

Development Assessment Report

DA Number:	10.2022.25.	Council:	Walcha
Location:	15N Towers Street Walcha		
Development Description:	Attached Carport at the Front of the Dwelling		
Title Details:	Lot 12 DP 853654		
Property Area:	981.2m2		
Assessing Officer:	Libby Cumming, Contract Town Planner		

Proposal Overview

This application is to erect a carport attached to the front a dwelling. The carport is to be 2.72 m high and is to be attached to the dwelling. The area of the carport is 67.8m2.

The carport is in front of the dwelling.

Property Details/History

	Checked	Comments
File History	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	It is assumed this has been checked by Council administration staff at lodgement.
Title Plan	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Check Ownership	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Application Type

Is this application an Integrated Development Application? Yes No

Is this application a Designated Development Application? Yes No

Is this application for State Significant Development? Yes No

Is this application submitted by/on behalf of a Public Authority? Yes No

Is this application a staged Development? Yes No

Is this application a section 4.55 amendment? Yes No

Concurrence/Referral

Section 4.13 – EP & A Act

Does this application require concurrence referral? Yes No

Does this application require courtesy comment? Yes No

Does this application require referral for decision by Council? Yes No

Local Environmental Plan

Section 4.15(1)(a)(i) and Section 4.15(a)(ii) – EP & A Act

This land is zoned:	R1 General Residential
Development as per Standard Definitions:	This development is considered to be ancillary development to a dwelling. As per the <i>NSW Planning Circular How to characterise development PS13-001</i> , an ancillary use is a use that is subordinate or subservient to the dominant purpose. The dominant development on this land is a dwelling house , which is defined as meaning a <i>building containing only one dwelling</i> .

List the relevant clause/clauses applicable under the LEP

Clause	Compliance	Comment
Land Use Table	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	The objectives for the R1 zone are: <ul style="list-style-type: none"> • To provide for the housing needs of the community. • To provide for a variety of housing types and densities.

		<ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of residents. <p>This application complies with the intent of these objectives.</p>
6.1 Earthworks	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	A Soil & Erosion Control Plan has not been submitted, but it can be conditioned that controls be put in place during construction works.
6.3 Essential Services	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	All necessary infrastructure is available to the property.

Is there a draft LEP or draft LEP amendment which may affect this proposal? Yes No

Do 'existing use' provisions (Sections 4.65-4.70 of the EP&A Act) apply to this development? Yes No

Development Control Plan

Section 4.15(1)(a)(iii) & Section 4.15(3A) – EP & A Act

Is there a DCP which applies to this land/proposal? Yes No

List the relevant clause/clauses under the applicable DCP			
Clause	Issue	Compliance	Comment
5.7(a)	Setback	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed carport is within the building setback.
5.7(b)	Materials not the same as Dwellings	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The materials used are steel. The sides are open so that you can see the house.
5.7(c)	Front of Main Dwelling	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	The carport is in front of the dwelling and has a front setback of 17.795m.

Has a variation to the DCP been requested? Yes No

Comment: A variation has been requested with the reasons for the variation being the shape of the lot, the position of the existing dwelling and the large setback.

Should the variation be recommended? Yes No

Comment: All of the reasons noted in their request are reasonable, and there is no real reason to refuse the variation as the location of the carport will have minimal if any negative impact.

Is there a draft DCP which may affect this proposal? Yes No

Regional Environmental Plan

There is no REP applicable to this area.

State Environmental Planning Policy

Is this proposal affected by a SEPP? Yes No

List all relevant SEPPs		
SEPP	Compliance	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	The purpose of this SEPP is to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.
Building Sustainability Index: BASIX 2004	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	The SEPP provides for the implementation of BASIX throughout the State.
Exempt and Complying Development Codes 2008	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	The SEPP provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that

		<i>may be carried out in accordance with a complying development certificate.</i>
State Environmental Planning Policy (Housing) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<p><i>The principles of this Policy are to:-</i></p> <ul style="list-style-type: none"> • <i>enable the development of diverse housing types, including purpose-built rental housing,</i> • <i>encourage development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,</i> • <i>ensure new housing provides residents with a reasonable level of amenity,</i> • <i>mitigate the loss of existing affordable rental housing.</i> <p><i>The SEPP introduces two new housing types to meet changing needs:</i></p> <ul style="list-style-type: none"> • <i>Co-living housing</i> • <i>Independent living units</i> <p><i>Improves the way existing types of homes are delivered including:</i></p> <ul style="list-style-type: none"> • <i>Boarding houses</i> • <i>Build-to-rent housing</i> • <i>Seniors housing</i> <p><i>Includes the planning rules for:</i></p> <ul style="list-style-type: none"> • <i>Caravan parks and manufactured home estates</i> • <i>Group homes</i> • <i>Retention of existing affordable rental housing</i> • <i>Secondary dwellings (sometimes known as granny flats)</i> • <i>Social housing</i>
State Environmental Planning Policy (Industry & Employment) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<p><i>This SEPP contains planning provisions:</i></p> <ul style="list-style-type: none"> • <i>applying to employment land in western Sydney.</i> • <i>for advertising and signage in NSW.</i>
SEPP 65 — Design Quality of Residential Apartment Development	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<p><i>The SEPP relates to residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development.</i></p>
State Environmental Planning Policy (Planning Systems) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<p><i>This Policy aims to:</i></p> <ul style="list-style-type: none"> • <i>identify development that is State significant development</i> • <i>to identify development that is State significant infrastructure and critical State significant infrastructure,</i> • <i>to identify development that is regionally significant development.</i>
State Environmental Planning Policy (Precincts—Regional) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<p><i>This chapter applies to the state and aims to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State. It also facilitates service delivery outcomes for a range of public services and provides for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.</i></p>
State Environmental Planning Policy (Primary Production) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<p><i>This SEPP contains planning provisions:</i></p> <ul style="list-style-type: none"> • <i>to manage primary production and rural development including supporting sustainable agriculture.</i>

		<ul style="list-style-type: none"> for the protection of prime agricultural land of state and regional significance as well as regionally significant mining and extractive resources.
State Environmental Planning Policy (Resilience and Hazards) 2021	Not Applicable <input type="checkbox"/> Applicable <input checked="" type="checkbox"/>	<i>This Policy incorporates and repeals the provisions of SEPP No. 55 - Remediation of Land and Clause 4.6 requires consideration of whether land is suitable for a proposed use having regard to any known or potentially contaminating land use activities.</i>
Complies	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comment Only <input type="checkbox"/>	Chapter 4 of this SEPP requires consideration of whether there have been any activities carried out on land in the past that may have resulted in contamination. If contamination may be present, the proponent is required to undertake suitable investigation and, if necessary, remediation works. It is considered that there have been no prior contaminating land uses as the land has historically been utilised for residential purposes. Consequently, the site is suitable for the proposed development and complies with the provisions of the SEPP.
State Environmental Planning Policy (Resources & Energy) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<i>This SEPP contains planning provisions:</i> <ul style="list-style-type: none"> for the assessment and development of mining, petroleum production and extractive material resource proposals in NSW. which aim to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance.
State Environmental Planning Policy (State Significant Precincts) 2005	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<i>This policy aims to:-</i> <ul style="list-style-type: none"> facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State. <i>facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.</i>
State Environmental Planning Policy (Transport & Infrastructure) 2021	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<i>This SEPP contains planning provisions:</i> <ul style="list-style-type: none"> for infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery. for child-care centres, schools, TAFEs and Universities. planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line). <i>the land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle.</i>
Miscellaneous Consent Provisions 2007	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<i>This SEPP provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity.</i>
List all relevant Draft SEPPs		
SEPP	Compliance	Comment
SEPP - Environment	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<i>This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property.</i>

		<p><i>Changes proposed include consolidating the following seven existing SEPPs:</i></p> <ul style="list-style-type: none"> • <i>State Environmental Planning Policy No. 19 – Bushland in Urban Areas</i> • <i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</i> • <i>State Environmental Planning Policy No. 50 – Canal Estate Development</i> • <i>Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment</i> • <i>Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)</i> • <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i> • <i>Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.</i>
Design & Place SEPP	Not Applicable <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	<p><i>The aims of this Policy are as follows:</i></p> <ol style="list-style-type: none"> a) <i>to provide a consistent set of principles and considerations to guide the design of the built environment,</i> b) <i>to ensure high quality and innovative design of the built environment,</i> c) <i>to create places that support the health and well-being of the community,</i> d) <i>to integrate good design processes into planning and development,</i> e) <i>to recognise the economic, environmental, cultural and social benefits of high quality design,</i> f) <i>to ensure sustainable development and conserve the environment,</i> g) <i>to minimise the consumption of non-renewable energy and reduce greenhouse gas emissions,</i> h) <i>to achieve better built form and aesthetics of buildings, streetscapes and public spaces,</i> i) <i>to recognise the importance of Country to Aboriginal people and to incorporate local Aboriginal knowledge, culture and tradition into development, and</i> j) <i>to give effect to the objects of the Act, section 1.3(b) and (e)-(g).</i>

Planning Agreement

Section 4.15(1)(a)(iia) – EP & A Act

Is there a Planning Agreement in force under section 93F of the EP&A Act? Yes No

Has a Planning Agreement been offered under this development? Yes No

Local Strategic Planning Statement

PP 1 - Encourage diversification in grazing agriculture, horticulture and agribusiness to grow these sectors and respond to domestic and international opportunities Yes No

PP 2 -Foster resilience and diversification in the agricultural industry to respond to the ageing farming workforce and climate change Yes No

PP 3 -Expand nature-based adventure and cultural tourism places and enhance visitor experiences Yes No

PP 4 - Deliver a variety of housing options in Walcha and promote development that contributes to the unique character of Nowendoc, Walcha Road and Woolbrook Yes No

PP 5 - Raise the area’s profile and awareness of employment, business development and lifestyle opportunities, particularly for younger people and provide services for the ageing population Yes No

PP 6 -Continue to develop access and logistics infrastructure on appropriate sites to encourage new industry opportunities Yes No

PP 7 - Protect and celebrate our unique sense of place Yes No

PP 8 - Identify and promote wind, solar and other renewable energy production opportunities; manage and support the transition to renewable energy Yes No

Comment: This proposed development is minor in nature and does not require strategic consideration.

Planning Assessments

Has the applicant submitted any supporting planning assessments? Yes No

Comment: Statement of Environmental Effects

Subdivision

Is this application for subdivision? Yes No

Environmental Impacts

Section 4.15(1)(b) – EP & A Act

Does this proposal have any potential impact on:

	Impact	Comment
Social	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Economical	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Positive Impact – There will be an economical gain during construction only.
Siting & Configuration	Yes <input type="checkbox"/> No <input type="checkbox"/>	The proposal is not an over development of the site with adequate area to the rear and side boundaries of the site. The location of the proposed development is considered suitable having regard for the site design and internal layout.
Setbacks	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The front setback will be 17.795m. The minimum front setback is 6.0m.
Privacy	Yes <input type="checkbox"/> No <input type="checkbox"/>	There are no impacts expected in terms of aural and visual privacy outside those of normal, residential usage.
Safety, security & crime prevention	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The development will not result in any decrease in safety, security and prevention of crime in the surrounding area. The proposed structure will provide an increase in passive surveillance of the surrounding environment.
Overshadowing	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There are no impacts expected in terms of overshadowing.
Solar Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Visual	Yes <input type="checkbox"/> No <input type="checkbox"/>	There are no impacts expected in terms visual privacy. The proposed building materials are considered to be consistent with the existing setting.
Significant Views	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed structure will not project above a ridgeline where visible from any public road or place and therefore views will not be impacted.
Amenity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The carport will have no impact on the existing property or neighbourhood amenity.
Construction	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Any construction works must be compliant with the Building Code of Australia. This will be conditioned.
Water	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Waste	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Waste generated during construction is to be maintained onsite and shall be disposed to Council's land fill. A standard condition shall be imposed requiring the establishment and maintenance of a site rubbish container for the duration of construction works.

Air	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed development is expected to have minimal impact on existing air quality levels and microclimatic conditions.
Noise	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The development will not result in any noise and vibration with the exception of the construction phase. Council's standard hours of operation will be imposed during construction works.
Land Degradation	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The development will improve the subject site by undertaking appropriate landscaping measures (i.e. lawn, shrubs etc.). Erosion and sediment control measures are also to occur during the construction of the development.
Tree Loss	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Flora	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Fauna	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Cumulative	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Has a Threatened Species Impact Assessment been prepared? Yes No

Are there any species/communities listed under the TSC Act? Yes No

Does the proposed development require approval under the EPBC Act Yes No

Heritage	Impact	Comment
European	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Aboriginal	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	An Aboriginal Heritage Information Management System (AHIMS) search was not carried out.

Is this land classified as containing an item of environmental heritage? Yes No

Is there an impact on and adjoining or in close vicinity to an item of environmental heritage? Yes No

Is this proposal in a heritage conservation Zone? Yes No

Is this proposal in an adjoining or in close vicinity to a conservation zone? Yes No

Has a Heritage Impact Statement been prepared for this proposal? Yes No

Has an Archaeological Survey been prepared for this proposal? Yes No

Flooding

Section 4.15(1)(b) – EP & A Act

Is this property flood affected? Yes No

Bush Fire Prone Land

Section 4.15(1)(b) – EP & A Act

Is this property bush fire prone as per the Bush Fire Prone Map? Yes No

Contaminated Land

Section 4.15(1)(b) – EP & A Act

Has this land been identified as being contaminated land by Council? Yes No

Does this land require remediation? Yes No

Has a Contaminated Land Site Investigation been completed? Yes No

Is it a possibility this land may be contaminated? Yes No

Is this land in the close vicinity or adjoining a known contaminated site? Yes No

Infrastructure

Section 4.15(1)(b) – EP & A Act

Is an engineering assessment required? Yes No

Has an engineering assessment been completed? Yes No

Who completed the Engineering Assessment?

Engineering Department Assessing Officer Other

Does this proposal have any potential impact on:

	Impact	Comment
Sewer	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Water	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Drainage	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	All stormwater will be drained into the existing stormwater.
Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The access is existing and is considered to be adequate.
Kerb & Gutter	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Upgrade Existing Road	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Road Network	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Existing Easements	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Electricity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Telecommunications	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Pedestrian Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Loading & Unloading	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Parking	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Energy Conservation	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Does the development require any new easements? Yes No

Has an Erosion and Soil Control Plan been submitted? Yes No

Construction Assessment

Is a Construction Certificate Required? Yes No

Is the Construction Certificate required for a subdivision? Yes No

Was a construction certificate submitted with this application? Yes No

Has a construction assessment been completed? Yes No

Is a Fire Safety Measures annual certification required? Yes No

Is a public defects liability agreement required? Yes No

Section 68 Assessment

Is a section 68 assessment required? Yes No

Has a section 68 assessment been completed? Yes No

Was a section 68 application submitted with this application? Yes No

What type of section 68 application has been submitted? Stormwater

Does this system require connection to a Council maintained system? Yes No

Developer Contributions

Does this proposal require any Developer Contribution? Yes No

Signage

Does this proposal require signage? Yes No

Notification

Does this application require notification/advertising? Yes No

Is this application an advertised development application under the EP & A Act? Yes No

Was this application notified/advertised as per the provisions of?
 EP& A Act LEP CCP Yes No

Was this application notified/advertised for public interest purposes only? Yes No

Dates Notification Undertaken Commenced 29/7/2022 Finished 29 July 2022

Were there any written submissions received? Yes No

Section 88b Instrument

Does Council require a Section 88b instrument to be prepared? Yes No

Matter Prescribed by the Regulations

Clause 61(1) - Demolition Yes No

Clause 62 – Fire Safety Yes No

Clause 63 – Temporary Structures Yes No

Clause 64 – Buildings to be Upgraded Yes No

Public Interest

Does this proposal have any construction or safety issues? Yes No

Is there any public health issues? Yes No

Is a Trade Waste Application required? Yes No

Are there any other public interest issues? Yes No

Site Suitability

Section 4.15(1)(c) – EP & A Act

Is this a suitable site for this development? Yes No

Comment: The proposed development is consistent with the existing and future development in the locality. The site is not identified as being subject to flooding, does not contain an item of heritage significance and is not bushfire prone. The residential site is considered to be suitable for the development.

Assessing Officer General Comment

Comment: There are no outstanding issues that cannot be dealt with by the use of appropriate conditioning.

Recommendation

This development application be approved subject to the following conditions:

RELEVANT PRESCRIBED CONDITIONS
(under the Environmental Planning and Assessment Regulation 2000)

Compliance with Building Code of Australia & insurance requirements under the Home Building Act 1989

Please Note: A reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:

- a) development consent, in the case of a temporary structure that is an entertainment venue, or
- b) construction certificate, in every other case.

1. The work must be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

Erection of signs

Please Note: This does not apply in relation to:

- a) Building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or
- b) Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.
- c) A complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

3. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c) stating that unauthorised entry to the site is prohibited.
4. Any such sign is 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.

Please Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

Notification of Home Building Act 1989 requirements

Please Note: This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.

5. 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 (not being the council) has given the council written notice of the following information:
 - a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Please Note: If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

GENERAL CONDITIONS

6. The development shall be implemented in accordance with:
- All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
 - the details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.

Note: Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 4.55 of the *Environmental Planning and Assessment Act 1979* for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development Application will have to be submitted to Council.

7. A copy of all stamped approved plans, specifications and documents must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifier.
8. All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.

CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

9. A Construction Certificate must be obtained, in accordance with the *Environmental Planning and Assessment Regulation 2021*, before work commences.
10. Council is to be given written notice of the intention to commence works and the appointment of a Principal Certifier (if the PC is not Council) at least two days before the proposed date of commencement, in accordance with the *Environmental Planning and Assessment Regulation 2021*. Such notice is given using the form enclosed with this consent.
- Should Council be appointed the Principal Certifier, the applicant must give at least 2 days' notice to enable inspections to be undertaken.
11. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- divert uncontaminated run-off around cleared or disturbed areas,
 - erect a silt fence to prevent debris escaping into drainage systems or waterways,
 - prevent tracking of sediment by vehicles onto roads,
 - stock pile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Please Note: Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act 1997.

12. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenience. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.
13. Approval to carry out stormwater work must be obtained, in accordance with section 68 of the *Local Government Act 1993*, before works commence.

CONDITIONS TO BE COMPLETED DURING CONSTRUCTION

14. The owner of the property is to ensure that any building is constructed:
- to meet the setback requirements of the approved plans,
 - to be located within the confines of the lot, and;
 - so that it does not interfere with any easements or covenants upon the land.
15. Any building work must be carried out between 7.00am and 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
16. A garbage receptacle must be provided at the work site before works begin and must be maintained until works are completed. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

17. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site (and must not be burned on site) and then disposed of at a waste management facility, to protect the amenity of the area and avoid the potential of air pollution.
18. Effective dust control measures are to be maintained during construction to maintain public safety/amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.
19. 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.
20. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
21. 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*.

Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia.
22. If, during the course of any activities conducted under this consent, the Applicant becomes aware of any heritage or archaeological sites not previously identified, all work likely to affect the site shall cease immediately. The Applicant shall then consult with relevant authorities and decide on an appropriate course of action prior to recommencement of work. The relevant authorities may include NSW Planning, Infrastructure & Environment and the relevant local Aboriginal community. Any necessary permits or consents shall be obtained and complied with prior to recommencement of work.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING

23. Occupancy of the building is not to take place until the Principal Certifier has carried out a final inspection and an Occupation Certificate issued. All required trade certifications are to be available to the PCA before the final inspection will be carried out.

Please Note: *Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).*

24. At the completion of the works, the work site must be left clear of waste and debris.

CONDITIONS RELATING TO ONGOING OPERATIONS

25. A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display / erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under *State Environmental Planning Policy (Codes SEPP) 2008*).

COUNCIL ADVICE ONLY

26. Covenant/s: The applicant / owner has the responsibility of being aware of any covenant which may affect the proposal.
27. Dial Before You Dig: Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It

is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

28. Telecommunications Act 1997 (Commonwealth); Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
29. New residential development and significant dwelling alterations should provide measures such as self-closing doors, fencing and gates (to prevent children from entering the garage and driveway from the house).

Reasons For Conditions

1. To confirm and clarify the terms of Council's approval.
2. To comply with all relevant legislation.
3. So that the impacts of any increase in the scale or duration of operations may be assessed and appropriately controlled.
4. To prevent and/or minimise the likelihood of environmental harm and public nuisance.
5. To ensure the rehabilitation of the site.
6. To minimise the potential for adverse impacts on the environment or public as a result of the development.
7. To ensure waste is disposed of in an appropriate manner.
8. To ensure that public infrastructure is maintained.
9. To minimise the potential for detrimental impacts to buildings or neighbouring properties.

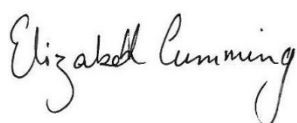
Conclusion

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

Additional Notes Attached

Yes No



Signed:

Elizabeth Cumming, Consultant Planner

Date: 25 August 2022

Item 6.2 Attachment 2

STATEMENT OF ENVIRONMENTAL EFFECTS

This form is designed to assist in the lodgement of Development Applications for minor forms of residential development including new dwellings and additions and alterations to existing dwellings. Other forms of development will require the preparation of a more detailed Statement of Environmental Effects.

If unsure about any of the details required it is recommended that you contact Council's Environmental & Economic Development Services Department by telephoning (02) 6746 1755 to discuss your proposal.

APPLICATION DETAILS

Applicant's Name: Samantha Egan.....
Location of Development: Lot: 12 DP 853654.....
No. 15N Street: Towers Street
Locality: Walcha

DESCRIPTION OF THE DEVELOPMENT

Carport at the front of home 67.8 m2 with a height of 2.9m.....
.....
.....
.....

DESCRIPTION OF THE SITE

Uncovered driveway.....
.....
.....
.....

SITE SUITABILITY

Is the land affected by site constraints?

Flooding	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Bushfire prone land	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Salinity	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Steep Slopes >18°	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Landslip	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Subsidence	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

(If YES, provide details on measures to be taken to manage controls)

.....
.....
.....

Is the proposed development within 40m of a watercourse?

Yes No

(If YES, describe how you will protect water quality and riparian areas)

.....
.....
.....

ACCESS

Is access to the site adequate?

Legal Access	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
All weather vehicle access	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Waste collection access	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Emergency/bushfire access	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Car parking	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Surrounding road system	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

(If NO, provide details)

.....
.....
.....

PRIVACY, VIEWS AND OVERSHADOWING

Are there any impacts on neighbours?

Privacy	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Overshadowing	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Views	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Noise	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Odours	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Bright light/glare	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

(If YES, describe measure to reduce impacts, such as setbacks, fencing, screening, odour controls)

.....
.....
.....

Are there any impacts on local amenity?

Character	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Height/density	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Streetscape	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Appearance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Colour	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Landscaping	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

(If YES, describe measure to reduce impacts, such as architectural & landscape design)

.....
.....
.....

NATURAL RESOURCES

Are any trees or vegetation to be removed?

(If YES, describe how you will mitigate impacts on habitat and species. E.g. areas to be fenced off, replanting, regeneration)

Trees Yes No

(Number, size & species to be removed)

.....
.....

Native Vegetation Yes No

(Area affected, type of vegetation)

.....
.....

Mitigation measures

.....
.....

UTILITIES

Are utility services adequate?

Water	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Sewer	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Electricity	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Telephone	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

(If NO, Provide details. e.g. existing septic system details)

.....
.....

SOIL & WATER

How will stormwater be managed?

Connection to Street gutter	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Infiltration trench	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Water tank	Yes <input type="checkbox"/>	No <input type="checkbox"/>

(Other)

.....
.....

Will the ground surface be disturbed?

Yes No

Are there proposed sediment and erosion controls?

Yes No

HERITAGE

Will a heritage item, or a heritage conservation area of Aboriginal site be affected?

Yes No

Discussed with Council's heritage advisor?

Yes No

(If YES, describe how you will avoid impacts)

.....
.....
.....

ENERGY & WATER EFFICIENCY

Have measures been taken to improve energy and water efficiency?

Appropriate orientation Yes No

Eaves, awnings & shading Yes No

Insulation (ceiling, walls, windows) Yes No

Rainwater harvesting Yes No

BASIX certificate attached Yes No

(If YES, describe measures to reduce impacts, such as architectural & landscape design)

.....
.....
.....

OTHER

Are there any other possible impacts?

Yes No

(If YES, give details. How will you reduce these impacts?)

.....
.....
.....

DECLARATION

I declare to the best of my knowledge and belief that all the particulars in this statement are correct in every detail and all the information required has been supplied.

Owner(s) see attached owners consent form Date

Applicant Signature Date

Item 6.2 - Attachment 3

PROPOSED PATIO COVER TO ATTACH TO DWELLING WITH SLIDE BRACKETS ONTO HOUSE RAFTERS

JOB AREA = 67.8m2

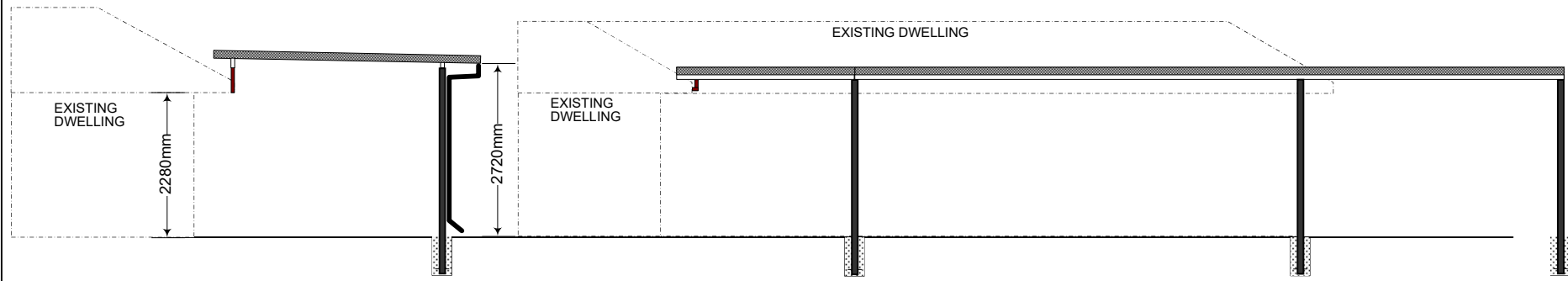
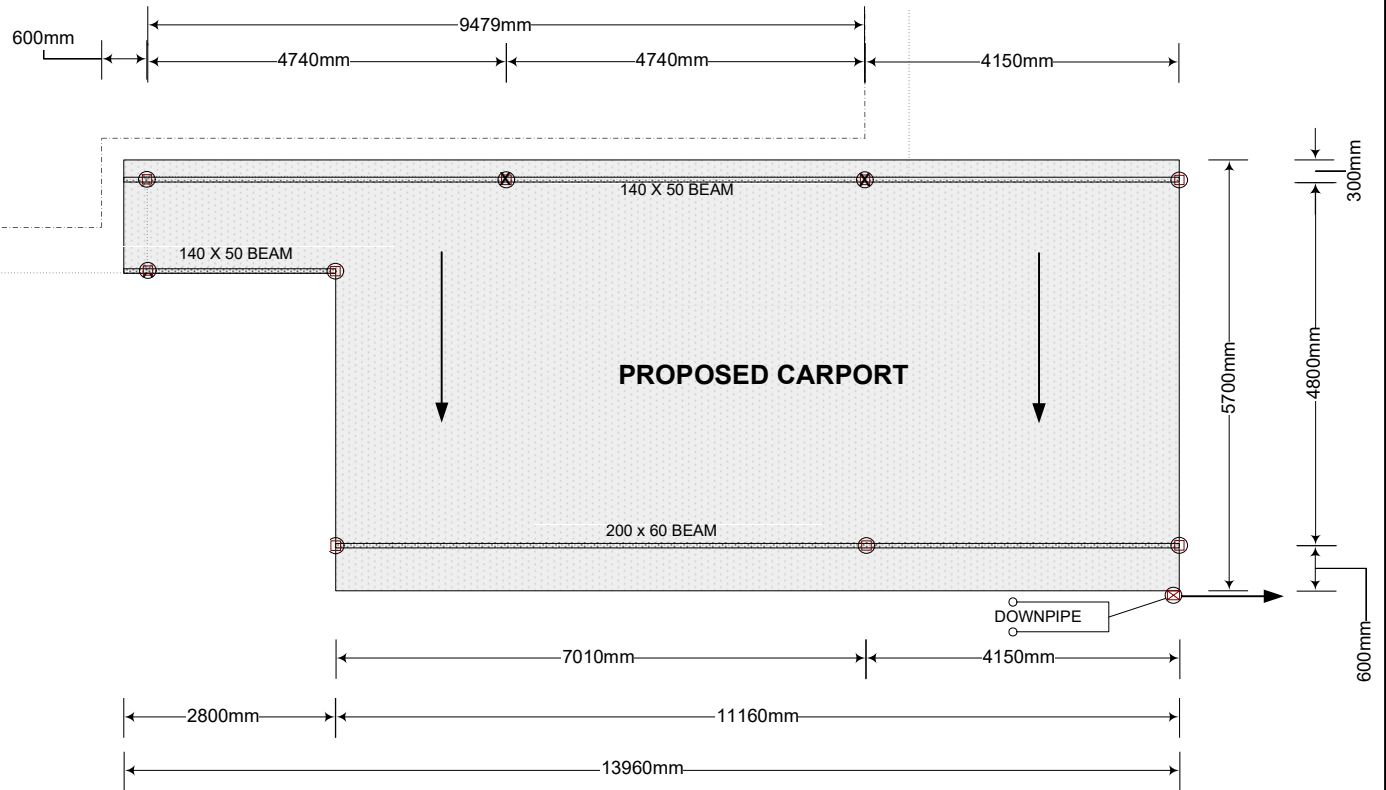
JOB HEIGHT = 2900mm

POST = 90 X 90 STEEL TO GO INTO FOOTINGS

BEAMS = 140 X 50 AND 200 X 60 STEEL

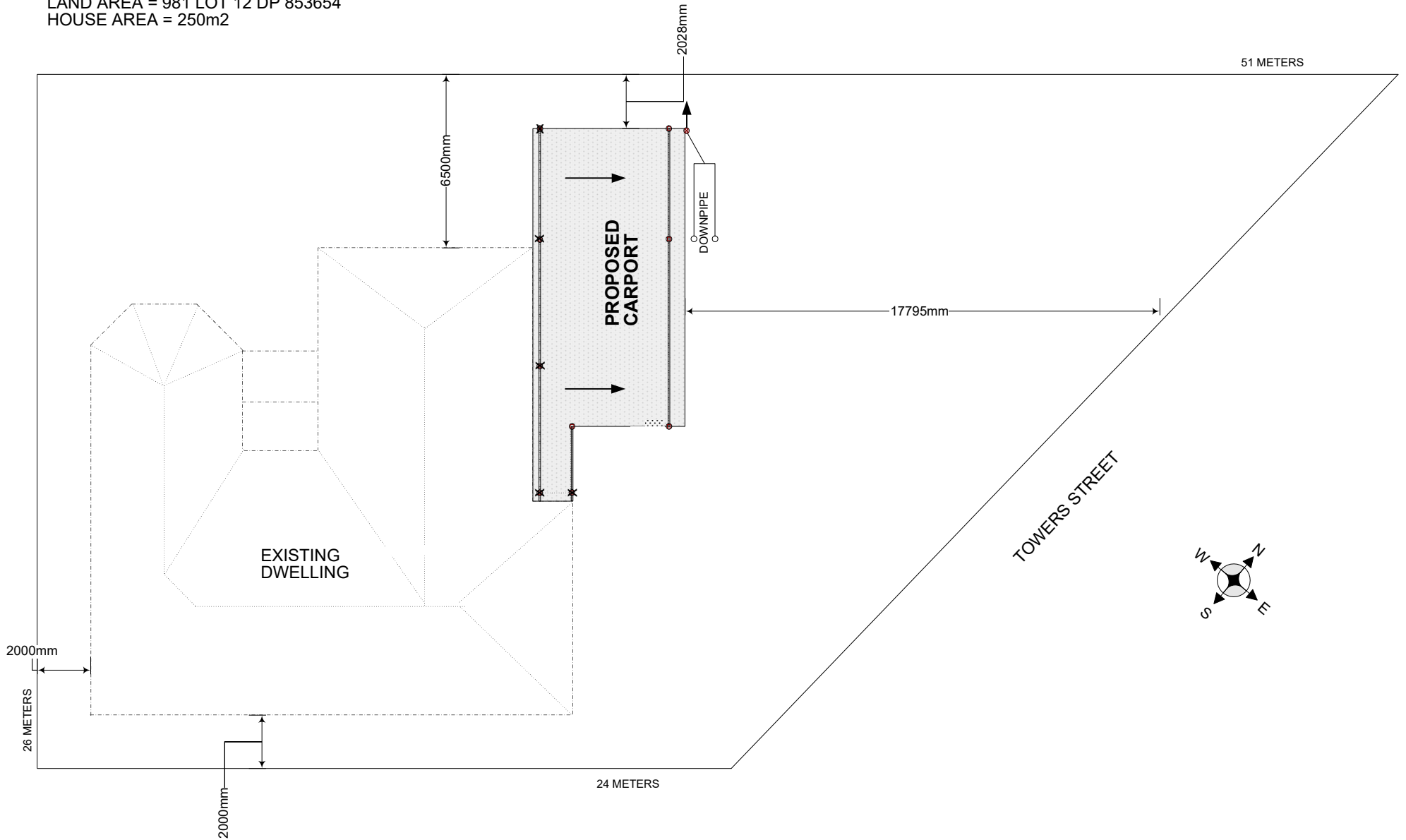
DOWNPIPE TO CONNECT TO EXISTING STORMWATER

LAND AREA = 981m2



<p>PICTON BROS IMPROVEMENTS PH) 68840899 LIC # 83737C</p> <p>Architectural Plan</p>	<p>CUSTOMER: DANIEL OWEN PANELSPAN PROJECT: CARPORT SITE ADDRESS: 15 N TOWERS STREET WALCHA 2354</p>		<p>DESCRIPTION OF PROPOSED WORKS CARPORT</p>		<p>Drawing Plan Schedule Date Created: 15-Jun-22 Preliminary Drawing: Contract Plan:</p>		<p>DATE 15-Jun-22</p>
	<p>CONTRACT No TA6188 P</p>	<p>SCALE A4 1:100</p>	<p>GRAHAME CHAPMAN</p>	<p>SHEET # 1 of 2</p>	<p>CUSTOMERS APPROVAL Signature:..... Date:.....</p>		

LAND AREA = 981 LOT 12 DP 853654
 HOUSE AREA = 250m²



**PICTON BROS
 IMPROVEMENTS
 PH) 68840899
 LIC # 83737C**

Site Plan

CUSTOMER: DANIEL OWEN
 PANELSPAN PROJECT : CARPORT
 SITE ADDRESS:
 15 N TOWERS STREET WALCHA 2354

CONTRACT No TA6188 P SCALE 1:200

DESCRIPTION OF PROPOSED WORKS
 CARPORT

GRAHAME CHAPMAN SHEET # 2 of 2

Drawing Plan Schedule DATE 15-Jun-22
 Date Created:
 Preliminary Drawing:
 Contract Plan:

CUSTOMERS APPROVAL
 Signature:..... Date:.....

Item 6.2 - Attachment 4



25 August 2022

Assessment Officer
Walcha Council
Walcha NSW

RE: Proposed Building Line Variation for Carport

Dear Sir/Madam,

Please be advised that we wish to apply for a variation to the nominal building line setback for the Walcha area for the proposed carport at 15N Towers Street, Walcha, Due to the odd shaped block we feel this is the best position for the carport.

As per the site plan we wish to have the carport extend directly out from the existing dwelling to a distance of 17795mm from the front boundary and just over 2028mm from the side boundary. The Double carport is required to house the additional vehicles which are normally housed at the property. the customer requires more protection for their vehicles.

The carport has been designed to be aesthetically pleasing, and match the existing dwelling.

The proposed carport forward of the building line should not cause any interference to the sightlines of any traffic in the area and would actually make the front of the house at 15N Towers Walcha have more street appeal.

If you have any further concerns in relation to the location of the carport please do not hesitate to contact the Tamworth Branch on 02 67612872 or myself on 0438612873.

Yours Truly,

Samantha Egan
Spanline Tamworth
0438612873