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Gloucester 102 Holdings Pty Ltd
PO BOX 1050
UNANDERRA NSW 2526

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Issued under Section 81 of the Environmental Planning and Assessment Act 1979

The development application described below has been determined:

Description	Construction of refractory development and boundary realignment
Location	Lot 101 DP 839149, Lot 102 DP 839149, Lot 103 DP 839149 44-46 Gloucester Boulevard, PORT KEMBLA NSW 2505, 40-42 Gloucester Boulevard, PORT KEMBLA NSW 2505, 36-38 Gloucester Boulevard, PORT KEMBLA NSW 2505

Consent has been granted subject to the following conditions:

Approved Plans and Specifications

- The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

Plans and Specifications	<ul style="list-style-type: none"> -Statement of environmental effects - dated 21 December 2010 - TCG Planning -Survey plan and site analysis plan - number 24600-DA01-B - dated 15 April 2011 - Anthony Joseph - Site plan - number 24600-DA02-B - dated 15 April 2011 - Anthony Joseph -Floor layout plan - number 24600-DA03-A - dated 10 December 2010 - Anthony Joseph -Roof layout plan - number 24600-DA04-A - dated 10 December 2010 - Anthony Joseph -Elevation plan - number 24600-DA05-A - dated 10 December 2010 - Anthony Joseph -West elevation plan and section A-A plan - number 24600-DA06-A - dated 10 December 2010 - Anthony Joseph -Landscape concept plan - number L-16-10 - sheet 1 of 2 - dated April 2011 - Myriam Rooney Designs -Landscape concept plan - number L-16-10 - sheet 2 of 2 - dated April 2011 - Myriam Rooney Designs -Schematic stormwater layout plan - number 10100-C2-A - sheet 2 of 4 - dated 11 April 2011 - Sherson Lautier Consultancy Pty Ltd -Site catchment plan - number 10100-C3 - sheet 4 of 4 - dated 20 July 2010 - Sherson Lautier Consultancy Pty Ltd -Easement location plan - number 10100-E1 - dated 20 December 2010 - Sherson Lautier Consultancy Pty Ltd -Traffic and parking impact report - number A1012239N-1b - dated August 2010 - ML Traffic Engineers
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-Water quality and water re-use assessment report - number 660-10047.00000-WQ-1 - dated 17 December 2010 - SLR Heggies
-Preliminary hazard analysis report - dated 7 December 2010 - Whamcorp Pty Ltd
-Air quality assessment report - number 2010-100-2 - dated 15 December 2010 - Envirodyne Group Pty Ltd
-Odour emissions assessment report - number 2010-100-1 - dated 3 May 2011 - Envirodyne Group Pty Ltd
-Waste study report - number 2591464 - dated 10 December 2010 - Beca
-Flora and fauna assessment report - dated 8 December 2010 - Lesryk Environmental Consultants
-Access review report - revision 2 - dated 21 December 2010 - MGAC
-Preliminary site assessment report - number 660.10047.R1-1 - dated 10 December 2010 - SLR Heggies
-Noise impact assessment report - number 11098-A - dated May 2011 - Acoustics and Air

General Matters

2 **Noise monitoring**

No later than three months following the commencement of operations the proponent must submit a report of a noise monitoring program to confirm the findings of the Noise Impact Assessment. The assessment must be prepared by a suitably qualified and experienced person and undertaken in accordance with the NSW Industrial Noise Policy.

If the noise monitoring identifies any non-compliance with the noise predictions identified in the Noise Impact Assessment, the proponent must detail what additional measures will be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured.

3 **Building Work - Compliance with the Building Code of Australia**

All building work must be carried out in compliance with the provisions of the Building Code of Australia.

4 **Construction Certificate**

A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The submission to Council of two (2) copies of all stamped Construction Certificate plans and supporting documentation is required within **two (2)** days from the date of issue of the Construction Certificate, in the event that the Construction Certificate is not issued by Council.

5 **Occupation Certificate**

A final Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Prior to the Issue of the Construction Certificate

6 **Encroaching Pipes**

A minimum one (1) metre wide easement to drain water shall be created over any encroaching drainage pipes servicing up-slope properties. Evidence that the easements have been created must be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

- 7 **Redundant Easements**
Evidence that redundant easements benefiting upslope properties have been extinguished must be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.
- 8 **Stormwater runoff**
Stormwater runoff prior to discharge into the Street drain or any receiving water way must be treated to remove particulates, organic litter. pH of discharged water must range between 6.5 to 9 and suspended solid must be below 30 mg/L.
- 9 **Bunded material**
Containment of flammable, combustible, LPG, corrosive substances, toxic substances and the like must meet Australian Standards in relation to bunding design and site containment.
- 10 **Resin storage**
A HAZOP study of the Hexicon Cascophen AB403 resin storage and handling system design should be conducted prior to construction/installation of that system and presented to Council for review.
- 11 The car parking areas and internal access roads shall be separated from the landscaped bays by means of a kerb or concrete dwarf wall. All kerbs required to act as wheel stops shall have a maximum height of 100 mm above ground. These details shall be reflected on the Construction Certificate plans.
- 12 **Landscaping**
The submission of a final Landscape Plan in accordance with the requirements of Wollongong City Council Landscape DCP 2009 Chapter E6 Landscape and in accordance with the approved Landscape Plan (ie as part of this consent) for the approval by the Principal Certifying Authority, prior to the release of the Construction Certificate.
- 13 The provision of common tap(s) and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be indicated on the Landscape Plan for the Construction Certificate, as detailed in the Wollongong City Council Landscape Technical Policy No 98/4. This requirement shall be reflected on the Landscape Plan prior to the release of the Construction Certificate.
- 14 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 15 The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifying Authority prior to release of the Construction Certificate.
- 16 **Hazard analysis**
The detail of the Preliminary Hazard Analysis Report (Whamcorp Pty Ltd dated 7 December 2010), shall be reviewed against the final design and any new requirements documented. Where significant changes have been made, a final hazard analysis shall be conducted.
- 17 **Environmental Safeguards**
Prior to construction of the building, the final design of the building, including bunded areas, tanker bays, and fire resistance levels adjacent to the combustible liquid tanks, should be checked by a suitably qualified person to confirm compliance with the relevant safeguards as identified in Section 3.2.1 to 3.2.3 of the Preliminary Hazard Analysis Report dated 7 December 2010 prepared by Whamcorp Pty Ltd.
- 18 **Gross pollutant traps**
Two Gross Pollutant Traps (GPTs) are to be provided onsite to provide water quality treatment. The GPT locations are to be positioned to ensure the maximum volume of surface water runoff generated from the site is treated prior to offsite discharge. Surface water runoff generated from hardstanding areas is routed to one of two GPTs for treatment prior to offsite disposal to Metal

Manufactures beach and a stone lined watercourse, ultimately discharging to the Pacific Ocean. Roof runoff is deemed suitable for direct offsite disposal. This requirement is to be reflected on the Construction Certificate.

19 **Rainwater harvesting**

In order to provide re-use of water for the project, a rainwater harvesting system is to be provided to collect and harness roof runoff for wash-down water. This requirement is to be reflected on the Construction Certificate.

20 **Tap Hole Clay Vibrator**

For the purpose of noise attenuation and in accordance with the Noise Impact Assessment Report (Wilkinson Murry, May 2011), the metal bin containment for the Tap Hole Clay vibrator shall be replaced by a suitable bag alternative.

21 **Waste classification**

Prior to the issue of the Construction Certificate, the developer must provide Council with a copy of Waste Classification for all waste received at the premises in accordance with Office of Environment and Heritage Guidelines.

22 **Redundant Crossings**

Any existing vehicular crossings rendered unnecessary by this development must be removed and the footpath and normal kerbing and guttering must be restored. This shall include the removal of the existing eastern driveway on Darcy Road resulting in one vehicular access point on Darcy Road and three vehicular access points on Gloucester Boulevard servicing the development. This requirement shall be reflected on the Construction Certificate plans. This work shall be carried out by a Council recognised concrete contractor at the developer's expense.

23 **Street frontage landscaping**

Landscaping shall be continued along the street frontage on Darcy Road following removal of the eastern driveway.

24 **Designated Pedestrian Paths**

The development shall make provision for designated pedestrian paths and crossing locations within the car parking and internal circulation areas. These paths shall extend along the southern and western sides of the building to minimise pedestrian conflict with heavy vehicle movements. This requirement shall be reflected on the Construction Certificate plans.

25 **Green and Golden Bell Frog (GGBF)**

Prior to the commencement of construction the developer must prepare and implement a GGBF Management Plan for the site.

The Plan must:

- a) be prepared in consultation with Office of Environment and Heritage by a suitably qualified person
- b,) be prepared in accordance with the Draft Recovery Plan: GGBF Recovery Plan (DECCW 2005) and the Best Practice Guidelines: GGBF Habitat (DECCW 2008)
- c) address the recommendations provided in Lesrk Environmental Consultants Reports dated 8 December 2010 and 18 April 2011; and
- d) aim to manage GGBF and its habitat across the site.

The Plan must also include but not necessarily be limited to the following information:

- i. measures to manage GGBF encountered on site during construction and operation where there is risk to animal welfare
- ii. identification of threats and priority of actions to address threats
- iii. identification of mechanisms where possible to secure the habitat
- iv. monitoring and reporting program
- v. GGBF awareness program with employees and contractors.

26 **Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice of Requirements must be submitted to the Principal Certifying Authority prior to issue of the construction certificate.

27 **Integral Energy Requirements**

The submission of documentary evidence from Integral Energy to the Principal Certifying Authority is required confirming that satisfactory arrangements have been made with Integral Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.

Note: Applications should be made to Customer Connections – South Coast, Integral Energy PO Box 6366, Blacktown 2148.

28 **Telecommunications**

The submission of documentary evidence from an approved telecommunications carrier to the Principal Certifying Authority confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.

29 **Disabled Access and Facilities**

The provision of disabled access throughout the development is required and shall be in compliance with the Building Code of Australia Part D3 "Access for People with Disabilities" and Australian Standard AS1428.1 (2001) - Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.

30 The disabled access ramp(s) shall comply with Australian Standard AS1428.1 (2001) – Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.

31 **Car Parking and Access**

The development shall make provision for a total of 102 car parking spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in car parking from the 102 spaces shown in the approved DA plans shall be dealt with via a section 96 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

32 The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1 (2004) for areas exclusively for the use of cars and Australian Standard AS2890.2 (2002) where truck movements occur, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

33 Each disabled person's parking space must comply with AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

34 The main entry point to the building shall be in accordance with Australian Standard 1428.1 - 2001 Design for Access and Mobility - Part 1 General Requirements for Access - Buildings. The proposed pedestrian ramps within the car parking areas shall incorporate gradients (with suitable landing intervals) in accordance with the Australian Standard. The final design of the pedestrian ramps, including ramp gradients shall be reflected on the Construction Certificate plans.

- 35 The designated loading/unloading facility shall be kept clear for that purpose at all times. The designated loading/unloading facility shall be shown on the Construction Certificate plans.
- 36 The provision of suitable barriers, line-marking and painted signage delineating vehicular flow movements within the car parking areas. These details shall be reflected on the Construction Certificate plans.
- 37 The car parking areas and internal access roads shall be separated from the landscaped bays by means of a kerb or concrete dwarf wall. All kerbs required to act as wheel stops shall have a maximum height of 100 mm above ground. These details shall be reflected on the Construction Certificate plans.
- 38 The car parking areas shall incorporate 'low impact' floodlighting to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed floodlighting system shall be reflected on the Construction Certificate plans. The erection of the floodlighting system shall be in accordance with the approved final design.
- 39 The car parking areas shall incorporate 'low impact' floodlighting to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed floodlighting system shall be reflected on the Construction Certificate plans. The erection of the floodlighting system shall be in accordance with the approved final design.
- 40 A minimum 2.2 metre headroom height shall be provided throughout the car parking and manoeuvring area. This requirement shall be reflected on the Construction Certificate plans.
- 41 Gradients of ramps and access driveways shall be provided in accordance with Australian Standard AS2890.1 (1993) - Off Street Car Parking. This requirement shall be reflected on the Construction Certificate plans.

42 **Site Management, Pedestrian and Traffic Management Plan (Where Works are Proposed in a Public Road Reserve)**

The submission of a Site Management, Pedestrian and Traffic Management Plan to the Principal Certifying Authority and Council (in the event that Council is not the Principal Certifying Authority) for approval of both the Principal Certifying Authority and Council is required, prior to the issue of the Construction Certificate. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS1742 - Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.

This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects:

- 42.1 proposed ingress and egress points for vehicles to/from the construction site;
- 42.2 proposed protection of pedestrians, adjacent to the construction site;
- 42.3 proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- 42.4 proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- 42.5 proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- 42.6 proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- 42.7 proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the NSW Roads and Traffic Authority's Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS1742. - "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);

- 42.8 proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an accredited certifier in Civil Engineering; and
- 42.9 proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

The approved plan shall be implemented, prior to the commencement of any works upon the construction site.

Note: Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

43 **Works in Road Reserve**

Prior to the issue of a Construction Certificate, the owner or contractor shall provide evidence to the Council of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to any occupation of and works within Council's road reserve, for the full duration of the proposed works. The policy is to note Council as an interested party.

44 **Prior Approval for Occupation of Council's Footpath/Roadway or Entering and Exiting a Construction Site**

A section 138 Road Occupancy Approval under the Roads Act must be obtained from Council prior to the commencement of any works or road occupation, on the road reserve (NB: road reserve includes road, footpath and nature-strip). Examples of where this is required are:

- carrying out demolition works involving truck movements entering and leaving the site;
- loading or unloading machinery on the road reserve;
- materials or equipment deliveries to and from the site;
- installation of a fence or hoarding on road reserve;
- stand a mobile crane or concrete pump on the public road reserve;
- pump stormwater from the site to Council's stormwater drains;
- store waste containers, skip bins and/or building materials on part of Council's road reserve;
- installation of services to mains such as water, sewer, gas, electricity and stormwater drainage;
- construction of new vehicular crossings or footpaths;
- partial road closures;
- carrying out survey or investigation works on the road reserve;
- any activity which uses part of Council's road/footpath area or proposes an interruption to pedestrian and/or vehicular traffic;

(Note: Council considers the impact of any application and may not approve an application which will require the applicant to reconsider the proposed methodology).

- 45 A change in driveway paving is required at the entrance threshold to clearly show motorists they are crossing a pedestrian area. The developer must construct the paving in accordance with the conditions, technical specifications and levels to be obtained from Council's Manager Works. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.
- 46 Any proposed structures adjacent to the driveway shall comply with the requirements of the latest version of Australian/New Zealand Standard AS/NZ 2890.1 to provide for adequate sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate.
- 47 Any proposed structures adjacent to the driveway shall comply with the requirements of the latest version of Australian/New Zealand Standard AS/NZ 2890.1 to provide for adequate sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate.

- 48 Parking area levels adjacent to overflow paths shall be designed and constructed to limit the 1 in 100 year ARI flood flow velocity and depth to within the vehicle stability limits as required in Section 6.5 “What Requirements are There for Car Parking” in Chapter E13 of Council’s Wollongong DCP 2009. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
- 49 Overflow paths must be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land with adequate freeboard to design floor levels. Blocked pipe situations with 1 in 100 year ARI events must be incorporated in the design. Overflow paths must also be provided in low points and depressions. These requirements shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
- 50 Provision shall be made along the boundary of the property at the vehicular crossing/s to prevent waste and surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.
- 51 The depth and location of all services (ie gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
- 52 The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
- 53 The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.
- 54 **Dust Suppression Measures – Stockpile Management**
The preparation of suitable proposed dust suppression measures for stockpile management that will be implemented at times when weather conditions are conducive to dust generation impacts. The proposed dust suppression measures are required to be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate.
- 55 **Pier and Beam Footings Adjacent to any Drainage Easement**
Buildings and structures (including brick fences) adjacent to easements shall be supported on pier and beam footings outside the easement. The base of the piers shall be a minimum 900 mm below ground level and shall extend below the invert level of the drainage pipelines within the easement. Structural engineers details are required detailing the size and levels of the existing drainage pipelines and the design levels for the base of the piers adjacent to the easement.

Section 94A Levy Contribution

- 56 The following Section 94A Levy Contribution is required towards the provision of public amenities and services in accordance with the Wollongong City Council Section 94A Development Contributions Plan.

Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Wollongong City Council Section 94A Development Contributions Plan, a contribution of \$47,090.00 shall be paid to Council prior to the release of any associated Construction Certificate.

The amount to be paid will be adjusted at the time of actual payment, in accordance with the provisions of the Wollongong City Council Section 94A Development Contributions Plan. The Consumer Price Index All Group Index Number for Sydney at the time of the development application determination is 175.9.

The following formula for indexing contributions is to be used:

Contribution at time of payment = $\$C \times (CP2/CP1)$

Where

$\$C$ is the original contribution as set out in the Consent

$CP1$ is the Consumer Price Index (all groups index for Sydney) used in the proceeding indexation calculation

CP2 is the Consumer Price Index (all groups index for Sydney) at the time of indexation
Details of CP1 and CP2 can be found in the Australian Bureau of Statistics website Catalog No 6401.0 - Consumer Price Index, Australia.

Payment of the S94A levy must be by cash or bank cheque only. A copy of the Wollongong City Council Section 94A Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at www.wollongong.nsw.gov.au.

(Reason: To provide high quality and diverse public amenities and services to meet the expectations of the existing and new residents of Wollongong City Council).

Prior to the Commencement of Works

57 **Environmental Management Plan**

Prior to works commencing, an Environmental Management Plan (EMP) shall be developed for all intrusive site works. This plan shall be developed to assure that any unidentified contamination (if encountered) is appropriately identified and managed during the construction stage. The EMP shall include procedures for dealing with unidentified potentially contaminating substances during construction (i.e. fragments of fibre cement sheeting, buried drums, odorous or chemically stained soils). The EMP shall be presented to Council for approval.

58 **Appointment of Principal Certifying Authority**

Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- 59.1 Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed (if Council is nominated as the PCA please use the attached form) and
- 59.2 notify Council in writing (on the attached form) of their intention to commence the erection of the building (at least two days notice is required).

The Principal Certifying Authority must determine when inspections and compliance certificates are required.

59 **Sign – Supervisor Contact Details**

Before commencement of any work, a sign must be erected in a prominent, visible position:

- 60.1 stating that unauthorised entry to the work site is not permitted;
- 60.2 showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 60.3 showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

60 **Temporary Toilet/Closet Facilities**

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- 60.1 a standard flushing toilet; and
- 60.2 connected to either:
 - 60.2.1 the Sydney Water Corporation Ltd sewerage system or
 - 60.2.2 an accredited sewage management facility or
 - 60.2.3 an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

61 **Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

62 **Consultation with NSW WorkCover Authority**

Prior to any work commencing on the site it is the responsibility of the owner to contact NSW WorkCover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

63 **Waste Management**

The developer must provide an adequate receptacle to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and reusable materials.

64 **Erosion and Sediment Control Measures**

Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

65 **All-weather Access**

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

66 **Application for Occupation of Footpath/Roadway**

Any use of the footpath or road reserve for construction purposes requires Council approval under the Roads Act 1993. Where it is proposed to carry out activities such as, but not limited to the following:

- 66.1 construction vehicles entering and leaving the site;
- 66.2 installation of a fence or hoarding;
- 66.3 pump concrete from within the road reserve;
- 66.4 stand a mobile crane within the public road reserve;
- 66.5 use part of Council's road/footpath area;
- 66.6 pump stormwater from the site to Council's stormwater drains; or
- 66.7 store waste containers, skip bins and/or building materials on part of Council's footpath or roadway;

an application for occupation of footpath/roadway must be obtained from Council's Works and Services Division, prior to the issue of the Construction Certificate.

During Demolition, Excavation or Construction

67 **Survey Report for Floor Levels**

A Survey Report must be submitted to the Principal Certifying Authority verifying that each floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.

68 **Supervision of Engineering Works**

All engineering works associated with the development are to be carried out under the supervision of a practicing engineer.

69 **Piping of Stormwater to Existing Stormwater Drainage System**

Stormwater for the land must be piped to Council's existing stormwater drainage system. Prior to undertaking the connection the developer shall obtain permit from Council's Regulation and Enforcement Division.

- 70 **No Adverse Run-off Impacts on Adjoining Properties**
The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.
- 71 **Re-direction or Treatment of Stormwater Run-off**
Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.
- 72 **Forty Eight Hours Notice – Prior to Works Commencing in any Road Reserve**
The applicant shall consult with Wollongong City Council's Regulation and Enforcement Division, giving 48 hours notice to arrange an on-site meeting, prior to any works commencing in any road reserve (footpath/carriageway). The purpose of the meeting will be to discuss any relevant issues such as a schedule of inspections, the need for a road opening permit and the provision of a traffic control plan as part of the works.
- 73 **Temporary Road Closure(s)**
If a road closure is required, an approval must be obtained from City of Wollongong Traffic Committee and Wollongong City Council.
Note: It may take up to six weeks for approval. An application for approval must include a Traffic Control Plan prepared by a suitably qualified person which is to include the date and times of closure and any other relevant information. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742-Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.
- 74 **Prior approval from Council for any works in Road Reserve**
Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Regulation and Enforcement Division prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development. A traffic control plan prepared and implemented by a suitably qualified person must be submitted for approval and the appropriate fees paid a minimum of five working days prior to the expected implementation. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742 – Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.
Note: This includes temporary road closures for the delivery of materials, plant and equipment, concrete pours etc.
- 75 **Prior approval from Council for any works in Road Reserve**
Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Regulation and Enforcement Division prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development. A traffic control plan prepared and implemented by a suitably qualified person must be submitted for approval and the appropriate fees paid a minimum of five working days prior to the expected implementation. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742 – Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.
Note: This includes temporary road closures for the delivery of materials, plant and equipment, concrete pours etc.
- 76 The developer must carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to the owners and/or occupiers of adjoining and adjacent land.
- 77 **Site Management**
Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:
- 77.1 Does not spill onto the road pavement and
 - 77.2 is not placed in drainage lines or watercourses and cannot be washed into these areas.
- 78 Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.

79 **Driveway Located over Drainage Easement**

The proposed driveway shall be constructed in accordance with the approved structural plans to suit the existing surface levels on the site. The contractor shall ensure the driveway will not cause any adverse effects to the adjoining property or upon the subject land as a result of flood or stormwater runoff. Council will require the reconstruction of any finished driveway pavement that does not conform to the approved Construction Certificate plans or above requirements. This work shall be done at the developer's expense. Furthermore, in the event that access to the pipeline within the easement is required, the cost of restoring the driveway and surrounding area shall be borne by the property owner.

80 **Compliance with Statutory Authorities / Government Departments**

Compliance with the requirements of any Statutory Authorities or Government Departments such as, but not limited to:

- NSW Workcover Authority;
- NSW Roads & Traffic Authority;
- NSW Environment Protection Authority;
- NSW Police Service; and
- NSW Fire Brigades.

Prior to the Issue of the Occupation Certificate

81 **Drainage Work as Executed**

The developer shall obtain written verification from a suitably qualified civil engineer, stating that all stormwater drainage and related work has been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans must include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. This information must be submitted to the Principal certifying Authority prior to the issue of the final occupation certificate.

82 **Dangerous goods storage**

Dangerous goods storage should be notified to WorkCover NSW and all dangerous goods requirements of the OH&S Act and Regulation should be met.

83 **Lot consolidation**

Prior to the issue of the Occupation Certificate, Lots 101 and 102 of DP 839149 shall be consolidated.

Prior to Issue Subdivision Certificate/Release of Final Subdivision Plan

84 **Appointment of Principal Certifying Authority**

Prior to the issue of the Subdivision Certificate, the person having the benefit of the Development Consent must appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed.

The Principal Certifying Authority must determine when inspections and compliance certificates are required.

85 **Existing Easements**

All existing easements must be acknowledged on the final subdivision plan.

86 **Existing Restriction as to Use**

All existing restriction on the use of land must be acknowledged on the final subdivision plan.

87 **Encroaching Pipes**

A minimum one (1) metre wide easement to drain water shall be created over any encroaching drainage pipes.

88 **Encroaching Services**

A minimum one (1) metre wide easement for services must be created over any encroaching utility service.

- 89 **Compliance Certificates – Subdivision Works**
Where an accredited Private Certifying Authority has been appointed to carry out inspections, a Compliance Certificate must be submitted stating that all work has been constructed in accordance with:
- 89.1 the Development Consent;
 - 89.2 the approved Construction Certificate;
 - 89.3 the Wollongong City Council Subdivision Code.
- 90 **Registered Surveyors Certification**
A Registered Surveyor must certify in writing that all stormwater pits and pipelines, services and vehicular accessways are located wholly in an appropriate easement on the final plan of subdivision. This certification must be submitted with the Subdivision Certificate application.
- 91 **Final Documentation Required Prior to Issue of Subdivision Certificate**
The submission of the following information/documentation to the Principal Certifying Authority, prior to the issue of a Subdivision Certificate:
- 91.1 Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;
 - 91.2 Final plan of Subdivision prepared by a registered surveyor plus four (4) equivalent size paper copies of the plan;
 - 91.3 Section 88B Instrument (where applicable) covering all necessary easements and restrictions on the use of any lot within the subdivision;
 - 91.4 Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water.

Operational Phases of the Development/Use of the Site

- 92 **Air born particulates**
Due to the nature of the material used in the proposed manufacturing activity, during the commission period, the air quality must be monitored for PM 10 concentration in the premises air shed. If concentration of the particulate matter exceeds the Office of Environment and Heritage's Guidelines, the applicant must undertake remediation measure to reduce particulate discharge and comply with the Guidelines.
- 93 **Odours**
The development must be designed, operated and maintained so that there are no offensive odours beyond the boundary of the site.
- Note: For the purpose of this condition an offensive odour has the same meaning as the definition in the Protection of the Environment Operations Act 1997.
- 94 **Solid waste**
Solid waste generated at the site must be tested and classified under the Office of Environment and Heritage Waste Classification Guidelines (2008) prior to disposal off site.
- 95 **Environmental safeguards**
The development is to operate in accordance with the environmental safeguards identified in Section 3.2.1 to 3.2.3 of the Preliminary Hazard Analysis Report dated 7 December 2010 prepared by Whamcorp Pty Ltd.
- 96 **Access to the site**
Heavy vehicle access routes to the site are to be via Darcy Road and not through the residential area from Gloucester Boulevard.
- 97 **Hazardous and restricted waste**
No more than 200kg of hazardous or restricted waste or 2,500 tonnes of general solid waste, in accordance with the Protection of the Environment Operations Act 1997, may be stored at the premises at any one time without the developer gaining an Environment Protection Licence.
- 98 **Loading/Unloading Operations/Activities**
All loading/unloading operations are to take place at all times wholly within the confines of the site.

Reasons

The reasons for the imposition of the conditions are:

- 1 To minimise any likely adverse environmental impact of the proposed development.
- 2 To ensure the protection of the amenity and character of land adjoining and in the locality.
- 3 To ensure the proposed development complies with the provisions of Environmental Planning Instruments and Council's Codes and Policies.
- 4 To ensure the development does not conflict with the public interest.

Notes

- 1 This consent becomes effective and operates from the date shown as **"Endorsement Date"** on the front page of this notice. This consent will lapse unless development is commenced within five years from the endorsement date shown on this notice.
- 2 Section 97 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within twelve months from the date of receipt of this notice.
- 3 The holder of a development consent that is being acted upon must also hold a current Construction Certificate under the provisions of the Environmental Planning and Assessment Act, 1979.
- 4 Where the consent is for building work or subdivision work, no temporary buildings may be placed on the site and no site excavation, filling, removal of trees or other site preparation may be carried out prior to the issue of a Construction Certificate and appointment of a Principal Certifying Authority.
- 5 A Tree Management Order has been proclaimed in the City of Wollongong. Under this order, no tree on the land the subject of this approval may be ringbarked, cut down, topped, lopped or wilfully destroyed except with the prior consent of Council which may be given subject to such conditions as Council considers appropriate. However, unless specified otherwise in this consent, those trees which are specifically designated to be removed on the plans approved under this consent or are within 3 metres of an approved building footprint may be removed, provided that a Construction Certificate has been issued for the development the subject of this consent and a Principal Certifying Authority appointed.
- 6 In this consent the developer means the applicant for development consent and any person or corporation who carries out the development pursuant to that consent.
- 7 Section 82A of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of a consent authority a right to request the consent authority to review the determination. The request for review must be made within 12 months after the date on which the applicant received the notice of determination and must be accompanied by the fee set by the Regulations; it does not apply to an application in respect of Designated Development or Integrated Development.

- 8 Council recommends that NSW Wildlife Information and Rescue Service (WIRES) be contacted (phone (02) 4285 5630) for assistance in relocating native fauna prior to removal of trees and bushland.

Prolonged Rainfall Events

The applicant is advised that under existing conditions and during prolonged rainfall events, flooding of the site may occur and it is in the applicant's interest to take all necessary precautions to minimise the risk of property loss and/or damage.

This letter is authorised by

Nigel Lamb
Development Project Officer
Wollongong City Council
Direct Line (02) 4227 7287

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