

**47 Patonga Drive - Patonga
NSW 2256**

DA

Statement of Environmental Effects

New Single Dwelling

September 2022

Issue 3

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Introduction

This Statement of Environmental Effects accompanies a Development Application (DA) to Central Coast Council, prepared by ARCanary - Canary Constructions & Management Pty Ltd, for the construction of a Single dwelling in at 47 Patonga Drive, Patonga; composed of a series of interconnected cubicles scattered around the sloped site.

Supporting Documentation

Along with this SEE, the following documents have been provided to support the DA.

- Architectural Set prepared by ARCanary - Canary Constructions & Management Pty Ltd
- Basix Certificate prepared by AENEC Australian Energy Efficiency Consulting

Summary of works

In general, the proposal seeks approval for the following:

- **Bulk and Scale:** Due to the complexity of the sloped site, it is difficult to lay a single volume containing all the spaces of the dwelling. Therefore the dwelling is subdivided in a series of volumes, each containing a different use or space. The one at the bottom of the site contains the living areas and a mezzanine. It is the biggest volume, directly aligned with the access driveway from Patonga drive, and it will be suspended in order to give space to the garage. The other five cubicles are of smaller size and scattered around at different heights, and carefully placed to blend with the landscape; rock ledges in particular. Each cubicle contains an independent space and are clearly separated and at different levels, however, they are all of the same style, allowing the composition to be read as a single structure at the same time.
- **Internal layout & finishes:** As mentioned, the common areas will be located at the bottom, being the kitchen, dining and living in an open plan. A rumpus room comes at a second level, and the bedrooms come higher levels after. The Master bedroom is at the very top. Each bedroom has an ensuite bathroom to allow certain autonomy. The rooms being at different heights, can be accessed by a lift located at the centre of the scheme, and will ensure accessibility. The carefully chosen materials will blend well with the natural landscape, composed of gumtrees and limestone rocks, typical of the area.
- **External works:** No construction works have been done in the site before, apart from a stone steps that allow limited circulation around. In order to build the structures and to better access to the property at the front, there will be modifications to the landscape. The volume at the bottom and the lift shaft will incur some important excavation. The rest of the volumes will be more respectful to the landscape as they are supported and suspended by piles. There will also be external suspended stairs that climb and connect the different parts of the dwelling. The position of the volumes is carefully chosen in order to conserve as many trees as possible.

Proposal Scope

(as reflected on Architectural Plans)

1. Excavation and removal

- 1.01 Excavation to allow for Driveway and main access
- 1.02 Excavation to allow for main building volume, containing common areas
- 1.03 Excavation to allow for lift shaft
- 1.04 Removal of trees to allow for building volumes placement

2. Landscape

- 2.01 New outdoor concrete stairs with timber finish following natural terrain slope and going from Ground up to top floor
- 2.02 Sandstone retaining walls following natural terrain slope

3. Structure & Envelope

- 3.01 Mixed structure of concrete walls & steel columns used for main house volume (Ground & First floor levels)
- 3.02 Steel structure & stud walls used for prefabricated modular houses.
- 3.03 Concrete lift core to go from Ground to Third floor level, excluding the last floor level.
- 3.04 Exposed rock feature walls
- 3.05 Dark-coloured vertical timber cladding to cover prefabricated modular volumes and main building's front facade
- 3.06 Composite timber decking
- 3.07 Glass balustrades
- 3.08 Entry doors to be dark-coloured timber finish
- 3.09 Sloped roofs to have dark-coloured metal finish
- 3.10 Full height glazing to span from First floor to top of mezzanine level of main house volume's living space

INTERIOR:

4. Ground Level Interior

- 4.01 Ground level to accommodate a double garage and lift lobby.
- 4.02 Stairs to connect to levels above
- 4.03 Lift to connect to levels above

5. First Level Interior

- 5.01 Entry lobby to offer direct access to lift
- 5.02 Access by foot via outdoor staircase
- 5.03 Open plan kitchen and dining area with pantry space and bathroom zone
- 5.04 Living area with double height
- 5.05 Mezzanine level to be accessible via an internal feature stair
- 5.06 Mezzanine level to contain Bedroom with WIR & Ensuite, storage space and gallery

6. Second Level Interior

- 6.01** Bedroom 02 with Ensuite
- 6.02** Rumpus Room accessible through exterior decking
- 6.03** Access via lift
- 6.04** Access by foot via outdoor staircase

7. Third Level Interior

- 7.01** Bedroom 03 with Ensuite
- 7.02** Bedroom 04 with Ensuite & WIR
- 7.03** Access via lift
- 7.04** Access by foot via outdoor staircase

8. Fourth Level Interior

- 8.01** Master bedroom with WIR & Ensuite
- 8.02** Access by foot only via outdoor staircase

Analysis

Site Overview

Cadastral 33/-/DP9435

LGA CENTRAL COAST

Area A: 1245 sqm

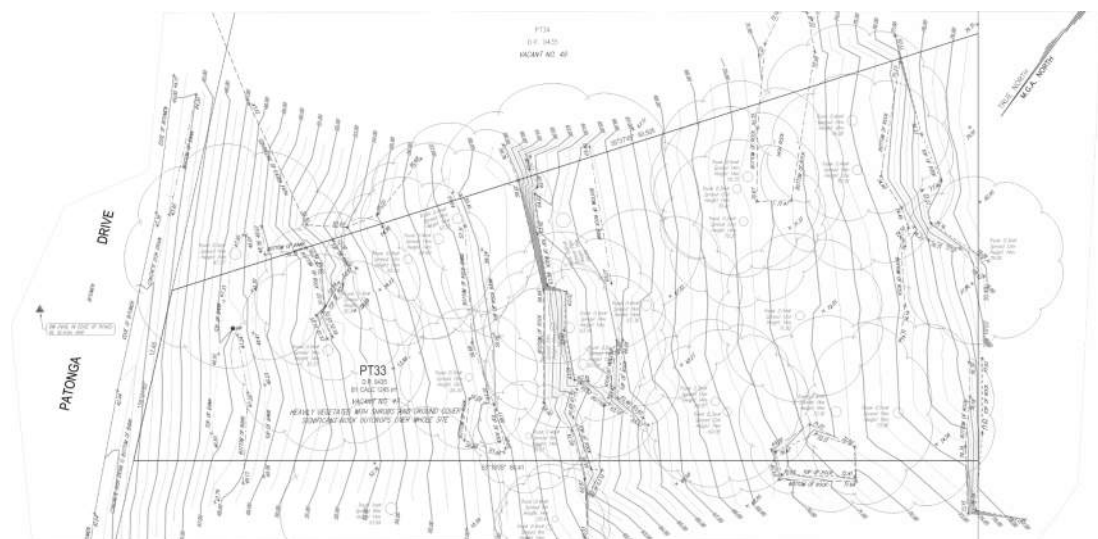
Dimensions Frontage SW: 12.45 m NW: 60.5 m SE: 60.41 m NE: 30.48 m



Six Maps Imagery



Google Maps Street view



Excerpt from Survey Plan

Locality

Character, Built Form and Visual Amenity The site and surrounding area is characterised by dense native vegetation which has high conservation and visual amenity values for the locality.

In order to minimise visual impact, any development on the site must be low in scale, non-obtrusive and have a minimal footprint on the site. Minimising impacts will be key to addressing the objectives of the 7(a) and E2 zone.

Typologies There has not been any building intervention to this date on the subject site, neither for the lots on both sides (no45 & no49) Fig.1.

The closest buildings to the site are at no 39 Patonga Drive and in the sites opposite, however, due to the site topography, they are not accessible directly from Patonga Drive, but aligned to Jacaranda Ave and not visible from the subject site.

As the sites in this area are considered large, the dwellings are all detached dwellings heavily surrounded by trees and bush.



Fig.1: no37 Patonga Dr on the right. Access ramp to no39 on the left .

Setbacks As no building has ever been erected on adjoining sites, no predominant front setbacks have been established

Streetscape As reflected in Fig2, the streetscape is covered by high gum trees on both sides of Patonga Dr, making it a very natural area.



Fig2. Patonga Drive

Site Description

The site is legally described as Lot 33 in DP 9435 and is located in the Local Government Area (LGA) of Central Coast Council (Council). The site was formerly located in the Gosford City LGA.

The site has frontage to Patonga Drive and has an area of approximately 1,245sqm. The site falls very steeply from the north-eastern (rear boundary) to the south-western boundary (front boundary) at approximately 60%. The site is currently free of any improvements and is heavily vegetated with two visible sandstone ledges at two different heights (as per Survey) and rocks of various sizes scattered around. Figure 3 below is an aerial image of the site.

Brisbane Water National Park adjoins the site to the north-east with the village of Patonga located to the south-west.



Fig3 Aerial image of the site

Access No formal access has yet been established. However, it is clear that it will be directly from Patonga Drive, located at the bottom of the site, being the only possible access point.

Slope / Fall The site is sloped, with an approximate fall of 38m (80 AHD to 42.44 AHD) from the North-East to the South-West ends of the site. This fall occurs evenly across the entire 60m length of the site.

Views & Privacy Due to the heavy vegetation, size and topography of the site, proper privacy is given with views to the town and bay filtered by the tall trees.

Solar Access To assess the impact of the proposed development in terms of overshadowing, shadow diagrams have been prepared for 9am, 12 noon and 3pm for the winter solstice (June 21).

Easements / Covenants None

Vegetation The site is heavily vegetated by tall gumtrees of over 10m and other native bush vegetation, typical of the area.

Utilities & Services The subject site is roughly located 350m North of Patonga Beach and town, and 12km South from the closest train station at Woy Woy..

There is bus service available from bus stops close to the site on Patonga Dr, connecting the Town to Woy Woy and Gosford city beyond, roughly 25km from the site.

Statutory Considerations

Current IDO Gosford Interim Development Order 122

Current LEP Central Coast Local Environmental Plan 2022 (pub. 24-6-2022)
For reference only

Current DCP Central Coast Development Control Plan 2022

LEP Map # 16B

SEPP Instruments Environmental Planning and Assessment Act (The Act) 1979 ;
Environmental Planning and Assessment Regulations 2000
(The Regulations); Biodiversity Conservation Act 2016 (BC
Act) and other planning controls and policies.

Zoning DM - Deferred Matter: (pub. 24-6-2022)

Acid Sulfates Class 5

Flood Planning Not a flooding area

FSR NA as DM Zoning

HOB NA as DM Zoning
8m as per IDO 122

Mln. Lot size NA as DM Zoning

Scenic Protection Land Significance beyond the region

Site History

A search of Council's online development application (DA) tracker shows there have been three (3) previous DAs applicable to the site. Each DA was for a dwelling house. Unfortunately, there is no documentation relating to the DAs available on Council's website. A summary of the applications is provided below:

- DA12259/1989 – Dwelling House
Lodged: 14.09.1989
Withdrawn (i.e. undetermined): 15.03.1990
- DA13528/1990 – Dwelling House
Lodged: 25.07.1990
Refused: 14.12.1990
- DA14978/2002 – Dwelling House
Lodged: 19.02.2002
Approved: 18.09.200

Environmental Planning Instruments and Development Control Plans

Gosford Interim Development Order 122

The primary planning instrument applying to the former Gosford Local Government Area (LGA) is the Gosford Local Environmental Plan 2014 (GLEP). The site is currently identified in the GLEP as a 'deferred matter'. This means the zoning of the land reverts to how the land was zoned prior to the gazettal of the GLEP. In this instance, the relevant EPI is the Gosford Interim Development Order No. 122 (the IDO).

Under the IDO, the site is located within two (2) zones, being:

- Zone No. 6(a) Open Space (Recreation) – (the 6(a) zone); and
- Zone No. 7(a) Conservation and Scenic Protection (Conservation) – (the 7(a) zone).

Figure 4 below shows the current zoning of the land. As can be seen the majority of the site is located in the 7(a) zone. A small portion of the site along its north-eastern boundary is located within the 6(a) zone. The small zoned 6(a) will not be a consideration in the development of the site.

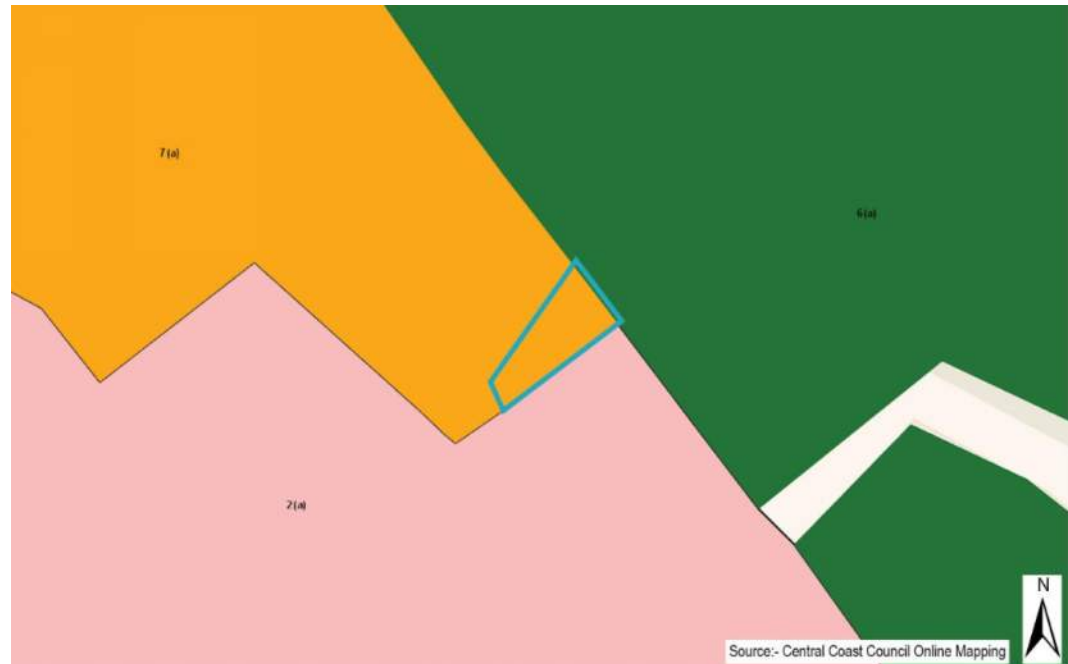


Fig4 – Site zoning under the IDO.

Permissibility and objectives in the 7(a) zone

IDO 122 Compliance Table

<p>Dwelling houses are a permitted land use within the 7(a) zone. The objectives of the 7(a) zone are as follows:</p>	<p>(a) the conservation and rehabilitation of areas of high environmental value; (b) the preservation and rehabilitation of areas of high visual and scenic quality in the natural landscape; (c) the provision and retention of suitable habitats for flora and fauna; (d) the prohibition of development on or within proximity to significant ecosystems, including rainforests and estuarine wetlands; (e) the provision and retention of areas of visual contrast within the City, particularly the “backdrop” created by the retention of the ridgelines in their natural state; (f) the provision of opportunities for informal recreational pursuits, such as bushwalking and picnics, in appropriate locations; (g) the minimisation or prohibition of development so that the environmental and visual qualities of the natural areas are not eroded by the cumulative impact of incremental, individually minor developments; (h) the minimisation or prohibition of development in areas that are unsuitable for development by virtue of soil erosion, landslip, slope instability, coastal erosion or bushfire hazard</p>	<p>The site is indeed of of environmental value, however, given the proximity to the town and provided a different zoning R2 for the adjacent site at no45. The proposal intends to minimize the environmental impact by the creation of suspended interconnected volumes that greatly reduce the footprint and accommodate the natural features, such as rock ledges and trees. Additionally, less than half of the site at the lower part will be developed, ensuring fauna and flora conservation.</p>	<p>ON MERIT</p>
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Clause 22 – Restriction on the erection of dwelling-houses in Zone No 7(a)	Subclause 22(1) provides that a dwelling house can only be erected within the 7(a) zone on land which has a minimum lot size of 40Ha. However, subclauses 22(2) and 22(3) state: '(2) Notwithstanding subclause (1), the Council may consent to the erection of one dwelling-house only on an allotment of land within Zone No 7(a) having an area of less than 40 hectares if- (a) the allotment was in existence before 18 February 1977 and was not in the same ownership as any adjoining allotments at that date; or (b) the allotment was created after 18 February 1977 otherwise than under Clause 18(4)(a) or 20.' '(3) Where land within Zone No 7(a) comprises adjoining allotments held in the same ownership on 18 February 1977, the Council may, notwithstanding subclause (1), consent to the erection of one dwelling-house only on that land if all the land so held within Zone No 7(a) has been consolidated into one allotment.'	Based on the approval history of the site discussed in Section 4.0 above, we have assumed the proposal has a dwelling house entitlement under this clause.	YES
Clause 28 – Rural Conservation Zone - Building Materials	The external surfaces of any building in the 7(a) zone shall be of 'prescribed materials'. Prescribed materials is defined as follows: 'Prescribed materials means: (a) dark toned and dark coloured materials of a low reflective quality, or (b) materials which are painted or similarly treated with a dark toned or dark coloured paint or pigment of a low reflective quality, which, in the opinion of the Council, blend with the landscape of the site on which they are to be used and its surroundings.'	The external materials that determine the envelope have been carefully selected in order to blend well with the environment. They range from non reflective dark metal cladding, Timber, natural stone and generous surfaces of glass that allow the natural elements to penetrate the interiors.	YES
Clause 29 – Rural Conservation Zone – Height	A maximum height of a building in the 7(a) zone must not exceed 8m . In the IDO, height is defined as follows: 'Height, where not specified elsewhere in this Order or in a Development Control Plan, in relation to a building means the vertical distance between the topmost point of the building and the ground level below.'	Every volume is under the 8m maximum height control.	YES
Clause 30 – Rural Conservation Zone – Ridge Lines	A building or structure must not be erected within 50 metres of any ridgeline or prominent visible brow identified on any plan submitted to the Council. Compliance with this clause would need to be specified on the Architectural plans and supported by a detailed site survey.	The proposal is intended for the lower part of the site, away from the nearest ridgeline or brow found beyond the site boundaries	YES
Clause 34 – Tree Preservation	This clause simply states that any tree removal requires the consent of Council. All tree removal required to facilitate a proposed dwelling house would need to form part of any future DA.	The site is completely covered by numerous trees. The proposal intends to keep as many trees as possible. An AIA is included in the DA submission, assessing the significance of trees located within proximity of the building.	ON MERIT

Gosford Local Environmental Plan 2022

As mentioned above, the subject site is a 'Deferred Matter Land' that has not yet been zoned in accordance with the Standard Instrument (Principle Local Environmental Plan). It is next to zone E1 Land (National Parks and Nature Reserve) and also zone R2 - Low Density Residential under Council's LEP 2014, which was gazetted on 1 May 2020. The site is not a heritage item or located within a heritage conservation area. (Fig.5).



Fig.5: 47.PTG.D - Zoning Plan. Source: Gosford LEP Land Zoning Map - Sheet LZN_016B

Please note, Central Coast LEP 2022 Digital Map tool does not provide any information related to zoning, at the time of this report being drafted.

LEP Compliance Table (for Reference)

TABLE 1: PROJECT COMPLIANCE – Gosford LEP 2022			
Site Area: 1245m ² (CALCULATION BY SURVEY)			
Development Standard	Requirement	Proposal	Complies
FSR	NA as DM Zoning	0.20: 1 Proposed FSR seems sensitive for the site	NA
Building Height (Max)	NA as DM Zoning	Approximately 7.5m overall building height at the point of the highest roof ridge from the existing topography of the site.	NA Refer to Gosford IDO order 122
LEP Provisions			Complies / Comments
Land Zoning		DM - Deferred Matter: (pub. 11-2-2014)	NA Refer to Gosford IDO order 122
Heritage Item		NO	N/A
Conservation Area		NO	N/A
Within the vicinity of Heritage Item		NO	N/A
Acid Sulfate Soils		Class 5 Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	YES Unlikely to disturb acid sulfate soils
Flood Planning		Site is outside the Flood Precincts and Flood Extents 1 in 100 Year area as per Gosford online mapping tool	YES

State Environmental Planning Policy (Resilience and Hazards) 2021.

Coastal Management

Provisions of SEPP (Resilience and Hazards) 2021 aim to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the [Coastal Management Act 2016](#), including the management objectives for each coastal management area, by managing development in the coastal zone and protecting the environmental assets of the coast, and establishing a framework for land use planning to guide decision-making in the coastal zone.

The Coastal Management Areas are areas defined on maps issued by the NSW Department of Planning & Environment. The subject property falls within the mapped “Coastal Environmental Area” however not the “Coastal Use Area” (Refer to figure 5 and 6 below).

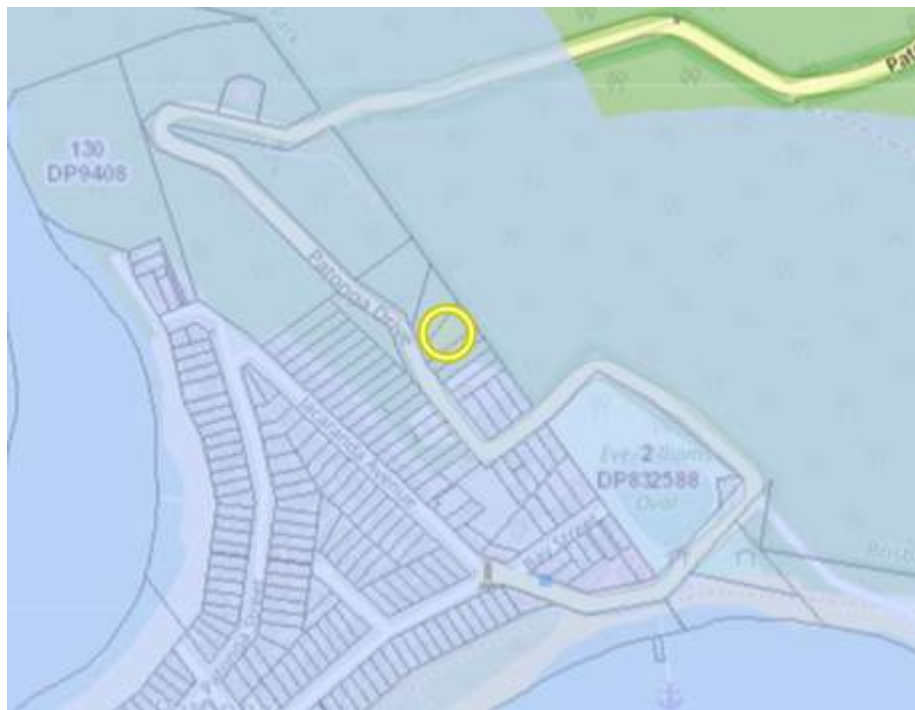


figure 5. Coastal Environmental Area



figure 6. Coastal Use Area

Clause 2.10 of Division 3 Coastal Environment Area stipulates:

“(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 [Marine Estate Management Act 2014](#)), 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.

(2) Development consent must not be granted to development on land to which this section 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 minimised—the development will be managed to mitigate that impact.
- (3) This section does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#)".

The proposal is considered to not result in an adverse impact upon the coastal environmental area and suitable measures will be in place to mitigate any potential impacts as identified below:

- A Geotechnical and Hydrological Report has been prepared and supports the application. The report identifies no groundwater was observed during the drilling excavation and no surface water was observed during the site visit and it is not anticipated groundwater will be encountered during the excavation. That if water is met, excavations during construction should be manageable by using conventional sump and pump methods. Further, suitable sediment control for all discharges should be included. Diverted flows from run-off should be directed, where possible, to Council or other approved stormwater systems to prevent water accumulating in areas within and surrounding retained structures and footings.
- The DCP identifies the site may potentially include Hawkesbury Peppermint Apple Forest and sheltered blue gum forest. A Flora and Fauna Impact Assessment Report has been prepared and supports the application. The report identifies that no threatened ecological communities occur on the subject property or adjoining lands. However, potential habitat for threatened fauna occurs on the subject land and this habitat will be affected by the proposed development. A detailed suite of impact mitigation measures have been recommended in the report that have been proposed to avoid and minimise impacts to threatened species that may utilise habitat within the subject property or its surrounds. A Test of Significance (5-part test) in accordance with Section 7.3 of the NSW Biodiversity Conservation Act 2016 was undertaken to assess the effects of the proposed development upon all threatened species that could be surveyed-prior to the submission of the development application;
- An Arborist Report has been prepared and supports the application. The report identifies the trees to be removed and where the proposal is within the tree protection zone of the trees to be retained. The report supports the removal of existing trees and recommends a number of protection measures during construction to ensure the existing trees to be retained will not be adversely impacted during construction;
- From reviewing the Aboriginal Heritage Information Management System (AHIMS) database there appears no aboriginal relics located onsite. Council will be notified should any unexpected aboriginal relics be found on site during construction; and
- The subject site is elevated and located at least 200m from the coast ensuring the proposal will not have any impact upon the coastal processes, the marine estate, coastal lakes, marine vegetation, undeveloped headlands, the surf zone, access to public coastal areas.

Site Remediation

This SEPP requires the consent authority to consider whether the land is contaminated, and whether the land is suitable for the proposed use (or will be suitable, after remediation). A review of Council files and previous planning approvals relating to the site has determined the site has historically been used for residential purposes.

The site is not considered to be contaminated, and the remediation of the site is not required for the following reasons:

- The site does not appear to be used by the activities listed in Table 1 of the NSW Government's Managing Land Contamination - Planning Guidelines 1998, SEPP (Resilience and Hazards) 2021.
- The site currently contains a residential dwelling and has historically been used for residential purposes.
- The proposal does not seek to undertake any excavation works to the site, and is unlikely to expose any contaminants, if any.
- The proposal does not seek to alter the current land use of the site.

The site will remain for a residential use, and for the above reasons it is reasonable to conclude that the site is suitable for the proposed purposed use. The site is unlikely to pose a significant risk of harm to human health or the environment and is suitable for the intended use. No further investigation or remediation is deemed necessary.

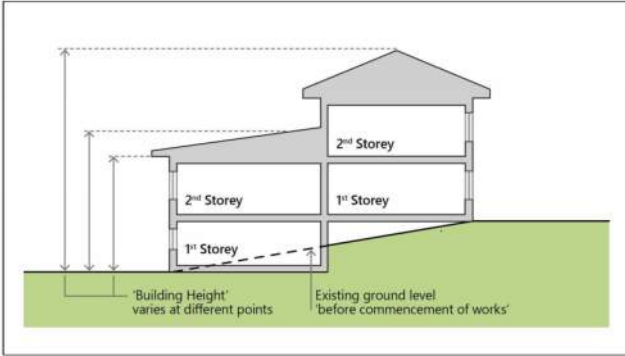
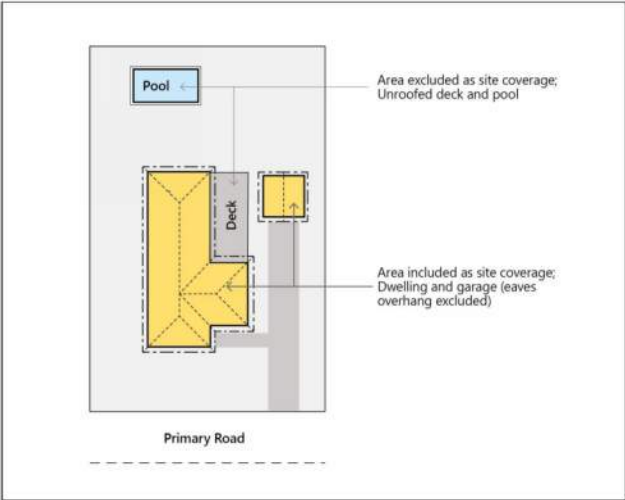
Central Coast Development Control Plan 2022

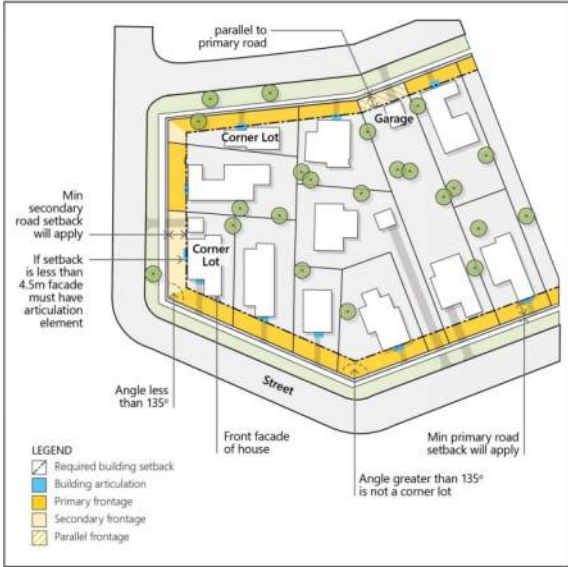
The Central Coast DCP 2022 was formally adopted by Council upon gazettal of Central Coast Local Environmental Plan 2022, being 1 August 2022, replacing all other DCPs and some Council planning policies. It now applies to the site and the proposed development. Given the siting and nature of the proposed development within an DM zone, and as a dwelling(s) respectively, the development assessment will be pursuant to **Part2 - Development Provisions** and **Part 3 - Environmental Controls**.

Accordingly, the satisfaction of the various DCP provisions are summarised in Table 2 below:

DCP Compliance Table

Provision	Controls	Proposal	Compliance
PART 2: DEVELOPMENT PROVISIONS			
CHAPTER 2.1 DWELLING HOUSES, SECONDARY DWELLINGS AND ANCILLARY DEVELOPMENT			
2.1.1.1 Objectives	The Chapter aims to protect and enhance the amenity, scenic quality, character and environmental sensitivity of new and existing residential, rural and environmental land areas by: <ul style="list-style-type: none"> ▪ Encouraging development which is compatible with the existing or desired future character of the area ▪ Promoting standards of design which are functional and achieve a high level of amenity and aesthetic quality ▪ Encouraging residential development appropriate to the context of the local area ▪ Promoting sustainable development 		
2.1.2 BUILDING SCALE			
2.1.2.1 Building Height	OBJECTIVES <ul style="list-style-type: none"> ▪ To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality ▪ To ensure that the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views ▪ To ensure that building height is compatible with the scenic qualities of hillside and ridgetop locations and respects the sites natural topography 		
	REQUIREMENTS <p>a. Central Coast LEP 2022 contains a Height of Building Map for certain areas within the Local Government Area (LGA). In accordance with Clause 4.3 (2) of Central Coast LEP 2022, the height of a building in these areas is not to exceed the maximum height indicated on this map except as provided for by Central Coast LEP 2022 Clause 5.6-Architectural Roof Features.</p>	As 'DM' site, it refers to the Gosford Interim Development Order No 122 , for which the Maximum height is 8m for a site within the 7(a) zone.	YES

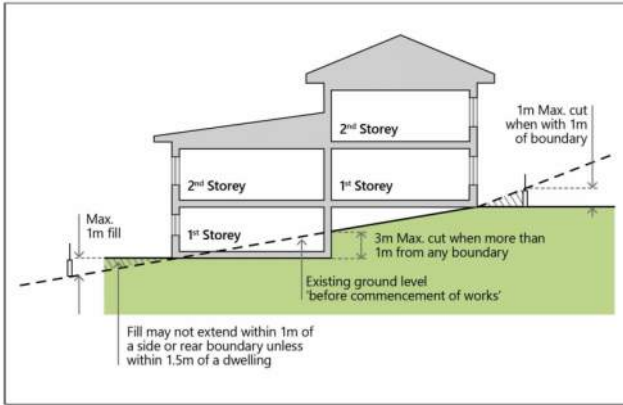
	<p>b. The maximum building height for dwellings in areas not specifically mapped by the Central Coast LEP 2022 is 10m.</p> <p>c. Building Height shall generally not exceed two storeys. Three storey dwellings will generally only be supported on steeply sloping sites, where the three-storey component extends for only a small section of the dwelling or where the lowest storey is contained predominantly within a basement level below natural ground and the maximum building heights are not exceeded.</p> <p>d. The maximum building height for outbuildings and detached ancillary development is:</p> <ul style="list-style-type: none"> i. 4.8m on land zoned R1, R2, R3 or RU5 ii. 7m on land zoned RU1, RU2, RU6, R5, C3, C4 or C2 (where permissible) <p><i>Note: Proposals for development within land use zones not listed above where a dwelling house is considered a lawful existing use are to be considered with regard to their setting i.e.- rural or residential and the appropriate standards applied. Contact Council for further information with regard to the particular property.</i></p>  <p>Figure 1 - Building Height</p>	<p>The proposal is Approximately 7.5m overall building height at the point of the highest roof ridge from the existing topography of the site.</p>	
<p>2.1.2.2 Site Coverage</p>	<p>OBJECTIVES</p> <ul style="list-style-type: none"> ▪ To ensure that the density, bulk and scale of development is appropriate for a site ▪ To ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located ▪ To provide an appropriate area on site for landscaping, outdoor activities and stormwater infiltration.  <p>Figure 2 - Site Coverage</p>		

	<p>REQUIREMENTS</p> <p>a The site coverage shall be a maximum of:</p> <p>i if the lot has an area of less than 450m²—60% of the site area</p> <p>ii if the lot has an area of at least 450m² but less than 900m²—50% of the site area</p> <p>iii if the lot has an area of at least 900m² but less than 1,500m²—40% of the site area</p> <p>iv if the lot has an area of 1,500m² or more —30% of the site area</p>	<p>Site coverage is about 224 sqm, which represents about 19.5% of the total area of the site (1245sqm), which is less than half of the maximum allowed.</p>	<p>YES</p>
<p>2.1.2.3 Floor Space Ratio</p>	<p>OBJECTIVES</p> <ul style="list-style-type: none"> To ensure that the density, bulk and scale of development is appropriate for a site To ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located 		
	<p>REQUIREMENT</p> <p>a. In accordance with Clause 4.4 (2) of Central Coast LEP 2022, the maximum floor space ratio for building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p>	<p>No FSR control established as the site is a DM. Proposed FSR of 0.19 :1 seems sensitive for the site area.</p>	<p>NA</p>
<p>2.1.3 SETBACKS</p>	 <p>Figure 3 – Site Layout explanation for types of Road Frontages, Setbacks & Articulation Zones</p> <p>OBJECTIVES</p> <ul style="list-style-type: none"> To ensure that setbacks are compatible with adjacent development and complements the character, streetscape, public reserve, or coastal foreshore To ensure the visual focus of a development is the dwelling, not the garage To protect the views, privacy and solar access of adjacent properties To maintain view corridors to coastal foreshores and other desirable outlooks To maintain the scenic and environmental qualities of natural waterbodies and their foreshores and respond to site attributes such as topography To provide deep soil areas sufficient to conserve existing trees or accommodate new landscaping To provide appropriate articulation of facades and horizontal elements reduce the appearance of bulk and 		

	provides visual interest to the building and subsequent streetscape where they face a street frontage/s.																																
2.1.3.2 Setbacks - Large Lots	<p>REQUIREMENTS</p> <p>The following setback requirements apply to dwellings and all ancillary development on a lot zoned RU1, RU2, RU6, C3, C4 or R5 or C2 (where permissible):</p> <table><thead><tr><th>Aspect</th><th></th><th>Minimum Setback</th></tr></thead><tbody><tr><td rowspan="2">a Front boundary (primary frontage) for dwellings and all ancillary development (including outbuildings)</td><td>(i) lots with a site area up to 4000m²</td><td>10m</td></tr><tr><td>(ii) lots with a site area greater than 4000m²</td><td>20m</td></tr><tr><td rowspan="4">b Rear boundary setbacks <i>Note: for irregular shaped lots with 3 or less boundaries they do not have a rear boundary</i></td><td>(i) for dwellings and ancillary development (excluding outbuildings)</td><td>10m</td></tr><tr><td>(ii) outbuildings – exclusively used for agricultural purposes</td><td>10m</td></tr><tr><td>(iii) outbuildings – other</td><td>5m</td></tr><tr><td></td><td></td><td></td></tr><tr><td rowspan="4">c Side Boundary setback</td><td>(i) for dwellings and ancillary development (excluding outbuildings) on lots with a site area up to 4000m²</td><td>2.5m</td></tr><tr><td>(ii) for dwellings and ancillary development (excluding outbuildings) on lots with a site area greater than 4000m²</td><td>10m</td></tr><tr><td>(iii) outbuildings – exclusively used for agricultural purposes</td><td>10 m</td></tr><tr><td>(iv) outbuildings – other</td><td>5m</td></tr><tr><td>d Secondary boundary setback (on corner lots)</td><td>(i) lots with a site area up to 4000m²</td><td>5m</td></tr></tbody></table>	Aspect		Minimum Setback	a Front boundary (primary frontage) for dwellings and all ancillary development (including outbuildings)	(i) lots with a site area up to 4000m ²	10m	(ii) lots with a site area greater than 4000m ²	20m	b Rear boundary setbacks <i>Note: for irregular shaped lots with 3 or less boundaries they do not have a rear boundary</i>	(i) for dwellings and ancillary development (excluding outbuildings)	10m	(ii) outbuildings – exclusively used for agricultural purposes	10m	(iii) outbuildings – other	5m				c Side Boundary setback	(i) for dwellings and ancillary development (excluding outbuildings) on lots with a site area up to 4000m ²	2.5m	(ii) for dwellings and ancillary development (excluding outbuildings) on lots with a site area greater than 4000m ²	10m	(iii) outbuildings – exclusively used for agricultural purposes	10 m	(iv) outbuildings – other	5m	d Secondary boundary setback (on corner lots)	(i) lots with a site area up to 4000m ²	5m	<p>Front setback is between 8m and 10m as the main building volume is not parallel to the road. A portion of the main building volume is within the 10m setback in order to reduce excavation. This will be hardly noticeable from the street or any potential neighbour.</p> <p>Rear setback is approximately 28m, well below the 10m control. It guarantees environmental preservation to more than half of the site.</p> <p>Side setbacks are generally respected at 2.5m, apart from a couple of intrusions by the volumes at the bottom that are slightly rotated in order to generate a more attractive building composition.</p>	YES / ON MERIT
Aspect		Minimum Setback																															
a Front boundary (primary frontage) for dwellings and all ancillary development (including outbuildings)	(i) lots with a site area up to 4000m ²	10m																															
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2.1.3.3 Articulation Zones	<p>Option A' Articulation elements are to be max 25% of area of articulation zone</p> <p>Option B' Articulation elements can start behind the building line but extend the full 1.5m width</p> <p>Option C' Articulation elements can be an area less than 25% of area of articulation zone</p> <p>16m 16m 16m</p> <p>4m 4m 8m</p> <p>Required building line setback Primary Road 1.5m Articulation zone</p> <p>LEGEND Articulation zone Required building setback line Articulation behind building line Articulation within 'Articulation Zone'</p>																																

2.1.3.3.1 Primary Road Articulation for Dwelling Houses	REQUIREMENTS <p>a. An articulation zone within the designated setback area is only available to the primary road frontage and is measured 1.5m from the building to the minimum required setback from the subject road.</p> <p>b. The maximum total area of all building elements within the articulation zone must not be more than 25% of the area of the articulation zone in accordance with Figure 5 above.</p> <p>c. Dwellings and all ancillary development on a lot zoned R1, R2, R3 or RU5 must have elevations facing road frontages articulated as follows:</p> <p>i elevations when within 7.5m and facing a primary road frontage with unbroken lengths of walls that exceed 10m in length.</p> <p>ii elevations facing and less than 4.5m from a secondary or parallel road frontage with unbroken lengths of walls that exceed 10m in length.</p>	<p>The articulation area is used for part of the volume that is out of the 10m front setback control.</p> <p>It does not differ from any of the neighbours as there are no buildings erected on adjoining sites and therefore no alignment.</p> <p>Using this articulation zone as part of the front setback, helps to reduce excavation.</p>	ON MERIT
2.1.3.3.2 Garage Door Articulation	<p>a. The total width of all garage doors openings when within 7.5m and facing a primary road or parallel road on a lot zoned R1, R2, R3, or RU5 must not exceed:</p> <p>i 6m if the lot has a width measured at the building line of 12m or less, or</p> <p>ii 6m, or 60% of the width of the building (whichever is the greater) if the lot has a width measured at the building line of more than 12m.</p>	<p>No garage or driveway door proposed. The site and access driveway will remain open. It is a rather normal approach in this location.</p>	YES
2.1.4 RESIDENTIAL AMENITY			
2.1.4.1 Views	OBJECTIVES <ul style="list-style-type: none"> To encourage view sharing as a means of ensuring equitable access to views from private property To facilitate reasonable view sharing whilst not restricting the reasonable development of the site. 		
	REQUIREMENTS <p>a. Where relevant, applications must address the NSW Land and Environment Court Planning Principles relating to view sharing.</p> <p>b. Development is sited and designed to enable a sharing of views with surrounding private properties, particularly from habitable rooms</p> <p>c. Development steps down the hillside on a sloping site</p> <p>d. The design of the roof form provides for view sharing. This may be achieved by consideration of the roof pitch and type (including flat roofs), increasing the setback on an upper level or by lowering the proposal in whole or in part.</p>	<p>The proposal ensures that every room of the dwelling has an uninterrupted view towards the front. The proposal is not, and will not be in the way of an scenic view to any potential developments on neighbouring sites</p>	YES
2.1.4.2 Visual Privacy	OBJECTIVES <ul style="list-style-type: none"> To minimise direct overlooking between main living areas and areas of principal private open space within the site and adjoining sites 		
	REQUIREMENTS <p>a. All development is to minimise visual impact on adjoining development through one or more of the following design solutions:</p> <p>i Windows, in particular to main living areas and balconies, must not face directly onto windows, balconies or the principal private open space of adjoining dwellings</p>	<p>Proposed openings are facing the street, ensuring privacy within the same dwelling and potential development on adjoining properties.</p>	YES

	<p>ii Staggering or splaying windows in relation to the windows of opposite adjoining dwellings</p> <p>iii Designing elevated terraces or decks to minimise overlooking of adjoining properties</p> <p>iv Use of landscaping and other screening devices of a height and design sufficient to screen direct views into main living areas and areas of principal private open space of adjoining dwellings</p> <p>v Increasing sill heights from finished floor level to windows, including highlight or clerestory style windows to restrict overlooking</p>		
2.1.4.3 Private Open Space Areas	<p>OBJECTIVES</p> <ul style="list-style-type: none"> ▪ To provide dwellings with individual private open space areas promoting a practical outdoor living area for residents ▪ To assist in the reduction of stormwater runoff from a site ▪ To enable landscaping of the site and where possible retain existing significant vegetation 		
	<p>REQUIREMENTS</p> <p>a. For all dwellings the principal private open space areas shall be directly accessible from and adjacent to a habitable room other than a bedroom and shall be provided in accordance with the following:</p> <p>i Lots with a width less than 10m wide at the building line 16m²</p> <p>ii Lots with a width greater than 10m wide at the building line 24m².</p> <p>iii Minimum dimension of 3m.</p>	Private open space areas are easily accessible from any of the proposed rooms at different locations and heights.	YES
2.1.4.4 Sunlight Access	<p>OBJECTIVES</p> <ul style="list-style-type: none"> ▪ To facilitate solar access to the living areas and private open space areas of the dwelling and neighbouring dwellings 		
	<p>REQUIREMENTS</p> <p>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.</p> <p>b. On June 21, 50% of the required principal private open space on adjoining land should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm. Council may consider adopting a lesser standard than provided under this provision in circumstances where:</p> <p>c. the proposed development complies with the building height and building envelope setbacks with this chapter</p> <p>d. the proposal adequately considers site constraints including slope and site orientation</p> <p>e. it can be identified that the adjoining development has not sufficiently considered likely future development and site constraints such as lot orientation in the location of private open space.</p>	<p>Due to the location, orientation and topography of the site and additionally the density of trees, it is practically impossible to ensure required solar access to living areas.</p> <p>However, full height openings are proposed for every room in the dwelling, making sure that the spaces are naturally lit as much as possible.</p>	ON MERIT
2.1.5 CAR PARKING AND ACCESS	<p>OBJECTIVES</p> <ul style="list-style-type: none"> ▪ Car parking is to be designed in sympathy with the development without becoming the dominant feature on the streetscape ▪ To provide adequate on-site parking relative to the occupancy of the dwelling ▪ To have car parking access that minimises the potential for pedestrian and vehicle conflict 		

	<p>REQUIREMENTS</p> <p>Minimum off-street car parking provisions is required to be provided or retained for all dwelling houses as follows:</p> <ol style="list-style-type: none"> 1 space if dwelling has 3 or less bedrooms. 2 spaces if dwelling has 4 or more bedrooms. Car parking should be located behind the primary road setback and/or secondary road setback. Car parking provision for a battle-axe lot, classified roadway or busy street should be designed to enable vehicles to enter and exit the site in a forward direction for safer vehicle entry and exit and pedestrian access. An open hard stand car parking space must measure at least 2.6m wide and 5.4m long. Maximum driveway width is 4m at the street crossover Have driveway access to a public road. Driveways are to be designed in accordance with the relevant Australian Standard and provisions of Council's Civil Works Specification <p><i>Note: Driveway width should be minimised, however may splay greater than 4m close to the dwelling where providing access to a garage designed to house more than 2 cars</i></p> <p><i>Note: Parking on site within a street setback may be used to satisfy the second (not primary) car parking provision.</i></p>	<p>2 Car spaces are proposed and are located within the building envelope. They are directly accessed from the road by a ramp. The topography of the site makes it difficult to achieve a complaint driveway (profile) design without significant cut (excavation).</p>	<p>YES</p>
<p>2.1.6 EARTHWORKS, STRUCTURAL SUPPORT AND DRAINAGE</p>	<p>OBJECTIVES</p> <ul style="list-style-type: none"> To accommodate development on a site without the need for excessive excavation and fill or construction of high retaining walls adjacent to site boundaries To ensure that building designs conform to natural land forms and site constraints To manage stormwater discharge in a manner that minimises impacts on adjoining properties or public land To ensure that the amenity of adjoining residents and the streetscape is not adversely affected To restrict the siltation of waterways and erosion of land disturbed by the development  <p>Figure 6 - Cut and Fill</p>		
<p>2.1.6.1 Earthworks</p>	<p>REQUIREMENTS</p> <ol style="list-style-type: none"> 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. 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. 	<p>The topography of the site will make it difficult to achieve a complaint driveway (profile) design without significant cut (excavation). Also, the main building at the bottom containing the living areas and</p>	<p>ON MERIT</p>

	<p>c. Where a property is burdened by stormwater or water and sewerage mains then Council will generally preclude any excavation or filling within that easement</p>	<p>the lift shaft will result in further excavation. It is practically impossible to erect a dwelling in such a slope and respect the maximum height and excavation controls and ensure that the building sits well within the landscape at the same time. The proposed excavation will ensure that the different volumes integrate within the landscape and that they do not generate a negative visual impact; as well as allowing proper access and circulation between all parts of the dwelling and the site.</p> <p>Major excavation is only proposed on the lower part of the site. The volumes located at the top will incur minimal excavation as they will be suspended on piles.</p>	
<p>2.1.6.2 Retaining Walls and Structural Support</p>	<p>REQUIREMENTS</p> <p>a. Retaining walls that are more than 600mm above or below existing ground level and within 1m of any boundary, or more than 1m above or below existing ground level in any other location, must be designed by a professional engineer.</p> <p><i>Note: The height of a retaining wall is measured from the base of the retaining wall to its uppermost portion and may include a combination of height above and below ground level (existing).</i></p> <p>b. Earthworks not structurally supported by a retaining wall having an unprotected sloping embankment or batter must:</p> <p>i. not have an embankment slope greater than that required by the BCA for its soil type</p> <p>i.i generally not extend by more than 3m from the dwelling or have the toe of the embankment or batter within 1m from a side or rear boundary.</p> <p><i>Note: Retaining walls or earthworks not structurally supported shall be designed so as not to redirect the flow of any surface water onto adjoining land.</i></p>	<p>Retaining walls will need to be designed by an engineer as they may reach up to 6m high for the main volume at the bottom.</p>	<p>YES</p>

2.1.6.3 Drainage	REQUIREMENTS All stormwater drainage collecting as a result of the erection of, or alterations or additions to, a dwelling, outbuilding or ancillary development must be conveyed by a gravity fed or charged system to a public drainage system, or an inter-allotment drainage system, or an on-site disposal system.	Site topography guarantees water drainage. Please refer to Stormwater drawings	YES
2.1.7 ANCILLARY DEVELOPMENT	OBJECTIVES <ul style="list-style-type: none"> ▪ To ensure that ancillary development is appropriately sited, sized and compatible with the local context ▪ To minimise the impact of ancillary development on scenic quality natural environment, in particular environmental, conservation and rural zoned land associated with additional clearing bushfire protection and site effluent disposal ▪ To ensure development does not compromise the privacy, views and solar access of adjoining properties ▪ To ensure fencing and other ancillary development meets the requirements of residents in terms of privacy and security, as well as contributing positively to the character and visual quality of the streetscape 	No outbuildings are proposed. All proposed parts of the building are habitable	YES
2.1.7.1 Outbuildings	REQUIREMENTS a. Ancillary development shall not exceed the relevant provisions detailed within this chapter. <i>Definition: outbuilding (as defined by the NSW Housing Code) means any of the following: (a) balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house, (b) cabana, cubby house, fernery, garden shed, gazebo, greenhouse or farm building, (c) carport, garage, shed, shade structure or rainwater tank (above ground) that is detached from a dwelling house,</i> a. Outbuilding development shall not exceed the relevant provisions detailed within this chapter. Note: there are specific height and setback requirements for outbuildings listed under Sections 2 and 3 above b. An outbuilding is not to be used as a habitable building. c. Maximum Floor Area of Ancillary Outbuildings on a lot zoned R1, R2, R3 or RU5: i 45m ² for lots with a site area up to 600m ² . ii 60m ² for lots with a site area from 600m ² to 700m ² . iii 75m ² for lots with an area from 700 - 800m ² . iv 85m ² for lots with an area from 800 -900m ² . v 100m ² for lots with an area greater than 900m ²	No outbuildings are proposed. All proposed parts of the building are habitable	YES
2.1.7.2 Detached Studios	REQUIREMENTS a. Ancillary development comprising a detached studio is to comply with the following: i one detached studio per lot. ii scale and setbacks requirements as detailed in this chapter for a dwelling house. iii maximum floor area of 50m ² . iv Any detached studio is to be located behind the main building line of the principal dwelling unless it is integrated with the design of the dwelling. <i>Definition: detached studio means ancillary development that is habitable and is established in conjunction with a dwelling house, and on the same lot of land as the dwelling house, and separate from the dwelling house.</i>	The nature of the development is a series of detached volumes. They are all habitable spaces that are versatile and could be converted into studios, if required.	ON MERIT

2.1.7.3 Swimming Pools	REQUIREMENTS a. Ancillary development comprising a swimming pool for private use should: i be located on a lot behind the setback area from a primary road or in the rear yard unless it can be justified that site constraints exist. 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 associated with the swimming pool or spa located to minimise noise impact to surrounding properties and or be housed in an enclosure that is sound proofed.	No swimming pool is proposed	YES
2.1.7.4 Fencing	Variations to the standards for fencing specified in the Codes SEPP or additional exempt development provisions provided for in Central Coast LEP 2022 require a development application. <i>Note: Fencing should integrate with the colour scheme and design of the dwelling and where possible with the colours and materials of fencing on adjoining lands.</i>	No fencing is proposed, the site will be open in order to preserve the natural uninterrupted qualities of the site and surroundings	YES
2.1.8 SECONDARY DWELLINGS	OBJECTIVES <ul style="list-style-type: none"> ▪ To promote housing choice and affordability ▪ To ensure that the secondary dwelling compliments the design of the main dwelling house and provides a high quality living environment for residents, ▪ To ensure that the siting and design of secondary dwellings does not cause significant adverse amenity impacts on the main dwelling house or adjoining properties. ▪ To ensure that car parking does not adversely impact the dwelling house ▪ To ensure that separate pedestrian and service access is provided to a secondary dwelling without compromising the amenity of the main dwelling house or adjoining properties. ▪ To ensure private open space is provided on site for the secondary dwelling and is useable, functional and has a high level of amenity. 	All volumes are part of the same dwelling. No independents secondary building is proposed	YES
2.1.8.1 Setbacks	REQUIREMENTS a. Setbacks for secondary dwellings are to be in accordance with the requirements for the principal dwelling house section of this chapter. b. The secondary dwelling is to be located behind the main building line of the principal dwelling unless it is consistent with the design of the dwelling. <i>Note: Setbacks from all boundaries are in accordance with those required for dwelling houses.</i>	All volumes are part of the same dwelling. No independents secondary building is proposed	YES
2.1.8.2 Access	REQUIREMENTS a. Separate pedestrian access must be provided to a primary or secondary road frontage and be located to minimise the potential for adverse amenity impacts on the main house. b. Pedestrian accessibility must be provided to the secondary dwelling from the road for the purpose of garbage and mail collection. <i>Note: No reliance can be given to a laneway for the purposes of garbage and mail collection.</i>	All volumes are part of the same dwelling. No independents secondary building is proposed	YES

2.1.8.3 Private Open Space	REQUIREMENTS a. Secondary dwellings be provided with an area of private open space in accordance with the following: i. Minimum area of 16m ² which is separate to the required open space for the primary dwelling ii. Minimum dimension of 3m iii. Is directly accessible to a main living area (living or dining room) iv. Has adequate solar access and privacy as per the requirements for dwelling houses v. Is not steeper than a 1:50 gradient b Development of the secondary dwelling must not result in the private open space of the principal dwelling being located within the front setback.	All volumes are part of the same dwelling. No independent secondary building is proposed	YES
CHAPTER 2.17 CHARACTER AND SCENIC QUALITY			
2.17.1 MATTERS FOR CONSIDERATION	OBJECTIVES <ul style="list-style-type: none"> Provide guidance in the assessment of development applications with regard to character and scenic value considerations Maintaining the character and scenic quality of an area while considering the desired and likely future character of the area 		
	REQUIREMENTS a. Development applications are to demonstrate their consistency or compatibility where applicable with: i. the Character and Scenic Quality Statements incorporated as Related Documents to this DCP. ii. endorsed Council Masterplans included as Related Documents to this DCP. iii. character considerations contained within the chapters of this DCP, relevant to the proposal. iv. The relevant Planning Principles of the NSW Land and Environment Court. b. Where not addressed in the considerations above, development applications are to consider the following character issues: i. Whether the area is undergoing significant transition ii. Whether existing character has or will be impacted by NSW State Government or Council policies that allow for development to occur without development consent iii. Scenic prominence, distinctiveness, protection and enhancement iv. Existing natural features, conservation and enhancement v. Siting of buildings and surrounding gardens: consistency with predominant patterns across the surrounding neighbourhood, and vi. Height, size and scale of buildings: compatibility with predominant patterns across the surrounding neighbourhood vii. Architectural form, construction and detail: appropriateness to existing scenic quality and streetscape character viii. Garden design, including outdoor structures: compatibility with scenic quality and streetscape character ix. Street verges: conservation of visually-prominent landscape features plus effective integration with urban services.	<p>The proposal is within the Hillside with bushland remnants zone, with dense vegetation including high gumtrees that are much taller than any part of the building, efficiently hiding it, and making it almost invisible from the distance.</p> <p>The materials used, reduce contrasts and blend well in the surrounding environment</p> <p>The site is composed of numerous trees of various sizes as well as rock formations that compose ledges and walls. The proposal intends to retain as many trees as possible as well as to use the rocky topography to carefully place the cubicles to blend with the rock faces that become part of the architecture and vice versa.</p>	YES / ON MERIT

PART 3: ENVIRONMENTAL CONTROLS

CHAPTER 3.5 TREE AND VEGETATION MANAGEMENT

3.5.1.1 Aims and objectives of the Chapter

- To declare certain vegetation to be vegetation to which Part 2.3 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 2 Vegetation in Non-Rural Areas applies, such that a permit from the Council is required to remove that vegetation.
- To protect trees on privately owned land that contribute positively to the amenity, scenic landscape characteristics and ecological values of the Central Coast Local Government Area.
- To facilitate the removal of undesirable species, weeds, dangerous trees and inappropriate plantings, and to encourage their replacement with suitable local native species.
- To minimise unnecessary injury to, or destruction of, trees and vegetation

In order to build the proposed dwelling. Some trees will have to be removed.

A survey of the affected trees as well as those within the proximity of the building, is included in the AIA submitted as part of the development application.

ON MERIT

CHAPTER 3.7 GEOTECHNICAL REQUIREMENTS FOR DEVELOPMENT

OBJECTIVES

- To provide a management strategy for development in areas identified as having landslip potential
- To provide guidelines on the content of geotechnical reports submitted to Council

A geotechnical report by a professional is submitted as part of this development application

YES

SCENIC QUALITY STATEMENTS

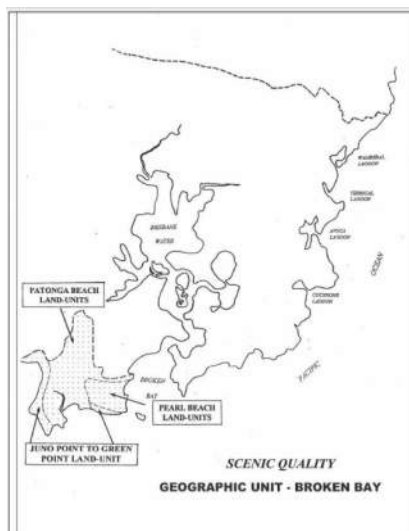
Objectives

The objectives of this document are:

- to provide a detailed assessment of landscape character which highlights the diversity between and within landscape units;
- to detail the components of that landscape character; ▪ to provide a comparative ranking of the landscapes; and ▪ to develop appropriate guidelines for the management of the landscape character.

BROKEN BAY

Landscape Units Covered: Pearl Beach, Patonga, Juno Point to Green Point



	<p>Development Objectives</p> <ol style="list-style-type: none"> 1. Retain and enforce existing provisions contained within instruments and policies relating to the low density nature of development. 2. Encourage the maintenance of distinctive vernacular character of development in the Pearl Beach and Patonga landscape units. 3. Encourage new buildings in all landscape units to blend into existing unique fabric and environment. 4. Retain in Pearl Beach informal street alignment and paths plus vegetated nature reserves which help to create the scenic character of the area. 5. Rezoning proposals in all landscape units should aim to preserve the existing scenic character and prevent the creation of further detracting elements. 6. Restrict zoning density of development to current levels on high visible slopes in Pearl Beach, particularly on steep land. 7. Recognise importance of privately-owned Environmental/Conservation zoned land in providing a complimentary land system to and a buffer area for National Parks. 		
	<p>There are no buildings located within the adjoining sites. Additionally, no pattern has been established for the surrounding area.</p> <p>The proposal takes advantage of this absence to introduce an 'out of the conventional' clustered composition.</p> <p>There are no buildings located within the adjoining sites. Additionally, no pattern has been established for the surrounding area.</p> <p>The proposal takes advantage of this absence to introduce an 'out of the conventional' clustered composition that is sensitive to the site and well within the maximum setbacks and height controls.</p> <p>Creating a series of 'pavilions' that are interconnected and located at different heights, following the topography and personality of the site.</p> <p>Due to the inclination of the site. Some important excavation is proposed at the bottom of the site to allow for access, parking and construction of the Living areas within the largest volume.</p> <p>There are no buildings located within the adjoining sites and the closest dwellings are of modern/ contemporary style.</p> <p>The proposal intends to follow a contemporary style that is attractive to the eye, while keeping some of the traditional features such as covered carport, balconies, verandahs and decks. The volumes that compose the dwelling will be hidden by the trees and not so easily visible from the main road and beyond.</p> <p>The orientation of these cubicles will allow for good views of the site, depending on each height and will not affect any other current or potential neighbour.</p> <p>In order to preserve the natural characteristics of the site, the proposal does not establish any changes to the landscape that is not within the building footprint.</p> <p>These unspoiled zones will preserve trees and bushes in their current form.</p> <p>High trees, accentuated by the inclination of the site, provide good privacy and shading, reducing the installation of privacy screens and louvres.</p> <p>The proposal intends to preserve as many natural features of the site as possible and these will continue to dominate the site.</p>		<p>YES / ON MERIT</p>

Planning Assessment

Assessment of Natural Environmental Impacts

Topography & Scenic Impacts

The development proposes a certain amount of excavation to the frontage and lower part of the site, to allow for the access driveway, garage space and living areas. Any proposed building would require a certain amount of excavation in order to provide comfortable access and circulation around the site while guaranteeing good integration with the natural landscape and reducing visual impact.

Water & Air Quality Impacts

The development does not propose anything that will impact the ongoing waste generation or air quality of the site or its greater context.

Fauna and Flora Impacts

The development tries to minimize the impact to the existing fauna and flora of the area. A fauna and flora report is included as part of this development application.

Assessment of Built Environmental Impacts / Character and Context

Impact on the Area's Character

The development constitutes an introduction of a new dwelling in unspoiled land. Nevertheless, the proposed bulk of the development fits well within its immediate natural context. It is considered that the impact to the area's character will be of a positive nature.

Assessment of Built Environmental Impacts: Privacy and Amenity

Acoustic and Visual Privacy Impact

The dwelling is built away from any neighbouring building, and as such, neither the adjoining neighbour nor the subject site are able to have onlooking windows with which to impede any visual privacy concerns. The proposed development does not encroach upon the required side setbacks, nor does it go beyond the allowed separation between the subject and any of neighbouring dwellings. Visual privacy is also supported by the position and height of openings of habitable rooms and living areas

Impact on Sunlight Access

The proposed bulk allows for sunlight into any potential neighbour's rooms in the future, along with the principal open area or private area of either neighbour. It does not restrict solar access to its neighbours site to less than three hours on the 21st of June (Winter Solstice).

View Impacts

The development in our opinion, forms only a minor impact to the overall vistas and views to the neighbouring properties, due to the natural characteristics of the site, any potential view corridors are preserved. The development also being surrounded by mature trees that guarantee a minimal visual impact from the distance

Assessment of the Site Suitability

Proximity to Services and Infrastructure

The development does not propose any changes to the existing public services or civil infrastructure surrounding the site.

Traffic, Parking and Access

The development proposes beneficial changes to the existing parking conditions of the site by integrating double garages for each dwelling, which can ease traffic and access conditions of the site and around.

Hazards

The development shall represent landslide and bushfire hazards that need to be properly assessed by professionals prior to construction. A Bushfire report is included in this application

The Public Interest

Social and Economic Impact

The proposed development will provide a minor benefit to the economy in relation to jobs created during the length of its construction.

The Public Interest

The proposed development has no impacts on the public community beyond its contribution to the overall character of the streetscape.

Conclusion

The DA for 47 Patonga Drive, Patonga, has been assessed in accordance with Section 4.15 of the EP&A Act 1979 and Council's planning instruments. The proposal is permissible within Zoning controls under the Gosford IDO order 122, Central Coast LEP 2022, and consistent with the objectives and planning requirements of the Central Coast DCP 2022 .

The proposed building is an appropriate development within its natural context. Based upon the combined merits of its permissibility, developmental nature as a new building, and the overall concordance with the local planning controls, we recommend this DA be approved.

Yours faithfully,



Director | Project manager | ETSAM A