

**DEVELOPMENT ASSESSMENT REPORT - DA200/13
PROPOSED S.E.S STORAGE SHED, 10 FALNASH STREET PORTLAND NSW
2847**

1. PROPOSAL

The development proposal (vide DA200/13) provides for the construction of a Colourbond storage shed at Lot 11 DP864218, 10 Falnash Street Portland NSW 2847.

2. SUMMARY

To advise Council of the submission of Development Application DA200/13 by Lithgow City Council for a storage shed at Lot 11 DP 864218, 10 Falnash Street Portland NSW 2847

The application is recommended for approval, subject to conditions.

3. LOCATION OF THE PROPOSAL

Legal Description : LOT 11 DP 864218
Property Address : 10 Falnash Street Portland NSW 2847

4. ZONING:

The land is zoned 2(v) Village in accordance with Lithgow City Local Environmental Plan 1994.

5. PERMISSIBILITY:

The development being a storage shed is considered permissible under Lithgow City Council's Local Environmental Plan 1994, subject to development consent.

5.1 POLICY IMPLICATIONS (OTHER THAN DCP's)

Nil

5.2 FINANCIAL IMPLICATIONS (eg Section 94)

Nil

5.3 LEGAL IMPLICATIONS

Environmental Planning and Assessment Act 1979

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:

5.3.1 Any Environmental Planning Instruments

Lithgow City Local Environmental Plan 1994

LEP 1994 – Compliance Check		
Clause	Compliance	
4	Covenants, agreements. etc	Yes
9	2(a) zoning table	N/A
9	2(v) zoning table	Yes
9	1(a) zoning table	N/A
9	1(c) zoning table	N/A
9	1(d) zoning table	N/A
9	1(e) zoning table	N/A
9	3 zoning table	N/A
9	4 zoning table	N/A
9	6 zoning table	N/A
11	General Considerations for development in rural zones	N/A
12	Subdivision in Zone 1(a)	N/A
12A	Subdivision in Zone No 1 (e)	N/A
13	Subdivision for other purposes in Zone No 1(a) or 1(e)	N/A
14	Subdivision for residential purposes in Zone 1(c)	N/A
15	Development in Zone No 1 (d)	N/A
16	Subdivision in the Village Zone	N/A
17	Erection of a dwelling in Zone No 1 (a)	N/A
17A	Dwelling entitlement on existing concessional lots	N/A
18	Erection of a dwelling in Zone No 1(c)	N/A
18A	Erection of a dwelling in Zone No 1(e)	N/A
19	Dual occupancy development	N/A
20	Temporary accommodation for workers in Zone No 1(a) or 1(e)	N/A
21	Notification of certain development and development in Residential and Village Zones	Yes
22	Residential development in Business Zone	N/A
23	Demolition control in the Business Zone	N/A
24	Consideration of development in Open Space Zone	N/A
26	Development along arterial roads	N/A
28	Environmentally sensitive land	N/A
29	Flood liable land	N/A
30	Land subject to bushfire hazards	N/A
31	Minor variations to zoning boundaries	N/A
35	Bed and breakfast establishments	N/A
37	Contaminated land	N/A
Part 4	Heritage provisions	N/A

Comment:

The proposal is consistent with the above zone objectives and the land is deemed suitable for the proposal.

5.3.2 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

Under the Lithgow City Draft LEP 2013, which was placed on public exhibition on 20 June 2013, the subject lot is proposed to be rezoned as R2 (Low Density Residential). The proposal is permissible in this zone as ancillary development.

5.3.3 Any Development Control Plan

Nil.

5.3.4 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.

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

There are no demolition works, rebuilding or extension of the building is proposed as part of this application.

5.3.6 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 development shall have minimal impact on the surrounding environment.

Access:

The proposed storage shed will utilise the existing entrance gateway to the property from Falnash Street.

Bushfire:

The land is mapped as bushfire prone land. Due to 'Planning for Bushfire Protection 2006' only requiring a storage shed to comply should it be located within 10m of a dwelling on the same allotment (no dwelling exists on this allotment) no bushfire prevention measures apply to this development.

Water:

There is no proposal to connect the storage shed to Councils reticulated water supply.

Effluent disposal:

There is no proposal to connect the storage shed to Councils reticulated sewer system.

Social and Economic Impact:

As the proposed development will be generally in keeping with the provisions of the planning instruments and is reasonably compatible with other similar development in the locality, it is expected to have minimal social and economic impact.

Other:

There are no known heritage, contamination or flora/fauna issues relating to the proposed development.

Adjoining Landuse:

The surrounding development is generally typical of commercial use and residential use. The scale of the proposal is very similar to surrounding development and is considered not to have an impact on the adjoining land.

Context and Setting:

The proposed development will be located within an established commercial and residential area and will have no adverse impact on the context and setting of the area. The development has been designed to complement existing features of similar development in the area.

Public Domain:

The development will not impact on the public domain.

Heritage:

There is no known heritage item located on or in the vicinity of the site.

Other Land Resources:

The development will not impact on the value of the land in terms of its potential for agriculture, mining etc. with all waste and water will be properly managed.

Water:

There will be no significant impact on water resources.

Soils:

The proposal provides for minimal earthworks/impact to existing soil conditions and is of an elevated design. No adverse impact on soils is envisaged.

Air and Microclimate:

There will be no significant impact on air or microclimate.

Noise and Vibration:

There are no nearby sources of noise or vibration that would impact detrimentally on residents of the proposed development. The proposal will not cause any noise issues.

5.3.7 The Suitability of the site for the development

The size and nature of the proposed development will be consistent with land uses in the surrounding area.

There are no natural or manmade hazards, other than those identified.

The proposal is compatible with the objectives of the zone and is considered to have minimal impact on the surrounding residential amenity.

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

Nil.

5.3.9 The public interest

The proposal was sent to adjoining land owners for a period of 14 days. No concerns were raised by the public during this period.

6. DISCUSSION AND CONCLUSIONS

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

7. ATTACHMENTS

Schedule A- Conditions of consent.

8. RECOMMENDATION

THAT development application DA200/13 is approved subject to conditions set out in Schedule A.

Report prepared by:.....Supervisor:.....

Dated:.....Dated:.....

REASONS FOR CONDITIONS

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure that satisfactory arrangements are made to satisfy the increased demand for public recreation facilities.
- To ensure that satisfactory arrangements are made to satisfy the increased demand for public recreation facilities
- To ensure access, parking and loading arrangements will be made to satisfy the demands created by the development.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure lots are adequately serviced.
- To ensure there is no unacceptable impact on the water quality.
- To ensure compliance with the requirements of the Rural Fire Services.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

Schedule A

Conditions of Consent (Consent Authority)

Please Note: It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

General Requirements

1. The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.
2. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
3. That the external cladding and roofing of the proposed storage shed are of a natural tone, non-reflective condition.
4. That the proposed rainwater drains are connected to the existing rainwater disposal system.
5. That no hazardous materials are stored in the shed.
6. That the proposed storage shed is not to be attached to the existing buildings/structures onsite.

Requirements Prior to Commencement of Work

7. Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
8. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:
 - a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
 - b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

9. 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.

10. A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.

Requirements During Construction

11. All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No work

12. That all footings/piers are taken through filled ground to foundation material of uniform adequate bearing pressure.

13. That the structure is securely bolted at its supports and fixed rigidly at its base.

14. That existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council.

Requirements Prior to Use

15. 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.

Advisory Notes:

AN1. 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) Pier holes/pad footings before filling with concrete.
- b) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like).
- c) Framing when external wall and roof cladding is in place and prior to internal linings.
- d) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- e) 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.

AN2. That the personal access doors must be readily openable from the inside of the building without a key and are fitted with a single handed downward action latching device located between 900mm and 1.1m from the floor.