

25 April 2022

Address: 60 Wyuna Avenue FRESHWATER

Please see below statement to be read in conjunction with the SEE in response to Councils letter dated 28th March 2022 regarding the proposed studio ability to be considered as a secondary dwelling.

*A revised Statement of Environmental Effects is required as the submitted statement is inadequate. It appears that the proposed studio may be considered to be a secondary dwelling. The revised statement must either address the proposal as a secondary dwelling or demonstrate why it is not one.*

The definition of a secondary dwelling as per Warringah LEP 2011 is as follows:-

***“secondary dwelling means a self-contained dwelling that—***

- (a) is established in conjunction with another dwelling (the principal dwelling), and*
- (b) is on the same lot of land as the principal dwelling, and*
- (c) is located within, or is attached to, or is separate from, the principal dwelling”.*

The application is for a studio with the space not capable of being “*self-contained dwelling*” or capable of being adapted to be occupied as a separate domicile.

The space does not include cooking facilities or a bathroom. Moreover, the space is not directly connected or have direct access to the floor immediately below. It does not include stairs that connect to the existing laundry within the existing garage.

The space is to be used for the purposes of an art studio with the owner being an artist allowing for a wash basin only. A condition of consent for single occupancy can easily overcome any confusion over use.

Regards,  
Chelsea Dawson