



Statement of Environmental Effects

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This template may be used for development proposals which require a development application, and which is development not classes as designated development or State significant development. (Note: Please review the Statement of Environmental Effects Fact Sheet before completing this template. If you require assistance in completing this form please contact Council's Duty Development Officer on 1300 087 004 or email admin@murrayriver.nsw.gov.au)

Property Details

(Note: to obtain this information refer to the <https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/lot> on the NSW Planning Portal.

Lot	LOT 1 IN DEPOSITED PLAN 654519 & LOT 11 OF SECTION 30 IN DEPOSITED PLAN 758686
Unit No/House No	2-4
Street	Chanter Street
Suburb	Moama
Postcode	2731

Description of the proposed development

What is the proposed development?

Note: the proposed development must be a land use that is listed in the Dictionary of the Murray Local Environmental Plan 2011 or the Wakool Developmental Plan 2013

Include details such as:

- whether the development will use whole or part of the building(s) or land(s)
- whether new buildings are proposed
- the physical features of the proposed building(s)
- the nature of the building(s) e.g. dwelling house, materials and colour scheme, signage etc.)
- if demolition is proposed

Construction of 1.8m timber fence and the demolition of a low cyclone wire front fence and access gate. It is noted that the demolition of the existing front fence and gate has already occurred, as the fence was in a dilapidated state and had become a safety concern.

Operational and management details

If applicable, describe the operational and management details of the proposed development.

Building works will be confined to the hours of 7am to 6pm Monday to Fridays inclusive and 8am to 1pm Saturdays. Works will not occur outside of these hours or on public holidays without

obtaining prior written permission from Murray River Council. On this basis, the project is not expected to present any concerns to nearby properties in terms of amenity impacts.

The work will be executed by competent persons, with due regard at all times for safe working practices and in accordance with the approved Work Plan, a copy of which will be kept on site at all times.

The small demolition works were completed manually with materials for disposal delivered to the Moama waste management facility.

Property Details

What is the area of the site

1142msq

Describe the site

The site is an irregular shaped residential allotment with an existing dwelling, shedding and fencing. The site is located on a roundabout intersection with street frontage to Chanter Street and side and rear frontage to Shaw Street. The site is diagonally opposite the Moama Bowling Club and is otherwise surrounded by residential development.

See site photos at attachment below.

Planning Considerations

Are there any State Environmental Planning Policies (SEPPs) applicable to the proposed development (such as State Environmental Planning Policy (Housing) 2021)?

YES/NO

If any SEPPs apply, discuss how they apply and how the proposed development complies.

SEPP (BIODIVERSITY AND CONSERVATION) 2021

CHAPTER 5 - RIVER MURRAY LANDS

The aim of this chapter is to conserve and enhance the riverine environment of the River Murray for the benefit of all users.

The subject site is within the mapped area of River Murray Lands. The proposed development will not contravene the aims or objectives of this chapter and is consistent with the relevant general and specific planning principles.

Local Environmental Plan (Murray LEP 2011 or Wakool LEP 2013)

What is the land zoned?

Note: refer to the NSW ePlanning Spatial Viewer on the NSW Planning Portal

R1 – General Residential

What is the proposed land use (as listed in the Dictionary or the applicable LEP)?

The fence is ancillary to the existing land use on the site for a dwelling.

Is this use permissible within the zone?

Note: refer to the applicable land use table

YES/~~NO~~

How does the proposed development meet the objectives of the zone?

Note: refer to the applicable land use table in the LEP

Clause 2.3 - Zone Objectives

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To avoid potential land use conflict and protect the amenity of residents.
- To provide for tourist and visitor accommodation in appropriate locations.

The proposed use of the site for residential purposes is permitted with consent in the R1 zone and is consistent with the objectives of the zone. In particular the proposed fence is considered to *provide for the housing needs of the community, meet the day to day needs of the residents and protect the amenity of the residents.*

Planning considerations

List and address all relevant sections to your development from the applicable LEP

Clause 5.10 Heritage conservation

The subject site entails two allotments - Lot 1/DP 654519 & Lot 11/30/DP 758686.

Lot 1/DP 654519 which has the dwelling is identified as local heritage item I1 (former post office) within the Murray LEP.

This clause requires development consent to alter the exterior of a heritage item – including a fence.

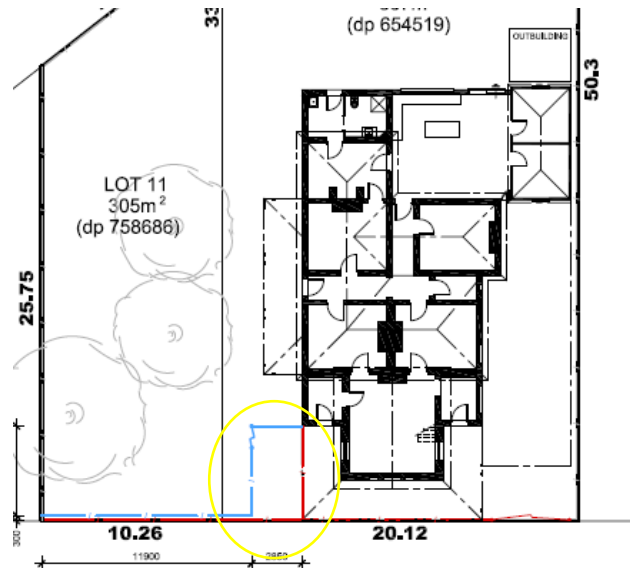
This clause requires that *“the consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned”*.

The proposed 1.8m high fence is to be constructed only along a portion of the Chanter Street frontage to the west of the house, it will not be constructed immediately in front of the dwelling. Therefore views of the former post office building from Chanter Street will not be impacted. The fence design includes a setback of approximately 5m around the verandah of the building, providing articulation to minimise any visual impact of the fence on the heritage significance of the building.

The fence is proposed to be constructed of timber in ‘deep Brunswick green’, considered an appropriate selection of materials and color with respect to the heritage significance of the building.

The existing front fence that has already been demolished was a low cyclone wire fence in need of repair and had become a safety concern. It did not provide any significant contribution to the heritage value of the site.

It is important to note that the fence will be 14.75m long, with only a small portion (approx. 4m) of the fence located on Lot 1 - identified as the heritage item (highlighted in yellow circle below). The existing white picket fence along the frontage and around the veranda is not proposed for demolition and will remain as is.



Clause 5.21 - Flood Planning

The site is within the Moama levee and not identified as flood prone land in the Echuca Moama Flood Study 2024.

Clause 7.1 Essential Services

All essential services are presently available to service the site.

Clause 7.2 Earthworks

Minor excavation works would be required to construct the footings for the fence. The site is not mapped as having any environmental constraints and the fence line is clear of trees. On that basis, the excavation works are deemed minor and are not expected to result in any adverse environmental impacts or detriment to adjoining properties.

Planning considerations

The Murray Development Control Plan 2012 and the Wakool Development Control Plan 2013 details requirements for development which must be taken into account when preparing a development application. Please list and address all relevant clauses to your development contained in the applicable DCP.

CHAPTER 2 - RESIDENTIAL DEVELOPMENT

2.1 Neighbourhood character

This control requires that *'The design of residential development is to suit the existing scale, density, setbacks and character of the neighbourhood.'*

The proposed front fence will only be constructed along a small part of the Chanter Street frontage to the west of the dwelling. The site has an existing high colorbond fencing (approx. 1.6m) along the Shaw Street frontage.

This corner of the site is adjacent to a relatively busy intersection with a roundabout. There are 2 dwellings immediately opposite the site on Shaw Street, also adjacent to this intersection with existing 1.8m high masonry fencing. And another dwelling immediately opposite the site on Chanter St with 1.8m high colorbond front fencing (photos in attachment 2 below). There are also several other examples of 1.8m high fencing in close proximity to the subject site in Chanter Street (see attachment 2 below).

It is evident the scale of the proposed fence design will not be inconsistent with the character of the neighbourhood.

The proposal is considered to be in accordance with the objectives of the above control.

2.2 Streetscape

Controls (relevant)

- Fences to street frontages are to be designed to complement the character of the area. Fences should be low (less than 1.2 metres in height) or if taller, provided with openings.

The proposed fence is 1.8m. See variation request below

- Bulk and scale should be kept in a compatible size with the existing or likely development in the residential precinct.

As mentioned previously there are many examples of 1.8m high fencing in the locality (see attachment 2). It is considered the bulk and scale of the proposed fence design is consistent with the residential character of the precinct.

- High quality materials and finishes should be used for residential building exteriors as well as any fences constructed as part of the development.

The fence is proposed to be constructed of timber in 'deep Brunswick green', considered an appropriate selection of materials and color particularly with respect to the heritage significance of the building.

- Retain existing trees in the streetscape.

No trees to be removed.

- Retain and enhance heritage items where they make a positive contribution to the streetscape.

As mentioned previously the existing white picket fence along the immediate frontage of the house around the verandah will not be removed. The proposed fence includes a 5m setback

around the veranda to ensure the positive contribution of the heritage item to the streetscape is maintained.

Variation Request

Clause 1.8 of the DCP states *Variations to the controls in the DCP may be considered by Council. Details as to the process of seeking a variation to a development control expressed in the DCP are detailed in each chapter.* Chapter 2 of the DCP relating to residential development states *In exceptional circumstances Council may consider a variance to a development control but only where the applicant has demonstrated in writing and/or with plans that the objective can still be achieved.*

The proposed development is seeking the following variations:

- Front fence height of 1.8m – control 2.2 requires 1.2m

The objectives of Clause 2.2 Streetscape are as follows:

- *Residential design that makes a positive contribution to the streetscape.*
- *The provision of passive surveillance to the street.*
- *The integration of new development into the streetscape and neighbourhood.*

As addressed throughout this SOEE, the site is identified as a heritage item (former post office). Given the siting of the fence being only on the western portion of the street frontage, and the design incorporating an articulated setback around the verandah the proposed 1.8m high fence will not detrimentally impact the heritage significance or views of the site. The fence is proposed to be constructed of timber pailings in a deep green paint, considered a high quality material respectful of the heritage significance of the site. It is considered the proposed fence will provide a positive contribution to the streetscape.

The proposed front fence is only for the western portion of the Chanter Street frontage. It is not proposed along the immediate frontage of the dwelling, with the existing white picket fencing to remain. Therefore the proposed development will maintain passive surveillance to the street.

The western corner of the site is adjacent to a relatively busy intersection with a roundabout. There are 2 dwellings immediately opposite the site on Shaw Street, also adjacent to this intersection with existing 1.8m high masonry fencing. And another dwelling immediately opposite the site on Chanter St with 1.8m high colorbond front fencing (photos in attachment 2 below). There are also several other examples of 1.8m high fencing in close proximity to the subject site in Chanter Street (see attachment 2 below). This demonstrates that the proposed 1.8m high fence is consistent with other development in the neighbourhood and will integrate into the streetscape.

It should be noted that whilst the fencing is defined as ‘front’ fencing due to being constructed along Chanter Street – the proposed fencing is providing a barrier to the ‘rear’ yard of this allotment given the irregular triangular shape of the allotment, a very site specific anomaly in this instance.

The proposal is not considered to contravene the objectives of the DCP control and therefore the proposed variation to the development control is considered to warrant Council support in this instance.

Attachment 1.

Photos – Subject Site

1. Street view (showing cyclone fence already demolished)



2. Current street view



3. Current Street view from corner



4. Street view from Shaw Street



Attachment 2.

Photos - 1.8m fences in locality

1. 3 Chanter Street (front fence opposite site)



2. 26a Shaw Street (front fence opposite site)



3. 26b Shaw Street (front fence opposite site)



4. 8 Simms Street (rear access opposite side of Chanter Street)



5. 12 Simms Street (Chanter Street frontage)

