

DEVELOPMENT ASSESSMENT REPORT – DA103/19 - PROPOSED STORAGE AREA COVER, Lot 21 DP 773810, MORT STREET LITHGOW NSW 2790

1. PROPOSAL

Council is in receipt of a Development Application DA103/19 for a storage area cover on land known as Lot 21 DP 773810, Mort Street Lithgow.

The proposal is for a cover over the existing bulk material storage area within the Lithgow Council Depot facility. The structure is proposed to be constructed of steel and colourbond cladding.

The structure is proposed to be 7m in width, 21m in length and 4.5m in height. The structure is proposed to have a setback of 6.3m from Gas Works Lane and 7.5m from Lot 22 DP773810 (lot also owned and managed by Council and utilised as part of the depot facility).

3 sides of the structure are proposed to be walled with 1 side open.

The area of the proposed development is shown below:



2. SUMMARY

To assess and recommend determination of DA103/19 with recommendation for approval subject to conditions.

3. LOCATION OF THE PROPOSAL

Legal Description: Lot 21 DP 773810
Property Address: Mort Street LITHGOW NSW 2790

4. ZONING: The land is zoned B4 Mixed Use in accordance with Council's current planning instrument, being *Lithgow Local Environmental Plan (LEP) 2014*.

5. PERMISSIBILITY: The development being a storage shelter that is ancillary to an existing 'depot', as defined below, is permitted with consent on land zoned B4 under LEP 2014.

Definition

Depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

5.1 POLICY IMPLICATIONS (OTHER THAN DCP's)

Policy 5.1 Building Over Easements

The development is not proposed to be built over any easements.

Policy 7.1 Filling and Levelling of Land

This Policy states:

Unless otherwise provided by an Environmental Planning Instrument or Development Control Plan, a development application be required in the following circumstances:

- 1. Where land is subject to inundation by floodwaters, or*
- 2. Where excavation or the depth of fill exceeds 900mm.*

Separate development applications are not required where the cut and/or fill is identified in a development application for a structure on the land.

A development Application was submitted to Council for the proposed earthworks although the earthworks do not exceed 900mm.

This is adequate for the development with sediment and erosion control measures to be in place during construction.

Policy 7.5 Notification Of Development Applications

Council Policy 7.5 is applicable to all land within the Lithgow Local Government Area (LGA). The development is not defined as being exempt from requiring notification and therefore the following clause applies:

3.2 NOTIFICATION PERIOD

The minimum notification period is in accordance with this Policy is 14 days. The notification period commences on the date shown on the notification letter. Submissions will be received at any time within the notification period up to and including the last day as detailed in the notice given.

Therefore, the development was referred to adjoining owners for a period of 14 days.

Policy 7.6 Development Applications By Councillors And Staff Or On Council Owned Land

Council Policy 7.6 is applicable to the proposed development as the application has been lodged by Council for development on Council-owned land. In accordance with Clause 1 of Policy 7.6, the application is required to be referred to the Ordinary Meeting of Council for determination.

7.6 Development Applications By Councillors And Staff Or On Council Owned Land

Objective:

To provide a transparent protocol for the determination of development applications lodged by councillors, staff and relatives thereof or development applications for development on Council owned land.

Policy:

1. *That, subject to the exemptions in Part 2 of this Policy, any development application lodged where the applicant is a Councillor or a member of staff, or where a Councillor or member of staff is the owner of the land to which the application relates, or where the development application on Council owned land, that such an application be referred to Council for consideration and determination.*

5.2 FINANCIAL IMPLICATIONS

Section 94A (Section 7.12) Development Contributions Plan 2015

Council's Section 94A (Section 7.12) Development Contributions Plan 2015 does not apply to this development given it is for a storage area cover at an estimated cost of \$42,600, using the below levies:

Estimated cost of development	Levy applicable
\$0 to \$100,000	0%
\$100,001 to \$200,000	0.5%
\$200,001 and over	1%

The property is also owned by Council and is therefore exempt.

5.3 LEGAL IMPLICATIONS

Conveyancing Act 1919

There are no easements or restrictions that would be impacted upon by the development.

Mine Subsidence Compensation Act 1961

The development is considered to be integrated under this Act (via Division 4.8 of the EP & A Act 1979). The development is located under Guideline 2 - Non-active mine workings possible subsidence risk, whereby only certain dwellings are defined as being exempt from the approval of the Subsidence Board.

Accordingly the approval of the Mine Subsidence Board is required prior to Council being in a position to determine the application. Approval from the Mine Subsidence Board has been obtained and is discussed later in this report and therefore it is considered that the proposal will comply with the provisions of this Act.

Protection of the Environment Operations Act 1997

The development being for a storage shelter is not required to get an EPA Licence.

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 4.15 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	B4 Mixed Use	Yes
7.2	Flood Planning	Yes
7.3	Stormwater management	Yes

Comment: The development is considered to comply with the objectives of the zone. The zone objectives are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To promote development that does not detract from the role of the town centre core commercial precincts.*
- *To promote the retention and reuse of heritage items as well as the retention of established buildings that contribute positively to the heritage and cultural values of lands at Portland.*
- *To maintain or improve the water quality of receiving water catchments.*

The development is surrounded by commercial and light industrial uses. The development is not expected to impact facilities or services in the area as the property is zoned for mixed uses. The development being for a storage shelter that is ancillary development to the existing Council depot facility is considered to be minor in nature that the services in the vicinity are considered suitable. Water quality would be maintained and not be impacted upon. Refer to the Norbe assessment undertaken further in this report.

Stormwater is proposed to be disposed of through guttering fastened to the structure and piped underground to the road gutter stormwater infrastructure. This is adequate for the development.

The property is located within the flood prone area (Council's flood study 2017) with the structure proposed to be located within this area. Council's flood study indicates:

- The maximum flood velocity (based on 100 ARI flood) is: 0.390 m/s,
- The maximum flood level (based on 100 ARI flood) is: 922.7m.

The development, being an industrial use, contains one side to be open and is used for the storage of materials. The development is relatively minor in nature and would not redirect the flow of water or impact the flood velocity. The flood map is shown below:



Approximate location of the structure

The land is deemed suitable for the proposal and is considered to reasonably comply with Council’s LEP 2014.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

SEPP (Sydney Drinking Water Catchment) 2011 – Compliance Check		
	Clause	Compliance
10	Development consent cannot be granted unless neutral or beneficial effect on water quality	Yes
11	Development that needs concurrence of the Chief Executive	Yes

Comment: Reference is made to Council’s letter received 9 July 2019 requesting the concurrence of Water NSW under Clause 11 of *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* (the SEPP) with a proposal for installation of cover over existing bulk material storage area.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney’s water supply.

Based on the site inspection and information provided, Water NSW is satisfied that the proposed development can achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to conditions placed on the consent. These conditions are found later in this report.

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 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?

Nil.

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

The development has been forwarded to Council's Building Officer for assessment under appropriate regulations. It is considered that as a result of this assessment the development will comply with the provisions of the regulations subject to conditions of consent.

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

Adjoining Landuse: The surrounding area is generally for commercial and light industrial developments with the proposal to be consistent with the surrounding land uses.

The development proposes a front setback of 6.040m, rear setback of 3.5m, eastern side boundary of 1.465m and 2.83m from the eastern side boundary. The structure will provide a reasonable setback from adjoining properties to minimise visual, privacy and overshadowing impacts to adjoining properties.

The proposal is considered compatible with the surrounding area and will have minimal impact to adjoining land uses as the property contains a number of existing structures and will provide similar uses to the current operations of the site.

Services: There will be no changes to the existing water supply or sewerage system. Water and sewer is connected to Councils mains. Stormwater (site and roof) will be collected and disposed of to the existing system. Electricity and telecommunication service will not be changed due to the development.

Context and Setting: The proposed development will be located within an established light industrial (Council Depot) area and will have no major impact on the context and setting of the area. The development has been designed to complement existing features of similar development in the area.

Access/traffic: There will be no change to the existing access arrangements as a result of the proposed development. The property will continue to have access to have direct access from Mort Street and from Gas Works Lane for employee entrance to the carpark.

There will also be no additional traffic generation. Accordingly there is no need to upgrade the surrounding road network as a result of the development.

Heritage: The property is not heritage listed under Council's LEP 2014. The development is to be located between existing Council depot buildings and would not be visually viewed from adjoining properties except from Gas Works Lane.

The State Mine Railway Line and station runs adjacent to the property on Gas Works Lane. Given the setbacks and size of the development compared to the railway infrastructure, the heritage significance of the area would not be impacted upon.

Flora and Fauna: No proposed clearing is required and the development will have no impact on flora or fauna.

Social and Economic Impact: As the proposed development will be generally in keeping with the provisions of the planning instrument and is reasonably compatible with other similar development in the locality, it is expected to have minimal social and economic impact.

Soils: The proposed development will have no significant impact on soils. There is no reason to believe the development would create contamination problems. The site has been and is used by the Council Depot for many years, including containing underground fuel tanks. The use of the site is not going to change as part of this development and therefore contamination testing is not required. Conditions of consent will be imposed to control erosion and sedimentation impacts on the site and therefore it is considered there will be minimal impacts on soils.

Water: The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

Based on the site inspection and information provided, Water NSW is satisfied that the proposed development can achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to conditions placed on the consent. These conditions are found later in this report.

Air and Microclimate: There will be no significant impact on air or microclimate.

Natural Hazards: The land is known is not known to be bushfire prone. However the property is subject to flooding under Council's Local Environmental Plan 2014.

The property is located within the flood prone area (Council's flood study 2017) with the structure proposed to be located within this area. Council's flood study indicates:

- The maximum flood velocity (based on 100 ARI flood) is: 0.390 m/s,
- The maximum flood level (based on 100 ARI flood) is: 922.7m.

The development, being an industrial use, contains one side to be open and is used for the storage of materials. The development is relatively minor in nature and would not redirect the flow of water or impact the flood velocity.

Noise and Vibration: There are no nearby sources of noise or vibration that would impact detrimentally the proposal. The proposal is not expected to cause any noise issues in the surrounding area, given it is for a storage shelter within a light industrial area.

Other Land Resources: The development will not impact on the value of the land in terms of agricultural potential or mining as it is zoned for mixed uses and adjacent to an established commercial and light industrial area.

5.3.7 The Suitability of the site for the development

The surrounding land uses are for commercial and light industrial pursuits with the size and nature of the development to be consistent with those in the surrounding area. The proposal is compatible with the objectives of the zone and is considered to have minimal impact on the surrounding amenity. Therefore, the site is considered to be suitable for the proposed development.

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

The proposal was sent to Water NSW, Mine Subsidence Advisory, Council's Building Officer and Engineering Officer for commenting with recommendations detailed below. The proposal was also sent to surrounding landowners and placed on public display in Council's Administration Building for a period of 14 days with no submissions received.

WATER NSW

Reference is made to Council's letter received 9 July 2019 requesting the concurrence of Water NSW under Clause 11 of *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* (the SEPP) with a proposal for installation of cover over existing bulk material storage area.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

Water NSW considered the following documents in the assessment of the application:

- Statement of Environmental Effects (dated 26 June 2019), and
- Site Plan (not dated, unknown author).

Based on the site inspection and information provided, Water NSW is satisfied that the proposed development can achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to the following condition.

1. The site layout and works shall be as specified in the Statement of Environmental Effects (dated 26 June 2019) and shown on the Site Plan (Document Set ID: 1703494, Version 1). No revised site layout or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for the above Condition - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

MINE SUBSIDENCE ADVISORY

The Mine Subsidence Advisory has no objection to the application.

COUNCIL'S BUILDING OFFICER

Reference is made to the development application, previous memo dated 17 July 2019 and to the second referral with additional information dated 29 August 2019.

The proposal provides for the construction of a 21m (L) x 7m (W) x 4.627m (H) open fronted 'storage area cover' at the premise. The structure will provide shelter over the existing raw materials storage area.

The location of the proposed 'storage area cover' is within the Flood Planning Area. The area is within the 'High Hazard' classification and is within the 'Flood Storage' and 'Flood Fringe' hydraulic categories. Certification has been submitted from a structural engineer in this regard. Certification from a structural engineer has also been provided in relation to site specific wind and snow loads.

The applicant has lodged a Construction Certificate which has been reviewed against the provisions of the Building Code of Australia Volume 1 2019.

The following particulars of the building have been noted:

BCA Class	7b
Rise in Storeys	1
Floor Area	147m ²
Volume	Approximately 661m ³
Type of Construction	Type C
Required Fire safety Measures	Portable Fire Extinguishers and Fire Blankets
Nearest Fire Source Feature	7.5m

It is considered that the building would generally satisfy Part D3 of Building Code of Australia 2019 with respect to access being provided within all areas normally used by the occupants.

However, it is considered that an exemption under Part D3.4 would be appropriate in respect to the provision of a continuous accessible path of travel leading from the Mort Street footpath and an accessible car parking space, to the building.

As the building is used only for the storage or raw materials, which are expected to be deposited by a truck and removed by a loader, it is unlikely that under normal circumstances, there is a need for the building to be accessed on foot by any person. Furthermore, the use of heavy machinery associated with this building and in this part of the site (generally) is considered to pose a health and/or safety risk to persons with a disability.

It is considered that due to the particular purpose for which the building is used, and the health and/or safety risks posed to a person with a disability, that a continuous accessible path of travel leading from the Mort Street footpath and an accessible car parking space, to the building is not required. An exception under Clause D3.4 is considered appropriate in this instance.

Therefore, the proposal is considered to generally satisfy the provisions of the Building Code of Australia 2019.

No objections are raised to the proposal, subject to the following conditions being imposed on the Development Consent:

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. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
3. The structure shall not be further enclosed without the prior approval of Council.
4. That rainwater drains are connected to the existing stormwater drainage system to the satisfaction of Council.

Requirements Prior to Commencement of Work

5. 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.
6. 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:
 - 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.
 - 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.
7. Prior to commencement of any building works, a suitable lidded waste container for the deposit of all building rubbish and litter must be provided onsite. The waste container must be emptied at a licensed waste disposal facility when full. All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works.
8. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
 - 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.
 - Stating that unauthorised entry to the work site is prohibited and
 - 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.

9. 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

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

11. 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

12. Measures shall be implemented to minimize wind erosion and dust nuisance in accordance with the requirements of the manual – “Soils and Construction” (2004) (Bluebook).

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

14. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.

15. Footings/pier holes must extend below the invert level of the existing retaining wall located on the western side of the proposed ‘storage area cover’.

Requirements Prior to Use

16. 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.

17. Upon completion of the building and prior to issue of an Occupation Certificate, those essential fire safety measures services listed in the attached Fire Safety Schedule must be certified by a competent person, engaged by the owner. Certification is to be submitted to Council stating that the essential fire and other safety measures have been installed and comply with the relevant standard specified below.

Once the building is occupied, an Annual Fire Safety Statement must be submitted to Council and the NSW Fire Brigades, PO Box A249, SYDNEY SOUTH NSW 2001, and a copy retained on site certifying that:

- a. The essential fire and other safety measures have been maintained and serviced at regular intervals in accordance with the appropriate maintenance specified below and are still operable; and

- b. That the path of travel is clear of anything which would impede free passage of any person at any time.

Advisory Notes:

AN1. 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:

- Pier holes/pad footings before filling with concrete.
- Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
- Framing when external wall and roof cladding is in place and prior to internal linings.
- Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- 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.

COUNCIL’S ENGINEERING OFFICER

Council’s Engineers have no objection to the proposed development.

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 DA103/19 is approved subject to conditions set out in Schedule A.

Report prepared by:

Supervisor:

Signed:.....

Signed:.....

Dated:.....

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 that adequate road and drainage works are provided.
- To ensure access, parking and loading arrangements will be made to satisfy the demands created by the development.
- To ensure the structural integrity 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 compliance with the requirements of the Rural Fire Services.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

Schedule A

Conditions of Consent (Consent Authority)

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.

ADMINISTRATIVE CONDITIONS

1. That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.
2. The structure shall not be further enclosed without the prior approval of Council.
3. That rainwater drains are connected to the existing stormwater drainage system the satisfaction of Council.

WATERSW REQUIREMENTS

4. The site layout and works shall be as specified in the Statement of Environmental Effects (dated 26 June 2019) and shown on the Site Plan (Document Set ID: 1703494, Version 1). No revised site layout or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for the above Condition - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

REQUIREMENTS PRIOR TO COMMENCEMENT OF WORK

5. 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.
6. 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:
 - 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.
 - 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.
7. Prior to commencement of any building works, a suitable lidded waste container for the deposit of all building rubbish and litter must be provided onsite. The waste container must be emptied at a licensed waste disposal facility when full. All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works.
8. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
 - 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.
 - Stating that unauthorised entry to the work site is prohibited and

- 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.

9. 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

10. A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.
11. 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
12. Measures shall be implemented to minimize wind erosion and dust nuisance in accordance with the requirements of the manual – “Soils and Construction” (2004) (Bluebook).
13. That existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council.
14. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.
15. Footings/pier holes must extend below the invert level of the existing retaining wall located on the western side of the proposed ‘storage area cover’.

REQUIREMENTS PRIOR TO USE

16. 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.
17. Upon completion of the building and prior to issue of an Occupation Certificate, those essential fire safety measures services listed in the attached Fire Safety Schedule must be certified by a competent person, engaged by the owner. Certification is to be submitted to Council stating that the essential fire and other safety measures have been installed and comply with the relevant standard specified below.

Once the building is occupied, an Annual Fire Safety Statement must be submitted to Council and the NSW Fire Brigades, PO Box A249, SYDNEY SOUTH NSW 2001, and a copy retained on site certifying that:

- a. The essential fire and other safety measures have been maintained and serviced at regular intervals in accordance with the appropriate maintenance specified below and are still operable; and
- b. That the path of travel is clear of anything which would impede free passage of any person at any time.

ADVISORY NOTES

Building Code of Australia Compliance

- AN1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- AN2. 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:
- Pier holes/pad footings before filling with concrete.
 - Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like).
 - Framing when external wall and roof cladding is in place and prior to internal linings.
 - Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
 - 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.

FIRE SAFETY SCHEDULE

(Pursuant to Section 168 of Environmental Planning & Assessment Regulation 2000)

Premises	Lot 21 DP 773810 Mort Street Lithgow NSW 2790			
Name of Owner	Lithgow City Council			
Class of Building	Class 7b			
Existing Development	Depot			
Proposed Development	Storage Area Cover			
Development Consent	DA103/19 issued on			
Construction Certificate	CC093/19 issued on			
Essential fire safety measures to be installed in building / building part	Performance Standard	Performance Verification Interval	Existing	Proposed / required
Portable Fire Extinguishers and Fire Blankets	Clause E1.6 Vol. 1 BCA2019 & AS2444:2001	Annual	No	Yes
Note 1 – Implementation and Standard of Performance	The following essential fire safety measures shall be implemented in the whole of the building premises and each of the fire safety measures must satisfy the standard of performance listed in the schedule, which, for the purpose of Clause 168 of the Environmental Planning and Assessment Regulation 2000, is deemed to be the current fire safety schedule for the building.			
Note 2 – Display of Schedule / Certificate / Statement	Prior to occupation the owner of the building must cause copies of this Schedule & the Final Fire Safety Certificate to be prominently displayed within the building(s). As soon as is practicable after the Annual Fire Safety Statement is issued the owner of the building must cause a copy of such statement to be prominently displayed within the building(s) in lieu of the Final Fire Safety Certificate.			
Note 3 – Copies to Fire Commissioner	As soon as is practicable after the issue of a Final Fire Safety Certificate and / or Annual Fire Safety Statement the owner of the building must cause a copy of each to be forwarded to Fire & Rescue NSW at PO Box A249, Sydney South NSW 1232			