

JRPP Ref. No.	2012SYW064
Application Number	DA12/0492
Applicant	University of Western Sydney
Proposed Development	Construction of a Library at University of Western Sydney, Kingswood Campus
Property Address	56 Second Avenue, Kingswood
Property Description	Lot 2 DP 1130750
Property Owner	University of Western Sydney
Date Received	19 June 2012
Assessing Officer	Belinda Borg
Category of Development	Capital Investment Value > \$5 Million = \$20.064mill.



Executive Summary

A Development Application has been received from the University of Western Sydney for the construction of a library at Lot 2 DP 1130750, No. 56 Second Avenue Kingswood. The University of Western Sydney – Kingswood Campus is a major tertiary educational facility providing undergraduate, postgraduate and higher research degrees.

The proposed library will replace the existing LJ Allen Library, currently located within Building O, providing a new landmark building that will become the academic and social hub of the campus.

The subject site is zoned 5(a) Special Uses – Tertiary Education under Penrith Local Environmental Plan 1998 (Urban Land). The proposed library building relates to the existing university and associated facilities and are therefore a permissible form of development with consent in the 5(a) zone. The site is also found within the Werrington Enterprise Living and Learning (WELL) Precinct.

The proposed development is Crown Development and has a capital investment value in excess of \$5 million. As such, the Sydney West Region Joint Planning Panel has the function of determining the application in accordance with Section 23G of the *Environmental Planning and Assessment Act 1979*.

In accordance with Section 2.7 (Notification and Advertising) of *Penrith Development Control Plan 2006*, the proposed development was advertised in the local newspapers and notified to the owners and occupiers of adjoining and nearby properties. A total of 112 property owners and occupiers were notified in the surrounding area. The public exhibition period for the proposal was from 2 July 2012 to 16 July 2012. One (1) submission was received which raised concerns regarding accessibility to the building and provision of accessible facilities within the building.

An assessment of the proposed development under Section 5A, Section 23G, Section 79C and Section 89 of the *Environmental Planning and Assessment Act 1979* has been undertaken and the proposal has been found to be satisfactory, subject to improved access recommended as a deferred condition of consent. The following key issues have emerged as a result of this assessment process:

- Context and Setting
- Urban Design
- Parking
- Accessibility

These matters are discussed in detail in this report.

The proposed development is in accordance with the relevant provisions of the environmental planning instruments and Development Control Plan pertaining to the land. The proposed development is unlikely to have a negative impact on the surrounding environment. The site is only suitable for the proposed development and the proposal is in the public interest, if the design adequately responds to the topography of the site and the provision of access. The proposed development seeks to provide an expansive library and study facility that is responsive to the changing needs to the students and staff of the University of Western Sydney. The proposal is therefore worthy of support.

Section 89(1) of the Environmental Planning and Assessment Act 1979 provides that a consent authority cannot refuse a development application without the approval of the Minister, nor impose a condition of consent without the approval of the Minister or the applicant. At the time of the report, a final response to the deferred conditions of consent had not been provided.

There are six appendices to this report, as detailed below.

- *Appendix No. 1 – Location Plan*
- *Appendix No. 2 – Aerial View of Site*
- *Appendix No. 3 – Site Plans, Sections and Elevations*
- *Appendix No. 4 – Landscape Plans*
- *Appendix No. 5 – Building Perspectives*

Background

The University of Western Sydney – Kingswood Campus has been subject to a number of recent development proposals for a variety of development works. A number of these proposals have been subject to assessment under Part 3A of the Environmental Planning and Assessment Act 1979, and a recent proposal for the construction of three (3) Campus Accommodation Buildings was considered and granted consent by the Sydney West Joint Regional Planning Panel.

The applicant attended a Pre-lodgement Meeting and Urban Design Review Panel Meeting in relation to the subject proposal on 3 May 2012 and 23 May 2012, respectively. The key issues identified by Penrith City Council officers at the pre-lodgement meeting have been addressed as part of the Development Application. The Urban Design Review Panel commended the applicant on the exemplary nature of the documentation provided.

Site and Surrounds

The site is located approximately 4km south east of Penrith city centre. The UWS Kingswood Campus comprises one allotment with a total site area of 61.78 hectares. The Kingswood Campus adjoins the Werrington South campus which is found to the immediate east. The campus is of a rectangular shape bounded by Connell Street to the east and Second Avenue to the north (see location plan Appendix 1).

The proposed library is located 400m south of Second Avenue, between Building V to the north, Building U & Y to the east and the P8 car park to the west. This area currently is an open grassed area (see aerial view Appendix 2). Primary access to the Kingswood campus is available from Second Avenue with secondary entry from O'Connell Street.

Proposed Development

The proposed development comprises of the following (see Site Plan and Elevations Appendix 3):

- Bulk earthworks;
- Construction of a four storey library with two mezzanine floors and a roof top plant zone incorporating a gross floor area of 6,997m² and a range of facilities including:
 - Quiet and collaborative reading areas;
 - 24 hour study area;
 - Book stacking areas and rare book collection room;
 - Student amenities, cafe and lifts;
 - Group meeting rooms and IT training rooms
 - Staff areas;
 - Loading facilities;
- Reconfiguration of existing car parking to accommodate a new shuttle bus drop off area

- and two accessible parking spaces;
- Connection to physical infrastructure and utilities;
- Stormwater infrastructure works and landscaping;

Operation hours of the library during the semester will be 8am to 10pm, Monday to Friday and 9.30am to 4.30pm, Saturday and Sunday. A secure study area will be provided within the library foyer and will be accessible 24 hours a day by staff and students.

Crown Development

The proposed development is a 'crown development' pursuant to Section 116B of the Environmental Planning and Assessment Act 1979 which means that prior to making a determination of a Crown Development Application, Council must furnish the applicant with a copy of the draft conditions of consent for concurrence.

The applicant has been given the opportunity to review the recommended conditions of consent and no agreement has been reached between both Council and the University.

Refer to *Appendix No. 3* for copies of the site plans, sections and elevations prepared by University of Western Sydney which include details of the proposed works.

The following documents have accompanied the Development Application:

- Architectural Drawings, Perspectives and Architectural Design Statement, prepared by BVN Architecture
- Site Survey, prepared by Lockley Land Title Solutions
- Traffic and Parking Assessment, prepared by Parking and Traffic Consultants
- Access Review, prepared by Morris-Goding Accessibility Consultants
- Landscape Drawings and Landscape Statement, prepared by 360°
- Sustainability Statement, prepared by Northrop
- Hydraulic Plans and Hydraulic Services Statement, prepared by Harris Page and Associates Pty Ltd
- Power and Telecommunications Connections Statement prepared by Jones Nicholson Consulting Engineers Pty Ltd
- Mechanical Services Statement, prepared by Northrop
- Waste Management Plan, prepared by University of Western Sydney
- Security and Lighting Statement, prepared by Jones Nicholson Consulting Engineers Pty Ltd
- Stormwater Management Report and Plans, prepared by Northrop
- Geotechnical Investigation Report, prepared by Coffey
- BCA Capability Statement, prepared by Phillip Chun Building Code Consulting
- Fire Engineering Statement, prepared by Arup
- Structural Engineering Report, prepared by Northrop
- Construction Noise and Vibration, prepared by Arup
- Construction management Plans, prepared by Northrop

Planning Assessment

The proposed development has been assessed against the relevant heads of consideration contained in Section 5A, Section 23G, Section 79C and Section 89 of the *Environmental Planning and Assessment Act 1979*, and based on this assessment, the following issues have been identified for further consideration.

1. Section 23G – Joint Regional Planning Panels

Under Section 23G of the *Environmental Planning and Assessment Act 1979*, a regional panel is taken to be the Council whose functions are conferred on a regional panel.

The proposed development is Crown Development and has a capital investment value in excess of \$5 million. Under Clause 20 of *State Environmental Planning Policy (State and Regional Development) 2011*, a regional panel has the function of determining applications for Crown Development which has a capital investment value in excess of \$5 million. The Sydney West Region Joint Planning Panel therefore has the function of determining the subject Development Application in accordance with Section 23G of the *Environmental Planning and Assessment Act 1979*.

2. Section 79C(1)(a)(i) – Any Environmental Planning Instrument

Penrith Local Environmental Plan 1998 (Urban Land)

The subject site is zoned 5(a) *Special Uses – Tertiary Education* under *Penrith Local Environmental Plan (LEP) 1998 (Urban Land)*. The proposed construction of a library relates to the existing university buildings and is therefore a permissible form of development with consent in the 5(a) zone.

The proposed development is consistent with the aims and objectives of the LEP. The particular objective of the 5(a) zone is as follows:

To facilitate certain development on land which is, or is proposed to be, used by public authorities, institutions, organisations or the council to provide and protect services, utilities or transport facilities and associated activities.

The proposed development satisfies the objective of the 5(a) zone in that it will provide new library and study facilities to support the current services and facilities of UWS Kingswood.

There are several special provisions contained in the LEP which seek to control development on the site. These provisions are considered below.

Clause 13 – Environmental Performance

The location, siting and design of the proposed development will achieve effective environmental performance.

Mechanical noise generation from the building is limited to the air-conditioning system and lifts. The application was referred to Council's Environment Department for comment regarding these elements within the building. Appropriate conditions of consent have been included ensure the implementation of the appropriate acoustic measure to minimise noise transmission and the overall management of noise within the building.

The application was also referred to Council's Engineering Department for comment regarding the management of stormwater discharge. Appropriate conditions of consent have been included ensure the management and treatment of stormwater discharge from the site.

Clause 14 – Design Principles

The proposed development is consistent with the required design principles relating to protection of local topography, streetscape and character, compatibility with the scale and design of neighbouring development and provision of contemporary standards of amenity.

An Urban Design Review Panel meeting was held on 23 May 2012 which considered the proposal and determined that the external materials do not necessarily need to blend with the existing buildings given this will be a landmark building on the site and the simple terraced landscape design is supported.

The proposed design, site analysis and accompanying documentation is exemplary and should be used as a best practice example for subsequent Urban Design Review Panel meetings.

Clause 28 – Tree Preservation

The proposed development does not necessitate the removal of any significant vegetation.

A detailed landscape plan has been submitted to provide additional landscaping that rehabilitates disturbed areas of the site and compliments the existing landscaping of the locality, the proposed building, as well as the existing and proposed pedestrian links associated with the development.

Additional planting along the “University Walk” has been detailed as a condition of consent (Condition 2.38)

Clause 32 – Flood Liable Land

The subject land is not flood liable or adjacent to flood liable land.

There are no further relevant LEP provisions due to the nature of the proposed building.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) aims to provide a framework for the assessment, management and remediation of contaminated land throughout the state. Clause 7(1) of SEPP 55 prevents consent authorities from consenting to a development unless it has considered whether the land is contaminated and is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

There is no evidence to suggest that the subject land has previously supported any activities which may have resulted in land contamination and no contaminating activities are currently being undertaken from the site. This information is sufficient to conclude that a Stage 1 Preliminary Site Investigation is not warranted. The provisions of SEPP 55 have therefore been satisfied.

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997)

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997) (SREP 20) integrates planning with catchment management to protect the Hawkesbury-Nepean river system, requiring the impact of future land use to be considered in a regional

context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture, urban and rural-residential development. It controls development that has the potential to impact on the river environment. The plan applies to all parts of the catchment in the Sydney region (15 local government areas, including Penrith), except for land covered by *Sydney Regional Environmental Plan No. 11 – Penrith Lakes Scheme*. SREP 20 is supported by an Action Plan, which includes actions necessary to improve existing conditions.

The proposed development is in accordance with the general planning considerations set out in Clause 5 of SREP 20 and the relevant specific planning policies and related recommended strategies set out in Clause 6. In particular, provision will be made for adequate erosion and sediment control measures to ensure sediment as a result of the development is not deposited in the Hawkesbury-Nepean River via the stormwater system.

Penrith City Council's Development Engineer has reviewed the proposed development regarding stormwater quantity and stormwater quality considerations. In this regard, Council's Development Engineer is satisfied with these aspects of the proposal subject to conditions of consent.

3. Section 79C(1)(a)(ii) – Any Draft Environmental Planning Instrument

There are no draft environmental planning instruments applicable to the subject site or to the proposed development.

4. Section 79C(1)(a)(iii) – Any Development Control Plan

Penrith Development Control Plan 2006

The proposed development is in accordance with the relevant provisions of *Penrith Development Control Plan 2006*. The most relevant provisions are discussed in this report under the applicable environmental planning instruments or in terms of the likely impacts of the proposed development.

5. Section 79C(1)(b) – The Likely Impacts of the Development

Context and Setting

The proposed development seeks to construct a multistorey library building which includes quiet and collaborative reading areas, 24 hour study area, book stacking areas and rare book collection room, student amenities, cafe, group meeting rooms and IT training rooms, staff areas and loading facilities.

The library has been located central to the overall campus, west of the pedestrian path which is to become the “spine” of the campus. Appropriately locating the building adjacent to the pedestrian path and within close vicinity to the existing academic and administration buildings will ensure the building will be a landmark within the campus and becomes the academic and social hub of the University.

Associated with the design of the building is the extension of existing pedestrian pathways connecting the new bus stop which is to be located within the P8 car park and the enhancement of existing landscaped areas to provide functional outdoor gathering areas. This will further reinforce the library being the meeting point of the Campus.

Existing library facilities are located within the LJ Allen Library, which is located within Building O. Students are currently required to travel to the Werrington Campus to gain access to materials, staff support, modern learning facilities and study space. The new library will provide a consolidated facility for the provision of services, resources and infrastructure within the one building.

No alternative use of the LJ Allen library facilities has been outlined as a part of the proposal, and will be the subject of a separate Development Application.

The proposal is therefore compatible with the surrounding and adjacent land uses and will have no major impact on the amenity of the area. The proposal will have no adverse impacts on the natural environment.

Urban Design

The proposed library has been sited between the existing pedestrian thoroughfare of the campus and the P8 car park, being within close proximity to the existing academic and administration buildings on the campus. The library has been designed with a mixture of cement panels, glazed facades, aluminium and glass louvers and translucent polycarbonate panels to provide a modern building aimed at being the landmark structure for the University campus.

The louvered facade of the building provides design elements that assist in reducing the bulk and scale associated with a multistorey building and provides visual interest within the street elements of the building. The transparent form of the building will also provide good levels of active and passive surveillance of pedestrians and ensure CPTED principles are implemented within the design of the development.

Consideration was given proposed development by the Urban Design Panel and the following comments were made:

“The proposed external materials do not necessarily need to blend with the existing buildings given this will be a landmark building on the site”.

The location of the building utilizes an existing open space area which has limited uses due to the steep topography of the land. Stepping the design of the library building to respond to the contours of the site provides opportunities to improve existing pedestrian networks surrounding the building and connections to the new bus stop within the existing P8 car parking area. Landscaping structures associated with the building, including the terracing of the open space along the northern façade of the build, will provide functional outdoor gathering spaces within close proximity of the library and reinforce the library becoming the main meeting point for the University students and staff.

The application has been accompanied by landscape plans which provide for related landscaping works on the site. Refer to Appendix No. 5 for a copy of the landscape plans prepared by 360° which includes details of the proposed works. The proposed landscape works will provide for the high-quality embellishment of the site with suitable ground covers, shrubs and trees which, at maturity, will complement the scale, design and function of the development.

Accessibility

The proposal was reported to Council's Access Committee at its meeting held on 8 August 2012. At that meeting, the Committee requested the following matters be considered in Council's assessment of the proposal:

- The use of the staff entry as the accessible entry point to the building is unacceptable. A common secondary entry to the building that provides an accessible entry point is to be included within the design of the library building.
- The accessible bathrooms are not considered to be of an appropriate width;
- A handrail and nose strips or similar measures are to be installed within a portion of the steps adjacent to the café.
- A 1240mm minimum clear space is to be provided between the book shelves to enable sufficient space to turn and face the books and allow for the passing of people.

The Development Application was supported by an Access Report prepared by Morris – Goding Accessibility Consulting detailed that an alternative solution report was required for the external pedestrian access to the new building from the allotment boundary/ car parking to satisfy the performance solutions criteria of the Building Code of Australia. The report also outlines that the staff entrance on the southern side of the building, being separate from the main entrance to the building be utilised as the accessible entrance point from the P8 car park, which is the closest car park to the proposed library containing accessible parking spaces.

The provision of an alternative accessible entrance point to the library that functions as a common entrance point for staff, students and visitors be provided, rather than utilising the staff entrance as the accessible point to the building was raised with the applicant prior to the consideration of the proposal by the Access Committee. Morris –Goding Accessibility Consulting provided a response to Council's concerns and outlined that an accessible path of travel from the site boundary to the main entry of the building is hard to achieve, as the existing walkway from the site boundary (Second Ave), across the campus to the principal pedestrian entry has gradients and landing intervals that are not suitable from people with a disability, in accordance with AS1428.1.

It is noted that the topography of the site does provide obstacles to the provision of an accessible path from the site boundary, however the provision of an accessible point to the building that does not function as a common entry to the building is not an acceptable or equitable solution to address accessibility issues.

The Access Committee considered the original Access Report and the response to initial concerns raised by Council, and have determined that the use of the staff entrance as the accessible entry point does not satisfy Clause D3.2 of the Disability (Access to Premises - Buildings) Standards 2010.

It is considered necessary to provide a secondary entry point to the building, within close proximity to the accessible parking spaces within the P8 car park to ensure equitable access to the building. A deferred commencement condition of consent has been recommended (Condition A of Schedule 1)

All other matters raised by the Access Committee have been addressed within the recommended conditions of consent.

Access, Parking and Traffic

Vehicular access to the University Campus will remain unaltered, with the proposed library being located within close vicinity to the P8 car park, which currently contains 431 spaces. The reconfiguration of part of the car park to accommodate the bus stop and two additional accessible parking spaces will result in the loss of 10 car parking spaces.

The Traffic and Parking Assessment Report prepared by Parking & Traffic Consultants detailed that 1039 car parking spaces are provided within the primary car parks of the University. The combined car parking occupancy within these primary car parks was 80%, with the P8 car park having a 76% maximum occupancy rate. The loss of ten (10) parking spaces will not result in an undersupply of parking within close proximity of the library or the University in general.

Penrith City Council's Traffic Engineer has reviewed the proposed development with regard to access, parking and traffic considerations and has provided the following comments:

- *The proposal has justified its car parking requirements on the basis of anticipated demand with existing car park occupancy rates for students at UWS used as a basis. Existing campus parking surveys indicate spare capacity is available to absorb the increase number of student vehicles proposed to utilise the facility.*
- *The proposal will produce a consistent increase in local traffic flow; however no substantial traffic impacts are anticipated on the local road network. It is noted that the campus has good public bus transport facilities and students are encouraged to walk to the nearby Kingswood and Werrington railway stations.*
- *Appropriate bicycle parking facilities should be provided on site to minimise car dependency and encourage the use of this transport mode.*

The Traffic and Parking Assessment Report also includes a Kingswood Campus Map which details that no bike rack facilities are located within close vicinity to the proposed library. As the library is intended to become the focal point of the University Campus, the provision of bicycle parking is considered to be appropriate and will promote students, particularly those residing on campus to use alternative forms of transport to motor vehicles. An appropriate condition of consent has been included within the recommendations.

In summary, Council's Traffic Engineer is satisfied with the proposed access, parking and traffic related aspects of the proposal subject to the recommended conditions of consent.

Community Safety

The application was accompanied by a Security and Lighting Statement, prepared by Jones Nicholson Consulting Engineers Pty Ltd which considered Crime Prevention through Environmental Design (CPTED) principles of the library.

Consideration of the information provided was considered by the Community Safety Coordinator and the Urban Design Review Panel.

The Community Safety Coordinator outlined that the glazed windows of the main library foyer and other void areas on the first and second floors provide good opportunities for

passive surveillance. The library lawn will also provide a public space that is popular and well used, further increasing surveillance and reducing opportunities/ risk of crime.

The Urban Design Review Panel raised no concerns regarding the safety and security design aspects of the building.

Appropriate conditions of consent have been included in relation to adequate lighting, signage, landscaping and building maintenance.

Environmental Sustainability

The proposed development will incorporate a number of sustainability initiatives for reduced water and energy consumption. These include passive solar design and thermal mass of the library to minimise heating requirements in winter and cooling requirements in summer, the use of LED lighting and lighting control systems including submetering of the building to calculate lighting, power, water and gas usage. The proposal incorporates rainwater retention and re-uses system for stormwater collection.

A four bins waste system will be put into operation to enable the separation of waste into organic waste, mixed recycling, paper/ cardboard and general waste to promote recycling within the library.

6. Section 79C(1)(c) – The Suitability of the Site for the Development

The site attributes are conducive to the proposed development. The proposal has been designed in a manner consistent with the existing character of the site.

7. Section 79C(1)(d) – Any Submissions made in relation to the Development

In accordance with Section 2.7 (Notification and Advertising) of *Penrith Development Control Plan 2006*, the proposed development was advertised in the local newspapers and notified to the owners and occupiers of adjoining and nearby properties. A total of 112 property owners and occupiers were notified in the surrounding area.

The public exhibition period for the proposal was from 2 July 2012 to 16 July 2012. One (1) public submission was received raising concerns regarding accessibility to the building and provision of accessible facilities within the building.

The architectural plans detail accessible bathrooms are to be provided on each level of the library. Appropriate conditions of consent (Condition A of Schedule 1 and Conditions 2.15) have been included to provide an equitable and accessible entrance to the building and the accessible bathrooms meet the requirements of the Building Code of Australia.

Referral Comments

The table below summarises the results of internal Penrith City Council referrals in relation to the proposal.

<i>Referrals</i>	<i>Comments</i>
Building Surveyor	No objection, subject to conditions.
Development Engineer	No objection, subject to conditions.
Traffic Engineer	No objection, subject to conditions.

Environmental Management	No objection, subject to conditions.
Public Health	No objection, subject to conditions.
Landscape Architect	No objection, subject to conditions.
Community Safety Officer	No objection, subject to conditions.

8. Section 79C(1)(e) – The Public Interest

The site is suitable for the proposed development, subject to it adequately responding with access provisions. The proposed development is permissible in the 5(a) zone and the proposal meets the aims and objectives of the relevant environmental planning instruments. One (1) submission was received which raised concerns regarding accessibility to the building and provision of accessible facilities within the building.

These concerns have been addressed through the inclusion of appropriate conditions of consent.

9. Section 89 – Crown Development Applications

The proposed development is Crown Development as the applicant is the University of Western Sydney, which is a statutory state government authority. Applicants for Crown Development are exempted from the requirement to obtain Construction and Occupation Certificates.

In accordance with Section 89(1)(b) of the *Environmental Planning and Assessment Act 1979*, draft conditions of consent (as documented in this report) were forwarded to the applicant for consideration. At the time of the report, a final response to the conditions had not been provided.

Section 94 Contributions

The following Section 94 contributions plans are applicable to the subject site:

- Penrith City Kingswood Neighbourhood Centre
- Penrith City Footpath Construction Established Residential Areas
- Werrington Enterprise Living and Learning (WELL) Precinct

While the Penrith City Kingswood Neighbourhood Centre and the Penrith City Footpath Construction Established Residential Areas contribution plans apply to the site, they are not applicable to this form of development.

A crown submission was received requesting that the payment of Section 94 contribution are not applied to this development. Department of Planning's Circular D6 "Crown Development Applications and Conditions of Consent" provides advice on the appropriateness of applying Section 94 contribution to Crown Development and states:

Crown Activities providing a public service or facility lead to significant benefits for the public, in terms of essential community services and employment opportunities

Therefore, it is important that these essential community services are not delayed by unnecessary disputes over conditions of consent These activities are not likely to require the provision of public services and amenities in the same way as developments undertaken with a commercial objective.

The provision of the library will ensure improved university facilities are provided, that are also accessible to the general public. The inherent public nature of this library development, contrast with the objectives of the WELL Precinct Development Contributions Plan 2008

Therefore the payment of Section 94 contributions are not warranted for this development.

Conclusion

The proposed development is in accordance with the relevant provisions of the environmental planning instruments and Development Control Plan pertaining to the land. The proposed development is unlikely to have a negative impact on the surrounding environment through the appropriate conditioning of the development consent. The proposed development seeks to provide a landmark building that will become the academic and social hub of the University.

The proposed development has been assessed against the relevant heads of consideration contained in Section 5A, Section 23G, Section 79C and Section 89 of the *Environmental Planning and Assessment Act 1979* and has been found to be satisfactory. The site is suitable for the proposed development and the proposal is in the public interest. The proposal is therefore worthy of support, subject to the conditions of consent.

Recommendation

That:

1. The information contained in the report on Development Application No. DA12/0492 for the construction of a library at Lot 2 DP 1130750, No. 56 Second Avenue Kingswood be received.
2. Development Application No. DA12/0492 for construction of a library at Lot 2 DP 1130750, No. 56 Second Avenue Kingswood be supported for a deferred commencement approval subject to the following conditions:

Schedule 1

- A. The architectural plans are to be amended to include the provision of a secondary entry point to the building for staff, students and visitors. The entry point is to be adjacent to the P8 car park and is to be designed as an accessible entry point in accordance with Building Code of Australia, AS1428-2009 “Design for Access and Mobility” and the Access to Premises Standards 2010. Details are to be provided to Penrith City Council for approval.

Schedule 2

Standard Conditions

2.01 A003

The development must be implemented substantially in accordance with the stamped approved plans issued by Penrith City Council and other plans or documents approved in respect to Schedule 1 by Council or an accredited Certifier, except as may be amended in red on the attached plans and by the following conditions:

Drawing Title	Drawing No.	Issue	Prepared by	Dated
Site Analysis	03802-A-A001	1	BVN Architect	8/6/2012
Site Photographs Surrounding Buildings	03802-A-A002	1	BVN Architect	8/6/2012
Building Perspectives	03802-A-Z001	2	BVN Architects	23/7/2012
Landscape Plan	Sheet 1 of 2	3	360°	8/6/2012
Planting Schedule and Images	Sheet 2 of 2	3	360°	8/6/2012
Stormwater Services Cover Sheet, Legend & Notes	H-100	1	Harris Page and Associates Ltd	June 2012
Stormwater Services Site Plan	H-101	1	Harris Page and Associates Ltd	June 2012
Stormwater Services Ground Floor Plan	H-102	1	Harris Page and Associates Ltd	June 2012
Stormwater Services Level 03 Floor Plan	H-103	1	Harris Page and Associates Ltd	June 2012
Stormwater Services Roof Plan	H-104	1	Harris Page and Associates Ltd	June 2012
Cover Sheet, Drawing Schedule & Locality Plan	C1.01	1	Northrop	13.6.2012
Construction Management Plan	C2.01	2	Northrop	13.6.2012
Concept Stormwater Drainage Plan	C4.01	2	Northrop	13.6.2012
Stormwater Catchment Plan	C4.02	2	Northrop	13.6.2012

2.02 A012 – Food Shop

The proprietor of the food business shall ensure that the requirements of the Food Act 2003 and Food Regulation 2004 are met at all times. All food shop construction works shall be carried out in accordance with the requirements of AS4674-2004 “Design, Construction and Fitout of Food Premises,” the Food Act 2003 and Food Regulation 2004.

2.03 A021 – Business Registration

The business is to be registered with Penrith City Council by completing the “Registration of Premises” form. This form is to be returned to Council prior to the commencement of the business.

2.04 A038 – Lighting Location

Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 “Control of the obtrusive effects of outdoor lighting” (1997).

2.05 A039 – Graffiti

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

2.06 D001 – Implement approved sediment and erosion control measures

Erosion and sediment control measures shall be installed prior to the commencement of works on site including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 9841 8600).

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

2.07 D006A – *No filling without prior approval*

No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith City Council Contaminated Land Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as “a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance.”}

2.08 D008 – Filling compaction

Where a building is to take place on any land that is to be filled, such filling is to be compacted in accordance with AS3798-1996. Certification is to be submitted to Penrith Council by a Geotechnical Engineer verifying that the work has been undertaken prior to the commencement of the construction of any building.

2.09 D009 – Covering of waste storage area (Applies to building works/demolition)

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

2.10 D010 - Appropriate disposal of excavated or other waste

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan. Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

2.11 D014 – Plant and equipment noise

The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

2.12 D Special 1 – Garbage Trucks

Garbage trucks are only permitted to collect waste from the development between the hours of 8:00am and 6:00pm Monday to Friday.

2.13 E01A – BCA compliance for Class 2-9

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of

structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- a) complying with the deemed to satisfy provisions, or
- b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

2.14 E002 – BCA Issues to be addressed

A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the commencement of construction to ensure compliance with the Building Code of Australia:

- Compliance with Part D1.6 of the Building Code of Australia regarding the provision of appropriate exit widths to serve the expected occupant numbers in the building.

2.15 E006 - Disabled access and facilities

Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia, AS1428-2009 "Design for Access and Mobility" and the Access to Premises Standards 2010. Details of compliance are to be outlined in the relevant construction drawings and specifications prior to the commencement of construction works.

2.16 E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

- a) deal with each essential fire safety measure in the building premises, and
- b) be given:
 - within 12 months after the last such statement was given, or
 - if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

2.17 G002 – Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing

Coordinator. Please refer to the “Your Business” section of Sydney Water's website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be obtained **prior to the use of the university library**.

2.18 F001 – Food Shop Construction and Plans

All food shop construction works shall be carried out in accordance with the requirements of the AS4674-2004 Design, Construction and fit-out of food premises, the Food Act 2003 and the Food Regulations 2004.

Detailed plans and specifications for the construction of the premises and installation of fittings, furnishings and equipment to all food preparation and storage areas are to be outlined in the relevant construction drawings and specifications regarding the fitout of the food shop.

Particular attention is drawn to:

- The designated hand wash basin in the food preparation area must be supplied with warm water through a common spout in compliance with AS4674-2004. This hand wash basin must also be supplied with soap and disposable paper towel. All hand wash basins must be hand free as required by AS4674-2004.
- In addition to the hand wash basin located in the food preparation area, a hand wash basin with warm water through a common spout in compliance with AS4674-2004 and Food Safety Standard 3.2.3 must be installed in the toilet area. This hand wash basin must also be supplied with soap and disposable paper towel. All hand wash basins must be hand free as required by AS4674-2004.
- The kitchen must contain a double bowl sink or a dishwasher and single bowl sink to allow for cleaning and sanitising of equipment as specified in section 4.1 of AS 4674-2004. To sanitise effectively with a dishwasher a rinse cycle temperature of at least 77 degrees and a rinse cycle of greater than 30 seconds is required.
- All floor, wall and ceiling finishes throughout the premises must comply with AS4674-2004. Drop in panel or false-ceilings are not permitted in food preparation or food storage areas. This includes areas where food is on display for sale.
- The floor, wall and ceiling finishes and fixtures and fittings in the premises, including store rooms, must comply with AS4674-2004. Coving shall be installed at the intersection of the floors with the walls. No exposed wooden shelving is permitted.
- Adequate pest proofing must be provided to the front entrances to prevent entry of flying insects.
- Provision must be made for the storage of garbage containers, containers for recyclable materials and compacters in an external area of the premises or in a room specifically for that purpose in accordance with AS4674-2004 Clause 2.4.
- All fixtures, fittings and equipment must comply with AS4674-2004 section 4.
- The premises must be adequately ventilated in accordance with AS4674 – 2004.

2.19 G004 – Endeavour Energy

Prior to the commencement of construction works, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a padmounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the commencement of construction as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

2.20 H041 – Hours of work (other development)

“Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

2.21 H001 – Stamped plans & erection of site notice 1 (Class 2-9)

Stamped plans, specifications, a copy of the development consent and any other Certificates/Information to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the construction and associated landscaping works have been completed.

2.22 H002 - All forms of construction

Prior to the commencement of construction works:

- a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
 - a standard flushing toilet connected to a public sewer, or

- if that is not practicable, an accredited sewage management facility approved by the council, or
 - alternatively, any other sewage management facility approved by council.
- b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- c) If an excavation associated with the erection or demolition of a building 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:
- must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - 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 for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

- d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:
- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
 - the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
 - any such hoarding, fence or awning is to be removed when the work has been completed.

2.23 K101 - Works at no cost to Council

All road works, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

2.24 K210 – On-site detention

On-site detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Northrop, reference number 120063, revision 2, dated 13/06/2012.

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall be submitted to Penrith City Council prior to the commencement of works.

Prior to the commencement of works, the suitably qualified person shall ensure that the on-site detention system has been designed in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

2.25 K221 – Access, Car parking and Manoeuvring

Prior to the commencement of any demolition or construction works on site details are to be prepared and submitted to Penrith City Council showing vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.

2.26 K225 – Bus Stop

Prior to the commencement of works, a suitably qualified person is to ensure that the bus stop has been designed in accordance with the requirements of the Disability Discrimination Act 2002 (DDA), Disability Standards for Accessible Public Transport (DSAPT) and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002.

2.27 K502 – Works as Executed

After completion of all civil works, an original set of works-as-executed drawings and compliance documentation shall be submitted to the Penrith City Council in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

2.28 K503 – Stormwater Compliance

Prior to the use of the Library, an appropriately qualified stormwater engineer shall ensure the following:

a) On-site detention system/s

- Have been satisfactorily completed in accordance with the approved stormwater design and the requirements of this consent.
- Have met the design intent with regard to any construction variations to the approved design.
- Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

2.29 K504 – Restriction as to User and Positive Covenant

Prior to the commencement of use of the library a restriction as to user and positive covenant relating to the:

a) On-site detention system/s

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

2.30 Directional Signage

Prior to the use of the Library, directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Penrith City Council.

2.31 L001 – General Landscaping

All landscape works are to be constructed in accordance with the following stamped approved plans, as amended in red and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards", F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan:

Drawing Title	Drawing No.	Issue	Prepared by	Dated
Landscape Plan	Sheet 1 of 2	3	360°	8/6/2012
Planting Schedule and Images	Sheet 2 of 2	3	360°	8/6/2012

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and
- in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.

2.32 L005 – Planting of plant material (Applies to most building/subdivision, not fitouts)

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.

2.33 L006 - AS requirements (Applies to most building/subdivision, not fitouts)

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

2.34 L007 - Tree Protection Measures

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in section F4 of Councils Landscape Development Control Plan.

2.35 L008 – Tree Preservation Order

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

2.36 L012 – Existing landscaping (for existing development)

Existing landscaping is to be retained and maintained at all times.

Special Conditions

Landscaping

- 2.37 Sheltered seats/ benches are to be provided adjacent to the proposed bus dropoff point within car park P8. The seating is to accommodate a minimum of eight (8) people and is to be reflective of proposed seating detailed on the landscape plan. Details are to be provided to Council prior to the commencement of landscaping works on the site.
- 2.38 A minimum of six (6) canopy trees are to be provided along the western side of the "University Walk". The trees are to be complimentary to the existing and proposed landscaping within the locality of the library. Details are to be provided to Council prior to the commencement of landscaping works on the site.
- 2.39 The proposed landscaping along the southern side of Building V is not considered to be shade tolerant species. Alternative landscaping species are to be provided and details are to be submitted to Penrith City Council and approval prior to the commencement of landscaping works on the site.
- 2.40 The mixed shrubs and ground covers proposed to the southern side of the building should be maintained to a height no more than 0.9metres. Low height or high canopies vegetation is good for natural surveillance. Regular pruning and maintenance will be necessary to ensure clear sight lines are maintained and concealment areas minimised.

Bike storage

- 2.41 Bike storage areas are to be provided within close vicinity to the two common entrances of the library, and are to be designed in accordance with of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities. The bike storage areas are to accommodate a combined minimum total of twenty (20) bikes. Details are to be provided and approved by Penrith City Council prior to the commencement of landscaping works on the site.
- 2.42 A bicycle network plan is to be prepared to integrate the existing cycle network located on the Kingwood Campus with the library and associated pathways. Details

are to be provided to Penrith City Council prior to the commencement of landscaping works on the site.

Lighting

- 2.43 In additions to the broader lighting upgrade taking place throughout the UWS campus and the external lighting proposed for the library building, it is important that all areas intended to be used at night, in particular pedestrian pathways to and from the library to key areas through the campus (such as car parks, shuttle bus set-down) allow appropriate levels of visibility. Lighting should clearly illuminate the faces of users of the pathway.
- 2.44 Lighting is to have a wide beam of illumination, which reaches to the beam of the next light.
- 2.45 Lighting provided within the car park and surrounding areas must be in accordance with Australian Standards and provide a safe, well-lit space for users. This includes entrances, exits, ramps, toilets, lifts, stairwells and pay stations.
- 2.46 External building lighting must also illuminate fire egress areas, staff entry points, and the loading dock.
- 2.47 Lighting within all carparks, particularly car park P8 which are to be utilised by students/ staff accessing the library at night, should also be designed/ upgraded to minimise dark areas.
- 2.48 All lighting should be vandal resistant.

Security

- 2.49 All areas within the library where access to public is restricted (eg. café, cleaners room) must be securely locked when not in use.
- 2.50 All other rooms within the library must also be locked when not in use (ie. IT training rooms)
- 2.51 All external storage areas should be well secured and well lit.
- 2.52 A back-to-base alarm system is recommended for building security.
- 2.53 Emergency contact numbers must be displayed within the 24hr study area to enable swift reporting of any crime, safety, maintenance or security related matters.

Signage

- 2.54 Signs associated with the operation of the library should be large and legible, with strong colours, standard symbols and simple graphics, and located at entrances near activity nodes (both inside and outside the library). Signs should also indicate where to go for help or assistances.
- 2.55 The main pedestrian route from the library to other key sections of the campus should be indicated with appropriate signage.

- 2.56 Signs essential for night time use are to be illuminated.
- 2.57 Signage should be made of vandal proof materials, non reflective and graffiti resistant coated.

Maintenance

- 2.58 Procedures must be in place to ensure the prompt removal and/or repair of graffiti or vandalism to the building and surrounds. This includes reporting incidents to police and/ or relevant authorities.
- 2.59 Graffiti resistant coatings must be used to external surfaces where possible.

Construction

- 2.60 Construction works shall be carried out in accordance with the NSW Department of Environment and Climate Change's (2009) "Interim Construction Noise Guideline".
- 2.61 All construction works that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties, are restricted to the following hours in accordance with the NSW Department of Environment and Climate Change's (2009) "Interim Construction Noise Guideline":
- Mondays to Fridays 7am to 6pm
 - Saturdays, 7am to 1pm (if audible on neighbouring residential premises),
 - No work is permitted on Sundays and Public Holidays.

Other construction works that are carried out inside a building that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act 1997 in regulating offensive noise also apply to construction works.

- 2.62 The recommendations, including the advisory recommendations of the Access Report, prepared by Morris-Goding Accessibility dated 8 June 2012 are to be implemented within the design of the library, subject to the following amendments:
- Provide a safe, continuous accessible path of travel from the new UWS Shuttle Bus Drop-off area and the new accessible parking spaces to the secondary/ accessible entrance point to the building
 - Stair nosing strips and handrails shall be provided to the all new external stairways provided within the landscape design;
 - A 1240mm minimum clear space is to be provided between the book shelves to enable sufficient space for suitable wheelchair circulation to turn and face the books shelves.

Details of compliance are to be outlined in the relevant construction drawings and specifications prior to the commencement of construction works.