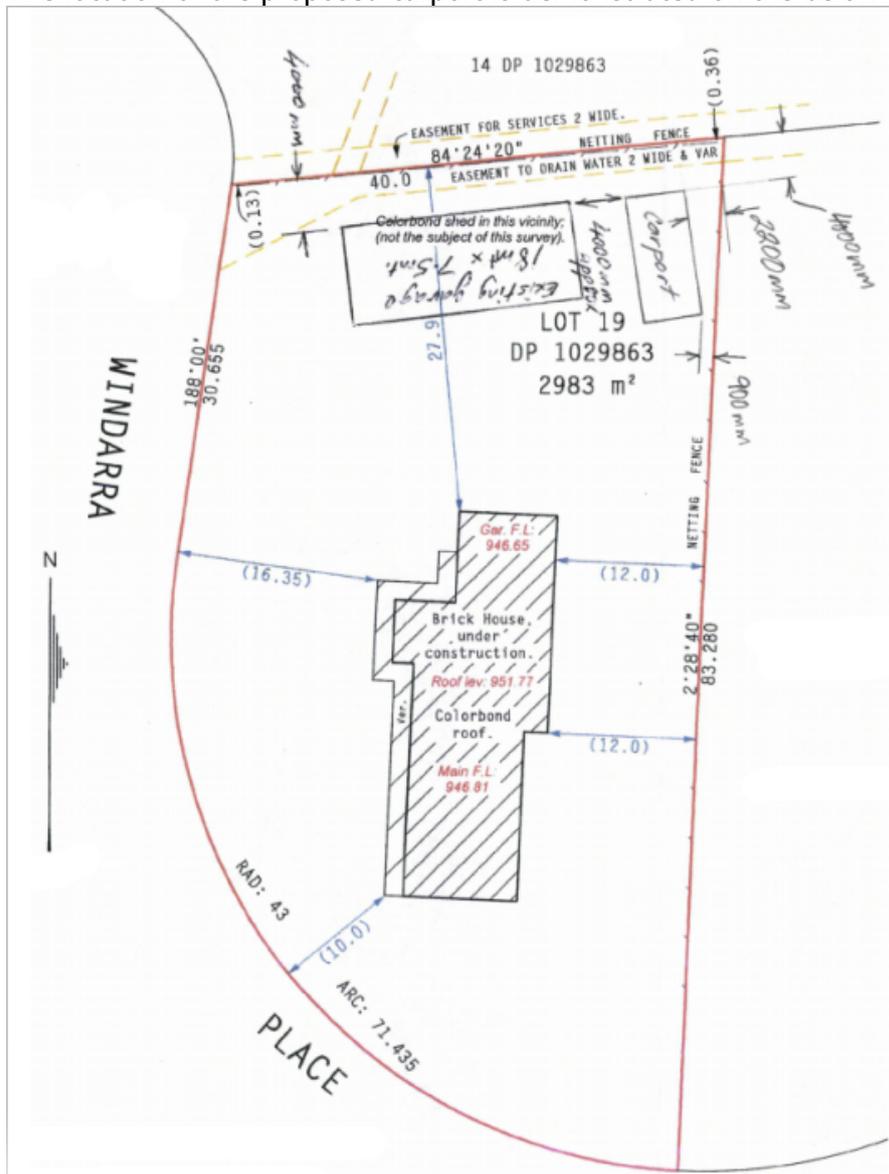


FAST TRACK ASSESSMENT

Section 4.15 Evaluation Report – Carport

DA Number	DA231/20
A construction Certificate Application, CC181/20 has also been submitted to Council for assessment. This will be issued separately to the development approval.	
Address	16 Windarra Place, Marrangaroo
Lot/DP	Lot 19 DP1029863
Applicant/Landowner	McAndrew: W.F & R.A.
Assessment by	Emma Byers
Description of Proposal	10m x 4.2m carport with maximum height of 3.97m
Description of Site	Residential land with existing house and garage on site

The location of the proposed carport is demonstrated on the below site plan:



Policy Implications

Community Participation Plan – Carports in association with a dwelling are not required to be notified, as per this plan.

Policy 7.6 - Development Applications By Councillors And Staff Or On Council Owned Land –

This policy states:

1. *That, subject to the exemptions in Part 2 of this Policy, the following development applications shall be referred to Council for consideration and determination:*
 - a. *Any development application lodged where the applicant is a Councillor or a member of Council's Executive staff or immediate family thereof*

As such, this application will be referred to Council for determination in accordance with this policy.

Environmental Planning and Assessment Act 1979 – Section 4.15

5.3.1 Any environmental planning instrument

Lithgow Local Environmental Plan 2014

Zoning	R2 Low Density Residential
Objectives	The proposal is considered to be consistent with the objectives of the zone.
Permissibility	Carports are permitted as development ancillary to an established, lawful residential use of the land. There is an existing dwelling house located on this property. The proposed carport is permitted.
Heritage	The property is located within 65 metres of the Lithgow Golf Club, which is a listed heritage item. The proposed carport will not impact upon the heritage significance of this item. There are residential properties buffering the golf club building from this property, and the carport will not be visible from the golf club.
Earthworks	Minor earthworks of less than 600mm of cut and fill are proposed to level the site for the slab. These are considered to be consistent with the objectives of clause 7.1.
Flood planning	The land is identified as flood prone. The proposed development is an open carport, and as such will not adversely impact upon flood behaviour, and is not considered to increase the flood risk to life and property. The proposal is considered to be compatible with the land's flood hazard.
Other matters	7.5 Groundwater Vulnerability – The land is identified as groundwater vulnerable. The proposed carport is unlikely to cause groundwater contamination, nor is it likely to adversely impact groundwater or groundwater dependent ecosystems. The proposal is consistent with the requirements of this clause.

Other environmental planning instruments

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The application is required to be assessed using the Neutral or Beneficial Effect on Water Quality Assessment Tool as below. Given the development satisfies this assessment the development complies with the SEPP.

Assessment Summary

General Information

Consultancy -
 Consultant -
 Consultant reference number -
 DA number **DA231/20**
 Assessing officer **emma.byers@lithgow.nsw.gov.au**
 Council **Lithgow City**
 Development class **Buildings/farm buildings no wastewater**
 Date of assessment **11/9/2020 9:45:53 AM**

Lot	Section	Plan
19		1029863

Assessment Summary

NorBE status **Determined**
 System outcome **Satisfied** User outcome **Satisfied**
 SCA concurrence outcome
 Determination outcome **Granted** Determination date **11/9/2020 12:00:00 AM**

Pre-Assessment

Located within Sydney drinking water catchment? **Yes**
 Is development consistent with any existing SCA S88 instruments on title? **N/A**
 Crown perpetual leasehold land? **No**
 Water quality impact ? **No**
 Concentration of flow of water? **No**
 Flow of water impeded? **No**
 Discharge of pollutants? **No**
 Any other matter? **No**
 Documentation is complete? **Yes**
 Does Water Cycle Management Study meet SCA/Council requirements? **Yes**
 Description **42m2 carport**

Assessment notes

No notes

<p>State Environmental Planning Policy No 55. – Remediation of Land The potential for contamination has been considered as part of this assessment, and the land is considered suitable for the proposed development without remediation.</p>
<p>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</p>
<p>None applicable.</p>
<p>5.3.3 Any Development Control Plan</p>
<p>None applicable.</p>
<p>5.3.4 Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?</p>
<p>None applicable.</p>
<p>5.3.5 Any matters prescribed by the regulations that apply to the land</p>

Prescribed conditions of consent will be imposed.	
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	
Context and setting	The proposed carport will be located toward the rear of the block, behind the existing garage located on the site. This will minimise potential impacts upon the streetscape. The maximum height of the carport is 3.9m, which is consistent with the single story developments in the area in terms of bulk and scale. The carport in association with the existing dwelling is consistent with the residential character of the area.
Amenity impacts	The proposed carport is not likely to impact upon the amenity of the surrounding area. It is located toward the rear of the block behind the existing shed. The maximum height of 3.9m is not likely to cause overshadowing. There is existing vegetation along the boundaries of adjoining properties to conserve privacy.
Servicing	No servicing is required for the proposed carport.
Ecological impacts	The proposal will be located on previously disturbed land developed for residential purposes. It is unlikely the proposal would cause any negative ecological impacts.
Hazard	The land is identified as flood prone. This is assessed in section 5.3.6 above.
Social and economic impact	Generally positive social and economic impacts expected
Construction impacts	Potential construction impacts include noise, sediment movement and dust. Standard conditions will be imposed to protect the amenity of the surrounding area.
5.3.7 The Suitability of the site for the development	
The proposed development is considered generally suitable for the site.	
5.3.8 Any submissions made in accordance with this Act or the Regulations	
No submissions received.	
5.3.9 The public interest	
Approval of the proposal is generally compatible with the public interest.	

RECOMMENDATION

THAT development application DA231/20 is approved subject to conditions set out in Schedule A.

Report prepared by: Emma Byers

Supervisor: Lachlan Sims

Signed:.....

Signed:.....

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
- 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 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.

Recommended Consent Conditions

GENERAL

1. Approved plans and documentation

The development is to be undertaken in accordance with the approved plans containing Council's approved development stamp identified in the table below and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.

TITLE	DATE	VERSION	PREPARED BY
Architectural Drawings Ref: 3009170813			Shed World
Gable Carport Drawing Sheet 1 of 2	25/10/2012		Calare Civil
Gable Carport Drawing Sheet 2 of 2	25/10/2012		Calare Civil
Client Details & typ isometric view	25/10/2012		Calare Civil
Standard Slab & Footings Drawing	25/10/2012		Calare Civil
Standard Pier only Drawing	25/10/2012		Calare Civil

2. The carport shall be located wholly within the confines of the property boundaries in accordance with the approved site plan.
3. Approval is for a carport only and the structure shall not be used, fitted or occupied for industrial, commercial or residential purposes without prior development consent.

CONDITIONS APPLYING BEFORE WORKS COMMENCE

4. Construction certificate

Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with:

- a) a Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act, and

- b) a Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and Form 7 of the Regulations, and
- c) 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.

5. **Signage**

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.

6. **Insurance**

Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

- (a) In the case of work to be done by a Licensee under the Act:
 - i) has been informed in writing of the licensee's name and contractor Licensee Number, and
 - ii) it is satisfied that the Licensee has complied with the requirements of Part 6 of the Act, or
- (b) In the case of work to be done by any other person:
 - i) has been informed in writing of persons name and Owner-Builder Permit Number, or
 - ii) has been given a declaration signed by the owner of the land that states that the reasonable market cost of the labour and materials involved in work is less than the amount prescribed for the purposes of the definition of Owner-Builder Work in Section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of dated any information or declaration previously given under either of those paragraphs.

7. **Protection of adjoining areas**

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the works—

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or

(c) involve the enclosure of a public place or part of a public place.

8. **Toilet facilities**

- (1) 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 one additional toilet for every 20 persons employed at the site.
- (2) Each toilet must—
 - (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - (c) be a temporary chemical closet approved under the Local Government Act 1993.

9. **Garbage receptacle**

- (1) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (2) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

10. **Run-off and erosion controls**

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by—

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- (c) preventing the tracking of sediment by vehicles onto roads, and
- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

CONDITIONS APPLYING DURING THE WORKS

Note. The Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Noise Control) Regulation 2008 contain provisions relating to noise.

11. **Standard hours for construction**

Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday.

12. **Compliance with plans**

- (1) Works must be carried out in accordance with the plans and specifications to which the development consent relates.
- (2) A copy of the stamped and approved plans, development consent are to be on the site at all times.

13. **Maintenance of site**

- (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

- (2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- (4) During construction—
 - (a) all vehicles entering or leaving the site must have their loads covered, and
 - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

14. **Earthworks, retaining walls and structural support**

- (1) Any earthworks (including any structural support or other related structure for the purposes of the development)—
 - (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
 - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
 - (c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
 - (d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.
- (2) Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442 [PDF] and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia.

15. **Stormwater and Plumbing and Drainage**

That seepage and surface waters are collected and diverted clear of the carport site and onsite waste disposal area by a drainage system. Care is to be taken to ensure that no nuisance is created to adjoining properties.

16. **Earthworks**

Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

17. **Archaeology discovered during excavation**

If any object having interest due to its age or association with the past is uncovered during the course of the work—

- (a) all work must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1997 may be required before further the work can continue.

18. **Aboriginal objects discovered during excavation**

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work—

- (a) all excavation or disturbance of the area must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

Note. If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the National Parks and Wildlife Act 1974.

19. When a survey certificate is required

- (1) If any part of the work is the erection of a new building, or an alteration or addition to an existing building, that is located less than 3m from the lot boundary, a survey certificate must be given to the principal certifying authority—
 - (a) before any form work below the ground floor slab is completed, or
 - (b) if there is no such form work—before the concrete is poured for the ground floor slab.
- (2) The survey certificate must be prepared by a registered land surveyor and show the location of the work relative to the boundaries of the site.

CONDITIONS APPLYING BEFORE OCCUPATION/USE

20. Occupation Certificate

Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority.

ADVISORY NOTES

AN1. Mandatory Building Inspection schedule

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 (slab, footings, lintels, beams, columns, floors, walls and the like).
- c) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- d) Frame and completion of the development and sign off to all conditions of the consent prior to use.

AN2. Snow load

The property is located in an exposed area subject to high winds and snow falls. The wall and roof frames for the carport shall be designed and certified for the relevant ground snow and wind loading for the area and details are to be submitted to the Certifying Authority.

AN3. That, owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure the building and the roof cladding are effectively secured. Manufacturer's details and directions for anchorage and fixing are to be

adhered to.