

## 5. DA No. 20090125: Additions to existing dwelling – Lot 15 DP24452, Monaro Street, Merimbula

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Group Manager, Planning and Environment

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| <b>Applicant</b>            | Mr Graham & Mrs Ann Wykes                                     |
| <b>Owner</b>                | Mr Graham & Mrs Ann Wykes                                     |
| <b>Site</b>                 | Lot 15 DP 24452, Monaro Street, Merimbula                     |
| <b>Zone</b>                 | 2(a) Residential Low Density                                  |
| <b>Site area</b>            | 2,446 m   |
| <b>Proposed development</b> | Additions to existing dwelling to include a workshop and deck |

### PRECIS

Council is in receipt of a development application for alterations and additions to a dwelling house. As one of the applicants is an elected Councillor the matter is referred for determination by Council in accordance with adopted policy.

### BACKGROUND

10 The proposed additions will be ancillary development to an approved dwelling house that has been erected on the land.

### DESCRIPTION OF THE PROPOSAL

Extension to an existing garage at ground level to create a workshop 4.8m x 4.7m. An external staircase linking on to a new tiled deck and an existing timber deck. .

### DESCRIPTION OF THE SITE

The land is located in Monaro Street with a horse shoe driveway. The lot is large with a 32 metre frontage. The works are proposed behind the existing footprint of the residence and 2 metres from the eastern boundary.

### PLANNING ASSESSMENT

20 The proposal has been assessed in accordance with the Matters for Consideration under Section 79C of the Environmental Planning and Assessment Act 1979.

## **Zoning**

The land is zoned 2(a) Residential Low Density under the Bega Valley Local Environmental Plan 2002 and the proposed development is permissible with Council consent.

## **Consultation**

The application was notified to adjoining and neighbouring land owners and no submissions were received.

## **Policy**

30 This application is reported to Council in accordance with Policy 4.1.1(p) as one of the applicants is an elected Councillor.

## **CONCLUSION**

The proposed alterations and additions are considered to be routine development that comply with the objectives of BVLEP 2002 and local policies.

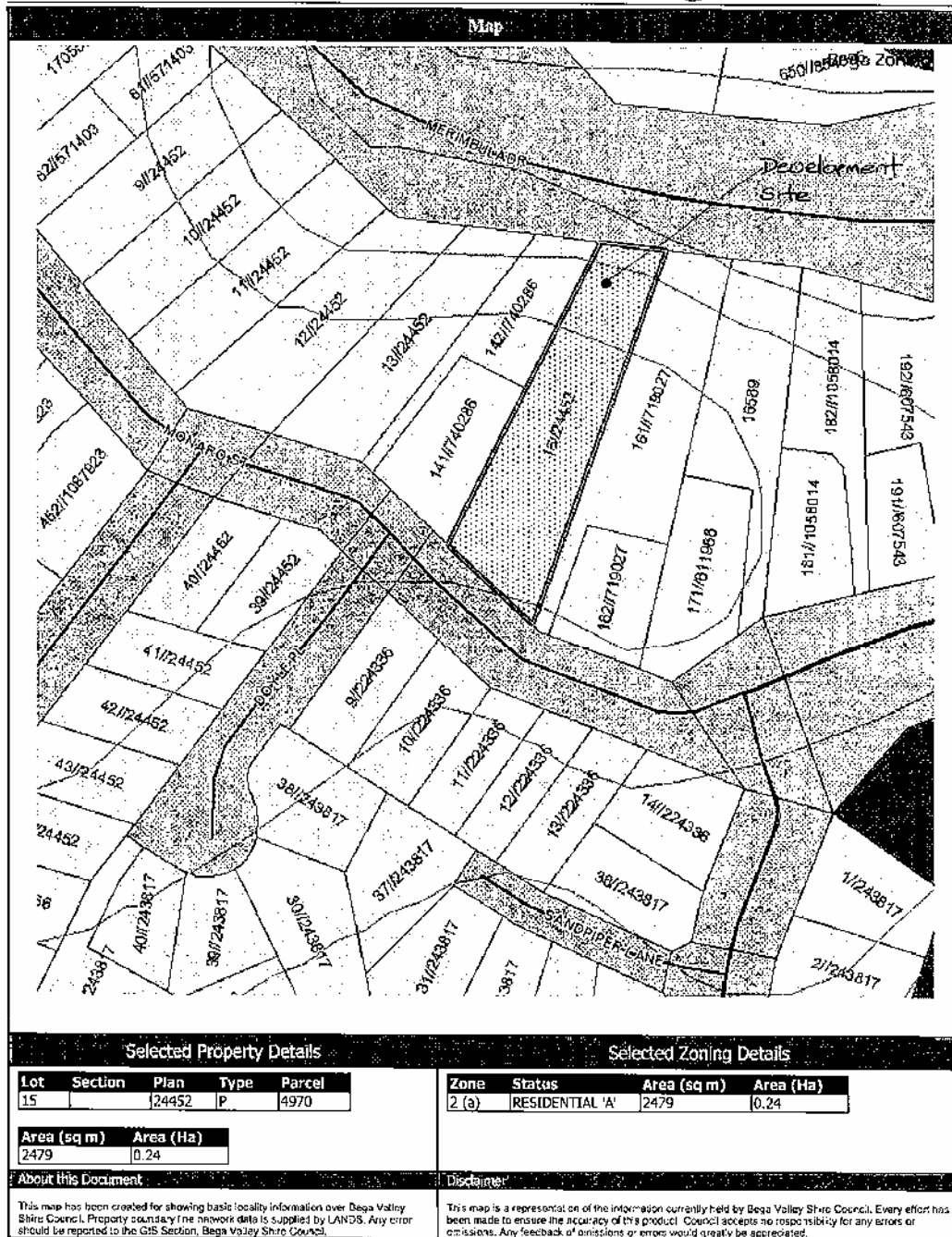
The application is recommended for approval subject to conditions.

## **RECOMMENDATION**

That Development Application 2009.0125 for alterations to an existing dwelling be approved subject to the terms and conditions as detailed in the draft Development Consent submitted to Council at its meeting of 5 May 2009.

40

Subject:



**Selected Property Details**

| Lot | Section | Plan  | Type | Parcel |
|-----|---------|-------|------|--------|
| 15  |         | 24452 | P    | 4970   |

| Area (sq m) | Area (Ha) |
|-------------|-----------|
| 2479        | 0.24      |

**Selected Zoning Details**

| Zone  | Status          | Area (sq m) | Area (Ha) |
|-------|-----------------|-------------|-----------|
| 2 (a) | RESIDENTIAL 'A' | 2479        | 0.24      |

**About this Document**

This map has been created for showing basic locality information over Bega Valley Shire Council. Property boundary line network data is supplied by LANDS. Any error should be reported to the GIS Section, Bega Valley Shire Council.

**Disclaimer**

This map is a representation of the information currently held by Bega Valley Shire Council. Every effort has been made to ensure the accuracy of this product. Council accepts no responsibility for any errors or omissions. Any feedback of omissions or errors would greatly be appreciated.



Bega Valley Shire Council

DA No. **2009.0125**

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DEVELOPMENT CONSENT

G & A Wykes  
73 Monaro Street  
MERIMBULA NSW 2548

NOTICE OF DETERMINATION  
under Section 61(1)(a) of the *Environmental Planning and Assessment Act 1979* (as amended).

The development application has been determined by granting consent under Clauses 20 and 65 of the *Bega Valley Local Environmental Plan 2002* subject to conditions.

|  |  |
|--|--|
| APPLICANT  | <b>Graeme &amp; Ann Wykes</b>                                    |
| LAND   | <b>Lot 15 DP 24452</b>   |
| LOCATION   | <b>73 Monaro Street, Merimbula</b>                               |
| ZONE   | <b>2(a) Residential Low Density Zone</b>                         |
| PROPOSED DEVELOPMENT                               | <b>Alterations and additions to existing dwelling and garage</b> |
| CLASSIFICATION(S) UNDER BUILDING CODE OF AUSTRALIA | <b>10a</b>   |

ADDRESS ALL  
CORRESPONDENCE TO:  
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Bega NSW 2550  
DX 4904  
ABN 26 987 935 332

Council Chambers  
Zingel Place, Bega

PHONE  
(02) 6489 2222  
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(02) 6489 2200

INFORMATION  
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|                         |             |
|-------------------------|-------------|
| DETERMINATION MADE ON   | <b>2009</b> |
| CONSENT TO OPERATE FROM | <b>2009</b> |
| CONSENT TO LAPSE ON     | <b>2014</b> |

## Conditions of approval

1. Development shall take place in accordance with the Approved Development Plan, the application form and any supporting documentation received with the application, except as may be amended in red on the attached plans by the following conditions.

### Building

2.
  - i) CLOSET ACCOMMODATION for workmen to be provided BEFORE building work commences pursuant to Section 79C of the Environmental Planning and Assessment Act.
  - ii) The Builder must at all times maintain on the job, a legible copy of the plans and specifications bearing the stamp and Development Consent of Council.
  - iii) Construction work shall be confined to normal working hours, mainly 7am to 5pm Mondays to Fridays and 8am to 1pm Saturdays (no work on Sundays or Public Holidays)
  - iv) Where Council is the PCA a minimum of TWO WORKING DAYS NOTICE shall be given by the Builder to PCA to enable inspections to be carried out at each of the following steps where applicable: -
    - Pier holes before concrete is poured
    - Steel reinforcement for footings, slabs or other structural concrete components prior to placement of concrete
    - Bearers and joists, and damp courses before the floor is laid
    - When wall and roof framing is erected, bracing and tie downs is in place.
    - Flashing of wet areas prior to lining or tiling of these areas (viz: bathrooms, en-suites, laundries and water closets).
    - When the building is completed and ready for approval to occupy
    - Storm water drainage under hydrostatic test and prior to backfill inspections
    - At any other stage during construction deemed as being required by the Principal Certifying Authority.

### NOTE:

- It should be noted that if work that needed a mandatory critical stage inspection was covered without the inspection taking place, then the **only way to enable the issuing of an occupation certificate maybe for the builder to uncover the work** so that the required inspection can take place.
  - Approval shall be obtained from the PCA at each inspection stage prior to further works proceeding.
- v) A minimum of TWO WORKING DAYS NOTICE shall be given by the Builder to Council to enable inspections to be carried out at each of the following steps where applicable: -
    - a) When sanitary drainage is laid ready for test.
    - b) Prior to backfilling of land application areas.
    - c) Prior to commissioning of systems of on-site sewage management before occupation of the premises.

**NOTE:**

Approval shall be obtained from Council at each inspection stage prior to further works proceeding.

- vi) It is the owner's responsibility to ensure that the building is located on the correct block of land is located free of any easements/services and satisfies the necessary setbacks as specified by Council's Codes for Local Government Legislation.
  - vii) Signs to be provided at the front of the property or in a prominent location **PRIOR** to the first inspection: -
    - Owner's name, lot number and street number
    - A rural address number is to be provided at the entrance of a property (eg. affixed to an entrance gate)
    - Signage to clearly identify the Principal Certifying Authority (PCA) and contact number
    - That unauthorised entry to the work site is prohibited; and
    - The Principal Contractor (the coordinator of the building work).
3. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
  4. The following are required in reference to the proposed termite management system:
    - a) Certificates of installations for the termite prevention systems installed shall be submitted to Council prior to the occupation of the building.
    - b) A durable notice shall be permanently fixed to the building in a prominent location such as a meter box or the like, indicating:
      - i) the method of protection; and
      - ii) the date of installation of the system; and
      - iii) where a chemical barrier is used in conjunction with physical measures, its life expectancy listed on the National Registration Authority label; and
      - iv) the need to maintain and inspect the system on a regular basis.
  5. Approval is subject to the condition that the builder or person who does the residential building work complies with the applicable requirements of Part 6 of the Home Building Act 1989 whereby a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the PCA that they have complied with the applicable requirements of Part 6 of the Act.
  6. Class 1a dwelling and additions. An automatic fire detection and alarm system designed to ensure the occupants of a building are given adequate warning so that they can evacuate the building in an emergency must be installed and shall comply with the following: -
    - a) Smoke alarms installed in accordance with AS3786; and
    - b) Smoke alarms must be connected to consumer main power where consumer power is supplied to the building; and
    - c) Installed in suitable locations on or near the ceiling in: -

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- (i) Any storey contained bedrooms: -
  - i. In a Class 1a dwelling: -
  - ii. Between each area containing the remainder of the dwelling, including any hallway associated with the bedrooms.
- (ii) **Any storey not containing bedrooms**
- (iii) In areas between the natural ground and the floor or ceiling above, designed for the accommodation of motor vehicles and non habitable rooms; and

Upon completion a licensed electrician shall certify the installation.

- d) Where it is proposed to extend or alter an existing dwelling smoke alarms shall be installed throughout the existing part of the dwelling in accordance with these requirements.
  - e) Inter-connected where there is more than one alarm, so the sounding of an alarm in one detector will activate the alarm in all detectors.
7. All glazing used in the building shall comply with the provisions of AS1288-2006 "Glass in Buildings – Selection and Installation" and AS 2047-1999 – "Windows in Buildings – Selection and Installation".
  8. Details of **reinforced concrete footings** to be submitted by a practising and qualified Structural Engineer and to be approved by the PCA.
  9. Details of **reinforced concrete slab floors** to be submitted by a practising and qualified Structural Engineer and to be approved by the PCA.
  10. Details of **columns and bracing prior to erection of same** to be submitted by a practising and qualified Structural Engineer and to be approved by the PCA.
  11. Balustrading installed in the building must comply with the Building Code of Australia.  
  
Note: If you are to install wire as balustrading you must submit details of the proposed system to the PCA for their concurrence prior to the issue of the Construction Certificate.
  12. All framework to comply with the Australian Standard (AS 1684.2 – 1999 "Residential Timber-Framed Construction".
  13. Roof storm water is to be disposed of to the satisfaction of the PCA.
  14. A final **Occupation Certificate** must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an occupation certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1997 have been satisfied.

The above conditions are in the public interest to reduce any potential environmental impact and to ensure the proposed development complies with:

- the provisions of the *Environmental Planning and Assessment Act 1979* and Regulations
- any environmental planning instruments applying to the subject land
- Council's codes and policies
- *Section 94 Development Contribution Plan and Tree Preservation Order.*

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Notes:

1. If you do not agree with this determination you can apply to Council for a review under Section 82A of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).  
  
An application for review must be made within one year from the date of this notice, and must be accompanied by the prescribed fee. This provision does not apply to designated development or integrated development. (Please contact Council for details).
2. If you are dissatisfied with Council's determination, you can appeal to the Land and Environment Court under Section 97 of the EP&A Act 1979 within 12 months from the date of this notice.
3. Before you start any building or subdivision works you must obtain a Construction Certificate from Council or an accredited certifier.
4. It is an offence under the *National Parks and Wildlife Act 1974* to destroy, deface or damage an Aboriginal relic. If during works on site any Aboriginal relic is discovered then you should immediately stop work and contact representatives of the National Parks and Wildlife Service and the Local Aboriginal Land Council.
5. The *Native Vegetation Act 2003* requires consent for the clearing of remnant native vegetation or protected regrowth from the Southern Rivers Catchment Management Authority. It is the proponent's responsibility to consult the Southern Rivers Catchment Management Authority to determine the need or otherwise for their approval and you should not construe the granting of this development consent as notification to you that the NSW Native Vegetation Act does not apply. The NSW Native vegetation Act 2003 may have direct application to your proposal and you should obtain advice about this matter directly from the Southern Rivers Catchment Management Authority.
6. It is the applicant's responsibility to advise Council of any changes to contact details in a timely manner. Council will not be held responsible for any lost documents, delays or missed inspections if any of the details are in any way not up-to-date. Should duplicate documents be required they will incur an additional fee in this circumstance.

FOR BEGA VALLEY SHIRE COUNCIL