

**ATTACHMENT 1**  
**71/2024/DA-U**  
**Recommended Conditions of Consent**

**GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

**1. Approved Development**

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and/or any conditions within.

<b>Drawing Title</b>	<b>Drawing Number</b>	<b>Revision</b>	<b>Author</b>	<b>Dated</b>
COVER SHEET/LOCATION PLAN	DA-010	D	Lacoste + Stevenson	07/12/23
SITE PLAN / SITE ANALYSIS	DA-020	C	Lacoste + Stevenson	07/12/23
EXISTING GROUND PLAN - MILGATE LANE	DA-040	D	Lacoste + Stevenson	07/12/23
EXISTING FIRST FLOOR PLAN	DA-041	D	Lacoste + Stevenson	07/12/23
EXISTING SECOND FLOOR PLAN	DA-042	D	Lacoste + Stevenson	07/12/23
EXISTING ROOF PLAN	DA-043	D	Lacoste + Stevenson	07/12/23
DEMOLITION PLAN - GROUND - MILGATE LANE	DA-050	D	Lacoste + Stevenson	07/12/23
DEMOLITION PLAN - FIRST FLOOR	DA-051	D	Lacoste + Stevenson	07/12/23
DEMOLITION PLAN - SECOND FLOOR	DA-052	D	Lacoste + Stevenson	07/12/23
DEMOLITION PLAN - ROOF PLAN	DA-053	D	Lacoste + Stevenson	07/12/23
PROPOSED GROUND FLOOR PLAN	DA-100	D	Lacoste + Stevenson	07/12/23
PROPOSED FIRST FLOOR PLAN	DA-101	D	Lacoste + Stevenson	07/12/23
PROPOSED SECOND FLOOR PLAN	DA-102	D	Lacoste + Stevenson	07/12/23
PROPOSED ROOF PLAN	DA-103	D	Lacoste + Stevenson	07/12/23
ELEVATIONS - MILGATE LANE & PATRICK STREET	DA-200	C	Lacoste + Stevenson	07/12/23

PROPOSED ELEVATION - ARCADE LEVEL 1&2	DA-202	C	Lacoste + Stevenson	07/12/23
ELEVATIONS - LOADING DOCK	DA-204	C	Lacoste + Stevenson	07/12/23
PROPOSED SECTION AA	DA-300	C	Lacoste + Stevenson	07/12/23
PROPOSED SECTION BB	DA-301	C	Lacoste + Stevenson	07/12/23
WASTE MANAGEMENT PLAN	DA-400	C	Lacoste + Stevenson	07/12/23
Vehicular directional Loading Dock	QSL2391-D5-001	A	Studio MAAT	30.11.23
Centre directional Milgate Ln entry	QSL2391-D12-001	A	Studio MAAT	30.11.23
Primary Site ID Queen St facade	QSL2391-I1-001	A	Studio MAAT	30.11.23
Secondary Site ID Queen St	QSL2391-I21-001	A	Studio MAAT	30.11.23
Secondary Site ID Milgate Lane	QSL2391-I22-001	A	Studio MAAT	30.11.23
Secondary Site ID Community Space	QSL2391-I23-001	A	Studio MAAT	30.11.23
Operational Entry glazing	QSL2391-O1-001	A	Studio MAAT	30.11.23

### Association Documentation:

- Document Title: Noise Impact Assessment, Author: Pulse White Noise Acoustics, Reference: 230462-Campbelltown Library-Noise Impact Ass-R1, Dated: 7 December 2023.

## 2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

## 3. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- All vehicular entries and exits shall be made in a forward direction.
- All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- All deliveries to the premises shall be made to the loading bay/s provided.

## 4. Advertising Signage

- All signage is to be erected/supported in a safe and secure manner.
- At no time shall the intensity, period of intermittency and hours of illumination of the signage cause injury to the amenity of the neighbourhood.
- No signage on site shall flash, move or display electronic images.

- d. All signage shall be maintained in a condition so as to not become unsightly so as to adversely affect the amenity of the surrounding area.

## **5. Operating Hours**

The use of the premises/business shall be limited to:

Monday to Thursday: 9:30am – 8:00pm  
Friday: 9.30am – 5:00pm  
Saturday: 9:00am – 4:00pm  
Sunday: 10:30am – 4:00pm  
Public Holidays: Closed

## **6. Noise Control**

- a. The development shall conform to the recommendations and specifications of Document Title: Noise Impact Assessment, Author: Pulse White Noise Acoustics, Reference: 230462-Campbelltown Library-Noise Impact Ass-R1, Dated: 7 December 2023.
- b. The development shall be conducted so as to avoid the generation of unreasonable noise and cause no interference to adjoining or nearby occupants.
- c. In the event of a noise or vibration problem arising, the person in charge of the premises must, when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

## **7. Waste Room**

The waste room identified shall be:

- a. Fully enclosed and provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- b. Provided with a floor that is graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- c. Provided with a hose cock.
- d. Vented to the external air by natural or artificial means.

## **8. Bin Storage**

Allocated bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas. Allocated bins shall only be stored in accordance with the approved plans and Waste Management Plan.

## **9. Waste Management Plan**

Waste shall be managed in accordance with the approved Waste Management Plan.

## **10. Sale of Food**

The sale of food from the premises is not permitted.

## **11. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent 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 development consent 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.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

## **12. Demolition Works**

Demolition works shall be carried out in accordance with Australian Standard AS 2601-2001 – The Demolition of Structures.

## **13. Construction Certificate**

Before commencement of any works that require a construction certificate:

- a. the applicant shall appoint a principal certifier;
- b. the applicant shall obtain a construction certificate for the particular works; and
- c. when Council is not the principal certifier, the appointed principal certifier shall notify Council of their appointment no less than two days before the commencement of any works.

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

## **14. Parenting Facility/Room**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, amended plans shall be provided to Council's Coordinator Development Assessment for approval showing the development incorporates a parenting facility/room that is designed to:

- a. provide a quiet place for parents to feed children in privacy
- b. be a unisex use facility
- c. provide an allocated area to change nappies
- d. provide hand washing (warm and cold) and drying facilities
- e. provide a toddler toilet
- f. be separated from male, female and disabled toilets
- g. be well ventilated in accordance with Australian Standard 1668 Part 2- Acceptable Indoor Air Qualities (as amended)

## **15. Waste Management Plan**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the applicant shall submit a revised Waste Management Plan (WMP) to Council's Resource Recovery and Waste Planning Officer (or equivalent) for approval. The revised WMP shall be prepared in accordance with Campbelltown (Sustainable City) Development Control Plan 2015 and include:

- a. bin sizes that consider operational impacts for all intended users, including library staff, waste collection staff and cleaning/maintenance staff
- b. revised allocation of bins for general waste, recycling and cardboard/paper streams
- c. nominated path of travel for the movement of bins from the waste room to a nominated temporary bin presentation area
- d. any bin handling equipment required to move bins from the waste room to the temporary bin presentation area

## **16. Acoustic Requirements**

Prior to Council or the appointed Principal Certifier issuing a construction certificate:

- a. all recommendations of Document Title: Noise Impact Assessment, Author: Pulse White Noise Acoustics, Reference: 230462-Campbelltown Library-Noise Impact Ass-R1, Dated: 7 December 2023 must be incorporated into the construction certificate plans.
- b. all mechanical plant and equipment shall be checked and assessed by a suitably qualified and experienced acoustic consultant to ensure compliance with the approved Noise Impact Assessment and relevant noise policies.
- c. a suitably qualified and experienced acoustic consultant may provide a target RW+CTR value for building components to allow flexibility during the tender and construction stage (the specified ceiling construction is of higher specification than required for acoustic purposes)

## **17. Long Service Levy**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, any Long Service Levy must be paid.

Note: This is a levy imposed by the NSW Government and administered by the Long Service Payments Corporation for the purpose of long service payments to building and construction workers.

## **18. Design for Access and Mobility**

Prior to Council or the appointed Principal Certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility and Disability (Access to Premises – Buildings) Standards 2010.

## **19. Sydney Water**

Prior to Council or the appointed Principal Certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the appointed Principal Certifier prior to issue of a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

## **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

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 prior to the commencement of any works on site.

### **20. Erection of Construction Sign**

Prior to the commencement of any works on the land, signs must be erected in prominent positions 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 may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (a digital copy is provided with this consent that can be printed, laminated and affixed to the site or a corflute sign is available for free pick up at Council's administration office)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifier for the work.

Any such signs 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.

### **21. Toilet on Construction Site**

Prior to the commencement of any works on the land, 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, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

### **22. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

## **23. Public Property**

Prior to the commencement of any works on the land, the applicant shall provide Council with a report establishing the condition of the property which is controlled by Council which adjoins the site including (but not limited to) kerbs, gutters, footpaths, and the like.

Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

## **24. Demolition Works**

Prior to the commencement of demolition works:

- a. A detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by the Principal Certifier and shall include:
  - i. A hazardous materials report that lists details of methods to prevent air, noise and pollution and the escape of hazardous substances into the public domain
  - ii. Details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition
- b. The demolition Contractor(s) licence details must be provided to the Principal Certifier.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifier attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.
- f. A dilapidation report shall be submitted to the Principal Certifier where demolition work is to be undertaken within the zone of influence of a structure.

## **25. Hoarding / Fence**

Prior to the commencement of any works on the land, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under *Section 68 of the Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

## **DEVELOPMENT 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.

### **26. Excavation and Backfilling**

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.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. Must preserve and protect the building from damage; and
- b. If necessary, must underpin and support the building in an approved manner, and
- c. Must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

### **27. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

### **28. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with Australian Standard AS 1742.3. Council may at any time and without prior



notification make safe any such works that are considered to be unsafe and recover all reasonable costs incurred, from the applicant.

## **29. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00 am to 6.00 pm
Saturday	8.00 am to 5.00 pm
Sunday and public holidays	No Work.

## **30. Products banned under the Building Products (Safety) Act 2017**

Building products that are banned, or products that are subject to a ban if used in a particular way under the Building Products (Safety) Act 2017 shall not to be used in the construction of the development.

## **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by the appointed Principal Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

## **31. Building Upgrade**

Prior to the appointed Principal Certifier issuing an occupation certificate, the levels of fire and safety within the existing building are to be upgraded and the following measures are to be implemented prior to issuing an occupation certificate for the new building or part:

- a. Provide adequate emergency lighting system to the tenancy including above the stairway, passageway, and toilets in accordance with clause E4D2 & E4D4 of the BCA,
- b. Provide adequate exit signs to the main entry doors and door leading to required Exits in accordance with the relevant requirements of clause E4D5 & E4D8 of the BCA,
- c. Provide adequate portable fire extinguisher/s within the tenancy, Kitchen and adjacent to the electrical switchboard], in accordance with clause E1D14 of the BCA,
- d. Provide fire hose reel system at designated positions within the tenancy in accordance with clause E1D3 of the BCA and AS 2441. Hose reels must not be located within rooms but rather in common areas such as passageways, lobbies or foyers so that their locations are obvious and always available to occupants.
- e. Install non-combustible enclosure (i.e. a metal cabinet) with seals to prevent the passage of smoke to electricity meters and switchboard located adjacent to exits leading to the fire-isolated passageway.
- f. The existing automatic sprinkler system shall be maintained, and certification provided stating that the sprinkler system is installed in accordance with the requirements of Australia Standard 2118.1. The existing sprinkler system shall be equipped with a Fire alarm monitoring system in accordance with Clause 3.2 of AS 2118.1
- g. Certification to be submitted confirming that the existing fire hydrant system was designed and installed to the appropriate legislative requirements at the time of installation. Further remedial upgrading works may be required to be done on the system depending upon the standard of installation and the level of performance offered by the current system.

- h. Automatic Fire Detection and Alarm System must be installed throughout the building complying in all respects with the requirements of Australian Standard AS1670.1. In kitchens and other approved areas thermal type detectors must be installed.
- i. The existing mechanical air-handling system must be maintained and upgraded to comply with E2D3 of the BCA. The mechanical air handling system must be provided with an automatic shutdown of the air handling system in the event of fire.
- j. The fire rated passageway located on the middle of ground floor, leading into the fire stairs must have fire wall with FRL of 120/120/120 with fire rated doors. The unobstructed height throughout the passageway must be not less than 2.0, except the height at any doorway may be reduced to not less than 1.98m
- k. The building must be provided with an automatic smoke exhaust system complying with specification 21.

### **32. Fire Safety Certificate**

Prior to the appointed Principal Certifier issuing an occupation certificate, a final fire safety certificate must be issued stating that each essential fire safety measures specified in the current fire safety schedule for the tenancy has been assessed by a properly qualified person and can perform to the standard as noted in the current fire safety schedule.

### **33. Crime Prevention through Environmental Design Audit**

Prior to the appointed Principal Certifier issuing an occupation certificate, the applicant shall engage a suitably qualified and experienced person to undertake an audit of the development against the principles of Crime Prevention Through Environmental Design (CPTED). The applicant shall implement any recommendations of the audit, and submit a compliance certificate to Council confirming the recommendations (if relevant) have been implemented.

### **34. Public Utilities**

Prior to the appointed Principal Certifier issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

### **35. Council Fees and Charges**

Prior to the appointed Principal Certifier issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

## **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

### **Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Nominate a Principal Certifier and notify Council of that appointment prior to the commencement of applicable works.
- b. Give Council at least two days notice prior to the commencement of applicable works.
- c. Have mandatory inspections of nominated stages of the construction inspected.

### **Advice 2. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the Disability Discrimination Act 1992 (DDA1992) or Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards).

Regard is to be given to the requirements of the Building Code of Australia (BCA) & the Premises Standards. It is the sole responsibility of the Principal Certifier, building developer and building manager to ensure compliance with the Premises Standards.

### **Advice 3. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

### **Advice 4. Inspection within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to occupation of the development.

### **Advice 5. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

### **Advice 6. Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of applicable works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

**END OF CONDITIONS**