



NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

issued under the Environmental Planning and Assessment Act 1979 Section 4.18

Development Application No.

0569/23DA

Applicant:

MR GJ BAKER
8 LETITIA PLACE
BONVILLE NSW 2450

Land to be developed:

**Lot 46 DP 1034936, 8 LETITIA PLACE BONVILLE
NSW 2450**

Proposed development

Awning and Carport (Ancillary to Dwelling)

Date of determination

15 MARCH 2023

Determination

Consent granted subject to the attached conditions

Consent to operate from
Consent to lapse on

15 MARCH 2023
15 MARCH 2028

Other approvals

NIL

Signed

On behalf of the consent authority

A handwritten signature in black ink, appearing to be 'Ben Oliver'.

Ben Oliver
Team Leader Development Assessment

pcm

15 MARCH 2023

Right of review

For a determination, other than for designated development, you may request a review of this determination under Section 8.2 of the Environmental Planning and Assessment Act, 1979. The request for review of the determination must be made to Council in writing and is to be accompanied by the fee as prescribed under Schedule 4 part 7 of the Environmental Planning and Assessment Regulation 2021.

The request for a review may be made at any time:

- (1) prior to the time limited for the making of an appeal under Section 8.7 expires, if no such appeal is made against the determination, or
- (2) prior to an appeal under Section 8.7 against the determination is disposed of by the Court, if such an appeal is made against the determination.

It is recommended that you discuss any request for a review of the determination with Council staff before lodging such a request.

Right of appeal

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 provides a right to appeal to the NSW Land and Environment Court.

Reasons for imposition of conditions

The conditions in the schedule have been imposed to:

- (1) confirm and clarify the terms of the determination,
- (2) identify modifications and additional requirements that will result in improved compliance and environmental outcomes,
- (3) prevent, minimise, and mitigate adverse impacts of the development, by requiring works to be carried out and setting standards and measures for acceptable environmental performance,
- (4) require security for payment of costs associated with making good damage caused to property of the consent authority and completing public works,
- (5) ensure that the development is in the public interest and is undertaken in an orderly manner.

Reason for decision and consideration of community views

The development has been considered and determined in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021 and on balance is considered suitable to be determined by way of approval. The development is not expected to result in unacceptable impacts and is not considered to be contrary to the public interest.

Community views were considered as part of the assessment and determination in accordance with the requirements of the Coffs Harbour City Council Community Participation and Engagement Plan, the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021.

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Schedule of Conditions

ADMINISTRATIVE CONDITIONS

Development Description:

1. Development consent is granted only to carrying out the development described in detail below:
 - ***Awning and Carport (Ancillary to Dwelling)***

Prescribed Conditions:

2. The proponent shall comply with the prescribed conditions of development approval under Clauses 69 - 75 of Environmental Planning and Assessment Regulation 2021 as are of relevance to this development.

Development is to be in accordance with approved plans:

3. The development is to be implemented in accordance with the plans set out in the following table except where modified by any conditions of this consent (Development Consent No. 0569/23DA).

Plan No. / Supporting Document(s)	Dated
1 of 3 – 3 of 3	15 March 2023

In the event of any inconsistency between conditions of this development consent and the plans referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

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Schedule of Conditions

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificate:

4. No building work is to commence on site until a Construction Certificate has been issued for the work and Council has been notified that a Principal Certifier has been appointed.

City Policy for Buildings near Sewer Mains:

5. City policy for buildings in the vicinity of underground assets (such as sewer mains) requires that a horizontal offset of at least 2 metres is provided where the asset is more than 1.5m deep. Accordingly, the southern fascia of the proposed alfresco roof must be at least 3.24m from the southern boundary to satisfy this requirement.

Detailed plans confirming the required setback are to be provided to the registered certifier for approval **prior to issue of a Construction**.

Fire Safety:

6. New construction shall comply with Australian Standard AS 3959-2018 "*Construction of Buildings in Bushfire Prone Areas*" and Section 7.5 of "*Planning for Bushfire Protection 2019*" for BAL 29 (alfresco area) and BAL 12.5 (carport). Details indicating compliance with the relevant construction provisions must be submitted to the Certifying Authority for consideration and approval **prior to the issue of a Construction Certificate**.

PRIOR TO COMMENCEMENT OF WORKS

Site Notice:

7. Prior to commencement of works a site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of the development details including but not limited to:
 - (1) Details of the Principal Contractor and Principal Certifier for all stages of the development;
 - (2) The approved hours of work;
 - (3) The name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction noise complaints are to be displayed on the site notice; and
 - (4) To state that unauthorised entry to the site is not permitted.

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Schedule of Conditions

DURING CONSTRUCTION

Erosion and Sediment Control (Minor Works):

8. Where excavation works or removal of vegetation is to take place on the site, control measures in accordance with the document *Managing Urban Stormwater - Soils & Construction Volume 1 (2004)* by Landcom are to be undertaken at each appropriate construction stage to prevent erosion of soil.

Hours of Work:

9. Construction works are to be limited to the following hours:

Monday to Friday	7.00 am - 6.00 pm
Saturday	7.00 am - 1.00 pm if inaudible from adjoining residential properties otherwise 8.00 am - 1.00 pm

No construction work is to take place on Sunday and Public Holidays.

Cultural Heritage:

10. In the event that future works during any stage of the development disturb Aboriginal Cultural materials, works at or adjacent to the material must stop immediately. Temporary fencing must be erected around the area and the material must be identified by an independent and appropriately qualified archaeological consultant. The Office of Environment and Heritage (OEH), Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups must be informed. These groups are to advise on the most appropriate course of action to follow. Works must not resume at the location without the prior written consent of the OEH and Northern Aboriginal Heritage Unit and the Aboriginal Stakeholder groups.

New Construction:

11. New construction shall comply with Australian Standard AS 3959-2018 *“Construction of Buildings in Bush Fire Prone Areas”* and Section 7.5 of *“Planning for Bushfire Protection 2019”* for BAL 29 (alfresco area) and BAL 12.5 (carport).

Asset Protection Zone (Around Buildings):

12. At the commencement of building works and in perpetuity the whole property shall be maintained as an *“Asset Protection Zone”* (APZ) as outlined within Section 3.2 and Appendix A4 of *“Planning for Bush Fire Protection 2019”* and the NSW Rural Fire Service’s document *“Standards for Asset Protection Zones”*.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE

Stormwater Drainage:

13. All stormwater is to be conveyed to Council’s street gutter or registered easement by means of an approved drainage pipe system **prior to the issue of an Occupation Certificate**.

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Schedule of Conditions

Drainage works on the public road are subject to separate application, fees, and approval from Council.

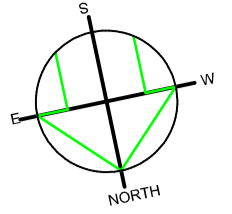
Occupation Certificate:

- 14. A person must not commence occupation or use of the new building **prior to obtaining an Occupation Certificate** from the Principal Certifier.

ADVISORY NOTES

During assessment of this application it was noted that a garden shed in the south-western corner of the allotment has been constructed over a sewer main. The garden shed is not covered by this approval and may need to be removed at the property owners expense for future maintenance access to the sewer main.

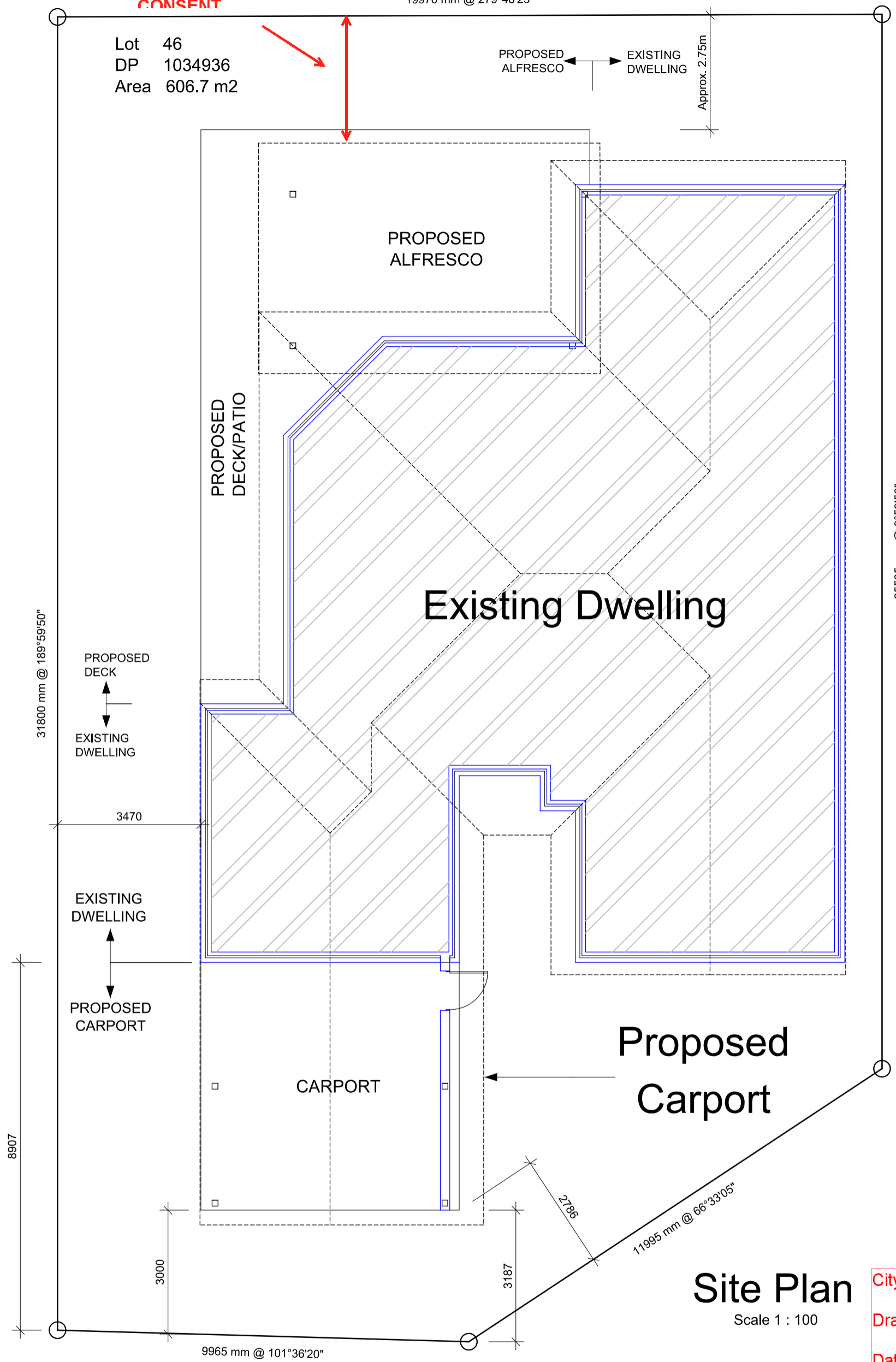
**MINIMUM 3.24m SETBACK REQUIRED
(BOUNDARY TO ROOF)
REFER TO CONDITIONS OF DEVELOPMENT
CONSENT**
19970 mm @ 279°48'25"



Lot 46
DP 1034936
Area 606.7 m2

PROPOSED ALFRESCO ← → EXISTING DWELLING

Approx. 2.75m



Site Plan

Scale 1 : 100

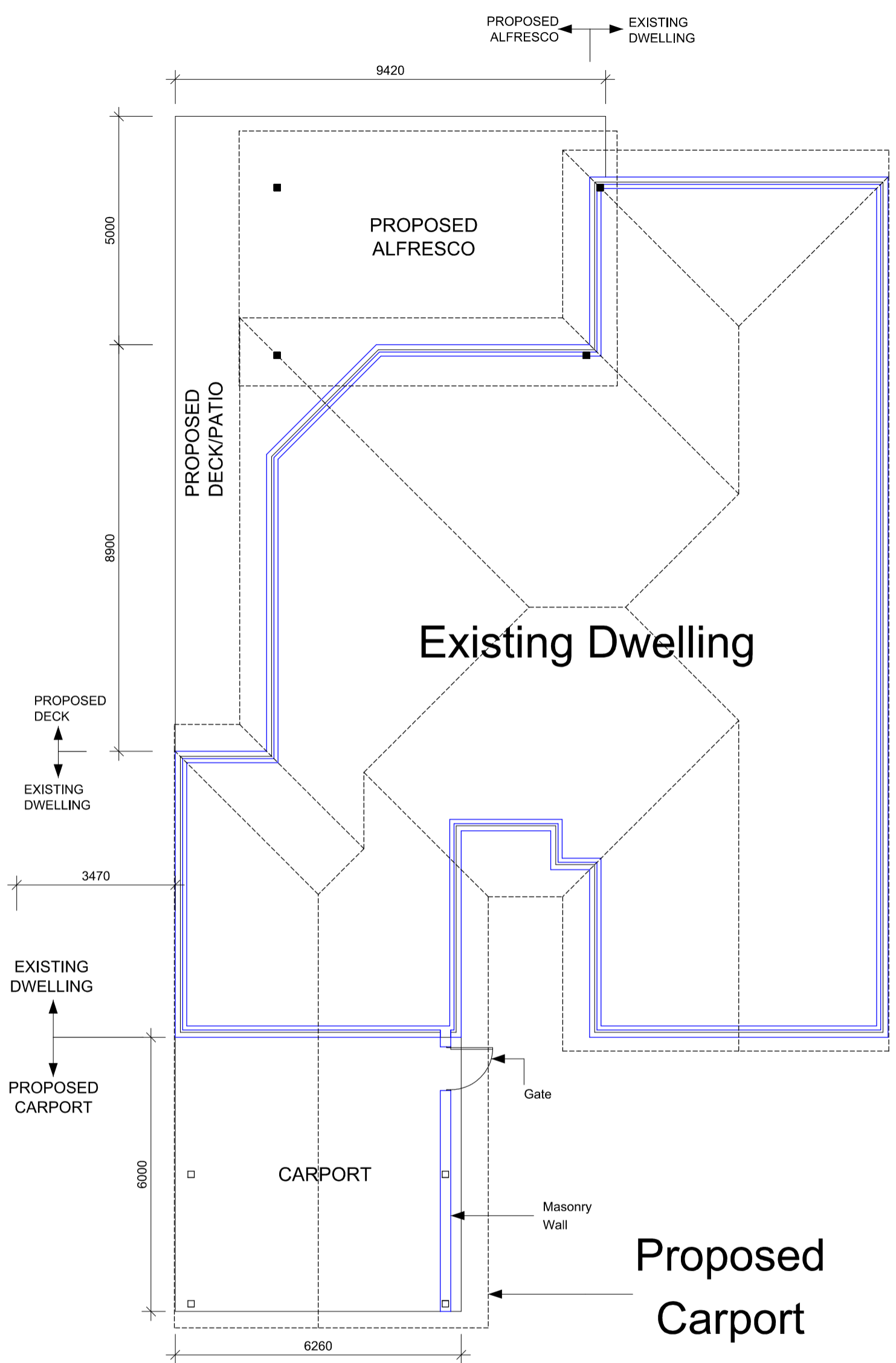
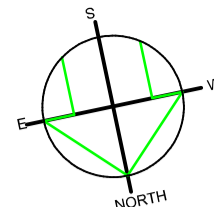
City of Coffs Harbour
Drawing No. 1 of 3
Date 15 March 2023

City of Coffs Harbour - APPROVED PLANS
Plans and specifications are to be read in conjunction
with the relevant DEVELOPMENT CONSENT
number shown below.
Development Consent No. 0569/23DA
Date 15 March 2023

Client
GRANT & TIFFANY BAKER

Project
**PROPOSED NEW CARPORT@
LOT 46, 8 LETITIA PLACE
NORTH BONVILLE**

Scale 1 : 100	Date: 13/02/2023
Drawn By: PG	Checked:
Job No. 000	SHEET A3
Drawing No. 2 of 4	
Revision No. : No Revision Revision Date: 00/00/0000	



Floor Areas:

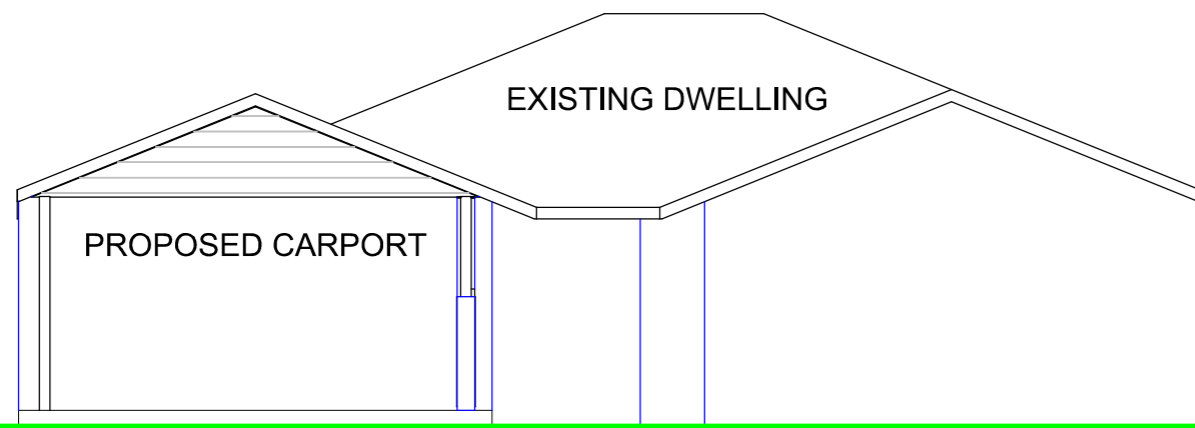
Existing Dwelling	232.35 m ²
Proposed Carport	37.56 m ²
TOTAL	269.91 m²

City of Coffs Harbour
 Drawing No. 2 of 3
 Date 15 March 2023

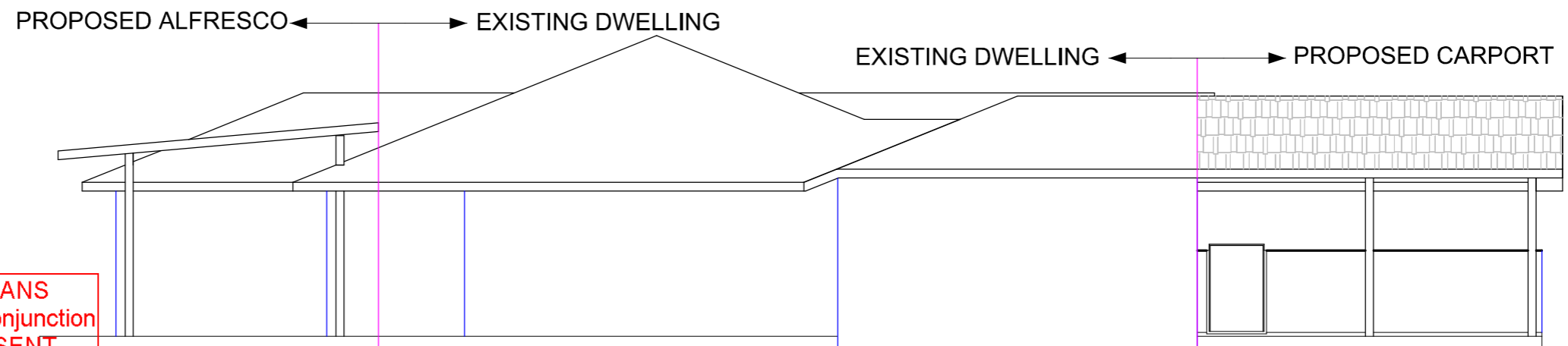
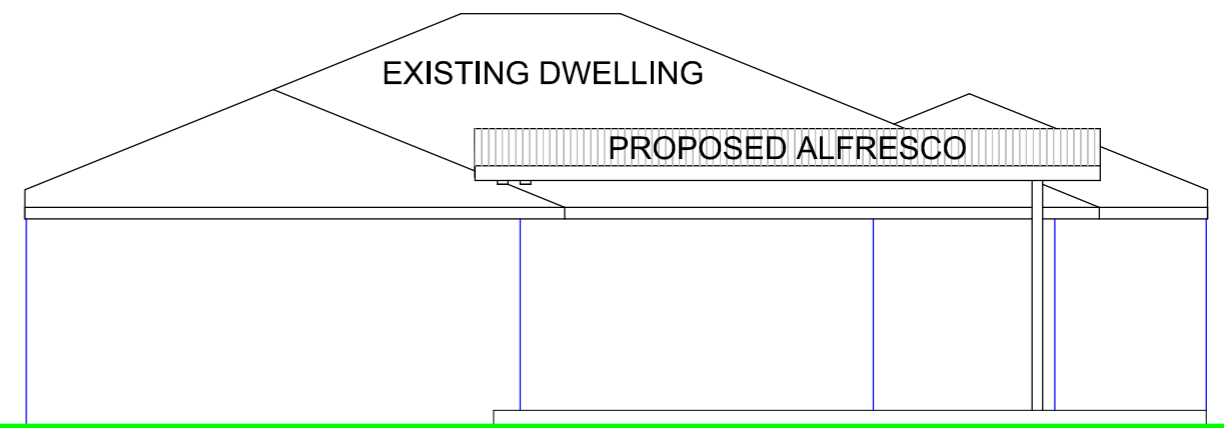
Floor Plan

City of Coffs Harbour - APPROVED PLANS
 Plans and specifications are to be read in conjunction
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 number shown below.
 Development Consent No. 0907/22DA
 Date 15 March 2023

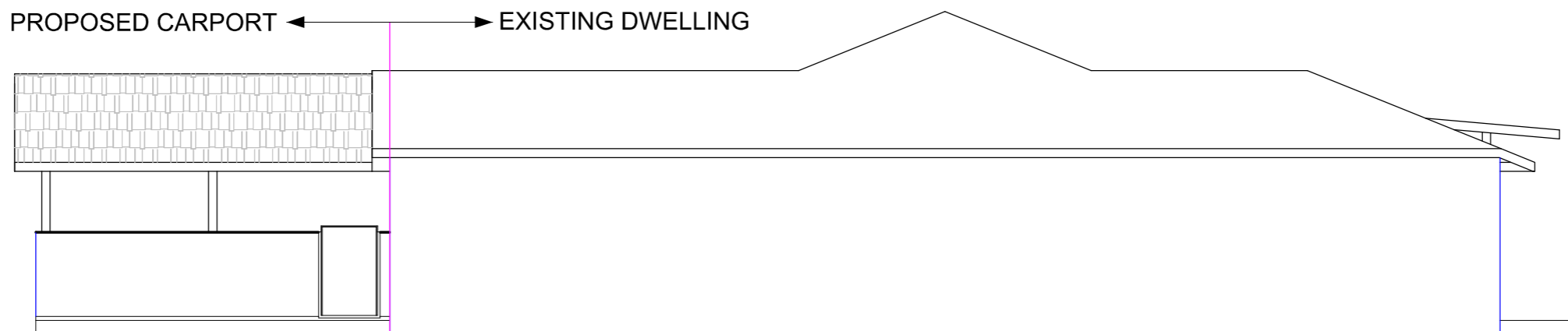
Client GRANT & TIFFANY BAKER			
Project PROPOSED NEW CARPORT@ LOT 46, 8 LETITIA PLACE NORTH BONVILLE		Scale 1 : 100	Date: 13/02/2023
		Drawn By: PG	Checked:
		Job No. 000	SHEET A3
		Drawing No. 2 of 4	
		Revision No. : No Revision Revision Date: 00/00/0000	



North Elevation



East Elevation



West Elevation

City of Coffs Harbour
 Drawing No. 3 of 3
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Client GRANT & TIFFANY BAKER

Project
 PROPOSED NEW CARPORT@
 LOT 46, 8 LETITIA PLACE
 NORTH BONVILLE

Scale 1:100	Date: 13/02/2023
Drawn By: PG	Checked:
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