



Report of Development Application

Pursuant to Section 4.15 of the Environmental Planning and Assessment Act
1979

APPLICATION DETAILS	
Type of Application	Development Application
Planning Portal Case No.	PAN-462356
Application No.	DA 13/25
Modification No.	Not Applicable
Council Record No.	24/12889
Date of Lodgement	26.09.2024
Date of Site Inspection	21.10.2024
Applicant	Steven G Hall
Proposal	Colorbond shed (18m x 9.20m, wall h:4.20m, total h:5.094m)
Description of Modification	Not Applicable
BCA Classification	10a
Development Cost	\$60,000
Other Approvals	CC and S68 stormwater to be lodged
Concurrence Required	Not required.
Referrals	Engineering Department
AHIMS Search Result	There are no Aboriginal sites recorded in or near this location.
Adjoining Owners Notification	Notification is required and has been sent to selected property owners for review. Submissions due 14.10.2024. no submissions have been received.
Advertising	Not required
Determination Body	Council.
Reason	Does not withstand requirements of the DCP heights exceeds more than 25% variation.
Meeting Date	25 November 2024
Assessment Officer	Birgit Ronnfeldt

SITE DETAILS	
Subject Land	Lot 45 DP9082
Street, Town	32 Railway Street, THE ROCK NSW 2655
Owner	Steven G Hall
Owner's Address	As above
Owner's Consent Provided	From send 15.10.2024
Previous DAs or BAs and S68	Nil on record other than that the transportable was installed in 1994 on this land.

<u>PLANNING CONTROLS / STATUTORY CLASSIFICATION</u>	
Pursuant to Part 4 (Division 1)	
Environmental Planning Instrument	Lockhart Local Environmental Plan 2012
Zoning	RU5 village
Land Use Definition	Ancillary Residential Development
Statement of Permissibility	Permitted with Consent

Description of Development

The proposal involves the construction of a new Colorbond shed (18m x 9.20m wall h:4.20m, total h:5.094m). The development requires a variation to the DCP. The shed will be constructed with a steel frame on a concrete slab and Colorbond cladding. The shed requires the extra height for a car hoist to be installed.

The Site and Locality

The site is located on RU5 Village zoned land. The land is 2023m² in area and currently has an existing dwelling located on it. Surrounding land consists of large blocks with single dwellings and associated Structures such as sheds.

The site has rear lane vehicle access with existing double gates which will be reinstated to access the new shed. The site is flat and does not require cut or fill.



MATTERS FOR CONSIDERATION PURSUANT TO SECTION 4.15

Section 4.15 (1) – The provisions of any environmental planning instrument (EPI)

Lockhart Local Environmental Plan 2012

Proposed development complies with the provisions of the Lockhart Local Environmental Plan 2012 as follows:

Part 2 Permitted or prohibited development Land Use

The land is located in the **RU5 Village** zone under the LLEP 2012.

1 Objectives of zone

- **To provide for a range of land uses, services and facilities** that are associated with a rural village.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dwelling houses; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Cellar door premises; Electricity generating works; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Hazardous storage

establishments; Heavy industries; Livestock processing industries; Mooring pens; Offensive storage establishments; Open cut mining; Rural workers' dwellings; Waste disposal facilities.

Comment: It is considered that the subject development complies with the abovementioned RU5 Zone Objective. The proposed shed is permitted with consent within the land use table as part of residential development.

Part 3 Exempt & Complying Development

Comment: The proposed development is not Exempt or Complying Development. The applicant is seeking consent.

Part 4 Principal development standards

Comment: No Applicable Development Standards.

Part 5 Miscellaneous provisions

Comment: No Applicable Miscellaneous Provisions.

Part 6 Additional Local Provisions

Comment: Clause 6.5 'Essential Services' of the LLEP is relevant to this application and provides:

6.5 Essential Services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable vehicular access.*

Council is satisfied that the development meets all the above required services. An existing dwelling is located on the site and all required services have been provided.

State Environmental Planning Policies (SEPPs)

N/A

Section 4.15(1)(a)(ii) – the provisions of any draft environmental planning instrument

No relevant planning instrument under this clause is currently the subject of public exhibition or comment.

Section 4.15(1)(a)(iii) – The provisions of any development control plan

Lockhart Shire Development Control Plan 2016

Proposed development complies with the development standards of the Lockhart Development Control Plan 2016 as follows:

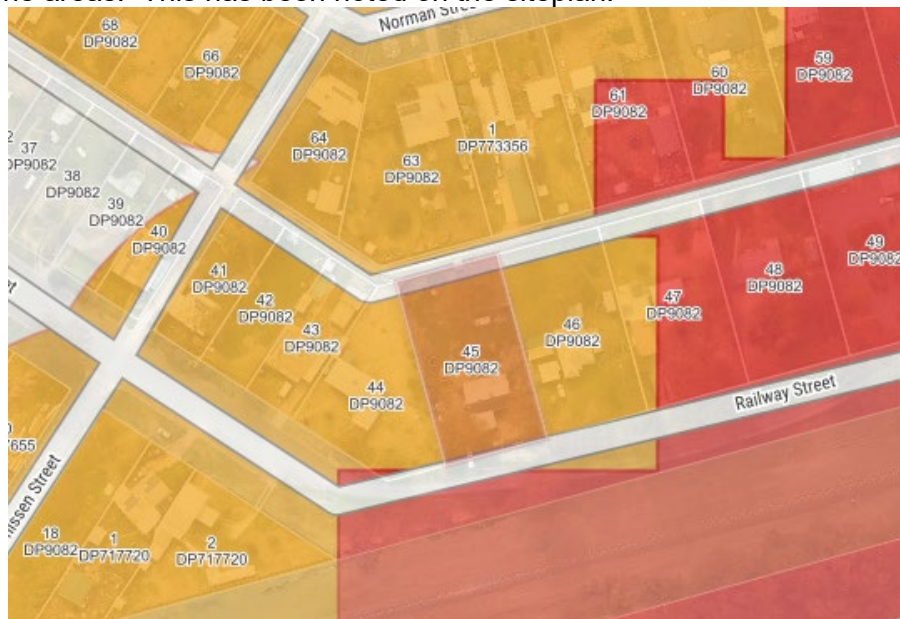
Section C – Development Controls

Activities in Public Places

Comment: Not applicable.

Bushfire Prone Land

Comment: The development site is identified as being bushfire prone land. The development is not for habitable use. The subject site is described as bush fire prone land. The proposed shed is classed a 10a non-habitable building under the National Construction Code (NCC). There is no bush fire protection requirements for 10a located more than 6m from a dwelling in Bushfire prone areas. This has been noted on the siteplan.



Commercial Development

Comment: Not applicable. The development is for ancillary residential development.

Contaminated Land

Comment: Not applicable. The development site is not identified as being contaminated.

Dwelling Houses (Second Hand)

Comment: Not applicable.

Engineering Standards

Comment:

- If a new vehicle access is required, an application for s138 Road opening permit is to be lodged. This will provide access to the proposed new shed. The property access will be required to be installed in accordance with Council's Engineering standards. This will form a condition of Development Consent.
- No new sewerage works proposed to be undertaken as part of the development.
- Existing water supply has been provided to service the property.

- Stormwater from the proposed new structures will be connected into the existing stormwater drainage lines located on the site to be discharged to the road table drain.

Environmentally Sensitive Areas

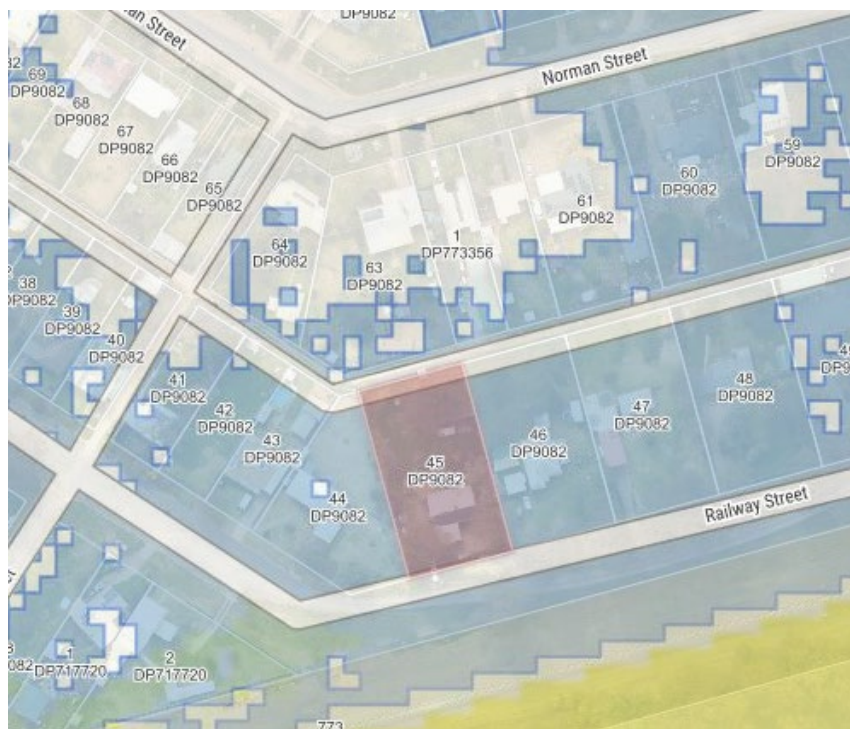
Comment: Not applicable. The development site is not located in an Environmentally Sensitive Area.

Erosion and Sediment Control

Comment: Appropriate measures will be taken on the site and there is likely to be minimal impacts as part of the development.

Flood Prone Land

Comment: The development site is located on flood prone land. The proposed shed is not for habitable use and does not need flood planning requirements.



Food Premises Fit Out and Construction

Comment: Not applicable.

Heritage and Conservation

Comment: Not applicable. The development site is not located in a Heritage and Conservation Area.

Industrial Development

Comment: Not applicable. The development is residential.

Large Lot Residential Development

Comment: Not applicable. The development site is located on RU5 Village zoned land.

Notification of Development Applications

Comment: Notification of the Development Application is required due to its height of 5.094m. Notifications have been sent to all adjoining landowners/occupiers no submissions have been received.

Residential and Village Development

Comment: This section is relevant to this development.

The proposed shed will be located behind the dwelling. the distance to the eastern boundary is 2m and approximately 12m from the rear fence.

No fill proposed to be provided on the lot.

The development does not include any new fencing.

Rural Development

Comment: Not applicable as the development is residential.

Sewage Management

Comment: The development does not propose any new sewage work. Existing sewage to remain on site as existing with no changes proposed.

Signage

Comment: No new signage proposed as part of the development.

Subdivision

Comment: Not applicable. No subdivision proposed.

Temporary Occupation of Land

Comment: Not applicable.

Section 4.15(1)(a)(iiia) – Planning Agreements

Nil

Section 4.15(1)(a)(iv) - any matters prescribed by the regulations

Nil

Section 4.15(1)(b) - likely impacts of that development				
	Satisfactory	Not Satisfactory	Not Relevant	Comment
Context & Setting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is considered to be appropriate although oversized within the RU5 Zone and the development is considered appropriate for its location.
Streetscape	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not affect the streetscape in a negative way.
Traffic, access and parking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No new access is required with this development.
Public Domain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No adverse impacts will occur to the public domain as a result of this development.
Utilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Satisfactory for this development.
Heritage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not applicable.
Aboriginal Heritage Search	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A search report on the Aboriginal Heritage Information Management System (AHIMS) revealed no records of sites or places.
Other land Resources (e.g physical, biotic, environmental, infrastructural and socio-economic components of a natural land unit)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Satisfactory.
Water Quality & Stormwater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stormwater to be disposed of into the existing stormwater drainage lines located on the site. Condition will be added to consent.
Soils, soil erosion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not create any adverse impacts on soils or contribute to soil erosion.
Air and microclimate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not create any adverse impacts on the air or micro climate.
Flora and Fauna Trees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No trees or vegetation required to be removed as part of the development.
Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will utilise appropriate waste management practices and is serviced by a waste collection service.
Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not create any adverse impacts or demands on energy.
Noise & vibration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not create any adverse impacts with regards to noise and vibration.
Hours of operation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A – Residential development.

Natural hazards - Flooding Area Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development site is identified as flood liable land. the building is of non-habitable usage.
Natural hazards - Bushfire Prone Area Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development site is identified as bush fire prone land. (buffer zone). A distance between dwelling and shed is required. note on plans.
Technological Hazards (e.g industrial pollution, toxic waste, fires, chemical spills)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not promote any technological hazards. Residential storage of motor vehicles.
Safety, security and crime prevention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not create or contribute to any adverse safety, security or crime prevention issues.
Social impact in locality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will not adversely affect the social fabric of the community. The development will not change the way that people conduct their daily lives etc.
Economic Impact in Locality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is considered that the development may contribute positively to the local economy by virtue of economic flow on effects.
Site design and internal design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Considered satisfactory. The shed is suitable for this large site.
Overlooking - overshadowing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No problems with overlooking or overshadowing.
Landscaping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing.
Construction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Satisfactory.
Private open space	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Satisfactory.
Cumulative Impacts (environmental, social, economic and other impacts)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Considered acceptable and positive.
Disabled access	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A – Residential Development
Signage	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A – Residential Development
Setbacks, Building Envelopes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed front, rear and side setbacks are compliant with the DCP setback requirements.

Section 4.15(1)(c) - the suitability of the site for the development

The subject land located at 32 Railway Street, The Rock NSW is considered to be suitable for the proposed development.

Section 4.15(1)(d) - any submissions made in accordance with the Act or the regulation

The development was not required to be notified as it is likely to have minimal impacts on adjoining land.

Section 4.15(1)(e) - the public interest

The public interest is a broad consideration relating to many issues and is not limited to the efficient development of the land. Taking into account the full range of matters for consideration under Section 4.15 of the Environmental Planning and Assessment 1979 (as discussed within this report) it is considered that approval of the application is consistent with the public interest.

Other Legislative Requirements**Biodiversity Conservation Act 2016**

Is the clearing of native vegetation proposed? No

Does clearing exceed clearing criteria identified in Biodiversity Conservation Regulations? N/A

Is the land identified on OEHs Biodiversity Values Maps? N/A

For all proposals below the thresholds a 'test of significance' is required. If this test indicates significant impact then Biodiversity Assessment Method Must be applied.

Section 7.3 of the Biodiversity Conservation Act 2016**5 Part Test (threatened species or ecological communities, or their habitats)**

The following factors must be taken into account in making a determination under this section:

- a) In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,
- b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
 - (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
 - (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,
- c) in relation to the habitat of a threatened species or ecological community:
 - (i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
 - (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and
 - (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,
- d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly,
- e) whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.

Comment:

Is vegetation proposed to be cleared, native vegetation? No

If yes - then does DCP require a permit? N/A

If yes, is clearing associated with development that requires consent? N/A

Does it exceed offset scheme threshold or test of significance? If yes Biodiversity Assessment Method applies and Biodiversity Assessment Report from accredited persons is required? N/A

Note: If serious and irreversible impacts are identified then the application must be refused.

Developer Contributions Plans

Section 7.12 Development Contributions Plan for the Council of Lockhart Shire 2020.

The development is valued at less than \$100,001 and therefore no contributions are required in accordance with the Contribution Plan.

REFERRALS:

nil

CONCLUSION:

This assessment has given consideration to the matters listed where relevant. This assessment was undertaken in accordance with section 4.15 of the Environmental Planning and Assessment Act 1979.

RECOMMENDATION

It is recommended that Development Application 13/25 for the Construction of proposed Colorbond Shed, be approved, subject to the following conditions:-

CONDITIONS

General Conditions

1) COMPLIANCE WITH BUILDING CODE OF AUSTRALIA AND INSURANCE REQUIREMENTS UNDER HOME BUILDING ACT 1989

- (1) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- (2) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
- (3) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- (4) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- (5) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- (6) This section does not apply—

- a) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
- b) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

2) ERECTION OF SIGNS

- (1) This section applies to a development consent for development involving building work, subdivision work or demolition work.
- (2) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
 - a) showing the name, address and telephone number of the principal certifier for the work, and
 - b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c) stating that unauthorised entry to the work site is prohibited.
- (3) The sign must be—
 - a) maintained while the building work, subdivision work or demolition work is being carried out, and
 - b) removed when the work has been completed.
- (4) This section does not apply in relation to—
 - a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

3) NOTIFICATION OF HOME BUILDING ACT 1989 REQUIREMENTS

- (1) This section applies to a development consent for development involving residential building work if the principal certifier is not the council.
- (2) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—
 - a) for work that requires a principal contractor to be appointed—
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer of the work under the Home Building Act 1989, Part 6,
 - b) for work to be carried out by an owner-builder—
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.
- (3) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.
- (4) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

REASON: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.

4) SHORING AND ADEQUACY OF ADJOINING PROPERTY

- 1. This section applies to a development consent for development that involves **excavation that extends below the level of the base of the footings of a building**, structure or work on adjoining land, including a structure or work in a road or rail corridor.

2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense—
 - a. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
 - b. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.
3. This section does not apply if—
 - a. the person having the benefit of the development consent owns the adjoining land, or
 - b. the owner of the adjoining land gives written consent to the condition not applying.

REASON: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.

5) APPROVED DOCUMENTATION

The development must be carried out in accordance with the stamped approved plans and specifications.

The Development Application has been determined by the granting of consent subject to and as amended by the conditions of development consent specified below.

Note: Any modifications to the proposal shall be the subject of an application under Section 4.55 of the Environmental Planning and Assessment Act, 1979.

REASON: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

6) TOILET FACILITIES

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus and additional toilet for every 20 persons employed at the site.

REASON: To ensure that the building site and adjoining public places are maintained in a clean and tidy condition so as not to interfere with the amenity of the area. Section 4.15 (1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

7) PROTECTION OF EXISTING DRAINAGE PIPES

During excavation works for the footings, care must be taken to avoid possible damage of existing sewer pipes. New footings are not to impose direct pressure on existing pipe work instead are to be designed to be on each side of the pipe.

REASON: To ensure the proposed development does not compromise existing infrastructure.

8) OCCUPATION OF OUTBUILDINGS (CLASS 10a)

The shed must not be used or adapted for use for residential occupation, commercial or industrial purposes. The structure has been classified as a Class 10a building. Any use that is not compatible with this classification will require a specific Development Application to be lodged and consent issued for that alternate use.

REASON: Class 10a buildings are not suitable for residential accommodation.

Building Work

Before issue of a construction certificate

9) CONSTRUCTION CERTIFICATE

A CONSTRUCTION CERTIFICATE must be obtained pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, as amended from either Council or an

accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia PRIOR to any works commencing.

- NOTE 1: No building, engineering, excavation work or food premises fitout must be carried out in relation to this development until the necessary Construction Certificate has been obtained.
- NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you made an application for a Construction Certificate at the same time as you lodged this Development Application.
- NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

REASON: to ensure compliance with the National Construction Code.

10) APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY

The applicant must ensure that prior to any works commencing, that if Council is to be appointed as the Principal Certifying Authority, that the appointment of Principal Certifying Authority is made on the NSW Planning Portal.

REASON: Because it is in the public interest that Council receive notification in accordance with the provision of the Environmental Planning and Assessment Act 1979, as amended. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

11) EROSION & SEDIMENT CONTROL

Prior to commencement of works erosion & sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. Such measures are to remain in place until the project has been completed and the land suitably rehabilitated and stabilised.

REASON: To protect the amenity of the surrounding area.

Before building work commences

12) NOTICE OF COMMENCEMENT OF WORKS

At least two (2) days prior to the commencement of any works, notice of commencement of building or subdivision works is to be provided to Council and, in the event of a private certifier, the principal certifier.

REASON: To ensure the development complies with the requirements of Section 6.6 of the Environmental Planning and Assessment Act 1979.

13) BUILDING WASTE

Prior to works commencing a container must be erected on site for the enclosure of all building rubbish and debris, including that which can be wind-blown. The enclosure shall be approved by council and be retained on site at all times prior to the disposal of rubbish at a licensed Waste Management Centre.

Materials and sheds or machinery to be used in association with the construction of the building must not be stored or stacked on Council's footpath, nature strip, reserve or roadway.

NOTE 1: No building rubbish or debris must be placed, or be permitted to be placed on any adjoining public reserve, footway, road or private land.

NOTE 2: Weighbridge certificates, receipts or dockets that clearly identify where waste has been deposited must be retained. Documentation must include quantities and nature of the waste. This documentation must be provided to Council prior to application for an Occupation Certificate for the development.

NOTE 3: the suitable container for the storage of rubbish must be retained on site until an Occupation Certificate is issued for the development.

REASON: To protect the amenity of the surrounding area.

During building work

14) DISCOVERY OF RELICS AND ABORIGINAL OBJECTS

While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:

the work in the area of the discovery must cease immediately;

the following must be notified

- for a relic – the Heritage Council; or
- for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- for a relic – the Heritage Council; or
- for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

REASON: To ensure the protection of objects of potential significance during works.

15) TRACKING MUD

The Site supervisor is to ensure to clean up any mud tracking/spoil material from the construction site onto the Road and all other adjoining public roads. To prevent the tracking of mud onto the carriageway and to prevent edge breaking of the existing pavement, the driveway is to be sealed from the existing edge of seal to the property boundary, at no cost to the Authority.

REASON: To ensure that development works does not have adverse impact on road safety. Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

16) BUILDING INSPECTIONS

If the Council is appointed as the Principal Certifying Authority the following inspections must be undertaken by Council and a satisfactory Inspection Report must be issued by Council for such works prior to any further works being undertaken in respect of the subject development. Inspection Stages for construction are listed in Column 1 and must be inspected by Council at the times specified in Column 2.

COLUMN 1	COLUMN 2
Footings	When the footings have been excavated and all steel reinforcement has been placed in position.
Slab	When reinforcement steel has been placed in position in any concrete slab, whether or not the slab is suspended, on the ground, or on fill.
Wall frame and roof frame	When the frame has been erected and prior to sheeting or at Final inspection.

Drainage	When the stormwater and roof water drainage system has been completed prior to backfill.
Final	Required prior to occupation of the building.

NOTE 1: A Final Occupation Certificate in relation to the building cannot be issued by Council until all Inspection Reports required by this condition have been issued by Council. Prior to or at the time of the application for Occupation Certificate the application for "Occupation Certificate" form attached to the Council issued Construction Certificate must be completed and submitted to Council with all required attachments - failure to submit the completed Occupation Certificate application form will result in an inability for Council to book and subsequently undertake occupation certificate inspection.

NOTE 2: The above Inspection Reports are required whether or not the work has been inspected by a Structural Engineer, a lending authority or any other person. If the Inspection Reports are not issued Council may refuse to issue a Building Information Certificate under Section 6.26 of the *Environmental Planning and Assessment Act 1979*, as amended.

NOTE 3: Submission of the bracing plan and the Truss and Frame Certificate is required seven (7) working days before the frame inspection.

REASON: To require approval to proceed with building work following each critical stage inspection.

17) **SITE DIMENSIONS AND MEASUREMENTS**

It is the responsibility of the owner of the land to ensure that all site dimensions and measurements are accurate.

REASON: To ensure that the building is located in accordance with the approved plans.

18) **HOURS OF WORK**

Site work must only be carried out between the following times and excepting public holidays -

- For construction from 7am to 6pm Monday to Friday,
- For construction from 7am to 5pm on Saturday.

All reasonable steps must be taken to minimise dust generation during the demolition and/or construction process. Demolition and construction noise is to be managed in accordance with the Office of Environment and Heritage Guidelines.

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

REASON: To protect the amenity of the surrounding area.

19) **ADVERSE EFFECTS**

The development is to be carried out in a manner so as not to cause any adverse effects or interfere with the amenity of the neighbourhood by way of smoke, fumes, exhausts, dust, noise or the like.

REASON: To protect the amenity of the surrounding area.

20) **PROTECTION TO COUNCIL'S ASSETS**

The applicant shall ensure that suitable protection is given to the Council's assets, including paving, to ensure no damage is incurred during activities on the site. The applicant shall be responsible for any re-instatement costs incurred.

REASON: To protect Councils asset and ensure rectification to any damage occurred.

21) STORMWATER DRAINAGE

All roofed and paved areas must be drained and the water from those areas and from any other drainage conveyed to:

- a) the roadside table drain (the end of the pipe is required to be suitably protected), in accordance with AS/NZS 3500.3 'Stormwater Drainage'.

Stormwater disposal drains must be connected to all roof gutter downpipes within fourteen (14) days of installation of the downpipes and/or the construction of hard standing areas, as may be appropriate, to discharge roof water to the approved method of disposal.

REASON: to ensure the stormwater does not impact existing buildings and adjoining land.

22) SITE DRAINAGE

The ground surrounding the building must be graded and drained to ensure that all surface and seepage water is diverted clear of buildings on the site and clear of adjoining properties. Permanent surface or subsoil drains or a combination of both must be provided to all excavated areas, hard standing areas and depressions. The invert of such drains must be a minimum of 200 mm below the finished floor level and must have a minimum grade of 1:100 to the approved storm water disposal location. This work must be carried out within fourteen (14) days of the installation of the roof gutter downpipes.

REASON: a drainage system for the disposal of stormwater must convey the water to an appropriate outfall, avoid the entry of water into a building, avoid water damaging the building and avoid the likelihood of damage or nuisance to any other property.

Before issue of an occupation certificate

23) VEHICULAR CROSSING

Any vehicular crossing being required to enable satisfactory access shall be constructed at full expense of the applicant and to Council's specification. The applicant must obtain a Road Opening Permit under Section 138 of the Roads Act 1993 from Council, prior to commencing any works on the road reserve.

(Please contact Council's Engineering department for standard conditions and specifications). The access is to be maintained by the applicant to the satisfaction of Council.

REASON: To provide suitable vehicle access to the property and comply with Council's Engineering requirements.

24) CONDITIONS OF OCCUPANCY

An Occupation Certificate, must be obtained pursuant to Section 6.3 of the Environmental Planning and Assessment Act 1979, from either Council or an accredited certifying authority, prior to occupation of the building.


In order to obtain this, the "Final Occupation Certificate", the applicant shall make application on the NSW Planning Portal – failure to lodge / submit the completed Occupation Certificate Application form on the Planning Portal will result in an inability for Council to book and subsequently undertake Occupation Certificate inspection.

NOTE: The issuing of an Occupation Certificate does not necessarily indicate that all conditions of development consent have been complied with. The applicant is responsible for ensuring that all conditions of development consent are complied with.

REASON: To ensure that the building is suitable for occupation.

Occupation and ongoing use

No additional conditions have been applied to this stage of development.

<p>Report by:</p>  <p>Birgit Ronnfeldt DEVELOPMENT ASSESSMENT OFFICER</p> <p>Date: 31.10.2024</p>	<p>Report Approved by</p> <p>Jesse Rapley DIRECTOR PLANNING AND ENVIRONMENT</p> <p>Date:</p>
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