

Section 4.55 Application – July 2026

DA Number – DA/52308/2017/B

Determined – 21st July 2017 (received an extension of time).

Address: 12 Cedar Crescent, Blackwall NSW 2256

Proposal: Demolition of the existing dwelling, construction of a new main dwelling & conversion of existing garage into a secondary dwelling.

Completed works under this DA – completion of the Secondary Dwelling.

Section 4.55 Amendments –

Primary (main) Dwelling – Due to construction costs we are proposing an amended design for the primary dwelling under the approved DA Consent – DA/52308/2017.

Proposed demolition of the existing dwelling, construction of a new main dwelling, proposed swimming pool, retaining walls and courtyard fence.

The proposed new dwelling is very similar to the concept of the dwelling approved in that both dwellings contained three levels, double garage, 5 x bedrooms, open plan living spaces and a swimming pool.

Central Coast Local Environmental Plan (CCLEP) 2022

Development Standard	Requirement	Proposal	Compliance
Zone R2	Dwelling house	Dwelling house	Yes
Clause 4.3 Height	8.5m	8.5m	Yes
Clause 4.4 FSR	0.5:1 old req. New req. = NA	0.45:1	Yes

The following table sets out the assessment of the proposal against the relevant prescriptive standards of the planning instrument.

Development Standard	DA/52308/2017 Approved	Section 4.55 Amendments
2.1.2.1 Building Height	8.31m	8.488m
2.1.2.2 Site Cover	44%	48%
2.1.2.3 - FSR	0.47:1	0.45:1
2.1.3.1 - Setbacks a) Front Boundary	Front setback to the garage & screens on the upper level 3.56m.	We have proposed a setback of 4.5m to the front building line of the upper floor & garage.

		We have stepped the upper floor and middle floor back to create articulation to the front façade.
2.1.3.1 - Setbacks b) Rear Boundary	3.920m to the Secondary Dwelling	3.920m to the Secondary Dwelling
2.1.3.1 - Setbacks c) Side Boundary	Left Side (North-West) Ground & Lower Floor = 1.06m WIR & Pool Area. Upper Floor = 2.4m Right Side (South-East) Ground & Lower Floor = 1.51m Garage & Lower retaining. Upper Floor = 2.3m.	Left Side (North-West) Ground & Lower Floor = 1.7m. Upper Floor = 1.85m Right Side (South-East) Lower Floor = 1.91m Ground Floor Level = 1.15m to the Garage & 1.91m to the living at rear. Upper Floor = 1.91m The dwelling sits within the building envelopes.
2.1.3.3.2 Garage Door Articulation	The total width of the garage door opening is 4.904m wide.	The total width of the garage door opening is 5.06m wide.
2.1.4.1 Views	Approved three storey dwelling, with upper floor located towards the front of the site over the garage.	Modified three storey dwelling. We have provided a similar setup with the upper floor located towards the front of the site. We have stepped the upper floor in to create articulation, this will further assist with view corridors.
2.1.4.2 Visual Privacy	Designed with larger windows to the rear. Living areas face the rear.	We have minimised direct overlooking, with minimal and smaller windows to the side and front boundaries. The living spaces have been designed to view the rear yard area and looking towards the views to the rear – North-East.
2.1.4.3 Private Open Space Areas	24m ² (3m min. dimension)	POS Areas - 136m ² level grassed area to the rear of the dwelling. Primary Dwelling deck areas over 2m dimension = 76.14m ² .

		18m2 front garden area. There is ample open space area on the site for residents to enjoy.
2.1.4.4 Sunlight Access	I could not find shadow diagrams to compare.	Over 24m2 of POS area will receive at least 3hrs of unobstructed sunlight between 9am & 3pm. On June 21, 50% of the required POS area being 12m2 on adjoining lands will receive at least 3 hours of unobstructed sunlight access between 9am and 3pm.
2.1.5 Car Parking & Access	Double garage to the front of the site for the primary dwelling – 2 x spaces and a carport to the rear for and additional space for the secondary dwelling.	Double garage to the front of the site for the primary dwelling – 2 x spaces and a carport to the rear for and additional space for the secondary dwelling.
2.1.6 Earthworks, Structural Support & Drainage	There is cut and fill proposed however I could not find figures on the plans or within the original SEE. Excavation for the purposes of development must not exceed a maximum depth measured from existing ground level of 1m if less than 1m from any boundary, or 3m if located more than 1m from any boundary. b Fill for the purpose of erecting a dwelling must not exceed 1m above existing ground level. No retaining wall for fill is to be within 1m of a side or rear boundary unless within 1.5m of any external wall of a dwelling.	There is a max. cut of 1.85m for the slab of the lower floor of the proposed dwelling. This cut is located 1.7m off the boundary. The maximum fill is 1.34m to the driveway in front of the garage, this fill is proposed to be retained and is located 1.15m from the side boundary line.
2.1.6.2 Retaining Walls and Structural Support	Retaining walls were included in the original DA.	Retaining walls on the side boundary lines have been designed for ease of access and to keep soil off the side of the dwelling. The proposed retaining walls will be designed by an engineer.

2.1.6.3 Drainage	Stormwater lines were shown connecting to a 5000 litre water tank for the primary dwelling with overflow to Cedar Crescent.	Stormwater lines will connect to proposed 5500 litre water tank for the primary dwelling with overflow line running to Cedar Crescent.
2.1.7.3 Swimming Pools	The original swimming pool was located under the ground floor on the lower level.	We have moved the proposed pool between the two dwellings in the rear yard area. The proposed pool is smaller than the one approved.
2.1.7.4 Fencing	The original application included screening across the front façade. This screen provided a private and secure front entry for the primary dwelling located off Orange Grove Road. The screen had a front setback of 3.56m to the front boundary line.	We have proposed a 2.25m high decorative masonry fence with pedestrian entry gate, this fence sits in line with the proposed garage providing a 4.5m setback to the front boundary line and extends across in line with the side of the dwelling. The fence steps down to a 1.8m high slat fence and gate across to the side fence to allow access down the side. The front fence has been proposed to provide, privacy, safety and security to the residents of the site. Orange Grove Road is a through road and is very busy with cars and pedestrians. The front fence does not impede on the visual access to the driveways entry and exit.

A new BASIX Certificate has been provided with this amended application.

If you have any questions, please email me at megan@etchells.com.au

Thank you,

Kind regards,

Megan Etchells
Etchells Building Design
M: 0402 857 768