

# **DEVELOPMENT ASSESSMENT REPORT - 100/11DACC EXTENSION OF BUILDING AND REPLACEMENT OF ROOF - TANK STREET LITHGOW NSW 2790**

---

## **PROPOSAL**

The development proposal provides for a two staged construction program to effect additions and alterations to the existing Ewen Smith Memorial (Family History Society) Hall, viz:

### a) Stage One

- Removal of existing corrugated asbestos roofing; and
- Construction of a timber framed weatherboard clad addition having external dimensions of 4m x 4m to the south-western side of the existing hall; and
- Placement of new colorbond steel roofing iron to the altered building.

### b) Stage Two

- Provision of an onsite accessible car space and associated pedestrian walkway / ramp to connect to the principal front entrance doorway; and
- Refit of existing sanitary accommodation to provide accessible toilet facilities.

## **SUMMARY**

To advise Council of the submission of Development Application 100/11DACC by Lithgow City Council for additions and alterations to the existing Ewen Smith Memorial (Family History Society) Hall at Lot 1 DP 517243 Tank Street, Lithgow.

The application is recommended for approval, subject to conditions.

## **LOCATION OF THE PROPOSAL**

Legal Description : Lot 1 DP 517243 Vol 10303 Fol 00130

Property Address : TANK STREET LITHGOW NSW 2790

The property is located on the north-east corner of the intersection between Tank & Gay Streets and is relatively level.

## **ZONING**

The subject land is zoned 2(A) Residential under Council's LEP 1994.

## **PERMISSIBILITY**

The development is considered permissible in accordance with the Lithgow City Local Environmental Plan 1994.

## **POLICY IMPLICATIONS (OTHER THAN DCP's)**

Council's *Policy 7.6 – Development Applications on Council owned land* requires Development Applications on Council land to be referred to the elected Council for consideration and determination and that no aspect of the development is dealt with under delegated authority. Given Council's ownership of this land the proposal is reported to Council for determination.

The land is identified as flood liable in Council's Interim Policy for Flood Liable Land 1992 (Kinhill), however the subject building has anecdotally not been subject to flood inundation. Moreover the proposal meets the relevant objectives under Clause 3.3.5

of Council's Policy. The proposed minor floor area addition of 16m<sup>2</sup> will not increase the flood hazard to the subject building or other properties.

### **FINANCIAL IMPLICATIONS (eg Section 94)**

Whilst not relevant to determination of the application, Council has received a grant through the Community Building Partnership Program in the amount of \$17500 towards this project. The Family History Society is contributing a further \$17500.00. Council will fund works consisting of the removal of asbestos roof and site works.

### **LEGAL IMPLICATIONS**

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the Environmental Planning and Assessment Act 1979. These matters for consideration are as follows:

#### **Any Environmental Planning Instrument**

*Consider SEPPs, REPs & LEPs. RELEVANT Provisions of LEP (eg permissibility, development standards, heritage listing, advertising requirements of another authority who administers a SEPP or REP). Is a SEPP1 objection required?*

The development is permissible under the Lithgow Local Environmental Plan 1994.

#### **Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

If applicable, is the development consistent with the objectives of the draft instrument?

Not applicable.

#### **Any Development Control Plan**

Is the proposal consistent with the DCP? If not, is a variance warranted and has it been justified?

Not applicable.

#### **Any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under Section 93F?**

Not applicable.

#### **Any matters prescribed by the regulations that apply to the land**

A review of the existing building against the fire safety related objectives of Clause 94 of the Environmental Planning & Assessment Act 1979 identifies the need for minor fire safety upgrading works to be carried out. These include the upgrading of door furniture to provide lever action devices and hold-open devices and the formalising of annual fire safety statements in relation to portable fire extinguishers and fire blanket.

The site is within a proclaimed Mines Subsidence District with shallow mine workings under. Footings are to be constructed in accordance with the requirements of the Mines Subsidence Board (see attached condition).

**The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

The land is located within the Sydney Drinking Water Catchment and as such is required to be development in accordance with the stormwater management requirements of the Sydney Catchment Authority (see attached condition).

The proposal will have negligible adverse impact on the existing development or surrounding neighbourhood. The addition is compatible with the existing development.

**The Suitability of the site for the development**

See above.

**Any submissions made in accordance with this Act or the Regulations**

The proposal was notified to residents within the vicinity and no objections were received.

**The public interest**

The development will address the existing threat of asbestos and will provide enhanced accessibility for people with disabilities. Furthermore, the additions and alterations will improve the visual amenity of the neighbourhood.

**Building Surveyor's Comments**

The existing single storey 'assembly building' is of Class 9b. The proposed addition meets the required Type C fire-resisting construction under BCA2012. The main front entrance, car parking facilities and existing sanitary accommodation are proposed to be upgraded to meet with the provisions of the Premises Standard and Australian Standards Nos 1428.1 & 2890.6.

Latching devices fitted to doors serving as required exits are proposed to be upgraded in accordance with D2.21 of BCA2012.

Portable fire extinguishers and fire blankets are installed in the building. The Construction Certificate will include a Fire Safety Schedule to formalise the owner's obligations for annual performance verification in respect to these essential fire safety measures.

**RECOMMENDATION**

The development application meets the objectives under Section 79C of the Environmental Planning & Assessment Act 1979 and Council's policies therefore approval is recommended subject to the following conditions:

**ATTACHMENTS**

1. Conditions of Approval

## **Conditions of Approval**

The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.

### Fire safety upgrading works

The following upgrading works are to be carried out to the existing building in accordance with the fire safety provisions of Clause 94 of the Environmental Planning & Assessment Regulation 2000:

- a) Replace existing door latches fitted to the principal front entrance door and alternative rear exit door with lever action devices in accordance with D2.21 of BCA2012; and
- b) Fit hold-open devices to the principal front entrance door in accordance with D2.20 of BCA2012; and
- c) Portable fire extinguishers and fire blankets are to be selected and installed in accordance with the requirements of AS2444 and E1.6 of BCA2012.

### Demolition Works

Any demolition work (including asbestos roofing) is to be supervised by a competent person with due regard to safe working practices and in accordance with the requirements of the NSW WorkCover Authority. Such work is to be carried out in accordance with the Occupational Health & Safety Regulations, 2001, and Australian Standard 2601 – 1991.

All demolished material and excess spoil from the site shall be disposed of at a location and in a manner approved of by Council. No material is to be burnt on site.

Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).

Only competent persons, or competent and registered persons shall carry out removal.

Removal of asbestos or materials containing asbestos fibres, shall be in accordance with the NOHSC code of practice.

Precautions to be observed and procedures to be adopted during the removal of dangerous or hazardous materials other than asbestos, shall be in accordance with the relevant State regulations pertaining to those materials.

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

Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
- b. Stating that unauthorised entry to the work site is prohibited and
- c. Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.

An appropriate fence preventing public access to the site shall be erected for the duration of Construction works

#### Mines Subsidence Board Requirements

The construction is to comply with the requirements of the Mine Subsidence Board. In this regard the following surface development guidelines apply to the proposed development:

- a) Single storey timber framed improvements clad with weatherboards or other approved materials, to be erected upon continuously poured reinforced concrete footings minimum 400mm wide by a minimum 500mm deep reinforced with eight (8) N12 diameter rods 4 @ 50mm from top and 4 @ 65mm from bottom with R10 diameter MS closed stirrups @ 300mm centres or equivalent reinforcement. Side cover to reinforcement to be 65mm minimum;
- b) Final drawings to be submitted prior to commencement of construction, to be certified by a qualified structural engineer, to the effect that the improvements to be constructed to meet the specifications of such final drawings and will be safe, serviceable and repairable, taking into account the requirements of AS2870 and:
  - i) Designed for a pothole of nominal diameter 5m;
  - ii) Certification by a qualified structural engineer upon completion, that the structural integrity of the improvements complies with the Board's approval given under this application;
  - iii) No cavity or internal brick walls are permitted;

- iv) Absolute maximum height of foundation brickwork is not to exceed 1.5m.
- v) No concrete is to be placed to the footings before an officer of the board has inspected the reinforcement steel when in position. Forty-eight hours notice is to be given prior to the inspection being required.

### Sydney Catchment Authority Requirements

The site layout and works are to be as shown on the Site Plan prepared by Ian Laing Drafting (Project No 21125; Sheet 2A; Rev.A; dated 20.5.11) and as specified in the application documents prepared by Lithgow city council (dated may 2011), and the following conditions. Any revision to the proposed layout or works is to be agreed to by the Sydney Catchment Authority.

A rainwater tank with a minimum capacity of 3,000 litres above any volume require for mains top-up shall be installed and shall meet with the following specific requirements:

- a) The rainwater tank shall be plumbed to toilets and other areas for non-potable use including landscape irrigation;
- b) The overflow from the rainwater tank shall be directed to Council's stormwater drainage system.

Roofs and gutters of the community hall shall be designed so as to maximise the capture of rainwater in the rainwater tank.

Effective erosion and sediment controls shall be installed prior to any construction activity. The controls shall prevent sediment or polluted water entering Council's stormwater drainage system, and shall be regularly maintained and retained until works have been completed and groundcover established.

To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes/pad footings before filling with concrete.
- b) Trenches complete with reinforcing and prior to filling with concrete.
- c) Floor frame, dampcourse, antcapping, foundation walls before floor material is laid.
- d) Framing when external wall and roof cladding is in place and prior to internal linings.
- e) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- f) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

**Note: forty-eight (48) hours notice shall be given to Council prior to inspections.**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No work

That frame & truss validation details supplied by the truss manufacturer shall be provided to Council or the accredited certifier at or prior to the time of frame inspection (**alternatively, full design details are to be submitted prior to commencement of construction**).

Details shall include:

- (i) job address and builder's name;
- (ii) design wind velocity;
- (iii) terrain category;
- (iv) truss spacing;
- (v) roof pitch;
- (vi) material of roof;
- (vii) roof batten/purlin spacing;
- (viii) material of ceiling;
- (ix) job number

This includes design wind speed of the site incorporating tie-down details and bracing details in accordance with AS 1684.2-2006 (Residential Timber Framed Construction). Also includes window assembly being certified to AS 1288 (Glazing) and AS 2047 (Wind Speed Pressure).

That existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council.

Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

Report prepared by:..... Supervisor:.....

Dated:..... Dated:.....

## **REASONS FOR CONDITIONS**

To protect the environment.

To ensure construction and operation of development is undertaken with minimal impact to the locality.

To prevent, minimise, and/or offset adverse environmental impacts.

To provide for the on-going environmental management of the development.

To ensure orderly development to the site.

To facilitate the manoeuvring of vehicles.

To ensure lots are adequately serviced.

To maintain the amenity of the local area.

To ensure there is no unacceptable impact on the water quality.

To ensure compliance with the South Bowenfels Development Control Plan.

To ensure compliance with the requirements of the Rural Fire Services.

To ensure appropriate management of traffic.

To ensure adequate soil conservation and protect against movement of soil and sediments.

To ensure provisions are in place for public transportation.

To ensure adequate provision of community and recreation facilities.