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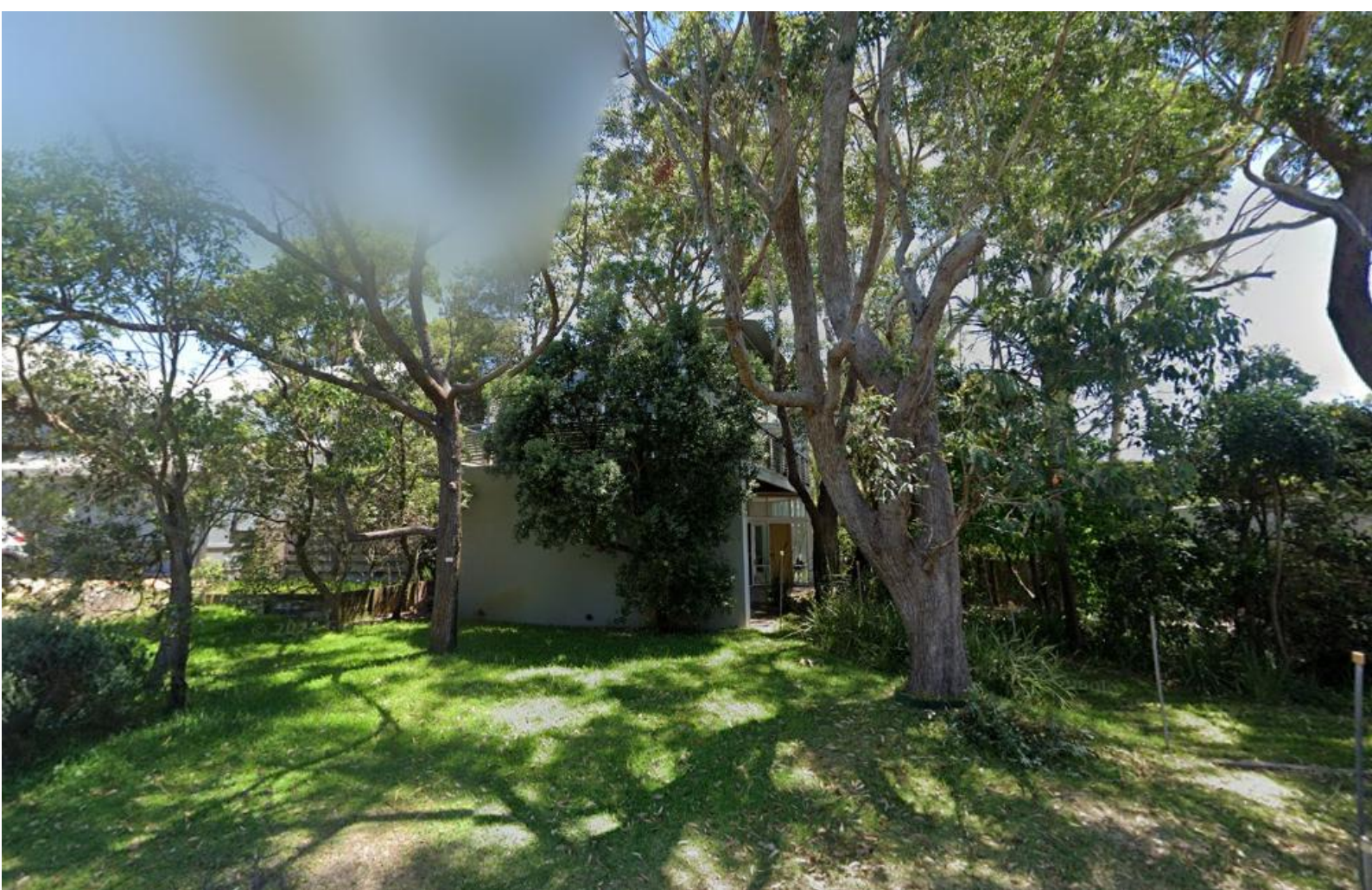
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STATEMENT OF ENVIRONMENTAL EFFECTS

For dwelling additions (new lift) at 3 GEMALLA STREET HAWKS NEST 2324



12 June 2025

Revision: A

Revision History

Version	Author	Reviewed	Dated
Revision 1.0	KR	RY	29 May 2025 / 30 May 2025
Lodgement 2.0	KR		9 June 2025

Authorship

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1. INTRODUCTION

This Statement of Environmental Effects is prepared for the consideration of Mid Coast Council in support of an application for minor demolition of the portions of the the existing dwelling and new additions to the dwelling to incorporate a new external lift at 3 Gemalla Street Hawks Nest 2324. The purpose of this report is to describe the development and review the relevant planning requirements relating to the proposal.

2.0 THE LOCALITY AND THE SITE

The subject site comprises a single parcel of land known as 3 Gemalla Street Hawks Nest and is identified as Lot 54 in DP 233549.

The site is a regular shaped allotment located on the western side of Gemalla Street between the intersections of The Anchorage and The Boulevard. The site has an area of 605 m² with a primary frontage width to Gemalla Street of approximately 16.28 m and depth of 37.19 m.

Access to the subject property is currently provided via a driveway accessed from Gemalla Street.

The subject site was previously filled by approximately 1.2 metres in 1991 to form a platform of @RL100.6. The ground slopes to the west to meet natural levels. Vegetation located upon the subject sites comprises of a combination of both endemic and exotic tree species set within an informal garden setting and lawn areas.



Figure 1: Aerial of the site (Source Google.com)

The immediate locality is principally low to medium density residential dwellings. Further northeast, the locality transitions into the Hawks Nest town centre commercial district. The site is not a heritage item nor located in a conservation area.

The subject site comprises a two-storey steel framed dwelling infilled with Masonry and glass with a curved corrugated iron roof.

3.0 BACKGROUND / RELEVANT HISTORY

There are no accessible development application history for the site available on Council's application tracker.

4.0 DESCRIPTION OF PROPOSAL

The proposal involves the part demolition of rear structures and internal fabric of the existing dwelling house and the construction of new dwelling alterations and additions primarily to the side of the existing dwelling.

In detail the works are described as follows:

The existing house is a two storey expressed steel framed structure with solid masonry walls facing south, The remaining construction consists of floor to ceiling glass in timber and aluminium window frames and glass louvres, with internal timber venetians throughout.

The proposed lift structure is attached externally adjacent to the front door. To support the new lift shaft, a concrete slab footing will be in an existing section of grassed area adjacent to the existing building with a footprint of 1.2m wide and 2.4m long. Its height aligns with existing floor levels and a first floor level allowance for standard 2.1m high lift doors, resulting in an overall height of 5.88m from ground floor level.

Demolition

Minor demolition to dwelling to create openings in elevations for lift openings.

Excavation

Minor excavation is proposed for the subject site to provide for the necessary structural support of the new additions. There is no extensive excavation required.

Waste

A Waste Management Plan has been prepared for the demolition, construction and operational phases of the development and is included in this application. The building can comply with any appropriate condition of consent imposed in relation to waste management.

Stormwater

To connect to existing on site disposal system (absorption pit).

5.0 ENVIRONMENTAL ASSESSMENT UNDER SECTION 4.15

The following matters are to be considered in the assessment of this development application under Section 4.15 of the Environmental Planning & Assessment Act, 1979 (As amended).

5.1 SECTION 4.15(1)(a) ENVIRONMENTAL PLANNING INSTRUMENTS

5.2 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.

5.3 Relevant State Instruments and Legislation

State Environmental Planning Policy (Resilience and Hazards) 2021

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. 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 minor alterations and additions to an existing dwelling, with no associated significant earthworks, excavation, or sediment disturbance. The site is located approximately 30 metres from the foreshore and is separated from it by public road reserves to the north and south.

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 on the northern side of the dwelling and will not result in any change to the visual character or accessibility of the nearby coastline.

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 elsewhere in this statement, 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.

Chapter 4 – Remediation of land

Chapter 4 Remediation of Land within State Environmental Planning Policy (Resilience and Hazards) 2021 applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 4.6 of SEPP (Resilience and Hazards) 2021 requires the consent authority to consider whether land is contaminated prior to granting consent to carrying out of any development on that land and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

The application does not seek to change the existing residential use of the site. As the site has been historically used for residential purposes there is a low potential for contamination to be present on-site given the prolonged residential use of the site. The site is considered to be suitable for ongoing use for residential purposes, subject to a hazardous materials survey being undertaken prior to demolition.

Based on the above, it is considered that Council can therefore be satisfied that the site is suitable for the proposed development subject to appropriate conditions of consent.

State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 applies to the development and aims to encourage sustainable residential development.

BASIX, the Building Sustainability Index, ensures residential developments are designed to use less potable water and are responsible for fewer greenhouse gas emissions by setting energy and water reduction targets for houses and units.

The capital investment value for the works is \$42,878.30 + GST or \$47,166.13 for the works. As the works are for an ancillary structure and not a new dwelling, no BASIX is required in the circumstances.

5.4 Great Lakes Local Environmental Plan 2014

Aims and objectives of zone

The site is zoned “R2 Low Density Residential” Zone under the provisions of the Great Lakes Local Environmental Plan 2014. The objectives and permissibility characteristics of the zone are:

“1 Objectives of zone

- 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, alterations and additions to an existing “dwelling house” is permissible with consent. The proposal is consistent with the objectives of the zone. The proposed additions will improve the residential conditions on site without compromising the amenity of the adjoining dwellings. The scale of the additions are consistent with the size of the existing dwelling and alterations to adjoining dwellings. The proposal can sit comfortably with surrounding development and the general built and natural environment.

Demolition associated for the proposal is permissible subject to the provisions of Clause 2.7 of the Plan with consent being sought under this application.

Great Lakes Local Environmental Plan 2014 Controls

Relevant LEP clauses/development standards

Note: Only relevant clauses are commented upon. Note, all area calculations are based on the survey-based site area and boundary lengths.

CL. Standard/Control	Complies	Comment
PART 4 PRINCIPAL DEVELOPMENT STANDARDS		
Clause 4.1 Minimum Subdivision lot size	N/A	No subdivision proposed
Clause 4.3 Height of Buildings	Yes	All proposed building works at 5.88 metre at their maximal height point will not exceed the height limit for

Map control limit = 8.5 metres

Clause 4.4 and Clause 4.5 Floor Space Ratio

Map control limit = 0.5 : 1

Size Area (by survey) 605 m²

Clause 4.6 Exception to Development Standards

the site above the surrounding natural ground level. The new proposed roof is either lower or at the equivalent to the existing dwelling's roof structure line.

Proposal has been designed to conform to FSR requirements). Refer to sheet A005 Compliance diagrams for details. Site area is 605 m².

Proposed total gross floor area is 193.2 m² and well under the allowable 0.5:1 limit.

$193.2 / 605 \text{ m}^2 = 0.31.9.$

No clause 4.6 Request for variation is noted as being required.

PART 5 MISCELLANEOUS PROVISIONS

5.4 Controls Relating to miscellaneous permissible uses

No miscellaneous permissible uses being sought

5.10 Heritage Conservation

Yes

Site is not a heritage item or conservation area.

A 200-metre Aboriginal Heritage Information Management System (AHIMS) search was undertaken as part of the due diligence process. This search identified one recorded Aboriginal site within 200 metres of the subject site (likely midden 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. The proposal involves minimal earthworks or disturbance to the natural ground surface. As such, the risk of impacting any Aboriginal objects or sites is considered to be negligible.

Given the scope of works—limited to minor additions above ground level—the proposal is not expected to adversely affect any items or places of heritage significance, whether built or cultural.

Clause 5.11 Bush Fire Hazard Reduction

The site is not noted as being bush fire prone.

Clause 5.21 – Flood Planning

Yes

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 minor alterations and additions to the existing two-storey dwelling, with no changes of significance 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.

PART 7 ADDITIONAL LOCAL PROVISIONS

Clause 7.1 Acid Sulfate Soils (Class 5)

The subject site is located in Class 4 ASS risk.

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

Accordingly, it is submitted that 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.

Clause 7.2 Earthworks **Yes**

There is no excavation of significance to be undertaken. No objection is raised to Council conditioning such matters for abundant caution.

Clause 7.4 Coastal risk planning **Yes**

The site is located outside the Coastal Risk Planning Map

6.0 Section 4.15(1)(a)(ii) DRAFT AMENDMENTS TO STATUTORY CONTROLS

There are no draft amendments noted to any statutory controls applicable to the proposal.

7.0 Section 4.15(1)(a)(iii) DEVELOPMENT CONTROL PLANS

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.

A significant portion of the DCP has no direct applicability to the subject development. Notwithstanding this a discussion of the most relevant part of the DCP is provided here.

Note: Sections of the DCP clearly not applicable to the proposal have not been included.

Chapter 3 – Character Statements

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 by virtue of its minor nature, will respect and maintain the established and desired future character of the locality.

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.

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 as existing. The proposed works minor internal and external alterations and additions only. No vegetation is proposed to be removed, and with correlating minimal external site disturbance, excavation, or extension of the existing footprint of the dwelling.

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. 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 alterations and a modest extension of 3 m² to the existing two-storey dwelling. This total increase is well below the DCP's 30m² 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 significant excavation, external footprint changes, or new structures that would impact flood behaviour, conveyance, or storage.

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 the existing dwelling. No changes are no significant material alterations proposed to the building height or roof form. All additions are located on the northern side of the existing dwelling and will not extend existing shadows cast from the existing dwelling. As such, the overall building envelope remains effectively unchanged, and no additional overshadowing beyond the existing solar regime conditions will occur.

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 are for non-habitable additions to improve access around the dwelling without adverse privacy impacts to the adjoining properties.

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 Gemalla Street will remain unchanged, and no new works are proposed that would alter the building's relationship to the street frontage.

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 proposed additions are confined to the northern side of the dwelling but well beyond any side setback requirements.

No changes are proposed to the rear building line.

Importantly, the proposed additions are located has been designed to maintain / preserve privacy outcomes for adjoining properties.

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 development does not involve any increase in overall 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 significant excavation, site regrading, or earthworks. All works are limited to that required to provide stability/support for the lift structure. 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 materially 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. 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 off street parking arrangements will be retained and continues to provide adequate parking for the dwelling in accordance with the DCP.

The proposed 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 major vegetation, 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 minor additions are expected to be minimal and readily manageable.

- **Demolition and Construction Waste:** The development will generate a minor quantity of demolition and construction waste. 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.

8.0 Section 4.15(1)(a)(iv) APPLICABLE REGULATIONS

The EPA Regulation 2021 requires consideration of Australian Standard AS 2601-1991: The demolition of structures. It also requires compliance with this, by standard by condition of consent.

It is intended that any noise generated from the site will comply with the relevant provisions of *the Protection of Environment Operations Act* and the *NSW EPA Environmental Noise Manual* for the control of construction noise. The proposal can meet applicable noise criteria to protect the amenity of the nearby industrial and residential premises.

The use in itself should not result in any ongoing or unreasonable noise generation occurring from the premises.

9.0 Section 4.15(1)(b) THE LIKELY IMPACTS OF THE PROPOSAL

The proposed development will result in additional housing variability and choice being provided to the area in the form of a new updated liveable dwelling. This will improve the housing choice for residents wishing to reside in the local area.

There are no negative social or economic impacts as a result of the proposed development. The proposed development will not have any adverse impacts to the streetscape character of Gemalla Street.

10.0 Section 4.15(1)(c) THE SUITABILITY OF THE SITE

The development proposed is such that it would not affect the suitability of the site to accommodate the development nor impact upon adjoining sites in the locality ability to support new development in accordance with the zoning and desired future character of the zone.

The ongoing use is considered to be within the public interest for the following reasons:

1. The construction of dwelling additions is permissible with consent of Council in the zone.
2. The proposal can sit comfortably within the locality without adverse impacts to any adjoining residential premises.
3. The proposal will improve the usage and dwelling longevity in line with the extant controls applicable and assist in maintaining the vitality of the area;
4. There are no precipitate constraints posed by adjacent land uses.
5. Appropriate erosion and sediment control measures will be employed during works.
6. The development will not result in environmental degradation of the local area.

The application therefore satisfies this section of the Act.

11.0 Section 4.15(1)(e) THE PUBLIC INTEREST - CONCLUSION

It is proposed to undertake minor demolition to the existing dwelling and construction of a minor external lift addition to the existing dwelling on site.

The proposed development has been designed to relate well to its site, adjoining sites, in terms of appearance, envelope, setbacks, bulk and scale and which relates well to the streetscape presentation.

The proposed development will be in the public interest, as it will provide improve the amenity of the property and provide for further housing choice in the area without adverse visual impact to streetscape.

The proposal is generally compliant with all relevant LEP and DCP objectives, or where non compliances are identified the development is, in our opinion, acceptable in the circumstances as per the reasons set out in this statement and would have no adverse impact to any adjoining properties and the locality.

The application therefore satisfies this section of the Act. In summary, the proposal is considered to:

- *be an appropriate response to the context, setting, planning instruments and development guidelines and other considerations outlined in Section 4.15(1) of the Environmental Planning and Assessment Act, 1979;*
- *provide a built form of high architectural standard and consistent with the desired future character of the site;*
- *Provide a high quality of amenity for residents by providing access to all floors for residents of the dwelling with mobility issues.*
- *have no adverse impacts on the environment, traffic, parking, drainage or other external features or services.*

The benefits provided by the proposed development outweigh any potential impacts and is it is therefore considered to be in the public interest. The proposal will deliver a suitable and appropriate development and is worthy of approval.