

# **DEVELOPMENT ASSESSMENT REPORT – 127/13DACC – ADDITIONS & ALTERATIONS TO UNION THEATRE – BRIDGE STREET LITHGOW**

## **PROPOSAL**

The proposed development involves reconstruction and a small addition to the existing toilets, improved disabled access to the front of the building, removal and replacement of the external steel stairs, and removal and replacement of the existing defective northern side walkway. The toilet facilities will be upgraded to comply with the premises code for accessibility.

## **SUMMARY**

To advise Council of the submission of Development Application 127/13DACC by Lithgow City Council for additions and alterations to the Union Theatre at Lot 2 DP 1077295 63-69 Bridge Street Lithgow.

The application is recommended for approval, subject to conditions.

## **LOCATION OF THE PROPOSAL**

Legal Description : Lot 2 DP 1077295  
Property Address : 63-69 Bridge Street Lithgow

## **ZONING**

The subject land is zoned 3 Business 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. Therefore this proposal is reported to Council for determination.

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

The development is exempt under the Section 94A Development Contributions Plan 2012 as the works involve improvements to disabled access to the building.

## **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?

Although lodged prior to exhibition of the draft Plan, the proposal is consistent with the zone objectives of the Draft Lithgow City Local Environmental Plan 2013.

**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**

Not applicable.

**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.

The proposal has been assessed as having a neutral or beneficial effect on the existing development or surrounding neighbourhood.

The building is identified as a local heritage item in LEP 1994. A Heritage Impact Statement has been prepared for the proposal and the plans have been submitted to and approved by Councils Heritage Advisor. The heritage impact will be improved through the removal of the existing steel external fire stair and its replacement with an internal stairway within an existing passageway.

**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 involves improvements to a valuable community facility.

**Building Surveyor's Comments**

The existing single storey building is of Class 9b. The proposal complies with the requirements of the Deemed to Satisfy provisions of BCA2012. The existing toilet facilities will be upgraded to meet with the provisions of the Premises Standard and Australian Standards Nos 1428.1 & 2890.6. An accessibility report has been provided for the proposal.

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:

### 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.

1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
2. 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.
3. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a) Stating that unauthorised entry to the work site is prohibited and
  - b) 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 is being carried out, but must be removed when the work has been completed.
4. A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.
5. 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.**

6. 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

7. All plumbing and drainage work shall be carried out by a licensed plumber and drainer.
8. That existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council.

9. 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:.....

## Fire Safety Schedule

**Issued pursuant to Clause 168 of Environmental Planning & Assessment Regulation 2000.**

**Application No:** 127/13DACC  
**Proposed Development:** Alterations and additions to existing building  
**Property Description:** 63-69 Bridge Street Lithgow

**Issue date:** June 2013

Fire safety measure	Performance Standard	Existing measure	Proposed Required measure /
Portable fire extinguishers & fire blanket	E1.6 of BCA & AS 2444 & 1851.1	Yes	Yes
Emergency lighting	E4.8 of BCA & AS 2293.1	Yes	Yes
Illuminated exit signs (including directional)	E4.5 of BCA & AS 2293.1	Yes	Yes
Fire hose reels	E1.4 of BCA & AS 2441-2005	Yes	Yes

**NB: A copy of this Schedule and of any current Annual Fire Safety Statement must be conspicuously displayed in a prominent position within the building.**

## **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.

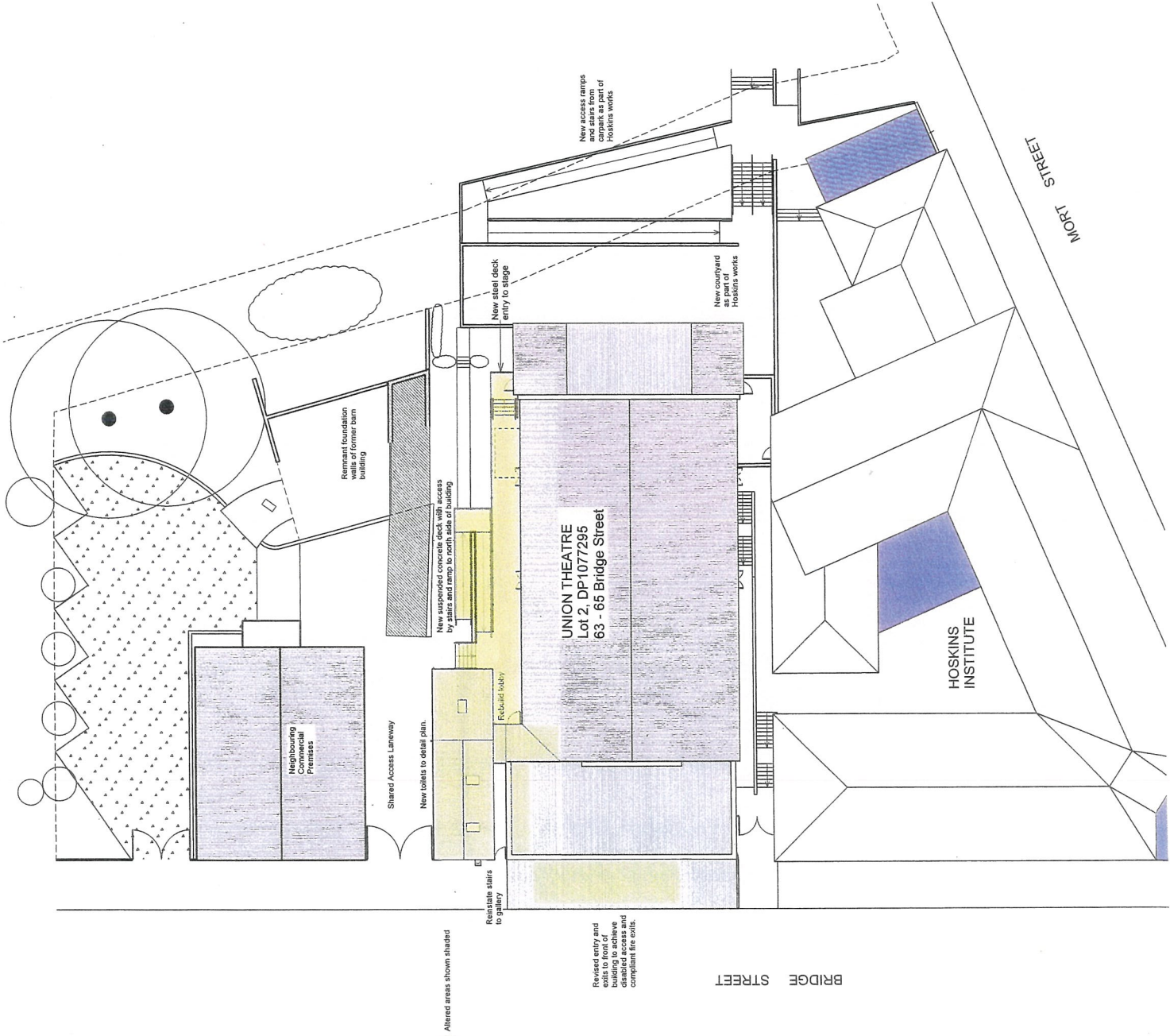
To ensure compliance with the requirements of the Rural Fire Services.

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.



BRIDGE STREET

MOFT STREET

UNION THEATRE  
 Lot 2, DP1077295  
 63 - 65 Bridge Street

HOSKINS  
 INSTITUTE

Revised entry and access to building to achieve disabled access and compliant fire exits

Altered areas shown shaded