

Annexure C – Conditions of Consent:

Approved Plans and Documentation

1. The development shall be carried out in accordance with the following approved plans except as varied by the conditions listed herein.:

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
Detailed Survey Plan of Proposed Library Hub including Police Site and Post Office	C200-SPO	Graham F. Howe Registered Surveyor	26.3.2020
Cover Sheet	DA0.1, Rev 02	Neeson Murcutt Neille	9.2.2024
Existing Site Plan, Analysis & Location Plan	DA0.2, Rev 02	Neeson Murcutt Neille	9.2.2024
Demolition – Site Plan	DA1.1, Rev 02	Neeson Murcutt Neille	9.2.2024
Proposed – Site Plan	DA1.2, Rev 02	Neeson Murcutt Neille	9.2.2024
Proposed Ground Floor Plan	DA1.3, Rev 02	Neeson Murcutt Neille	9.2.2024
Proposed Roof Plan	DA1.4, Rev 02	Neeson Murcutt Neille	9.2.2024
Proposed Elevations – Northern & Southern	DA2.1, Rev 02	Neeson Murcutt Neille	9.2.2024
Proposed Elevations – Eastern & Western	DA2.2, Rev 02	Neeson Murcutt Neille	9.2.2024
Proposed Sections	DA3.1, Rev 02	Neeson Murcutt Neille	9.2.2024
Materials Board	DA5.0, Rev 02	Neeson Murcutt Neille	9.2.2024
Landscape Plans	DA01, Rev C to DA07, Rev C DA09, Rev A	Neeson Murcutt Neille	13.02.2024
Sign Location Plans – Broken Hill Library	BHL2274-GEN-005, Rev G; BHL2274-MPN-001, Rev G; BHL2274-MPN-002, Rev G;	MAAT	14.02.2024
Signage Design Drawings	BHL2274-GEN-000, Rev E; BHL2274-D1-001, Rev E; BHL2274-D21-001, Rev E; BHL2274-D21-003, Rev E; BHL2274-D22-001, Rev E BHL2274-D22-003, Rev E BHL2274-I11-001, Rev E; BHL2274-I12-001, Rev E; BHL2274-02-001, Rev E; BHL2274-031-001, Rev E BHL2274-041-001, Rev E; BHL2274-P1-001, Rev E; BHL2274-P2-001, Rev E;	MAAT	14.02.2024
Demolition, Construction and Operational Waste Management Plan	BH Library WMP R1	WPS	18 August 2023
Heritage Impact Statement	Revised 18 August 2023	Paul Davies Pty Ltd	August 2023
BCA Capability Statement	25 August 2023	Phillip Chun Building	-

Plan Title / Supporting Document	Reference / Version	Prepared By	Dated
		Compliance	
Access Review Report	Report Issue 1	Funktion	August 2023
Broken Hill Library Noise Impact Assessment	230345 – Broken Hill Library	PWNA	27 July 2023
Broken Hill Library Design Statement	-	Neeson Murcutt Neille	21 August 2023
Crime Risk Assessment – Broken Hill Library	-	NSW Police – Barrier Police District Crime Prevention Unit	9 August 2023
ESD Performance Initiatives	264696-00	ARUP	18 August 2023
Asbestos Report		Carters Asbestos Management	23 May 2017
Geotechnical Site Investigation	CIV-DOC-004-001-SD6	Civil Test Pty Ltd	5 April 2011
Statement of Environmental Effects	Broken Hill Library Cultural Precinct	Mersonn Pty Ltd	August 2023
Stormwater Plans	C100, C200, C300, C350, C400, C401, C403, C404, C410, Project 220060	ENTEC Consultants	17 August 2023
Traffic and Transport Assessment	TIA, Issue 4	ARUP	18 August 2023

General conditions

2. A current and approved copy of the stamped plans and documentation approved by Broken Hill City Council is to be maintained on site during demolition and construction phase of the project for reference purposes.

Prior to Commencement

3. Prior to the commencement of any work, a Dilapidation Report shall be prepared by a practicing Structural Engineer on all properties, which in the opinion of the engineer, could be potentially affected by the construction of the Community Facility. The report shall record current structural conditions and cover structural and geotechnical factors likely to arise from the development. A copy of the report shall be submitted to the owners of all properties inspected and Broken Hill City Council as a record of the condition of identified properties / buildings at the time the required report was prepared.
4. Prior to the commencement of demolition work, further investigations of asbestos shall be undertaken, using limited destructive surveying and sampling techniques of the areas approved for demolition, as per the recommendation in the Asbestos Register Report prepared by Carters Asbestos Management dated 23 May 2017. Any demolition work involving asbestos shall comply with the provisions of Australian Standard AS 2601- 2001 - The Demolition of Structures, the Safe Work Australia Code of Practice – How to Manage and Control Asbestos in the Workplace, and the Work Health and Safety Act 2011.
5. A Hazardous Materials Inventory prepared by a suitably qualified building consultant shall be prepared to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate. Should any hazardous building materials be identified that require demolition or disturbance as part of the approved works, the Inventory report must include methods for handling and disposal of those materials in a manner that protects human health and the environment.
6. Prior to the commencement of any works, a Demolition and Construction Environmental Management Plan (DCEMP) shall be prepared by a suitably qualified person and submitted to Broken Hill City Council for approval. The DCEMP must include the environmental controls and measures to be used at

demolition and construction phase to address the following:

- a) Communication Strategy/Plan – how Council intends to communicate with the community about changes to local traffic conditions and parking availability during the demolition and construction phase of the development.
 - b) Earthworks - volumes, depths of excavation, stockpile storages.
 - c) Site Establishment - approved location of site compounds and laydown locations.
 - d) Traffic and access - approved vehicle access points, traffic control (if required), fencing and signage to prevent unauthorised access and ensure safety.
 - e) Air quality emission controls - including dust control methods.
 - f) Erosion and sediment controls - in accordance with Landcom's latest publication of Managing Urban Stormwater - Soils and Construction.
 - g) Demolition and construction waste generation and management - including asbestos waste.
 - h) Heritage asset protection and management – with reference to the Heritage Impact Statement prepared by Paul Davies Pty Ltd and any requirements of Broken Hill City Council as manager of building assets.
 - i) Site rehabilitation, repaving, landscaping and testing.
7. Prior to the commencement of any works, erosion and sedimentation controls must be in place in accordance with the DCEMP and maintained throughout construction activities until the site is landscaped, repaved and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers.
 8. Prior to the commencement of any works, a Waste Management Plan (WMP) must be prepared in accordance with the DCEMP and submitted to Broken Hill City Council for approval. The WMP must identify the types of waste that will be generated from the development, and outline the final management methods, strategies and commitments in relation to the re-use, recycling and disposal of waste.
 9. Prior to the commencement of any works, a Dust Management Plan (DMP) is to be prepared in accordance with the DCEMP and submitted to Broken Hill City Council for approval. The DMP must identify all dust generating activities associated with the construction of the development and outline the techniques to minimise dust, such as the watering of internal roads, speed limit signage, covering of loads when leaving the site, cessation of operations during high wind periods, landscaping and rehabilitation of ground cover.
 10. Prior to commencement of any works, the site shall be inspected by Council's representative to identify and appropriately mark out any trees to be retained and protected in accordance with AS 4970-2009 Protection of Trees on Development Sites.
 11. Prior to the commencement of any work on the site, all utility services and connections shall be properly disconnected in accordance with the requirements of the relevant service authority.
 12. Prior to the commencement of any building works, the Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifying Authority, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Development and Engineering Standards prior to any works commencing.

Note. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained.

Note. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable Development and engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

13. Prior to the commencement of any building works, the Applicant is to submit to Broken Hill City Council, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifying Authority'.

Prior to the Issue of a Construction Certificate

14. The Metal Cladding selected for the building profile and finishes must have regard to the heritage values of the Broken Hill Heritage Conservation Area. A detailed Finishes and Materials Schedule must be submitted with the application for the Construction Certificate. Written evidence that the Applicant has consulted with Council's Heritage Advisor in relation to this issue must be lodged with the Application for the Construction Certificate
15. Detailed architectural plans of the Waste Enclosure located at the rear of the existing Police Station building are to be submitted with the application for the Construction Certificate. The Waste Enclosure is to achieve the following outcomes:
 - (a) The waste enclosure is to be appropriately screened from public view, be enclosed on the sides and open to the sky to enable natural ventilation.
 - (b) For security reasons, the waste enclosure is to have a lockable sliding gate/door.
 - (c) The location of the waste enclosure must not obscure any of the existing windows on the northern elevation of the single storey rear addition to the Police Station building and the height of the enclosing walls and sliding gate must not exceed 2m as measured from finished ground level with that portion of the site (Approximately RL 12.17 -RL12.75 as measured from the detailed survey plan approved as part of the subject DA..
 - (d) The internal area of the Waste Enclosure must be a smooth, cleanable surface, have access to a hose and tap for cleaning of spill and is to be bunded and drained to sewer.
 - (e) For safety and security reasons, the enclosure should also have adequate lighting for staff who may need to access the waste enclosure of an evening or early morning.
16. The recommendations outlined in Section 12 of the *Access Review Report (Report Issue 1)* prepared by Funktion for **Accessible Paths of Travel & Facilities** must be incorporated into the design of the development and detailed on the plans lodged with the application for the Construction Certificate.
17. Any surface or structure within 6m of the closest part of the *Essential Energy pad substation* (known as 6-16255) must be made of non-combustible materials and have a 2hr fire rating, this non-combustible material must continue up the external face of the wall of the building by 4.5m or have a fire barrier 4.5m in height (no closer than 1m away from the pad mounted substation). Details of compliance must be provided with the application for the Construction Certificate.
18. The designated outback letterbox parking area within the new car park must be adequately line marked and signposted to reflect its purpose of being a reserved parking space and general loading zone for library deliveries.
19. The layout and configuration of the public car park must comply with *AS2890.1 Part 1: Off-Street Parking* and *AS2890.6 2009 Off Street Parking for People with Disabilities*. Details of compliance to be demonstrated with the application for the Construction Certificate.
20. The six (6) car parking spaces on Argent Street outside the Police Station Building and the four (4) spaces within the front setback area of the Police Cottage are to be appropriately line marked and sign posted for their intended "library-related" use. Details to be supplied with the application for the Construction Certificate.
21. Appropriate signage must be installed within the car park to highlight the recommended speed restrictions

- for the car park. Details of the signage to be submitted with the application for the Construction Certificate.
22. For security reasons, the public car park should be locked and secured after hours. Details of security proposed for carpark to be submitted with the application for the Construction Certificate.
 23. For safety and security reasons, lighting for the public carpark must comply with *AS/NAZ 1158.1 – Lighting for Roads and public spaces* and *AS4282 -1997 Control of the obtrusive effects of outdoor lighting*. Details to be shown on plans lodged with the application for the Construction Certificate.
 24. An internal and external lighting plan for the public library and the public car park should be developed in consultation with appropriately qualified persons for safety and security reasons. Details to be supplied with application for the Construction Certificate.
 25. Building materials and finishes selected for the construction of the library building should have regard to Australian Standard *AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors* to ensure the noise levels within the library achieve an appropriate level to ensure a healthy, comfortable and productive environment for the occupants and users. Details to be provided with the application for the Construction Certificate.
 26. Mechanical equipment like air conditioning units, rainwater tank pumps, exhaust fans, condensers and the like must be acoustically treated to ensure compliance with the recommended noise levels outlined in the *EPA's Noise Policy for Industry (2017)* publication are achieved. Details to be supplied prior to the issue of the Construction Certificate.
 27. The following measures must be detailed in appropriate documents prior to the issue of the Construction Certificate;
 - a) Fire Services Design by a RFSP or Fire Engineer/Designer
 - b) Access compliance design
 - c) Stormwater management design
 - d) Details on fittings/finishes or FRL walls
 - e) Eng Design for slabs, footings, structural steel
 28. Prior to the issue of a Construction Certificate, the Applicant shall submit evidence to Broken Hill City Council that suitable arrangements have been made with Essential Energy to service the development with electricity supply on new / consolidated lots.
 29. Prior to the issue of a Construction Certificate, the Applicant shall submit evidence to Broken Hill City Council that suitable arrangements have been made with the relevant telecommunications authority to service the development with telecommunications on new / consolidated lots.
 30. Prior to the issue of a Construction Certificate, the Applicant shall submit evidence to Broken Hill City Council that suitable arrangements have been made with Essential Water to service the development with water supply on new / consolidated lots.
 31. Prior to the issue of a Construction Certificate, the Applicant shall submit evidence to Broken Hill City Council that suitable arrangements have been made with Essential Water to service the development with sewerage on new / consolidated lots.
 32. Prior to the issue of a Construction Certificate, all relevant approvals to carry out stormwater drainage work or water supply work under Section 68 of the Local Government Act 1993 shall be obtained from Broken Hill City Council.
 33. Prior to the issue of a Construction Certificate, the Applicant shall submit to Broken Hill City Council a detailed Stormwater Management Plan for the proposed development (Charles Rasp Memorial Library Building and the public car park) for approval. The Stormwater Management Plan shall include a report, detailed calculations and drawings to enable construction of the stormwater drainage network. The underground stormwater drainage network shall cater for a 1 in 5 year ARI 'minor' storm event, with

storms up to the 1 in 100 year ARI 'major' storm event being managed via overland flows. Inter-allotment drainage must be provided to all lots that cannot drain all or part of their overland flows directly to a street frontage or drainage easement.

34. Prior to the issue of a Construction Certificate, the monetary contribution set out in the following table is to be paid to Broken Hill City Council pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979 **unless the payment of the Contributions is waived by Council Resolution**”.

The contribution is current as at the date of this consent and is levied in accordance with the Broken Hill City Council Section 7.12 Developer Contributions Plan 2019. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

Contribution Type	Proposed Cost of Development	Levy %	Total Contribution	Contribution Rate remains current until
Section 7.12 Contribution	\$16, 107, 110.80	1%	\$161,071.11	Next CPI Quarterly Adjustment”

35. Prior to any works on a public road, a Road Opening Permit shall be obtained from Broken Hill City Council in accordance with Section 138 of the Roads Act 1993. The application for the Road Opening Permit shall be accompanied by all necessary road layout designs, cross sections, long sections and traffic control plans to complete the works. Finished road pavement levels and drainage works shall be approved by Broken Hill City Council to ensure consistency with the wider road network.

During Works

36. During demolition, all work must be carried out in accordance with AS 2601 - The Demolition of Structures.
37. During demolition and construction, all work must be wholly contained within Lots 51 and 52 DP 1014146, Lots 3 and 7 DP 759092, with the exception of works required to connect the site to road and utility infrastructure.
38. All works must comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a Request for Safety Advice if works cannot maintain the safe working clearances set out in the *Working Near Overhead Powerlines Code of Practice*, or *CEOP8041 - Work Near Essential Energy's Underground Assets*.
39. During demolition and construction, no nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever.
40. During demolition and construction, a minimum 1.8 metre high chain wire fence or similar security fencing is to be provided for the perimeter of the site to prevent unauthorised access.
41. An Unexpected Finds Protocol is to be implemented during demolition and construction such that any soils or material uncovered that is suspected of contamination from chemicals, asbestos, lead or the like shall be tested generally in accordance with the EPA Contaminated Sites Sampling Design Guidelines and the OEH Guidelines for Consultants Reporting on Contaminated Sites. The results of testing shall be submitted to Broken Hill City Council for determination of any further investigation and/or remediation action. Any remediation action must be carried out prior to the issue of an Occupation Certificate and

supported by a Validation Report.

42. During demolition and construction, any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration / repairs of property or services damaged during the works shall be met by the Applicant.
43. During demolition and construction, all work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
44. During demolition and construction, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out. Toilet facilities are to be provided at a rate of one toilet for every 20 persons or part of 20 persons employed at the site.
45. During demolition and construction, any activities carried out on or near electricity infrastructure must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure, September 2012. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
46. During construction, all loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out on the nature strip, footpath or public roadway system.
47. During construction, building work shall be carried out in accordance with the provisions of the Building Code of Australia.
48. During construction, all roads adjoining the site must be kept clean and free of all materials.

Prior to Occupation

49. Prior to the issue of an Occupation Certificate, evidence of the sign posting of 30 minute time limited parking of at least 10 spaces within the new onsite carpark shall be provided to Broken Hill City Council. The 30 minute parking limitations shall apply between 9.00am to 5.00pm weekdays.
50. Prior to the issue of an Occupation Certificate, evidence of the provision of a bicycle locker for at least 2 bikes within the area dedicated to bicycle racks shall be provided to Broken Hill City Council.
51. Prior to the issue of an Occupation Certificate, all completed landscaped areas (e.g. courtyard and grassed spaces) of the proposed Community Facility shall be tested for contamination and certified safe for their intended use.
52. Prior to the issue of an Occupation Certificate, a Fire Safety Certificate shall be furnished to the Principal Certifying Authority for all the Essential Fire or Other Safety Measures. A copy of the Fire Safety Certificate must be submitted to Broken Hill City Council by the PCA with the Occupation Certificate. An electronic copy of the Final Fire Safety Certificate (together with a copy of the current Fire Safety Schedule) shall also be forwarded to the Fire Commissioner via the following dedicated email address: afss@fire.nsw.gov.
53. Prior to the issuance of an Occupation Certificate, all mechanical plant and outside audio equipment shall be tested to ensure compliance with the Protection of the Environment Operations Act 1998.

Operational Conditions

54. **Annual Fire Safety Certificate** - An Annual Fire Safety Statement shall be furnished to the Principal

Certifying Authority for all the Essential Fire or Other Safety Measures forming part of this approval within twelve (12) months after the Fire Safety Certificate was issued. A copy of the Annual Fire Safety Statement must be submitted to Broken Hill City Council. An electronic copy of the Annual Fire Safety Statement shall also be forwarded to the Fire Commissioner via the following dedicated email address: afss@fire.nsw.gov.

55. **Lighting** - Any external lights shall be operated / maintained generally in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting so as not to cause a nuisance or adverse impact on the surrounding private land or to motorists on nearby roads.
56. **Hours of Operation** - The library is permitted to operate between the hours of 10am to 6pm Monday to Thursday, 10am to 5pm on Fridays and 10am to 1pm on Saturdays with the library closed on Sundays.
57. **Car Parking** - In conjunction with the on-going library use, 32 car parking spaces and 1 loading bay are to be made available as detailed on the approved plans as follows:
 - (a) 22 car parking spaces within the carpark located on the police site including one space for persons with disabilities;
 - (b) 6 on-street car parking spaces in Argent Street in front of the Police Station Building
 - (c) 4 car parking spaces within the frontage of the Police Cottage Site
 - (d) 1 loading bay for "Outbox Letterbox Parking".

Prescribed conditions

58. The work must be carried out in accordance with the requirements of the Building Code of Australia.
59. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.

Any such sign is 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.
60. The requirement set out in subclause (2) is prescribed as a condition of development consent (including an existing development consent) for the following uses of a building, if the development consent for the use contains a condition specifying the maximum number of persons permitted in the building:
 - a) entertainment venue,
 - b) function centre,
 - c) pub,
 - d) registered club,
 - e) restaurant.
61. A sign must be displayed in a prominent position within the premises that specifies the maximum number of persons that are permitted to occupy the premises as specified in this development consent.
62. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
 - (a) protect and support the adjoining premises from possible damage from the excavation, and

(b) where necessary, underpin the adjoining premises to prevent any such damage.
