

STATEMENT of ENVIRONMENTAL EFFECTS



Section 4.55 Modification

to

**Development Consent
DA 2022 / 1391**

for a New Dwelling
at

**52 KINKA ROAD
SEAL ROCKS NSW 2423**

Lot 1, DP 111267

7 April, 2025

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1. INTRODUCTION

This Statement is to accompany a Section 4.55 application to Midcoast Council to modify Development Consent DA 2022/1391 for 52 Kinka Road, Seal Rocks.

The site is formally identified as Lot 1, DP 111267, with an area of 589.0 m²

The land is zoned RU5 Village in the Great Lakes Local Environmental Plan 2014 (LEP).

The property is designated Bushfire Prone Land, identified in the Midcoast Online Mapping portal, viewed 20 April, 2022.

The approved development includes:

- demolish the existing dwelling, garage and outbuildings
- construction of a new two storey dwelling, with integrated garage

The proposed development is shown on the following architectural drawings prepared by Architelle, Architecture & Interiors:

ADA-02	Site Plan/Roof Plan
ADA-03	Ground Floor Plan
ADA-04	First Floor Plan
ADA-05	Elevations
ADA-06	Elevations
ADA-07	Sections
ADA-08	Sections

2. AUTHORSHIP

This Statement of Environmental Impact and supporting drawings and documents have been prepared by Margaret Skilbeck, Registered Architect NSW No 6144, heritage consultant listed with NSW Office of Environment and Heritage, and principal architect of Architelle, Architecture & Interiors.

3. PROPOSED MODIFICATIONS

The amendments proposed to development consent DA 2022/1391 are:

1. First Floor - Bedroom 1
 - Delete the ensuite bathroom from Bedroom 1
 - Enlarge window W12 (north elevation)
2. First Floor - Bedroom 2
 - Alter internal layout
 - Relocate window W14 (west elevation)
3. First Floor Bathroom
 - Reduce the size of the bathroom
 - Alter proportions of window W16 (south elevation)
4. Ground Floor Bathroom
 - Alter proportions of window W09 (south elevation)
5. Driveway
 - Alter layout and levels of driveway to conform with recent driveway approval RDA 2024/0170, 08 July 2024.

4. IMPACT ASSESSMENT

4.1 First Floor Bedroom 1

Modifications to the approved floor plan and elevations include:

- Delete the ensuite bathroom from Bedroom 1
- Enlarge window W12 (north elevation)

Refer to drawings: ADA-04 First Floor Plan
 ADA-05 North Elevation

Aims of the Modifications

The scope of work is to be reduced to suit the applicant's current budget.

Impact of Modification

The impact of the proposed changes to Bedroom 1 should be considered acceptable as follows:

- The alterations are generally internal, and will result in no change to the external envelope, building footprint, setbacks and height of the approved dwelling
- The enlarged window W12 faces north, overlooking the street, so will have no adverse impact on the privacy of adjoining properties.
- The proposed development will continue to comply with the Principal Development Standards of the LEP, including height and FSR standards.
- The modification will result in no change to the overall built form, external materials and colours, and siting so the proposed development will continue to be consistent with the desired future character of Seal Rocks and the character of the Kinka Road Escarpment Precinct

4.2 First Floor - Bedroom 2

Modifications to the approved floor plan and elevations include:

- Alter the internal layout of Bedroom 2 and the adjoining hall
- Relocate window W14 (west elevation)

Refer to drawings: ADA-04 First Floor Plan
 ADA-05 West Elevation
 ADA-07 Section B
 ADA-08 Section D

Aims of the Modifications

- The Bedroom layout is altered in response to the deletion of the ensuite in Bedroom 1
- Relocation of window W14 will allow a more functional layout of bedroom furniture within the room.

Impact of Modifications

The impact of the proposed modification Bedroom 2 should be considered acceptable as follows:

- The alterations will result in no change to the external envelope, building footprint, setbacks and height of the approved dwelling, so there will be no impact on views or solar access of adjoining properties.
- The change in position of window W14 is minor.
- Window W14 faces west, overlooking the adjoining reserve, so has no potential to overlook adjoining residential properties.
- The proposed development will continue to comply with the Principal Development Standards of the LEP, including height and FSR standards.
- The modification will result in no change to the overall built form, external materials and colours, and siting so the proposed development will continue to be consistent with the desired future character of Seal Rocks and the character of the Kinka Road Escarpment Precinct

4.3 First Floor - Bathroom

Modifications to the approved floor plan and elevations include:

- Reduce the size of the bathroom
- Alter proportions of window W16 (south elevation)

Refer to drawings: ADA-04 First Floor Plan
 ADA-06 South Elevation

Aims of the Modifications

The size of the bathroom is to be reduced to suit the applicant's current budget.

Impact of Modifications

The impact of the proposed modification to the first floor Bathroom should be considered acceptable as follows:

- The alterations will result in no change to the external envelope, building footprint, setbacks and height of the approved dwelling, so there will be no impact on views or solar access of adjoining properties.
- The change in position and reduction in the proportions of window W16 is minor.
- Window W16 will have obscure glass, is reduced in size and is positioned close to natural ground level. The change proposed will result in no adverse overlooking potential.
- The proposed development will continue to comply with the Principal Development Standards of the LEP, including height and FSR standards.
- The modification will result in no change to the overall built form, external materials and colours, and siting of the new dwelling, so the proposed development will continue to be consistent with the desired future character of Seal Rocks and the character of the Kinka Road Escarpment Precinct

4.4 Ground Floor - Bathroom

Modifications to the approved floor plan and elevations include:

- Alter the proportions of the ground floor bathroom window W09 (south elevation)

Refer to drawings: ADA-03 Ground Floor Plan
 ADA-06 South Elevation

Aims of the Modifications

The ground floor bathroom window is to be reduced in size to be consistent with the altered first floor window

Impact of Modifications

The impact of the proposed modification to the ground floor Bathroom window should be considered acceptable as follows:

- The alterations will result in no change to the external envelope, building footprint, setbacks and height of the approved dwelling so there will be no impact on views or solar access of adjoining properties.
- The reduction in the proportions of window W19 is a minor change.
- Window W09 will continue to have obscure glass, is positioned low in relation to natural ground level and will be reduced in size. The change proposed will result in no adverse overlooking potential to neighbouring properties.

4.5 Driveway

Modifications to the approved driveway include:

- Alter layout and levels of driveway to conform with recent driveway approval RDA 2024/0170, 08 July 2024.

Refer to drawings: ADA-02 Site Plan
 ADA-03 Ground Floor Plan

Aims of the Modifications

To make the driveway setout and levels consistent across both approvals.

Impact of Modifications

The impact of the proposed modification to the Driveway layout and levels should be considered acceptable as follows:

- The modification will result in a driveway that complies with Council's vehicular access, drainage and construction requirements
- The alterations to the driveway will allow informal vehicular access to continue to be provided to properties to the rear of the subject property, so there will be no adverse impact on the amenity of adjoining properties.

5. BUSH FIRE PRONE LAND

The property is designated Bushfire Prone Land on the Midcoast Council Bushfire Prone Land Map.

The BAL certification and Bushfire Risk Assessment Report prepared by Bushfire Planning and Design (BPAD), has identified the site has general bushfire risk rating of BAL FZ, with the main source of bushfire risk coming from the south and east. The north facade and north-west return, where >10 m from any areas of classified vegetation have a lower rating of BAL 40.

The modifications proposed will result in no increase in bushfire risk.

The new work will continue to be carried out and constructed in accordance with the recommendations outlined in the Bushfire Risk Assessment Report, including to comply with:

- AS3959 – 2018 Construction of Buildings in Bushfire Prone Areas, and
- Planning for Bushfire Protection, NSW RFS, (2019).

The altered driveway will continue to provide all weather access to the site suitable for fire fighting vehicles.

6. CONCLUSION

The proposed modifications to the approved development will:

- continue to comply with the requirements and underlying objectives of the relevant Midcoast Council guidelines and LEP.
- continue to respect the neighbouring properties' amenity, including views, solar access and privacy
- continue to respect the streetscape of Kinka Road, and the character of Seal Rocks
- improve the affordability of the proposed work

The amendments proposed will have no adverse impact on surrounding sites or the public domain. Having regard to the above assessment, the proposed modifications to Development Consent DA 2022/1391 are worthy of approval.

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