

# **79C PLANNING REPORT - DEVELOPMENT ASSESSMENT REPORT 039/15 DA – CONSTRUCTION OF TOILET BLOCK CLARENCE PIRIE PARK CAPERTEE**

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## **PROPOSAL**

The proposal involves the demolition of the existing toilet block and construction of a new toilet block in the same location at Clarence Pirie Park Capertee.

## **SUMMARY**

To advise Council of the submission of Development Application 039/15DA for Lithgow City Council for demolition of the existing toilet block and construction of a new toilet block at Clarence Pirie Park on Lot 2 Section 4 DP 758222 Castlereagh Highway Capertee.

The application is recommended for approval, subject to conditions.

## **LOCATION OF THE PROPOSAL**

Legal Description : Lot 2, DP 758222  
Property Address : Castlereagh Highway Capertee

## **ZONING:**

The land is zoned R5 Large Lot Residential in the Lithgow Local Environmental Plan 2014

## **PERMISSIBILITY:**

The development is considered permissible in accordance with the Lithgow Local Environmental Plan 2014.

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

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

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

The project is funded through the 2014/15 Operational Plan but this is not applicable to the assessment of the development application.

## **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?*

LEP Zone R5 (Large Lot Residential): The development is classified as a community facility under the Lithgow Local Environment Plan and therefore the proposal is permitted with development consent.

**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?

Off Street Car Parking Development Control Plan applies to this proposal. The proposal involves replacement of an existing facility and therefore compliance is not required.

**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?**

No.

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

Refer to clause 92, 93, & 94 of the Regulation. If a DA for demolition, the provisions of AS 2601-1991; The Demolition of Structures. Fire Safety considerations – DA that does not seek the rebuilding, alteration, enlargement or extension of the building. Consent Authority may require buildings to be upgraded – DA comprising the rebuilding, alteration enlargement or extension, take into consideration whether it is appropriate to require the building to be brought into conformity with the BCA.

The proposal involves demolition and construction of a new building that will comply with relevant standards and the BCA.

**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 proposal is for a new building to replace a structure that has reached the end of its useable life. It will be a major improvement on the existing facility and is located in the park and will have no impact on the surrounding neighbourhood. It will result in a high standard facility for public use.

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

See above

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

If relevant, consider public and authority submissions. Do submissions relate to valid Planning issues?

The proposal was not notified as it is the replacement of an existing structure in a location in the park that has no impact on the surrounding neighbourhood.

### **The public interest**

The proposal seeks to improve the level of amenity and functionality of existing infrastructure and therefore is in the public interest.

### **Building Surveyor's Comments**

The proposed Class 10a building, has a finished floor level that will facilitate access by persons with disabilities. The building proposal satisfies the Deemed-to-satisfy provisions of BCA 2014.

## **CONCLUSION / 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** (including Section 94 Conditions)

(Please note: It should be understood that this consent in no way relieves the owner of applicant from any obligation under any covenant affecting the land).

### **General Requirements**

- 1.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.
- 2.The structure is to be located wholly within the confines of the property boundary and in accordance with approved site plan.
- 3.That minimal disturbance is caused to the site during construction works and any disturbed areas including embankments are to be generally made good and revegetated in accordance with the approved landscaping plan, prior to the issue of the Occupation Certificate. Any excavated and filled areas are graded and drained and all constructed batters are to be topsoiled, and turfed. Batters exceeding a ratio of 3 horizontal to 1 vertical must be retained with retaining walls, stoneflagging or terracing prior to occupation.
- 4.Cut and fill areas are to be retained/stabilised to Council's satisfaction as soon as possible after excavation works and prior to the issue of the Occupation Certification.
- 5.Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – "Soils and Construction" (2004) (Bluebook).

### **Plumbing and Drainage**

6. All plumbing and drainage works shall be carried out by a licensed plumber and drainer.

7. Prior to issuing the Certificate of Compliance for all sanitary plumbing and drainage, the plumbing and drainage works are to be inspected and approved by Council as the delegated regulatory authority for plumbing and drainage work within the Lithgow City Council area.

### **Disabled access and facilities**

9. Access for disabled persons and the provision of sanitary facilities shall be in accordance with the Building Code of Australia and Australian Standard 1428 "Design for Access and Mobility".

### **Requirements Prior to Commencement of Work**

#### **Notification of commencement of Building Work**

10. 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.

#### **Sediment controls**

11. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:

- a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
- b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

#### **Signage**

12. 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.

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

13. Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on site for any longer than 12 months, without the further approval of Council.

**Requirements during Construction**

**Construction work hours**

14. 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

**Excavations**

15. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

**Prior to the issue of an Occupation Certificate**

16. The conditions of consent must be complied with prior to the issue of an Occupation Certificate either by Lithgow Council or an accredited principal certifying authority. All necessary information to comply with the conditions of consent must be submitted prior to the occupation of the building.

Report prepared by:.....

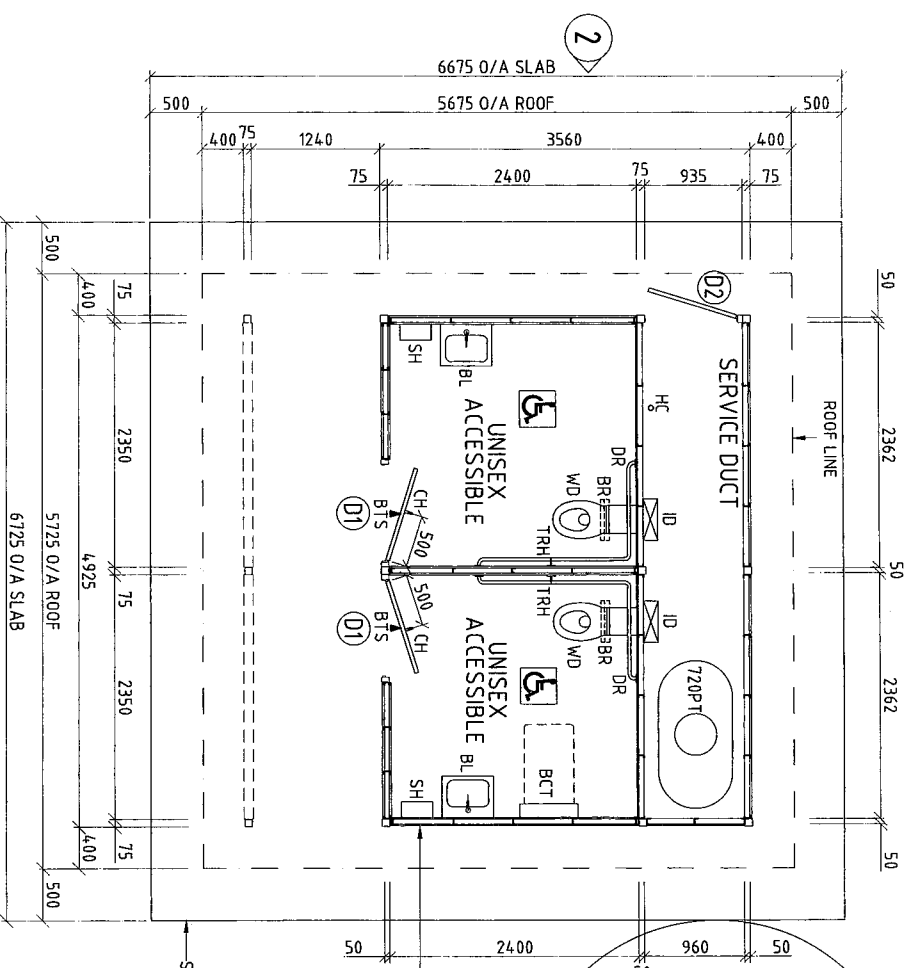
Supervisor:.....

Dated:.....

Dated:.....

ALL DIMENSIONS IN MILLIMETRES - DO NOT SCALE

DRAFTING ORIGINAL (MAF) 12/03/15



PLAN  
SCALE 1:50

22,500 LITRE  
POLY RAINWATER TANK.  
LOCATION & BURIAL DEPTH  
TO SUIT DOWNPIPE INGRESS  
FROM RESTROOM.

- ALL WALLS TO 2000 HIGH UNLESS NOTED.
- EXTERNAL WALL TO SERVICE DUCT TO 2290 HIGH.
- EXTERNAL WALL BETWEEN CUBICLE AND VERANDAH TO HAVE OVERHEAD PANEL TO 2905 HIGH.
- INTERNAL WALL BETWEEN SERVICE DUCT AND CUBICLES TO 2760 HIGH.
- INTERNAL WALL BETWEEN CUBICLES TO 2760 HIGH.
- EXTERNAL GABLE WALL TO CUBICLES TO HAVE TIMBER BATTEN PANEL OVER.
- ALL WALLS TO HAVE 50 GAP UNDER.

**DOOR LEGEND**

- D1-2045x925 COLORBOND CLAD DOOR-STEEL FRAME
- D2-2045x875 COLORBOND CLAD DOOR-STEEL FRAME

**LEGEND**

- WD = STAINLESS STEEL DISABLED COMPLIANT PAN
- ID = INDUCT PLASTIC CISTERN
- BL = STAINLESS STEEL BASIN C/W FLARED LEVER PILLAR TAP AND A COLORBOND PLUMBING SHRUD
- BTS = BRAILLE TACTILE SIGNAGE
- DR = DISABLED COMPLIANT RAILS
- BR = STAINLESS STEEL COMPLIANT BACK REST
- SH = STAINLESS STEEL SHELF
- CH = COAT HOOK
- TRH = TOILET ROLL HOLDER
- HC = HOSE COCK-VANDAL PROOF KEY TAP W/ HOSE MOUNT
- BCT = BABY CHANGE TABLE
- 720PT = 720 LITRE POLY TANK (IN DUCT)

**CLIENTS DESIGN APPROVAL**

APPROVED DATE:

REVISION	DATE	DRAWN BY	CHECKED BY	DATE	PROJECT No.	PAGE
6	-	-	-	-	23945	A3
5	-	-	-	-	02/03/15	DRAWN
4	-	-	-	-	23945	SCALE
3	-	-	-	-	23945	NOTED
2	-	-	-	-	101	REV.
1	12/03/15	MAF	-	-	101	1



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CLIENT NAME  
LITHGOW CITY COUNCIL

PROJECT  
CLARENCE PIRIE PARK, CAPERTEE, NSW, 2846

DRAWING TITLE  
K9504 "CARETAKER" 2D (GABLE) RESTROOM

BA - PLAN