

SEPARATE COVER ATTACHMENT

**PSRP-3 DA16-0132 - USE OF EXISTING
CARPORT, SHED AND ADDITIONS TO REAR OF
DWELLING, 5 JAMES STREET, KOORINGAL,
LOT B DP 163948.**

- 1 S79C Assessment Report**
- 2 Site Plan**
- 3 Elevations of Additions**
- 4 Shed and Carport Elevations**
- 5 Statement of Environmental Effects**
- 6 Additional Information**



Report of Development Application

Pursuant to Section 79C of the Environmental Planning and Assessment Act 1979

APPLICATION DETAILS

Type of Application	Development Application
Application No.	DA16/0132
Modification No.	N/A
Council File No.	D/2016/0132
Date of Lodgement	10/03/2016
Applicant	KW Salmon 6 Evangelist Ave LAKE ALBERT NSW 2650
Proposal	Use of existing additions to rear of dwelling and carport
Description of Modification	N/A
BCA Classification	1a, 10a
Development Cost	\$0
Other Approvals	Nil
Concurrence Required	No
Referrals	Internal
Determination Body	Wagga Wagga City Council

Reason

In accordance with Clause 1.11 "Complying with the Wagga Wagga Development Control Plan 2010" the application has been referred to Council for determination as the outbuildings do not comply with Control C4 under Section 9.4.4 of the Wagga Wagga Development Control Plan 2010 by greater than a 10% variation from this control.

Meeting Date

Policy and Strategy Meeting 11/4/16

Assessment Officer:

Sam Robins

SITE DETAILS**Subject Land**

5 James St KOORINGAL NSW 2650
Lot B DP 163948

Owner

KW Salmon

Owner's Consent Provided

10/3/16

Location

The subject site is located on the north western corner of Groves and James Streets

STATUTORY CLASSIFICATION

Pursuant to Part 4 (Division 1)

Environmental Planning Instrument

Wagga Wagga Local Environmental Plan 2010

Zoning

Under the Wagga Wagga Local Environmental Plan, 2010 - R1 General Residential

Land Use Definition

Use of existing shed, carport and additions to dwelling

REPORT

DESCRIPTION OF DEVELOPMENT

This application is for the use of existing as follows:

- Detached flat roof steel carport measuring 7.1m x 6m x 3m high
- Detached flat roof steel shed measuring 5.2m x 4.5m x 2.5 high
- Addition to rear of dwelling under skillion roof measuring 10m x 3m.

The application also includes the demolition of a number of other outbuildings located in the rear yard.

The applicant has indicated that the shed was constructed with the dwelling some 50 years ago and the carport has been in place for some 15 years. It is unclear exactly when the additions to the dwelling were added but they appear to have also been in place for a number of years.

THE SITE & LOCALITY

The site, being Lot B DP 163948, 5 Young Street, Koorungal is a corner site located on the northern western corner of James and Grove Streets.

The site measures 714.5m² and currently contains a detached dwelling with detached carport and numerous outbuildings. Council records indicate that the dwelling was approved under Building Application 272/59.

The site slopes from west to east and contains limited vegetation. The site is free of any easements. Vehicle access to the site is off James Street however the main entrance to the property fronts Grove Street.

The site is an established residential area with the majority of dwellings consisting of single storey detached properties with outbuildings to the rear.

The site is not considered bush fire or flood prone.

A site visit was undertaken on 18/3/16 by the assessing officer.

SUMMARY OF MAIN ISSUES

Impact on character of the area

Impact on the amenity of adjoining neighbours

Compliance with Councils Development Control Plan 2010

MATTERS FOR CONSIDERATION PURSUANT TO SECTION 79C(1)

For the purpose of determining this development application, the following matters that are of relevance to the development have been taken into consideration pursuant to the provisions of Section 79C(1) of the Environmental Planning and Assessment Act, 1979.

(a)(i) - The provisions of any environmental planning instrument (EPI)

Local Environmental Plan

Wagga Wagga Local Environmental Plan 2010 (LEP 2010)

The following provisions of the LEP 2010 apply:

Land Use Table

Under the LEP the site is zoned R1 - General Residential

The objectives of the zone that would be considered relevant are;

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of the residents.*
- *To ensure co-ordinated and cost effective provision of physical, social and cultural infrastructure in new residential areas.*

Under the LEP 2010 the proposal would be considered alterations and additions associated to a dwelling.

Under Section 3 - Dwellings are permitted with consent, by making this application for consent, the use can be considered under the relevant provisions of this section. The LEP 2010 provisions do not prohibit dwellings in this zone and the development is seen to be consistent with the objectives of the zone.

State Environmental Planning Policies

State Environmental Planning Policy No. 55

Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land. Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. There is no indication that the site has previously been occupied by any use that could have led to contamination of the site. Furthermore the land is not identified on Councils register of contaminated sites. Accordingly it is not considered necessary to request any investigation reports on the subject site.

(a)(ii) - The provisions of any draft environmental planning instrument

Draft local environmental plans

N/A

Draft state environmental planning instruments

N/A

(a)(iii) - Any development control plan

Wagga Wagga Development Control Plan 2010

The relevant controls of the DCP have been addressed below.

1.11 Complying with the Development Control Plan 2010

The controls in the DCP support the Guiding Principles of the Plan and principles and objectives within the various sections. Except as varied elsewhere in this Plan, all Development Applications, Section 96 Applications and Section 82A Applications should aim to satisfy all stated objectives and controls.

Whilst all developments should aim to satisfy all controls within the DCP, it is acknowledged that there may be circumstances where it may not be possible to achieve strict compliance.

Council may consent to an application which departs from any control, whether a "numeric" or non-numeric control. In such cases, a written submission must be lodged with the Development Application.

Where an application involves the variation of one or more controls within the DCP Council staff have delegation to approve variations but limited to the following circumstances;

- *Where any numeric control is not being varied by greater than 10%*

The application proposes a variation to C4 of Section 9.4.4 of the DCP by greater than 10% therefore Council staff do not have delegation to approve such an application and it has therefore been referred to Council.

The applicant has submitted written justification for the variation and Council may consent to the proposal if deemed acceptable.

The issues surrounding the variation have been discussed throughout this report, particular attention is drawn to Section 9.4.4 of the DCP.

2.1 Vehicle access and movements

As the structures are existing and have been in place for a number of years there will be no alteration to the existing vehicle access and movements on site. The access is off James Street and leads to the carport that forms part of this application. Given the application involves a single dwelling the vehicles are not required to be able to enter and exit in a forward direction. The carport is setback 6.8m from the property boundary to allow for adequate space between the road reserve and the carport door. No issues are raised with the vehicle access and movements.

2.2 Off-street parking

The following controls of this section are relevant to this development:

C1 Parking is to be provided in accordance with the table below.

The development would be subject to the following controls:

- 1 spaces/3 bedroom house or larger.

This provision is easily met given the existing double carport that forms part of this application.

The proposal complies with all other controls in this section.

2.3 Landscaping

Not required for alterations and additions to single dwellings. No vegetation will be damaged or removed as part of this application given the structures are already in place.

2.5 Safety and security

The objectives and controls of this section that are relevant for this development are as follows:

Objectives

O3 *Maximise opportunities for natural surveillance of public spaces and building or site entrances.*

Controls

C1 *Use good site planning to clearly define public, semi-public and private areas.*

- C2 *Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.*
- C3 *Minimise blank walls along street frontages.*
- C4 *Avoid areas of potential concealment and 'blind' corners.*
- C5 *Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.*
- C6 *Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.*

The carport shed and additions raise no safety and security issues given they are located on a standard residential lot. The carport provides additional security along the secondary frontage. The proposal is considered generally compliant with the controls and would meet the relevant objectives of this section of the DCP.

2.6 Erosion and Sediment Control Principles

Given the works have already been located on site this section of the DCP is no longer relevant

Section 9 Residential Development

9.2.1 Site layout

The site layout raises little concern. The shed is to the rear, the carport addresses the secondary elevation and is set level with the dwelling and the additions are minor and compatible with the existing dwelling.

9.2.2 Streetscape

Given the dwelling is located on a corner lot it addresses both Grove and James street. The proposal only relates to structures located on the western elevation and therefore there is no impact on Grove Street. Given the main entry fronts Grove Street and the setback on this elevation exceeds 6m this would be considered the primary frontage, with James Street the Secondary frontage

The shed and alterations are located behind the carport and existing dwelling and fence and therefore are not visible from James Street so have no impact on the streetscape.

The carport is located on the western boundary and fronts James Street. It is not uncommon for garages and carports to address the street on secondary frontages. The flat roof design, setback of 6.8m and its location behind the building line of the existing dwelling means its impact on the streetscape is negligible and acceptable. Furthermore the carport is set only marginally forward of the building line of the existing dwellings on James Street further reducing its visual dominance on the streetscape.

9.2.3 Corner lots and secondary facades

This section talks about the construction of dwellings and fences and makes no reference to outbuildings or alterations and additions, however it is important to consider the impacts of the structures on the corner lot.

As discussed above the only part of the application that will have a visual impact on the streetscape will be the carport and for reasons discussed above its impact is seen to be acceptable.

9.3.2 Site cover

Within the R1 zone and for dwelling houses on lots of this size the maximum site cover is 50%. The site cover proposed including carports and shed would be approximately 200m² once the demolition has been completed. 50% of the site would be 357m² and therefore would easily comply.

9.3.4 Solar access

The relevant objectives and controls of this section that apply are as follows:

Objectives

- O1 *Ensure that the amenity of the occupants of dwellings is achieved by designing so that they receive adequate daylight and natural ventilation to habitable rooms and sunlight to private open space areas.*
- O2 *Ensure non-habitable rooms such as garages, laundries and bathrooms are positioned so that living areas, open space and habitable rooms receive maximum winter solar access and ventilation.*
- O3 *Maintain reasonable sunlight access to adjoining properties.*

Controls

- C3 *For single dwellings, dual occupancies, secondary dwellings & shop top housing the windows to the main internal living area and at least half the private open space are to receive a minimum 3 hours direct sunlight between 9am and 3pm in mid-winter (June 22).*
- C5 *For any adjacent dwellings that have north facing living areas, maintain 3 hours sunlight access to the windows of the living areas between 9am and 3pm in mid-winter (June 22).*
- C6 *Proposed development design should take into account the location of any adjacent private open space and avoid overshadowing of that space*

The property to the west (7 James Street) is set higher and raised. Whilst there is a window on the side elevation of this property it is already above the structures being applied for. The flat roof construction means the impact on the solar access of this property will be negligible.

The only other potential impact is to 108 Groves Street, however this property is located north of the subject site and therefore the structures have no impact on solar access.

The additions to the dwelling and the shed and carport are all on the western elevation and therefore provide protection from the western sun. The main living area of the dwelling still has good eastern exposure and would easily receive the required direct sunlight.

No issues are raised regarding solar access on the neighbouring properties, their private open space or the existing solar access of the existing residence.

9.3.5 Private open space

The Site currently has the required 24m² private open space. The demolition of a number of outbuildings would further increase this space. No issues are raised.

9.3.6 Front Setbacks

C1 Minimum front setbacks for residential development

Primary street frontage (other roads) 6m

Secondary Frontage (corner site) 3m

As discussed the primary frontage is to Grove Street and has a setback well exceeding the 6m. The secondary frontage is to James Street and the existing dwelling and carport exceed 3m, with the carport at 6.8m and behind the building line of the dwelling on this elevation.

C4 The front elevation of a dwelling as visible from a public road shall include at least one change in plane of the dwelling wall (that encloses a habitable room) of a minimum of 500mm. The front of the garage shall not protrude in front of the face of the forward most wall of the dwelling enclosing a habitable room. In all instances, the garage shall not encroach on the front setback identified under C1. The forward most part of a building/dwelling wall shall not project forward of the building line. Refer to diagrams opposite.

The control focuses on attached garages as opposed to detached carports, however the principle is important to consider. Any outbuilding forward of the building line of the dwelling on a corner lot is likely to have a detrimental impact on the streetscape. As mentioned, in this instance the carport is behind the building line of the dwelling on this elevation and given its simple flat roof design and large setback the impact on the secondary elevation is seen to be acceptable. Furthermore James street is the longer elevation and the house is approximately 13m long along this elevation whereas the carport is only 6m so well in proportion with the house to be viewed as a subordinate structure.

No issues are raised with impact on setbacks.

9.3.7 Side and Rear Setbacks

There are no specific controls for side and rear setbacks in the R1 zone. All structures have been located at least 900mm from the rear (northern) boundary. This is considered adequate separation to allow for maintenance and to further reduce the amenity impacts of the structures on the neighbouring property.

The carport and shed have been constructed on the boundary with the property to the west. This is not ideal as it limits the ability to maintain the structure as approval would be required from the neighbour to access the structure from their land. However it is possible to maintain the structures from the owners land given their simple steel sheet construction. If the impacts of a zero setback in terms of amenity are considered acceptable then the zero set back could be approved.

As mentioned, Number 7 James Street is higher than the subject property and the impacts of the flat roof structures have been discussed and considered acceptable given this height difference and orientation. It is therefore considered that the zero set back can be approved.

9.4.2 Materials and finishes

The materials and finishes would not raise any issues.

9.4.3 Privacy

No additional privacy issues are raised, all structures and additions are single storey and built at ground level. Furthermore they have been in place for a number of years with no complaints registered on Councils system.

9.4.4 Garages, carports, sheds and driveways

The relevant controls are as follows:

C3 The floor area of an outbuilding on a residential lot must not be more than the following:

(a) 8% of the site area if the lot has an area of less than 600m²,

The application includes two separate outbuildings, the shed and the carport.

The site measures 714.5m² and 8% of this would be 57.16m². the shed measures 5.2m x 4.5m (23.4m²) and the carport measures 6m x 7.1m (42.6m²) and therefore both structures comply with this control.

C4 The total cumulative floor area of all outbuildings on any one property shall not exceed 8% of the site area or a maximum area of 300m², whichever is the lesser.

With the demolition of the sheds the only outbuildings remaining on site would be the two listed above. The combined total of these two outbuildings is 66m² which exceeds the 8% site cover and the 10% variation (62.87m²) that Council staff could approve under delegation.

The applicant has provided the justification for the variation that has been summarised below:

- 5 James Street is a corner lot and the carport provides added security to the rear of the site.
- The heights, colours and styles do not look out of place as many other properties in the neighbourhood have similar types of additions.
- The shed is not visible from the road. The carport with roller door creates minimal visual impact
- Both shed and carport are located on the western side of the block, which provides protection from the westerly weather.
- The carport door is less than 50% of the width of the house, is no wider than 6m and is not higher than 2.4m (door height)

The relevant objective of the section talks about '*minimising the visual dominance of garages in the streetscape*'. As discussed, the shed is not visible from any surrounding street and therefore the only impact on streetscape is from the carport. Given the 6.8m setback, the single storey flat roof design, the setback behind the building line of the dwelling and the acceptable impacts on the amenity of the neighbouring properties the proposed outbuildings would be seen to be acceptable and would not result in unacceptable visual dominance on the streetscape. Furthermore the structures have been in place for a number of years without concern being raised.

Council staff see no reason why the variation should not be supported and the shed approved.

C5 Sheds may only be erected on residential land where a dwelling house is constructed or under construction and must be used for purposes ancillary to the residential use of the land.

The site contains a dwelling and therefore the shed and carport are considered ancillary.

C6 The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot must not be more than 4.8m above ground level (existing). The building shall be single storey construction with a maximum roof pitch of 27 degrees or steeper to match the roof pitch of the house.

The maximum height of the carport is 3m, the shed is lower at 2.5m and therefore comply with this control.

(a)(iia) - 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, and

No planning agreement has been entered into under section 93F.

(a)(iv) - any matters prescribed by the regulations

Matters prescribed by the *Environmental Planning and Assessment Regulation 2000* have been satisfied

(b) - The likely impacts of the development

Context and setting

The shed, carport and additions are located on an appropriately zoned and sized lot.

The shed has been located to the rear of the site and the extensions attached to the rear of the dwelling, both these elements have negligible impact on context and setting.

As discussed the carport fronts James Street. The carport has obviously impact on streetscape given its prominent location, however as discussed its simple flat roof design and 6.8m setback means that its impact on context and setting would be seen as acceptable.

Access, transport and traffic

As mentioned above the access to the site would be considered appropriate and raise no concerns.

Noise and vibration

Minimal impact during demolition and will be controlled by conditions of any consent granted.

Natural Hazards

The site is not flood prone or bush fire prone.

Waste

Conditions of consent will ensure that the site is kept in an appropriate state during demolition and construction.

Services/Utilities

As the subject development is located within a developed residential area, all power, water, sewer and telecommunications are available to the site.

Flora and fauna

The proposal will not involve the removal of any vegetation

Public domain

No issues raised

Other land resources

The land is zoned residential and all relevant assessments were undertaken at subdivision stage. No issues are raised.

Water

The site is serviced by water and has appropriate stormwater facilities.

Safety, security and crime prevention

The shed, carport and additions raise no issues in a residential zone.

Site Design

Overall the development would be considered acceptable on a merits based assessment for the site.

The Principles of Ecologically Sustainable Development

The following are principles of ecological sustainability:

1 The precautionary principle

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

- (a) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
- (b) an assessment of the risk-weighted consequences of various options.*

The principle requires decision-making to give the environment the benefit of the doubt.

2 Intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations (that is, a partnership among all of the generations that may use or expect to benefit from the nation's resources).

3 Conservation of biological diversity and ecological integrity

Conservation of biological diversity and ecological integrity should be a fundamental consideration.

4 Improved valuation, pricing and incentive mechanisms

Environmental factors should be included in the valuation of assets and services:

- (a) polluter pays (that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement), and*
- (b) the users of goods and services should pay prices based on the full cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, and*

(c) environmental goals having been established should be pursued in the most cost-effective way by establishing incentive structures, including market mechanisms which enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

The development would result in a shed and carport located in the rear garden of an existing dwelling and minor additions to the rear of the dwelling in an established residential zone. The impacts assessed above have concluded that the development would be acceptable with minimal impact on the environment.

(c) - The suitability of the site for the development

Suitability of the site in terms of the likely impacts identified under (b)

The site is currently zoned residential and contains a detached dwelling and surrounded by residential developments. The site is considered suitable for the use of these existing structures. Compliance with conditions of consent will overcome concerns making the site suitable in terms of the impacts identified under section b.

(d) - any submissions made in accordance with this Act or the Regulations

Referrals

Internal only

Notification and advertising

In accordance with the Council's advertising and notification provisions outlined in Section 1.10 of the WWDCP the application was notified for a period of 7 days (extended for Easter period) on the following dates 22/3/16 to 31/3/16 and referred surrounding tenancies. One submission was received and has been addressed below:

Public Submissions and those from public authorities

Public submission:

Issue: Stormwater from illegal plumbing impacting on adjoining property

Comment: Conditions of consent will require that a plumbing permit is approved prior to the release of the building certificate. This will ensure that all stormwater meets current Australian Standards.

(e) - the public interest

Federal, state and local government interests and general community interests

It is considered that this application will not have a detrimental effect on the public interest.

Other Legislative Requirements

Section 5A ("Seven Part Test" - Threatened Species)

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 action proposed 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 population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,

(c) in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:

(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,

- (d) *in relation to the habitat of a threatened species, population or ecological community:*
- (i) *the extent to which habitat is likely to be removed or modified as a result of the action proposed, 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 action, and*
 - (iii) *the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality,*
- (e) *whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),*
- (f) *whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,*
- (g) *whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.*
- The development is in a residential zone and not removing any vegetation; the development will have minimal impact and not impact on any threatened species in the vicinity. No further assessment is required under this section.

Section 79B(3)

As mentioned above there is unlikely to be significant impact and a species impact statement is not required. Therefore concurrence is not required from the Director General of National Parks and Wildlife.

Council Policies

N/A

Comments by Council's Officers

Council's other relevant officers have reviewed the application in accordance with Council's processing procedures.

Development Contributions

No contributions are required for alterations and additions of this size in this location.

Other Approvals

Nil

Conclusion

The development is considered to be satisfactory based on the foregoing assessment. The proposal complies with the requirements of the Environmental Planning and Assessment Act 1979, the Building Code of Australia (Housing Provisions) Whilst the proposal does not comply with C4 of Section 9.4.4 of Council Development Control Plan 2010 it meets the objectives of this section and all other relevant controls of this document. The proposal does not unreasonably impact on the amenity of adjoining properties or the character of the area and should therefore be supported. No objections to the proposal were received.

RECOMMENDATION

It is recommended that the Wagga Wagga City Council approve Development Application DA16/0132 for Use of existing additions to rear of dwelling and carport, 5 James St KOORINGAL NSW 2650 , Lot B DP 163948 in accordance with the following conditions:-

CONDITIONS

Approved Plans and Documentation

1. The development must be carried out in accordance with the approved plans and specifications as follows.

Plan/Doc No.	Plan/Doc Title	Prepared by	Issue	Date
-	Site Plan	Kevin Salmon	-	21/3/16
-	Elevations of carport and shed	Kevin Salmon	-	21/3/16
-	Elevations of additions	Applicant	-	21/3/16
-	Statement of Environmental Effects	Applicant	-	10/3/16
-	Additional information	Applicant	-	20/3/16

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 96 of the Environmental Planning and Assessment Act, 1979.

REASON: It is in the public interest that work is carried out in accordance with the approved plans. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

Prior to Commencement of Works

2. Prior to works commencing on site, toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a) a standard flushing toilet connected to a public sewer, or
- b) if that is not practicable, an accredited sewage management facility approved by Council, or
- c) if that is not practicable, any other sewage management facility approved by Council.

NOTE 1: The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced and the toilet facility must not be removed without the prior written approval of Council.

NOTE 2: "Vicinity" in this condition is defined to mean within 50 metres of the subject building site.

NOTE 3: The toilet facilities are to comply with all WORK COVER NSW requirements.

REASON: To provide adequate sanitary facilities during the construction phase. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

3. **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 licenced 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 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 79C (1)(b) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

4. **Prior to works commencing, a sign must be erected in a prominent position on any work site on which work involved in the demolition of a building is being carried out:**
- a) **stating that unauthorised entry to the site is prohibited, and**
 - b) **showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside work hours**
 - c) **the development consent or complying development consent number, the name and contact details of the Principal Certifying Authority.**

Any sign must be removed when the work has been completed.

NOTE: This condition does not apply to:

- a) **building work carried out inside an existing building, or**
- b) **building work carried out on premises that must be occupied continuously (both during and outside work hours) while the work is being carried out.**

REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the *Environmental Planning and Assessment Act 1979*, as amended.

During works

5. **The Builder must at all times maintain, on the job, a legible copy of the plan and specification approved with the Construction Certificate.**

REASON: It is in the public interest that a copy of the Construction Certificate plans are available, and Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

6. **The demolition must be carried out in accordance with the provisions of Australian Standard AS2601-2001: The Demolition of Structures.**

Within fourteen (14) days of completion of demolition, the following information shall be submitted to Council for assessment and approval:

- a) **an asbestos clearance certificate prepared by a competent person; and**
- b) **a signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with any Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.**

NOTE 1: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

NOTE 2: Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".

NOTE 3: Competent Person (as defined under Safe Removal of asbestos 2nd Edition [NOHSC: 2002 (2005)]) means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill, for the safe performance of the specific work.

NOTE 4: A licence may be required for some of the tasks described in the document entitled Safe Removal of Asbestos 2nd Edition as requiring a competent person.

REASON: It is in the public interest that the demolition be carried out in a safe manner and that the utilities be protected from damage. Section 79C(1)(a) & (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

7. **The permitted construction hours are Monday to Friday 7.00am to 6.00pm and Saturday 7.00am to 5.00pm, excepting public holidays. 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.

REASON: To ensure building works do not have adverse effects on the amenity of the area. Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

Prior to release of Building Certificate

8. **A Section 68 Approval must be obtained from Council prior to the release of the Building Certificate for any required plumbing and drainage works.**

REASON: It is in the public interest that plumbing work is carried out with the relevant approvals required under the Local Government Act 1993 and the Plumbing Code of Australia. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

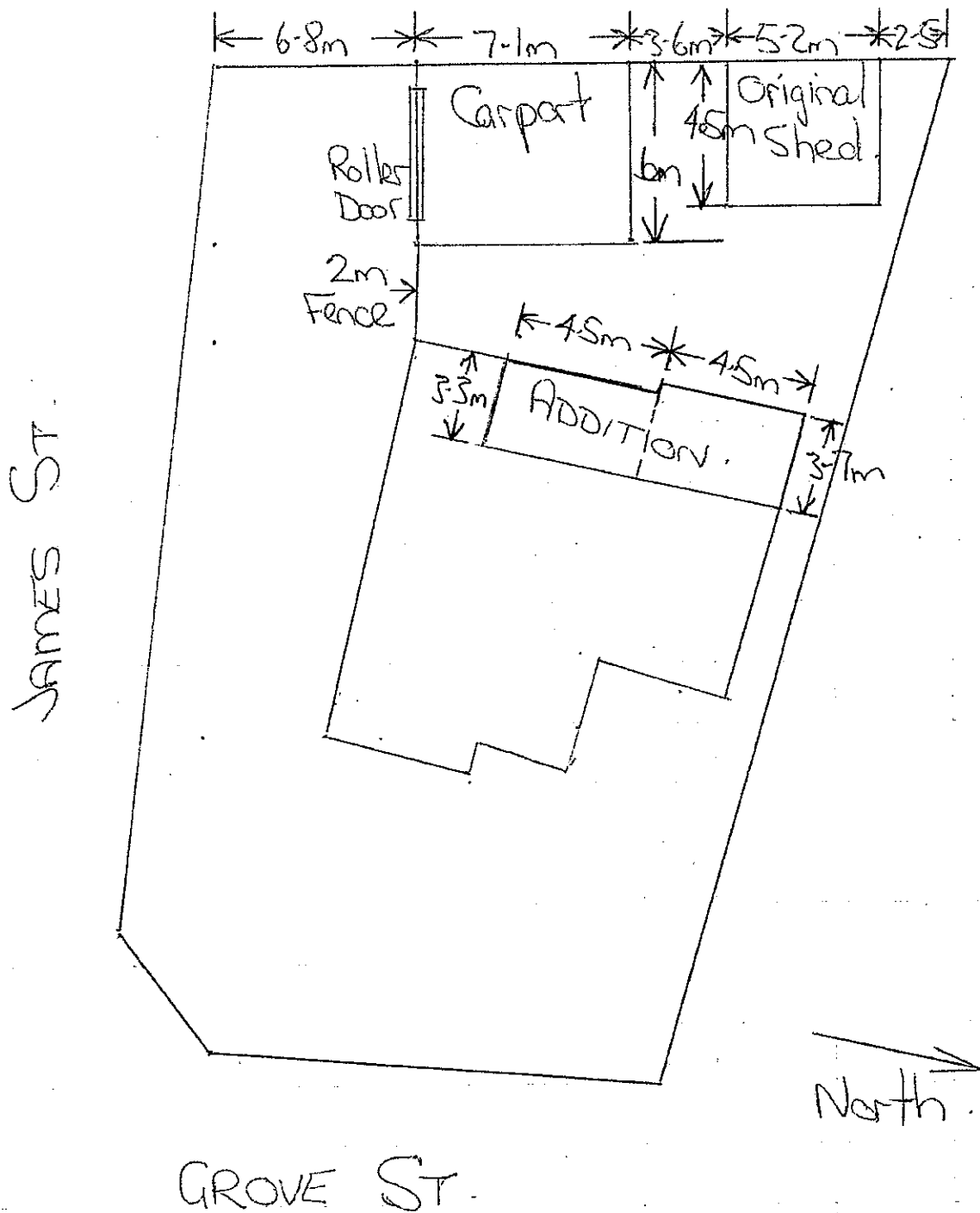
9. **A Building Certificate must be obtained from Council, within three (3) months of the date of this Development Approval pursuant to Section 149A of the *Environmental Planning and Assessment Act 1979*, as amended.**

REASON: It is in the public interest that a Building Certificate is issued for this development. Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

General

10. **All building work must be carried out in accordance with the requirements of the Building Code of Australia**

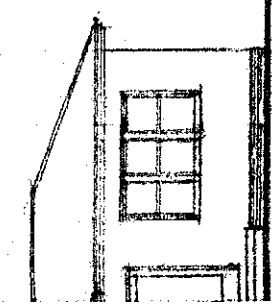
REASON: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the *Environmental Planning and Assessment Act 1979*, as amended.



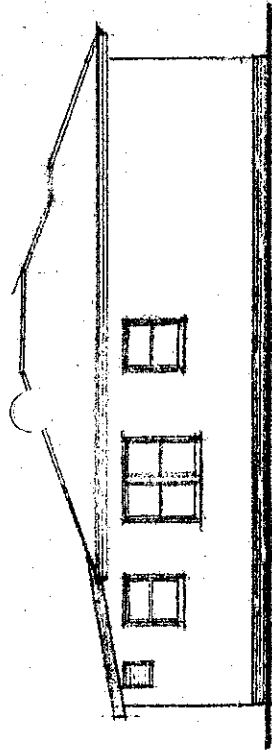
Site Plan

Kevin Salmon
 5 James St.
 Wagga Wagga
 NSW. 2650.
 21/3/16

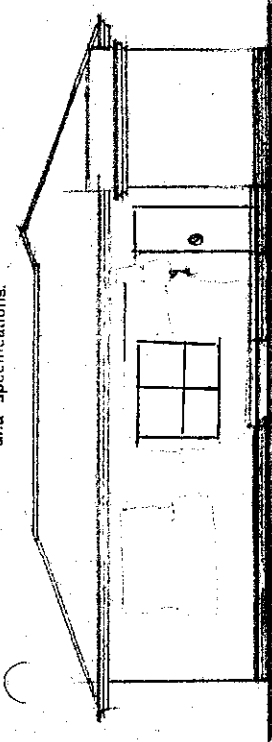
being carried out as amendments to the plans and specifications.



FRONT ELEVATION

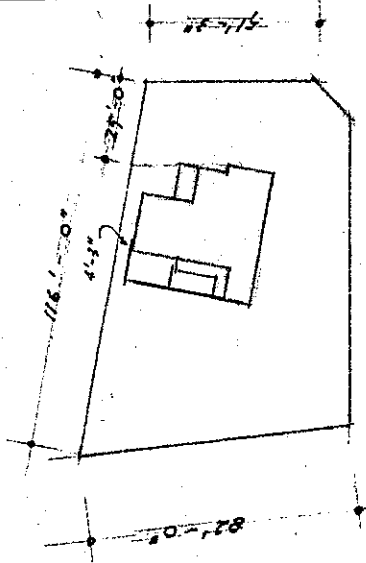
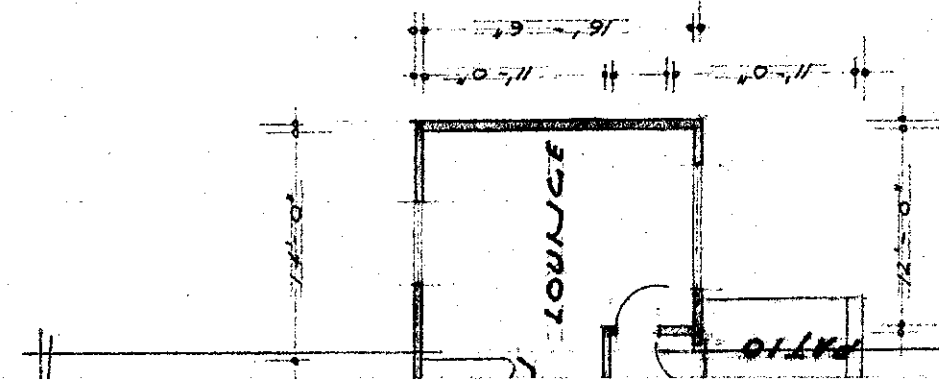


SIDE ELEVATION



REAR ELEVATION

CITY OF WAGGA WAGGA
RECEIVED
DATE 15. 10. 57
PLAN No. 272 57
APPROVED BY COUNCIL
DATE 15. 10. 57
BUILDING INSPECTOR



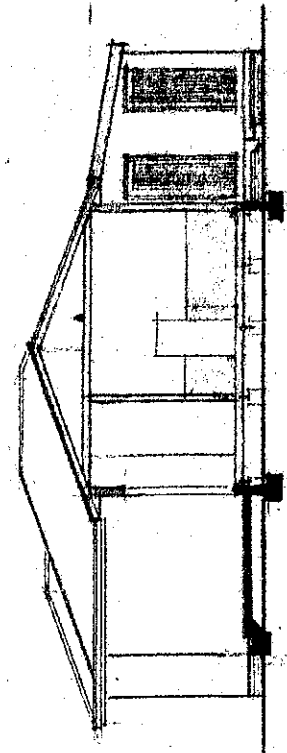
APPROVED BY ME UNDER
DELEGATED AUTHORITY
[Signature]

SIDE ELEVATION

10 MAR 2016

RECORDS

LOCALITY PLAN



SECTION ON A - A

PROPOSED RESIDENCE

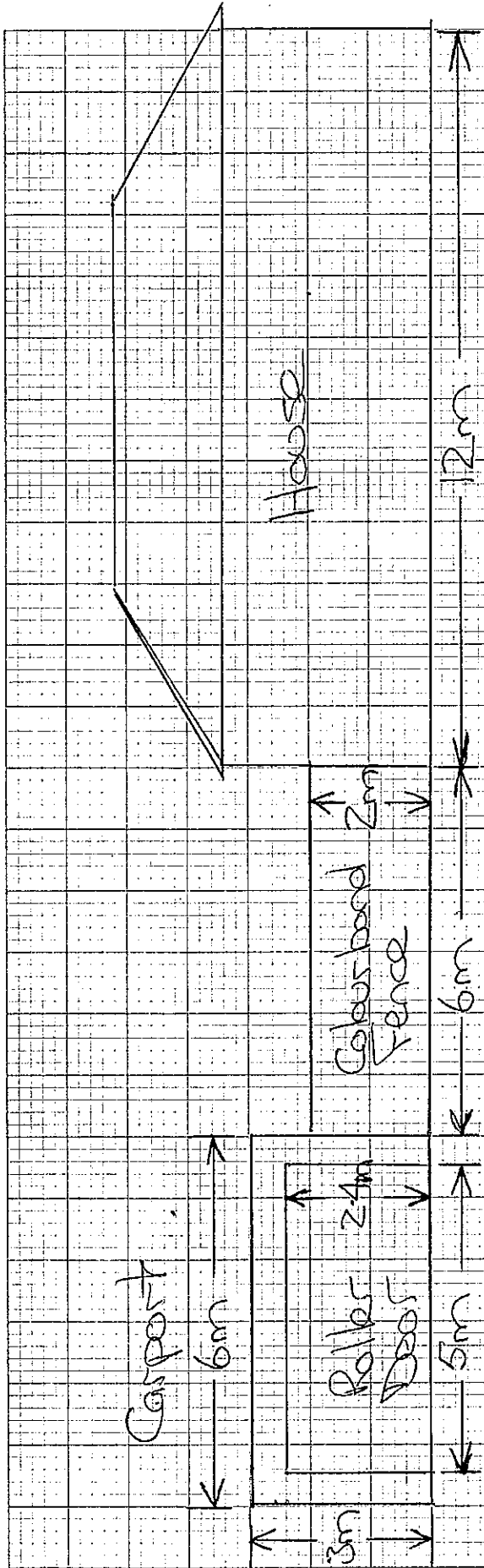
ON JAMES STREET

AND GROVE STREET FOR

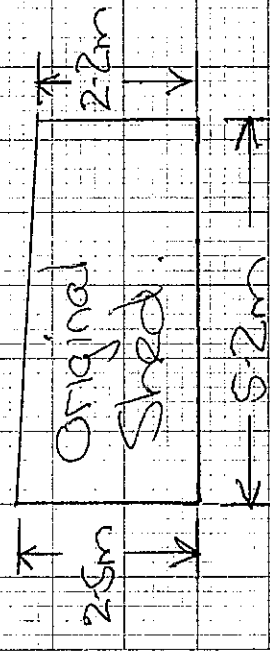
J. E. MORGAN FSO

22 O'HALLORAN	DATE 24-9-59
31 FITZMAURICE ST	BY THIS
SCALE 1/8" = 1'-0" DRAWING T.E.G.	OWNER

1386



Southern Elevation



Eastern Elevation

Kevin Salmon
 5 James St
 Wagga Wagga
 NSW 2650



ATTACHMENT C (Development Application)

Statement of Environmental Effects (SEE)

A Statement of Environmental Effects (SEE) is required to accompany all development applications. This Statement of Environmental Effects template is designed to form an attachment to the Development Application. It can only be used for certain development types (see below).

✓	Applicable Development Types
✓	Single Residential dwelling (single storey and in a residential zone only – excluding Conservation Area)
✓	Residential Alterations or Additions (single storey only)
	Other Domestic Buildings and Structures (including swimming pool, sheds, carports, etc.)
	Strata Subdivision of existing buildings
	Minor works in Conservation Area (e.g. painting, cladding, plastering, re-roofing, changing materials, fittings such as doors, windows and screens, etc.)

Other development proposals must be accompanied by purpose written statements.

The SEE must address all impacts that are relevant to your proposal. **Appendix 3** of the *Development Application Preparation and Lodgement Guide* will assist you in ensuring that you have considered all of the potential impacts relevant to your proposal. Other issues not listed in Appendix 3 may also be relevant and should be included in the SEE. You are encouraged to expand upon the material provided in any way you perceive as relevant.

Where potential impacts are identified, please ensure that you provide relevant comments and information on the measures that are proposed in order to mitigate against those impacts. You may need to provide additional pages/documentation (etc.) as an attachment to this SEE.

I have provided supporting information on pages/documents attached to this SEE.

Failure to provide the requested items will delay processing of the development application and may result in the application being returned to you for completion or additional information requests being forwarded to you from Council.

Application Details	
Applicant:	Kevin Salmon
Lot and DP No.:	Lot B DP 163948
Street No.:	5
Street:	James St
Locality:	Wagga Wagga

SCANNED

Description of Development (Should include where applicable a description of matters such as proposed buildings, proposed building materials, nominated colour scheme, nature of use, staging of the development details of any demolition and other works etc.) Enclose Patio Additional Room Timber frame, Timber floor, Fibre Cladding, Tin Roof.
Description of Site (Should include where applicable a description of the physical features of the site such as shape, slope, vegetation, any waterways. Also describe the current use/s on the site.) Description:
• What is the present use and previous uses of the site? Domestic dwelling.
• Is the development site subject to any of the following natural hazards: <input type="checkbox"/> Bushfire Prone? <input type="checkbox"/> Flooding or stormwater inundation? Comments: N/A.
(Note if the site is identified as Bushfire Prone it will be necessary to address the Planning for Bushfire Protection Guidelines and in the case of subdivision the development will be integrated. For further information please consult the NSW Rural Fire Service web site www.rfs.nsw.gov.au).
• What other constraints exist on the site? (e.g. vegetation, easements, sloping land, drainage lines, contamination, etc.) N/A.
• What types of land use and development exist on surrounding land? Residential.

Planning Controls	
<ul style="list-style-type: none"> • Is your proposal permissible in the zone? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • Is your proposal consistent with the zone objectives? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • Is your proposal in accordance with the relevant development control plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p style="font-size: small; margin-top: 5px;">If you answered "No" to any of the above, you should make an appointment to discuss your proposal with a town planner or building surveyor before lodging a development application.</p>	<p>Comments:</p>
Context and Setting	
<ul style="list-style-type: none"> • Will the development be: • Visually prominent in the surrounding area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Inconsistent with the existing streetscape? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Out of character with the surrounding area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Inconsistent with surrounding land uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 	<p>Comments:</p>
Privacy, Views and Overshadowing	
<ul style="list-style-type: none"> • Will the development result in any privacy issues between adjoining Properties as a result of the placement of windows, decks, pergolas, private open space, etc.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Will the development result in the overshadowing of adjoining properties resulting in an adverse impact on solar access? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Will the development result in any acoustic issues between adjoining properties as a result of the placement of active use outdoor areas, vehicular movement areas, air conditioners and pumps, bedroom and living room windows, etc.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Will the development impact on views enjoyed from adjoining or nearby properties and public places such as parks roads and footpaths? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 	<p>Comments</p>

SCANNED

10 MAR 2016

RECORDS

Access, traffic and Utilities	
• Is legal and practical access available to the development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
• Will the development increase local traffic movements / volumes? If yes, by how much?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Are additional access points to a road network required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Has vehicle manoeuvring and onsite parking been addressed in the design?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
• Is power, water, electricity sewer and telecommunication services readily available to the site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Comments:	
Environmental Impacts	
• Is the development likely to result in any form of air pollution (smoke, dust, odour etc.)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Does the development have the potential to result in any form of water pollution (eg. sediment run-off)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Will the development have any noise impacts above background noise levels (eg. Swimming pool pumps)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Does the development involve any significant excavation or filling?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Could the development cause erosion or sediment run-off (including during the construction period)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Is there any likelihood in the development resulting in soil contamination?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Is the development considered to be environmentally sustainable (including provision of BASIX certificate where required)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
• Is the development situated in a heritage area or likely to have an impact on any heritage item or item of cultural significance?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Is the development likely to disturb any aboriginal artefacts or relics?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Comments:	

Flora and Fauna Impacts	
<p>(For further information on threatened species, see www.threatenedspecies.environment.nsw.gov.au)</p> <ul style="list-style-type: none"> • Will the development result in the removal of any native vegetation from the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Is the development likely to have any impact on threatened species or native habitat? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <p>(If the answer is yes to either of the above questions it may be necessary to have a formal seven-part test completed to assess the impact on threatened species – applicants are encouraged to consult Council).</p>	
<p>Comments:</p> 	
Waste and Stormwater Disposal	
<ul style="list-style-type: none"> • How will effluent be disposed of? <input checked="" type="checkbox"/> To Sewer <input type="checkbox"/> Onsite • Will liquid trade waste be discharged to Council's sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Will the development result in any hazardous waste or other waste disposal issue? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • How will stormwater (from roof and hard standing) be disposed of: <input checked="" type="checkbox"/> Council Drainage System <input type="checkbox"/> Other (if other provide details) • Does the development propose to have rainwater tanks? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Have all potential overland stormwater risks been considered in the design of the development? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 	
<p>Comments:</p> 	
Social and Economic Impacts	
<ul style="list-style-type: none"> • Will the proposal have any economic or social consequences in the area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Has the development addressed any safety, security or crime prevention issues? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 	
<p>Comments:</p> 	

SCANNED

10 MAR 2016

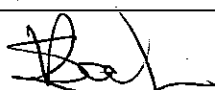
Other Relevant Matters

(Refer to Appendix 3 of the *Development Application Preparation and Lodgement Guide* to ensure that you have considered all of the potential impacts relevant to your proposal. Please provide further details below or attaché additional pages if required.)

Comments:

APPLICANT DECLARATION

I/we declare to the best of my/our knowledge and belief, that the particulars stated on this document are correct in every detail and that the information required has been supplied. I/we acknowledge that the development application may be returned to me/us if information is found to be missing or inadequate.

Applicant's name/s (Printed)	Kevin Salmon
Applicant's signature/s	
Date	10/3/16

Legal Reference

Section 78A(9) of the *Environmental Planning and Assessment Act 1979* states that the regulations may specify what is required to be submitted with a development application.

Section 50(1)(a) of the *Environmental Planning and Assessment Regulation 2000* states that development applications must contain information and documents specified in schedule 1, part 1.

Schedule 1, part 1, subclause 2(1)(c) of the *Environmental Planning & Assessment Regulation 2000* requires the submission of Statements of Environmental Effects (SEEs) with all Development Applications (other than designated development)

Schedule 1, part 1, subclause 4 of the *Environmental Planning & Assessment Regulation 2000* states that such SEEs must show:

- The environmental impacts of the development
- How the impacts have been identified
- The steps to be taken to protect the environment or lessen the expected harm to the Environment
- Any matters required to be indicated by any guidelines issued by the Director-General.

Kevin Salmon
6 Evangelist Ave
Wagga Wagga.
NSW. 2650

Wagga Wagga City Council
Baylis St
Wagga Wagga
NSW. 2650.

Re: Development Application DA16/0132

Lot B DP 163948

5 James St Koorinal.

Dear Sir/Madam,

I write seeking special consideration for approval of works carried out at my parents home, which we are now selling, following both of their passing last year.

My Father was a builder who took pride in everything he did. Our problem is, he didn't gain permission for works he completed over the 50 years they lived at James St.

I am told there is a limit of the total out building coverage, which is currently exceeded massively. Our plan is to remove a lot of the 'sheds' but are seeking council permission for the original shed in the rear corner of the property, plus a carport to stay.

5 James St is a corner block and the carport and side covered area provide security and privacy to the rear of the residence. The heights, colour and styles do not look out of place, as many other properties in the neighborhood have similar types of additions.

The shed is an original building, as inspected by council, but isn't noted on the plans. The carport was constructed over 15 years ago, and is structurally sound, as attested to by the inspecting engineer.

I believe the following conditions accordingly to Wagga Wagga Development Control Plan 2010 are met.

9.4.4

Objectives

O1 The Shed is not visible from the road. The carport with roller door creates minimal visual impact, and is in line with many other additions in the neighborhood.

O2 Both the Shed and carport are located on the western side of the block, which provides protection from the westerly weather, winds and hot summer sun.

Controls

C1 the garage door is less than 50% of the width of the house, is no wider than 6m and is not higher than 2.4m

C3 The total covered area is slightly higher than the allowed 8%.

C4 as above

I don't believe there are any other problems as per the Development Control conditions created by these out buildings.

If there are any issues with approving these out buildings, please advise.

Many Thanks,

A handwritten signature in black ink, appearing to read 'Kevin Salmon', with a stylized flourish at the end.

Kevin Salmon.