Confidentiality Requested: yes

Submitted by a Planner: no

Disclosable Political Donation:

Name: ██████████████

Email: ████████████████████

Address:

██████████

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████

Content:

Clause 15 for exempt development permits the development if the BCA is not contravened. If an existing building is on bushfire prone land and therefore may attract a Bushfire Attack Level (BAL) pursuant to AS 3959-2009 then this would require the existing dwelling to be upgraded to fully comply with AS 3959-2009 as it is part of the BCA when s79BA EP&A Act and a Bush Fire Safety Authority is not required. This would in most cases be extremely difficult and costly. Is the Dept of Planning aware of this? Whilst the development can be exempt on bushfire prone land (home base child care) any full upgrade to a BAL would make it prohibitive.

CLAUSE 15 FOR EXEMPT

To be exempt development, the development:

(a)

must meet the relevant deemed-to-satisfy provisions of the Building Code of Australia, or if there are no such relevant provisions, must be structurally adequate, and

(b)

must not, if it relates to an existing building:

    (i)   cause the building to contravene the Building Code of Australia, or
    (ii)   compromise the fire safety of the building or affect access to any fire exit, and

(c)

must be carried out in accordance with all relevant requirements of the Blue Book, and

(d)

must not be designated development, and Note.

Designated development is defined in section 77A of the Act as development that is declared to be designated development by an environmental planning instrument or the regulations.

(e)

if it is likely to affect a State or local heritage item or a heritage conservation area must involve no more than minimal impact on the heritage significance of the item or area, and be in accordance with any applicable heritage conservation management plan, and

IP Address: - ███████████

Submission: Online Submission from ███████████████ (comments)

https://majorprojects.affinitylive.com/?action=view_activity&id=199994

Submission for Job: #8198

https://majorprojects.affinitylive.com/?action=view_job&id=8198

Site: #0

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