



**89 CARAWA ROAD  
CROMER**

**STATEMENT OF ENVIRONMENTAL EFFECTS  
FOR A SECONDARY DWELLING**



Report prepared for  
**Mr Timothy Maguire**  
May 2019

## **Contents**

1. INTRODUCTION
2. THE SITE AND ITS LOCALITY
3. PROPOSED DEVELOPMENT
4. STATUTORY FRAMEWORK
5. SECTION 4.15
6. CONCLUSIONS

## 1.0 Introduction

1.1 This is a statement of environmental effects for the addition of a secondary dwelling at 89 Carawa Road, Cromer.

The report describes how the application addresses and satisfies the objectives and standards of the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan 2000 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

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

- ◆ Site visit
- ◆ Architectural drawings prepared by Action Plans
- ◆ Survey prepared by DA Surveys
- ◆ Geotechnical report prepared by Ascent Geotechnical Consulting
- ◆ Arborist Report prepared by Naturally Trees Aboricultural Consulting

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

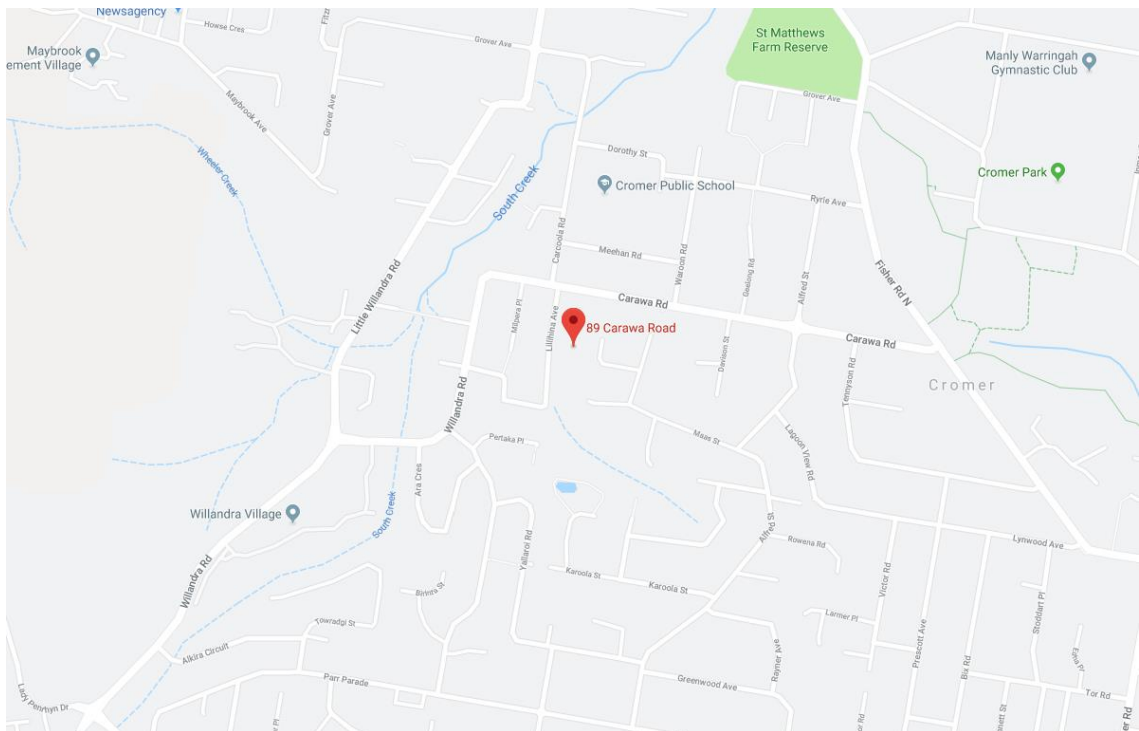
## **2.0 The site and its locality**

- 2.1 The site is located on the southern side of Carawa Road in Cromer, approximately 750m west of its intersection with Fisher Road North.
- 2.2 It is a rectangular shaped, battle axe lot with a frontage of 14.97 metres (plus the driveway width), rear boundary of 16.00 metres and side boundaries of 177.83 metres and 89.306 metres (plus the length of the driveway being 88.524 metres). The lot has an area of 1,657m<sup>2</sup>.
- 2.3 The site is currently occupied by a two storey brick dwelling with a tile roof and a detached double garage to the rear of the dwelling on the western side. The site is set within informal landscaped gardens with the lot falling from the rear to the street frontage. An in ground pool is located at the rear of the garage.
- 2.4 The site is surrounded by detached residential dwellings in all directions, including a dual occupancy development on the neighbouring lot, 91 Carawa Road. Cromer Golf Course and St Matthews Farm Reserve are located nearby to the north. The site is also in proximity to the retail and public transport services on Pittwater Road and Dee Why Beach and Lagoon.



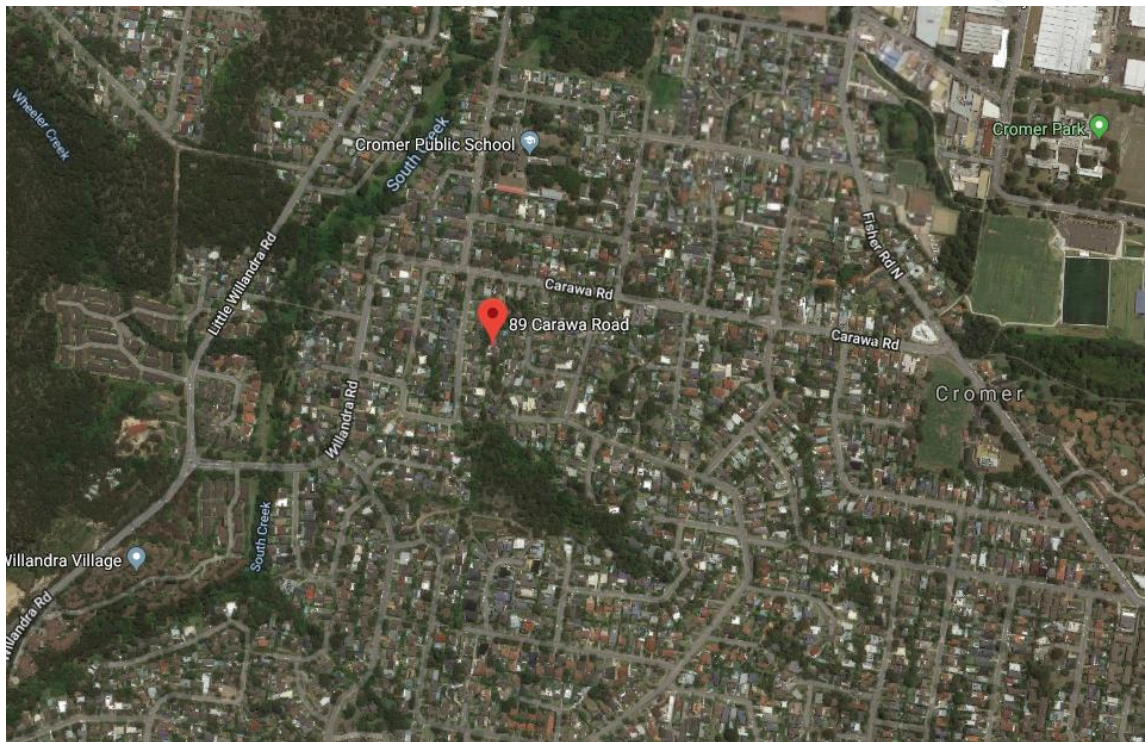


**Figure 1. The site and its immediate surrounds**



**Figure 2. The site within the locality**





**Figure 3. Aerial photograph of the site and its immediate surround**



**Figure 4. The existing garage and dwelling viewed from the rear of the site**





Figure 5. Cleared area in rear corner of site



Figure 6. BBQ area at rear of existing garage

### 3. Proposed Development

3.1 It is proposed to construct a new secondary dwelling at the rear of the property with associated landscape works.

3.2 The new secondary dwelling has been designed to sit in the existing rear yard. It is similarly sited to the dual occupancy on the neighbouring property to the west. The secondary dwelling has been designed to retain a low level to ensure minimised bulk and maximised views.

3.3 The new works will be made up as follows:

#### **Secondary Dwelling**

New single storey structure including:

- Two bedrooms.
- Front balcony providing access to the kitchen/living area and outdoor living space accessed by steps from ground level (ground level falls away rear to front and east to west). The balcony wraps around to the eastern side at ground level to provide easy access to the rear of the dwelling.
- Bathroom & laundry
- Lounge/sitting area

3.4 The new secondary dwelling has been designed to ensure privacy, solar access and views are maintained for neighbours and the subject site.

3.5 Six trees are proposed to be removed to allow for the secondary dwelling. These trees were all planted by the existing owner of the property and an arborist's report has been provided in support of the removal based on replacement of 4 which are of medium value. The site has an extensive tree coverage and the removal of these few specimens will not be to the detriment of the overall site.

3.6 There is a significant outcrop of natural bush rock on the site and it is not proposed to be impacted by the proposed works.



## 4. Statutory Framework

### 4.1 State Environmental Planning Policy (Affordable Rental Housing) 2008

State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) aims to provide new affordable rental housing to mitigate the loss of existing affordable rental housing by providing a consistent state wide planning regime. Specifically, SEPP ARH provides for new affordable rental housing by offering incentives such as expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards.

#### *Division 2: Secondary dwellings*

##### Clause 19: definition

Development for the purposes of a secondary dwelling includes the following:

- The erection of, or alterations to, a secondary dwelling,
- Alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

Note: The SEPP and the standard instrument defines secondary dwelling as:

“secondary dwelling means a self-contained dwelling that:

is established in conjunction with another dwelling (the principal dwelling), and

is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and is located within, or is attached to, or is separate from, the principal dwelling.”

The proposed use is defined under the WLEP 2011 as a Secondary Dwelling, subject to meeting the relevant standards.

#### ***Clause 20: land to which this division applies:***

Requirement	Comment
This division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but only if development for the purposes of a dwelling house is permissible on the land:	
Zone R1 General Residential, or Zone R2 Low Density Residential, or Zone R3 Medium Density Development, or Zone R4 High Density Residential, or Zone R5 Large Lot Residential	Yes  The site is located in the R2 Low Density Residential zone and accordingly a secondary dwelling is a permissible use with consent under the WLEP 2011.

**Clause 21: Development to which this Division applies:**

Requirement	Comment
This division applies to development on land to which this division applies for the purposes of a secondary dwelling.	Yes

**Clause 22: Development may be carried out with consent:**

Requirement	Comment
(2) A consent authority must not consent to development to which this Division applies if there is on the land, or if the development would result in there being on the land any dwelling other than the principal dwelling and the secondary dwelling.	Yes  The site is currently occupied by only the principal dwelling and a garage and swimming pool.
(3) A consent authority must not consent to development to which this division applies unless: (a) the total floor area of the principal dwelling and the secondary dwelling is no more than the maximum floor area allowed for a dwelling house on the land under another EPI; and  (b) the total floor area of the secondary dwelling is no more than 60m <sup>2</sup> or, if a greater floor area is permitted in respect of a secondary dwelling in the land under another environmental planning instrument, that greater floor area.	Yes  (a) As there is no adopted FSR under the provisions of the WLEP2011, the maximum total floor area is calculated using a combination of the landscaped open space requirement and the building envelope controls. The floor area as proposed would be no more than the maximum floor area allowed for a dwelling house.  (b) The total gross floor is 60m <sup>2</sup> .
(4) A consent authority must not refuse development to which this Division applies on either of the following grounds: (a) site area if:	Yes  (a)(i) N/A



(i) the secondary dwelling is located within, or is attached to, the principal dwelling, or (ii) the site area is at least 450 square metres. Parking if no additional parking is to be provided on the site.	(a)(ii) The site area is 1495m <sup>2</sup> (ex handle)  (b)The site retains the existing double garage. Accordingly, 2 spaces will be retained on the site.
---	--

Note: A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in sub-clause (4)

**Clause 24: No subdivision:**

Requirement	Comment
A consent authority must not consent to a development application that would result in any subdivision of a lot on which development for the purposes of a secondary dwelling has been carried out under this Division.	Yes  The site does not propose any subdivision of the existing allotment.

The above assessment finds that the development of the secondary dwelling is consistent with the controls of Division 2 in the SEPP (ARH), and accordingly the proposal meets the requirements of the SEPP.

## 4.2 Warringah Local Environment Plan 2011

### Zoning

The site is zoned R2 pursuant to the provisions of the Warringah Local Environment Plan 2011. The proposed development is a permissible use in the R2 zone which permits secondary dwelling with development consent.

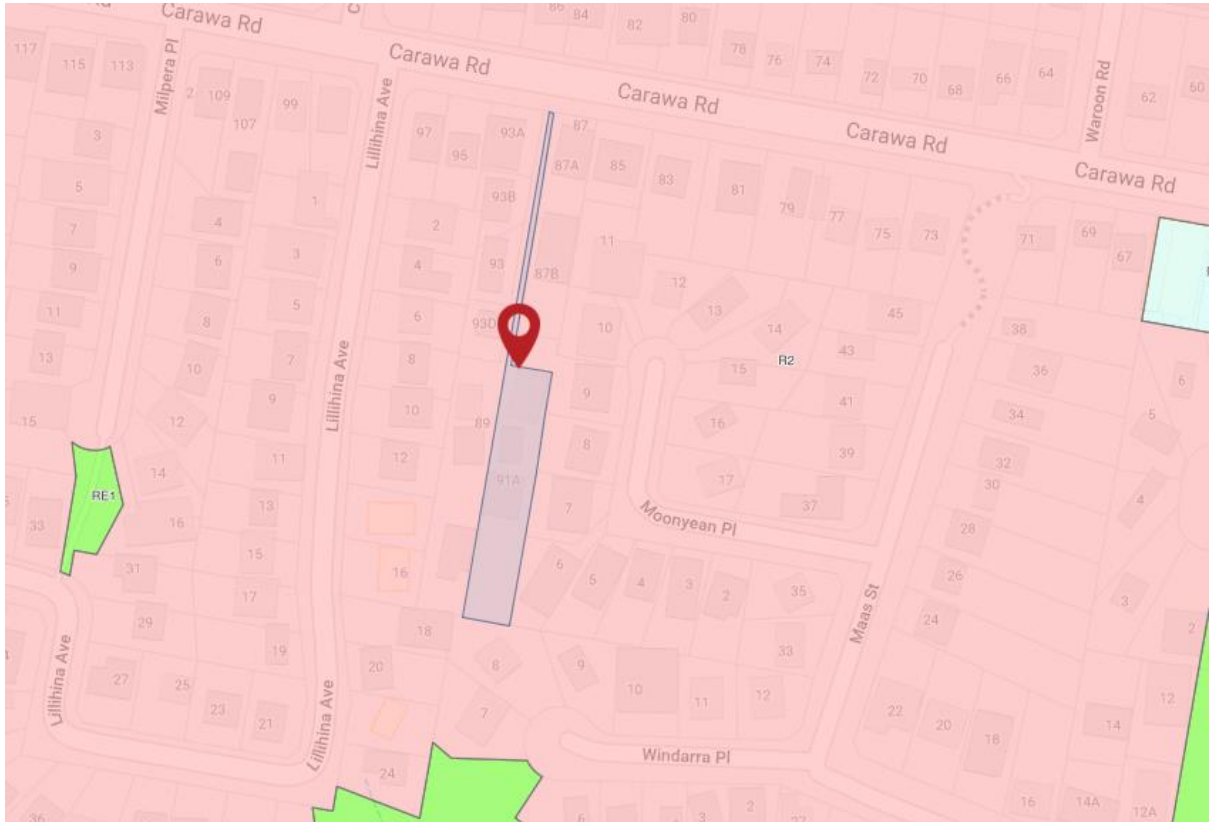
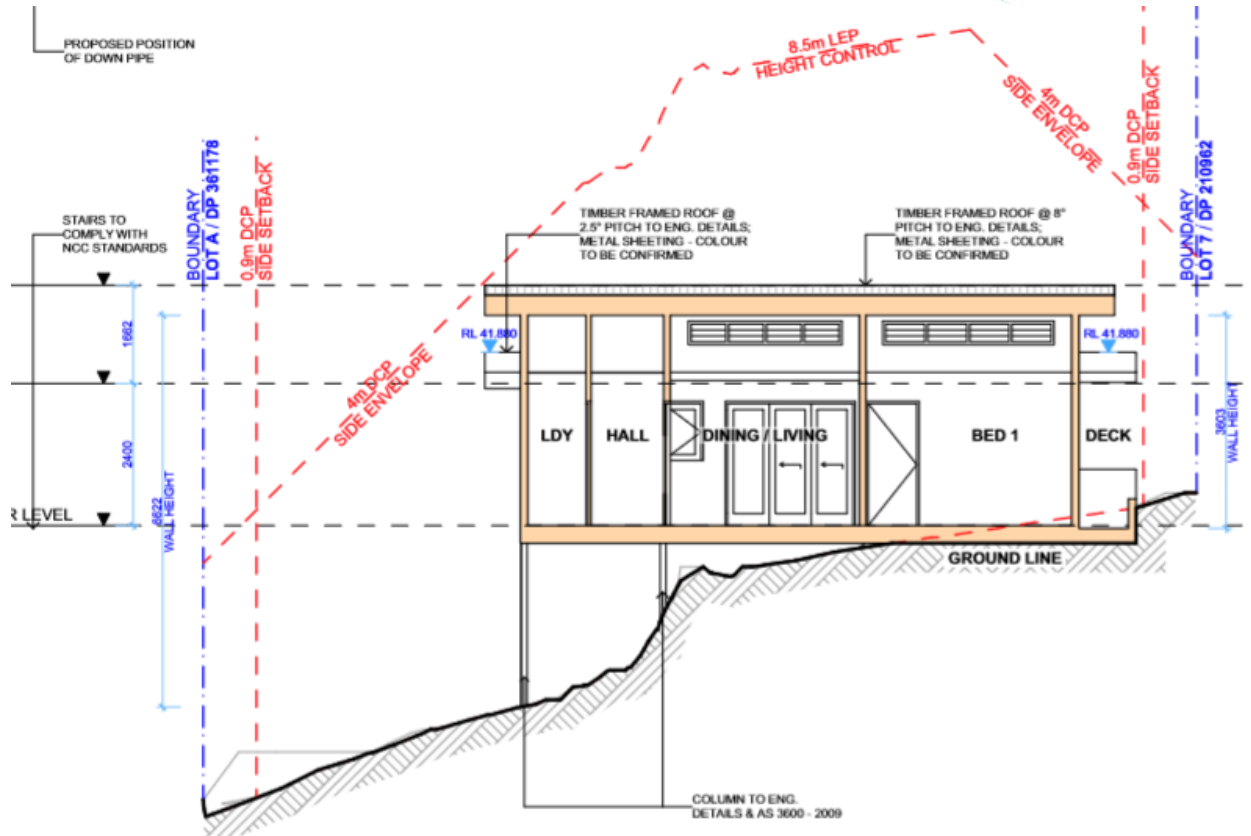


Figure 7. Extract from Warringah LEP zoning map

### Height

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed development complies with this requirement, with a maximum height of 8.5m proposed where the secondary dwelling is elevated, although the majority of the site has a significantly lesser height as can be seen in the section below.





### Heritage

The site is not a heritage item, located within a heritage conservation area or located near any heritage items which will be impacted by the proposed development.

### Acid Sulfate Soils

The site is not located in an area nominated as Acid Sulfate soils.

### Earthworks

No excavation is proposed for the secondary dwelling which has been designed to sit over and with the existing form of the site.

### Development on Sloping Land

The site is located in the area nominated in the LEP maps as Area B. Accordingly, a geotechnical report has been provided by Ascent Geotechnical Consulting confirming that the development is appropriate as proposed.

### 4.3 Warringah Development Control Plan 2000

The relevant sections of the DCP are addressed below.

#### 4.3.1 Part B General Controls

##### Wall Heights

A maximum wall height of 7.2 metres is permitted. The proposed secondary dwelling will have varying complying wall heights, with bulk of the dwelling significantly lesser than 7.2 metres and the elevated component of the dwelling only including 1 storey of wall height with only support poles below, so also compliant.

##### Side Building Envelope

The site requires a side boundary envelope of 4m/45°. The proposed secondary dwelling will sit within this envelope as is detailed on the plans.

##### Side Boundary Setbacks

The side setbacks of 900mm are permitted on the subject site. All proposed side boundaries are easily compliant with required setbacks.

Side setback	Proposed
East	0.9m (deck) 1.926m (wall)
West	5.209m (wall)

##### Front Setback

A front setback of 6.5 metres is permitted on the site. The secondary dwelling is in the rear yard and has no impact.

##### Rear Setback

A rear setback of 6 metres is required by the DCP. The new secondary dwelling easily complies with this requirement with an 8.96 metre setback to the wall and 6.154 metre setback to the deck.

#### 4.3.2 Part C Siting Factors

##### Traffic Access and safety

Existing parking and driveways will be unchanged as a part of the proposed development and will continue to comply with Council controls.

##### Parking

The garage and driveway areas are existing.



**Storm water**

The dwelling will be connected to Council's existing stormwater system.

**Demolition and Construction**

All works will be undertaken as required by Council controls and compliant with any relevant conditions of consent.

**Waste Management**

Appropriate waste management will be undertaken during the construction process. This is detailed further in the accompanying Waste Management Plan.

The existing dwelling has appropriate waste storage areas which will be retained with the additions proposed.

**4.3.3****Part D Design****Landscaping and Open space and bush land setting**

The DCP requires 40% landscaping on the site which is equivalent to 598m<sup>2</sup> for the site area of 1495m<sup>2</sup>. The proposed development achieves a landscaped area of 813.36m<sup>2</sup> or 54.4%. This is easily compliant and the landscape setting of the site is maintained and the overall appearance will be green, and in character with the coastal location.

**Private open space**

Private open space area in excess of 60m<sup>2</sup> will be retained for the site in the rear yard as required by the DCP.

**Noise**

The development is appropriate and will not result in noise levels inappropriate to a residential area. The site is not located in close proximity to a noise generating activity.

**Access to sunlight**

The site has a north - south orientation and, accordingly, the minimal additional shadow will primarily move across both the site to the east and south over the period of the day. Neither property will lose sunlight to a degree which would result in non-compliance with the Council controls. As demonstrated by the Shadow Diagrams, the extent of shadow is limited and reasonable. The secondary dwelling will allow for the neighbours and the subject site to retain ample solar access to living areas and open space.

**Views**

Some district views through the trees are available from the site to the north west. These views are not significant and will be retained at an appropriate level for

neighbours to the east who are located at a higher level. View loss is not considered to be a determining factor in the assessment.

### **Privacy**

Privacy will be retained for neighbours with ample setbacks and no direct overlooking into any key living areas. The siting of the new secondary dwelling aids in ensuring that privacy is maximised.

Neighbouring properties are at varying levels, are oriented to views and do not have any key windows or areas which will be impacted detrimentally as a result of the development proposal.

We note that the site has ample area to be subdivided, and the lot to the immediate west has a dual occupancy development. Accordingly, it is a reasonable assumption for all neighbours, that this site would also be developed at some stage in the future. The design is considerate in ensuring that the outlook is away from the immediate neighbours and the small secondary dwelling is oriented to the north and west to ensure the best amenity possible for the site and those surrounding.

### **Building Bulk**

The building is minimal and has been designed to retain the natural form of the land. The development will be consistent with the streetscape and surrounding dwellings.

### **Building Colours and Materials**

Natural colours to match the existing dwelling and the bushland surrounds are proposed.

### **Roofs**

The roof has been kept as a low line structure to ensure compliance with height and retention of views.

### **Glare & Reflection**

Materials have been chosen to ensure no glare or reflection issues.

### **Site Facilities**

The existing dwelling has appropriate waste, recycling areas and drying facilities. These will be retained as part of the proposed application.

### **Safety and Security**

Casual surveillance by the existing dwelling is retained. The secondary dwelling is also designed to ensure positive view lines through the site, which is to the benefit of the safety and security.

### **Conservation of Energy and Water**

The design has achieved a BASIX Certificate which accompanies the application.

#### **4.3.4 Part E Design**

##### **Preservation of Trees or Bushland Vegetation**

Six trees are to be removed as a result of the proposed development. These trees have all been planted by the current owner in the past and their removal is supported by an arborist in the accompanying report.

The site is extensively covered with vegetation and the environmental values will not be lost through the removal of these smaller trees to allow for a secondary dwelling to be constructed.

##### **Retaining unique Environmental Factors**

The development will have no impact on any unique environmental factors, with the existing natural rock form at the rear of the site retained in its current form.

##### **Landslip Risk**

A geotechnical report has been prepared in support of the application in its current form.



## 5. 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:

### **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 Warringah LEP and DCP.

The development is permissible in the zone.

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

#### 5.1. *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 secondary dwelling has been designed to complement the site and its surrounds.

## **5.2. 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?*

The secondary dwelling will be suitable for the site. No conflict or issues will arise as a result of the proposed development.

## **6.3. Public domain**

While not visible from the public street, the proposed development will have a positive impact and is consistent with the character of the existing dwelling and streetscape of the area.

## **6.4. Utilities**

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

## **6.5. Flora and fauna**

There will be no impact.

## **6.6. Waste**

There will be no impact.

## **6.7. Natural hazards**

The site is affected by slip. A report has been provided by an expert with regard to the geotechnical aspects of the site and is supportive of the proposal subject to recommendations. This report accompanies the development application.

## **6.8. Economic impact in the locality**

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

## 6.9. **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 secondary dwelling is highly appropriate to the site with regard to all of the above factors. The development fits well within the context of the surrounds and the buildings on the site will remain of minimal scale and well-suited to their 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. Additionally, finishes, building materials and all facilities will be compliant with all relevant Council controls.

## 6.10. **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.

### **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 secondary dwelling proposed.

#### **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.

#### **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 residential 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.

## **6. Conclusions**

- 6.1 The proposed development application for the construction of a secondary dwelling at 89 Carawa Road, Cromer is appropriate considering all State and Council controls.
- 6.2 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.
- 6.3 Considering all the issues, the fully compliant development is considered worthy of Council's consent.

**Sarah McNeilly**  
Town planner  
BTP MEL