

ANNEXURE A

Summary Schedule of Modified Conditions



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1. Amend **Condition 1** to include the latest versions of plans and supporting documentation including:

- The stamped 'approved' Statement of Environmental Effects for Broken Hill Cultural Precinct and Library & Archive prepared by Mersonn, dated August 2022.
- The stamped 'approved' Architectural Plans prepared by Neeson Murcutt and Neille Architects, dated 8 August 2022.
- The stamped 'approved' Architectural Plan detailing the proposed disabled access ramp in Plan view and Elevation by prepared by Neeson Murcutt and Neille Architects, dated 26 October 2022.
- The stamped 'approved' Landscape Plans prepared by Sue Barnsley Design, dated August 2022 (Only as the Landscaping applies to Lot 51 & 52 DP1014146).
- The stamped 'approved' Traffic and Transport Assessment prepared by ARUP dated August 2022.
- The stamped 'approved' Broken Hill Library Access Review prepared by Funktion, August 2022.
- The stamped 'approved' Broken Hill Library, Archive and Community Hub Heritage Impact Statement prepared by Paul Davies Pty Ltd, dated August 2022.

AND Deletion of the following:

- ~~I. The stamped 'approved' Statement of Environmental Effects for Broken Hill Cultural Precinct and Library & Archive prepared by Broken Hill City Council, dated 9 December 2019.~~
- ~~II. The stamped 'approved' Architectural Plans prepared by Neeson Murcutt and Neille Architects, dated 29 November 2019.~~
- ~~III. The stamped 'approved' Traffic and Transport Assessment prepared by ARUP dated 5 December 2019.~~
- ~~IV. The stamped 'approved' Broken Hill Library Access Review prepared by Funktion, October 2019.~~
- ~~V. The stamped 'approved' Broken Hill Library, Archive and Community Hub Heritage Impact Statement prepared by Paul Davies Pty Ltd, dated December 2019.~~

AND retention of the following plans and documentation which remain as per the original consent:

- The stamped 'approved' Landscape Plans prepared by Sue Barnsley Design, dated October 2019.
- The stamped 'approved' ESD report prepared by ARUP.
- The stamped 'approved' Signage Location Plan and Signage Designs prepared by MAAT.
- The stamped 'approved' Stormwater Concept Plan prepared by JHA Consulting Engineers, dated September 2019.
- The stamped 'approved' BCA Report prepared by Steve Watson & Partners, dated 26 November 2019.
- The stamped 'approved' Safe Design Report prepared by Safe Design Australia.
- The stamped 'approved' Noise Impact Assessment prepared by JHA Consulting Engineers, dated 6 December 2019.
- The stamped 'approved' Asbestos Register Report prepared by Carter Corporation Pty Ltd, dated 23 May 2017.
- The stamped 'approved' Geotechnical Site Investigation Report prepared by Civiltest Pty Ltd, dated 26 September 2019.
- The Detailed Survey Plan prepared by Graham F. Howe, dated 26 August 2019.

2. The following new conditions to be included under the heading of "**Prior to the Issue of the Construction Certificate**":

- The layout and configuration of the car park must comply with AS2890.1 Part 1: Off-Street Parking and

AS2890.6 2009 Off Street Parking for People with Disabilities. Details of compliance to be detailed on plans lodged with the application for the Construction Certificate.

- A second car parking space for persons with disabilities must be provided within the carparking area and nominated on the Architectural Plans lodged with the Application for the Construction Certificate. The car space nominated for this purpose must comply with AS2890.6 2009 Off Street Parking for People with Disabilities.

Reason: *To ensure compliance with the Australian Standards for car parking layout and provision of parking for persons with a disability.*

- Car space no.1 is to be nominated as a dual functioning public car space and designated Loading Bay for the Outback Service. Details are to be included on plans lodged with the application for the Construction Certificate. The car space is to be adequately sign marked to indicate the days of the week and hours it is intended to function as a Loading Bay, with all other times being available for public parking.

Reason: *To ensure compliance with the Broken Hill DCP 2013 and that sufficient space is made available for loading and unloading of goods on-site.*

- Prior to the issue of the Construction Certificate, advice and/or construction detail plans are to be obtained from a qualified and practicing Heritage Architect detailing how to treat and/or construct the disabled access ramp against the town hall rear façade to prevent rising damp from occurring. Details to be provided with the application for the Construction Certificate.

Reason: *To preserve the heritage fabric and significance of the Town Hall Building.*

- Prior to the issue of the Construction Certificate, a colour palette including a 'Shade of Grey' instead of Orange for the proposed concrete of the disabled access ramp is to be provided to the satisfaction of Council's Heritage Advisor. The selected and approved colour is to be provided to the appointed Principal Certifying Authority.

Reason: *To ensure the colour and fabric of the new additions retains the heritage significance of the Town Hall Building.*

- Prior to the issue of the Construction Certificate, the approved stamped plans titled '*Signage Location Plans and Signage Design Plans, prepared by MAAT*' be updated to reflect the architectural building changes and car parking layout changes approved as part of DA Mod 6/2020.

- Landscaping:

Prior to the issue of the Construction Certificate:

- (a) The landscaping detail proposed to the open space behind the Town Hall must be provided to the satisfaction of Council's Heritage Advisor. Written evidence of the Heritage Advisor's satisfaction with the end design for this space must be submitted with the application for the Construction Certificate (ie. Lot 51 & 52 DP 1014146).
- (b) **The car park behind the Town Hall must include additional landscaping treatment in the form of appropriate trees and shrubs to enhance the visual amenity of the area and provide shading for users. The Landscape Plan must be updated to reflect the treatment proposed prior to the issue of the Construction Certificate.**
- (c) The Landscaping for the remaining 3 allotments must remain as per the *Landscape Plan* prepared by Sue Barnsley Design dated October 2019. The building footprint for the Charles Rasp Library Building, Town Hall and carpark may be updated to reflect the architectural modifications approved as part of this consent (DA MOD 6/2020).

Reason: *To ensure that the open space provided achieves the requirements under the Broken Hill Local Environmental Plan 2013 and Development Control Plan 2016.*

- *The approved Stormwater Concept Plan prepared by JHA Consulting Engineers, dated September 2019* must be updated to reflect the architectural building changes and carpark layout configuration changes

approved as part of this Modification (DA MOD 6/2020).

Reason: To ensure that the Stormwater Solution relates to all four (4) allotments which form part of the legal consent for DA6/2020 as amended.

- **A waste storage area must be provided internally within the library building. Details to be illustrated on the architectural plans lodged with the application for the Construction Certificate.**

3. The following new conditions to be added Prior to the issue of the Occupation Certificate:

- (a) Security measures to prevent unauthorised access from the plant area (open to the sky) into the doorway which leads into the Archive Storage Room must be explored to ensure the protection of staff and visitors to the library. Appropriate security measures are to be implemented prior to the issue of any Occupation Certificate for the Library Building.

Reason: To prevent crime through environmental design.

- (b) The recommendations of the Access Review Report for *Accessible Paths of Travel & Facilities* prepared by Funktion, dated August 2022 must be complied with prior to the issue of any Final Occupation Certificate for the Library building.

Reason: To ensure compliance with the BCA and ensure access is provided for persons with a disability.

4. Amend Condition 18 relating to the payment of the Section 7.12 Developer Contributions to read as follows:

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

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

Contribution Type	Proposed Cost of Development	Levy %	Total Contribution	Contribution Rate remains current until
Section 7.12 Contribution	\$20,300,000.00	1%	\$203,000	Next CPI Quarterly Adjustment”

5. Deletion of Condition 33 requiring site consolidation:

“Prior to the issue of an Occupation Certificate, evidence of the registration of a Plan of a Subdivision with Land and Property Information Services shall be provided to Broken Hill City Council. The required Plan of Subdivisions shall consolidate Lots 51 and 52 DP 1014146, Lots 3 and 7 DP 759092 so as to create one consolidated allotment for the Community Facility. Alternatively, the required Plan of Subdivision can involve consolidation to create two lots to accommodate the Community Facility and Police Residence. All lots must comply with the minimum lot size provisions of Broken Hill Local Environmental Plan 2013 and ensure compliance under the Building Code of Australia”.

6. Amendment to Condition 32 to delete the reference to the need for a Subdivision Certificate as Site Consolidation is no longer part of the scope of this application. The condition is to be reworded as follows:

Prior to the occupation of the Community Facility an Occupation Certificate must be obtained from the Principal Certifying Authority for the development.

7. All other conditions are to remain unchanged from the original consent.