

**NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION  
DEVELOPMENT CONSENT  
Environmental Planning and Assessment Act, 1979  
DA15/2646**

**TO:**

Sanctuary Point Mens Shed Inc  
PO Box 186  
ST GEORGES BASIN NSW 2540

**being the applicant(s) for DA15/2646 relating to:  
Clifton St, SANCTUARY POINT - Lot 1 - DP 1215751**

**APPROVED USE AND OR DEVELOPMENT:**

Proposed community building in Clifton Park (15m x 30m) to be used as a Men's Shed.

**DETERMINATION DATE:**

Pursuant to the Section 81 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

**CONSENT TO OPERATE FROM:**

**CONSENT TO LAPSE ON:**

*This consent is valid for five years from the date hereon.*

*In accordance with Section 95 of the Act, development consent for the use of the land or the erection of a building does not lapse if building, engineering or construction work relating to the building or work or the use is physically commenced on the land to which the consent applies before the lapse date.*

**DETAILS OF CONDITIONS**

The conditions of consent and reasons for such conditions are set out as follows:

## PART A

### CONDITIONS OF A GENERAL NATURE, INCLUDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT

#### General

1. This consent relates to **Proposed community building in Clifton Park (15m x 30m) to be used as a Men's Shed.** as illustrated on the plans (referenced in the table below), specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.

DOCUMENT	REF/SHEET NO.	PREPARED BY	DATED
Site & Stormwater Management Plan	SPMS2015-001, Sheet 1	Acame Pty Ltd	4/1/2016
Stormwater Management Plan - Detail	SPMS2015-001, Sheet 2	Acame Pty Ltd	4/1/2016
Floor Plan	15-005/2	Bob F.	15/4/2016
Elevations Plan	BS1103/MEN SHED, Page 3	Best Sheds	12/3/2015
Elevations Plan	BS1103/MEN SHED, Page 4	Best Sheds	12/3/2015
Car Parking and Landscaping Plan	-	-	-

#### Notes:

- *Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, **other than those approved under this consent**, shall be carried out without the prior approval of Council.*
  - *Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.*
2. The **Proposed community building in Clifton Park (15m x 30m) to be used as a Men's Shed.** shall not be occupied or the use shall not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with council (i.e. a security).

#### Occupation Certificate

3. An **Occupation Certificate** must be issued by the Principal Certifying Authority (PCA) before the building is used or occupied for the approved use.

## **PART B**

### **CONDITIONS THAT MUST BE COMPLIED WITH BEFORE WORK CAN COMMENCE**

#### **Principal Certifying Authority/Construction Certificate**

1. The following must be undertaken before any building works can commence.
  - a) A Principal Certifying Authority (PCA) must be appointed; and
  - b) A Construction Certificate must be obtained from either Council or an accredited certifier.

#### **Notice of Commencement**

2. Notice must be given to Council **at least two (2) days prior to the commencement of building work.** (The attached form '*Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority*' is to be completed and returned to Council.)

#### **Damage to Public Assets**

3. The developer or his agent must undertake a site inspection of the adjacent kerbs, gutters, footpaths, walkways, carriageway, reserves and the like, prior to commencement of work and document evidence of any damage to existing asset. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.

#### **Supervision of Works**

4. Prior to the commencement of works, Council must be advised in writing of the name of a designated person/company nominated by the applicant to be responsible for construction of all engineering works including erosion and sediment control measures.

#### **Sediment and Erosion Control Measures**

5. The relevant sedimentation and erosion controls required by this consent must be implemented prior to commencement of any work and maintained until the work is completed and the site stabilised.

## **PART C**

### **CONDITIONS THAT MUST BE COMPLIED WITH BEFORE A CONSTRUCTION CERTIFICATE CAN BE ISSUED**

#### **Lease Agreement**

6. The applicant must enter into a lease agreement with Council's Property Services Section **prior to the issue of a Construction Certificate.**

**Development Consent - Page 4 of 13 - DA15/2646**

---

**Water and/or Sewer Requirements**

7. All conditions listed on the Shoalhaven Water Development Application Notice under the heading "PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE" must be complied with and accepted by Shoalhaven Water. The authority issuing the Construction Certificate for the development shall obtain written approval from Shoalhaven Water allowing a Construction Certificate to be issued.

**Note:** Relevant details, including **monetary** contributions (where applicable) under the Water Management Act 2000, are given on the attached Notice issued by Shoalhaven Water.

For further information and clarification regarding the above please contact Shoalhaven Water's Development Unit on (02) 4429 3111.

**Building Code of Australia Requirements**

8. Construction plans demonstrating compliance with the Building Code of Australia are to be submitted to the PCA **prior to the issue of a Construction Certificate**.

## **PART D**

### **CONDITIONS RELATING TO THE APPROVED WORK AND SITE MANAGEMENT**

**Building Code of Australia**

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

**Note:** *This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.*

**Disabled Access and Facilities**

10. The amenities and access to the building are to be compliant with the provisions of AS1428.1 – "Design for Access and Mobility".

**Design Standards**

11. Engineering design plans and specifications for the work referred to in this consent are to be submitted for approval.
  - a) Details of internal civil works must be submitted to nominated accredited certifier (Private Certifier or Council) for approval.
  - b) Details of all proposed works in the road reserve must be submitted and approved by Council.
  - c) All civil works are to be in accordance with Council's Engineering Design Specifications and Development Construction Specifications current at the time of construction unless otherwise specified in this consent.

**Clifton Road Car Park Design Standards**

12. A concrete vee drain with either a minimum 30mm thick 10mm asphaltic concrete on a primer seal or 2 coat bitumen seal with 14mm & 7mm aggregate surfaced shoulder (to

**Development Consent - Page 5 of 13 - DA15/2646**

---

match the existing seal) and associated drainage shall be designed across the frontage of the proposed new development.

- a) The alignment must be such that the design for the 90 degree car parking complies with the dimension requirements of A.S2890.1 2004.
  - b) The shoulder crossfall to the lip of the vee drain is to be no less than 2% and no greater than 5%. A minimum width of 1m is to be constructed adjacent to the lip of the vee drain to facilitate compaction of the new pavement.
  - c) The shoulder seal is to overlap the existing pavement by a minimum of 300mm with the existing seal to be saw cut and the exposed pavement is to have a tack coat or prime seal if finished with AC.
  - d) The vee drain shall have a minimum grade of 0.5% and the longitudinal design must extend a minimum of 30 metres each end of the development and at least 60m if the grade is  $<0.5\%$  or  $\geq 0.3\%$ . This is to ensure the proposed works will be compatible with the existing longitudinal pavement grade and allow future extension of the drain without unnecessary modification of existing works.
  - e) The road shoulder pavement shall be designed in accordance with Council's Engineering Design Specifications section D2.04.
  - f) The road table drain either side of the proposed development must be reconstructed as required to match the vee drain and to prevent ponding of water, including any adjustments.
13. The car park in the road reserve must be provided with nine (9) spaces, including one accessible space, and is to be designed in accordance with Council's Shoalhaven Development Control Plan 2014 Chapter G21- Car Parking & Traffic, or A.S. 2890 Parking Facilities but justification to use the Australian Standard is required.
  14. The car parking areas must be constructed to be an all-weather compacted gravel surface minimum 200mm thick.
  15. The delivery access driveway and the accessible car parking space must be designed for light vehicular loading with a flexible compacted pavement minimum thickness of 200mm, surfaced with 30mm of AC10 asphaltic concrete or two coat bitumen seal using 14mm and 7mm aggregate, or to a concrete standard.
  16. A 1.5 metre wide concrete footpath must be designed from the disabled parking space to the building entrance in accordance with the requirements of the Building Code of Australia.

**Landscaping**

17. Two (2) *Tristaniopsis laurina* 'Luscious' (minimum 35 litre pot size) trees must be planted in the area between the parking area and the building as indicated on the approved parking/landscaping plan. The trees to be planted shall have a single straight trunk to a minimum of 1m before branching occurs. The remainder of the area in front of the building must be turfed.

**Colour Schedule**

18. The building must be constructed in accordance with the approved schedule of colours (walls - mist green, roof – smooth cream) and building materials and finishes.

**Development Consent - Page 6 of 13 - DA15/2646**

---

**Stormwater Drainage Design**

19. Major and minor drainage systems must be designed by a qualified practising engineer in accordance with Council's Engineering Design Specifications section D5 (Stormwater Drainage Design) and DCP 2014 – Chapter G2: Sustainable Stormwater Management and Erosion/Sediment Control. The minor and major systems shall be designed for 10% AEP for commercial and also have consideration for the 1% AEP rainfall events respectively.

**Bushfire Protection**

20. At the commencement of building works and in perpetuity the property around the building to a distance of 10 metres, must be maintained as an inner protection area (IPA) as outlined within Section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
21. To allow for emergency personnel and residents to undertake property protection activities, a defendable space that permits unobstructed pedestrian access is to be provided around the building.
22. Water, electricity and gas are to comply with sections 4.1.3 of *Planning for Bush Fire Protection 2006*.
23. Arrangements for emergency and evacuation are to comply with section 4.2.7 of *Planning for Bush Fire Protection 2006*.
24. New construction on the north-eastern and north-western elevations must comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and Section A3.7 Addendum Appendix 3 of *Planning for Bush Fire Protection 2006*.
25. New construction on the south-eastern and south-western elevations must comply with Sections 3 and 8 (BAL 40) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and Section A3.7 Addendum Appendix 3 of *Planning for Bush Fire Protection 2006*.
26. Landscaping to the site is to comply with the principles of Appendix 5 of *Planning for Bush Fire Protection 2006*.

**Soil and Water Management**

27. All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.

In particular, a silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). The fence is to be regularly inspected and cleaned out and/or repaired as necessary and all collected silt is to be disposed of to the satisfaction of the Principal Certifying Authority (PCA).

Unnecessary disturbance of the site (eg excessive vehicular access) must not occur.

All cuts and fills are to be stabilised or revegetated as soon as possible after the completion of site earthworks.

**Development Consent - Page 7 of 13 - DA15/2646**

---

All the above requirements must be to the satisfaction of the PCA. A copy of Council's Code "Guidelines for Stormwater Protection on Building Sites" is enclosed.

**Waste Minimisation and Management**

28. All waste must be contained within the site during construction and then be recycled in accordance with the approved Waste Minimisation and Management Plan (WMMP) or removed to an authorised waste disposal facility. No waste shall be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site.

Compliance with the WMMP must be demonstrated by the retention of relevant receipts. These must be submitted to Council, upon request.

*Note: "Waste" has the same meaning as the definition of "Waste" in the Protection of the Environment Operations Act 1997.*

**Erection of Signs**

29. A sign must be erected in a prominent position on any site which building work or demolition work is being carried out:

- a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 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.
- c) Stating that unauthorised entry to the site is prohibited.

Any such sign must be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

**Road Reserve, Footpath & Gutters**

30. The kerb, gutter and footpath adjoining the site shall be kept clear of soil and debris.

**Construction Hours**

31. To limit the impact of the development on adjoining owners, *all* construction work must be restricted to the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 3.00pm Saturdays. No construction work shall take place on Sundays or Public Holidays.

**Footpath Trees**

32. Any existing trees along the footpath must be retained unless approval is obtained from Council, in writing, for their removal. The applicant is responsible for all costs involved in any lopping or removal. No excavation shall occur inside the drip line of the tree, without the prior consent of Council.

## ***PART E***

### **CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

33. **Prior to the issue of an Interim or Final Occupation Certificate** condition 10 (disabled access & facilities), 12, 13, 14, 15 & 16 (Clifton Road car park design), 17 (landscaping), 20, 21, 22, 23, 24, 25 & 26 (bushfire protection) must be complied with and completed.

#### ***Shoalhaven Water Certificate of Compliance***

34. A Certificate of Compliance (CC) under Section 307 of Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance shall be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Development Application Notice and **prior to the issue of an Occupation Certificate**.

#### ***Fire Safety***

35. The owner is to supply Council with a **final safety certificate** for the **fire safety measures** specified in the **Fire Safety Schedule**. The fire safety measures must be implemented or installed in the building prior to its occupation and new use commencing. The building must not be occupied without a **final fire safety certificate** being issued and a **Final or Interim Occupation Certificate** being issued.
36. At least once in every twelve month period an annual **Fire Safety Statement** is to be submitted to Council and to the Fire Commissioner of the NSW Fire and Rescue, Fire Safety Division in relation to the **fire safety measures** listed in the **Fire Safety Schedule**.

## ***PART F***

### **CONDITIONS THAT RELATE TO THE ONGOING MANAGEMENT OF THE PROPOSED DEVELOPMENT**

#### ***License***

37. The occupiers of the shed must be authorised under an appropriate licensing arrangement with Shoalhaven City Council.

#### ***Hours of operation***

38. All work associated with the approved use must be restricted to the hours of 8:00am to 5:00pm Monday to Friday and 9:00am to 4:00pm Saturday and Sunday.

#### ***Noise & Vibration***

39. The use of the premises must not give rise to transmission of unacceptable vibration or offensive noise to any place of different occupancy in accordance with the NSW Department of Environment and Conservation Noise Guide for Local Government, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.



***Storage of Bulk Liquids***

40. All drums and stored liquids must be appropriately stored within a bunded area. The construction of a bund shall comply with the requirements of Australian Standard 1940-1993 – “The Storage and Handling of Flammable and Combustible Liquids”.

***Site management and maintenance***

41. The occupants / users Licence holders must at all times be responsible for on-going site management and maintenance in accordance with the following:
- a) loading and unloading in relation to the use of the premises must occur within the subject site;
  - b) goods and/or machinery must be stored, and all activities must occur, inside the building(s) and not in the carpark, driveway or external areas;
  - c) activity on the site must not impact upon the amenity of any adjoining property or tenancy by reason of the emission of noise, dust, fumes, odour, vibration, electrical interference or otherwise;
  - d) removal of all graffiti within a maximum of 21 days of being notified by Council; and
  - e) maintenance of all:
    - i. vehicular movement areas including driveways, carparking, manoeuvring areas and line marking to the standard specified in this consent;
    - ii. stormwater drainage pipes and systems to ensure efficient discharge of stormwater in accordance with the approved stormwater drainage plan including the area of the drainage easement under the suspended concrete slab adjacent to the sites eastern boundary;
    - iii. buildings to the standards outlined in the development application and/or specified in this consent.

## **PART G**

### **REASONS FOR CONDITIONS**

***Conditions of consent have been imposed to:***

1. Ensure the proposed development:
  - a) achieves the objects of the Environmental Planning and Assessment Act, 1979;
  - b) complies with the provisions of all relevant environmental planning instruments;
  - c) is consistent with the aims and objectives of Council’s Development Control Plans, Codes and Policies.
2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.
3. Meet the increased demand for public amenities and services attributable to the development in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979.
4. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.

**Development Consent - Page 10 of 13 - DA15/2646**

5. Minimise any potential adverse environmental, social or economic impacts of the proposed development.
6. Ensure that all traffic, carparking and access requirements arising from the development are addressed.
7. Ensure the development does not conflict with the public interest.

**PART H****OTHER COUNCIL APPROVALS AND CONSENTS****Section 68 Local Government Act, Section 138 Roads Act*****Approval to Connect to the Reticulated Sewerage System***

Approval for Sewerage, Plumbing and Stormwater Drainage is granted subject to the following conditions:

***General***

1. In accordance with the Plumbing and Drainage Act 2011, plumbers and drainers must submit the following documents to Shoalhaven City Council.
  - a) Notice of Work is to be issued to Shoalhaven City Council no later than two (2) business days prior to the commencement of any work.
  - b) A Certificate of Compliance is to be issued to Shoalhaven City Council and to the person for whom the work was carried out on completion of the final inspection.
  - c) A sewer service diagram is to be issued to Shoalhaven City Council and the owner of the land or the owner's agent at the completion of the drainage works.
2. All plumbing and drainage work must comply with the Plumbing Code of Australia and Australian Standard AS/NZS 3500, and the relevant NSW amendments.

***Inspections***

3. Council must be given at least 24 hour's notice to allow for the inspections of:

<b><i>Type of Inspection:</i></b>	<b><i>Stage of Construction:</i></b>
Internal drainage	All internal drainage pipework installed and under hydraulic test, including any required bedding material, and prior to backfilling.
Hot and cold water service	All pipework installed and under hydraulic test.
External drainage	Pipework installed and under hydraulic test, septic tank installed or sewer connected (which ever applicable)
Final inspection of drainage works	All drainage works including stormwater

Both the internal and external drainage lines are to be under Hydraulic test at the time of the inspection.

***Before Commencing Construction***

4. The builder should locate the position and depth of the sewer junction before commencing construction, to ensure that the top of the overflow gully is a minimum of 900mm above the soffit of the sewer main. Copies of sewer main diagrams issued by Council must be treated as a guide only when locating the junction position.

**Development Consent - Page 11 of 13 - DA15/2646**

---

**Yard Gully**

5. A minimum height of 150mm shall be maintained between the top of the overflow yard gully riser and the lowest fixture connected to the drain. The height shall be measured vertically from the overflow level of the gully riser, or from the invert level of the overflow pipe, to the appropriate point given in Table 4.3 of AS3500. The minimum height between the top of the overflow yard gully riser, or the invert of the overflow pipe, and the surrounding ground surface level shall be 75mm, except where the gully riser is located in a path or a paved area where it shall be finished at a level so as to prevent the ponding and ingress of water into the drainage system.

**Stormwater**

6. Stormwater from the building is to be conveyed to the drainage easement via drainage designed and constructed in accordance with AS/NZS 3500.3.2 – Stormwater drainage and the Building Code of Australia.

**Approval Required for Works within the Road Reserve**

Prior to undertaking any works within an existing road reserve, the contractor must obtain the consent of Council under Section 138 of the Roads Act, 1993. The following details must be submitted to Council to obtain the s.138 consent:

- a) Any pavement design required by this consent
- b) Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the vehicular and pedestrian public. The TCP must comply with the current RMS's manual Traffic Control at Work Sites. Warning and protective devices shall comply with the provisions of AS 1742.3 – 2002 Traffic Control Devices for Works on Roads. The plan must be prepared, signed and certified by a person holding the appropriate RMS accreditation, a copy of which is to be submitted with the plan.
- c) Insurance details
- d) Name and contact information of the person/company appointed to supervise the construction.
- e) Should the contractor want a single 138 approval to cover works additional to road, drainage and site regrading (e.g. water supply, sewerage, landscaping, etc), details of such works should be forwarded to the designer of the Traffic Control Plan. Copies of the layout plans and work method statements of these additional works are to be submitted to the Subdivision Manager in conjunction with the 138 application for road and drainage works.
- f) Where the Traffic Control/Management Plan requires a reduction of the speed limit, a 'Direction to Restrict' shall be obtained from the RMS - Traffic Operations Unit for RMS roads or Council for other roads and submitted with the section 138 application.

## **PART I**

### **ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL**

**Development Determination under Environmental Planning and Assessment Act, 1979**

*Under section 82A of the Environmental Planning and Assessment Act, 1979 an applicant may request the council to review its determination except where it relates to a Complying Development Certificate, Designated Development or Integrated Development. The request must be made **within six (6) months** of the date of the receipt of the determination, with a prescribed fee of 50% of the original DA fee.*

**Development Consent - Page 12 of 13 - DA15/2646**

---

Section 97 of the *Environmental Planning and Assessment Act, 1979* confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised **within six (6) months** after receipt of this notice.

**Approvals under Local Government Act, 1993**

Section 100 of the *Local Government Act, 1993* provides that an applicant may request Council to review its determination of an application.

Section 176 of the *Local Government Act, 1993* provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made within **twelve (12) months** of the date of determination.

## **PART J**

### **GENERAL ADVICE TO APPLICANT**

**Privacy Notification**

Personal information contained on this Development Consent and any associated documents will be published on Council's website as required by the *Government Information (Public Access) (GIPA) Act 2009*.

**Disability Discrimination Act 1992**

This application has been assessed in accordance with the *Environmental Planning & Assessment Act, 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act* covers disabilities not catered for in the minimum standards called up in the *Building Code of Australia* which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act* currently available in Australia.

**Disclaimer – s88B Restrictions on the Use of Land**

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under Clause 1.9A of Shoalhaven Local Environmental Plan 2014 agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

**Development Consent - Page 13 of 13 - DA15/2646**

---

***Occupation Certificate***

An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA – i.e. Council or an accredited private certifier) before any of the approved development can be used or occupied.

Prior to a final inspection being carried out, the applicant must complete and submit an Application for an Occupation Certificate to Council electronically, in person or by post. Please note that according to the Environmental Planning and Assessment Regulations 2000, Council cannot except forms sent by fax.

Please find enclosed a copy of the Occupation Certificate application form, to comply with the requirements of Clause 149 of the Environmental Planning and Assessment Regulation 2000. In completing the Occupation Certificate application form, please refer to the attached form and note that areas marked with (\*) must be completed.

***DBYD Enquiry - 'Dial Before You Dig'***

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au) prior to any excavation works taking place to ascertain the location of underground services. You must also contact your Local Authority for locations of Water and Sewer Mains.

***Inspections***

If Council is the appointed PCA for this project, a minimum twenty-four (24) hours notice must be given to Council to make an inspection of the work.





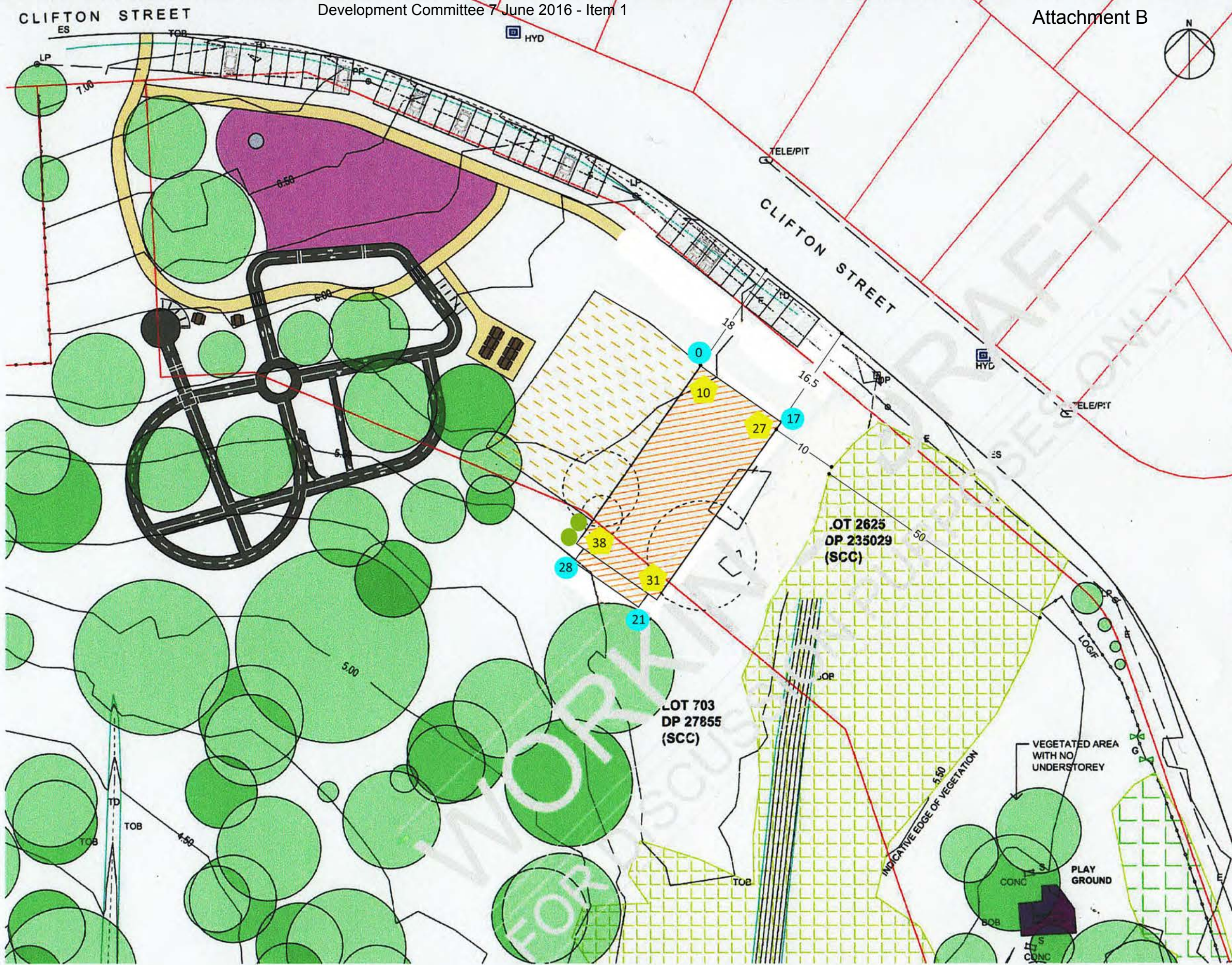
**NOTE:**  
 SPOT LEVELS ARE MEASURED IN METRES.  
 SERVICES ARE INDICATIVE ONLY.  
 POSITIONS ARE BASED ON SURFACE INDICATORS LOCATED DURING FIELD SURVEY.  
 CONFIRMATION OF THE EXACT POSITION SHOULD BE MADE TO THE RELEVANT AUTHORITIES PRIOR TO ANY EXCAVATION WORK. OTHER SERVICES MAY EXIST WHICH ARE NOT SHOWN.  
 THE PROPERTY BOUNDARIES AS SHOWN ON THIS PLAN, HAVE BEEN IMPORTED FROM COUNCIL'S (SCC) GIS SYSTEM.

**SITE SURVEY EXISTING ELEMENTS LEGEND:**

- BOB BOTTOM OF BANK
- BOK BOTTOM OF KERB
- CONC CONCRETE SURFACE
- DP DRAINAGE PIT
- E ELECTRICAL OVERHEAD
- EL/PIT ELECTRICAL PIT
- ES EDGE OF SEAL
- FENCE
- G GATE
- GP GRATED PIT
- HW HEADWALL (DRAINAGE)
- HYD HYDRANT
- LP LIGHT POLE
- LOG/F TIMBER LOG FENCE
- PP POWER POLE
- S SEAT
- SITE BOUNDARIES
- SMH SEWER MAN HOLE
- TREES
- TD TABLE DRAIN
- TELE/PIT TELECOMMUNICATIONS PIT
- TOK TOP OF KERB
- TOB TOP OF BANK

**CONCEPTUAL PROPOSED ELEMENTS LEGEND:**  
 NOTE: FOOTPRINTS ARE INDICATIVE ONLY.  
 CONCEPT REQUIRES FURTHER DESIGN INVESTIGATION.

- COMMUNITY GARDEN
- CHILDREN'S CYCLING ROUTE
- PATHWAY
- PLAYGROUND
- COMMUNITY FACILITY / MEN'S SHED / AMENITIES
- CAR PARKING (INCLUDING REQUIRED NO. OF ACCESSIBLE CAR PARKING SPACES)
- VEGETATED AREAS
- TREES FOR POSSIBLE REMOVAL SHOWN DASHED
- 0 Original Levels
- 10 Proposed Levels
- 10,000 ltr Rainwater Tank



DESIGNED:	SURVEYED: B. JEFFREY
DRAWN: K. PITTS	15/06/13
CHECKED:	ORIGIN OF LEVELS:
APPROVED:	DATUM: AHD
DRAWING FILE: 2403_02.dwg	CIVILCAD FILE:

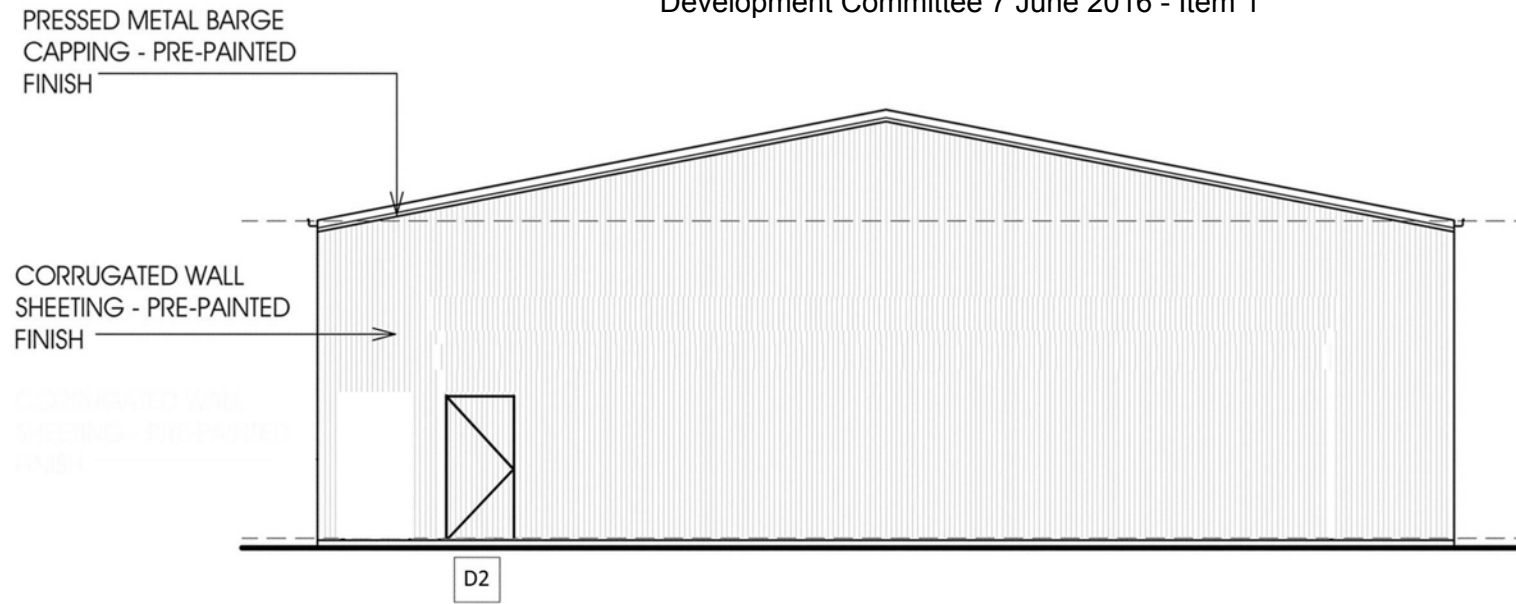
AMENDMENTS
------------



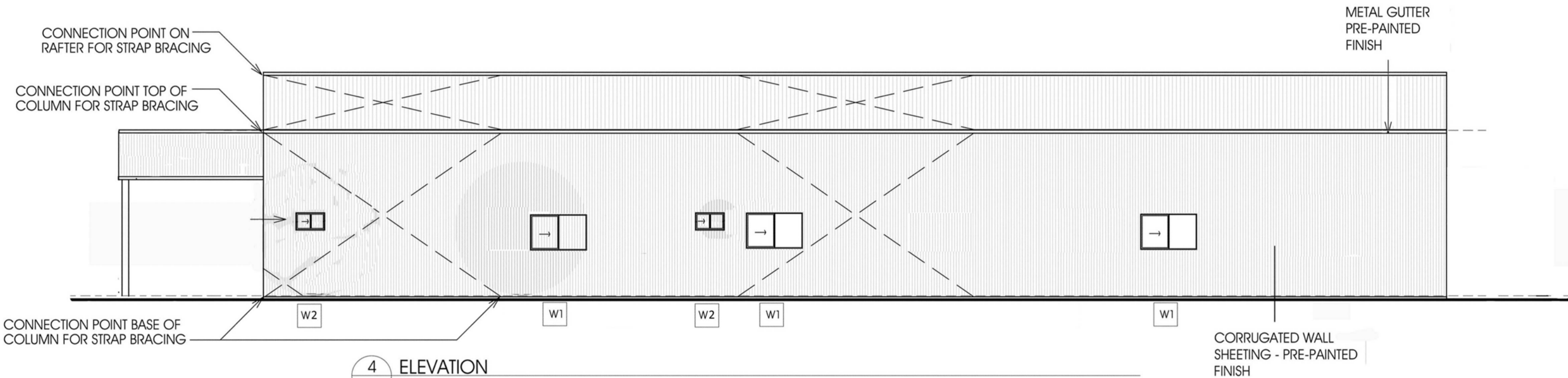
**CITY OF SHOALHAVEN**  
 Sanctuary Point - Clifton Street  
 Clifton Park  
 Revised Conceptual Layout (As envisaged by SPIG)

SCALE:  
 1:300 for A1 size plot, 1:600 for A3 size plot  
 Do not scale off drawings.  
 Confirm all dimensions on site prior to start of construction.  
 NOTE:  
 This drawing, design and the copyright therein are the property of Shoalhaven City Council. It has been produced by the City Services - Project Delivery Section and must not be used, reproduced or copied wholly or in part without the permission of the Project Delivery Manager.

DIRECTOR CITY SERVICES & OPERATIONS DATE  
**Draft Copy Only**  
 - PLAN REFERENCE -  
**2403\_06**



3 ELEVATION  
SCALE 1:100



4 ELEVATION  
SCALE 1:100

ELEVATIONS  
SCALE - 1:100

ROLLER DOOR SIZE SHOWN IN ELEVATION REPRESENTS ROLLER DOOR SUPPLIED. ACTUAL DOOR OPENING SIZE WILL VARY.

Do not scale off the drawings unless otherwise stated and use figured dimensions in preference. All dimensions are to be checked & verified on site before the commencement of any work, all dimensions & levels are subject to final survey and set-out.



PROJECT 15m x 30m x 4.2m DATE ISSUED: 08.11.2015  
 FOR SANCTUARY POINT MEN SHED  
 SITE CLIFTON PARK, CLIFTON STREET,  
 SANCTUARY POINT NSW 2540

The design and detail shown on these drawings are applicable to this project only and may not be reproduced in whole or any part or be used for any other purpose without the written permission of Best Sheds Pty Ltd with whom copyright resides.

Registered Professional Engineer 341550  
 Mr Andrew Matiukevitch  
 MIEAust CPEng - Civil & Structural  
 NPQR

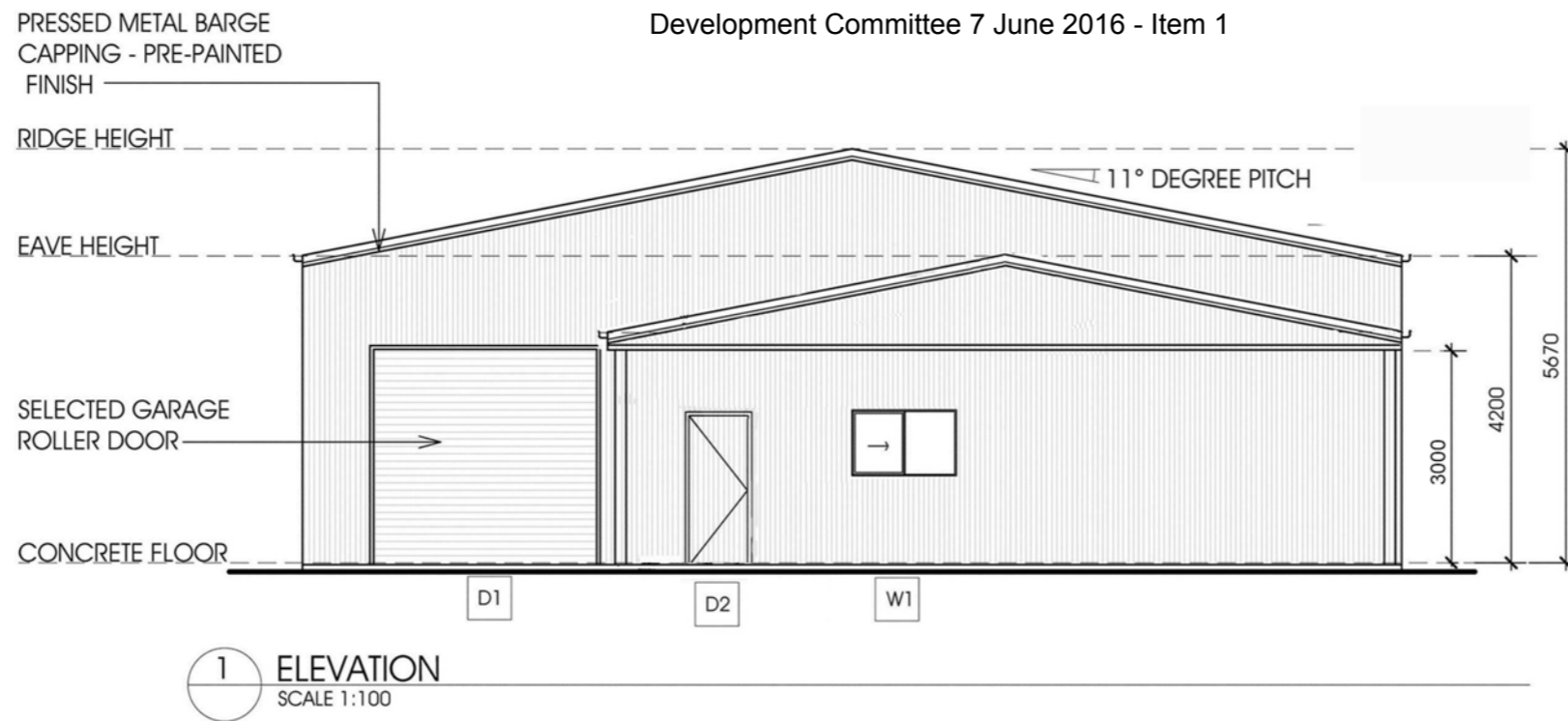
Signature: *Andrew Matiukevitch* Date: 17.03.2015  
 Registered on the NPQR in the area of practice of Civil & Structural  
 National Professional Engineers Register

**Black Consultants**  
 ABN 40 812 511 237 PO Box 13  
 Consulting Civil & Structural Engineers Lauderdale TAS 7021  
 blackcon@bigpond.net.au

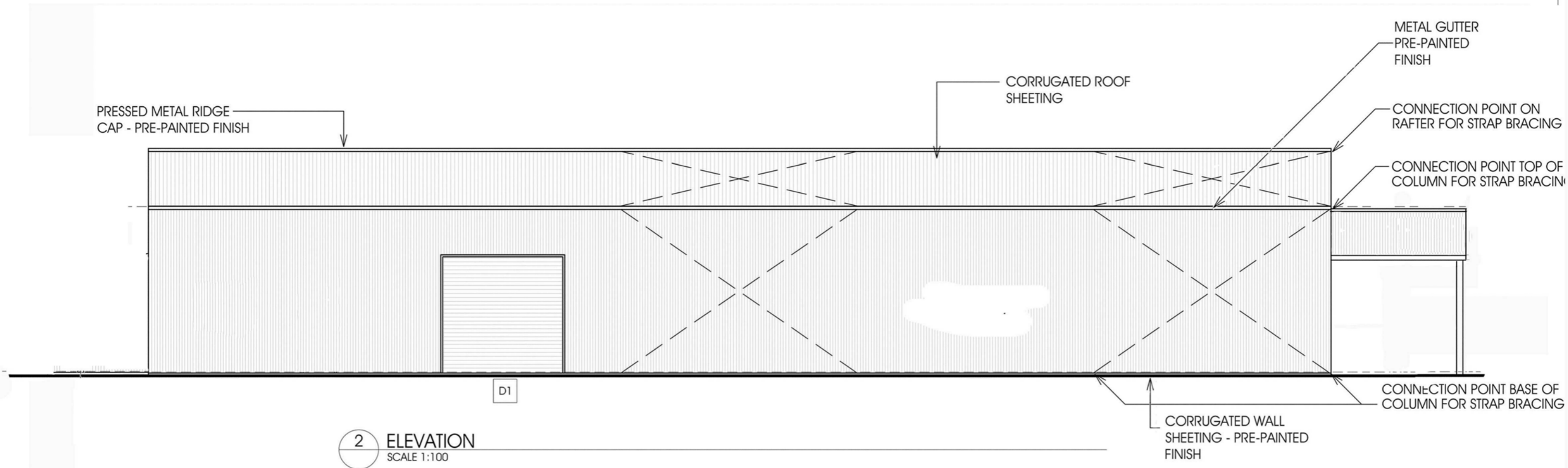
Andrew Matiukevitch BE Dip Tech (Civil Eng) LGE MIE (Aust) CP Eng (NPER Civil & NPER Structural) RPEQ

DRAWN	P.A.	PAGE
SCALE	1:100	4
DATE DRAWN	12.03.2015	PAGES IN SET
JOB NO.	BS 1103/MEN SHED	7





1 ELEVATION  
SCALE 1:100



2 ELEVATION  
SCALE 1:100

ELEVATIONS

SCALE - 1:100

ROLLER DOOR SIZE SHOWN IN ELEVATION REPRESENTS ROLLER DOOR SUPPLIED. ACTUAL DOOR OPENING SIZE WILL VARY.

Do not scale off the drawings unless otherwise stated and use figured dimensions in preference. All dimensions are to be checked & verified on site before the commencement of any work, all dimensions & levels are subject to final survey and set-out.



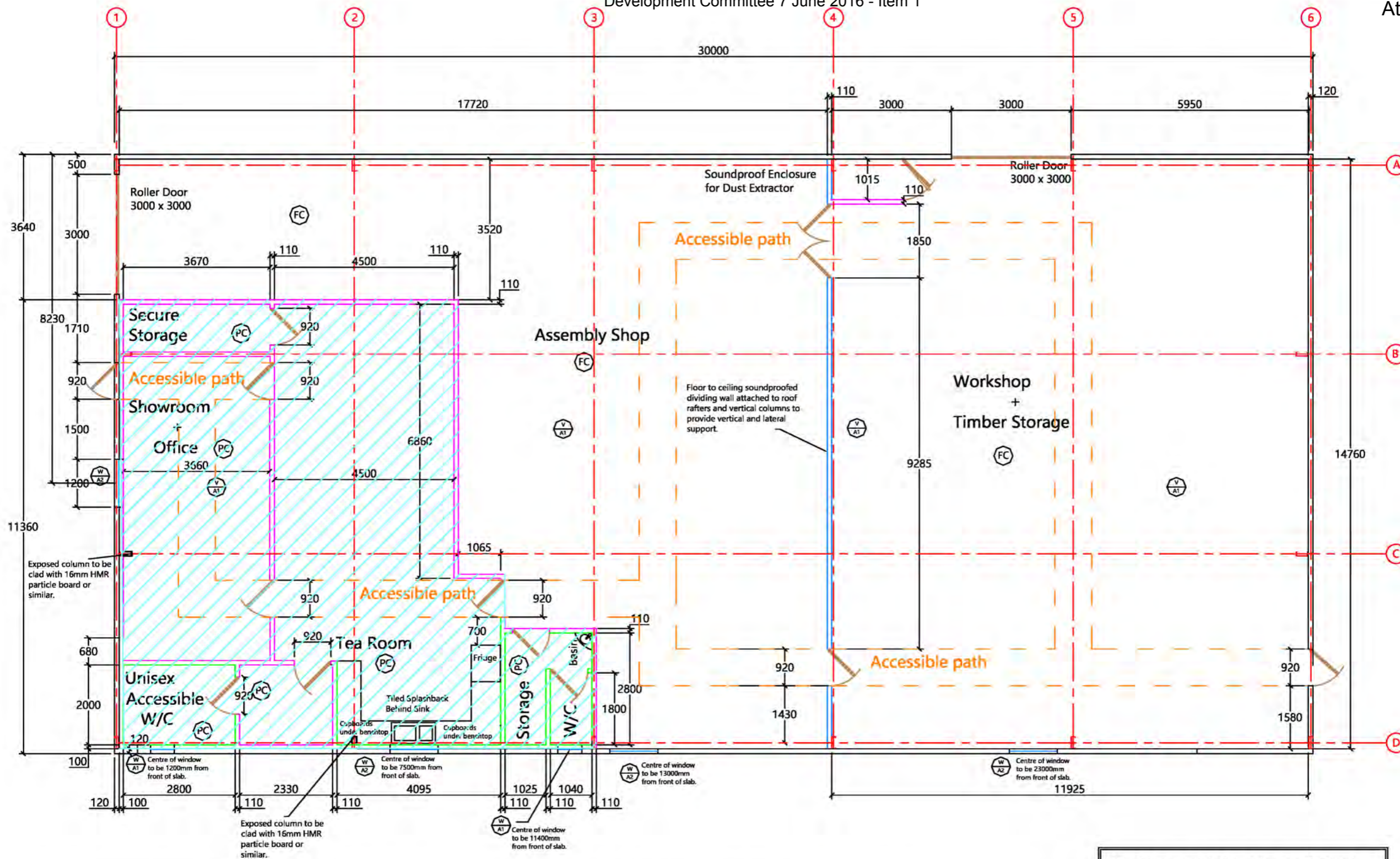
PROJECT 15m x 30m x 4.2m DATE ISSUED: 08.11.2015  
 FOR SANCTUARY POINT MEN SHED  
 SITE CLIFTON PARK, CLIFTON STREET, SANCTUARY POINT NSW 2540

The design and detail shown on these drawings are applicable to this project only and may not be reproduced in whole or any part or be used for any other purpose without the written permission of Best Sheds Pty Ltd with whom copyright resides.

Registered Professional Engineer 341550  
 Mr Andrew Matiukevitch  
 MIEAust CPEng - Civil & Structural  
 Signature: *Andrew Matiukevitch* Date: 17.03.2015  
 Registered on the NPER in the area of practice of Civil & Structural  
 National Professional Engineers Register

**Black Consultants**  
 ABN 40 812 511 237 PO Box 13  
 Consulting Civil & Structural Engineers Lauderdale TAS 7021  
 blackcon@bigpond.net.au  
 Andrew Matiukevitch BE Dip Tech (Civil Eng) LGE MIE (Aust) CP Eng (NPER Civil & NPER Structural) RPEQ

DRAWN	P.A.	PAGE <b>3</b>
SCALE	1:100	
DATE DRAWN	12.03.2015	PAGES IN SET <b>7</b>
JOB NO.	BS 1103/MEN SHED	



All plumbing work shall be carried out by qualified licenced plumbers and their assistants and will comply with the Building Code of Australia, Plumbing Code of Australia and Australian Standards.

VENTILATOR SCHEDULE			
TAG	STYLE	COMMENTS	QTY. REQD.
(V AT)	SPIN300	SELECTED VENTILATOR	4

STRATCO SPINWAY TUBO VENTILATORS (or similar) INCLUDING BAL40 EMER STOP WIRE MESH TO BE INSTALLED IN ROOF DIRECTLY ABOVE POSITION MARKED BY TAG.

- AREAS SHADED THIS ARE TO HAVE SET PLASTERBOARD CEILINGS. JOIST SPECIFICATIONS AS PER QUOTE FROM THE HARDWARE MAN NOWRA
- DENOTES 90 x 45mm H2F TERMITE TREATED BLUE PINE TIMBER FRAME MGP 10 STUD WALLS WITH 10mm PASTERBOARD LINING 2400mm HIGH.
- DENOTES 90 x 45mm H2F TERMITE TREATED BLUE PINE TIMBER FRAME MGP 10 STUD WALLS WITH WATER RESISTANT PASTERBOARD LINING ONE SIDE AND 10mm PLASTERBOARD ON OTHER SIDE, 2400mm HIGH.

- DENOTES 90 x 45mm H2F TERMITE TREATED BLUE PINE TIMBER FRAMED MGP 10 STUD WALLS WITH R1.6 SOUND SCREEN, 10mm PASTERBOARD LINING, FLOOR TO CEILING.
- DENOTES CORRUGATED STEEL SHEETED OUTER WALLS WITH R1.6 ANTICON THERMAL/SOUND INSULATION, FLOOR TO CEILING.
- DENOTES CORRUGATED STEEL SHEETED OUTER WALLS WITH R1.6 ANTICON THERMAL/SOUND INSULATION, FLOOR TO CEILING, WATER RESISTANT 10mm PLASTERBOARD LINED 2400mm HIGH ON 90mm x 45mm BATTENS.

- DENOTES CORRUGATED STEEL SHEETED OUTER WALLS WITH R1.6 ANTICON THERMAL/SOUND INSULATION, FLOOR TO CEILING. PLASTERBOARD LINED 2400mm HIGH ON 90mm x 45mm BATTENS.
  - DENOTES BAL40 CERTIFIED WINDOW.
  - DENOTES CONCRETE SURFACE, FLOATED FINISH.
  - DENOTES CONCRETE SURFACE, BERGER JETDRY (or equivalent) NONSLIP PAINTED FINISH.
- ALL DOORS 920mm WIDE (MINIMUM)

All Essential Services work shall be carried out by qualified licenced electricians and plumbers and their assistants and will comply with the Building Code of Australia, Plumbing Code of Australia and Australian Standards.

WINDOW SCHEDULE Hanlon 502S-2 slider			
TAG	SIZE (W x H)	COMMENTS	QTY. REQD.
(W AT)	610 x 350	SELECTED BAL29 WINDOW.	2
(W AZ)	1200 x 1200	SELECTED BAL29 WINDOW.	4

All windows to be installed with top of window frame 2200mm above top of Slab

# Sanctuary Point Men's Shed

## Proposed new shed - plan

DRAWN BY: Bob F.

DATE: 15-04-2016

SCALE 1 : 100

DRAWING No: 15-005/2

**DEVELOPMENT ASSESSMENT REPORT**  
**(Section 79C, Environmental Planning & Assessment Act 1979)**  
**Development Application No 15/2646**

**Proposal:** Construction of a community facility to be used as a 'men's shed'.  
**Property:** Lot 2625 DP 235029 Clifton St, Sanctuary Point.  
**Applicant:** Sanctuary Point Men's Shed.

---

### **1. Proposal**

An application has been received for the construction of *community facility* to be used as a men's shed in Clifton Park. The building measures 30m x 15m and is 5.6m high to the ridge line. Carparking is proposed along the road reserve 90 degrees to the road in accordance with Council's overall plan for the park.

Council has been nominated as being the Principle Certifying Authority (PCA) and issuing the Construction Certificate (CC).

### **2. The Site**

The subject site is a park that until recently was a public reserve with no buildings or particular defined uses. Over the last 12-24 months, a children's learn to ride cycling area and community garden was constructed and an area allocated for a future men's shed..

### **3. Statutory Considerations**

The following Environmental Planning Instruments, State & Regional Environment Planning Policies (SEPPs & REPPs), Development Control Plans (DCPs), Council Codes / Policies are relevant to this development application:

- EP&A Act 1979
- SEPP 71 – Coastal Protection
- NSW Coastal Policy
- Shoalhaven LEP 2014
- Shoalhaven DCP2014
- Policy for the Assessment of Council's Own Development Applications POL08/157
- Local Government Act – Section 47E Development of Community Land
- Contributions Plan 2010

### **4. Applicant's submission**

The applicant has submitted suitable quality development plans and supporting information with the application to enable a reasonable assessment of the application. A shipping container was originally proposed to be located at the rear of the shed to provide additional storage. Council requested amended plans be submitted to address Building Code of Australia compliance. During this process the applicant decided to remove the shipping container from the application and instead provide an additional storage area within the building.

### **5. Statement of compliance**

Following an assessment of the application having regard to the Matters for Consideration under section 79C(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979), the following matters are considered salient to this application.

(a) Any planning instrument, draft instrument, DCP's and regulations that apply to the land

- EP&A Act: The property is identified as being bushfire prone land and as such an assessment under section 79BA is required to be undertaken against the provisions of *Planning for Bushfire Protection 2006*. The application was referred to the Rural Fire Service (RFS) for assessment who provided recommended conditions of consent.
- SEPP 71 – Coastal Protection: The proposal does not conflict with the aims or objectives of the SEPP. The development is suitable in regards to its design and location in relation to the surrounding area and will not affect public access to the foreshore or affect the amenity of the foreshore.
- NSW Coastal Policy 1997: The proposed use does not conflict with the objectives and principles of the Policy.
- Shoalhaven Local Environmental Plan 2014: The land is zoned RE1 Public Recreation in which community facilities are listed as being a permissible use. The following specific clauses are applicable to the application.
  - Clause 5.5 – Coastal Zone: The items listed in clause 5.5(2) have been considered in the assessment and the proposed development will not conflict with clause 5.5(2) and will not impede or diminish access to the foreshore, will not dispose untreated stormwater into as waterbody and is not significantly affected by coastal hazards.
  - Clause 7.2 – Earthworks: The earthworks proposed for the building are minor and are unlikely to affect adjoining properties or waterways. Conditions can be imposed to specify that fill be uncontaminated and sedimentation controls be implemented to prevent sediment from leaving the site.
  - Clause 7.11 – Essential Services: Water, electricity and sewer are available to the site. The sewer is required to be extended from across the road and a pump station installed to pump to the gravity main.
- Shoalhaven DCP 2014: The following chapters of the DCP are applicable:
  - G7- Waste Minimisation and Management: A basic draft WMMP was submitted with the application identifying how construction waste will be disposed. A plan for the disposal of ongoing waste was submitted with the application.
  - G21 – Car Parking and Traffic: The applicant is proposing 10 spaces, including one disabled space, be provided within the road reserve as per Council's overall plan for the park. Applicant proposing to provide an all-weather surface for the spaces, except for the disabled space which will be sealed.

(b) likely impact of that development on the natural and built environment and social and economic impacts in the locality.

- Economic: The proposed development given its use will have no economic impact as it is for a community use.
- Social: The proposed activities provide an opportunity for people to socialise and gain and share skills and should not affect the amenity of nearby residents.

- Natural & built environment: The development will have a minor impact on the natural environment through the removal of 3-4 trees to enable the building to be constructed.
- the suitability of the site for the development  
The proposed use and building is suitable for the site and is consistent with Council's future development of the park to provide more community facilities as identified in the Sanctuary Point Placemaking Action Plan adopted by Council September 2013.
- any submissions made in accordance with the Act or the regulations  
In accordance with Council's "Community Consultation Policy" the application was notified to surrounding property owners (25m buffer) during the period 23/12/15 – 21/1/16. A request was received from the Basin Villages Forum to extend the notification period due to the Christmas holiday period and that they had not had a meeting to discuss the application. Council granted an extension to the forum until the 19<sup>th</sup> February to allow time for them to have a meeting on the 15<sup>th</sup> Feb and make a submission.

A total of 20 submissions were received, 17 supporting the proposal and 3 objecting. A submission from the Basin Villages Forum was not received. Of the submissions received, only one of the submissions (objection) was from a property in close proximity (i.e. within 100m) to the proposed men's shed.

<b>Reasons for objection</b>	<b>Response</b>
Conflict of use from noise, parking, emissions – shed should be located in an industrial area not a residential area.	The applicant has stated that the walls and roof of the shed will be insulated and the internal walls of the wood and metal working rooms will also be insulated and use of the shed is restricted to daylight hours only. Nine (9) parking spaces are proposed to be provided along the road reserve consistent with Council's plan for Clifton Park. The use is for a community facility which is permissible in the zone and consistent with Council's adopted Sanctuary Point Place Making Action Plan 2013.
Excessive noise from use of equipment; Health and safety risk from chemicals dust, industrial gases; Increased traffic from members cars, trucks, trailers, forklifts, etc creating danger to other users of the park. Negative visual amenity	The national men's shed organisation has rules and procedures for how a men's shed should operate. Health and safety is a matter for the men's shed to address in their daily operations. It is unlikely that forklifts would be used in the operation off the men's shed as they mostly construct items and use equipment which would not require the use of a forklift. To address concerns about visual amenity the shed has a front awning to break up the flat façade of the shed, is located close to vegetation on the eastern side that screens the shed and was reduced in height from that

	originally proposed. In addition it is proposed that the applicant plant three (3) street trees within the road reserve in front of the building.
Why should this community group get to use the park and not others? More appropriate in an industrial area. Noise impacts from use of machinery, What are the operating hours? Is fencing proposed around the building? Will material be stored outside the building? Lights from vehicles leaving the carpark will shine directly into property opposite.	Council's adopted Action Plan identified this area as being a suitable location for a men's shed. Fencing is not proposed to be installed around the shed. No material is proposed to be stored outside of the building. Parking is 90° to the street and lights from vehicles leaving the shed should not shine directly into properties opposite.

- the public interest  
The proposed use is consistent with the adopted Action Plan for Sanctuary Point and does not conflict with the public interest.
- Local Government Act – Section 47E Development of Community Land: Section 47E of the LGA 1993 states that “no power of a council under an environmental planning instrument to consent to the carrying out of development on community land may be delegated by the council, if:  
*(a) the development involves the erection, rebuilding or replacement of a building (other than a building exempted by or under subsection (2) from the operation of this paragraph),*  
A building is proposed to be erected that is not a building exempted under subsection (2) of the Regulation and therefore the application must be determined by the Council.
- Policy for the Assessment of Council's Own Development Applications POL08/157: This policy applies to all DA's where Council is the applicant and land owner. Council is not the applicant and therefore this policy does not apply to the application.
- Contributions Plan 2010: Community facilities are exempt from the contributions plan.

## 6. Other Issues:

The application was referred internally and externally for specialist assessment and the following comments were received.

- RFS: The RFS provided recommended conditions of approval relating to asset protection zones, water and utilities, evacuation and emergency management, design and construction of the building and landscaping to be undertaken in accordance with Planning for Bush Fire Protection 2006.
- Building Surveyor: Detailed floor plans and compliance with BCA required to complete assessment. Current plans are inadequate. See detailed referral response. *Assessing officer note: The outstanding information relates to issues that can be addressed at construction certificate stage. Detailed plans are to be provided prior to issue of a construction certificate.*

- Development Engineer: No objection subject to the recommended conditions in regards to stormwater collection and disposal, and driveway and carpark construction.
- Environmental Health Officer: Recommended that an acoustic engineers report be submitted to ensure no offensive noise is created. Recommended conditions provided for noise control and storage of bulk liquids. *Assessing officer note: Proposal includes lining of walls and ceiling to reduce sound transmission, the noisy work areas are separated from other areas of the shed, and the applicant is proposing hours of operation to daylight hours only. Considered that a noise engineers report is an unnecessary for this application.*
- Shoalhaven Water: The proposal is to connect to the reticulated sewer and water in accordance with Shoalhaven Water requirements.
- Asset Management: Recommended that a business plan be developed demonstrating the need for two men's sheds in Sanctuary Point. Building and works to comply with relevant Council policies, codes and regulations. *Assessing officer note: The requested business plan is not considered to be necessary as Council and the community has already identified and supported a men's shed in this location via the Sanctuary Point Action Plan.*
- Property Services: No construction certificate is to be issued until such time as proof of evidence of entering into a ground licence for the site is provided. Formalise parking, in particular the concrete pad for the disabled car parking space as per AS1428 and other parking spaces in accordance with Chapter G21 DCP2014.

## **7. Conclusion**

This application has been assessed having regard to the Heads of Consideration under section 79C of the EP & A Act 1979, following detailed assessment it is considered that Development Application No 15/2646 may be supported subject to suitable conditions of consent.