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STATEMENT OF ENVIRONMENTAL EFFECTS

For Alterations and Additions

81 MacMillan Street
Seaforth NSW 2092

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

11th October 2021

1.0 Site Description and Location

The subject site is known as 81 MacMillan Street, Seaforth NSW 2092; described as Lot 11, D.P. 19273. The site is a rectangular shape with an area of 969.3m². The subject site has a northerly aspect, sloping from east to west. There is an existing two storey brick house with in ground swimming pool and Outbuilding located at the rear which was approved under a CDC application.

The site is surrounded with single one and two storey residential dwellings.



Image 1 - Site location courtesy of Northern Beaches Council

1.1 Locality and Planning

The site is located within Northern Beaches Council. 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 Manly Local Environmental Plan (LEP) 2013 and Manly Development Control Plan (DCP) 2013, Environmental Planning and Assessment Act 1979 and applicable State Environmental Planning Policies.

2.0 The Proposal

The proposal seeks approval for construction of a new front fence and removal of 2 trees.

3.0 MLEP 2013

Zoning

The site is zoned R2 Low Density Residential and therefore is suitable for the development.

Provisions of Manly LEP 2013 as relevant to the proposed development:

CI 4.3 Height of buildings

Standard 8.5m	Proposed N/A The development does not propose a change in the building height of the existing dwelling.
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CI 4.4 Floor Space Ratio

Standard 0.45:1	Proposed N/A –The proposed development does not alter the existing FSR
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CI 4.6 Variation to Development Standards

The proposed development does not contravene the development standard.

CI 5.10 Heritage Conservation

The site does not contain a heritage item nor is it located in a heritage conversation area.

CI 5.11 Bush Fire Hazard Reduction

The subject site is not identified as Bushfire Prone Land.

CI 6.1 Acid Sulfate Soils

The subject site is Class 5 and not identified as being affected by Acid Sulfate Soils. The proposal will not lower the water table to below 1 metre.

CI 6.2 Earthworks

The proposed works will not have any detrimental impact on surrounding land. Excavation will be minor for footings only to support the new fence.

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.

7.0 Manly Development Control Plan 2013

The objectives of the primary controls set out in the Manly DCP and the compliance with those controls are outlined below.

PART 3

3.1 Streetscape and Townscape

3.1.1 Streetscape (Residential areas)

The adjoining sites and surrounding properties are characterised by one and two storey houses. The existing houses are made up of varied architectural styles with differing ages of construction.

There is a variety of front fences. These range from open metal, dwarf wall with pillars, solid brick and timber batten up to 1.8m high.

Clause 3.1.1.2 sets out the following requirements for front fences with our detailed response below:

a) Notwithstanding the maximum height provisions for fencing at paragraph 4.1.10; the siting, height and form of boundary fences and walls should reflect the fencing characteristic of the locality, particularly those of adjacent properties. All fencing and wall materials must be compatible with the overall landscape character and the general appearance of the building and the streetscape.

The height of the proposed fence is 1.8m which exceeds the 1m height requirement and a variation is sought.

The proposed fence will comprise of a solid 1m high wall which will be clad in stone with and 800mm high vertical angled metal blade fence. The different materials and open metal fence will reduce the visual impact of the fence.

The height and form of the front fence is consistent with front fences on the street. Houses located on the opposite (northern) side of the street from No. 108 all have a solid front fence 1.8m high. The majority are timber panels 1.8m high. The majority of front fences located on the southern side have dwarf walls with pillars and metal infills. These vary in height however No 69 and 75A are 1.8m high.

b) Boundary fences or walls must not be erected where they would conflict with the local character.

The northern side of the street from number 108 all have front fences 1.8m high. Therefore the height is compatible with the existing streetscape. The southern side of the street have a majority of solid dwarf walls with pillars and metal infills at various heights. Therefore the proposed 1m high solid wall with metal fence above is compatible with the materials of the existing streetscape.

c) Front fences and gates must be constructed in materials that complement the architectural style and period of the dwelling and improve the streetscape. In particular, fencing adjacent to a public road or place must not be constructed in metal cladding, powder coated or otherwise. The existing dwelling is a modern style. The stone clad fence with metal fencing above is complementary to the house and an improvement on the existing plain solid fence.

d) Gates must not encroach on public land when opening or closing.

The pedestrian gate will open inwards and the vehicular gate will be sliding and not encroach on public land.

3.2 Heritage Considerations

The site does not contain a heritage item nor is it located in a heritage conversation area.

3.3 Landscaping

3.3.1 Landscaping Design

There is minimal changes to the existing landscape. New planting is proposed in the front garden to enhance the site.

3.3.2 Preservation of Trees or Bushland Vegetation

Two trees are proposed to be removed. Both have been continually pruned for power line clearance and are classified as fair structures with medium amenity value by the Arborist.

As per the Arborists recommendations, tree sensitive construction of the footings will occur to ensure the health of existing trees to be retained.

3.4 Amenity

3.4.1 Sunlight and Overshadowing

The proposal will not result in any additional loss of sunlight to adjoining neighbours being located on the front boundary.

3.4.2 Privacy and Security

The proposal will not result in any privacy issue for the adjoining neighbours. The owners request a 1.8m high fence for security.

3.4.2.3 Acoustical Privacy

The proposal will not result in any noise generation.

3.4.3 Maintenance of Views

No view loss will occur for the neighbouring dwellings with the fence being located a ground level.

3.7 Stormwater Management

There is minimal change to the impervious area with the proposed front fence replacing an existing front fence. A new solid front path replaces steppers and will result in minimal additional stormwater runoff.

Sediment and Erosion Control measure will be in place prior to construction.

3.8 Waste Management

During construction, rubble and waste will be disposed of into a skip located on site. All waste will be disposed of by suitable contractors and be recycled where possible.

The proposed development will not produce additional household waste. The current household waste will continue to be dealt with according to council guidelines.

3.9 Mechanical Plant Equipment

N/A

3.10 Safety and Security

As new front fence with sliding gate will provide security to the property.

The front fence will not create a safety hazard will vehicular entry and exit from the property.

PART 4 Residential Development Controls

4.1 Residential Development Controls

Built Form Controls	Requirement	Proposed	Comments	Complies
4.1.2 Height of Building	8.5m	New front fence 1.8m		Yes
4.1.2.2 Number of storeys	2	N/A		
4.1.2.3 Roof Height	2.5m	N/A		

4.1.4.1 Street Front Setbacks	6m	N/A		
4.1.4.2 Side setbacks	1.5-1m	N/A		
4.1.4.4 Rear Setbacks	8m	N/A		
4.1.5.1 Open Space and Landscaping	OS3-55% of site (533.06m2)	542.5m2		Yes
4.1.5.2 Landscape Area	Minimum of 35% as Landscape Area (186.57m2)	254.9m2		Yes
	3 native trees			Yes
4.1.10 Fencing	1m high	1.8m	See comments below	No
<p>Merit consideration is sought for Front Fence height.</p> <p>The northern side of the street from number 108 all have front fences 1.8m high. Therefore the height is compatible with the existing streetscape.</p> <p>The southern side of the street have a majority of solid dwarf walls with pillars and metal infills at various heights up to 1.8m high. Therefore the proposed 1m high solid wall with open metal fence above is compatible with the materials of the existing streetscape.</p> <p>Therefore the proposed fence will not be out of character with the existing streetscape.</p>				

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

8.1 The Likely Impacts of the Development

The proposed development will not have a detrimental social or economic impact in the locality given the character of the proposal.

8.2 The Public Interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties. It is therefore considered to be within the public interest.

9.0 Summary

The proposal has been designed to complement the existing dwelling and provide security for the owners.

The proposal does not result in any unreasonable impacts on surrounding, adjoining or nearby properties. It is felt that the development is consistent with the existing character of the streetscape.

The top of the fence along with the sliding and pedestrian gate will be open metal style to provide a sense of openness.

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

SITE PHOTOS



Image 2 – Existing front fence to be replaced



Image 3 – Existing front fence to be replaced and tree to be removed



Image 4 – No. 75A MacMillan Street showing 1.8m high front fence



Image 5 – No. 96 MacMillan Street showing 1.8m high front fence



Image 6 – No. 69 MacMillan Street showing 1.8m high front fence



Image 7 – Showing front fences 1.8m high along the northern side of MacMillan Street from No. 108