

DEVELOPMENT ASSESSMENT REPORT – DA256/20 - REPLACEMENT FAÇADE AND AWNING 157 MAIN STREET, LITHGOW (LOT A and B DP 344745)

1. PROPOSAL

Council is in receipt of a Development Application DA256/20 that seeks consent for the construction and installation of a replacement façade and awning at the Lithgow Public Library at 157 Main Street, Lithgow (Lot A and B DP 344745).

The original façade and street awning was removed in 2019 due to structural failures that required urgent demolition and temporary restoration of the façade pending a more permanent structural replacement. The current proposal seeks to replace and upgrade the façade and reinstate the footpath awning for the premises.

The development specifically involves:

- Reconstruction of the eastern end of the façade with a brick veneer wall,
- Retention of existing entry doors and western end windows,
- Replacement of fibre cement cladding with CorTen (rusty steel) cladding,
- Provision of a new CorTen parapet above the awning on the western end library, and
- New signage and lighting.

The current library façade (following previous demolition and temporary works) is illustrated in the image below:



2. SUMMARY

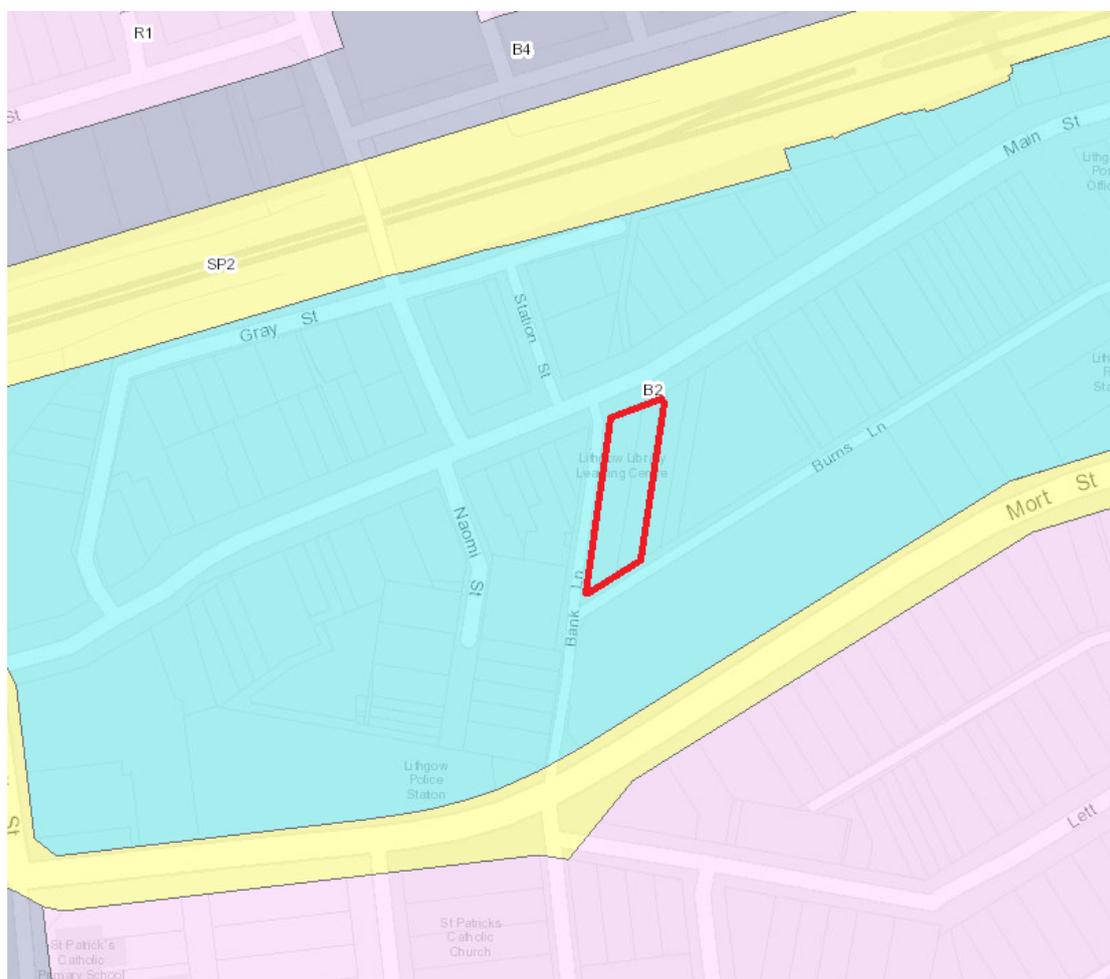
To recommend determination of DA256/20 by way of approval subject to conditions.

3. LOCATION OF THE PROPOSAL

Legal Description: Lot A and B DP 344745
Property Address: 157 Main Street LITHGOW NSW 2790

4. ZONING

The land is zoned B2 Local Centre in accordance with the *Lithgow Local Environmental Plan 2014* (LEP). An extract of the LEP zoning map is provided below:



5. PERMISSIBILITY

The proposal involves the alterations and additions to an established use (public library) which is defined as an *information and education facility* under the LEP provisions (see below). The use is permitted with consent on land zoned B2.

Definition

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

5.1 POLICY IMPLICATIONS (OTHER THAN DCPs)

Council's Policy 5.1 Building Over Easements

1. That no building or structure of any type be permitted to be constructed over water, sewer or drainage easements without the express written consent of the party benefited by the easement .

2. That where existing buildings or structures are found to be located within a water, sewer or drainage easement where Council is the party benefited by the easement, the property owner may be requested to remove the building or structure if and when Council needs to access the infrastructure.

Main Street contains various underground utilities and the application has been referred to Council's Water and Wastewater Officer for review and comment in this regard. No objection to the development subject to conditions of consent in relation to excavation works in proximity to Council's Water Main.

Policy 7.6 Development Applications by Councillors and Staff or on Council Owned Land

This policy requires Development Applications on Council land to be referred to the elected Council for consideration and determination and that no aspect of the development is dealt with under delegated authority. The subject land is owned by Council as operational land under the provisions of the *Local Government Act 1993*. The proposal relates to a premises on Council owned land (the Lithgow library) and over the public footway of Main Street.

Lithgow Community Participation Plan

The Lithgow Community Participation Plan applies to all land within the Lithgow Local Government Area and allows for the following types of development as exempt from requiring notification:

2.0 APPLICATIONS FOR WHICH NOTIFICATION WILL NOT BE GIVEN

- Commercial or industrial development comprising non-structural alterations to an existing building (With the exception of Restricted Premises and Sex Services Premises).
- Advertising signage.
- Any other development of a minor nature that, in the opinion of the assessing officer, does not have the potential to create a negative impact on the amenity of the neighbourhood by way of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise.

The development is to modify the façade of the existing Lithgow library and include an awning similar to surrounding buildings in the streetscape (and similar to the previously demolished structure). The development is not expected to impact unreasonably on surrounding buildings or properties. Based on this and the exemptions provided above, no adjoining or adjacent landowners have been notified of the proposal as part of this process.

5.2 FINANCIAL IMPLICATIONS

Section 94A (Section 7.12) Development Contributions Plan 2015

Council's Section 94A (Section 7.12) Development Contributions Plan 2015 does not apply to this development given it is for a development by or on behalf of Lithgow City Council.

5.3 LEGAL IMPLICATIONS

Environmental Planning and Assessment Act 1979

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

5.3.1 Any Environmental Planning Instruments

Lithgow Local Environmental Plan 2014

LEP 2014 – Compliance Check		
Clause		Compliance
Land Use table	B2 Local Centre	Yes
5.10	Heritage conservation	Yes
7.3	Stormwater management	Yes

Comment: The development satisfies the objectives of the B2 Local Centre zone. The objectives are:

1 Objectives of zone

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To maintain the built integrity of the area by enabling development that is sympathetic to the heritage character and significance of the area and surrounding streetscapes and features.*
- *To maintain or improve the water quality of receiving water catchments.*

The development application seeks consent for structural works only and no changes to the existing, established use of the land as a public library are proposed. In this regard, the proposal is consistent with the objectives of the B2 Local Centre zone.

The new façade and awning will maintain the built integrity of the area, as the development is designed to complement the heritage significance of the streetscape.

Clause 5.10 Heritage Conservation

The land is within the Main Street Heritage Conservation area as identified in the LEP. This heritage conservation area is based on the Main Street Study undertaken by Travis Partners Pty Ltd in November 1990. The Main Street Study identifies the library building as non-contributory to the heritage significance of the area. The proposed alterations will achieve a better designed built form that is more complementary to the existing heritage characteristics of Main Street and is considered generally consistent

with the provisions of clause 5.10. The heritage aspects of the development are addressed in more detail later in this report.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The development will take place within the Sydney Drinking Water Catchment and is required to achieve a neutral or beneficial effect on water quality in accordance with the provisions of this SEPP. An assessment using the Water NSW NorBE tool has been undertaken with a satisfactory outcome achieved as detailed below.

NorBE Assessment

General Information

DA number **DA256/20**
 Assessing officer **Lauren Stevens**
 Council **Lithgow City**
 Development class **Retail/Office- Sewered**
 Date of assessment **01/02/2021**

Lot	Section	Plan
A & B		DP344745

Assessment Summary

NorBE status **Determined**
 System outcome **Satisfied** User outcome **Satisfied**
 SCA concurrence outcome
 Determination outcome **Granted** Determination date **01/02/2021**

Pre-Assessment

Located within Sydney drinking water catchment? **Yes**
 Is development consistent with any existing SCA S88 instruments on title? **N/A**
 Crown perpetual leasehold land? **No**
 Water quality impact ? **No**
 Concentration of flow of water? **No**
 Flow of water impeded? **No**
 Discharge of pollutants? **No**
 Any other matter? **Yes**
 Documentation is complete? **Yes**
 Does Water Cycle Management Study meet SCA/Council requirements? **Yes**

Module 1

Development risks

Impervious area (m2) **100**
 Construction area (m2) **90**
 Adequate SSSQM certificate provided? **N/A**

Area to be disturbed

Development site slope > 20% **No**
 Development site within 1% AEP flood level flood prone land? **No**
 Other site constraints? **No**

State Environmental Planning Policy No 55—Remediation of Land

Consideration of contamination and its effects on the development have been considered under the provisions of this SEPP. Minimal ground disturbance will result from the proposal. The property has not previously or is currently being used by any activities as specified under Table 1 of the contaminated land planning guidelines.

5.3.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

Nil.

5.3.3 Any Development Control Plan

Nil.

5.3.4 Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?

No.

5.3.5 Any matters prescribed by the regulations that apply to the land

No.

5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Adjoining Landuse: The surrounding landuses are for a mixture of business type uses. A one way laneway directly adjoins the property to the east, with a real estate agent office beyond. A dental surgery is located to the west of the library. Banks, offices and other commercial premises are located adjacent to the library.

The development is generally compatible with surrounding landuses and will have no unreasonable impacts are expected.

Services: No additional or augmented infrastructure services are required. The plans show the awning posts to be located in proximity of existing water, sewer and electricity services. An assessment has been undertaken by Council's Water and Sewer officers who have raised no objection to the proposal subject to conditions on the consent. The proposal has also been referred to Endeavour Energy in relation to electrical infrastructure with no objections raised.

Context and Setting: The proposed development will be located within an established business area and is considered appropriate having regard for the context and setting of the area. The development has been designed to complement existing features of similar development in the area.

Access: Existing access arrangements will be retained and will not be affected by the proposal.

Heritage: The property is located within the Main Street Heritage Conservation Area under the provisions of the Lithgow LEP. The Main Street Study undertaken by Travis Partners Pty Ltd in November 1990 identifies the building as a non-contributory to the heritage significance of the area.

The heritage study identifies the library building at 157 Main Street as a part of a group of undistinguished single storey shops, mostly finished with featureless straight edged (or gabled), parapets of varying heights in painted rendered or face brickwork.

The building has been occupied by the Lithgow public library since 2003 when it was approved for a change of use with development consent (file reference DA/CC 210/03). This approval authorised changes to the external building including signage and internal alterations.

The proposal in DA 256/20 seeks consent for a replacement façade and awning for the premises which will replace the structure previously demolished due to structural failure. The proposed works will utilise materials that are in keeping with the industrial nature of Lithgow's heritage. The existing entry doors and western street facing windows will be retained and the fibre-cement cladding removed and replaced with CorTen material and with brick veneer being used to rebuild the side of the façade. The Library parapet and signage has been redesigned to match the similar existing signage within the streetscape. The awning will be reinstated with supporting posts to match the recent upgrades in Main Street.

The proposed design is intended to enhance the existing structures by adding additional utility and will enable the continued use of the building. The development has been designed with natural and intrusive elements as well as contributing to the streetscape.

The existing library and adjoining properties showing awnings are shown in the image below:



Social and Economic Impact: The proposal will result in positive social and economic impacts. Improved public infrastructure that contributes to the streetscape is expected to have a positive social impact through the provision of an upgraded and enhanced public realm. Positive flow-on economic effects are also expected as a result of a renewed and upgrade built form in the city's central business district.

Noise and Vibration: No unreasonable impacts are expected.

Some minor noise impacts are likely during construction works. These will occur during daylight hours and will be regulated via consent conditions.

Other Land Resources: The property is located within the Lithgow Mine Subsidence District and is subject to Subsidence Advisory NSW's Guideline 8 restrictions, being:

***Guideline 8** is applied to properties within mine subsidence districts assessed by SA NSW as not being at risk from subsidence, including properties that are not undermined and where future mining is not likely.*

Under the above, development is not required to be referred to Subsidence Advisory.

5.3.7 The Suitability of the site for the development

The site is considered suitable for the development based on the reasons outlined in this report. The development will have no impact to the amenity of the surrounds, is consistent with the objectives of the zone and will enhance the visual character of Main Street.

5.3.8 Any submissions made in accordance with this Act or the Regulations

The proposal was referred to Endeavour Energy for consideration (in relation to electricity infrastructure) as well as Council's Building Officer, Water & Wastewater Officer and Engineering Officer. Their responses are summarised below.

ENDEAVOUR ENERGY

No objection to the application subject to recommended conditions of consent as provided in their written response dated 18 November 2020.

COUNCIL'S BUILDING OFFICER

No objection is raised subject to recommended conditions of consent. The development application has been lodged concurrently with an application for a construction certificate. This has required the proposal to be assessed against the Building Code of Australia for compliance and included:

- Clause 94 of the *Environmental Planning and Assessment Regulation 2000* requirements relating to fire safety compliance, and
- Compliance with building fitout under the previously granted approval in DA/CC 611/03.

COUNCIL'S WATER AND WASTEWATER OFFICER

No objection is raised subject to consent conditions. Consideration has been given to the location of water mains within the Main Street footway in proximity to the proposed awning structural supports.

COUNCIL'S ENGINEERS

No objection raised subject to recommended consent conditions relating to traffic control during construction works and adequate provision of insurances and safety measures for works on and over the public footway.

5.3.9 The public interest

The public interest is best served by the orderly and economic use of land for permissible uses and that does not impact unreasonably on the use and development of surrounding land.

The development will be upgraded to improve the amenity and safety of the building for the community and hence it is in the public interest.

6. DISCUSSION AND CONCLUSIONS

As outlined in this report, the proposal will generally comply with the relevant provisions of all applicable environmental planning instruments. The proposal is unlikely to result in any unreasonable impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

7. ATTACHMENTS

Schedule A- Conditions of consent.

8. RECOMMENDATION

THAT development application DA 256/20 is approved subject to conditions set out in Schedule A.

Report prepared by:

Supervisor:

Signed:.....

Signed:.....

Dated:.....

Dated:.....

REASONS FOR CONDITIONS

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure there is no unacceptable impact on the water quality.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

Schedule A

Conditions of Consent (Consent Authority)

Please Note: It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

GENERAL REQUIREMENTS

1. **Approved plans and documentation**

The development is to be undertaken in accordance with the approved plans and documentation containing Council's approved development stamp as identified in the table below and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.

TITLE	DATE	PREPARED BY
Statement of Environmental Effects	Nov 2020	Six B Design
Heritage Impact Statement	6 Oct 2020	Niche Environment & Heritage
Plans and Architectural Drawings (Drawing Nos. 010620-DA01-D, 010620-DA02-D010620-DA03- D010620-DA04-D010620-DA05- D010620-DA06-D)	Nov 2020	Six B Design
Specialist Lighting Concepts, Revision B	Oct 2020	JHA

2. **Building Regulations**

Any building work undertaken in under this consent must be carried out in accordance with the requirements of the Building Code of Australia.

CONDITIONS APPLYING BEFORE WORKS COMMENCE

3. **Regulatory Compliance**

As the Principal Certifying Authority (PCA) for the development, Council is to be notified at least two days prior of the intention to commence building works in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.

4. **Signage**

A sign must be erected in a prominent position on the site on which building work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifier for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

5. **Protection of adjoining areas**

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

Note. Clauses 2.67 and 2.68 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specify which scaffolding, hoardings and temporary construction site fences are exempt development and state the applicable standards for that development.

6. **Toilet facilities**

- (1) Toilet facilities must be available or provided at the work site before works begin, and must be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
- (2) Each toilet must:
 - (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - (c) be a temporary chemical closet approved under the Local Government Act 1993.

7. **Waste management**

- (1) A waste management plan for the work must be prepared before work commences on the site.
- (2) The waste management plan must:
 - (a) identify all waste (including excavation, demolition and construction waste material) that will be generated by the work on the site, and
 - (b) identify the quantity of waste material, in tonnes and cubic metres, to be:
 - (i) reused on-site, and
 - (ii) recycled on-site and off-site, and
 - (iii) disposed of off-site,
 - (c) if waste material is to be reused or recycled on-site—specify how the waste material will be reused or recycled on-site, and
 - (d) if waste material is to be disposed of or recycled off-site—specify the contractor who will be transporting the material and the waste facility or recycling outlet to which the material will be taken.
- (3) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (4) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

8. **Adjoining wall dilapidation report**

- (1) Before commencing any demolition or excavation works, the person having the benefit of the development consent must obtain a dilapidation report on any part of a building that is within 2m of the works.
- (2) If the person preparing the report is denied access to the building for the purpose of an inspection, the report may be prepared from an external inspection.

9. **Run-off and erosion controls**

To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:

- (a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
- (b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

10. **Endeavour Energy Requirements**

(1) **Earthing**

The construction of any building or structure whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations'. This Standard sets out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth. It applies to all electrical installations including temporary builder's supply/connections.

(2) **Dial Before You Dig**

Before commencing any underground activity the applicant is required to obtain advice from the ***Dial Before You Dig 1100*** service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

(3) **Demolition**

Demolition work is to be carried out in accordance with Australian Standard AS 2601—2001: 'The demolition of structures'. All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ie. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. streetlight columns, power poles, overhead power lines and underground cables etc.

(4) **Public Safety**

Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy's public safety training resources, were developed to help general public/workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

(5) **Emergency Contact**

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7

days. Endeavour Energy's contact details should be included in any relevant risk and safety management plan.

11. Engineering Requirements

- (1) The Applicant is to ensure that Contract Works Insurance is kept current for the duration of the development, and must also ensure that all Contractors and Subcontractors working within Council road reserves possess and maintain adequate Public Liability Insurance (\$20 million), with copies to be provided to Council prior to commencement of any works. Any potential claims that result from negligent actions performed by Contractors/Subcontractors engaged by the Applicant within Council road reserves will be borne by the Applicant and not Lithgow City Council.
- (2) Prior to commencement of any works associated with the development, a Traffic Control Plan, including details for work zones, loading zones and pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Maritime Services' publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Maritime Services Traffic Controller.
- (3) Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.
- (4) Prior to works commencing and during the construction works, all measures shall be taken to eliminate/suppress any dust nuisance emanating from the site.

CONDITIONS APPLYING DURING THE WORKS

Note. The Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Noise Control) Regulation 2008 contain provisions relating to noise.

12. Standard hours for construction

- (1) Construction may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday.

13. Works outside standard hours for construction

- (1) Work may be carried out outside the standard hours for construction if the work only generates noise that is:
 - (a) no louder than 5 dB(A) above the rating background level at any adjoining residence in accordance with the Interim Construction Noise Guideline (ISBN 978 1 74232 217 9) published by the Department of Environment and Climate Change NSW in July 2009, and
 - (b) no louder than the noise management levels specified in Table 3 of that guideline at other sensitive receivers.
- (2) Work may be carried out outside the standard hours for construction:
 - (a) for the delivery of materials—if prior approval has been obtained from the NSW Police Force or any other relevant public authority, or
 - (1) (b) in an emergency, to avoid the loss of lives or property or to prevent environmental harm.

14. Compliance with plans

- (a) Works must be carried out in accordance with the plans and specifications to which the development consent relates.

- (b) A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.

15. **Demolition**

Any demolition must be carried out in accordance with AS 2601—2001, The demolition of structures.

16. **Maintenance of site**

- (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) Copies of receipts stating the following must be given to the principal certifying authority:
 - (a) the place to which waste materials were transported,
 - (b) the name of the contractor transporting the materials,
 - (c) the quantity of materials transported off-site and recycled or disposed of.
- (4) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- (5) During construction—
 - (a) all vehicles entering or leaving the site must have their loads covered, and
 - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- (6) At the completion of the works, the work site must be left clear of waste and debris.
- (7) Measures shall be implemented to minimize wind erosion and dust nuisance in accordance with the requirements of the manual – “Soils and Construction” (2004) (Bluebook).

17. **Drainage connections**

- (1) Stormwater drains are to be connected to the street/lane gutter to the satisfaction of Council.
- (2) Any approval that is required for connection to the drainage system under the *Local Government Act 1993* must be held before the connection is carried out.
- (3) All plumbing and drainage work is to be carried out by a licensed plumber and drainer and inspected by Council officers.
- (4) Any existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council.

18. **When a survey certificate is required**

- (1) The following survey reports (prepared by a practising registered Surveyor) are to be submitted to the Principal Certifying Authority to accurately demonstrate that there is no encroachment over the allotment boundaries, works are carried out in accordance with approved Construction Certificate drawings and to demonstrate that the structure has been erected clear of any easement affecting the land:
 - (a) A Set-out survey showing the location of slab/footing formwork is to be submitted (prior to pouring of concrete);

- (2) The survey certificate must be prepared by a registered land surveyor and show the location of the work relative to the boundaries of the site.

19. **Fire Safety Upgrading Requirements**

Pursuant to Clause 94 of the *Environmental Planning and Assessment Regulation 2000* and prior to issue of an Occupation Certificate, the following fire safety upgrading works are required to be carried out throughout the building:

- (a) Remove the existing illuminated exit sign located over the external exit door serving the 'Multi-purpose/Meeting room' located at first floor level.
- (b) Remove the existing illuminated exit sign located over the internal door between the 'Staff Tea-room Hallway' and 'Multi-purpose/Meeting Room' located at first floor level.
- (c) Illuminated exit signage, complying with Clause E4.8 of BCA2019 Vol. 1, is to be installed:
 - i) Over the door leading from the 'Multi-purpose/Meeting Room' into the 'Lift Lobby' located at first floor level;
 - ii) Over the door leading from the 'Staff Tea-room' into the 'Lift Lobby' located at first floor level.
- (d) A latch, complying with Clause D2.21 of BCA2019 Vol.1, is to be installed to serve the existing internal door providing egress from the 'Multi-purpose/Meeting room' into the 'Lift Lobby' located at first floor level.
- (e) The existing gate located within the 'Future Courtyard' at first floor level is to be fitted with a hold open device.
- (f) The existing exit door from the 'Receipt & Dispatch' area is to be re-swung in the direction of egress.

20. **Water and Wastewater Requirements**

- (1) No construction is permissible within the easement. You are to be aware that Council's Building Over Easements Policy, Policy No 5.2, states, "*that where existing buildings or structures are found to be located within a water, sewer or drainage easement, the property owner be requested to remove the building or structure if and when Council needs access to the infrastructure*".
- (2) Prior to any excavation works being undertaken the contractor is to contact Councils Water and Sewer Reticulation Supervisor and request a location and depth of the water main that will be in close proximity of the development construction.
- (3) The excavation of piers is to be undertaken by vacuum methods and or by hand digging. No mechanical implements are to be used.
- (4) Prior to any concrete footing being poured, the contractor is to contact Councils Water and Wastewater Officer for an inspection.
- (5) The awning foundations are to be designed so as no loads are transmitted to the Councils water main and approved by Councils officers.
- (6) Where it is necessary to access an underground pipe line for maintenance or repair work Council will not be held liable for the cost of restoring any structure.

CONDITIONS APPLYING BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

21. **Regulations**

- (1) Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

- (2) Upon completion of the building and prior to issue of an Occupation Certificate, those essential fire safety measures listed in the attached Fire Safety Schedule must be certified by a competent person, engaged by the owner. Certification is to be submitted to Council stating that the essential fire and other safety measures have been installed and comply with the relevant standard.

22. Fire Safety

- (1) Once the building is occupied, an Annual Fire Safety Statement must be submitted to Council and the NSW Fire Brigades, PO Box A249, SYDNEY SOUTH NSW 2001, and a copy retained on site certifying that:
- i) The essential fire and other safety measures have been maintained and serviced at regular intervals in accordance with the appropriate maintenance specified in the attached schedule and are still operable; and
 - ii) That the path of travel is clear of anything which would impede free passage of any person at any time.
- (2) Prior to the issue of an Occupation Certificate, the following existing essential fire safety measures are required to be inspected, upgraded (where required) and their performance verified by a Competent Fire Safety Practitioner in accordance with the nominated installation/performance standards listed below:

Essential Fire Safety Measure	Installation/Performance Standards
Smoke Detection and Building Occupant Warning System	Clause E2.2 & Specification E2.2a of BCA2004 & AS1670.1:2004
Emergency Lighting System	Clauses E4.2 & E4.4 of BCA2004, & AS2293.1:1998
Illuminated Exit Signage	Clause E4.5, E4.6 & E4.8 of BCA2019, & AS2293.1:2018
Fire Hose Reels	Clause E1.4 of BCA2004 & AS2441:1998
Automatic Shutdown of Air Handling System	Clause E2.2 & NSW Table E2.2b of BCA2004 & AS1668.1:1998
Portable Fire Extinguishers	Clause E1.6 of BCA2004 & AS2444:2001
Lightweight Construction	Clause C1.8 and Specification C1.8 of BCA2004 & Manufactures Specification
Warning and Operational Signage	Clause E3.3 of BCA2004

23. Lighting

- (1) All new external lighting must:
- (a) comply with AS 4282–1997 Control of the obtrusive effects of outdoor lighting, and
 - (b) be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.

- (2) Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set:2010 Lighting for roads and public spaces Set.

24. **Consolidation of Lots**

Prior to the issue of an Occupation Certificate, Lots A and B in DP 344745 are to be consolidated into a single lot. Sufficient documentary evidence is to be provided to the satisfaction of the PCA demonstrating that arrangements have been made for the registration of a plan of consolidation of the lots with the NSW Land Registry prior to the issue of an Occupation Certificate.

ADVISORY NOTES

- AN1. That the building is to be protected from the attack of subterranean termites by employing construction methods conforming with Australian Standard 3660.1. A durable notice must be permanently fixed to the building in a prominent location (such as the meter box) indicating:
- (i) the method of protection and
 - (ii) the date of installation of the system and
 - (iii) the installer's or manufacturers recommendations for the scope and frequency of future inspections for termite activity.

- AN2. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes/pad footings before filling with concrete.
- b) Trenches complete with reinforcing and prior to filling with concrete.
- c) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
- d) Framing when external wall and roof cladding is in place and prior to internal linings.
- e) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- f) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

- AN3. Glazing to be installed in accordance with Part B1 Vol.1 NCC2016. Certification for the design and installation of all glazed elements is to be submitted to Council prior to issue of an Occupation Certificate.
- AN4. Certification prepared by a Practising Structural Engineer is to be submitted to Council on completion of all works, to verify that construction has been carried out in accordance with the approved structural drawings and is structurally adequate.