

Statement of Environmental Effects
76 Myoora Road Terrey Hills 2084
LOT: 12 DP: 237301



Figure 1: Aerial View of Site (Source: NSW eSpatial Viewer)

Date: 9/12/23

Reference: 76 Myoora Road Terrey Hills 2084

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1. Introduction

This Statement of Environmental Effects (SEE) has been prepared for the demolition of the existing attached garage and the erection of an attached garage, front fence and awning at 76 Myoora Rd Terrey Hills.

This SEE describes the subject site and the proposed development, assessing the impacts of the development as required by Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2. Overview of Planning Provisions

Basic Details	
Address	76 Myoora Road Terrey Hills 2084
Real Property Description	LOT: 12 DP: 237301
Current Use	Existing Dwelling House
Land Size	721.2m ²
Zoning	R2: Low Density Residential
Local Government Area	NORTHERN BEACHES COUNCIL
Local Environmental Plan	Warringah Local Environmental Plan 2011
Development Control Plan	Warringah Development Control Plan 2011
Applicable LEP Development Standards	• Clause 4.3: Height of Buildings • Clause 6.4: Development on Sloping Land
Applicable State Environmental Planning Policies	None applicable

Table 1: Overview of Planning Provisions



Figure 2: Indicative Lot Dimensions (Source: PriceFinder)

3. Site Description and Surrounding Context

The subject site, known as 76 Myoora Road Terrey Hills 2084 (LOT: 12 DP: 237301) is located within the R2: Low Density Residential zone under Warringah Local Environmental Plan 2011 (LEP). The site is a standard lot with existing vehicular access via Myoora Street. The site is currently comprised of a dwelling house and ancillary structures including a garage and a swimming pool. Immediate surrounding land uses are predominantly comprised of low density residential dwellings. A Dial Before You Dig Search suggests that essential services such as telecommunications, electricity reticulated water and sewer are available to the site.

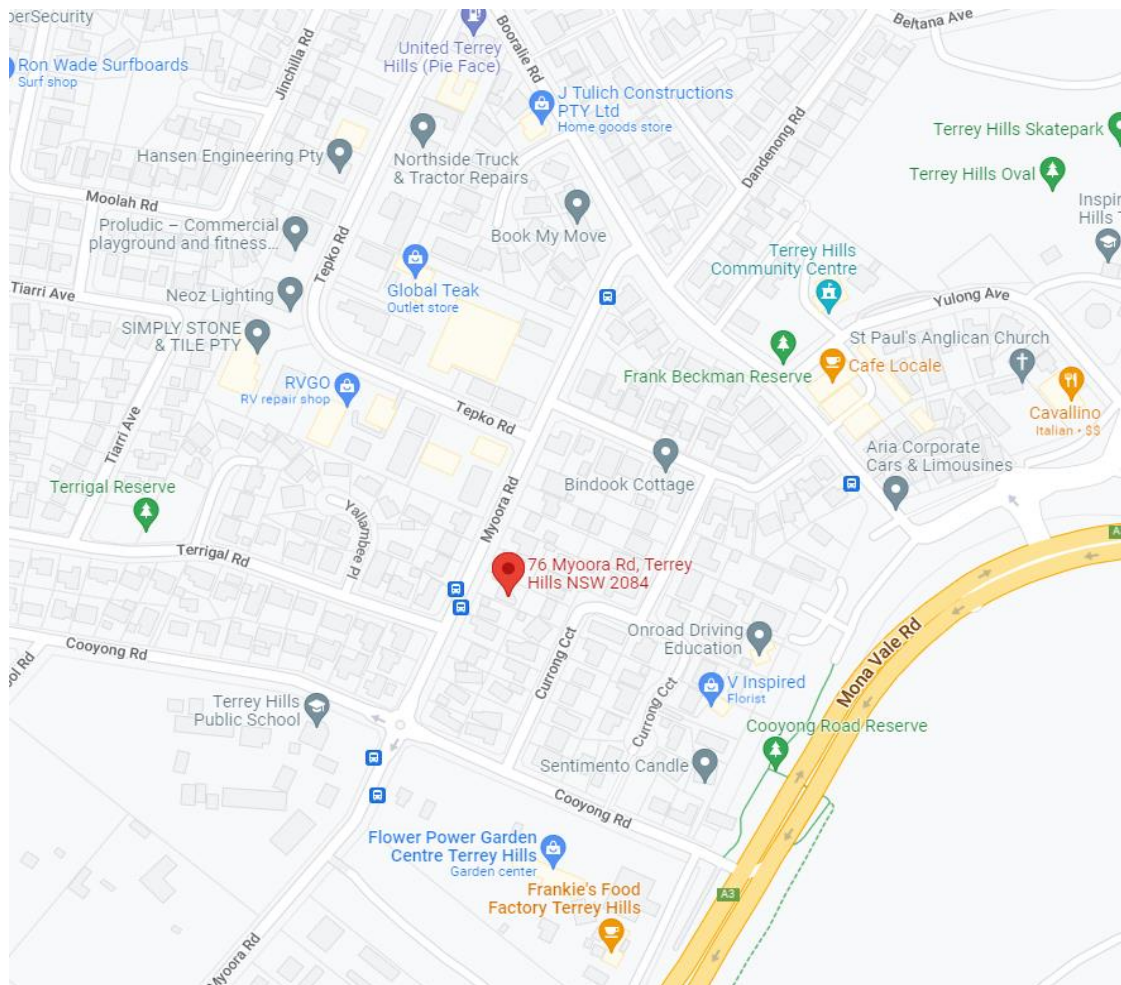


Figure 3: Locality Map of subject site (Source: Google Maps)

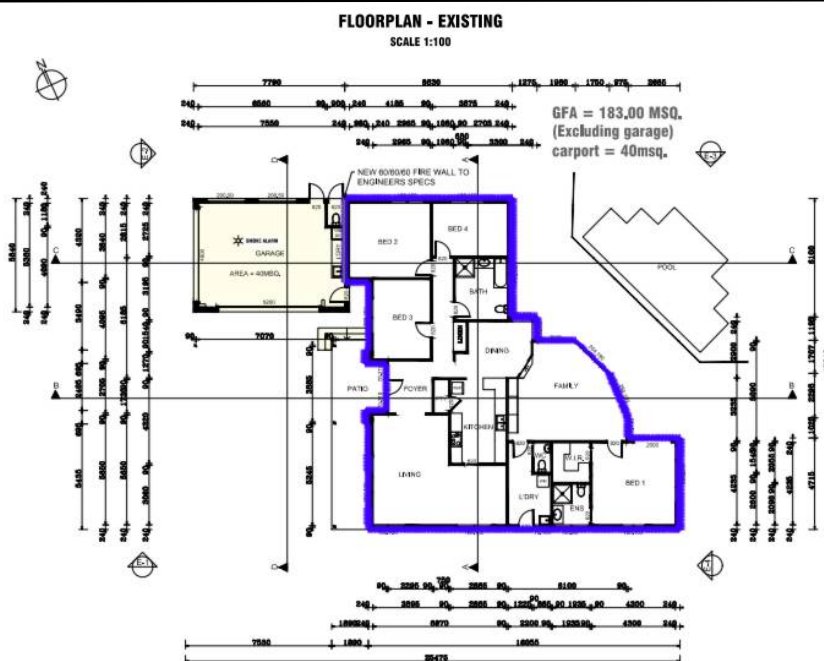
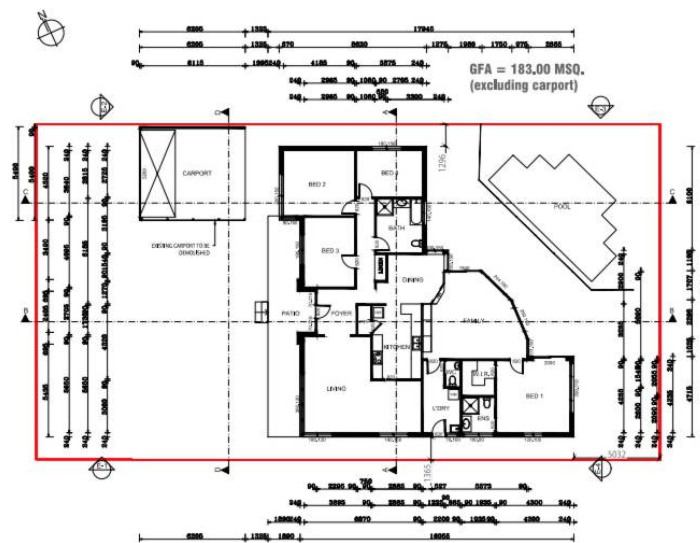


Figure 4: Sydney Water Asset Mapping

4. Proposed Development

The proposed development involves the demolition of the existing detached garage and the erection of an attached garage. The development can be summarised below as:

- Demolition of existing 34m² detached garage.
- Erection of a 40m² attached garage.
- No change to maximum building height.
- Increased minimum side setback from built to boundary to 1,300mm (northern boundary)
- Decreased front setback to 6.5m
- No earthworks involved.
- No vegetation clearing involved.
- Replacing the old front fence with a new 1.8m front fence, pedestrian and sliding gate.



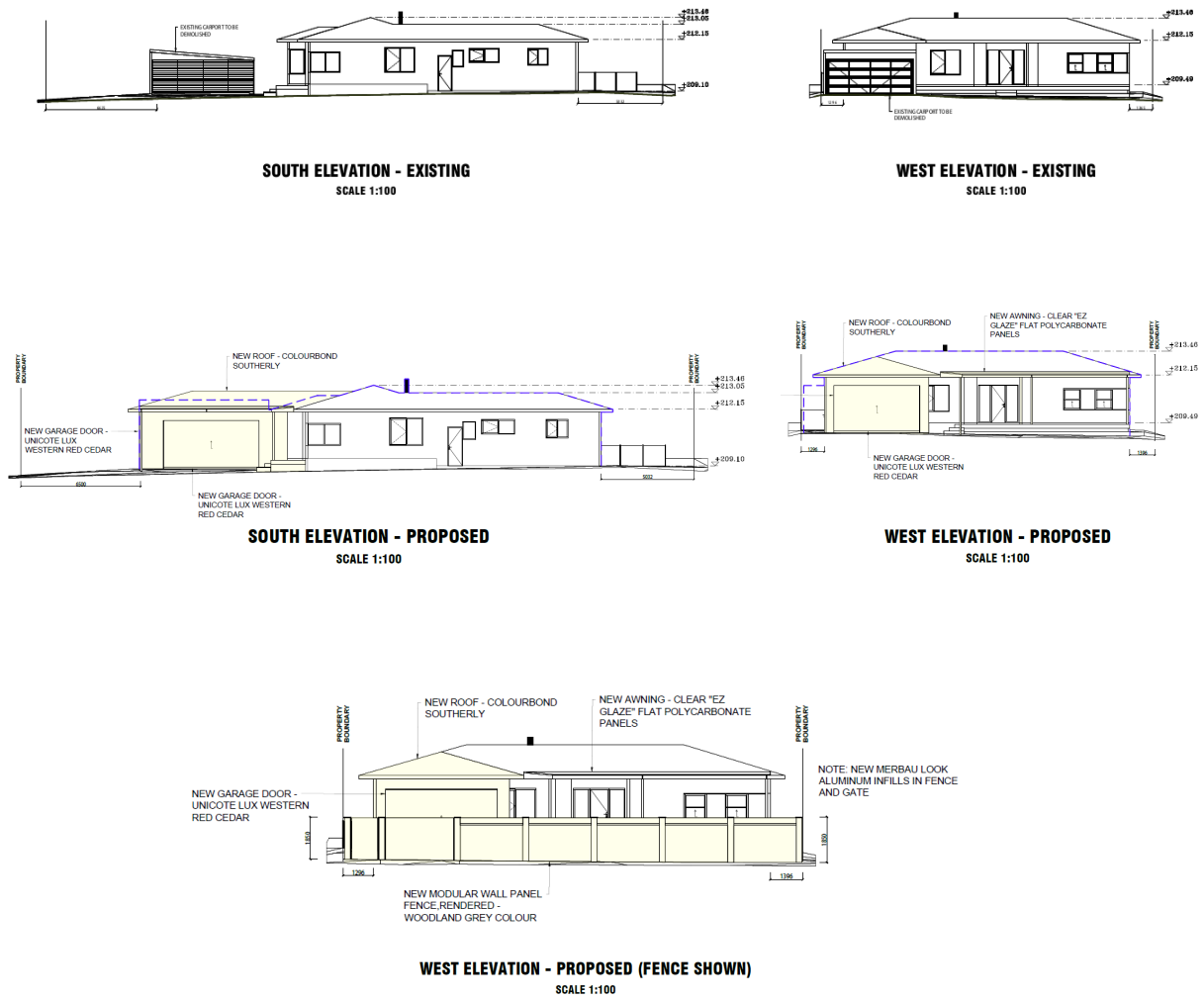


Figure 7: South & West Elevation Plans

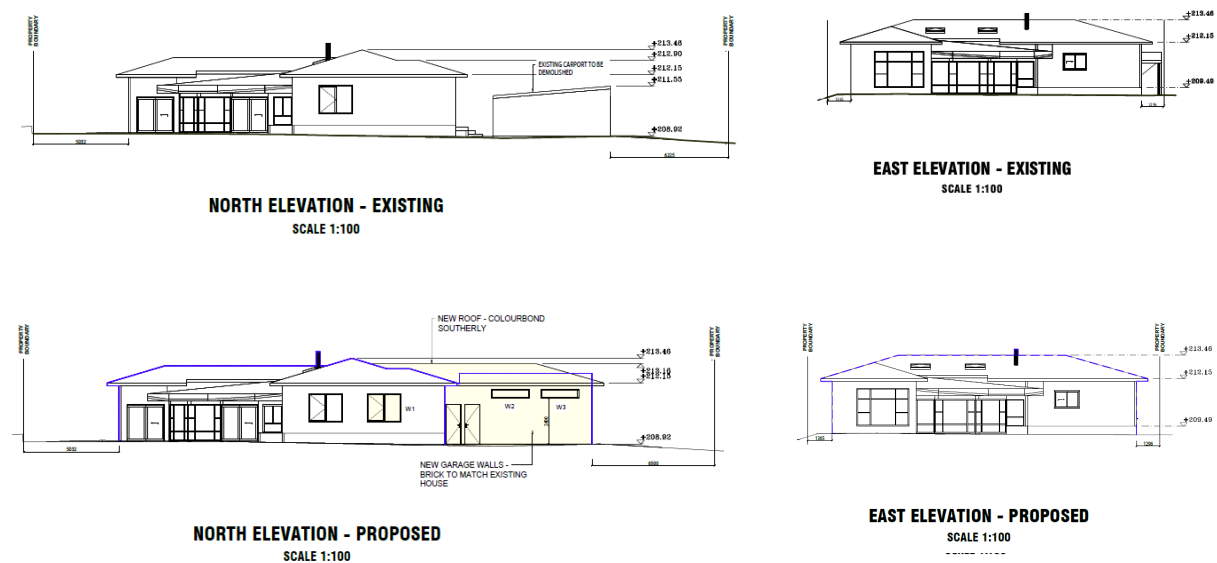


Figure 8: North & East Elevation Plans

5. Environmental Planning Assessment

The following assessment has been structured in accordance with Section 4.15 of the EP&A Act. The proposed development has been assessed in accordance with the relevant state, regional and local planning policies.

5.1 Warringah Local Environmental Plan 2011

The principal planning instrument applying to the site and affecting the proposed development is the Warringah Local Environmental Plan 2011.

5.1.1 Zone/ Permissibility

The site is zoned R2: Low Density Residential under the LEP, in which the alterations and additions to existing dwelling house is permitted with consent.

Below describes the proposal's consistency with the objectives of the R2 zone:

- 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 ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

Given the nature of use and scale of the development, it is considered that the proposed development is consistent with the objectives of the zone.

5.1.2 Clause 4.3: Height of Buildings

The maximum building height for the site under the provisions of the LEP is 8.5m above the existing surface level. The proposal will retain the existing building height of under 8.5m which is compliant with the development standard for building height.

5.1.3 Clause 6.4: Development on Sloping Land

The site is mapped as being located within Area A on the Landslip Risk Map. As such, the development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that –

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and
- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and
- (c) the development will not impact on or affect the existing subsurface flow conditions.

As the development does not involve earthworks nor does it change the topography of the land, it is considered that the development meets the above stated requirements.

5.3 Warringah Development Control Plan 2011

The aim of the DCP is to expand upon the aims, objectives and provisions of the LEP. This section of the report responds to the relevant chapters of the DCP for the demolition of a shed and retaining wall, and the erection of a secondary dwelling. Specifically, this document responds to the applicable controls from Part B, C, D & E of the DCP.

Part B Built Form Controls	
Controls	Compliance Response
B1 Wall Heights	Requirements: Maximum of 7.5m. 8.5m if slope exceeds 20% within building footprint. Comments: Maximum wall height of the dwelling will be approximately 3m. Complies
B3 Side Boundaries Envelope	Requirements: 45 degrees from a height above 4m above natural ground. Comments: The development is well within the side boundaries envelope Complies
B5 Side Boundary Setbacks	Requirements: 900mm Comments: Proposed side setback is 1,300mm Complies
B7 Front Boundary Setbacks	Requirements: 6.5m Comments: Proposed front setback is 6.5m Complies
B9 Rear Boundary Setbacks	No change to rear boundary setbacks.

Part C – Siting Factors	
C2 Traffic, Access and Safety	No change to existing vehicular access.
C3 Parking Facilities	Existing detached double garage to be demolished and replaced by an attached double garage. A double garage will meet the minimum car parking requirements as per Appendix 1 of the DCP. Complies
C4 Stormwater	Requirements To be installed and maintained in accordance with Council’s Water Management for Development Policy. Comments: Overland flow & roof water run off to be discharged to the kerb and gutter on Myoora Road. Complies
C8 Demolition and Construction & C9 Waste Management	Requirements All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan. Comments: A waste management plan meeting the Waste Management Guidelines is submitted for Council’s consideration. Complies
Part D – Design	
D1 Landscaped Open Space and Bushland Setting	No change to existing landscaping provision. No trees greater than 5m, within 5m of the proposed works
D2 Private Open Space	No change to private open space provisions
D6 Access to Sunlight	No change to access to sunlight on existing and adjoining dwellings.

D7 Views	No change to view sharing provision
D8 Privacy	No change to privacy provision.
D9 Building Bulk	Requirements 1. Side and rear setbacks are to be progressively increased as wall height increases. Comments: New addition towards the east is a 1 storey structure on lower ground. This ensures minimal visual impacts to the existing dwelling. 2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief. Comments: Proposal does not involve large continuous wall planes. 3. On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular: • The amount of fill is not to exceed one metre in depth. • Fill is not to spread beyond the footprint of the building. • Excavation of the landform is to be minimised. Comments: No cut or fill being proposed. 4. Building height and scale needs to relate to topography and site conditions. Comments: Building height and scale generally complies with maximum building height and minimum setback requirements. 5. Orientate development to address the street. Comments: No change to dwelling house orientation. 6. Use colour, materials and surface treatment to reduce building bulk. Comments: Colour & materials compliments the existing dwelling, which intends to reduce building bulk.

	7. Landscape plantings are to be provided to reduce the visual bulk of new building and works. Comments: Abundant landscape features are present front of the building line which aims to reduce to visual bulk of existing structures on site. 8. Articulate walls to reduce building mass. Comments: Natural timber look in front fence accentuates natural features. Complies
D10 Building Colours and Materials	Requirements Proposed colour, materials and finishes to be sympathetic to the surrounding natural and built environment. Comments: Overall design of new garage is complimentary to existing dwelling house. Complies
D11 Roofs	Requirements Roof to complement the roof pitch and form of existing buildings in the streetscape. Comments: Proposed garage to be installed with roofline extending from existing building. Complies
D12 Glare and Reflection	Proposed garage does not involve installation of materials that causes glare.
D13 Front Fences and Front Walls	Proposed front fence 1.8m due to excessive noise of adjacent bus stop, articulated for visual interest
D14 Site Facilities	No change to existing site facilities.
D15 Side and Rear Fences	No change to side and rear fencing.
D20 Safety and Security	No change to safety and security.
D21 Provision and Location of Utility Services	No change to utility connection for the existing dwelling.

D22 Conservation of Energy and Water	Not applicable as a garage is a not a habitable area.
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6. Conclusion

This DA seeks consent for the demolition of existing detached garage and the erection of an attached garage, front fence, and awning at 76 Myoora Rd Terrey Hills 2084 (legally described as LOT: 12 DP: 237301).

The proposal is supported from a town planning perspective for reasons set out in this report, summarised as follows:

- The proposal is a permitted land use under the LEP and is consistent with all relevant clauses required under the LEP;
- The proposed development is generally consistent with all the development standards within the DCP;
- The proposal is not a sensitive land use and is small in scale. Thus resulting in minimal impacts on adjoining owners.

Based on the reasons outlined in this report, the proposal is consistent with the objectives and controls of the relevant planning framework, we ask for this DA to be granted consent.

We trust that the SEE has addressed all the relevant sections as required by the state and local planning provisions and that the proposal is deemed to be compatible, appropriate and fit for purpose for the surrounding area.