

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

**Alterations and Additions to Existing Dwelling House**

**4 Guya Street, Hawks Nest**

**Lot 70 DP 233557**

**May 2025**

**Ref: 1393\_SEE**

**STATEMENT OF ENVIRONMENTAL EFFECTS FOR  
Alterations and Additions to Existing Dwelling House**

WPP Pty Ltd

**Address:**

60 Denison Street Hamilton East NSW 2303

**Contact:**

ph: 0484 694 122

email: [anthonywilliams@wppgroup.com.au](mailto:anthonywilliams@wppgroup.com.au)

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## EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by WPP Pty Ltd (WPP) on behalf of the landowners to accompany a Development Application (DA) for alterations and additions to an existing dwelling house at 4 Guya Street, Hawks Nest NSW 2324.

The proposal involves minor demolition works to facilitate internal and external refurbishment and renovation, minor reconfiguration of select rooms, and an extension to the dining and kitchen areas at Level 1. The upper-level extension is confined to the footprint of the existing veranda, ensuring no change to the overall building height or roof form.

The site is zoned R2 Low Density Residential under the Great Lakes Local Environmental Plan 2014, where a 'dwelling house' is a permissible use with development consent. The proposed alterations and additions do not change the use of the land and will continue to function as a dwelling house consistent with the zoning objectives.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Assessment Regulation 2021*. The SEE seeks to:

- Describe the proposed development and its context (immediate / local / regional);
- Determine the applicable development assessment pathway (e.g. State Significant / Regional / Local)
- Assess the proposal against the applicable planning controls and guidelines; and
- Assess the potential environmental impacts and describe any measures to mitigate impacts.

The proposal responds appropriately to site-specific constraints, including flood planning considerations and the presence of acid sulfate soils. The works are modest in scale, well integrated with the existing built form, and respectful of the surrounding residential character. The design will enhance the functionality and amenity of the dwelling, with no unreasonable impacts on adjoining properties in terms of privacy, overshadowing or visual bulk.

The site is well located with access to local services and infrastructure and is not considered to be burdened by any adverse environmental or physical constraints that would preclude the proposed works. Accordingly, the proposal represents a minor intensification of an existing and permissible land use, in a manner that aligns with the planning objectives of the area.

For these reasons, the proposal is considered to be in the public interest and worthy of Council's approval.

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**ATTACHMENTS**

Appendix 1 – Architectural Plans

Appendix 2 – Waste Management Plan

Appendix 3 – BASIX Certificate

# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by WPP on behalf of the proponents and landowners, in support of a development application to construct alterations and additions to an existing dwelling.

The key components of the proposal are as follows:

<b>Proposal</b>	Alterations and additions to an existing dwelling house
<b>Site Location</b>	4 Guya Street Hawks Nest NSW 2324 Lot 70 DP 233557
<b>Zoning</b>	R2 – Low Density Residential
<b>Proposed Use</b>	Dwelling House
<b>Applicant</b>	Studio Dot
<b>Land Owner</b>	Louise Chadwick

This report is supported by the following documentation:

- Architectural Plans prepared by Studio Dot Architecture and Interiors;
- BASIX Certificate; and
- Waste Management Plan by WPP.

This SEE has been prepared in accordance with Clause 2(1)(c) & 4 of Schedule 1 of the *Environmental Planning & Assessment Regulation 2021*, having regard to Section 4.15 of the *Environmental Planning & Assessment Act 1979*. It provides a description of the existing land, as improved, and the site context in Section 2, with details of the proposed development in Section 3. The environmental planning controls applying to the site and an assessment of compliance with these controls are set out in Section 4. Section 5 contains concluding comments in respect of the proposed development.

## 2 The Site and Context

### 2.1 Site Location & Characteristics

The subject site comprises a single, rectangular-shaped allotment, legally described as Lot 70 in Deposited Plan 233557. It is located at 4 Guya Street, Hawks Nest, within the MidCoast Local Government Area (LGA), approximately 100 km south of the regional centre of Forster–Tuncurry.

Hawks Nest is an established coastal township predominantly characterised by low to medium-density residential development. The immediate locality consists largely of single and two-storey dwelling houses on regular-shaped lots, contributing to a consistent and established residential character.

Figure 1: Site location and context



The site has an area of approximately 610m<sup>2</sup>, with a frontage of 15 metres to Guya Street on its western boundary. The topography of the site is relatively flat, exhibiting a gentle fall towards the street. Surrounding allotments are generally of comparable size and configuration, supporting similarly scaled residential development.

Figure 2: Ariel Image of Site



The existing development on the site comprises a two-storey brick dwelling with a tiled roof. The dwelling includes three bedrooms, two bathrooms, a laundry, ensuite, kitchen, living areas, and a double garage. A covered outdoor veranda is located on the upper level, providing a private outdoor living and entertainment area. The site also contains mature vegetation, predominantly located in the rear private open space area.

Images of the existing dwelling are shown in **Figure 3**.

**Figure 3: Extract of architectural plans showing perspective of existing dwelling – ground floor**

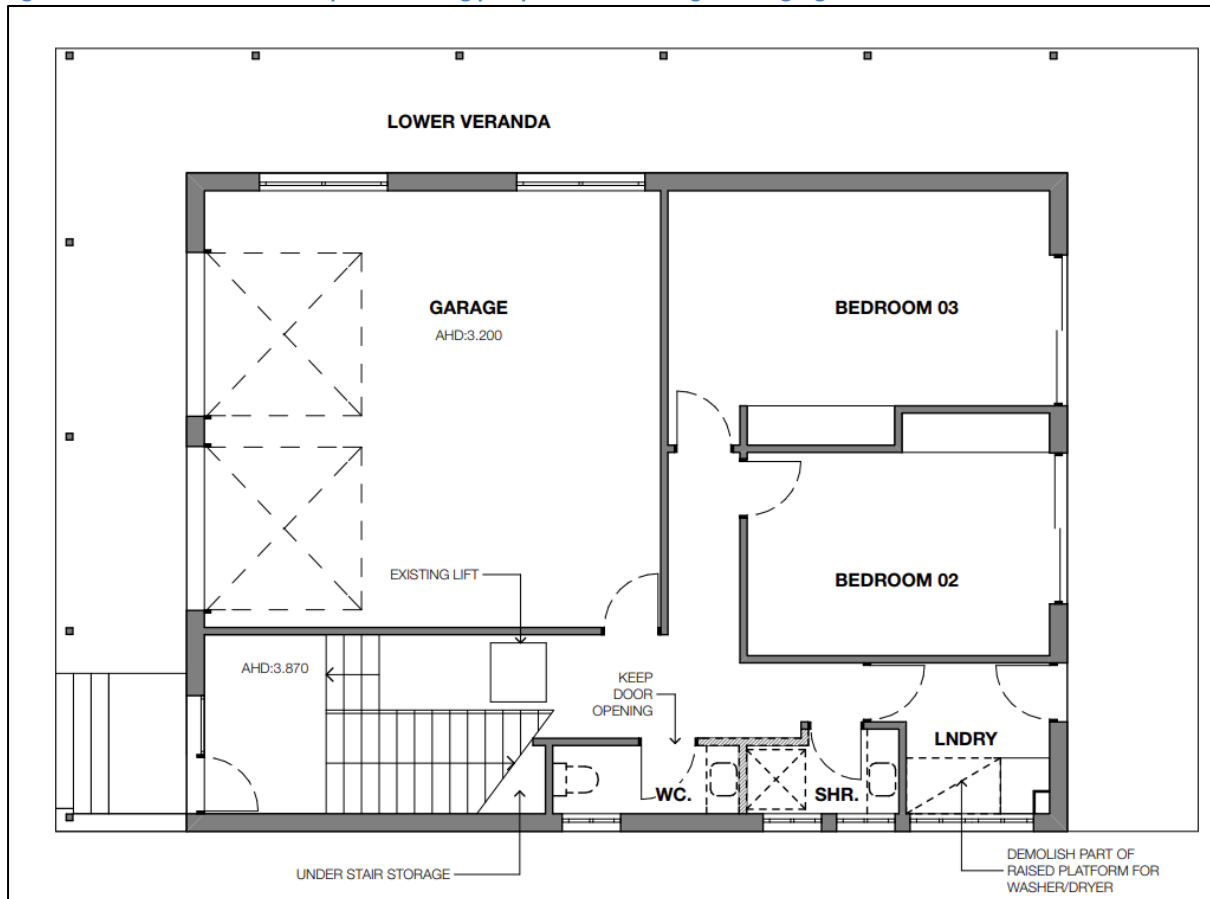
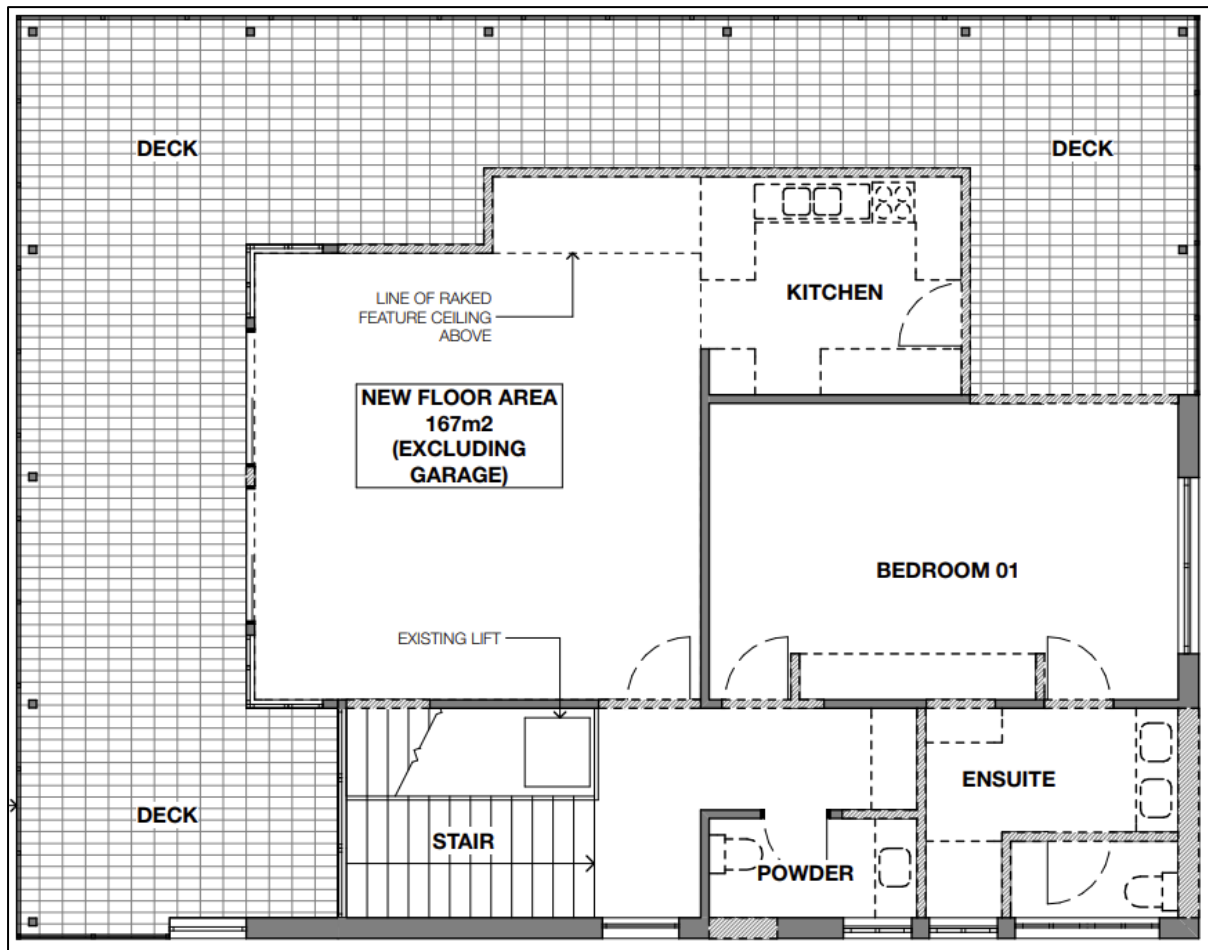


Figure 4: Extract of architectural plans showing perspective of existing dwelling – first floor



Roof water from the dwelling is currently collected via existing guttering and downpipes and directed to the street drainage system.

Vehicular access is provided via an existing concrete driveway crossover from Guya Street, leading to a double-width garage on the lower level of the dwelling. No modifications to the existing access arrangement are proposed as part of this application.

The site is located within an established residential area and is understood to be serviced by electricity, sewer, telecommunications, and water supply. It is anticipated that all existing utility connections will continue to service the dwelling post-development, with any upgrades to be undertaken in accordance with relevant authority requirements, if necessary.

A mature jacaranda tree is located towards the rear of the site. This tree contributes to the site's landscaped character and is not proposed to be removed or impacted by the development works.

A desktop analysis of the site indicates that the site is subject to the following constraints:

- The site is not bushfire prone;
- The site is flood prone;
- The site is located within a Coastal Use and Coastal Environment Area



- Acid Sulfate Soils mapping describes the land as 'Class 3 & 4 Land', indicating the presence of Acid Sulfate Soils at a depth greater than 1m below the natural ground surface;
- The site is not a listed heritage item or located in a heritage conservation area;

### 3 Proposed Development

The proposal comprises alterations and additions to an existing two-storey dwelling house at 4 Guya Street, Hawks Nest, to improve the internal functionality of the dwelling and extend the upper-level dining and kitchen areas. The scope of works includes:

- Minor demolition works to select internal walls and finishes to facilitate the proposed alterations and extensions;
- Internal reconfiguration and refurbishment of existing rooms, including the dining, kitchen, living, and bathroom areas;
- External refurbishment works, including the replacement of selected windows and cladding materials to update and enhance the building's presentation;
- Extension of the upper-level dining and kitchen areas, confined entirely to the footprint of the existing veranda;
- Replacement of existing balustrades and installation of manually operable fly/shade screens to the updated upper-level deck areas;
- All new building works occurring above existing ground level, with no earthworks or excavation proposed;

The works aim to enhance the dwelling's liveability and amenity while preserving its contribution to the local streetscape. A copy of the architectural plans is provided at **Appendix 1**, which illustrates the extent of proposed works and design detailing. Additional technical considerations are addressed in the relevant sections of this report.

Figure 5: Extract of site plan

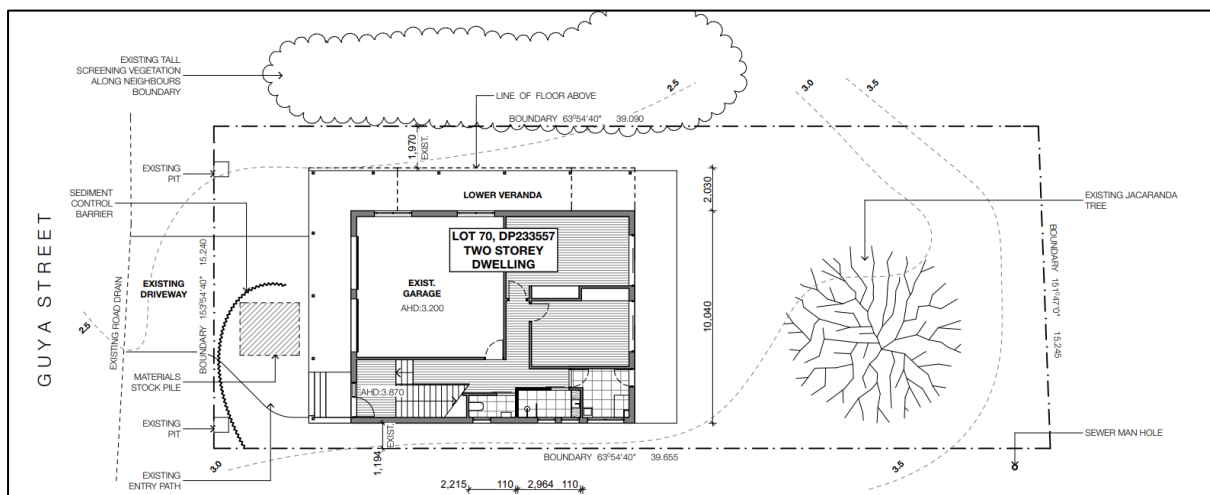


Figure 6: Proposed ground floor plan

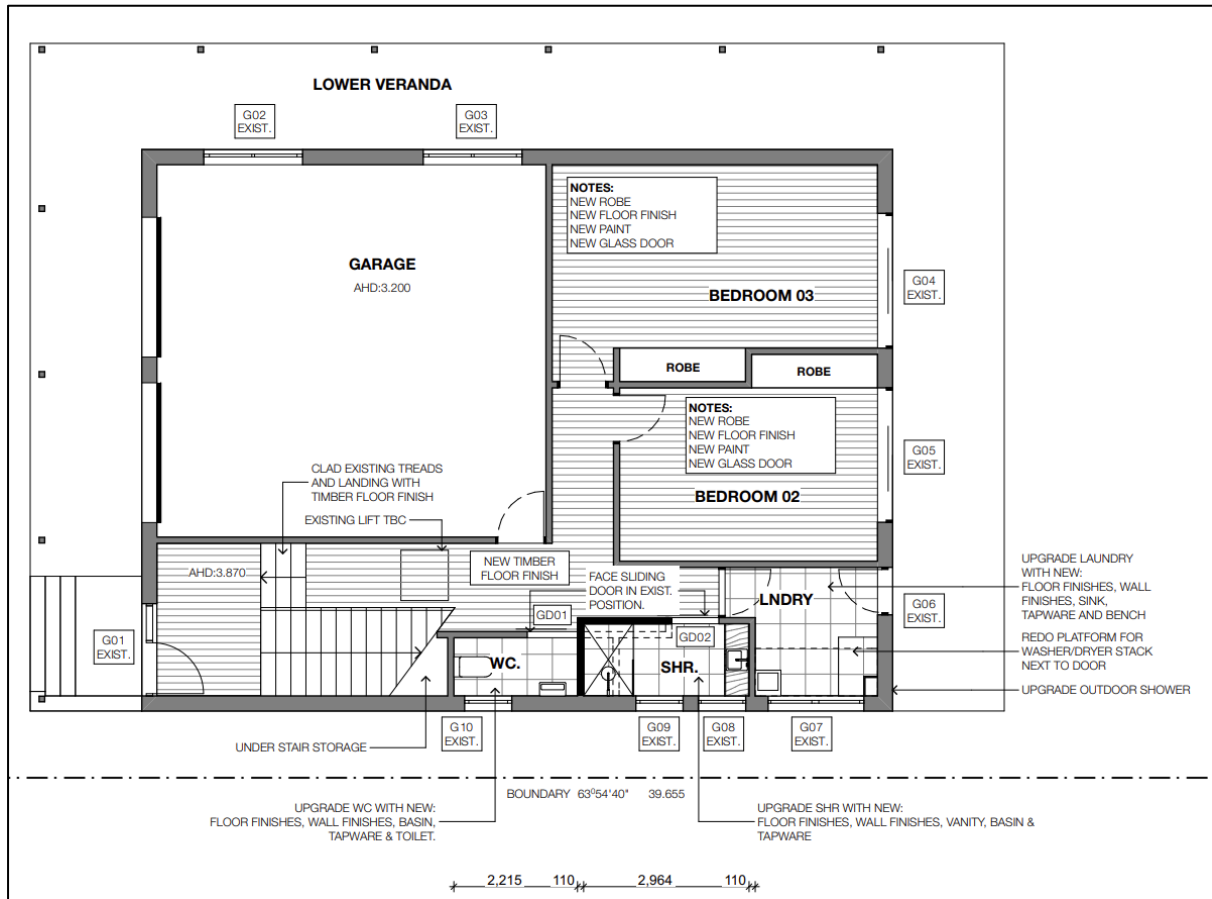


Figure 7: Proposed first ground floor plan

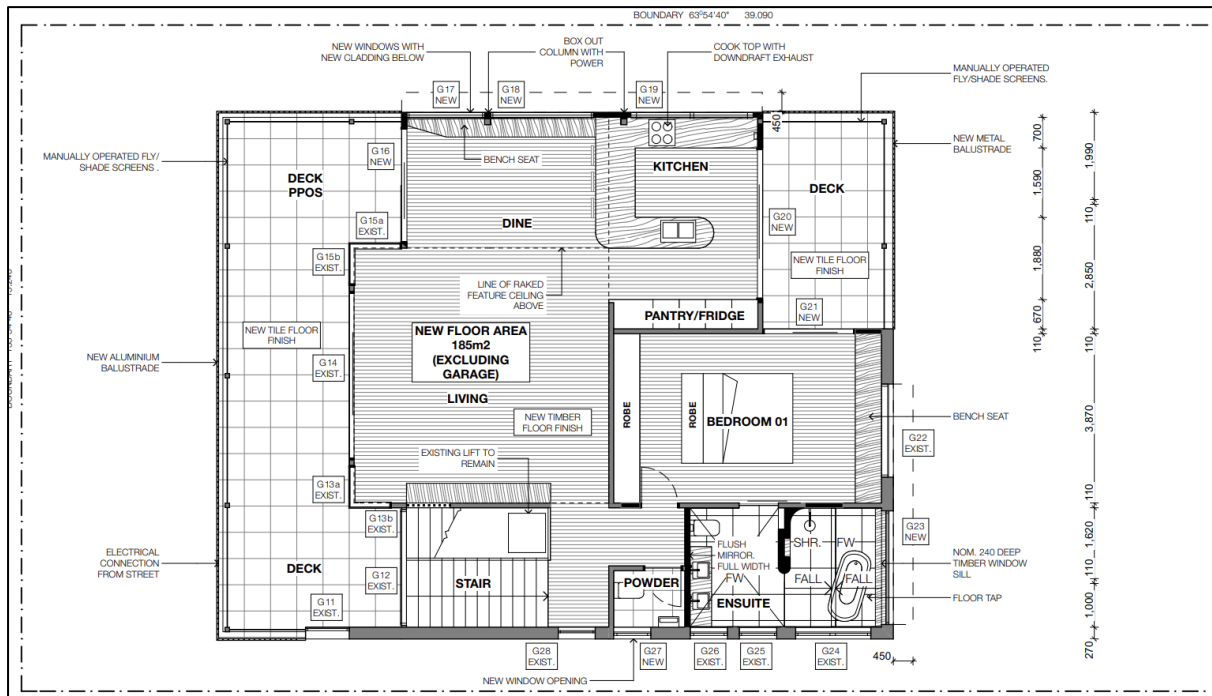


Figure 8: Proposed northern elevation

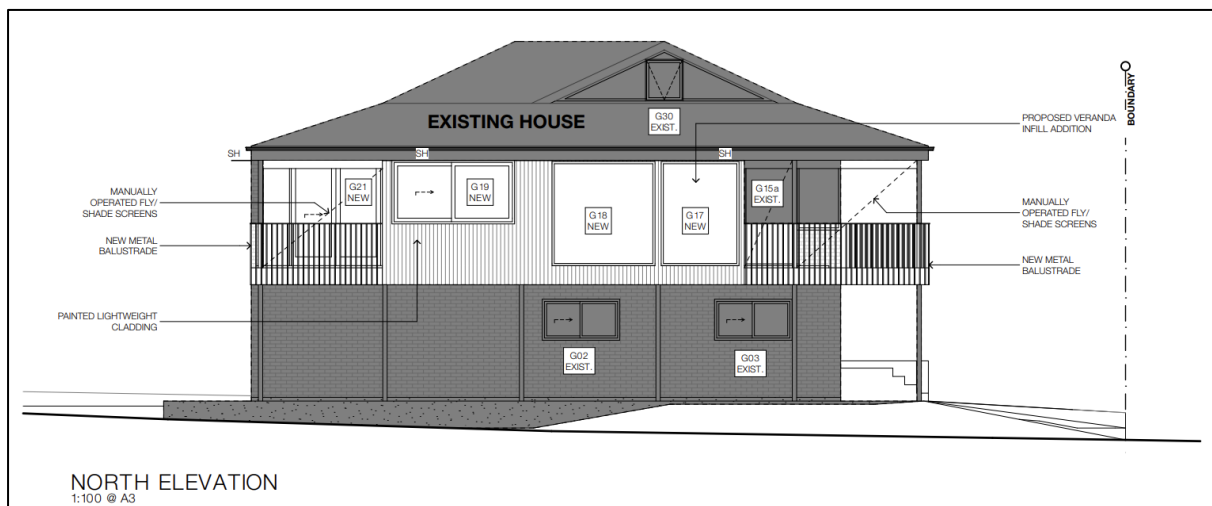


Figure 9: Proposed southern elevation

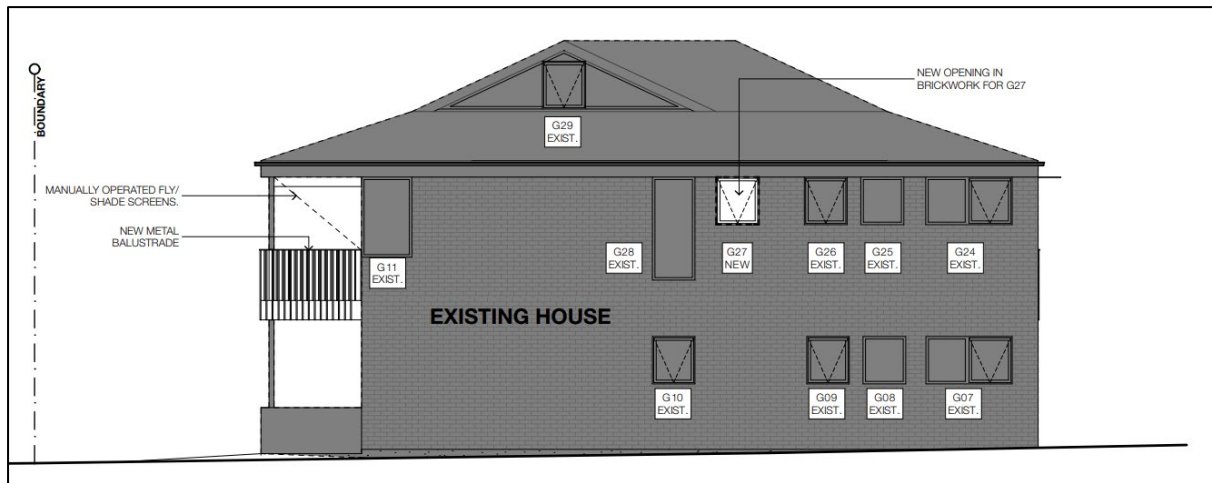


Figure 10: Proposed eastern elevation

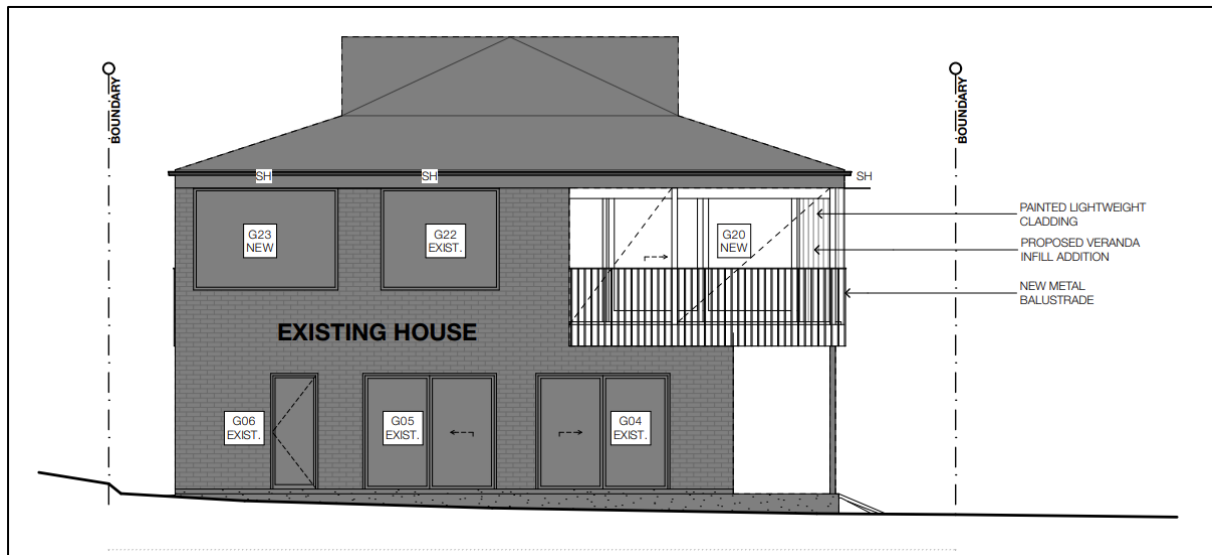
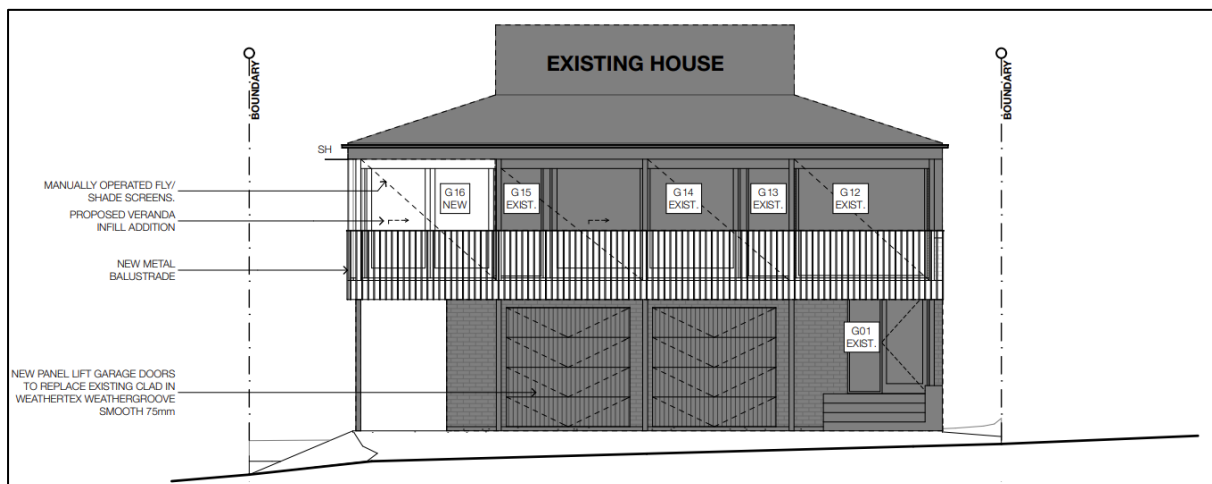


Figure 11: Proposed western elevation



### **3.1 Waste Management**

During the construction phase there will be a designated signposted area for storage of recyclable and non-recyclable waste within the site. A waste management plan is provided at **Appendix 2**.

The alterations and additions will not result in an intensification of the existing land use or generate any new waste streams or additional quantities over and above that of a typical private dwelling. Accordingly, ongoing operational waste will be collected as per current practices. This site is serviced by standard residential waste bins collected from the street by Council's kerbside-collection service, as is typical for residential waste.

## 4 Planning Framework

*This section summarises the approval requirements for the proposal, including its permissibility under relevant planning instruments, and the application of other environmental legislation.*

The legislation and environmental planning instruments relevant and applicable to the subject site and proposal include:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Sustainable Buildings) 2022;
- Great Lakes Local Environmental Plan 2014; and
- Great Lakes Development Control Plan.

Where relevant, these controls are addressed below.

### 4.1 Assessment and Approvals Pathway

In accordance with Section 4.2 of the EP&A Act 1979 and Clause 44 of the EP&A Regulations the proposal is development that needs consent and is therefore subject to the provisions of Part 4 of the EP&A Act. Based on the cost of works the proposal is neither state significant development or regional development as described in Part 4 of SEPP (State and Regional Development) 2011.

#### 4.1.1 Integrated Development

In accordance with Section 4.46 of the EP&A Act, consideration has been given as to whether the proposal constitutes “integrated development” requiring approval under other legislation.

The subject site is not identified as bushfire prone land, nor is it located within a designated mine subsidence district. The proposed works do not involve any activity or land use that would trigger the need for concurrence or approval under any of the Acts listed in Section 4.46 of the EP&A Act.

Accordingly, the development is not considered to be integrated development.

### 4.2 Relevant Legislation

#### 4.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act provides the framework for environmental planning and development approvals and includes provisions to ensure that the potential environmental impacts of a development are assessed and considered in the decision-making process.

As outlined in Section 4.1, the proposal is subject to assessment under Part 4 of the EP&A Act.

##### 4.2.1.1 Objects of the EP&A Act

The objects of the EP&A Act are:

*(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,*

- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the EP&A Act:

- The proposal will facilitate the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to accommodate the proposed development;
- The development is attractively designed to respect and complement surrounding built form;
- Appropriate utility services are available to serve the subject site; and
- There will be no unreasonable adverse environmental impacts as a result of this development.

#### **4.2.1.2 Designated Development**

The proposal is not designated development, as described in Section 4.10 of the EP&A Act.

#### **4.2.1.3 Section 4.15 Evaluation**

Section 4.15 of the EP&A Act specifies the matters which a consent authority must consider when determining a DA.

The relevant matters for consideration under Section 4.15 are addressed in **Table 1** below.



**Table 1 – Section 4.15 Considerations**

Section 4.15	Reference within this SEE
(a) the provisions of:	
(i) any environmental planning instrument, and	Refer to Section 4.3 of this SEE
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Refer to Section 4.3.4 of this SEE
(iii) any development control plan, and	Refer to Section 4.4 of this SEE
(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	No reference. No planning agreement has been entered into with respect to the site or proposed development.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	Refer to Section 4.2.2 of this SEE
(v) any coastal zone management plan (within the meaning of the <a href="#">Coastal Protection Act 1979</a> ),	N/A
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Refer to Section 4.5 of this SEE and associated technical reports and plans.
(c) the suitability of the site for the development,	Refer to Section 4.6 of this SEE and associated technical reports and plans.
(d) any submissions made in accordance with this Act or the regulations,	To be considered as part the assessment process.
(e) the public interest	Refer to Section 4.7 of this SEE.

#### 4.2.2 Environmental Planning and Assessment Regulation 2021

This application satisfies relevant clauses of the Regulation as follows:

- Clause 61 - Demolition will be undertaken in accordance with AS 2601 - 1991: The Demolition of Structures;
- Clauses 64 - All building work will be carried out in accordance with the provisions of the Building Code of Australia;
- All information required in Schedule 1 of the Regulation has been submitted.

## 4.3 Environmental Planning Instruments

### 4.3.1 State Environmental Planning Policy (Resilience and Hazards) 2021

#### 4.3.1.1 Chapter 2 – Coastal Management

Chapter 2 of the SEPP (Resilience and Hazards) 2021 provides an integrated framework for managing land use within the coastal zone of New South Wales. As illustrated in **Figure 12** and **Figure 13**, the subject site is identified as being within both the Coastal Environment Area and the Coastal Use Area under the SEPP mapping.

Clause 2.10 requires that development within the Coastal Environment Area be assessed against potential adverse impacts on a range of matters, including water quality, public access, and ecological values. The proposed development comprises internal alterations and additions to an existing dwelling, with no associated earthworks, excavation, or sediment disturbance. The site is located approximately 50 metres from the foreshore and is separated from it by public road reserves to the north and south.

**Figure 12: Coastal Environment Area – subject site**



The development will not affect public access to coastal open space or result in any discharge or runoff that could impact local water quality. There are no anticipated impacts on Aboriginal heritage, as addressed in Clause 5.10 – Heritage Conservation of this SEE.

Accordingly, the consent authority can be satisfied that the proposal will not result in any adverse impacts on the Coastal Environment Area.

Clause 2.11 relates to land within the Coastal Use Area and requires consideration of impacts on scenic values, access to beaches and foreshores, and cultural values. The proposed development involves only internal and upper-level building works and will not result in any change to the visual character or accessibility of the nearby coastline.

Figure 13: Coastal Use Area – subject site



The site is adequately separated from the beach and foreshore areas, and the scale and nature of the works will not impact coastal scenic or recreational values. Aboriginal and cultural heritage considerations are addressed in **Section 5.1.6**, and no impacts are anticipated.

Accordingly, the consent authority can be satisfied that the proposal will not result in any adverse impacts on the Coastal Use Area.

In relation to Clause 2.12, the proposed development will not increase the risk of coastal hazards, including coastal erosion or tidal inundation, on the site or adjoining land. Furthermore, in accordance with Clause 2.13, there are no coastal management programs applying to the site that are relevant to the proposed development.

#### **4.3.1.2 Chapter 4 – Remediation of land**

Clause 4.6 of SEPP (Resilience and Hazards) 2021 requires that consent authorities consider the potential for land contamination when assessing any development where the proposed use may increase the risk of exposure to contamination. Development must not proceed unless the land is suitable, or can be made suitable, for its intended use.

The Managing Land Contamination: Planning Guidelines (SEPP 55 – Remediation of Land) provides a framework for assessing land suitability under the Environmental Planning and Assessment Act 1979. The guidelines recommend that planning authorities consider the historical use of the land and the nature of the proposed development when determining whether further assessment is required.

In this instance, the proposed development involves internal alterations and additions to an existing residential dwelling, with no change to the existing land use and no earthworks or site disturbance. A review of the site's history indicates it has been used for residential purposes over an extended period, and no potentially contaminating land uses have been identified.

On this basis, the site is considered suitable for continued residential use, and no further contamination assessment or remediation is required in connection with the proposed development. The proposal therefore satisfies Clause 4.6 of the SEPP.

#### 4.3.2 State Environmental Planning Policy (Sustainable Buildings) 2022

The aim of this Chapter 2 is to establish a scheme to encourage sustainable residential development (the BASIX scheme). This on-line assessment tool calculates the dwelling's energy and water scores based on a range of design data.

SEPP (Sustainable Buildings) requires the submission of a BASIX certificate to accompany an application for development consent for any "BASIX affected building". A copy of the BASIX Certificate is provided at **Appendix 3**.

#### 4.3.3 Great Lakes LEP 2014

##### 4.3.3.1 Land Use Zone and Zone Objectives

The proposed development is subject to the provisions of *Great Lakes Local Environmental Plan 2014* (GLLEP). The subject site is zoned R2 Low Density Residential under the GLLEP (see **Figure 14**).

Figure 14: Land Use Zoning Map



The objectives of the zone are as follows:

- 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.

The proposed development is consistent with the objectives of the R2 Low Density Residential zone under the GLLEP 2014. The works involve internal alterations and additions to an existing two-storey dwelling to improve amenity and functionality for its occupants. The development maintains the low-density residential character of the area and does not introduce any additional dwellings or

intensification inconsistent with surrounding development. In this way, the proposal supports the objective of providing for the housing needs of the community within a low density residential environment, by enhancing the ongoing suitability of the existing dwelling for contemporary family living while respecting the established built form and streetscape context.

#### **4.3.3.2 Statutory Definition and Permissibility**

The existing land use is most appropriately characterised as a dwelling house, which is defined under the GLLEP as follows:

***dwelling house*** means a building containing only one dwelling.

**Note.**

*Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.*

Dwelling houses (under residential accommodation) are a land use which are described in the GLLEP as being permitted with consent in the zone. The proposed alterations and additions to the existing dwelling house and is permissible with consent.

#### **4.3.3.3 Great Lakes LEP 2014 – Other Provisions**

##### **Clause 2.7 – Demolition requires development consent**

This clause outlines development of a building or work may be carried out with development consent; consent is sought for minor demolition works as described earlier in this report.

##### **Clause 4.3 - Height of Buildings**

The objective of this clause is to ensure the scale of development makes a positive contribution towards the desired built form, consistent with the established centres hierarchy, and to allow reasonable daylight access to all developments and the public domain.

As detailed in **Figure 15** below, the Height of Buildings map for the area prescribes a maximum building height of 8.5m for the site. The proposed works will not alter the existing building height and so will remain consistent with the objectives of this clause.



Figure 15: NLEP Height of Buildings Map



#### Clause 4.4 – Floor Space Ratio

The objective of this Clause is to provide an appropriate density of development for the location and to ensure building density, bulk and scale makes a positive contribution towards the desired built form. floor space ratio (FSR) map for the area prescribes a maximum FSR of 0.5:1 for the site (see **Figure 16**). The existing dwelling has a gross floor area of 167m<sup>2</sup> (excluding the garage). The proposal will result in a net increase in GFA of 18m<sup>2</sup>, equating to an overall GFA of 185m<sup>2</sup>. Given the site area of approximately 610m<sup>2</sup>, the proposed development results in an overall FSR of 0.30:1, which is well below the maximum permitted under the GLLEP 2014.

Figure 16: NLEP Floor Space Ratio Map

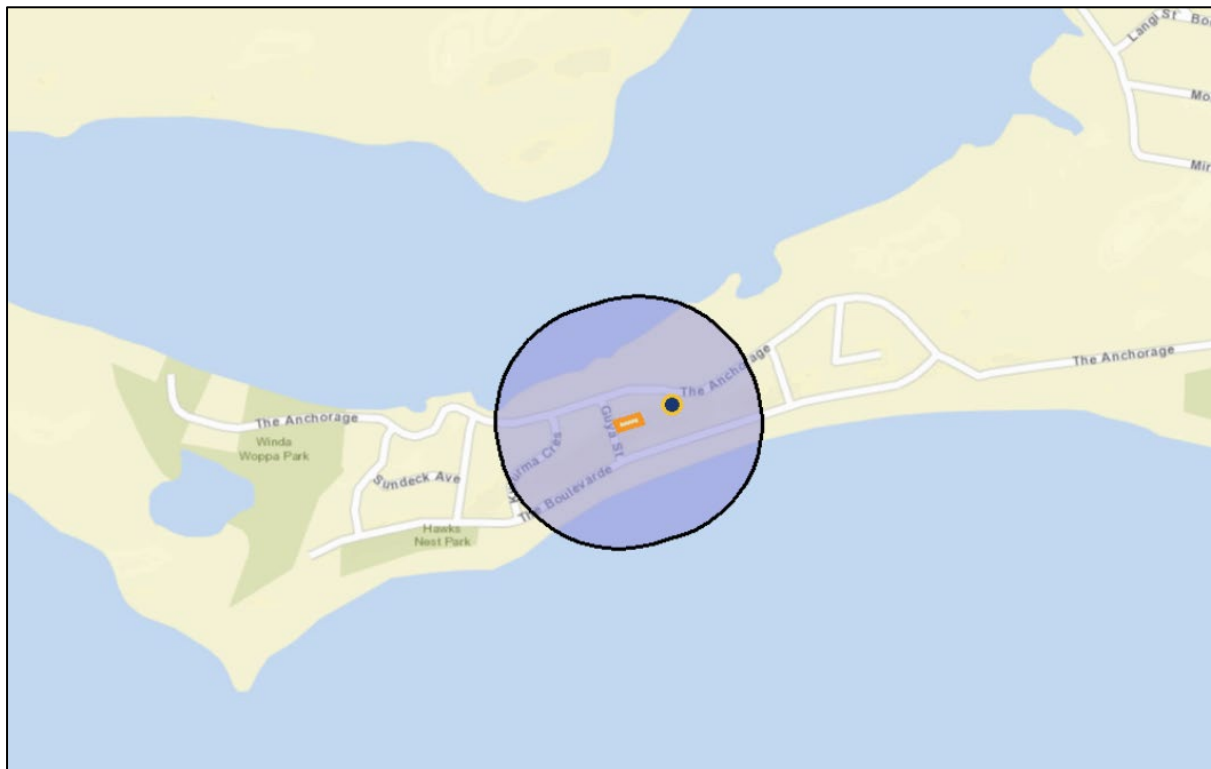


### Clause 5.10 – Heritage Conservation

In accordance with Clause 5.10 of the Great Lakes Local Environmental Plan 2014, consideration has been given to the potential impacts of the proposed development on both environmental and Aboriginal cultural heritage.

A 200-metre Aboriginal Heritage Information Management System (AHIMS) search was undertaken as part of the due diligence process (see **Figure 17**). This search identified one recorded Aboriginal site within 200 metres of the subject site. However, a follow-up assessment confirmed that the subject site itself—within a 50-metre radius—is clear of any known Aboriginal sites or objects (see **Figure 18**). The proposal involves no earthworks or disturbance to the natural ground surface, and all works are confined to the existing building footprint. As such, the risk of impacting any Aboriginal objects or sites is considered to be negligible.

Figure 17: AHIMS 200m radius search – May 2025



Clause 5.10 of the LEP seeks to conserve the environmental heritage of the area, including Aboriginal objects and places of heritage significance. The site is not identified as a listed heritage item or located within a heritage conservation area, and the development does not involve the disturbance of any known archaeological sites. Given the scope of works—limited to internal alterations and minor additions above ground level—the proposal is not expected to adversely affect any items or places of heritage significance, whether built or cultural.

Accordingly, the development is considered to be consistent with the objectives of Clause 5.10.

Figure 18: AHIMS 50m radius search – May 2025



### Clause 5.21 – Flood Planning

The subject site is identified as being within a flood prone area, and accordingly, Clause 5.21 of the GLLEP 2014 applies.

The objectives of this clause are to minimise flood risk to life and property, ensure development is compatible with the flood function of the land, avoid adverse impacts on flood behaviour or the environment, and enable safe occupation and evacuation in flood events. These objectives are acknowledged in the context of the proposed development.

The proposal involves only internal alterations and additions within the existing two-storey dwelling, with no changes to the building footprint, ground levels, or external works that may influence overland flow, site drainage, or flood behaviour. The existing risk profile of the site remains unchanged, and no new habitable floor area is proposed below the flood planning level.

Given the nature and scale of the works, the development is considered compatible with the flood function of the land and will not result in any adverse or cumulative impacts on surrounding properties or infrastructure. Furthermore, the proposal does not impede evacuation or emergency response in the event of a flood, nor does it present any increased risk to life or property.

Accordingly, the proposed development satisfies the objectives and provisions of Clause 5.21 and is suitable for approval in its current form.



### Clause 7.1 – Acid Sulfate Soils

The subject site is identified on the Acid Sulfate Soils Map as containing both Class 3 and Class 4 acid sulfate soils (see **Figure 19**). Clause 7.1 of the GLLEP 2014 applies to land within these mapped areas, requiring development consent for certain types of works that may disturb the natural ground surface or impact the watertable.

The proposed development involves internal alterations and additions to an existing dwelling, with no excavation, earthworks, or disturbance of natural soil. All construction activity will occur above the existing ground level and will not involve any works at a depth that would trigger the provisions relating to Class 3 or Class 4 land.

Accordingly, the proposal does not warrant the preparation of an acid sulfate soils management plan, and further investigation under Clause 7.1 is not required in this instance.

**Figure 19: NLEP Acid Sulfate Soils Map**



### Clause 7.4 – Coastal risk planning

The site is located outside the Coastal Risk Planning Map (see **Figure 20**).

**Figure 20: Coastal Risk Planning Map**



#### 4.3.4 Any Draft Environmental Planning Instruments

No draft environmental planning instruments apply to the proposed development.

### 4.4 Great Lakes Development Control Plan

The proposed development is subject to the provisions of the Great Lakes Development Control Plan (DCP). Compliance with the DCP is generally demonstrated through satisfaction of its specific prescriptive controls. Where strict compliance with a control is not achievable or appropriate due to the particular characteristics of the site or existing built form, a performance-based justification has been provided to demonstrate consistency with the relevant objectives.

Controls or chapters not explicitly addressed in this report have been reviewed and deemed not applicable to the proposed works, based on the minor nature of the development.

The assessment below demonstrates that the proposal is compliant with the majority of applicable controls and, importantly, remains wholly consistent with the overarching objectives of the DCP. The development represents a suitable and low-impact outcome for the site that aligns with the intent of the planning framework.

## Chapter 3 – Character Statements

### Section 3.3.1 – Low Density Residential Character Statement

The subject site is located within an established low density residential area and is zoned R2 Low Density Residential under the *GLLEP 2014*. In accordance with Chapter 3.3.1 of the *Great Lakes DCP*, the proposed development has been designed to respect and maintain the established and desired future character of the locality.

The proposal comprises internal refurbishment, minor reconfiguration of existing rooms, and a modest extension to the dining and kitchen areas at the upper level. The extension is confined entirely to the footprint of the existing upper-level veranda, with no changes to the overall building height, roof form, or ground-level footprint. All works are integrated within the existing built envelope and present no additional bulk or visual dominance.

The development retains the detached, low-scale character of the existing dwelling and surrounding residences. It avoids the introduction of any large or bulky built forms and preserves the prevailing character of individual dwellings situated within generously landscaped lots. The building's existing roof form and materials will be maintained, contributing to a consistent streetscape and avoiding any imitation or historically styled architectural treatments inconsistent with local character.

Although modest in scale, the proposed works represent an upgrade to the internal functionality and amenity of the dwelling while maintaining the architectural detailing, articulation, and material palette that contribute to the site's coastal residential character. The works do not detract from the natural landscape or established vegetation, and no vegetation removal is proposed aside from general maintenance. The mature jacaranda tree at the rear of the site will be retained.

Overall, the proposal is respectful of the low density coastal context and is compatible with the built form, design diversity, and residential scale envisaged in the DCP's character statements for low density residential areas.

## Chapter 4 – Environmental Considerations

### Section 4.4.1 – Ecological Impacts

This section of the DCP seeks to ensure that development avoids, mitigates, or offsets impacts on biodiversity and ecological values.

The subject site is located within an established residential area and is fully developed. The proposed works are confined entirely within the existing building envelope and involve internal alterations and additions only. No vegetation is proposed to be removed, and no external site disturbance, excavation, or extension of the existing footprint is included in the proposal.

As such, the development is unlikely to have an adverse impact to any remnant native vegetation, habitat, ecological corridors, or natural landscape features. The works are not likely to impact on any known watercourses, riparian zones, endangered ecological communities, or mapped koala habitat within or adjacent to the site. The development does not involve bushfire asset protection zones or access upgrades that might otherwise impact natural features.

Given the scale and contained nature of the proposal, there is no anticipated ecological impact, and the development is considered to be fully consistent with the objectives and controls outlined in this section of the DCP.

### Section 4.4.2 – Flooding

The subject site is identified as being within a flood planning area under Council's flood mapping; however, it is not located within the Coastal Risk Planning Area (refer to **Figure 20**). Section 4.2 of the Great Lakes DCP applies to development on flood-prone land and aims to minimise flood risk to life and property, protect flood storage and conveyance functions, and avoid environmental or cumulative impacts.

The proposed development involves minor internal alterations and a modest extension of 18m<sup>2</sup> to the existing two-storey dwelling, increasing the gross floor area (excluding the garage) from 167m<sup>2</sup> to 185m<sup>2</sup>. This total increase is well below the DCP's 30m<sup>2</sup> threshold that triggers requirements for new habitable areas to be located above the 2060 1% AEP flood planning level.

Accordingly, the flood-related building controls in the DCP relating to floor level design do not apply in this instance. The proposed works do not involve any excavation, external footprint changes, or new structures that would impact flood behaviour, conveyance, or storage. All additions occur within the existing built form and finished floor levels.

Given the minor scale and confined nature of the proposed works, the development will not adversely affect the flood function of the land, nor will it increase flood risk to adjoining properties or infrastructure. The proposal also avoids any environmental impacts associated with development on flood-prone land.

## Chapter 5 – Single Dwellings, Dual Occupancies, Villas and Townhouses

### Section 5.5.1 – Solar Access and Overshadowing

The works are confined to internal refurbishments within the existing dwelling including lower floor and existing upper-level kitchen and dining areas, built within the footprint of the existing veranda. No changes are proposed to the building height or roof form. As such, the overall building envelope remains effectively unchanged, and no additional overshadowing beyond the existing condition is anticipated.

### Section 5.5.2 – Views and Privacy

The proposal has been designed to respect the privacy and amenity of adjoining properties in accordance with the objectives of Section 5.2 of the DCP.

The proposed alterations occur entirely within the footprint of the existing upper-level veranda, which currently spans the full width of the northern boundary and functions as an open outdoor living space. This existing open configuration allows for clear views into and from neighbouring properties and has limited physical or visual barriers.

Under the proposal, the veranda will be partially enclosed to accommodate an extension of the kitchen and dining areas. This change introduces new external walls along the northern edge of the building and replaces the existing open edge with a solid built form that acts as a physical buffer. While new window openings are proposed along this elevation, they represent a significant reduction in the overall openness of the façade compared to the current condition, where the full boundary is open to standing, seating and general use.

Internal mitigation measures have also been incorporated into the design to further reduce the potential for overlooking. Fixed elements such as the kitchen counter and bench seating are positioned directly adjacent to the new window openings, providing physical separation from the window edge. This configuration naturally restricts opportunities for standing or direct line of sight views into adjoining properties, thereby enhancing visual privacy without the need for external screening.

In this respect, the proposal is considered to improve visual privacy outcomes for adjoining properties by reducing direct lines of sight and limiting the extent of potential overlooking. The placement and size of new window openings have been carefully considered to avoid any unreasonable impacts on neighbouring indoor or outdoor living areas.

The development strikes an appropriate balance between maintaining internal amenity and protecting the privacy of adjoining residents, in accordance with the DCP.

### Section 5.5.2 – Energy Efficiency

**Refer** to comments under SEPP Sustainable Buildings 2022.

### Section 5.5.5 – Setbacks

The proposed development continues to comply with the setback objectives and controls outlined in this section of the DCP. The existing primary road setback of approximately 4.5 metres to Guya Street will remain unchanged, and no new works are proposed that would alter the building's relationship to the street frontage.

The proposed additions are confined to the upper-level veranda area at the rear and side of the dwelling and do not project any further forward than the existing building line. No changes are proposed to the garage or driveway, and vehicular access and egress arrangements remain safe and unaffected.

#### 5.5.2.5 Side and Rear Setback Controls

The proposed development has been considered against the setback provisions in 5.5.2.5 Side and Rear Setback Controls of the DCP, which aim to ensure appropriate separation between buildings to protect privacy, solar access, and amenity.

The works involve the enclosure of an existing upper-level veranda along the northern side of the dwelling to allow for an extension of the internal kitchen and dining areas. The existing veranda is

set back approximately 1.97 metres from the northern side boundary, and the proposed wall will maintain this existing line. No changes are proposed to the rear building line.

Importantly, the development has been designed to improve privacy outcomes for adjoining properties. The existing open veranda spans the northern boundary and currently allows unobstructed views from the upper level into neighbouring private open space. The proposed works will replace this open edge with solid walls and modest window openings, reducing the potential for overlooking.

Although the DCP recommends privacy screening where windows, balconies, terraces or decks are located within 3 metres of a side or rear boundary, it is considered that no additional screening is required in this instance. The current open veranda presents a greater privacy impact than the proposed enclosed space. The new window openings will be moderated by internal elements such as the kitchen bench and seating, which limit direct visibility from a standing position.

#### **Section 5.5.6 – Building Height**

This section of the DCP seek to ensure that building height responds to site topography and maintains a low-scale built form consistent with the surrounding residential character.

The proposed works involve the enclosure of an existing upper-level veranda to extend internal living spaces, along with internal refurbishments and reconfiguration. The development does not involve any increase in building height or any change to the existing roof form or overall built envelope. As such, the scale of the development remains consistent with the current condition and does not introduce any additional visual bulk or dominance to the streetscape or surrounding landscape.

No impacts on significant views, solar access, or privacy are anticipated as a result of the proposal, and the building will continue to sit comfortably within the local context.

#### **Section 5.5.7 – Cut and Fill**

The proposed development does not involve any excavation, site regrading, or earthworks. All works are confined within the existing building footprint and suspended floor levels. As such, the provisions relating to cut and fill, benched landscaping areas, or retaining walls are not applicable to this application.

#### **Section 5.5.8 – Private Outdoor Areas**

The proposal does not alter or reduce the existing private open space on the site. The dwelling will continue to benefit from a ground level outdoor living area accessible from the lower level, and an upper-level deck providing direct access from the main living areas. These areas exceed the minimum dimensions and area requirements specified in the DCP.

No new private open space is proposed within the front building line setback, and the development maintains compliance with all relevant controls in this section.

### **Chapter 10 – Car Parking, Access, Alternative and Active Transport**

The proposed development does not involve any changes to the existing onsite car parking or vehicle access arrangements. The existing two-car garage will be retained and continues to provide adequate parking for the dwelling in accordance with the DCP.

The proposed internal alterations and minor additions do not intensify the residential use of the site, nor do they result in an increase in the number of bedrooms or dwelling occupancy that would



generate additional parking demand. The existing provision remains consistent with the requirements for a dwelling house.

#### **Chapter 12 – Vegetation Management**

The proposal does not involve the removal or pruning of any trees or vegetation on the site. All existing vegetation, including the mature jacaranda tree located at the rear of the property, will be retained. As such, no further assessment under the Vegetation Management Policy is required, and the development is consistent with the objectives of preserving biodiversity and landscape amenity through the protection of existing vegetation.

#### **Chapter 14 – Waste Management**

The proposed development has been reviewed against this chapter of the DCP. Given that the works are confined to internal reconfiguration and a minor upper-level extension within the existing built form, waste impacts are expected to be minimal and readily manageable.

- **Demolition and Construction Waste:** The development will generate a minor quantity of demolition and construction waste, primarily related to the internal strip-out and reconfiguration of select rooms. A designated construction waste bin will be located on-site, as shown on the site plan, and all waste will be managed in accordance with an appropriate Site Waste Minimisation and Management Plan (SWMMP). Waste will be reused or recycled where possible, and materials will be disposed of via lawful means.
- **Site Management:** Temporary site fencing and hoarding (also depicted on the site plan) will be contained wholly within the property boundaries. These measures will help to minimise any impacts on the public domain and will be removed once construction is complete.
- **Operational Waste:** No change to the number of bedrooms or occupancy of the dwelling is proposed. As such, operational waste generation will remain consistent with current levels. The existing domestic bin storage and collection arrangements remain sufficient for the ongoing use of the site.

Overall, the proposal is capable of complying with the DCP's waste management controls, and no adverse impacts are anticipated with respect to waste handling during either construction or the ongoing use of the dwelling.

## 4.5 Likely Impacts

### 4.5.1 Visual Impact

The existing upper-level veranda spans the full northern boundary and currently provides unimpeded sightlines to neighbouring properties. The proposed enclosure of this space will significantly reduce direct overlooking. While new window openings are proposed, they are limited in extent and integrated into the internal layout in a manner that restricts views. The kitchen bench and seating elements positioned adjacent to the windows act as internal buffers, reducing the potential for standing views and further improving visual privacy outcomes. These measures represent a net improvement over the existing condition.

### 4.5.2 Cumulative Impacts

When considered cumulatively, the proposed development will not result in any significant environmental, social, or amenity-related impacts. The internal nature of the alterations, the retention of the existing building height and footprint, and the absence of vegetation removal or external site disturbance all contribute to a low-impact development outcome. The scale and design of the works are proportionate to the site and context, and the dwelling's functionality is enhanced without detriment to surrounding properties or local character.

In summary, the proposal appropriately responds to the site's constraints and context. All impacts have been addressed through thoughtful design and existing compliance with planning controls, resulting in a development that is respectful, low-impact, and consistent with the planning objectives for the locality.

## 4.6 Suitability of the Site

The site is well suited for the proposed development for the following reasons:

- The modest scale of the design ensure that the addition integrates well with the existing dwelling and surrounding context.
- The proposal is consistent with the established residential use and does not introduce any incompatible land uses.
- Environmental impacts are minimal and can be appropriately managed.

## 4.7 The Public Interest

Pursuant to case law of *Ex Gratia P/L v Dungog Council* (NSWLEC 148), the question that needs to be answered is "Whether the public advantages of the proposed development outweigh the public disadvantages of the proposed development".

There are no unreasonable impacts that will result from the proposed development and it will maintain the character of the local area in terms of scale, materiality and built form. Therefore, the benefits of approving a negligible increase in built form outweigh any disadvantage and, as such, the proposed development will have an overall public benefit and therefore approval is thought to be in the public interest.

## 5 Conclusion

This report provides an assessment of the proposed alteration and additions to an existing dwelling in accordance with the provisions of S4.15 of the EP&A Act 1979. In this respect this report has addressed all relevant environmental planning instruments including Great Lakes LEP 2014 and relevant guidelines including the Great Lakes DCP.

In evaluating the proposed development against the relevant statutory planning framework applicable to the site and proposed development, it is evident that the likely impacts of the proposed development will be acceptable. Additionally, in considering the environmental characteristics of the site and scale the proposed development, the site can suitably accommodate the proposal.

On this basis the proposal is considered to be in the public interest and can be approved.