

STATEMENT OF ENVIRONMENTAL EFFECTS

REPORT INFORMATION

Reference:	SEE.90.24
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Associated Documentation:	<div>- Architectural Documentation Ode Architecture</div> <div>- Stormwater & Sediment Control Ode Architecture</div> <div>- Detail Survey Terry Survey & Development Consulting</div> <div>- BASIX Certificate</div> <div>- Bushfire Assessment ABAC</div> <div>- Client Cover Letter</div>

We acknowledge the Traditional Custodians of the land upon which we live and practice, and pay our respects to Elders past and present. We recognise the continuous engagement and caring of the lands, waters, and skies by First Nations peoples for time immemorial. We profoundly respect the legacy of this nations first architects and designers.

SITE INFORMATION

Address:	42 Kinka Road, Seal Rocks NSW 2423
Lot/ Section/Plan	11 / - / DP248445
Local Government Area:	Mid-Coast Council
Site Area:	588 sqm
Site Frontage:	19.825m to Kinka Road
Existing Structures	Two-Storey Dwelling & Detatched Cottage
Zoning:	RU5 - Village
Height:	8.5m
FSR:	0.4:1
Local Provisions:	Coastal Planning Area
Heritage:	N/A
Aboriginal Land Council:	Forster
Bushfire Prone Land:	Vegetation Buffer
Flood:	N/A

PROPOSED DEVELOPMENT

Description:	Alterations & Additions to Existing Dwelling
Existing Floor Area:	217 sqm Internal Floor Area - excludes cottage
Proposed Floor Area:	197 sqm (20 sqm decrease) - excludes cottage
Maximum Height:	As Per Existing (6.56m or RL 17.00)
North Setback (Dwelling):	As Per Existing (6.48m)
North Setback (Deck):	3.5m
East Setback:	As Per Existing (3.2m)
South Setback:	As Per Existing (17.9m)
West Setback:	As Per Existing (1.46m)
Landscaped Area:	216 sqm (24 sqm increase)
Site Access:	Utilise Existing Driveway

1. INTRODUCTION:

This Statement of Environmental Effects has been prepared by Ode Architecture on behalf of Michael Cordell and Jennifer McAsey to accompany a Development Application for alterations and additions to the existing dwelling at 42 Kinka Road, Seal Rocks.

Specifically, this SoEE includes:

- an analysis of the site and the surrounding locality;
- a detailed description of the proposed development;
- an analysis of the proposal against the provisions of the Greak Lakes Local Environmental Plan 2014, Great Lakes Development Control Plan 2014, relevant SEPPs and deemed SEPPs, and other relevant statutory controls that apply to the site; and
- summary and conclusion.

This SoEE is submitted in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979, which requires the consideration of environmental impacts, the suitability of the site for the development, and the public interest. This document addresses the following key considerations as outlined in the Act:

- Compliance with applicable environmental planning instruments, proposed instruments subject to public consultation, development control plans, and any relevant planning agreements or proposed planning agreements under section 7.4.
- Evaluation of the likely impacts of the development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.
- Assessment of the site's suitability for the proposed development.
- Consideration of any submissions made in accordance with the Act or regulations.
- Ensuring that the development aligns with the public interest.

This SoEE concludes that the proposal is consistent with the objectives and provisions of the Great Lakes Local Environmental Plan 2014 and Great Lakes Development Control Plan 2014. We are pleased to present this SoEE for the alterations and additions to the existing dwelling, which, once approved, will enhance the functionality and aesthetic appeal of the property, thereby contributing positively to the local community.

2. THE SUBJECT SITE & LOCALITY:

Local Character: Seal Rocks is renowned for its unique local character, defined by its pristine natural beauty, low-density development, and strong sense of community. Nestled within a rugged coastal environment, the area features unspoiled beaches, lush vegetation, and iconic landmarks like Sugarloaf Point Lighthouse. The village retains a relaxed and intimate atmosphere, with small-scale residential dwellings and minimal commercial development that blend seamlessly with the surrounding landscape. This character is central to Seal Rocks' appeal, attracting visitors seeking a tranquil escape while fostering a lifestyle deeply connected to the natural environment for its residents. Preserving this distinct identity is vital to maintaining the environmental and cultural integrity of the area.

Neighbourhood Scale & Streetscape: Kinka Road in Seal Rocks embodies the distinctive local character of the area, with its harmonious integration into the surrounding natural landscape and its low-density, small-scale residential development. The road is framed by native vegetation, providing a sense of seclusion and tranquility that reflects the broader appeal of Seal Rocks. Housing along Kinka Road is unobtrusive, maintaining a scale and design that aligns with the area's relaxed coastal village atmosphere. The road's unassuming nature enhances its compatibility with the environment, contributing to the preservation of Seal Rocks' unique identity as a serene and environmentally sensitive community.

Site: No. 42 Kinka Road is a north-facing property located on the southern side of Kinka Road, offering direct access to Boat Beach. The site spans 588 square meters and includes a primary two-storey dwelling along with a detached single-storey cottage. Previously, the ground floor of the main dwelling functioned as a self-contained flat, but this has been removed as part of the current application. The main dwelling, visible from the street, features a simple design that aligns with the character of Seal Rocks. The site's extensive landscaping, modest scale, and unassuming architecture contribute to its harmonious integration with the understated charm and natural beauty of the surrounding locality.

3. DETAILS OF THE PROPOSED DEVELOPMENT:

Architectural Plans are included as part of the Development Application, which describe the proposal as follows:

- New deck (roofed) facing north to Boat Beach.
- New entry awning, slatted privacy screen, garage door, and water tanks, externally.
- New kitchen fitout, bathrooms, and balustrade, internally.

There are no modifications to bulk, height, setback, materiality or window openings of the primary dwelling as part of this application. Additionally, there are also no works proposed to the existing cottage at the rear of the site

It should be noted that the proposed works are associated with a Building Information Certificate (currently being assessed by Mid-Coast Council) as a result of unauthorised building works, and a subsequent verbal direction to Stop Work by Adam Farrell (Compliance Coordinator) on the 16th of July 2024. The works associated with the BIC, are outlined on the associated BIC Architectural Plans, and include:

- Replacement & upgrades to external cladding
- Replacement and upgrade of roofing
- Internal & external demolition
- Reconfiguration of internal layout
- Modification of existing window openings

4. ZONING:

The site is zoned as RU5 - Village with the Great Lakes Local Environmental Plan 2014 categorising the potential uses of the site as:

Permitted without Consent: Extensive Agriculture, Home Occupations.

Permitted with Consent: Agritourism, Centre-Based Child Care Facilities, Community Facilities, Dwelling Houses, Neighbourhood Shops, Oyster Aquaculture, Places of Public Worship, Recreation Areas, Recreation Facilities (Indoor and Outdoor), Respite Day Care Centres, Roads, Schools, Tank-Based Aquaculture, and Any Other Development Not Specifically Prohibited or Requiring No Consent.

Prohibited: Agriculture (Other Than Extensive Agriculture), Air Transport Facilities, Correctional Centers, Electricity Generating Works, Exhibition Villages, Extractive Industries, Forestry, Freight Transport Facilities, Heavy Industries And Industrial Storage Establishments, Open Cut Mining, and Waste Or Resource Transfer Stations

Objectives of the zone:

- To provide a range of land uses and facilities compatible with rural or coastal village life.
- To allow non-residential development that complements the existing land use pattern and does not detract from the village's character.

The proposed development involves alterations and additions to an existing two-storey dwelling, which is a permitted use with consent under the RU5 - Village zoning. The proposed development aligns with the objectives of the R2 zoning by providing for the housing needs of the community within a low-density residential environment in a manner that is sympathetic to the scenic and aesthetic qualities of the area.

5. PLANNING ASSESSMENT | Great Lakes Local Environmental Plan 2014

• 2.2 Zoning of Land to which Plan applies:

Comment: The proposed development is located within the RU5 - Village zone as shown on the Land Zoning Map. The intended use of the land for alterations and additions to an existing dwelling is permissible within this zone, aligning with the objectives and land use table of the RU5 zoning.

Compliance: **Compliant**

• 4.3 Height of Buildings:

Comment: No modifications are proposed to the existing building height on-site. The highest point, the ridge of the primary dwelling, stands at 6.56 meters (RL 17.00), which is well below the allowable height limit of 8.5 meters.

Compliance: **Compliant**

• 4.4 Floor Space Ratio

Comment: The primary dwelling has a gross floor area (GFA) of 197 sqm, while the detached cottage adds 42 sqm of GFA. Together, these result in a floor space ratio (FSR) of 0.4:1, meeting the requirements of this clause. Notably, this application, along with the associated Building Information Certificate (BIC), reduces the total GFA by 20 sqm compared to the previously existing on-site structures.

Compliance: **Compliant**

• 5.21 Flood Planning:

Comment: The site is not identified as Flood Prone Land.

Compliance: **Not Applicable**

• 7.4 Coastal Risk Planning:

Comment: The northernmost 25% of the site, fronting Kinka Road, is identified on the Coastal Risk Planning Map. Proposed works within this area are minimal and consist of replacing a previous deck. There is no increase in internal floor area or extension of the primary dwelling into the Coastal Risk Area. Notably, while the previous deck was enclosed at ground level, the proposed deck will remain open. These works will not be adversely affected by coastal hazards, nor will they alter coastal processes or increase coastal risks to neighboring properties.

Compliance: **Compliant**

• 7.5 Stormwater Management:

Comment: This application does not propose any changes to the roof area or existing stormwater management procedures. All roof water is directed to a combination of above-ground and underground water tanks, which are utilized for water reuse, landscaping, and bushfire management purposes.

Compliance: **Compliant**

6. PLANNING ASSESSMENT | Great Lakes Development Control Plan 2013

• 3.0 Character Statements | Part 3.2.1.1 Seal Rocks:

Desired Future Character:

Seal Rocks is a small coastal hamlet dominated by its surrounding ecological systems individual buildings and the settlement as a whole are dominated by the natural landscape setting. Large scale residential, tourist, retail and commercial developments are inappropriate in the Hamlet. Protection of the existing natural assets and biodiversity and the creation of a safe environment for people and assets from bushfire hazard is at the forefront of the desired future character. The overall built form of the locality is limited to single dwellings of up to two storeys to retain the low key, relaxed natural setting of the hamlet. Buildings sit within a natural amphitheatre which defines the settlement and provides outstanding vistas of the coast

Vision:

The vision for future development within Seal Rocks is to enable sustainable development that enhances the traditional fishing village character and protects the natural setting of the Seal Rocks coastal hamlet.

Objectives | Precinct 3 - Kinka Rd Escarpment:

- The Kinka Road Escarpment Precinct is characterised by steep housing sites with limited access from Kinka Road within a highly visually sensitive amphitheatre.
- It is the location of the original existing fishing coop and boat launch area.
- Buildings step with the slope with only one storey visible from Kinka Road.
- Shared pedestrian access (wooden steps) to properties from Kinka Road that blend with the topography
- Shared vehicle access to comply with Shared Road Access provisions of this Development Control Plan
- Generally an exterior finish palette of light and bright colours

Comment: The proposed upgrades to the existing dwelling at Seal Rocks are consistent with the Desired Future Character and Vision outlined by the Council. The architectural approach ensures that the proposed works align with the Council's priorities of maintaining the small coastal hamlet's natural and low-key character while safeguarding the area's ecological integrity and cultural identity.

1. Alignment with the Desired Future Character:

- Natural Landscape and Low-Scale Built Form: The proposed upgrades focus on superficial improvements to the existing structure. These changes retain the current bulk, scale, and setbacks of the dwelling, ensuring its integration within the existing built form, and the natural amphitheater, that characterises the locality.
- Preservation of Local Character: The proposed design respects the low-key, relaxed nature of Seal Rocks by maintaining the 'fishermans cottage' typology and avoiding any visual or structural elements that would disrupt, or appear incongruant, with the traditional character.

2. Alignment with the Vision for Future Development:

- Enhancement of Traditional Character: The improvements aim to elevate the visual quality of the cottage while preserving its original form and character. The upgraded deck and refreshed materiality are designed to harmonize with the traditional aesthetic of Seal Rocks.
- Natural Setting Preservation: No changes to the existing landscaping are proposed, ensuring that the dwelling continues to blend seamlessly into its coastal surroundings. The improved design qualities of the deck and cladding will enhance, rather than compete with, the natural vistas and environmental context of the site.

In conclusion, this proposal upholds the Council's vision and character objectives for Seal Rocks by enhancing the dwelling's visual and functional qualities while preserving its natural and cultural context. It represents a balanced and thoughtful approach to sustainable development that respects the ecological and aesthetic integrity of the hamlet.

Compliance: **Compliant**

• 4.1 Ecological Impact:

Comment: The proposed works are entirely contained within the footprint of the existing building and will have no impact on biodiversity or the quality and function of the natural environment. All existing landscaping will be maintained, and the building materials will be upgraded to better complement the surrounding area. This approach ensures that the ecological values and natural biodiversity of the locality are preserved and enhanced.

Compliance: **Compliant**

• 4.3 Coastal Planning Areas:

Comment: The northernmost 25% of the site, fronting Kinka Road, is identified on the Coastal Risk Planning Map. Proposed works within this area are minimal and consist of replacing a previous deck. There is no increase in internal floor area or extension of the primary dwelling into the Coastal Risk Area. Notably, while the previous deck was enclosed at ground level, the proposed deck will remain open. These works will not be adversely affected by coastal hazards, nor will they alter coastal processes or increase coastal risks to neighboring properties.

Compliance: **Compliant**

• 4.4 Effluent Disposal:

Comment: These are no modifications proposed to the effluent disposal systems currently on-site (septic system).

Compliance: **Compliant**

• 4.7 Bushfire:

Comment: Refer to Bushfire Assessment prepared by Australian Bushfire Assessment Consultants, lodged as part of this application.

Compliance: **Justifiable**

• 5.1 Solar Access & Overshadowing:

Comment: The proposed works will not impact solar access or cause overshadowing to any neighboring properties. The only adjacent neighbor is a new residential development to the west, where the living areas, deck, and backyard are located at least one storey higher than the highest point of the subject building, ensuring no adverse effects.

Compliance: **Compliant**

• 5.2 Views & Privacy:

Comment: The proposed works will not impact views or privacy to any neighboring properties. Again, the only adjacent neighbor is a new residential development to the west, where the living areas, deck, and backyard are located at least one storey higher than the highest point of the subject building, ensuring no adverse effects.

Compliance: **Compliant**

- **5.3 Energy Efficiency:**

Comment: Refer to BASIX Certificate lodged as part of the Development Application.

• Compliance: **Compliant**

- **5.4 General Building Design:**

Comment: The proposed works wholly retain the existing form and character of the cottage, preserving its established design parameters for the site. The improvements are focused on enhancing the visual quality of the cottage, with updated materials carefully selected to harmonize with the traditional aesthetic of Seal Rocks.

Compliance: **Compliant**

- **5.5 Setbacks:**

Comment: The proposed development maintains its existing setbacks to the east (3.2m), south (17.9m) and west (1.46m). Refer to the below clause '**Seal Rocks - Additional Site Specific Setback Controls**' for an assessment of the northern setback.

Compliance: **Justifiable**

- **Seal Rocks - Additional Site Specific Controls:**

In Seal Rocks, buildings are to be constructed predominately of light weight materials such as weatherboards and/or timber and fibre cement for external cladding. The use of materials such as concrete and masonry are to be minimised.

Comment: he proposed works adhere to the recommendations of this clause by exclusively utilizing lightweight materials. It is worth noting that the building's external cladding was upgraded from plastic weatherboards to bushfire-resistant ironbark, installed over a BAL-FZ wall system. This upgrade was undertaken by the building owners under an assumption that it qualified as 'exempt development'. It is now included in the associated BIC application currently under assessment by Mid-Coast Council. While the building owners naively proceeded with this work, their intention was to preserve the character of Seal Rocks, as per the recommendations of this clause, and counteract the trend of unsympathetic newer developments in the area.

Compliance: **Compliant**

- **Seal Rocks - Additional Site Specific Setback Controls:**

In Seal Rocks, a front building line setback of 6m applies to all sites

Comment: The primary dwelling maintains its existing front setback of 6.48m. The proposed deck extends 3m beyond the dwelling's façade, resulting in a 3.5m setback. Importantly, the deck is an open structure and will not appear visually bulky. This new deck replaces a previous structure with a 4m setback, ensuring the overall appearance of the locality remains consistent. Additionally, the site features a steep, vegetated embankment (with a grade variation of 4.33m) between the public area of Kinka Road and the subject property. This topographical feature further minimizes the deck's impact on the public domain.

Compliance: **Justifiable**

- **5.6 Height Controls:**

Comment: No modifications are proposed to the existing building height on-site. The highest point, the ridge of the primary dwelling, stands at 6.56 meters (RL 17.00), which is well below the allowable height limit of 8.5 meters.

Compliance: **Compliant**

- **5.7 Cut & Fill:**

Comment: There is no cut, fill or excavation proposed as aprt of this application

Compliance: **Compliant**

- **5.8 Private Outdoor Areas:**

Comment: The existing dwelling features three distinct private outdoor areas: the first on the ground floor facing north, the second as part of the proposed replacement deck, and the third as an on-grade terrace located south of the primary dwelling. All benefit from direct solar access throughout the day and provide versatile outdoor spaces that can be enjoyed based on prevailing weather conditions.

Compliance: **Compliant**

- **5.9 Fencing & Walls:**

Comment: There is no boundary fencing proposed as part of this application, as per the desired character of Seal Rocks.

Compliance: **Compliant**

- **12.0 Tree and Vegetation Preservation:**

Comment: There is no tree or vegetation remove proposed, outside the requirements of the Bushfire Assessment and establishment/mainatnace of required APZ's.

Compliance: **Compliant**

- **13.0 Landscaping & Open Space:**

Comment: There is no modification to landscaping or open space proposed as part of this application. All existing external treatments are intended to remain.

Compliance: **Compliant**

- **14.0 Waste Management:**

Comment: The scope of works for this DA is incredibly small, and will result in a nominal amount of waste and recyclables (less than 1m3 in total). All waste will be disposed of, and recycled where applicable, at the Buladelah or Tuncurry Waste Managment Centre.

Compliance: **Compliant**

7. CONCLUSION & RECCOMENDATION:

Ode Architecture is pleased to submit this Statement of Environmental Effects along with the accompanying information for alterations and additions to the existing dwelling at 42 Kinka Road, Seal Rocks.

Specifically, this Statement of Environmental Effects (SoEE) has considered:

- the circumstances of the development;
- an analysis of the subject site and the surrounding locality;
- an analysis of the proposal against the provisions of the Great Lakes Local Environmental Plan 2014 & Great Lakes Development Control Plan 2013; and
- the potential impacts on the natural and built environments.

The SoEE concludes that the proposal will substantially complement the objectives and vision of the LEP, Zoning, and DCP in particular:

- To contribute to the housing needs of the community within a low-density residential environment.
- To enable certain developments to be carried out within the zone that will not adversely affect residential amenities.
- To enhance the existing dwelling's functionality and aesthetics in a manner consistent with local planning controls.

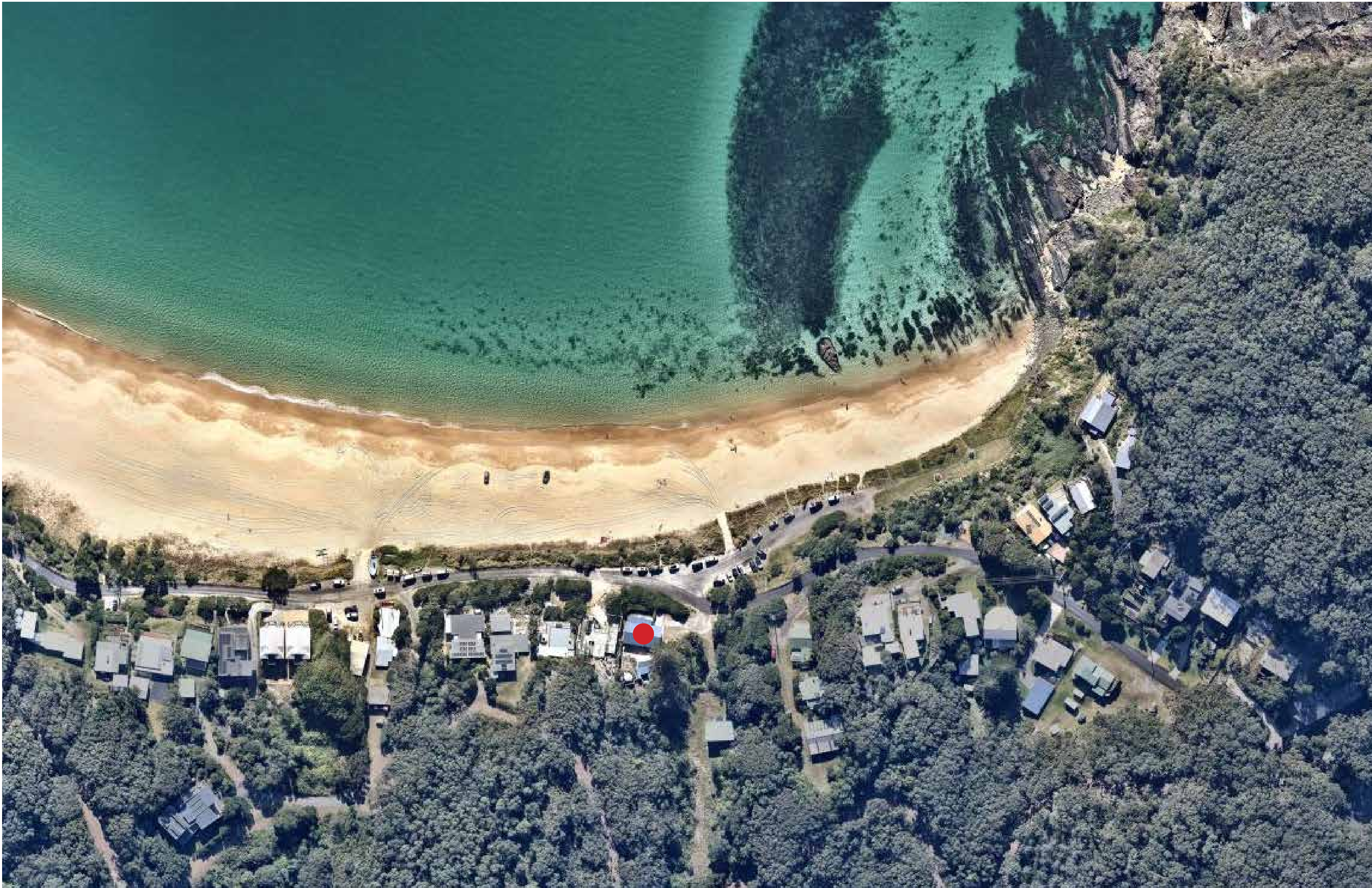
We are pleased to present this SoEE for alterations and additions to the existing dwelling, which, once approved, will enhance the living conditions for the occupants and improve the overall streetscape. The proposed development meets the objectives and provisions of the relevant planning controls as demonstrated by the assessment carried out in this Statement. The proposed development is recommended for the granting of consent subject to appropriate conditions.



Brenton Porter | Professional Registration (NSW ARB #10032) | Design Practitioner Registration (DEP0001290)

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8. AERIAL IMAGE:



11. 3D VISUAL - PROPOSED:



10. 3D VISUAL - EXISTING:



11. 3D VISUAL - PROPOSED:

