

# **79C PLANNING REPORT - DEVELOPMENT ASSESSMENT REPORT DA021/12 & CC020/12 – PROPOSED SHED ADDITION AT 3 KORRA STREET, MARRANGAROO**

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## **PROPOSAL**

The proposal provides for the construction of a metal-framed colorbond-clad shed addition having approximate external dimensions of 14.4m x 7m (100.8m<sup>2</sup>) to the eastern elevation of an existing shed and sited up to 5.23m from the southern side boundary, and approximately 12m from the eastern rear boundary. The proposed roof and external wall cladding will be consistent with that of the existing shed (Classic Cream).

The proposed shed addition will incorporate a shallow pitch skillion roof form (5 degrees) and will have a wall height ranging from 2.39m to 3.0m.

A roller door opening is proposed within the eastern rear external wall of the existing shed to provide internal access between the two shed parts.

The subject land is within Marrangaroo Fields Estate and has a site area of 3200m<sup>2</sup>. It is improved by a dwelling (erected under 125/92BA), a detached shed (erected under BA263/93) having a floor area of 108m<sup>2</sup>, an associated shed addition (erected under BA130/95) having a floor area of 54m<sup>2</sup>.

The proposed use of the shed addition in conjunction with that of the existing shed is to accommodate motor vehicles for non-commercial purposes.

## **SUMMARY**

To advise Council of the submission of Development Application DA021/12 and Construction Certificate Application CC020/12 by Mr. G. & Mrs. L. Redding for the construction of a shed addition at Lot 56, DP 813538, No 3 Korra Street, Marrangaroo.

The application is recommended for approval, subject to conditions.

## **LOCATION OF THE PROPOSAL**

Legal Description : Lot 56, DP 813538  
Property Address : No 3 Korra Street, Marrangaroo

## **ZONING:**

The land is zoned 2(a) Residential under the Lithgow City Local Environmental Plan 1994

## **PERMISSIBILITY:**

The development is considered permissible in accordance with the Lithgow City Local Environmental Plan 1994.

## **POLICY IMPLICATIONS (OTHER THAN DCP's)**

None applicable.

## **FINANCIAL IMPLICATIONS (eg Section 94)**

None applicable.

## **LEGAL IMPLICATIONS**

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the Environmental Planning and Assessment Act 1979. These matters for consideration are as follows:

### **Any Environmental Planning Instrument**

*Consider SEPPs, REPs & LEPs. RELEVANT Provisions of LEP (eg permissibility, development standards, heritage listing, advertising requirements of another authority who administers a SEPP or REP). Is a SEPP1 objection required?*

The development is permissible under the Lithgow Local Environmental Plan 1994.

### **Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

If applicable, is the development consistent with the objectives of the draft instrument?

Not applicable

### **Any Development Control Plan**

*Is the proposal consistent with the DCP? If not, is a variance warranted and has it been justified?*

Clause 5.4.1 of the Addendum to Development Control Plan for Marrangaroo Fields Estate provides that 'all new outbuildings must not exceed ninety (90) square metres in floor area'.

Clause 5.4(d) provides that 'Council will consider... applications for outbuildings on their merits. Particular regard must be given to the compatibility, materials and design of the outbuilding if it is not situated behind the dwelling or is situated on the same building line as the dwelling'.

Appendix III of the DCP - Terms of Restrictions as to User referred to as (h) provides that no outbuilding shall be constructed of materials other than of a non-reflective nature to the satisfaction of the Council... and to be of earth-tone colours considered by Council to be sympathetic with the surrounding environment'.

The relevant aims / objectives of the DCP provide that the residential environment should have a distinct rural atmosphere in which all buildings are generally complimentary with natural surroundings. Development should take into account the amenity of adjoining and surrounding lands in respect to sunlight, views, privacy and safety and restrict density within the area so as to retain its rural character.

The proposal does not meet the provisions of Clause 5.4.1 in that it provides for a total aggregated floor area of 260.8m<sup>2</sup> which exceeds the maximum permissible new outbuilding floor area of 90m<sup>2</sup> by up to 170.8m<sup>2</sup>.

However, the following merits of the proposal need to be taken into account when considering proposals under Clause 5.4 of the DCP:

1. The existing shed and proposed shed addition will be effectively screened when viewed from a public place and / or adjoining properties by an existing densely planted screen comprising of conifers. This L-shaped screen was planted to satisfy terms of approval with the previously approved shed addition (BA130/95);
2. The proposed shed addition is sited well clear of neighbouring properties, behind the front building line established by the dwelling and is attached to the rear of the existing shed.
3. The scale and bulk of the shed addition / altered shed building is not considered excessive in the context of this large rural style block and will not cause undue adverse impact on adjoining properties or the streetscape.

In the circumstances, the proposal is supportable under the heads of consideration under Section 79C of the Environmental Planning & Assessment Act 1979.

**Any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under Section 93F?**

No.

**Any matters prescribed by the regulations that apply to the land**

No.

**The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

The proposal will have negligible adverse impact on the existing development or surrounding neighbourhood. The addition is compatible with the existing development.

**The Suitability of the site for the development**

See above

**Any submissions made in accordance with this Act or the Regulations**

*If relevant, consider public and authority submissions. Do submissions relate to valid Planning issues?*

The proposal was notified to residents within the vicinity and no objections were received.

**The public interest**

The non-commercial use of the altered shed building is considered to be not inconsistent with the public interest.

**Building Surveyor's Comments**

The building proposal satisfies the Deemed-to-satisfy provisions of BCA 2010.

## CONCLUSION / RECOMMENDATION

The development application meets the objectives under Section 79C of the Environmental Planning & Assessment Act 1979 and Council's policies therefore approval is recommended subject to the following conditions:

1. That the development be carried out in accordance with the application, accompanying information, plans submitted with the application and any further information provided during the process unless otherwise amended by the following conditions.
2. All exposed earthworks and disturbed areas shall have suitable sediment control measures in place **prior** to the commencement of construction to prevent soil erosion and the transport of sediment off the site during rainfall and runoff. The sediment control measures shall be continually monitored and maintained for the duration of construction and for six months after completion. All disturbed areas shall be revegetated with native vegetation endemic to the area.
3. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - b. Stating that unauthorised entry to the work site is prohibited and
  - c. Showing the name, address and telephone number of the principle certifying authority for the work.The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
4. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
  - a) Slab base and reinforcement steel prior to placement of concrete
  - b) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
  - c) Framework prior to internal lining.
  - d) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.At each inspection, erosion and sediment control measures and site management will be inspected.  
**Note: forty-eight (48) hours notice shall be given to Council prior to inspections.**
5. All work on site shall only occur between the following hours:

Monday to Friday  
Saturday

7.00am to 6.00pm  
8.00am to 1.00pm

Sunday and public holidays                      No work

6. That the proposed rainwater drains are connected to the existing rainwater disposal system.
  
7. That existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council. All plumbing and drainage work is to be carried out by a licensed plumber and drainer.
  
8. No portion of the structure shall encroach onto the easement. The applicant/owner is responsible for identifying the location of the easement prior to work commencing.
  
9. That the external cladding and roofing of the proposed garage are of a natural tone, non-reflective condition.
  
10. A separate development application shall be submitted and approved for any retaining walls that exceed 600mm in height.
  
11. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

Report prepared by:.....

Supervisor:.....

Dated:.....

Dated:.....

**GENERAL NOTES:**

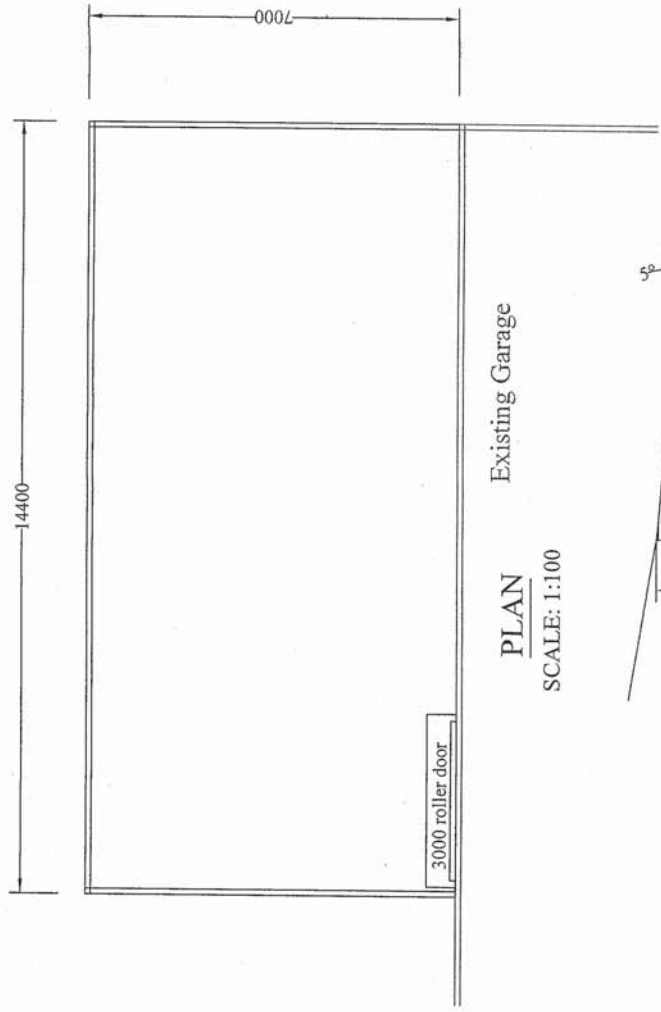
1. All materials and workmanship shall be in accordance with the NCCS BCA 2011, AS 1684, and other relevant authorities.
2. All dimensions are to be checked on site prior to commencement of construction.
3. This drawing is to be read in conjunction with other relevant drawings and specifications.
4. All vegetation and topsoil is to be removed from underneath footings and slab.
5. The bearing capacity of the existing subgrade is assumed to be min. 150 kPa.
6. Fill under footings shall be uniformly graded granular material, placed in max. 200mm layers and compacted to 100% of Standard Compaction.
7. Footings and slab have been designed and should be constructed in accordance with AS 2870-1996 as amended.
8. The site has been classified under AS 2870 as Class S foundation.
9. All concrete to be F<sub>ck</sub> = 25 MPa U.N.O.
10. Lap all mesh min. 250mm. Lap all trench mesh 600mm. Lap deformed bars min. 450mm U.N.O.
11. Vapour membrane to be placed under all footings and slabs.
12. Termitite protection to AS 3660.1-2000 to be installed.
13. The structure has been designed for loads in accordance with AS/NZ 1170.0-1170.3, with provision for a snow loading of 1.4448 kPa.

**Client:** G & L Redding  
**Project/Location:**  
 Engineering Details for  
 Proposed Extension to  
 Garage at 3 Korra Street,  
 Marrangaroo

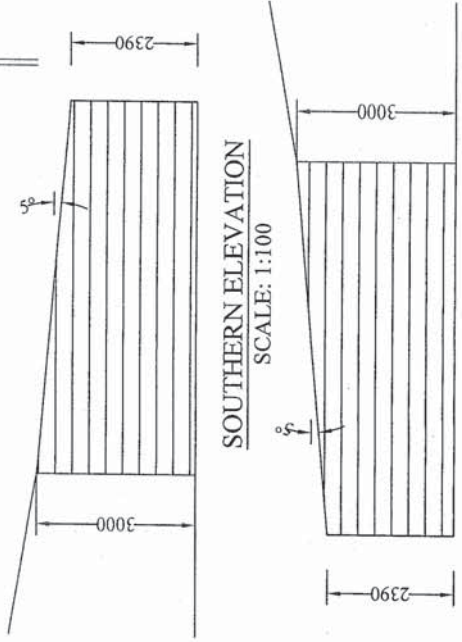
**Scale:** As Shown at A3  
**Date:** 11/1/2012  
**Drawing Title:**  
 212 Redding - 001

**McNiven Consulting Pty. Ltd.**  
 5 Malvern Street, Lithgow NSW 2790  
 Phone: 6352 5474 Mob: 0429 929 682  
 Email: ajmcm@aapt.net.au

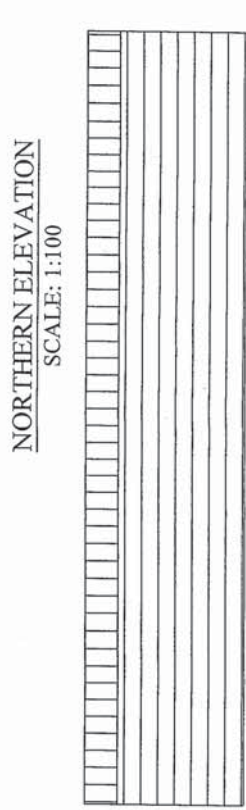
Footings and slab have been designed to AS 2870-2011

**PLAN**  
 SCALE: 1:100

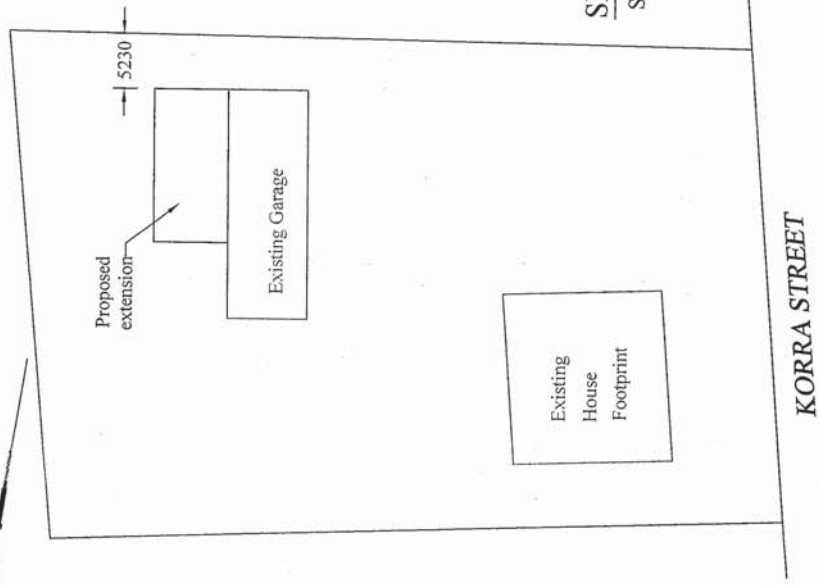


**SOUTHERN ELEVATION**  
 SCALE: 1:100



**NORTHERN ELEVATION**  
 SCALE: 1:100

**EASTERN ELEVATION**  
 SCALE: 1:100



**SITE PLAN**  
 SCALE: 1:500