



**KEMPSEY**  
Shire Council

## **DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT**

11<sup>th</sup> April 2006

<b>DSDS5</b>	<b>SELF STORAGE UNITS – MODIFICATION TO THE LOCATION OF FENCING AT APPROVED SELF STORAGE UNITS, LOT821 DP773764 PACIFIC HIGHWAY, SOUTH KEMPSEY FILE: T6-03-478 GAN {Folio No. *}</b>
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### **SUMMARY:**

Reporting that Council has received an application to modify the location of a fence fronting approved Self Storage Units and adjacent to the Pacific Highway at South Kempsey which was erected contrary to the approval.



### **DESCRIPTION:**

**Applicant:** Jon Prescott  
**Subject Property:** Lot 821 DP 773764 Pacific Highway, South Kempsey  
**Zone:** 4(a) industrial

### **Background**

Council approved an application for self storage units at Lot 821 DP 773764 Pacific Highway South Kempsey on 9 September 2003. The approved storage units have since been constructed. Prior to lodgement of the application, discussions were held with the applicant to identify any issues of concern of Council. It was identified at this stage that Council wished to ensure the entry way on the southern approach to Kempsey was progressively upgraded in appearance to promote its attractiveness. The application that was submitted and approved, provided for landscaping of the frontage of the property, with the security fence setback at least 5 metres increasing to more than 10 metres, behind the landscaped area and at the bottom of the embankment.

Contrary to the approved plans the security fence was constructed at the top of the embankment on the front boundary, to the Pacific

Highway with the landscaping located behind it. Notices were issued requiring relocation of the fence to the approved position. In response, the applicant proposes to modify the consent to approve the fence in its constructed location. The fence is approximately 88m in length.

The Director from STORCO – Mini Storage Systems has prepared a submission on behalf of the applicant ([Appendix M](#)). This submission considers the proposed location to be a more appropriate location for the following reasons:

1. Public Safety and Liability: Persons passing along the top of the embankment may fall and suffer various physical and psychological injuries on the premises; and
2. Security: Landscaping provides opportunities for persons to gain access to property whilst not being seen from Highway.

## Issues

### Public Safety

The proposed fence is unlikely to create a safety issue in either location as the area is required to be extensively landscaped. If the owner is concerned about the potential for injury associated with the embankment, an attractive low level barrier could be placed along the front boundary, similar to adjoining properties.

### Security

Landscaping and the embankment may provide some cover for persons wishing to gain access to the premises; however it is more likely that persons wishing to gain access to the property would approach from the side or rear boundaries rather than the highway boundary. The proposed fence is unlikely to alter the security of the premises in either location as intruders would need to gain entry through the electric fence.

### Character and Locality

The subject fence is located on the Pacific Highway at the southern entry way to Kempsey. In its approved location the fence would be hidden from direct view of the Highway by an embankment and landscaping.

In its constructed location at the top of the embankment, the fence is directly visible to vehicles travelling both north and south on the highway and presents a rather stark and uninviting image to passing traffic.

A mixture of fence types have been constructed along this section of the Highway. The adjacent property to the south uses a timber

bollard fence on the boundary and a chain mesh fence setback some distance. Thurgoods Haulage immediately north of the site uses a rural timber fence on the property boundary and a setback chainmesh fence for internal security. These types of fencing arrangements are considered appropriate for this area [\(Appendix N\)](#).

Recent approvals including the Macleay Ford, mower service and adjacent automotive business (under constructions) all have been required to erect decorative type fencing and landscaping.

The NSW Roads and Traffic Authority (RTA) have announced the preferred route for the Kempsey to Eungai Pacific Highway upgrade and the South Kempsey interchange is located approximately 1 kilometre south of the squash court facility. The location and design of the interchange will take advantage of the existing terrain and provide a visual gateway to Kempsey.

As a visual gateway to Kempsey it is in the public interest to maintain and improve the aesthetic character of this area and create a welcoming feel. The fence currently creates a negative visual statement for the area. It may also create an inappropriate precedent for future development along this section of the Highway.

Given the obtrusive character of the fence and the subsequent statement it will provide at the Entrance to Kempsey the fence is not considered to be suitable in the proposed location. The current approved location is considered more suitable.

#### Economic Development Office Comments

Council's Macleay Development and Promotion Committee is in the process of developing town approaches and entrance statements for Kempsey. The manager of Economic Development has indicated that a security fence such as that proposed would not be in character with the statement Council wishes to present in this area.

#### **REPORT IMPLICATIONS:**

- ***Environmental***

***The fence will have an undesirable visual impact on the entry way to Kempsey.***

- ***Social***

***In preparation for the Kempsey Bypass it is important for Council to ensure the Entrance to Kempsey reflects positively on the remainder of the Township. If approved, the proposed fence would provide a negative statement to the entrance of Kempsey and set a precedent for future development in the area.***

- *Economic (Financial)*

*The future ability to attract visitors to the Kempsey area is important to local economy. The creation of an attractive entry way to Kempsey is a current objective of Council, to promote the area to visitors.*

- *Policy or Statutory*

*Nil*

- *Director's Review*

*Nil*

**RECOMMENDATION**

**A** That Council refuse to amend Development Application No T6-03-478 for the following reasons:

- 1** The location of the fence on the front boundary will have an undesirable visual impact on the entry way for Kempsey.
- 2** The approved location of the fence provides both security and opportunity to soften and hide the appearance of the fence behind the landscaped area and at the bottom of the embankment.

**B** That the applicant be requested to relocate the fence in accordance with the approved development plans within 30 days of notice being given.

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**R B Pitt**  
**DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES**