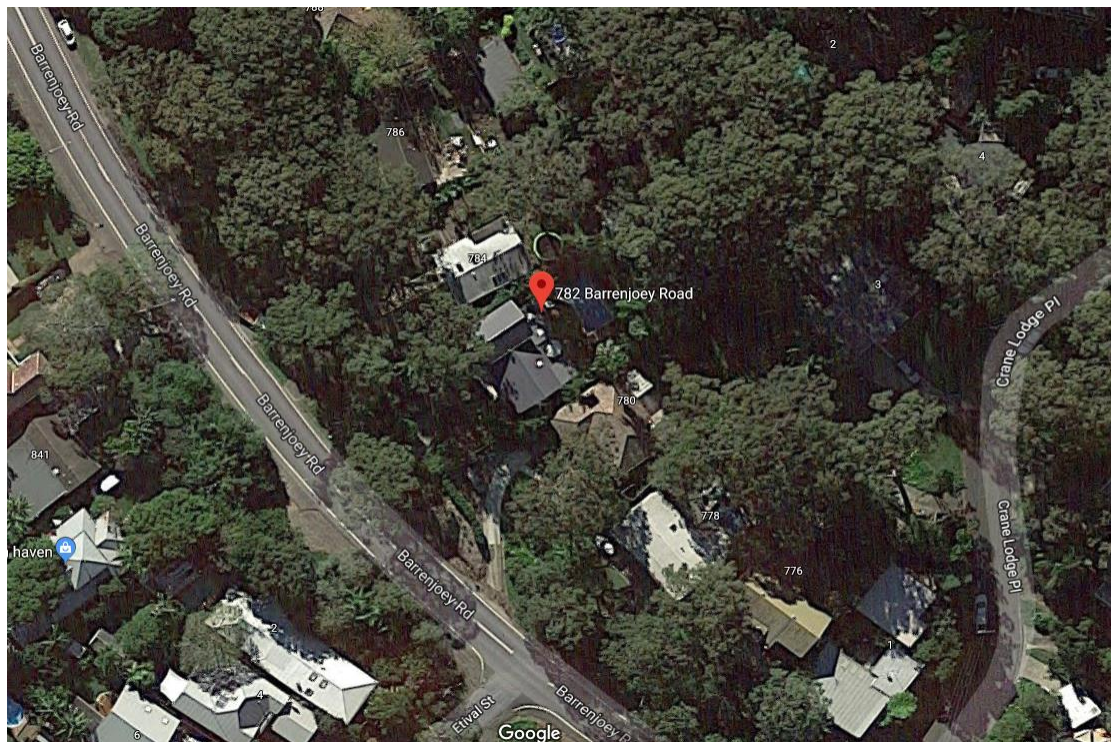


Figure 3. Aerial photograph of the site

3. Proposed Development

3.1 The development is to include works at the side and rear of the site as follows:

1. Demolish existing rear and side boundary fence and
2. Construct new rear and side boundary in line the site boundaries



Figure 4 Existing northern side boundary fence



Figure 5 Existing northern side boundary fence



Figure 6 Existing lattice fence on southern side boundary

3.2 Fence

The proposed fence will be a lapped and capped timber paling fence with a height of 1.8 metres. Materials are appropriate to complement the surrounds and the bushland/seaside character.

The proposed fence will be a vast improvement with existing fencing dilapidated, non-existent in some areas and not accurately reflecting the site boundaries for a portion of the northern side boundary.

3.3 Fence height

The proposed fence will be lapped and capped and will be 1m in height for the first 10m. It will match the existing front fence style and will contain 150mm x 150mm opening every 5 metres at the ground level which will be accessible for ground dwelling animals.

The remainder of the side fence and the rear fence will be of 1.8m in height. It will also match the existing front fence style and contain 150mm x 150mm opening every 5 metres at the ground level.

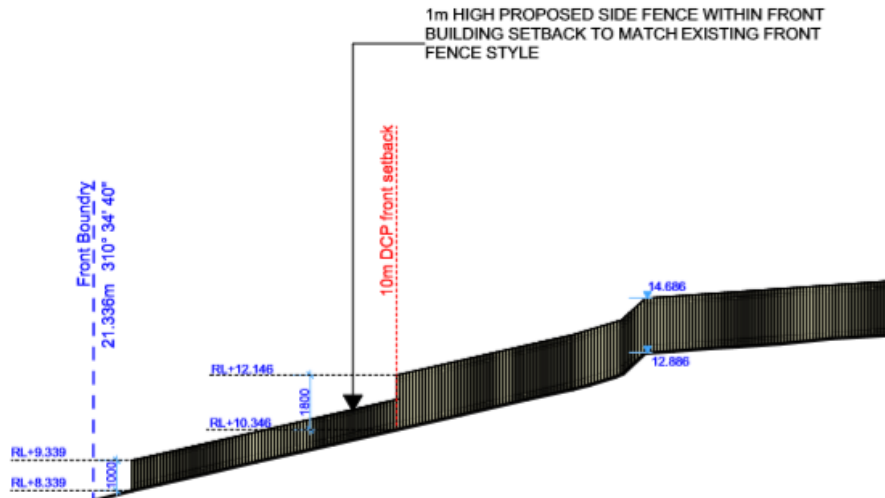


Figure 7 Proposed timber lap and cap fence elevation for the southern side boundary

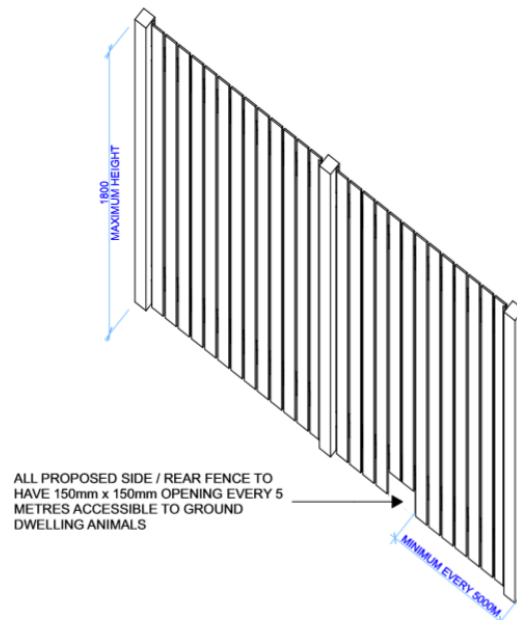


Figure 8 Proposed timber lap and cap fence with opening every 5m

3.4 Construction

Building materials will be stored on the concrete driveway in front of the garage. The concrete hardstand area on the northern side of the site will provide a suitable area for residents to park vehicles during construction.

Where possible timber from the existing fence will be recycled and collected in a skip bin which is to be located on the concrete driveway in front of the garage.

4. Zoning

- 4.1** The zoning under the provisions of the Pittwater LEP 2014 is E4 Environmental Living.

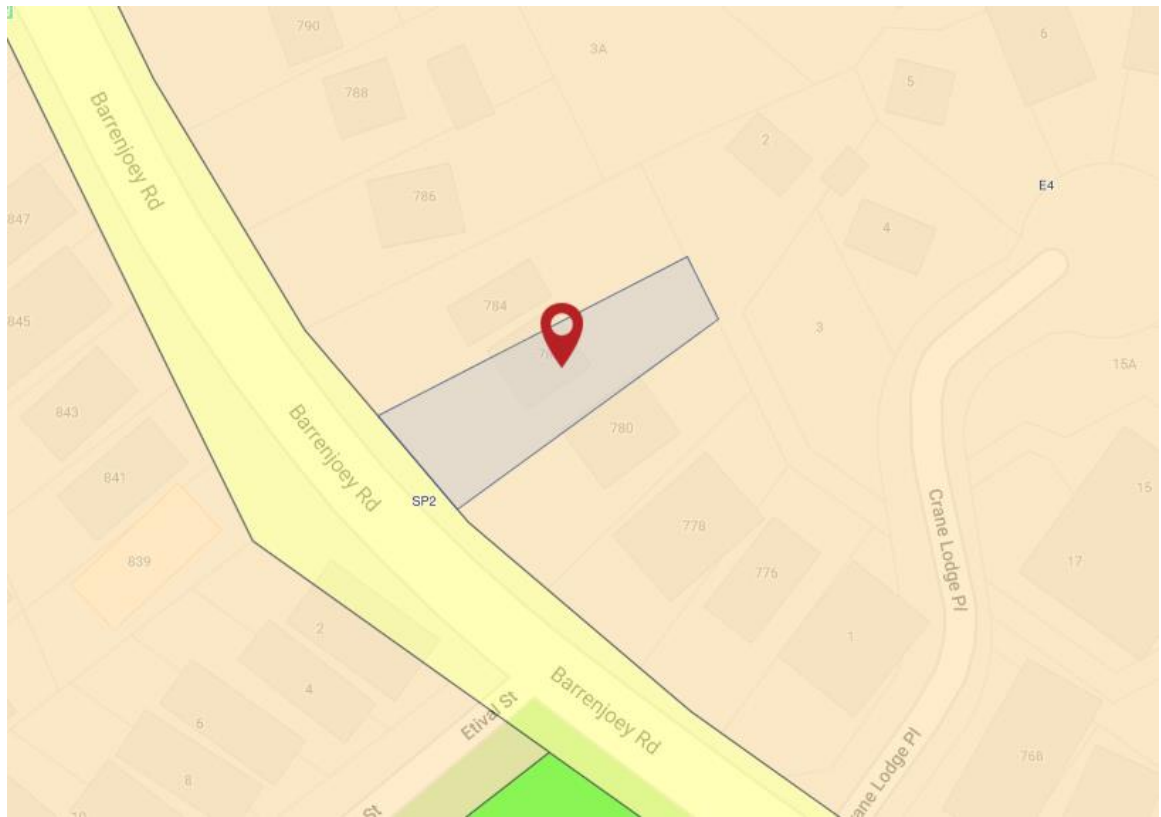


Figure 8. Extract from PLEP2014 zoning map

- 4.2** A fence associated with a residential are permissible uses with Development Consent.

5. Statutory Framework

5.1 Pittwater Local Environmental Plan 2014

The relevant clauses of the Pittwater Local Environmental Plan 2014 are addressed below.

Zoning

The site is zoned E4 pursuant to the provisions of the Pittwater Local Environmental Plan 2014. The proposed fence associated the dwelling are permissible uses in the E4 zone which permits residential dwelling with development consent.

Minimum Lot Size

A minimum lot size of 700m² applies to the site. No subdivision is proposed as a part of this development.

Height

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed development complies with this with the new fence being significantly below this line.

Floor Space Ratio

The floor space ratio development standard has not been adopted for the subject site.

Acid Sulphate soils

The site is located in an area nominated as Acid Sulphate soils Class 5. No additional information is required for the proposed development.

Flood Planning

The site is not located in a flood prone area.

Geotechnical Hazard

The site is located within the geotechnical hazard zone mapped by Council's LEP. The proposed development will not impact the geotechnical stability of the site as no works are proposed to the existing retaining walls. The proposed fence will have minimal impact on the existing retaining walls. A report accompanies the application in support of the proposal.

Biodiversity

The site is nominated on the biodiversity maps within the LEP. Accordingly, the following must be considered with regard to the site:

(a) *whether the development is likely to have:*

(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and

The proposed development will have minimal impact on the existing environment, being of small scale and being a replacement of an existing fence. The proposed fence has been designed to ensure minimal impact for ground dwelling animals with an opening to allow for movement between site.

(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

No vegetation will be impacted by the minimal development proposed on the already developed site.

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and

Biodiversity will be unaffected by the proposed development. The proposed opening at ground level will allow ground dwelling animal to move within their environment.

(iv) any adverse impact on the habitat elements providing connectivity on the land, and

There will be no adverse impact to connectivity. The proposed fence will increase connectivity for land dwelling animals

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

With no adverse impact resulting from the minimal proposal, there is no requirement for any measures to mitigate impacts. The development is appropriate as proposed.

Council must also consider and be satisfied of the following:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

The design of the proposal is appropriate, minimal and well designed for the site. It will not be to the detriment of the environmental qualities of the location.

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

There are no detrimental impacts as a result of the proposed development. The proposed side and rear boundary fence will improve the connectivity for ground dwelling animals.

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

There are no detrimental impacts.

5.2 Pittwater Development Control Plan

The relevant sections of the DCP are addressed below.

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposed development is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

Part A Localities

Palm Beach Locality

The site is located within the Palm Beach Locality. The proposed fence has been designed taking into consideration the desired character of the location. The small proposal is well designed to ensure retention of the character sought by Council and enhance amenity for the site.

Part B General Controls

Heritage Conservation

The site is not located in a heritage conservation area or immediately adjacent any heritage items.

Aboriginal heritage Significance

The site is not known or anticipated to be home to any aboriginal relics. Should any objects be discovered during construction, appropriate measures will be taken according to NSW Office of Environment and Heritage.

Landslip Hazard

The subject site is located in a geotechnical hazard zone. The proposed development will not impact the geotechnical stability of the site as no works are proposed to the existing retaining walls. The proposed fence will have minimal and reasonable impact on the existing retaining walls and a geotechnical report is provided in support of the application.

Acid Sulphate Soils

The site is affected by Class 5 acid sulphate soils. This will have no impact for the proposed development.

Contaminated and potentially contaminated lands

The site is not known to be contaminated and to our best knowledge has only ever been developed for low density residential uses.

Flood Hazard

The site is not located within a flood prone zone.

Landscape and Flora and Fauna Enhancement Category 2

The proposal results in improvements to an area which previously had non-native vegetation. The fence will provide improved connection for ground dwelling animal and will not be to the detriment of any existing flora and fauna in the local area.

Water management

The site is connected to the sewer system.

Access and parking

Not applicable.

Site works and management

All Council controls and conditions of consent will be complied with in the construction works. Appropriate devices will be used during the construction process to ensure no issues arise with regard to erosion and sedimentation.

Part C Design Criteria for Other development

Landscaping

No change is proposed to the existing landscaped area at the front of the site.

Safety and Security

The alterations to the site will be positive with regard to ensuring surveillance and security.

View Sharing

No views will be impacted by the proposed development.

Visual Privacy

The proposal will have no impact on neighbour's visual privacy.

Acoustic Privacy

The proposal will have no impact on neighbour's acoustic privacy.

Private Open Space

Private open space will remain unchanged in area and enhanced by the fence.

Waste and Recycling Facilities

These will remain as required by Council.

Part D – Palm Beach Locality

The site is located in the Palm Beach Locality and will be appropriate within the desired character, built form and natural environment criteria as specified in the DCP. The improvements to the side and rear boundary fence will be appropriate within the streetscape setting.

Character

The proposed fence will complete the existing front fence and provide consistency to the streetscape and be a positive addition when viewed from the public domain.

Scenic Protection

The site is not visible from a park or waterway.

Building colours, materials and construction

The materials and colours are detailed on the plans and have been chosen to complement the bushland and seaside setting and will be consistent with the existing fence.

Front Building Line

The fence of height of 1m in the front building setback is consistent with the existing streetscape and is consistent with existing scale of the development of the site.

Side and Rear setbacks

There are no proposed changes to the side and rear setbacks.

Building envelope

Not applicable.

Landscaped Area – Environmentally Sensitive Land

The proposed fencing will not impact the existing landscape area of the subject site. The proposed fencing will improve the ability of land dwelling animals to move within the area.

Fencing

The proposed fencing will not exceed the maximum height of 1m within the front building setback of 10m and will not exceed the maximum height of 1.8m for the remaining side boundary fence and rear fence.

The fence will be of similar style to the existing front fence and compatible with the streetscape and does not obstruct views from the road.

The fence will be a lap and cap fence with a 150mm x 150mm opening every 5m which will allow ground dwelling animals movement to and from the site.

The proposed colour will be consistent with the existing front fence and suitable for the character of the site and area.

The proposed fence is appropriate and easily fulfils the requirements of Council's DCP.

6. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

6.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Pittwater LEP and DCP.

The development is permissible in the E4 zone.

6.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality

Context and Setting

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?
- the character and amenity of the locality and streetscape?
- the scale, bulk, height, mass, form, character, density and design of development in the locality?
- the previous and existing land uses and activities in the locality?

These matters have been discussed in detail in the body of the statement.

What are the potential impacts on adjacent properties in terms of:

- relationship and compatibility of adjacent land uses?
- sunlight access (overshadowing)?
- visual and acoustic privacy?
- views and vistas?
- edge conditions such as boundary treatments and fencing?

The proposed fence has been designed to complement the site and its surrounds. The proposed fence will have appropriate and complementary impacts for adjacent properties increasing visual privacy for the neighbours.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- travel demand?
- dependency on motor vehicles?
- traffic generation and the capacity of the local and arterial road network?
- public transport availability and use (including freight rail where relevant)?
- conflicts within and between transport modes?
- traffic management schemes?
- vehicular parking spaces?

Traffic will be unaffected by the proposed development.

Public domain

The proposed development will have positive impacts on the public domain (i.e. roads, parks etc.), with appropriate and minimal changes proposed.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no impact. The proposed development will increase connectivity for land dwelling animals.

Waste

There will be no impact.

Natural hazards

There will be no impact.

Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- size, shape and design of allotments?
- the proportion of site covered by buildings?
- the position of buildings?
- the size (bulk, height, mass), form, appearance and design of buildings?
- the amount, location, design, use and management of private and communal open space?
- landscaping?

The proposed development is highly appropriate to the site with regards to all of the above factors. The development fits well within the context of the surrounds and fence will remain of minimal scale and well suited to its residential surrounds.

How would the development affect the health and safety of the occupants in terms of:

- lighting, ventilation and insulation?
- building fire risk – prevention and suppression/
- building materials and finishes?
- a common wall structure and design?
- access and facilities for the disabled?
- likely compliance with the Building Code of Australia?

The proposed development will comply with the provisions of the Building Code of Australia.

Construction

What would be the impacts of construction activities in terms of:

- the environmental planning issues listed above?
- site safety?

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

6.3 The suitability of the site for the development

Does the proposal fit in the locality?

- are the constraints posed by adjacent developments prohibitive?
- would development lead to unmanageable transport demands and are there adequate transport facilities in the area?
- are utilities and services available to the site adequate for the development?

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the proposed side and rear boundary fence.

6.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

6.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate and positive additions to an existing dwelling site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

7. Conclusions

- 7.1** The proposed development application for a side and rear boundary fence at 782 Barrenjoey Road, Palm Beach is appropriate considering all State and Council controls.
- 7.2** When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 7.3** Considering all the issues, the development is considered worthy of Council's consent.

This report was prepared by:

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