

# **DEVELOPMENT ASSESSMENT REPORT - DA112/16 - PROPOSED INTERNAL MODIFICATION TO BUSHFIRE SHED AT LOT 4 SECTION 3 DP 758222, CASTLEREAGH HIGHWAY, CAPERTEE, NSW 2846**

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## **1. PROPOSAL**

The New South Wales Rural Fire Service through Hi-Craft Plumbing has applied for a Development Application DA112/16 on land known as Lot 4 Section 31 DP 758222, 34 Castlereagh Highway, Capertee NSW 2846 that is owned by Lithgow City Council for building a proposed internal modification to provide accessible facilities within the existing NSW Rural Fire Service Bushfire Shed.

The proposed development proposes to provide a unisex accessible water closet and shower facility within the existing bushfire shed. The proposed modification is in the rear portion of the shed additions approved in 1993 in an area approximately 2.3 metres x 1.9 metres. This facility would provide complying accessible closet amenities for users of the bush fire brigade shed.

## **2. SUMMARY**

To assess and recommend determination of DA 112/16 Recommendation will be for approval subject to conditions

## **3. LOCATION OF THE PROPOSAL**

Legal Description : Lot 4 Section 31 DP 758222  
Property Address : 34 Castlereagh Highway, Capertee NSW 2846.

**4. ZONING:** The land is zoned RU5 Village under Council's Local Environment Plan (LEP) 2014

***community facility** means a building or place:*

*(a) owned or controlled by a public authority or non-profit community organisation, and*

*(b) used for the physical, social, cultural or intellectual development or welfare of the community,*

*but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

**5. PERMISSIBILITY:** Community facilities are permissible in the RU5 zone. The proposed development is also ancillary to the existing fire shed (BA119/93).

The development is not expected to impact the streetscape or adjoining landuses as the police residence and a park adjoins the property. The amenities are also located within the existing fire shed.

Separate approval is required for the on-site wastewater disposal system

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

Policy 7.6 Development Applications by Councillors and Staff and Relatives on Council Owned Land, is applicable for this Development Application as Council owner Lot 142 DP 755769. The policy states:

*'where the development application is on Council owned land, that such an application be referred to Council for consideration and determination and that no aspect of the application be dealt with under delegated authority.'*

Therefore the application will be determined by the elected Council.

## 5.2 FINANCIAL IMPLICATIONS (eg Section 94)

Nil.

## 5.3 LEGAL IMPLICATIONS

### Environmental Planning and Assessment Act 1979

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:

#### 5.3.1 Any Environmental Planning Instruments

##### ***Lithgow Local Environmental Plan 2014***

LEP 2014 – Compliance Check	
Clause	Compliance
Land Use Table RU5 Village	Yes

#### **Comment:**

The proposed development is consistent with the above zone objectives and is an addition to an existing use. The proposal will be of minimal impact to the surrounding area.

#### 5.3.2 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

Nil.

#### 5.3.3 Any Development Control Plan

Nil.

#### 5.3.4 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?

Nil.

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

The development has been assessed by a Council's Building and Development Officer under the appropriate regulations, the assessment is discussed further in this report under 'submissions made in accordance with the Act'. This assessment found that the development complies with the appropriate regulations.

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

##### **Social and Economic Impact:**

As the proposed development will be generally in keeping with the provisions of the planning instruments and is reasonably compatible with other similar development in the locality, it is expected to have minimal social and economic impact. The proposal is of a minimal nature and will not significantly impact on the social or economic aspects in the locality.

##### **Context and Setting:**

The proposed development will be located within an established NSW Rural Fire Services site. The development is of a minor nature and will have no major impact on the context and setting of the area. The development has been designed to be wholly within the existing structure.

##### **Bulk & Scale:**

The proposal is of a reasonable bulk and scale as necessitated by the building usage.

#### 5.3.7 The Suitability of the site for the development

The development is for works to an existing building currently used for NSW Rural Fire Services Shed. The works are minor in nature and consistent with the existing development character. Therefore it is considered that the development is suitable for the site.

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

No submissions.

##### **Building Officer**

The proposed additions satisfies the requirements of the National Construction Code Volume 2 as a Class 10a structure and is eligible for the issue of a construction certificate.

##### **CONDITIONS** (including Section 94 Conditions)

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

##### **General Requirements**

##### **Approved Development**

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.

### **Requirements prior to construction**

#### **Construction Certificate - Building**

2. A construction certificate is required prior to the commencement of any site or building works.

#### **Notification of Commencement of Building Work**

3. 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.

### **Requirements during construction**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

#### **Construction Work Hours**

4. 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

#### **Protection of absorption trenches**

5. Vehicular traffic is to be excluded from the absorption trench location. Where operational needs necessitate vehicular movements in the absorption trench area the trenches may be relocated subject to concurrence from Council.

### **Advisory Notes**

All building work must be carried out in accordance with the provisions of the *National Construction Code*.

#### **Inspection Schedule**

The Principal Certifying Authority (PCA) is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Lithgow City Council Certifiers during construction of the work.

As Principal Certifying Authority, Council will be responsible to undertake the following inspections of the various stages of construction as follows:

- a. Strip footing etc. when steel is laid prior to pouring concrete.
- b. Stormwater drainage before covering.
- c. Framework with external cladding in position prior to fixing any internal linings. Note: this may be undertaken in conjunction with the occupation inspection if unlined.

- d. Occupation - when building is completed and painted, in accordance with approved plans and specifications, **prior to occupation.**

**Driveway Construction**

Where a driveway is to be constructed from the roadway kerb crossing to the property boundary, Council Engineers must also be contacted for the driveway construction inspection prior to pouring any concrete for the footpath crossing.

**Prior to Occupation**

Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority.

**Duration of Construction Certificate**

A construction certificate becomes effective and operates from the date endorsed on the certificate;

A construction certificate lapses 5 years after the date endorsed on the certificate;

A construction certificate does not lapse if the development to which it relates is physically commenced on the land to which the certificate applies within the period of 5 years after the date endorsed on the certificate;

**Reference to the National Construction Code**

A reference to the *National Construction Code* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

5.3.9 The public interest

There have been no issues raised from the public regarding planning issues.

**6. DISCUSSION AND CONCLUSIONS**

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

**7. ATTACHMENTS**

Schedule A- Conditions of consent.

**8. RECOMMENDATION**

**THAT** development application DA206/15 is approved subject to conditions set out in Schedule A.

Report prepared by:.....

Dated:.....

### **REASONS FOR CONDITIONS**

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure there is no unacceptable impact on the water quality.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

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Capentee Fire Shed

Proposed Extension

Not to Scale.

BOURNEVILLE

Pank. Street.

NILE Street.

Police Residence

457 mtrs

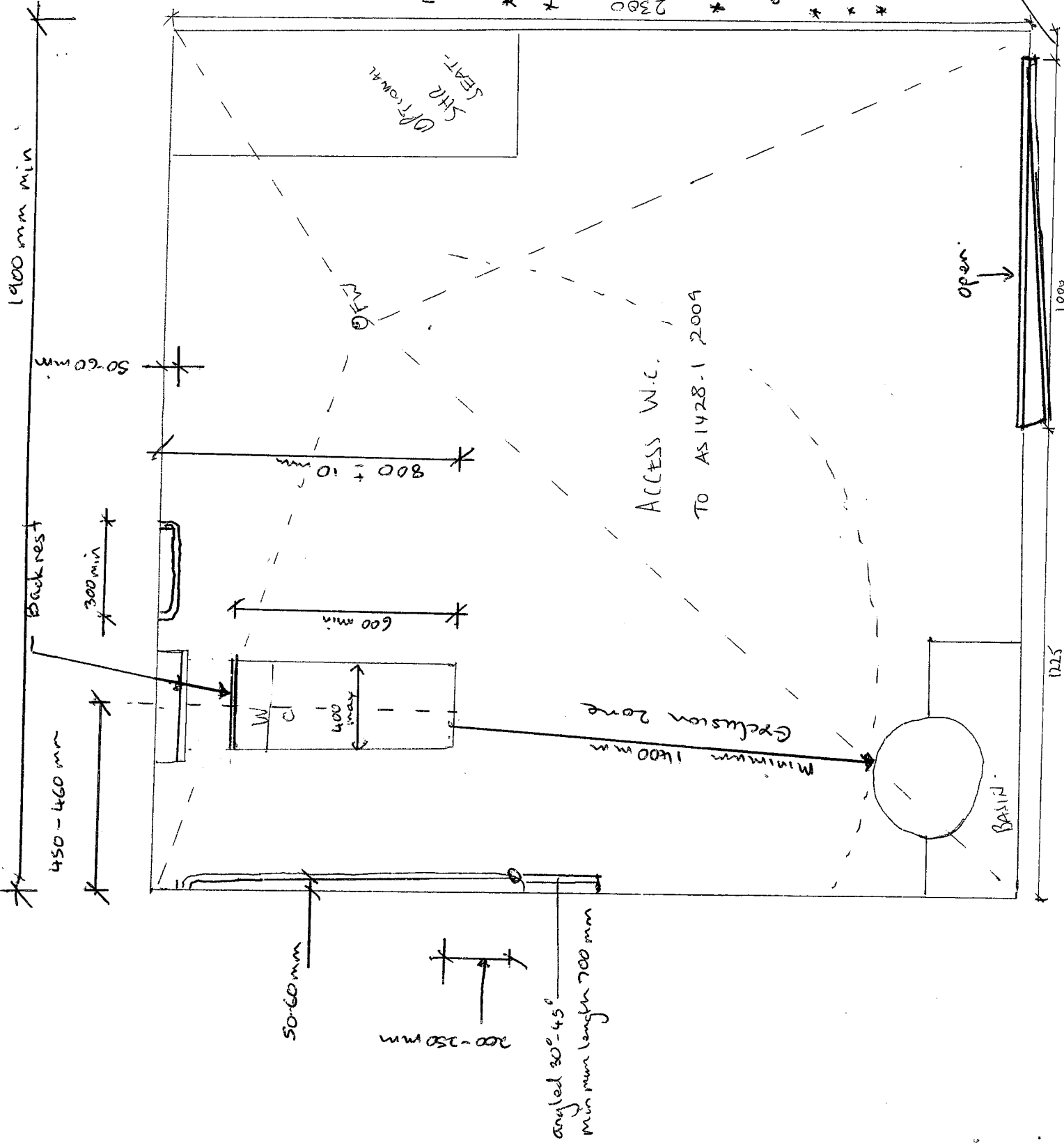
A diagram showing a rectangular area divided into three sections. The top section is hatched and labeled 'Proposed New Extension'. The middle section is also hatched and labeled 'Constructed Previously'. The bottom section is a solid rectangle labeled 'Existing Fire Brigade Shed'. Dimensions are indicated: a vertical dimension of 9120 on the left and a horizontal dimension of 16790 on the bottom.

16790

662 mtrs.

A simple rectangular diagram labeled 'War Memorial Hall'.

Mudgee Rd.



SHR TAPS TO BE  
NOMINATED AT  
LATER TIME.

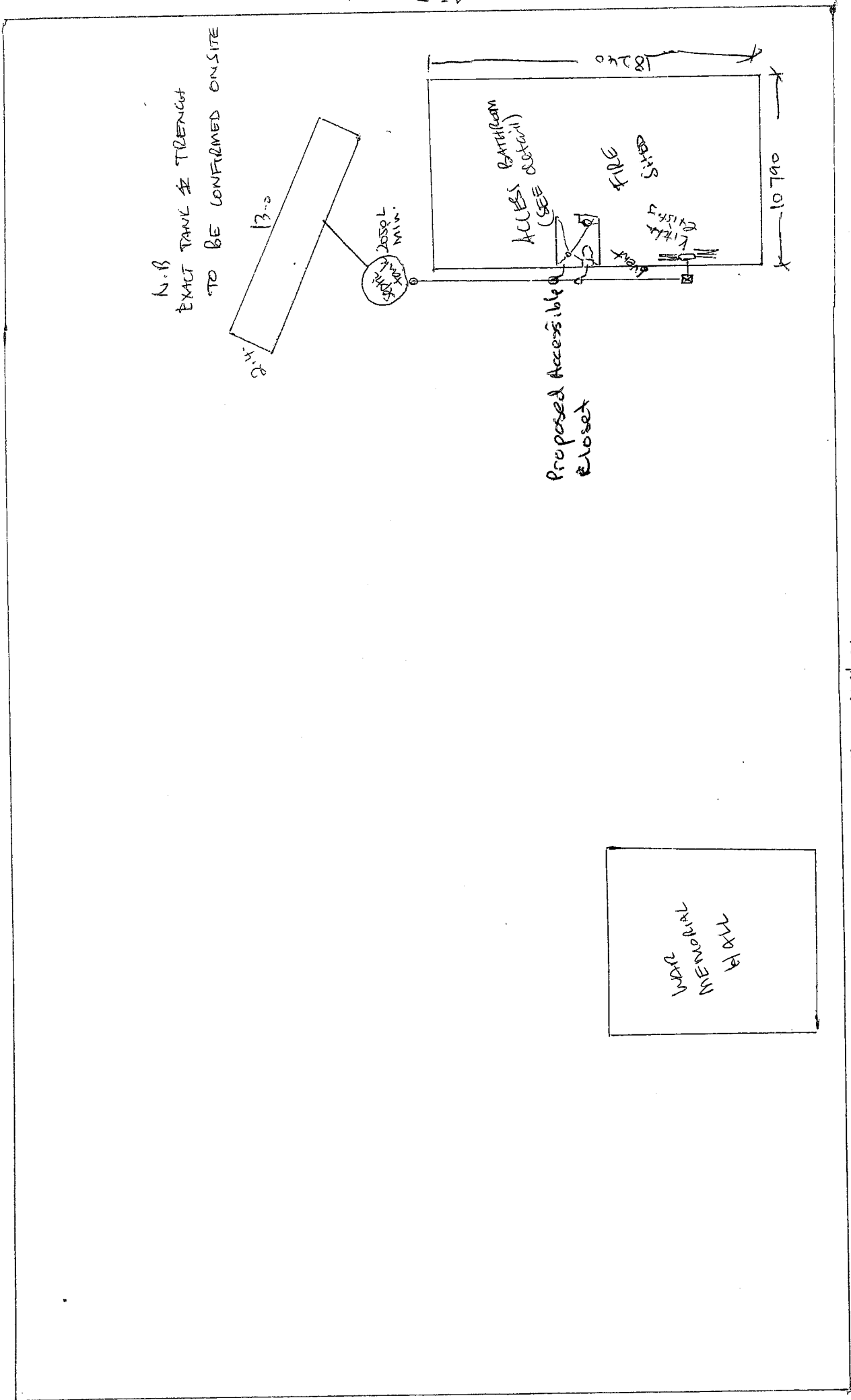
All fittings comply AS 1428-2004  
All hardware comply AS 1428.1-2004

\* Mirror to AS 1428.1-2004  
\* Provide portable scrubbing  
disposed unit

230  
0

\* Timber Frame to AS 1634  
as per Part 3.4.3 of NCC  
or Steel Frame to Part 3.4.4 of NCC  
\* Wet Area. Part 3.8.1 of NCC  
\* Lighting to Part 3.8.4 of NCC  
\* Ventilation to Part 3.8.5 of NCC

Park St



7602 meters.

CASTLEREAUGH HWY.

### STATEMENT OF ENVIRONMENTAL EFFECTS

1. Property Details Rural Fire Shed Capertee

2. Ownership Details Lithgow City Council.

3. Detailed Description of the Proposal

Construct amenities block inside rear  
shed - New septic tank & disposal area

4. Description of the existing environment

A storage shed for RFS.

5. The likely impacts of the development on the environment

- Noise

- Traffic on site.

6. What steps will be taken to protect the environment or to lessen the expected harm to the environment, including sedimentation control measures.

- Work in normal hours when noise & traffic not a nuisance to neighbours sleeping
- Sediment controls not an issue except for 1 day when digging taking place - diversion drain to be placed on higher side of absorption trench upon backfilling

7. Will the development have any amenity impacts on others? (For example, noise, dust, traffic generation or overshadowing). If the answer is **Yes**, please describe those impacts and measures to be undertaken that will mitigate those impacts.

See point 5 & 6 already answered

**Applicant's Name:**

Stephen Mark White

**Applicant's Signature:**

SMW

**Date:**

3/5/16