

Blayney Shire Council



31 January 2013

Our Reference: 362471

Peter O'Brien Constructions Pty Ltd PO Box 19 BLAYNEY NSW 2799

Dear Sir/Madam

RE: Development Consent No. 230/2012

Please find enclosed Council's development consent in response to your application.

The application has been approved subject to your compliance with specified conditions of consent. Please take the time to read the conditions and ensure that they are complied with at the appropriate time.

Work is <u>not</u> to commence until such time as a Construction Certificate has been issued.

Should you require further information in relation to this matter please contact Council's Health and Building Department on (02) 63689618.

Yours faithfully

Leon Rodwell

Director Planning & Environmental Services

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For the General Manager

Blayney Shire Council



NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Environmental Planning & Assessment Act, 1979

Applicant:

Peter O'Brien Constructions Pty Ltd

Applicant Address:

PO Box 19

BLAYNEY NSW 2799

Development Application (DA) No.:

230/2012

Description of the Development:

Erection of Storage Sheds

Land to be developed:

Lot 17, Section 2, DP758121 - 142 Adelaide

Street, Blayney

Owner/s:

PW O'Brien

Building Code of Australia Classification:

7b

Determination:

Your development has been determined by the granting of consent subject to the conditions in

Schedule "A".

Date of Determination:

31/01/2013

Date from which the Consent Operates:

31/01/2013

Date the Consent Lapses:

31/01/2018

Has a Public Inquiry been held into the application?

No.

RIGHT OF APPEAL:

The applicant can appeal against this determination in the Land and Environment Court within 12 months of the date on which receiving this notice. The applicant cannot appeal if a Commission of Inquiry was held and the development is designated development or State significant development.

Leon Rodwell

31 January 2013

Director Planning & Environmental Services

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For the General Manager

email:council@blavnev.nsw.aov.au

Schedule A Conditions of Consent

CONDITIONS ISSUED WITH DEVELOPMENT APPLICATION NO. 230/2012

 Development is to take place in accordance with the Development Application 230/2012

Documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent.

NOTE: Any alterations to the approved development application plans must be clearly identified WITH THE APPLICATION FOR A CONSTRUCTION CERTIFICATE. The Principal Certifying Authority (PCA) for the project may request an application for modification of this consent or a new application in the event that changes to the approved plans are subsequently made.

STATUTORY

REASON: To comply with legislative statutory requirements.

- Prior to the use of the building an Occupation Certificate is to be obtained and where council is not the PCA a copy is submitted to council.
- 3. Provide a clearly visible sign to the site stating:
 - a) Unauthorised entry is prohibited;
 - Builders name and licence number; or owner builders permit number:
 - c) Street number or lot number;
 - d) Contact telephone number/after hours number;
 - e) Identification of Principal Certifying Authority.
- 4. That there be no burning of waste material, felled trees or other material on the site.
- 5. That the building be constructed and maintained in accordance with the requirements of the Building Code of Australia.
- 6. The developer is to relocate, if necessary, at the developer's cost any utility services.
- 7. Prior to commencement of any works, a Construction Certificate is to be obtained and where Council is not the PCA, a copy is submitted to Council.

ENVIRONMENTAL

REASON: To comply with Council's statutory requirements.

 Prior to the commencement of works, the applicant shall install and maintain adequate sediment and soil erosion controls in accordance with WBC Engineering Guidelines. (http://www.blayney.locale.nsw.gov.au/)

DRAINAGE

REASON: To comply with Council's requirements to ensure the site/buildings are adequately protected from storm water.

- 9. That all drainage and plumbing work be carried out in accordance with the current Plumbing and Drainage Code of Practice.
- 10. All plumbing and drainage work shall be carried out by a licensed plumber and drainer.
- 11. A works as executed plan drawn to the scale of 1 in 200 of drainage is to be submitted to Council at the time of inspection.
- 12. All roofed and paved areas are to be drained and the water from those areas and from any other drainage must be conveyed to the proposed gutter drainage system along the unnamed Council owned laneway. Storm water disposal drains shall be connected to all roof gutter down pipes within fourteen (14) days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge roof water to the approved method of disposal. Where kerb and gutter is constructed, an approved PVC or galvanised steel kerb adaptor (either roll over kerb adaptor or upright kerb adaptor) shall be installed in the kerb.
 - Note 1: Two copies of a plan showing the location of the storm water disposal system are to be submitted to Council before occupation.

 Note 2: 'Pump-out' storm water drainage systems are not acceptable.
- 13. The ground surrounding the building shall be graded and drained to ensure that all surface and seepage water is diverted clear of buildings on the site and clear of adjoining properties. Permanent surface or subsoil drains or a combination of both shall be provided to all excavated areas, hard standing areas and depressions. The invert of such drains shall be a minimum of 200 mm below the finished floor level and shall have a minimum grade of 1:100 to the approved storm water disposal location. This work shall be carried out within fourteen (14) days of the installation of the roof gutter down pipes.

AMENITY

REASON: To limit the impact of the development on adjoining and nearby residents and to comply with Council's policies on development.

- 14. Roads and Maritime Services require:
 - (a) Advertising signage must be permissible under the current zoning of the subject land.
 - (b) Advertising signage is not to flash, move or be objectionably glaring or luminous
 - (c) Advertising signage is not to be replicate and regulatory signage or give direction to traffic.
- 15. The hours of operation are to be limited to

Monday to Friday
 Saturday
 Sunday
 7am to 9pm
 7am to 9pm
 7am to 9pm

16. That noise generating construction activities are to be restricted to the hours of:-

Monday to FridaySaturday7am to 6pm8am to 5pm

· Sundays and Public Holidays Nil

- 17. A fire Safety Schedule specifying the proposed fire safety measures to be implemented in the building is to be submitted with the Construction Certificate application, in accordance with Part 9 clause 168 of the Environmental Planning and Assessment Regulation 2000.
- 18. Any signage associated with the development shall not be illuminated.

Engineering

REASON: To ensure the proper design and construction of an adequate access for the proposal

19. The applicant is to submit three (3) copies to Council of engineering plans, specifications and calculations in relation to Condition(s) 2 and 11 Further, the works are to comply with WBC Guidelines for Engineering Works prior to issue of the Construction Certificate.

- 20. The construction and sealing of the road to a width of 5m with barrier kerbing and guttering on both sides of the Unnamed Lane from the intersection of Ogilvy Street to the northern boundary of the subject land. These works are to include kerb returns into Ogilvy Street, and the provision of street drainage where necessary. All works are to comply with the WBC Guidelines for Engineering Works and be completed prior to the issue of an Interim or Final Occupation Certificate.
- 21. The applicant is to arrange an inspection of the development works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

	COLUMN 1	COLUMN 2
Α	Road Construction	 * Following site regrading, and prior to installation of footway services; * Excavation and trimming of subgrade; * After compaction of subbase; * After compaction of base, and prior to sealing; * Establishment of line and level for kerb and gutter placement; * Subsoil Drainage; * Road pavement surfacing; * Pavement test results (compaction, strength).
В	Drainage	 * After laying of pipes and prior to backfill; * Pits after rendering openings and installation of step irons.
С	Water	After laying of mains and prior to backfill; After laying of services and prior to backfill; Pressure testing.
D	Sewerage	 * After laying of pipes and prior to backfill; * Main - air pressure testing; * Manhole - water test for infiltration, exfiltration.

- 22. A 6 metre wide reinforced concrete vehicular crossing(s) over the footway adjacent to the proposed ingress/egress point(s) including splays measuring 500 mm to the street and 1000 mm perpendicular to the street and along both sides of the crossing(s), is to be designed and constructed in accordance with WBC Guidelines for Engineering Works.
- 23. The new entrance and exit are to have adequate clearance from the top surface of the footway crossings as constructed to the underside of any overhead electricity or telephone wires, to the satisfaction of Essential Energy and/or relevant telecommunications authority respectively. Written evidence of compliance with the Authorities' requirements is to be provided to Council.

- 24 The developer is to make a payment to Council for the provision of each street sign. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.
- 25. The developer is to lodge a bond with Council equal to 5% of the total civil construction costs at practical completion to be held by Council for a minimum period of twelve (12) months. The bond must be lodged with Council before an Occupation Certificate can be issued by the PCA.
- 26. The payment of \$10.00 per lineal metre for the inspection of the road during construction being a total of \$800.00The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.
- 27. The developer is to submit a soil and water management plan for the site in accordance with WBC Guidelines for Engineering Work. No building, engineering, or excavation work, or topsoil stripping or vegetation removal, is to be carried out in relation to this development until such time as a compliance certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended has been issued by Council or an accredited certifying authority certifying that the plan is in accordance with Council's Guidelines for Engineering Works. Upon certification, the measures in the Soil and Water Management Plan are to be implemented during the course of the development.
- 28. The developer is to relocate, if necessary, at the developer's cost any utility services.
- 29. The building footings shall be piered and beamed to below the sewer main invert level. The design shall be carried out by a structural engineer.
- 30. The existing sewer main shall be replaced with a ductile iron cement lined material between the two manholes either side of the development. All works are to comply with the WBC Guidelines for Engineering Works and be completed prior to the issue of an Interim or Final Occupation Certificate.
- 31. All road drainage is to be conveyed to a legal point of discharge in accordance with WBC Guidelines for Engineering Works.
- 32. In accordance with Council's Fees and charges, the costs for the above inspections be paid based on the construction road length of the unnamed lane prior to the issue of the Construction Certificate from the PCA.

- 33. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including Stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.
- 34. Prior to the issue of an interim or Final Occupation Certificate, the applicant is to submit an electronic copy of the works as executed for the works required by conditions 20, 29 & 30 in AutoCAD 2013 format. Further the works are to comply with WBC Guidelines to Engineering Works
- 35. The paving (in concrete) and permanent line marking of all vehicular manoeuvring and parking areas, in accordance with WBC Guidelines for Engineering Works.
 - NOTE: If other hard standing, dust free and weather proof surfaces are proposed instead of concrete, written approval is to be obtained from Council that the proposed alternative is acceptable.
- 36. The applicant is to obtain a compliance certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended, from Council, certifying that the engineering work required have been constructed in accordance with the approved plans and WBC Guidelines for Engineering Works not withstanding PCA.
 NOTE: Council is the Certifying Authority in relation to engineering works fees will be payable in accordance with Council's Revenue Policy.
- 37. The applicant is to obtain a construction certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended from Council certifying that the proposed works are in accordance with WBC Guidelines for Engineering Works prior to any civil works commencing **not withstanding PCA**.

 NOTE 1: No building engineering or excavation work is to be carried out.
 - NOTE 1: No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificate or certificates have been obtained.
 - NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you made an application for a construction certificate at the same time as you lodged this development application.
- 38. The footway crossings, driveways, loading and unloading areas, manoeuvring areas and parking areas, are to be designed/redesigned so that a single unit truck 12.5 metres in length and a passenger vehicle with trailer attached may perform a left turn into the site, turn around, and exit the site in a forward direction. A plan drawn to scale showing all parking and manoeuvring areas is to be submitted to Council for approval prior to issue of the Construction Certificate.

NOTE: All vehicle turning movements are to be based on the Austroads design vehicle.

HERITAGE

REASON: To comply with statutory requirements and conserve heritage significance

- 39. The developer is to have regard for heritage recommendations, as follows:
 - (a) The storage units are to be constructed in neutral tones, compatible with surrounding development, particularly the heritage premises at 41 Ogilvy Street. The choice of colours should be provided to Council prior to the issue of the Construction Certificate.
 - (b) The developer is to undertake landscaping along the southern and eastern boundaries of the site to screen the building from adjoining properties, particularly from the heritage premises at 41 Ogilvy Street. Such landscaping should be in place prior to the issue of the Construction Certificate, and maintained for the life of the development.
 - (c) Detail of signage content is to be provided to Council prior to the issue of the Construction Certificate. Colour scheme for the signage should be in neutral tones, to not detract from the streetscape in the Heritage Conservation Area along Adelaide Street

ADVICE AND NOTES

Inspection Schedule

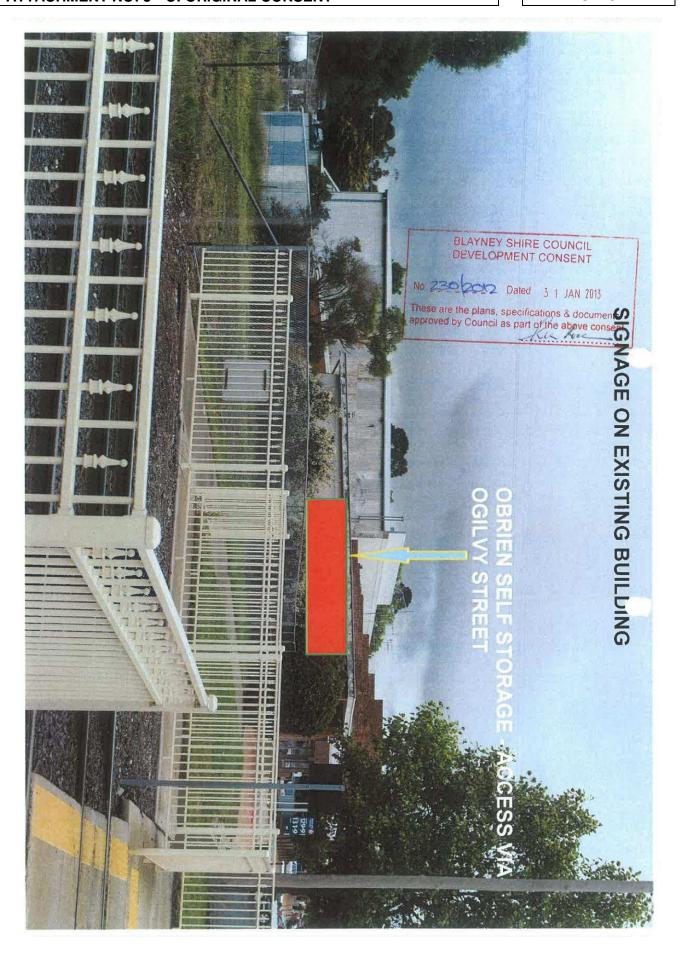
The Water Authority is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory inspections that must be carried out by Blayney Shire Council during construction of the work.

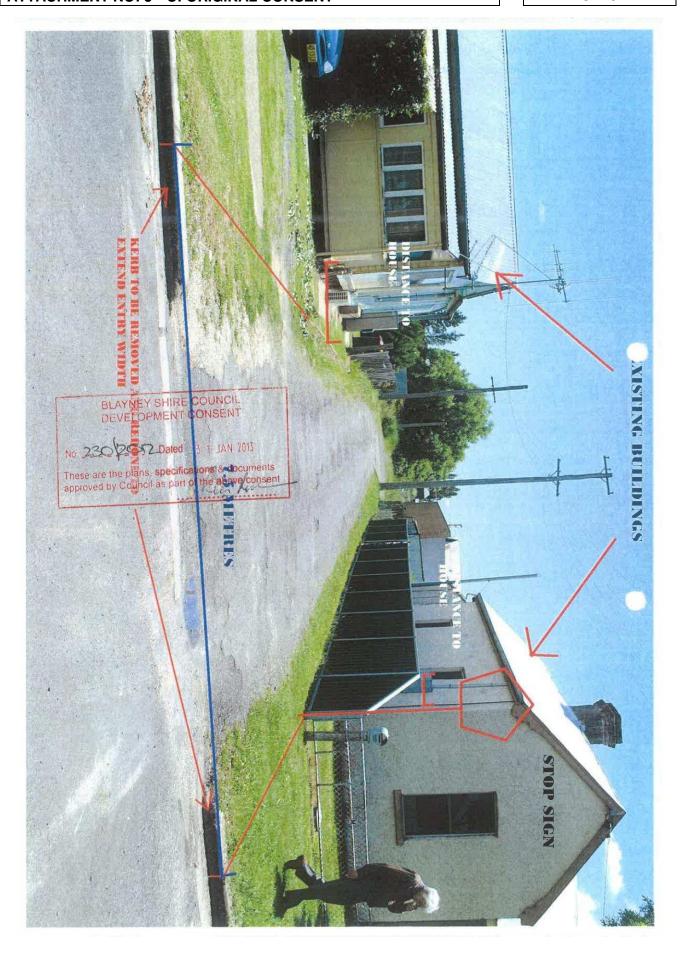
As the water authority, Council must undertake inspections of the various stages of construction as follows:

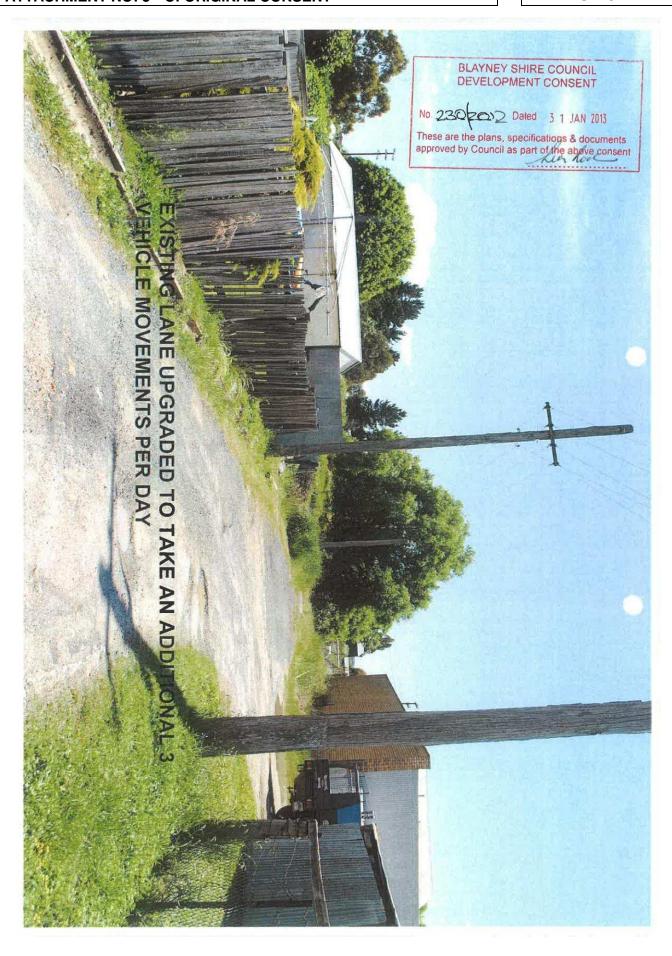
- Internal and External sanitary drainage.
- b. Hot and Cold water prior to internal lining.
- c. Final for water once all water using fixtures are installed

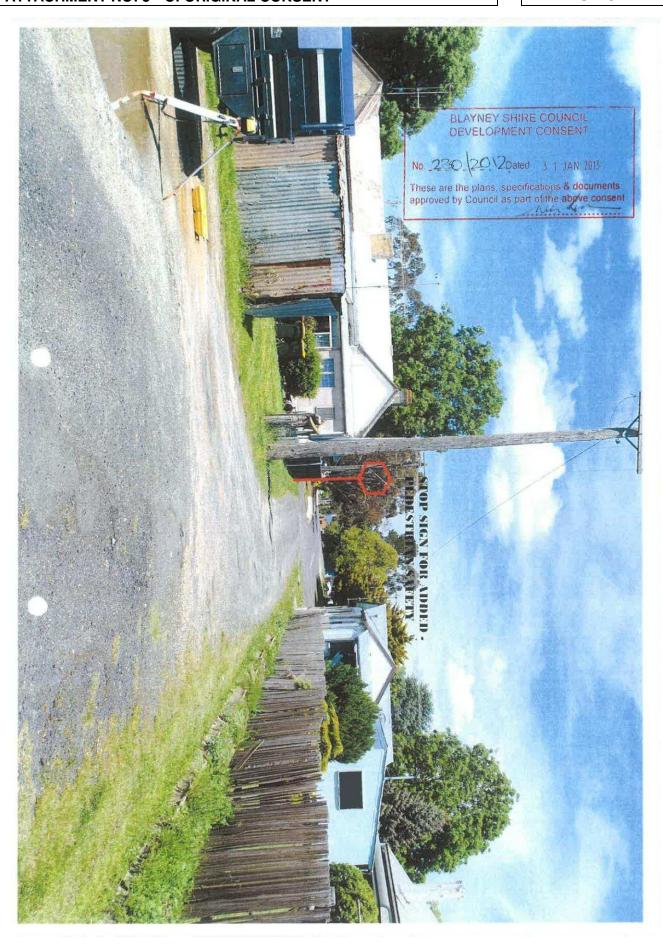
Notice Commencement

Notice of commencement of building works – The attached form needs to be completed and faxed or mailed to Council at least 2 days before any work commences on the site.









STATEMENT OF ENVIRONMENTAL EFFECTS

1. Proposed Development

Proposed erection of 40 storage sheds (34@ $3m \times 6m$ and $8@3m \times 3m$ at North Henry Street Blayney, Rear of Lot 17, Section 2, and DP 758121.

The proposed site is located on part of the said parcel of land.

The proposed development would have entry and exit from Henry Street if permissible by Council.

The proposed development would be on vacant land with an option for future subdivision following subdivision

2. Executive Summary

The aim of the proposed development is to provide a new, and much needed additional storage facilities within the CBD of Blayney. The proposed development is for 36 sheds 6m x 3m and 6 sheds 3m x 3m all under the one roof. The roofs of the sheds are separated with either a colourbond wall or the fire wall witch is required by The BCA.

Research and internet data reveal sufficient population in Blayney and surrounding areas will make the facility viable.

3. Description of Development

(Further detailed in Specification)

The site area of the proposed development will cover an area of 679.5m².

The proposed development will have concrete floor, with colorbond steel walls and colorbond steel roof. Frame is proposed to be steel.

Boundary fencing will be erected.

Walls dividing the two halves of the building to comply with BCA standards

The colour schemes of the proposal will be neutral tones (exact toning's yet to be established) in keeping with the locality or otherwise as directed by Council.

4. Statutory Considerations

(a) State Environmental Planning Policies
There are no SEPPs applicable to this site or development

(b) Regional Environmental Plans
There are no REPs applicable to this site

BLAYNEY SHIRE COUNCIL DEVELOPMENT CONSENT

No. 230 20! 2 Dated 3 1 JAN 2013

These are the plans, specifications & documents approved by Council as part of the above consent

(c) Local Environmental Plans

Blayney Local Environmental Plan 1998 is the planning instrument for the area. The zoning of the site is 2V Village

One of the aims of the LEP is to facilitate a range of residential and commercial developments and employment opportunities in accordance with demand. The objective of the zone is to promote development in existing towns and villages in a manner which is compatible with their urban function.

The proposed development is permitted in the zone with the consent of Council and

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meets the requirements of Blayney LEP

(d) Development Control Plans Blayney Shire Councils Development Control Plans do not apply to the proposed development on this site

5. Site Suitability

The site is not in an area affected by bushfires or floods

The site is relatively level. There is a fall of approx 300mm in the overall length of the proposed development site.

The present development of the area is commercial (hardware depot) to the east and residential to the south.

The proposed site is located centrally. It is in close proximity to CBD, shopping mall and local garages.

6. Current and previous uses

The whole parcel of land in question was previously a Newsagency Outlet with attached residence and disused land at the rear. The building fronting Adelaide Street is currently the Peter O'Brien Construction head office.

The site has not been tenanted for either commercial or residential use for approx 4 years.

The adjoining land is mainly residential to the south and commercial to the east.

7. Operational Details

The proposal would operate daily from 7 am to 9 pm including public holidays. In essence the proposed development would operate 365 days per year (subject to Council approval) in order to service varying needs of patrons (particularly shift workers of the community).

8. Access Traffic and Utilities

The proposed development will increase traffic movements by on average approximately 2 movements per day as studies based on similar facilities will confirm:

Currently, traffic movements in Henry St are insignificant servicing entry to hardware depot and rear entry to a residential garage.

Henry St is currently approximately 6m in total width. The road surface is in poor condition. It is proposed to engage Council to design and construct a new commercial standard bitumen road from the intersection of Ogilvy St to the Northern property boundary to comply with WBC requirements following a mutually agreeable quote.

As the traffic movement increase is so minimal we feel only a very minimal upgrade of the service road is required. The design is proposed only for light vehicle traffic

Turning circles are drawn on the plan and comply with Australian Standards for light vehicles.

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Clear signage is proposed to be erected on the corner of Henry and Ogilvy St and also on the Northern side of the existing building fronting Adelaide St.

In the interest of the safety of the public we are proposing to install a stop sign at our cost to ensure the safety of any pedestrian's.

9. Social and Economic Impacts

The proposal poses no negative social consequence to the surrounding residences. Hours of operation of the proposal (7 am to 9 pm) will have no negative impact on social activities

The economic impacts will be substantial in providing a facility which is already available in nearby towns. Employment will be created during the construction phase and maintenance following completion.

The development will improve the aesthetics of the site.

The proposed new building will complement the nearby commercial developments.

10. Context and Settings

The proposed development will not be visually prominent in either Henry Street or Adelaide Street.

The new development allows current visual privacy of all adjoining and adjacent landholders to be maintained and will not impact in a negative manner on the residential developments. The development will improve the visual amenity of the area rather than detracting from it. Careful consideration has been given to all of the above issues as evidenced in the accompanying drawings and documents.

11. Environmental Impacts

- (a) Air No form of air pollution will be created by the development
- (b) Noise There will be only the estimated additional traffic movements and people coming to access there storage facilities.
- (c) Soil Sediment barriers will be installed to prevent top soil and loose vegetation from entering Councils storm water system. The development does not require any significant excavation or filling and will not cause erosion or sediment run-off both during and following Construction.
- (d) Water No Water is used or proposed at the development
- (e) Flora and Fauna

The site is cleared of vegetation with no habitat for fauna.

Therefore the development will not impact on threatened species or disturbance of any native habitats. The site is not in a koala habitat. Landscaping as required by Council will be carried out as per the plans

(f) Heritage

The proposed development is not listed in Councils LEP or DCP as a heritage item and is not located in a heritage conservation area. The development does not adjoin a heritage item or have any impact on any heritage item or item of cultural significance.

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There are no known Aboriginal artefacts on the site

(g) Waste

All waste generated by the development during construction and when operational will be collected and disposed/recycled at Blayney Waste Disposal Depot.

Construction stage.

Secured waste bins would be provided for use by patrons.

(h) Energy

The proposed development will produce negligible green house gas emissions. A Section J Report under the BCA will be provided to Council if required at construction stage.

12. Lighting Control

There will be no lighting on the facilities.

13. Service Car Parking

As the development only generates a very minimal increase in traffic there is no onsite parking at the facilities

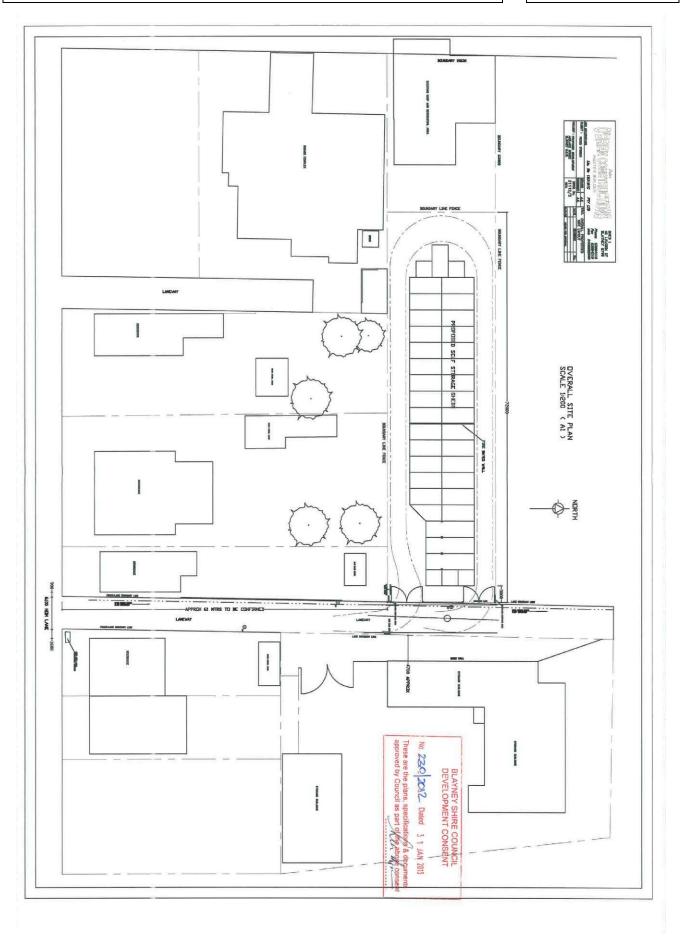
14. Conclusion

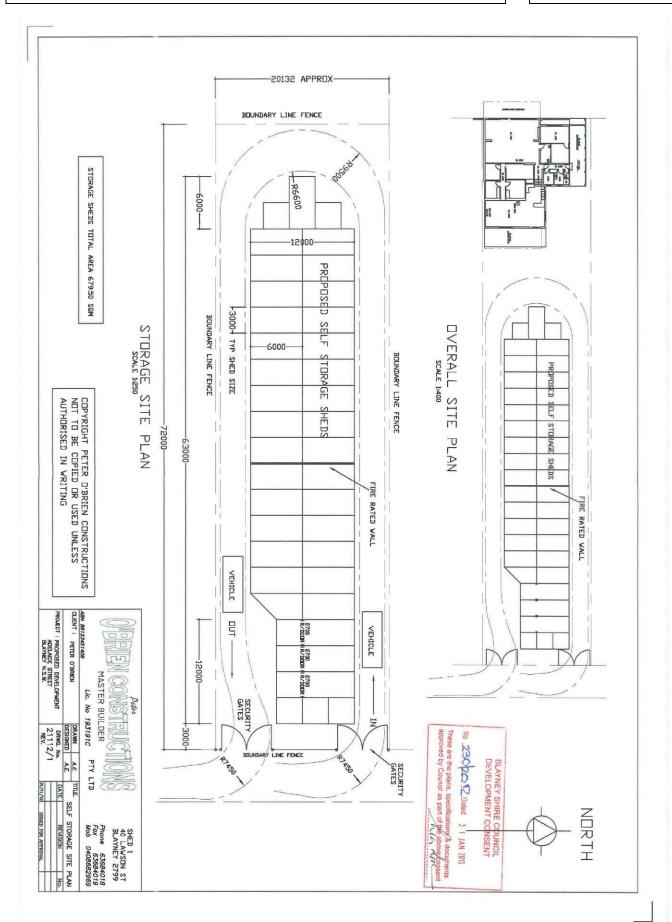
The proposal complies with Blayney Local Environmental Plan and the Building Code of Australia.

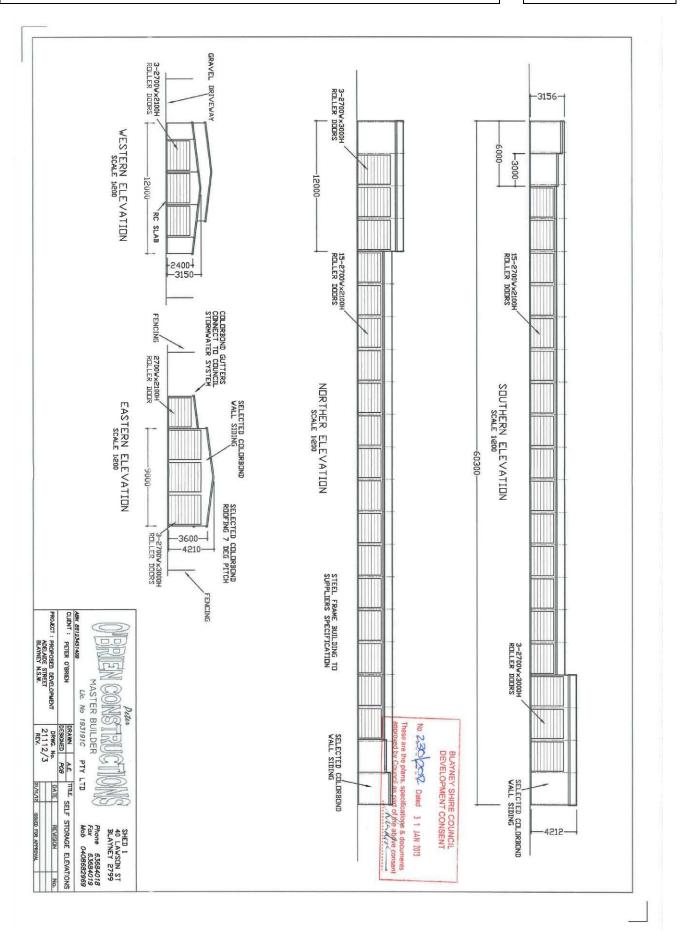
The proposal is permissible at the location with consent of Council

The amenity of the area will be improved as a result of the development without compromising the surrounding occupancies.









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Fax: 02 6368 4019
E: peter@obrienconstructions.com
www.obrienconstructions.com

AWARD WINNING BUILDERS



IL 3981

18 September 2013

The General Manager Blayney Shire Council PO Box 62 BLAYNEY NSW 2799

Attention: Patsy Moppett

Dear Sir,

RE: DA230/2012 Storage Sheds Lot 17 Section 2 DP 758121 No142Adelaide Street Blayney

In reply to your letter dated 11 September 2013 I wish to advise as follows in relation to the matters raised.

- The development was approved under the previous LEP, where it was permissible development with Council consent.
- 2. The modification is to a development approval, not for what is erected on the site
- 3. The WBC standards are for new roads and do not apply to laneways that were laid out at the time of the Blayney township.
- 4. I understand that the laneway is Council owned and the width has remained the same and has not changed.
- 5. Condition 38 of the development consent requires access for a 12.5 metre truck, the development must comply with this requirement.
- The storage sheds are constructed from non flammable materials and must comply with the Building Code of Australia requirements.
- 7. Lot 17 has access to Adelaide Street and the rear lane way. The access to the storage sheds is from the rear laneway.
- 8. I understand that Blayney Council is the responsible authority in relation to the laneway.
- 9. The additional traffic caused by the proposal (storeage sheds) is not significant. It would be less than residential.
- 10. Barriers to be installed.
- 11. Access will be improved by the upgrade on the laneway, a condition of consent, plus a pram ramp is to be installed
- 12. The storage sheds are a lower key development than the current mix of commercial/residential development and is permissible development under the LEP that applies to the project. The development must comply with the conditions of consent. The development will not create any additional safety, security and crime related issues above that of the current surrounding development.



- 13. Passing room and additional parking spaces are not considered a necessary on site requirement for what is a low traffic movement development when completed.
- 14. The lane is considered wide enough to provide access for the intended traffic
- 15. The development traffic is not considered an additional danger to school children in the area.
- 16. The storage of small amounts of petrol and small gas bottles within motor vehicles and caravans is normal at storage sheds, however no additional storage of such items will be permitted.
- 17. There would be more than one area within Blayney suitable for storage shed development.
- 18. The modification is to a Development Approval, not current buildings on the site.
- 19. The development must comply with the Building Code of Australia, and this is a condition of consent
- 20. Access within the site must comply with conditions of consent.
- 21. No toilets or wash down facilities are provided within the development. The building fire fighting facilities must comply with the Building Code of Australia.
- 22. The driveway around the sheds provides access for fire fighting vehicles.
- 23. Additional storage of petrol and gas will not be permitted.
- 24. The building must comply with the Building Code of Australia, this is a condition of consent.
- 25. The proposed development is not considered a fire trap to surrounding existing development. The building must comply with building requirements.
- 26. I understand that firefighting vehicles are not restricted by any signage.
- 27. The electricity poles is to be removed and the wires placed underground.
- 28. The proposal must comply with the Building Code of Australia, this is a condition of consent.
- 29. The previous LEP is applicable to this development.
- 30. The development must comply with the conditions of consent.
- 31. The width of the laneway is sufficient to permit entry and exit from the development.
- 32. Laneway signage must comply with Council requirements.
- 33. The power poles will be removed as part of the development.
- 34. The current width of the laneway meets Councils requirements.
- 35. The access and driveway will be concrete.
- 36. Linemarking is required as a condition of consent and will be provided.
- Additional parking spaces within the site are not considered necessary for this type of development.
- 38. Details of signage were a condition of consent and have since been provided.
- 39. The signage is not lighted.
- 40. Lot 17 has a frontage to Adelaide Street and rear boundary to the laneway, there is no separate vacant block. The front office and sheds are on the one block. A sign advising of what is on the land meets with current requirements.
- 41. Any signage on Council streets must comply with council requirements.
- 42. Engineers details for roadworks, building construction and civil works are to be provided as conditions of consent.
- 43. Any signage within the site must meet council requirements, this is a condition of consent.
- 44. The car wash DA has no significance to this application.
- 45. When the storage sheds are completed the average traffic movements are considered to be two per day.
- 46. A security fence is to be provided around the sheds and stormwater drainage will comply with council requirements.



The above comments are provided in support of the storeage shed development, and should you require any further information please contact me direct.

Yours Faithfully.

Peter O'Brien