

STATEMENT OF ENVIRONMENTAL EFFECTS

Date: 7th April 2026
Site: 96 Patonga Street, Patonga NSW 2256
Lot: 7
Section: 6
DP: DP758831
Area: 445.1 sqm
Zone: R2: Low Density Residential
Proposal: Installation of a fibreglass swimming pool and associated works
Prepared by: MMT Approvals
Consultant: Meelad Yaqo
For:
Address: 96 Patonga Street, Patonga NSW 2256

1. Site Description

The subject site is located at 96 Patonga Street, Patonga NSW 2256 and is legally described as Lot 7, Section 6, DP758831. The site is located within the Central Coast Council local government area and is zoned R2: Low Density Residential under the Central Coast Local Environmental Plan 2022 (CC LEP 2022).

The property has a total area of 445.1 sqm and is currently occupied by an existing double storey dwelling, together with an existing garage, outbuilding and associated landscaped areas. The site has a street frontage to Patonga Street of approximately 12.18 metres and a depth of approximately 36.55 metres.

The locality is characterised by established low-density residential developments. The proposed fibreglass swimming pool and associated works are consistent with the surrounding residential character and will enhance the amenity and liveability of the property.



2. Description of the Proposed Development

The application seeks development consent for the installation of a fibreglass swimming pool (Ultimo model) and associated works at 96 Patonga Street, Patonga NSW 2256. The proposed works include:

- Installation of a fibreglass in-ground swimming pool (11,000mm long x 6,180mm wide, 1.4m constant depth, 38,500 litres capacity)

The proposed swimming pool is located to the rear of the existing building line, approximately 7 metres from the rear boundary and 2.25 metres from the side boundary. The pool and surrounds shall be no greater than 600mm above the existing natural ground level (NGL).

3. Central Coast LEP 2022 and DCP 2022 Assessment

The proposal is assessed against the relevant provisions of the Central Coast Local Environmental Plan 2022 (CC LEP 2022) and Central Coast Development Control Plan 2022 (CC DCP 2022). The following sections address the relevant controls applicable to the installation of a swimming pool and associated works within the R2: Low Density Residential zone.

3.1 Central Coast LEP 2022 — Permissibility

Under the Central Coast LEP 2022, the subject site is zoned R2: Low Density Residential. Swimming pools are ancillary development associated with a dwelling house and are permissible with consent within the R2 zone. No change to the existing land use is proposed. The proposal is permissible with development consent.

Requirements	Compliance
The subject land is zoned R2: Low Density Residential under the CC LEP 2022. Development for the purposes of a dwelling house (including ancillary structures such as swimming pools) is permitted with development consent.	The proposed swimming pool is ancillary to the existing double storey dwelling. Swimming pools are permissible with development consent in the R2 zone. Permissibility — Compliant

3.2 CC DCP 2022 — 2.1.2.2 Site Coverage

Requirements	Compliance
a) The site coverage shall be a maximum of: ii) if the lot has an area of at least 300m ² but less than 900m ² — 50% of the site area Note: Swimming pools are excluded from the site coverage calculation.	Site Area: 445.1 sqm Maximum Allowable Site Coverage: 50% (267.06 sqm) Proposed Site Coverage: 203 sqm (46%) Note: The swimming pool is excluded from the site coverage calculation. Site Coverage — Compliant

3.3 CC DCP 2022 — 2.1.3 Setbacks

Requirements	Compliance
a) Front boundary (primary frontage): i) lots with a site area up to 4,000m ² : 6m Swimming pools must be located behind the building line.	The proposed swimming pool is located entirely behind the existing building line at the rear of the property. Front Setback — Not Applicable to Pool
b) Rear boundary setbacks: i) for dwellings and ancillary development: 3m Note: For a lot area less than 450m ² in the R2 zone, minimum rear setback is 3m for ancillary structures.	Proposed rear boundary setback to pool: 7 metres Rear Setback — Compliant

Requirements	Compliance
c) Side boundary setback: i) for ancillary development on lots up to 4,000m ² : 0.9m minimum (or as per DCP requirements for ancillary structures)	Proposed side boundary setback to pool: 2.25 metres Side Setback — Compliant

3.4 Central Coast DCP 2022 — 2.1.4.2 Visual Privacy

Requirements	Compliance
a) All development is to minimise visual impact on adjoining development through one or more of the following design solutions: i) Designing elevated terraces or decks to minimise overlooking of adjoining properties ii) Use of landscaping and other screening devices of a height and design sufficient to screen direct views	The proposed swimming pool and surrounds are located in the rear yard and are no greater than 600mm above the existing natural ground level. The low-profile pool and surrounds will not result in any overlooking of adjoining properties. No adverse visual privacy impacts have been identified on adjoining properties. Visual Privacy — Compliant

3.5 CC DCP 2022 — 2.1.4.3 Private Open Space

Requirements	Compliance
a) For all dwellings the principal private open space areas shall be: i) Lots greater than 10m wide at building line: 24m ² minimum ii) Minimum dimension of 3m iii) Directly accessible from a habitable room	The proposed pool and surrounds provide a substantial private open space area directly accessible from the existing dwelling. Proposed Private Open Space: 24 sqm with minimum dimension of 3m Private Open Space — Compliant

3.6 CC DCP 2022 — 2.1.4.4 Sunlight Access

Requirements	Compliance
a) On June 21, 50% of the required principal private open space area for all dwellings should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm.	As shown in the Site Analysis Plan (Drawing No. 102), the proposed pool is positioned to maximise solar access. The pool area receives direct solar access from the north and east for more than 3 hours between 9am and 3pm on the winter solstice. Sunlight Access — Compliant

3.7 Central Coast DCP 2022 — 2.1.6.1 Earthworks

Requirements	Compliance
a) Excavation must not exceed 1m in depth if less than 1m from any boundary, or 3m if more than 1m from any boundary. b) Fill must not exceed 1m above existing ground level. c) No excavation or fill within a stormwater or water/sewerage easement.	The proposed pool is setback 2.25m from the side boundary and 7m from the rear boundary. Excavation depths are consistent with DCP requirements relative to boundary setbacks. Pool surrounds are no greater than 600mm above NGL. There are no known stormwater or sewerage easements affecting the pool area. Earthworks — Compliant

3.8 Central Coast Central Coast DCP 2022 — 2.1.6.2 Retaining Walls and Structural Support

Requirements	Compliance
a) Retaining walls more than 600mm above or below existing ground level within 1m of any boundary, or more than 1m above/below existing ground level in any other location, must be designed by a professional engineer. b) Pool coping to engineer's specifications.	All retaining walls and structural elements, including pool coping, will be certified by a structural engineer in accordance with DCP requirements. The proposed concrete drop-edge beam and coping are to engineer's specifications as noted on the drawings. Retaining Walls — Compliant

3.9 Central Coast DCP 2022 — 2.1.7.3 Swimming Pools

Requirements	Compliance
a) A swimming pool for private use should: i) be located behind the setback area from a primary road or in the rear yard ii) comply with side and rear setbacks as detailed within this chapter for both the swimming pool water line and any associated deck iii) have any pump located to minimise noise impact or be housed in a soundproof enclosure	i) The proposed swimming pool is located entirely in the rear yard, behind the existing building line. ii) Side boundary setback: 2.25m. Rear boundary setback: 7m. Both comply with applicable DCP setback requirements. iii) The pool pump and filter equipment will be housed in a proposed shed located a minimum of 450mm from all boundaries, minimising noise impact on adjoining properties. Swimming Pool — Compliant

3.10 BASIX — Pool Volume

Requirements	Compliance
A BASIX Certificate is required where the total pool/spa volume exceeds 40,000 litres.	Proposed Pool Volume (Ultimo): 38,500 litres Total Volume: 38,500L (less than 40,000L threshold) BASIX Certificate not required. BASIX — Compliant

3.11 Pool Fencing — Swimming Pools Act 1992 & AS 1926.1-2012

Requirements	Compliance
Pool fencing and child-resistant barriers must comply with: ▪ Swimming Pools Act 1992 (No. 49) ▪ AS 1926.1-2007 ▪ AS 1926.2-2007 ▪ AS 1926.1-2012 ▪ Council DCP codes	Proposed 1,200mm high pool safety fencing to AS 1926.1-2012 on all sides. Two self-latching, self-closing gates at 1,200mm height to AS 1926.1-2012 standard. A 1,200mm x 300mm step is provided below the gate at the western entry. Existing boundary fence 1,800mm high to AS 1926.1-2012 standard. All fencing and barriers comply with the Swimming Pools Act 1992 and relevant Australian Standards. Pool Fencing — Compliant

4. Present and Previous Uses

The site is currently occupied by an existing double storey dwelling, together with an existing garage and outbuilding, and is located in an R2: Low Density Residential zone under the Central Coast Local Environmental Plan 2022. The site has a long history of residential use consistent with the low density residential character of Patonga.

The proposed development for a fibreglass swimming pool and associated works is permissible within the R2 zone as ancillary development associated with the existing dwelling house. No change of use is proposed.

5. Development Impact

The proposal will have no adverse social or economic impacts on the locality. The proposed fibreglass swimming pool and associated works will be located within the rear yard of the property, set back 7 metres from the rear boundary and 2.25 metres from the side boundary, in compliance with all applicable DCP setback requirements.

The pool and surrounds will be no greater than 600mm above the existing natural ground level, ensuring no elevated overlooking of adjoining properties. No adverse privacy impacts on adjoining properties have been identified.

The fibreglass pool installation and associated works will result in minimal disturbance to the existing site. All cut and fill requirements of the Central Coast DCP 2022 have been met. Swimming

pool overflow will be connected to the existing sewer system. No surface stormwater or water run-off will be redirected onto adjoining land.

No trees or significant vegetation will be removed as part of the proposed works.

6. Suitability of the Development

The size and character of the proposed swimming pool and associated works are consistent with the scale of the property and the character of the R2: Low Density Residential zone. The site area of 445.1 sqm and proposed site coverage of 46% (203 sqm) are within the maximum allowable 50% site coverage, demonstrating the development is appropriate in scale for the lot.

The proposal incorporates design features including low-profile pool surrounds (no greater than 600mm above NGL), 1,200mm high pool safety fencing to the required Australian Standards, and pool equipment housed within a proposed shed at least 450mm from all boundaries. These measures ensure the development is safe, functional and appropriate for a residential setting.

The proposed development is located entirely behind the building line in the rear yard, consistent with the DCP requirements for swimming pools. The development will not be prominently visible from Patonga Street and will have no adverse impact on the streetscape.

7. Heritage / Mines / Bushfires / Constraints

As per enquiries with Council and review of the Central Coast LEP 2022 maps, the property at 96 Patonga Street, Patonga is not located within a heritage conservation area and does not contain or adjoin any heritage items listed under the CC LEP 2022. The property is not identified as being affected by mine subsidence, flood planning levels, or bushfire prone land requirements that would restrict the proposed development.

The proposed works are minor in nature relative to the overall residential character of the site and will not give rise to any environmental constraint issues.

8. Open Space and Landscaping

As outlined in the attached architectural plans, the proposed development retains the existing open space and landscaped character of the property. The pool and tiled surrounds are concentrated in a compact area at the rear of the existing dwelling, leaving the remainder of the site as turf and landscaped area.

The proposed private open space area of 24 sqm with minimum dimension of 3 metres meets the minimum requirements of the Central Coast DCP 2022. The proposed pool and surrounds create a seamless connection between the existing indoor living areas of the dwelling and the new outdoor pool space.

No trees or significant vegetation will be removed as part of the proposed works. The turf areas surrounding the pool will be retained and the existing landscape character of the site will be preserved.

9. Erosion and Sediment Control

Erosion and sediment control measures will be in place prior to the commencement of construction. As indicated on the Site Plan (Drawing No. 101), a kerb inlet sediment trap and silt fence will be installed in accordance with the standard details shown on the drawings to prevent any sediment being washed onto Patonga Street or into the stormwater system.

The building area will be appropriately managed during construction to contain disturbed soil. All excavated material and construction waste will be disposed of in accordance with applicable requirements.

10. Ecologically Sustainable Development

The Site Analysis Plan (Drawing No. 102) indicates the sun path and predominant wind directions applicable to the site. The pool has been positioned to maximise solar access, taking advantage of the NE and SE cooling summer breezes whilst being shielded from the SW and W cold winds and rainstorms. This orientation ensures maximum usability of the pool area throughout both summer and winter seasons.

The proposed Ultimo fibreglass pool has a volume of 38,500 litres, which is below the 40,000 litre BASIX threshold. No BASIX Certificate is required. The pool overflow will be connected to the existing sewer system in accordance with standard requirements, ensuring no adverse environmental impacts from overflow.

11. Submissions

It is expected that surrounding neighbouring properties will be notified in accordance with Central Coast Council's Notification Policy. Should any objections be received, it is anticipated that mediation will be available to resolve any issues raised.

12. Conclusion

The proposal for installation of a fibreglass swimming pool (Ultimo model) and associated works at 96 Patonga Street, Patonga NSW 2256 is permissible within the R2: Low Density Residential zone under the Central Coast Local Environmental Plan 2022.

The proposed development complies with all relevant provisions of the Central Coast Local Environmental Plan 2022 and Central Coast Development Control Plan 2022, including Chapter 2.1 - Dwelling Houses and Ancillary Development, the National Construction Code, the Swimming Pools Act 1992, and all relevant Australian Standards.

The proposal satisfies all DCP controls relating to site coverage, setbacks, private open space, visual privacy, sunlight access, earthworks, retaining walls, and swimming pool requirements. The pool volume of 38,500 litres is below the 40,000 litre BASIX threshold and a BASIX Certificate is not required.

All matters listed in the Central Coast Local Environmental Plan 2022 and Central Coast Development Control Plan 2022 under Section 4.15 of the Environmental Planning and Assessment Act 1979 have been considered. The proposed development warrants approval.