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**Proposed demolition of existing
dwelling and associated structures and
the construction of a new dwelling;
single carport and swimming pool at
No. 19 Jacaranda Avenue, Patonga**

Statement of Environmental Effects

July 2026

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1 EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared for the owners of No. 19 Jacaranda Avenue, Patonga by AK Planning to accompany a Development Application (DA) to Central Coast Council. The proposed development is located at **No. 19 Jacaranda Avenue Patonga** and has a legal description of **Lot 66 in DP9408**. The site has a site area of **546.3sqm** and is zoned **R2 Low Density Residential** under Central Coast Local Environmental Plan 2022 (CCLEP 2022).

The Development Application seeks consent for the demolition of the existing dwelling and associated structures and the construction of a new single storey dwelling; carport and swimming pool. A detailed description is provided under **Section 3**.

This SEE is submitted in accordance with Clause 24(1) of the Environmental Planning and Assessment Regulation 2021. The purpose of this Statement of Environmental Effects is to provide a description and general information about the site and the proposed development. Furthermore, this Statement of Environmental Effects provides the following information:-

- Description of the site, surrounding development and the wider locality;
- Description of the proposed development;
- Assessment of the proposed development in accordance with all statutory controls and Council's Development Control Plan (DCP);
- assess the degree of compliance; and
- examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15 of the Environmental Planning and Assessment Act, 1979.

The Statement of Environmental Effects concludes that the proposed development is of an appropriate scale and will not result in any unreasonable adverse impacts on the amenity of adjoining properties, including through view loss, overshadowing, overlooking, or flooding. Accordingly, the proposal represents a suitable and appropriate form of development within the Central Coast LGA and is considered worthy of Council's approval.

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2 THE SITE AND CONTEXT

The site is located at No. 19 Jacaranda Avenue, Patonga and has a legal description of **Lot 66 in DP9408**. The site has an area of **546.3sqm** with a street boundary dimension of 12.8m. The site is located on the south-western side of Jacaranda Avenue and has a rectangular shape (refer to **Figure 1**). Currently the site contains a single storey dwelling with detached garage in the rear yard.

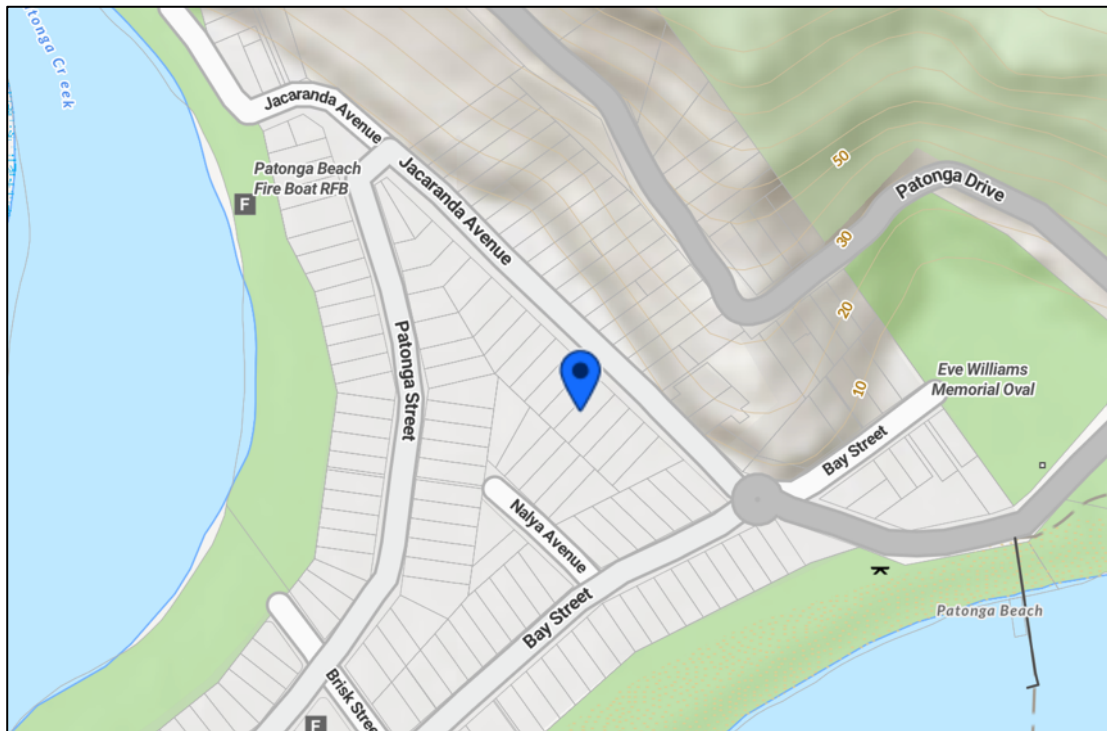


Figure 1 – Site location plan

Source: SDT Explorer

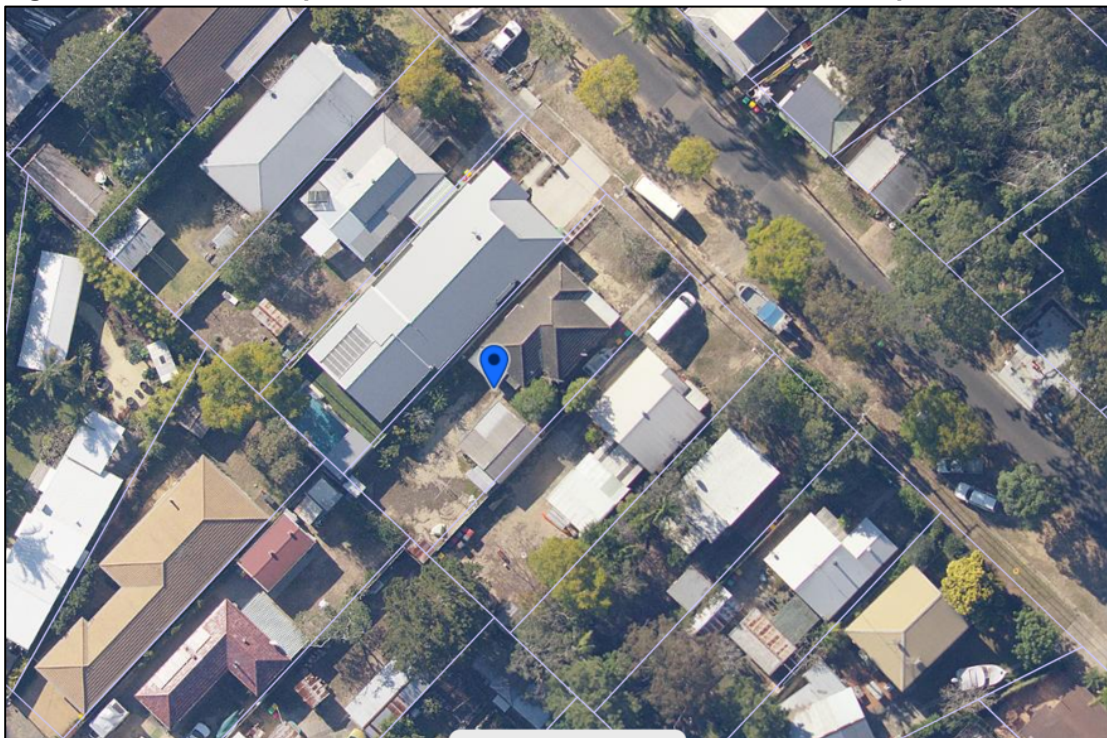


Figure 2: Aerial View of site

Source: SDT Explorer

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Photo 1: View of site from Jacaranda Avenue



Photo 3: View of existing front façade



Photo 4: View of existing rear façade

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2.1 Surrounding Development

The locality is characterised by low density residential developments. Immediately adjoining the subject site to the east is No. 17 Jacaranda Avenue a single storey dwelling with detached garage in the rear yard - see **Photo 4**. To the west the site adjoins No. 21 Jacaranda Avenue being a single storey dwelling with double garage fronting Jacaranda Avenue and swimming pool in the rear yard - see **Photo 5**. The rear/southern boundary adjoins No. 8 Nalya Avenue a single storey dwelling with double garage fronting Nalya Avenue – see **Photo 6**.



Photo 4: View of No 17 Jacaranda Avenue



Photo 5: View of No. 21 Jacaranda Avenue



Photo 6: No 8 Nalya Avenue

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3 DESCRIPTION OF THE DEVELOPMENT

3.1 General description

The proposed application seeks development consent for the demolition of the existing dwelling and associated structures and the construction of a new single storey dwelling; carport and swimming pool in the rear yard.

In summary the proposed works include:-

Ground Floor (RL3.10)

- Entry foyer
- Mud room
- 3 x bedrooms
- Master bedroom with WIR and Ensuite
- Family bathroom and separate shower and WC
- Laundry
- Dining; living and kitchen
- Rear deck
- attached single carport and outdoor shower

Other

- Swimming pool with dimensions of 5.6m x 2.8m
- Cabana
- Retain and make good existing front fence with new pedestrian gate and mailbox
- Associated landscaping
- Removal of 1 Tree

3.2 Demolition

The proposal includes the demolition as demonstrated on the architectural plans. All demolition works will be undertaken in accordance with AS 2601 - 1991: The Demolition of Structures.

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4 STATUTORY PLANNING CONSIDERATIONS

4.1 Environmental Planning and Assessment Act 1979

The Act is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the relevant objectives of the Act in relation to the proposed development 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 promote the supply, delivery and maintenance of housing, including affordable housing,*
- (c) to promote productivity through the development and management of the State and its resources,*
- (d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,*
- (e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,*
- (f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,*
- (g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,*
- (h) to provide opportunities for participation in environmental planning and assessment,*
- (i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (j) to promote a proportionate and risk-based approach to environmental planning and assessment,*
- (k) to promote the orderly and economic use and development of land.*

The proposal is consistent with the objects of the Act as:-

- The proposal will result in the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to enable the proposed development;
- Good design outcome consistent with the surrounding built form;
- Appropriate utility services are available; and
- There will be no unreasonable adverse amenity impacts on the environment.

The relevant matters for consideration under Part 4 Section 4.15 of the Environmental Planning and Assessment Act, 1979, have been addressed in table 2 below:

Table 1: Part 4 Section 4.15 consideration

“MATTERS FOR CONSIDERATION”	COMMENTS
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	The subject development is lodged pursuant to CCLEP 2022 and is located within the Central Coast LGA. See discussions under Section 4.3 of this report.

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“MATTERS FOR CONSIDERATION”	COMMENTS
Section 4.15 (1) (a)(ii) – Provisions of any proposed/draft instrument	N/A
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	See discussion on Development Control Plans at Section 5.1 within this report below. The amendments to the Environmental Planning and Assessment Act 1979 clarified the purpose, status and content of development control plans (DCPs), and how they are to be considered during the development assessment process. The Amendment Act makes it clear that the principal purpose of a DCP is to provide guidance to a consent authority on land to which the DCP applies. The Amendment Act reinforces that the provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Furthermore, it should be noted that the weight a consent authority gives to a DCP in assessing a development application will depend on a number of factors, including whether the DCP provides a sensible planning outcome. The Amendment Act confirms that if a development application does not comply with provisions in a DCP, a consent authority must be flexible in the way it applies the controls and also allow for reasonable alternative solutions to achieve the objectives of those standards.
Section 4.15 (1) (a) (iiia) - Any planning agreement that has been entered into under Section 7.4	None applicable to this proposal.
Section 4.15 (1) (a)(iv) – Provisions of the regulations	All demolition work will be undertaken in accordance with Clause 61 of the EPA Regulations 2021 requiring the consent authority to consider AS 2601 - 1991: <i>The Demolition of Structures</i>. Clause 62 of the EPA Regulation 2021 requires a certifying authority to have regard to fire safety measures. This matter can be addressed by introducing smoke alarms as a condition of consent prior to the issue of a construction certificate. All building work will be carried out in accordance with Clause 69 of the EPA Regulations 2021 which requires the consent authority to consider the provisions of the Building Code of Australia. A condition of a development consent for building work to be carried out in accordance with the requirements of the <i>Building Code of Australia</i> is appropriate.
Section 4.15 (1) (a)(v) – Provisions of any coastal zone management plan	None

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"MATTERS FOR CONSIDERATION"	COMMENTS
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	Public Domain The proposal will not impact on existing and future opportunities for public recreation or use of public open spaces within the locality. There is no public access across the site. Utilities and Services Existing utility services will adequately service the proposal. Other land resources The proposal will not impact on other land resources such as productive agricultural land, mineral and extractive resources or water supply catchments. Water Management The proposed development will not impact on conservation of water resources. Existing utility services will adequately service the development. Waste It is considered that normal domestic waste collection would apply to this development. Noise There will be no change to the level of noise. Natural hazards The site is located within bushfire prone land. A planning for bushfire report accompanies the application. The site is also flood affected and the design allows for an appropriate freeboard of 500mm above the FPL at RL3.1. Refer to Sections 4.2 & 5.1 below for detail. Construction Construction works will be required as a consequence of the proposed development. Appropriate conditions of consent may be incorporated should the application be considered worthy of approval which ensures the management of the site during construction works as well as the site safety for both the general public and anyone working on the subject site. Environmental Impact The environmental impacts of the proposed development on the natural and built environment, are addressed in detail within the Central Coast DCP section at Section 5.1. Social Impact The proposed dwelling will not have a detrimental social impact in the locality considering the consistency in built form character of the proposal to the existing urban environment. Economic Impact

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"MATTERS FOR CONSIDERATION"	COMMENTS
	The proposal will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use (being retained as low-density residential).
Section 4.15 (1) (c) – the suitability of the site for the development	Location – there are no prohibitive constraints on the site. The site is considered to be suitably located with regard to public transport and utility services. Physical - The proposal is compatible with conserving the existing development form in the area. Natural – The subject site is located within the Council Flood Prone land and is also it is bushfire prone. Refer to the Bushfire report. The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the Act or Regs	It envisages that any resident concerns raised can be addressed where relevant.
Section 4.15 (1) (e) – 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 <i>"Whether the public advantages of the proposed development outweigh the public disadvantages of the proposed development"</i>. There are no unreasonable impacts that will result from the proposed development; therefore, the benefits outweigh any disadvantage and as such the proposed development will have an overall public benefit.

4.2 Rural Fires Act 1997 NSW (Rural Fires Act)

The subject site is located within bushfire prone land (see **Figure 3**), and the application is accompanied by a Planning for Bushfire Report.

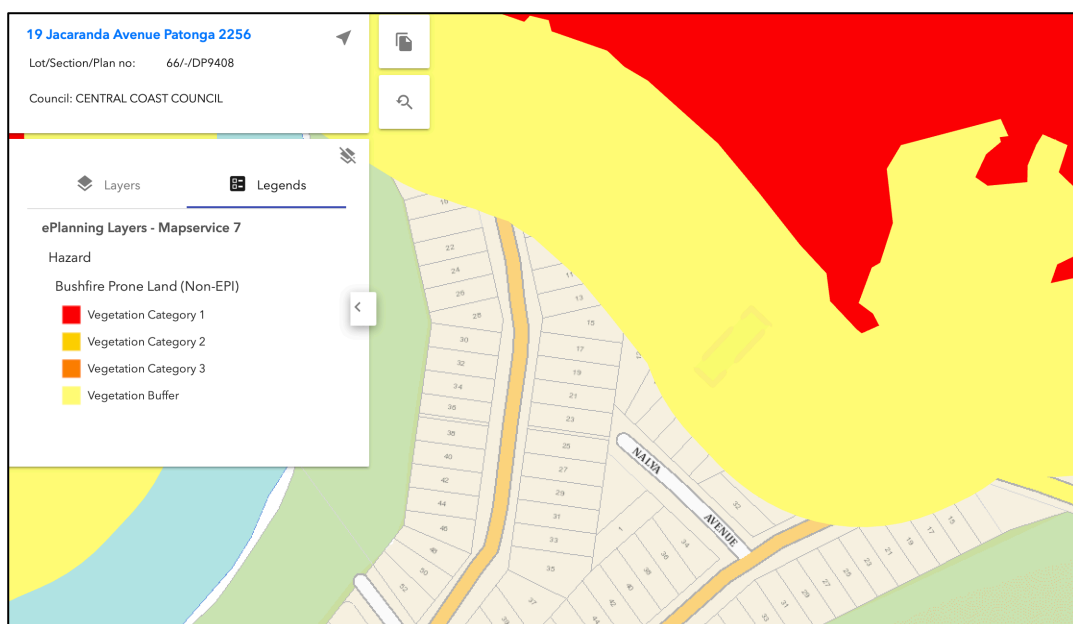


Figure 3: Bushfire Prone Land Map

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The bushfire report notes a BAL rating of BAL19m across the site, and concludes as follows:-

“Based on the above report and with the implementation of the recommendation contained within this report the consent authority should determine that this development can comply with the requirements of AS 3959-2018 and ‘Planning for Bushfire Protection’ guidelines”.

4.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

This Chapter applies to land within the coastal zone. Section 5 of the *Coastal Management Act 2016* provides that the **coastal zone** means the area of land comprised of the following coastal management areas:-

- (a) the coastal wetlands and littoral rainforests area,
- (b) the coastal vulnerability area,
- (c) the coastal environment area,
- (d) the coastal use area.

The subject site is located within the coastal environment area as well as the coastal use area (see **Figures 4 & 5**).

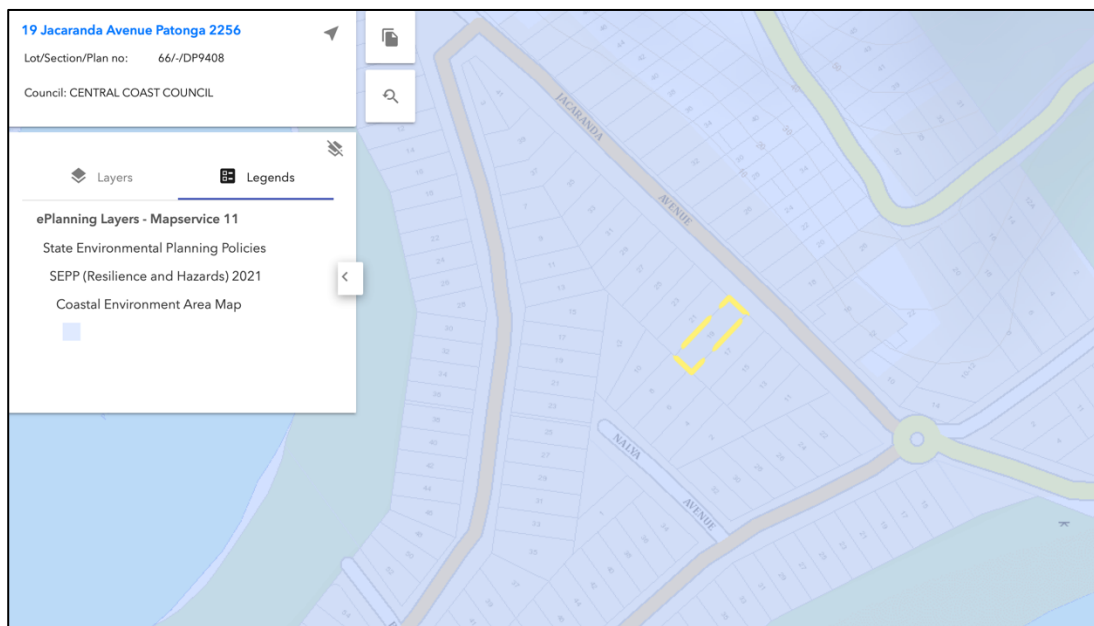


Figure 4: Coastal Environment Area Map

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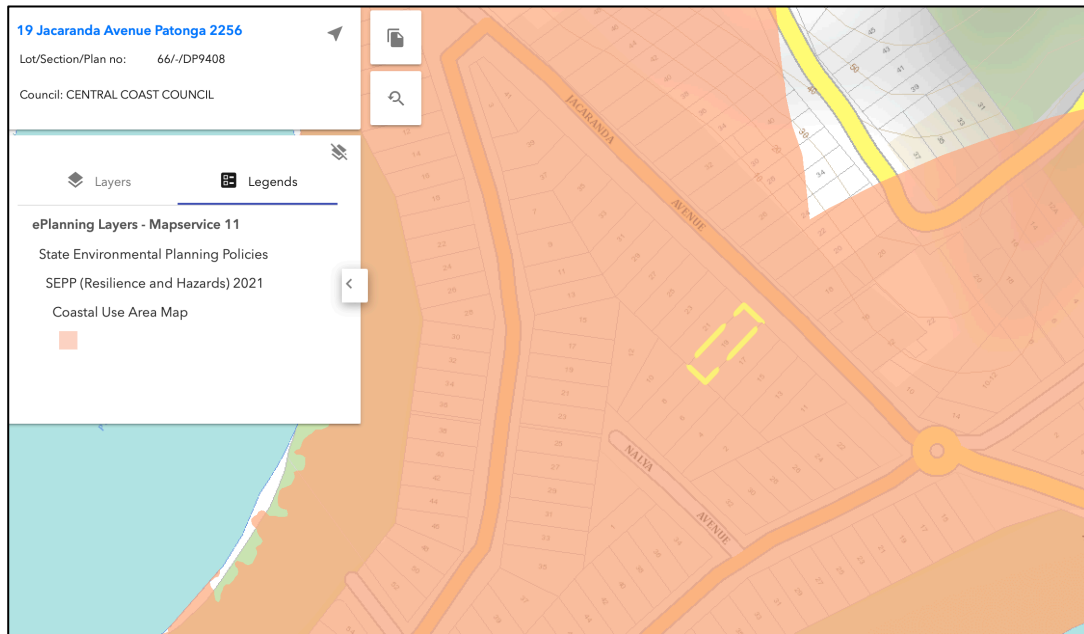


Figure 5: Coastal Use Area Map

The table below sets out the consistency of the proposed development with the development controls for coastal management areas.

Clause	Comment	Comply
2.10 Development on land within the coastal environment area		
(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:- a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment, b) coastal environmental values and natural coastal processes c) the water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i>), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1, d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms, e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, f) Aboriginal cultural heritage, practices and places, g) the use of the surf zone.	The proposed development is not expected to result in any adverse impacts on the biophysical, hydrological (surface or groundwater) or ecological environment. The site is located approximately 185m from Patong Beach and Brisk Bay, and approximately 187m from Patong Creek. Given this separation, the development will not impact coastal processes, water quality within the marine estate, or any marine vegetation, native vegetation, fauna or associated habitats. The proposal does not affect any identified coastal environmental values, undeveloped headlands or rock platforms, nor does it interfere with the use of the surf zone. There is no public access to or through the site to the foreshore, and the development will not impede existing public open space or access arrangements. No Aboriginal cultural heritage items, practices or places have been identified on the site, and the proposal will not give rise to any impacts in this regard. Accordingly, the proposed development satisfies the relevant considerations for land within the coastal environment area.	Yes
(2) Development consent must not be granted to development on land to which this section		Yes

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applies unless the consent authority is satisfied that— a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or c) if that impact cannot be minimized, the development will be managed to mitigate that impact	The accompanying documentation demonstrates that the proposed development has been appropriately designed, sited and will be managed to avoid any adverse impacts of the kind identified in subsection (1). As such, the requirements of clause 2(a) are satisfied and it is not necessary to rely on the minimisation or mitigation measures outlined in clauses 2(b) and 2(c).	
2.11 Development on land within the coastal use area		
(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority— (a) has considered whether the proposed development is likely to cause an adverse impact on the following;— (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores, (iii) the visual amenity and scenic qualities of the coast, including coastal headlands, (iv) Aboriginal cultural heritage, practices and places, (v) cultural and built environment heritage, and (b) is satisfied that:— (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.	The proposed development will not adversely impact existing public access to or along the foreshore, beach, headland or rock platform, noting there is no public access through the site. The proposed development will not give rise to overshadowing, wind funnelling or any loss of views to the foreshore from public places. Given the separation of approximately 185m from the coastline, the development will not adversely impact the visual amenity or scenic quality of the coastal environment. No Aboriginal cultural heritage, practices or places, or items of built heritage, are identified on the site, and no impacts are anticipated. The proposal has been designed and sited to avoid adverse impacts identified in clause 2.11(1)(a). Accordingly, the requirements of clause (b)(i) are satisfied, and reliance on minimisation or mitigation measures is not required. The development is consistent with the surrounding coastal and built environment and maintains a bulk, scale and size compatible with existing development in the locality.	Yes

Division 5 General

Pursuant to Clause 2.12 the nature of the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Pursuant to Clause 2.13 the subject site is not located on land to which any coastal management program applies.

Chapter 4 – Remediation of Land

Chapter 4 of this SEPP comprises the former SEPP 55 – Remediation of Land and requires a consent authority must not grant consent to a development if it has considered whether a site is

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contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

The subject site has previously been used for residential (dwelling house) purposes and as such is unlikely to contain any contamination; therefore, the requirements of Chapter 4 of the SEPP (Resilience and Hazards) have been satisfactorily addressed. Council can be reasonably satisfied that there is no contamination risk, subject to the imposition of suitable conditions relating to demolition.

4.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

Under Chapter 2 of this SEPP, which comprises the former SEPP (Vegetation in Non-Rural Areas) 2017, the proposed development meets the aims and objectives of the SEPP because the application does not involve clearance of existing native vegetation and would have no materials impacts on vegetation in the vicinity of the subject site.

Part 2.3 of the SEPP allows DCP to make a declaration in any manner relating to species, size, location, and presence of vegetation. The proposed application seeks to remove one (1) tree – T5 being a Port Wine Magnolia. An arborist report accompanies the application.

Chapter 6 Water Catchment

Part 6.2 Development in regulated catchments

Division 2 of Part 6.2 requires that the consent authority consider the following controls on development generally:-

Clause	Comment	Comply
6.6 Water quality and quantity	The proposed development will not adversely impact water quality entering any waterway and is expected to maintain a neutral to beneficial effect through the implementation of standard erosion and sediment control measures during construction and appropriate stormwater management in operation. The development will not alter natural water flow patterns within any waterbody, nor will it result in any significant increase in stormwater runoff from the site. Stormwater will be managed through an appropriate on-site drainage system designed in accordance with relevant Council and industry standards. The proposal incorporates on-site stormwater management measures, including controlled collection and discharge, with opportunities for detention and reuse where practicable, to manage runoff effectively. The development will not adversely affect groundwater levels or quality, and no impacts on the water table are anticipated. The cumulative impacts on the regulated catchment are considered negligible given the scale and nature of the development. Appropriate measures have been incorporated to protect both the quality and quantity of groundwater, ensuring compliance with best practice water management principles.	Yes
6.7 Aquatic ecology	The proposed development is located on a site that is approximately 185m from the foreshore and associated natural waterbodies, providing	Yes

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	a substantial separation that significantly limits any potential ecological interaction. The development will not result in any direct, indirect or cumulative adverse impacts on terrestrial, aquatic or migratory species or vegetation. No riparian vegetation is present on the site, and no clearing of such vegetation is proposed. Accordingly, no approvals or permits under the Water Management Act 2000 or Fisheries Management Act 1994 are required. Given the separation distance and the nature of the works, the proposal will not contribute to erosion or sedimentation of any natural waterbody, nor will it impact wetlands, aquatic reserves or aquatic ecology. Standard erosion and sediment control measures will be implemented during construction to ensure any potential impacts are minimised.	
6.8 Flooding	The site is located on flood liable land; however, the proposed development has been designed to ensure it will not adversely impact periodic flooding processes that benefit wetlands or riverine ecosystems. The development will not result in the release of pollutants during flood events that could adversely affect water quality in any natural waterbody. Appropriate stormwater and erosion/sediment control measures will be implemented to manage potential water quality risks during both construction and operation. The proposal will not interfere with the natural recession of floodwaters into wetlands or other riverine ecosystems, nor will it obstruct floodplain function or connectivity. Given the siting and design of the development, including the separation from natural waterbodies, no adverse impacts on flood-related ecological processes are anticipated.	Yes
6.9 Recreation and public access	The proposed development will not adversely impact recreational land uses within the regulated catchment. The site is not used for public recreation and is located approximately 185m from the nearest natural waterbody, ensuring no interaction with recreational activities such as fishing, swimming or boating. The development will not affect existing or potential public access to or around foreshores, nor will it create or alter any access points to natural waterbodies. No foreshore land is affected, and existing access arrangements in the broader locality will remain unchanged	Yes
6.10 Total Catchment Management	Consultation requirements are acknowledged. The development is largely contained within the Central Coast Local Government Area and is not expected to result in adverse environmental impacts extending to adjacent or downstream local government areas. Accordingly, no cross-boundary impacts are anticipated beyond the Central Coast LGA.	Yes

Division 3 Controls on development in specific areas

6.12 Riverine Scenic Areas

The subject site is located within the Hawkesbury-Nepean Riverine Scenic Area – see **Figure 6**.

The proposed development will not result in damage to river banks, as the site is located approximately 185m from the nearest natural waterbody and is fully separated from any riparian interface. The development is adequately setback from natural waterbodies and will not encroach upon the Hawkesbury-Nepean catchment waterways.

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Figure 6: Hawkesbury-Nepean Riverine Scenic Area

The visibility of the development from surrounding natural waterbodies and the broader visual catchment is limited due to the separation distance and intervening development and vegetation. As such, the proposal will not materially alter the scenic character of the Riverine Scenic Area and is consistent with its established residential context.

The development does not reduce or restrict public recreational or visual access to natural waterbodies. The form, siting, materials and landscaping have been selected to complement the surrounding built form, with retention of existing vegetation where practicable and a low-scale residential character consistent with the locality.

Overall, the impact on scenic quality is minimal and appropriately mitigated through siting, scale and design, ensuring consistency with the scenic values of the Riverine Scenic Area.

6.13 Hawkesbury-Nepean conservation area sub-catchments

The subject site is located within the Hawkesbury-Nepean sub-catchment – see **Figure 7**.

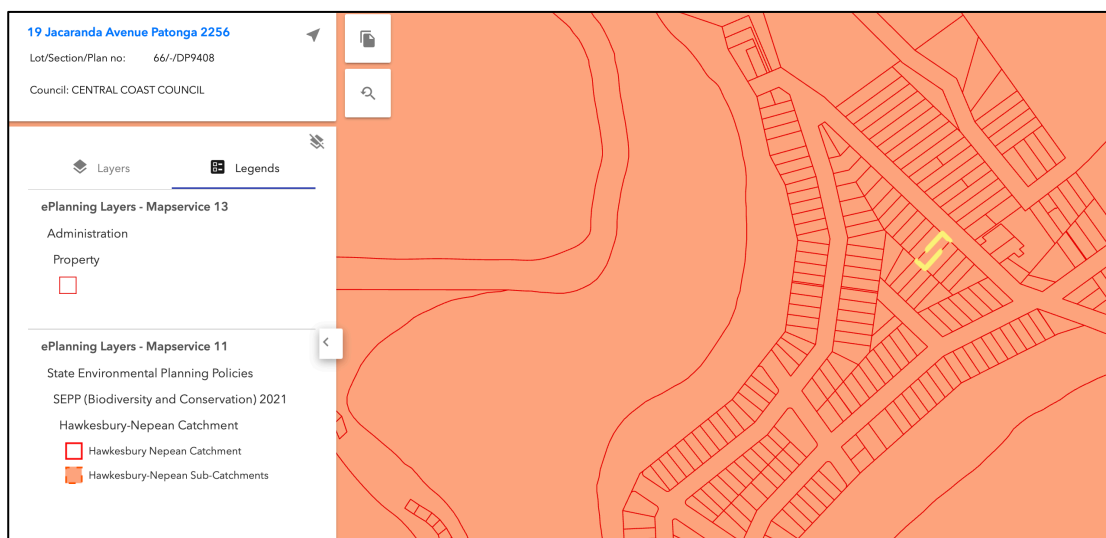


Figure 7: Hawkesbury-Nepean sub-catchment

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The proposed development will not result in significant human interference with the condition of the Hawkesbury-Nepean conservation area sub-catchment, given the site is already modified and supports an established residential use.

The development will not adversely impact native vegetation structure or floristics within the sub-catchment, as no significant vegetation communities are affected and vegetation impacts are limited to a highly modified residential setting.

The proposal maintains the existing scenic quality of the locality through a low-scale residential form consistent with surrounding development and will not detract from the visual character of the area.

The site has previously been developed for residential purposes, and the proposal represents an intensification/renewal of existing development rather than development on a greenfield or undisturbed site.

Part 6.3 Foreshores and Waterways Area

Section 6.28 applies to all development in the Foreshores and Waterways area. The site is not located within the mapped Foreshores and Waterways Area nor is it zoned under the instrument. As such this part does not apply.

4.5 State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 Standards for residential development BASIX

The proposal includes the construction of a new dwelling and is therefore accompanied by a BASIX Certificate, which details the required energy efficiency commitments for the development. The relevant BASIX commitments have been incorporated into the submitted architectural plans. A NatHERS Certificate has also been provided, demonstrating that the proposed dwelling achieves a 7-star energy rating.

4.6 Central Coast Local Environmental Plan 2022

The subject site is located within the Central Coast Local Government Area (LGA) and is subject to the provisions within the Central Coast Local Environment Plan (CCLEP) 2022.

Permissibility and Zoning

The site is zoned as **R2 Low Density Residential** under the CCLEP 2022 – see **Figure 8** below.

Pursuant to the land use table “*dwelling houses*” (and associated structures) are permissible within the R2 zone.

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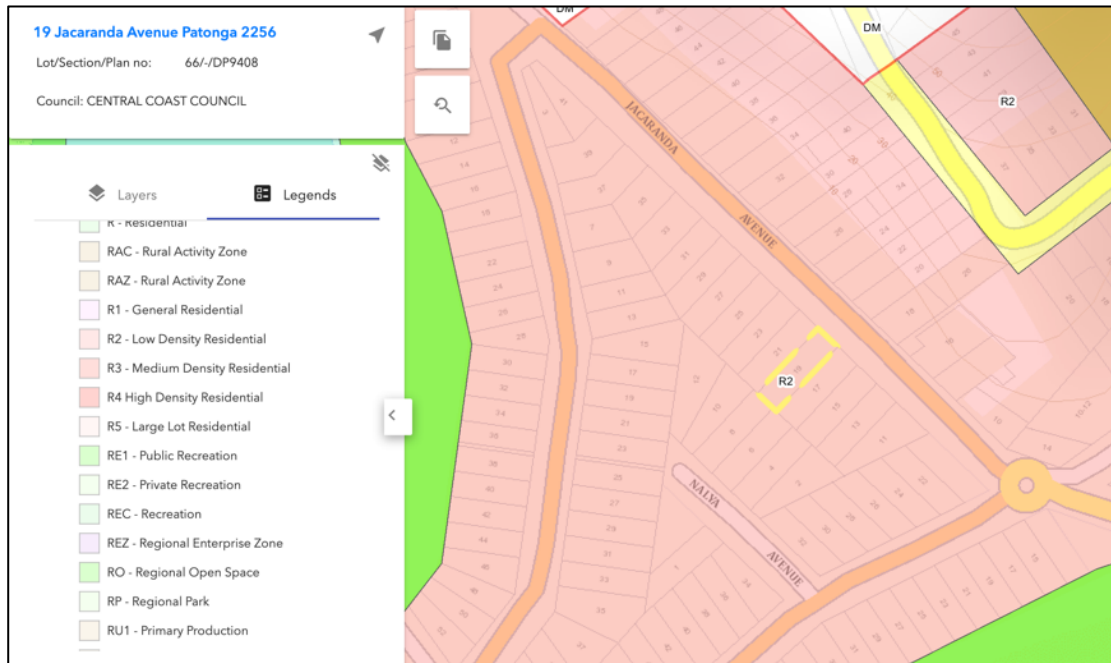


Figure 8: Zoning R2 Low Density Residential

Below follows the R2 zone objectives: -

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.*
- *To encourage best practice in the design of low density residential development.*
- *To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.*
- *To maintain and enhance the residential amenity and character of the surrounding area.*

The proposed development is consistent with the zone objectives for the following reasons: -

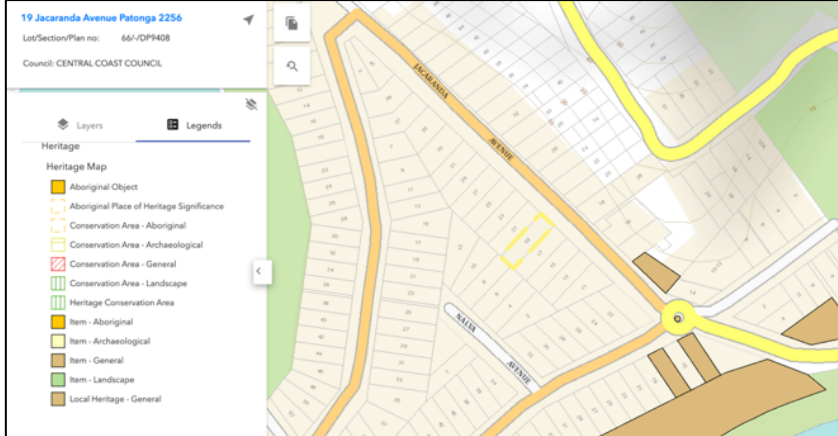
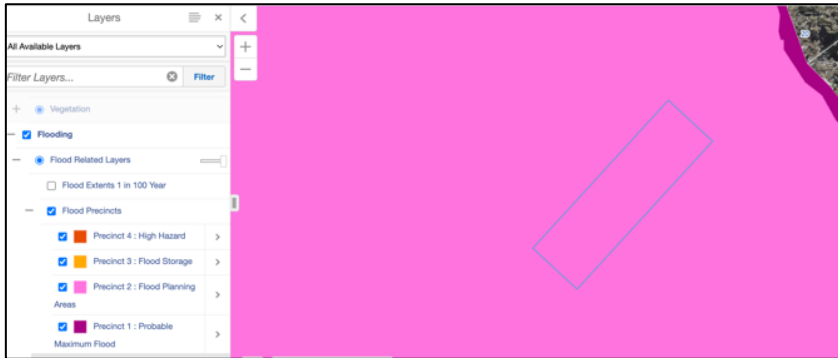
- The proposed development provides additional housing consistent with the low density residential character of the zone and contributes to meeting the housing needs of the community.
- The design reflects a form and scale compatible with surrounding dwellings.
- The proposal does not introduce non-residential uses and will not adversely affect residential amenity or place unreasonable demand on services.
- The development maintains and enhances the existing residential amenity and character of the surrounding area.

Development Controls:

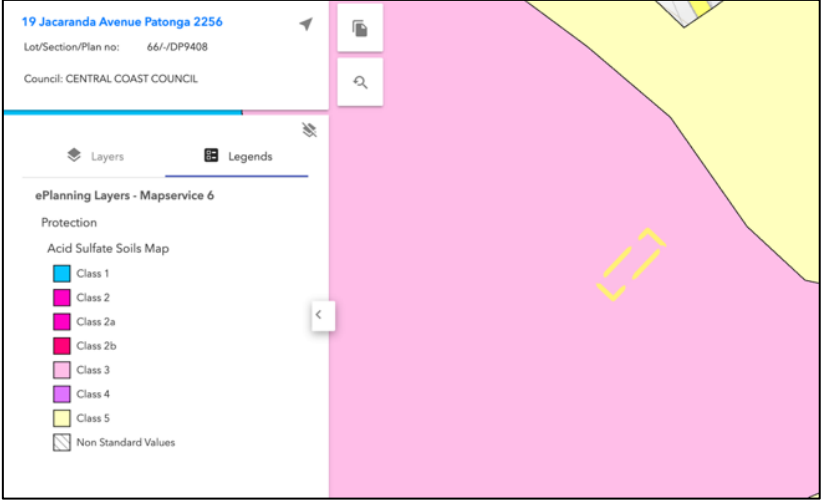
Below follows an extract of the key development controls under the CCLEP 2022, which guide any development on the subject site:

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Table 2: Compliance with CCLEP 2022

CLAUSE	CONTROL	COMPLY
Clause 4.3: Height of Buildings 8.5m	Proposed = 5.74m	Yes
Clause 4.4 FSR.	None specified on the FSR maps	N/A
Clause 5.10: Heritage Conservation	The subject site is not heritage listed nor is it located within a Heritage Conservation Area. The site is however in proximity to heritage items. – see Figure 9.  Figure 9: Heritage Map The subject site is located within the vicinity of a heritage item; however, it is sufficiently separated such that the proposed development will not adversely impact on the heritage significance of the item. The scale, form and siting of the development will not affect key views, settings or curtilage, and the heritage values of the item will be preserved.	Yes
Clause 5.21 Flood Planning	The site is located within precinct 2 of the flood planning area map – see Figure 10.  Figure 10: Flood Planning Area – Precinct 2 The proposed development has been designed with regard to the applicable flood planning level. A Flood Information Certificate obtained from Council identifies a 1% AEP flood level of RL 2.56m AHD and a minimum habitable floor level of RL 3.05m AHD. While the pre-DA meeting notes indicate that Council considers a minimum floor level of RL 2.70m AHD acceptable, the proposed development adopts a habitable floor level of RL 3.05m AHD, providing a 500mm freeboard above the flood planning level.	Yes

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	The development is compatible with the flood function and behaviour of the land and will not alter existing flood characteristics or result in any increase in flood impacts on surrounding properties. The proposal will not adversely affect safe occupation of the site or evacuation in a flood event, nor will it place additional demand on existing evacuation routes. Appropriate design measures have been incorporated to manage risk to life during a flood event. The development will not result in adverse environmental impacts, including erosion, siltation, or impacts on riparian vegetation or watercourse stability.	
Clause 6.1 Acid Sulfate Soils	The site is located within Class 3 soils – see Figure 11.  Figure 11: Acid Sulfate Soils Map A preliminary acid sulfate soil assessment has been carried out - refer to Geo-Tech which concludes as follows:- <i>“Based on the subsurface soil conditions encountered beneath the site, field screening results and laboratory analytical results, GEE considers that the natural soil profile in the vicinity of the proposed pool does not contain significant AASS or PASS to the investigated depth. Consequently, GEE considers that an acid sulfate soil management plan is not warranted”.</i>	Yes
Clause 6.2: Earthworks	Earthworks are proposed to facilitate the new pool and foundations. The works will not: - Result in any disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, - Result in adverse effect on the amenity of adjoining properties, - Result in the of disturbing relics, - Result in adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	Yes

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5 NON-STATUTORY CONSIDERATION

5.1 Central Coast Development Control Plan

The application has been assessed against the Central Coast DCP as detailed in the table below:

Table 3: Consistency with DCP

CLAUSE	CONTROL		COMPLY																					
Chapter 2.1 Dwelling Houses, Secondary dwellings and ancillary development																								
2.1.2 Building Scale																								
2.1.2.1 Building height	Single storey dwelling = 5.74m Outbuilding / cabana = 3.24m Carport = 2.2- 3.8m		Yes																					
2.1.2.2 Site Coverage	<table><tr><th>Required</th><th>Proposed</th></tr><tr><td>Lot area of at least 450sqm but less than 900sqm = 50% of the site area = 273.15sqm</td><td>188.36sqm or 34.5%</td></tr></table>		Required	Proposed	Lot area of at least 450sqm but less than 900sqm = 50% of the site area = 273.15sqm	188.36sqm or 34.5%	Yes																	
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2.1.2.3 FSR As per the CCLEP	See clause 4.4 above.		Yes																					
2.1.3 Setbacks	Front: <table><tr><th>Required</th><th>Proposed</th></tr><tr><td>Dwelling average distance of the setbacks of the nearest 2 dwelling = 7.15m</td><td>8.55m</td></tr><tr><td>Garages and carports min 1m behind front boundary setback</td><td>1m behind front boundary setback</td></tr></table> Rear <table><tr><th>Required</th><th>Proposed</th></tr><tr><td>For single storey development = 0.9m for a maximum width 50% of the length of the rear boundary and</td><td rowspan="3">Dwelling = 11.7m Deck = 9.2m Pool = 1.5m to coping</td></tr><tr><td>For any part of the building with a height of up to 4.5m = 3m</td></tr><tr><td>For any part of the building with a height greater than 4.5m = 6m</td></tr></table> Side <table><tr><th colspan="2">Required</th><th>Proposed</th></tr><tr><th>Lot</th><th>setback</th><th></th></tr><tr><td>c(i) Greater than 12.5m wide at building line</td><td>any part of the building with a height of up to 4.5m = 0.9m, and for any part of the building with a height of more than 4.5m = 0.9m plus one-quarter of the height of the building above 4.5m</td><td>Carport posts = 500mm Dwelling: Northern boundary = 0.9m Southern boundary = 0.9m Pool Northern boundary = 8.1m Southern boundary = 1.25m</td></tr></table>		Required	Proposed	Dwelling average distance of the setbacks of the nearest 2 dwelling = 7.15m	8.55m	Garages and carports min 1m behind front boundary setback	1m behind front boundary setback	Required	Proposed	For single storey development = 0.9m for a maximum width 50% of the length of the rear boundary and	Dwelling = 11.7m Deck = 9.2m Pool = 1.5m to coping	For any part of the building with a height of up to 4.5m = 3m	For any part of the building with a height greater than 4.5m = 6m	Required		Proposed	Lot	setback		c(i) Greater than 12.5m wide at building line	any part of the building with a height of up to 4.5m = 0.9m, and for any part of the building with a height of more than 4.5m = 0.9m plus one-quarter of the height of the building above 4.5m	Carport posts = 500mm Dwelling: Northern boundary = 0.9m Southern boundary = 0.9m Pool Northern boundary = 8.1m Southern boundary = 1.25m	On merit
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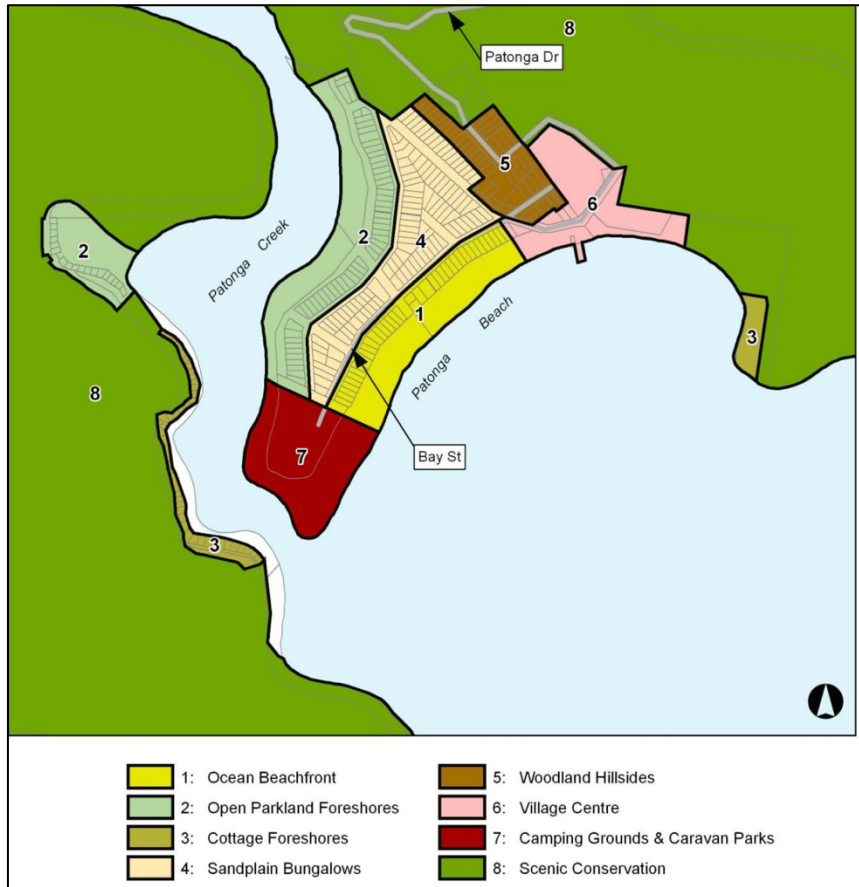
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	Outbuildings rear and side setbacks <table><tr><th>Required</th><th>Proposed Cabana</th></tr><tr><td>for any part of the building with a height of up to 3.8m = 0.5m</td><td>Cabana height = 3.24m Rear setback = 900mm Side setback = 4.4m & 5.3m</td></tr></table> Carport non-compliance discussion Notwithstanding the numerical non-compliance the carport still achieves the objectives of the control in that:- • it does not result in any unreasonable visual bulk or dominance when viewed from adjoining properties; • it maintains adequate separation to ensure there is no adverse impact on the privacy, amenity or outlook of adjoining dwellings; • it does not impede access, maintenance or drainage along the boundary; and • it maintains the established streetscape and built form pattern within the locality. Accordingly, the reduced setback is considered acceptable as it achieves the intent of the control despite the numerical non-compliance.	Required	Proposed Cabana	for any part of the building with a height of up to 3.8m = 0.5m	Cabana height = 3.24m Rear setback = 900mm Side setback = 4.4m & 5.3m	
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for any part of the building with a height of up to 3.8m = 0.5m	Cabana height = 3.24m Rear setback = 900mm Side setback = 4.4m & 5.3m					
Articulation Zones	(12.8m wide block x 1.5m) x 25% = 4.8sqm Proposed porch and steps within articulation zone = 4.35sqm	Yes				
2.1.4 Residential Amenity						
2.1.4.1 Views	The proposed development is single storey and has been sited and designed to enable a sharing of any views.	Yes				
2.1.4.2 Visual privacy	The finished floor level is set 500mm above the Flood Planning Level, resulting in a finished floor level of RL 3.05, which is approximately 600mm above existing ground level. Northern elevation The larger window opening serves a bathroom and will incorporate obscure glazing to prevent overlooking. The kitchen window is a low-sill/bench-height window, providing limited opportunity for direct overlooking. Southern elevation The bedroom and dining room windows do not align with habitable room windows on the adjoining property. Outlook is directed towards the rear yard of No. 17, primarily towards an existing garage structure rather than principal private open space. Additional landscaping is proposed to further screen and soften any potential overlooking. The dining room window is setback approximately 3.8m from the common boundary. This separation distance, in combination with landscaping, effectively minimises visual impact and overlooking. Overall, the proposed design incorporates a combination of separation distances, window placement, screening measures and landscaping to minimise overlooking and visual impact.	Yes				
2.1.4.3 Private Open Space	An area in excess of 80sqm of principal private open space is provided directly accessible from the living room with minimum dimensions of 3m.	Yes				
2.1.4.4 Sunlight access	The proposed development is limited to a single-storey form with a maximum building height of 5.5m. While additional overshadowing will occur across the subject site and to the southern adjoining property (No. 17 Jacaranda Street), the extent of this impact is minimal having regard to the low scale and height of the proposal.	Yes				

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	The development complies with the applicable building height and building envelope setback controls, ensuring that bulk and scale are appropriately managed. Accordingly, it is considered that the proposal will maintain a minimum of 3 hours of sunlight access between 9am and 3pm on 21 June to at least 50% of the principal private open space of adjoining properties.					
2.1.5 Car Parking and Access	<table><tr><th>Required (min)</th><th>Proposed</th></tr><tr><td>1 space if dwelling has 3 or less bedrooms.</td><td>1 space</td></tr></table> A single carparking space is proposed within a new carport located 1m behind the primary road / front setback. The car parking space measures 2.4mm wide and 5.4m long. A driveway width of 3m is proposed and have been designed in accordance with the relevant Australian Standard and provisions of Council's Civil Works Specifications.	Required (min)	Proposed	1 space if dwelling has 3 or less bedrooms.	1 space	Yes
Required (min)	Proposed					
1 space if dwelling has 3 or less bedrooms.	1 space					
2.1.6 Earthworks, Structural Support and Drainage	2.1.6.1 Earthwork No excavation or fill is proposed to accommodate the new dwelling. Excavation is limited to the new swimming pool being located 1.5m from the boundary 2.1.6.3 Drainage A stormwater drainage plan accompanies the application. Roof water is collected with new downpipes into new 7000l rainwater tanks with overflow directed by a gravity fed system to the existing public drainage system within Jacaranda Avenue.	Yes				
2.1.7.1 Outbuildings	The proposed outbuilding / pool cabana is not proposed to be used as a habitable building. Maximum Floor Area 7.02sqm	Yes				
2.1.7.3 Swimming Pools	Proposed swimming pool is located behind the primary road setback in the rear yard. Rear setback = 1.9m to coping Side setback = min. 1.25m Pool equipment is located 900mm off the common boundaries located in an enclosure that is sound proofed.	Yes				
Chapter 2.13 Transport And Parking						
2.13.3.2 Car Parking requirements	Required 3 or fewer bed = 1 space Proposed 3 bed dwelling = 1 car space Proposed internal dimensions of a minimum of 2.4m x 5.4 metres (excluding support columns located away from car door access points).	Yes				
2.1.7.4 Fencing	The existing fence is retained and made good with a new pedestrian entry and mailbox. A new 1.2m high timber fence is also proposed along the northern side boundary forward of the building line. Both the front fence and the forward portion of the northern side boundary fence comply with the relevant fencing controls. Behind the building line, a new 1.8m high timber paling fence is proposed along the northern side boundary. Along the southern boundary, the existing 1.2m high wire fence forward of the building line is to be retained, with a new 1.8m high timber paling fence proposed behind the new carport. Accordingly, the proposed fencing is considered consistent with the applicable development standards and will not adversely affect the streetscape or neighbouring properties.	Yes				
Chapter 2.14 Site Waste Management						

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2.14.2 Waste Control	A waste management plan accompanies the application.	Yes
Chapter 2.17 Character and Scenic Quality		
2.17.1 Matters for consideration	The proposal has been designed having regard to the Character and Scenic Quality Statement for the Patonga Sandplain Bungalows Character Area and is consistent with the established low-density residential character of the locality. The development comprises a modest single-storey dwelling, swimming pool and single carport that reflects the scale, form and siting of surrounding residential development. Appropriate setbacks are provided to maintain separation between buildings and preserve the established streetscape character. The dwelling adopts a simple residential form and architectural expression that is sympathetic to the traditional bungalow character of the area. The single carport is subordinate to the dwelling and will not dominate the street frontage. A generous landscaped setting is maintained, with additional planting proposed to complement the existing character of the area and soften the appearance of the built form. The swimming pool is located within the rear yard and will not be visually prominent from the public domain. Overall, the proposal is compatible with the surrounding neighbourhood in terms of height, scale, siting and character, will not detract from the scenic quality of the locality, and is consistent with the desired future character of the Patonga Sandplain Bungalows Character Area.	Yes
 The map illustrates the Patonga Local Character Area, bounded by Patonga Creek to the west and Patonga Beach to the south. Key streets shown include Patonga Dr and Bay St. The area is divided into eight numbered zones, each with a specific color and character description. A legend at the bottom provides the following details: 1: Ocean Beachfront (Yellow) 2: Open Parkland Foreshores (Light Green) 3: Cottage Foreshores (Light Yellow) 4: Sandplain Bungalows (Light Orange) 5: Woodland Hillsides (Brown) 6: Village Centre (Pink) 7: Camping Grounds & Caravan Parks (Red) 8: Scenic Conservation (Dark Green)		
Figure 12: Patonga Local Character Area		
Chapter 3		
3.1 Flood plain Management and	Part C Southern Area The proposed new single residential dwelling is a Type 1- Small scale development. The lot is located within Precinct 2	Yes

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Water Cycle Management	3.1.10 Water Cycle Management The application is accompanied by a stormwater management plan which identifies the impervious areas. Roof water is collected with new downpipes into new 7000l rainwater tanks with overflow directed by a gravity fed system to the existing public drainage system within Jacaranda Avenue. 3.1.11.6 Flooding Targets The proposed development has been designed having regard to the applicable flood planning controls. A Flood Information Certificate issued by Council identifies a 1% AEP flood level of RL 2.56m AHD and a minimum habitable floor level of RL 3.05m AHD. The proposal adopts a finished floor level of RL 3.05m, providing approximately 500mm freeboard above the Flood Planning Level. The development is a single storey form with an open subfloor design and does not involve filling or obstruction of flood storage. As such, it will not adversely affect flood behaviour, increase flood levels, or alter flow to the detriment of adjoining properties or the broader floodplain. The proposal is will not result in increased flood hazard, risk to life, or damage to surrounding development or infrastructure. The proposed development will be constructed of materials suitable for flood-affected areas, ensuring durability, structural integrity and ease of cleaning following inundation. Electrical services will be located above the Flood Planning Level, and all relevant building services will be designed in accordance with flood-compatible construction requirements. The proposal does not impede overland flow paths, nor does it introduce structures, landscaping or fencing that would obstruct flood passage. Having regard to the above, the development satisfies the objectives of the DCP by maintaining flood storage capacity, avoiding adverse impacts on flood behaviour, and ensuring the safe occupation of the land.	
3.2 Coastal Hazard Management	The subject site is not located within the potential affected coastal inundation lots	N/A
3.4 Water Catchment Areas	The site is not located within the drinking water map.	N/A
3.5 Tree and Vegetation Management	The proposal includes the removal of one (1) tree (T5), a Port Wine Magnolia. An Arboricultural Impact Assessment accompanies the application and concludes that the removal of T5 is appropriate. The report also includes recommended tree protection measures. The report states: <i>“This report assesses the impact of a proposed development at the site on 5 trees in accordance with AS4970-2025 Protection of trees on development sites.</i> <i>For trees that will be required to be removed to facilitate the proposed works, it is recommended that tree T5 (total of 1 tree) is removed.</i> <i>It is recommended that trees T1, T2, T3 and T4 (total of 4 trees) all be retained within the site.</i> <i>All retained trees T1, T2, T3 and T4 (total of 4 trees) require tree protection measures to be installed.</i> <i>Minor canopy pruning of T4 may be required. All pruning work must be undertaken by an AQF3 qualified arborist.”</i>	Yes

6 CONCLUSION

The proposed new single storey dwelling with carport and swimming pool at **No. 19 Jacaranda Road, Patonga** are considered to:

- respond appropriately to the site's physical characteristics and constraints;
- maintaining the established built form, landscape character and streetscape appearance of the locality;
- accommodate all necessary services and infrastructure;
- represent a suitable and desirable form of development having regard to the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979;
- be consistent with the aims, objectives and provisions of the applicable statutory and non-statutory planning controls; and
- result in no significant adverse environmental, amenity, privacy, acoustic or overshadowing impacts on adjoining properties

Based on the above assessment, is it recommended to the Council that consent be granted to the application.