

## ATTACHMENT 4 – COMPLIANCE TABLE

### WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

#### CHAPTER D13 – WOLLONGONG CITY CENTRE

#### 2 Building form

<i>Objectives/ controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>2.1 General</u>		
Building form and character refers to the individual elements of building design that collectively contribute to the character and appearance of the built environment. The Wollongong City Centre LEP includes provisions for land use, building heights and sun access planes, floor space ratio and design excellence. The development provisions in this section of the DCP on building form are intended to encourage high quality design for new buildings, balancing character of Wollongong with innovation and creativity. The resulting built form and character of new development should contribute to an attractive public domain in central Wollongong and produce a desirable setting for its intended uses.	It is considered that the development complies with the objectives of the zone and complies with the height and FSR requirements contained within the WLEP 2009. It is considered that the application provides for appropriate built form within this location	Yes
<u>2.2 Building to street alignment and street setbacks</u>		
Special Activities area are to be setback a minimum of 4m from the street frontage	The building has a setback of 4m at the closet point to Urunga Parade.	Yes
<u>2.3 Street frontage heights in commercial core</u>		
	Not applicable as does not apply to the SP1 zone	N/A
<u>2.4 Building depth and bulk</u>		
	Not applicable as site is outside of the commercial core zone	N/A
<u>2.5 Side and rear building setbacks and building separation</u>		
Commercial = 3m side & 9m rear	3m in part then reduced to 1m for a distance of 7.2m	No however satisfactory
<u>2.6 Mixed used buildings</u>		
	Not applicable as the building is not a mixed use building	N/A
<u>2.7 Deep soil zone</u>		
	Not applicable as the development does not contain a residential component	N/A

<i>Objectives/ controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>2.8 Landscape design</u>	Council's landscape section has assessed the application and raise no objection to the proposal and has provided conditions	Satisfactor y
<u>2.9 Planting on structures</u> Provide sufficient soil depth and area to allow for plant establishment and growth.	None provided. Landscaping has been provided by way of front and side boundary setbacks	Yes
<u>2.10 Sun access planes</u> Relevant height and setback controls for development adjacent to key public spaces apply.	The subject site is not located adjoining or within the vicinity of a sun access plane key site	Yes
<u>2.11 Development on classified roads</u> Consent must not be granted to the development of land that has a frontage to a classified road unless the consent authority is satisfied that:  Where practicable, vehicular access to the land is provided by a road other than the classified road.	Whilst the construction and the building front Urunga Parade which is not a classified road access to the site is current via Crown Street which is a classified road. As part of this application the existing access fro Crown Street is to be closed. The RMS has indicated that the proposal is considered satisfactory and conditions gave have been provided	Yes

### 3 Pedestrian amenity

<i>Objectives/ controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 General</u> Pedestrian amenity incorporates all those elements of individual developments that directly affect the quality and character of the public domain. The pedestrian amenity provisions are intended to achieve a high quality of urban design and pedestrian comfort in the public spaces of the city centre. The pedestrian environment provides people with their primary experience of and interface with the city. This environment needs to be safe, functional and accessible to all. It should provide a wide variety of opportunities for social and cultural activities. The pedestrian environment is to be characterised by excellence of design, high quality materials and a standard of finish appropriate to a regional city centre.	It is considered that the development contributes to high pedestrian amenity	Yes
<u>3.2 Permeability</u> Where possible, existing dead end lanes are to be extended through to the next street as redevelopment occurs.	The site is not identified as requiring permeability being by way of through	Yes

<p>New through site links should be connected with existing and proposed through block lanes, shared zones, arcades and pedestrian ways and opposite other through site links.</p> <p><u>3.3 Active street frontages</u></p> <p>In commercial and mixed use development, active street fronts are encouraged in the form of non-residential uses on ground level.</p> <p>Active street fronts in the form of non-residential uses on ground level are required along streets, lanes and through site links shown in Figure 3.4 for all buildings in the Commercial Core and Tourist zones, and for mixed use buildings in the Mixed Use (city edge) and Enterprise zones.</p> <p><u>3.4 Safety and security</u></p> <p>Ensure that the building design allows for casual surveillance of accessways, entries and driveways.</p> <p>Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and carparks.</p> <p>Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering.</p> <p>Provide adequate lighting of all pedestrian access ways, parking areas and building entries. Such lighting should be on a timer or movement detector to reduce energy consumption and glare nuisance.</p> <p>Provide security access controls where appropriate.</p> <p><u>3.5 Awnings</u></p> <p>Continuous street frontage awnings are to be provided for all new developments as indicated in Figure 3.6.</p> <p>Awning design must match building facades and be complementary to those of adjoining buildings.</p> <p><u>3.6 Vehicular footpath crossings</u></p> <p>In all other areas, one vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted.</p> <p>Where practicable, vehicle access is to be from lanes and minor streets rather than primary street</p>	<p>links.</p> <p>The development proposes an active street frontage by way of provided an entrance from Urunga</p> <p>Council's Safer Community Acton Team (SCAT), reviewed that application and raised no objection to the proposal</p> <p>The subject site is not located within an area that requires a continuous awning</p> <p>One combined vehicle entry 10.3m wide is being proposed however is larger then the maximum 6m provisions.</p> <p>This issue has been discussed further within the report.</p>	<p>Yes</p> <p>N/A</p> <p>No however variation sought</p>
--	---	--

fronts or streets with major pedestrian and cyclist activity.

Where practicable, adjoining buildings are to share or amalgamate vehicle access points. Internal on-site signal equipment is to be used to allow shared access. Where appropriate, new buildings should provide vehicle access points so that they are capable of shared access at a later date.

### 3.7 Pedestrian overpasses, underpasses and encroachments

New overpasses over streets will generally not be approved. In exceptional circumstances, new overpasses over service lanes may be considered by the consent authority subject to assessment of impacts on safety and crime prevention, streetscape amenity and activation of the public domain. In such circumstances, overpasses are to be fully glazed, not greater than 6 metres wide or more than one level high. Refer to AS 5100.1 – 2004.

Longitudinal development under the road reserve is not permitted. The siting of basement car parks beneath the road reserve is not permitted for private developments. Stratum road closures for this purpose will not be permitted.

Underpasses may be considered by the consent authority for direct connection under adjacent streets to railway stations:

- i) Where they would substantially improve pedestrian safety and accessibility, and
- ii) Incorporate active uses, particularly at entry and exit points.

### 3.8 Building exteriors

Articulate facades so that they address the street and add visual interest.

External walls should be constructed of high quality and durable materials and finishes with 'selfcleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass.

Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or industrial environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.

Limit opaque or blank walls for ground floor uses to 30% of the street frontage.

Maximise glazing for retail uses, but break glazing

No overpass or underpass or encroachment is proposed.

N/A

It is considered that the building exterior of the building provides for good design and interest.

Building alignment and setbacks are appropriate

Appropriate material and finishes selection

The proportions are acceptable. Building is modulated and well articulated.

Variety of materials are used.

Yes

The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building.

Signs are to be designed and located to:

- No advertising is included as part of this application.

N/A

Existing views shown in located with the view corridor are to be protected to the extent that is practical in the planning and design of development.



*Objectives/controls*

*Comment*

## Compliance

This section contains detailed objectives and controls on pedestrian access, vehicular access, on-site parking and site facilities, including refuse collection and removal.

It is considered that the application complies with the requirements of this section of the DCP

Yes

To satisfy the aims and zoning objectives of the Wollongong LEP 2009, controls in this section aim to:

- a) Facilitate the development of building design excellence appropriate to a regional city;
- b) Require parking and servicing provisions to be contained within development sites to an amount and rate adequate for the economic and sustainable growth of the city centre;
- c) Provide for safe and secure access;
- d) Minimise impacts on city amenity, the public domain and streetscape, and
- e) Ensure that access is provided for the disabled and mobility impaired.

#### 4.2 Pedestrian access and mobility

Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.

The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor.

The development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.

Building entrance levels and footpaths must comply with the longitudinal and cross grades specified in AS 1428.1:2001, AS/NZS 2890.1:2004 and the Disability Discrimination Act.

#### 4.3 Vehicular driveways and manoeuvring areas

#### 4.4 On-site parking

On-site parking must meet the relevant Australian Standard (AS2890.1 2004 – Parking facilities, or as amended).

On-site vehicle, motorcycle and bicycle parking is to be provided in accordance with Part E of this DCP.

To accommodate people with disabilities, provide a minimum of 1% of the required parking spaces,

It is considered that the application complies with the requirements of this section of the DCP

One driveway, 10.3m in width is proposed. Council's traffic section have assessed the application and have raised no objection to the location of the driveway

The development generates the provision of A total of 36 spaces. The proposed development provides for 42 spaces.

Yes

No variation sought

Yes

or minimum of 1 space per development, (whichever is the greater) as an appropriately designated and signed disabled parking space.

#### 4.5 Site facilities and services

##### **Mail boxes**

Provide letterboxes for residential building and/or commercial tenancies in one accessible location adjacent to the main entrance to the development.

Not applicable

N/A

##### **Communication structures, air conditioners and service vents**

a) Locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures:

- i) Away from the street frontage,
- ii) Integrated into the roof scape design and in a position where such facilities will not become a skyline feature at the top of any building, and a master antennae must be provided for residential apartment buildings. This antenna shall be sited to minimise its visibility from surrounding public areas.

Services have been provided ion appropriate locations

Yes

##### **Waste (garbage) storage and collection**

###### *General (all development)*

All development is to adequately accommodate waste handing and storage on-site. The size, location and handling procedures for all waste, including recyclables, is to be determined in accordance with Council waste policies and advice from relevant waste handling contractors.

Onsite garbage collection will occur.

Yes

##### **Service docks and loading/unloading areas**

Provide adequate space within any new development for the loading and unloading of service/delivery vehicles.

The location of service docks and the loading area is considered satisfactory.

Yes

##### **Fire service and emergency vehicles**

Emergency vehicles can access the site.

##### **Utility Services**

Development must ensure that adequate provision has been made for all essential services including water, sewerage, electricity and telecommunications and stormwater drainage to the satisfaction of all relevant authorities.

The application will be conditioned accordingly to obtain the appropriate utility service agreements.

Yes

## **5 Environmental management**

### *Objectives/ controls*

### *Comment*

### *Compliance*

#### 5.1 General

This section deals with energy efficiency requirements of buildings, water use and

It is considered that the building achieves energy efficiency.

Yes

conservation, wind and solar impacts and waste management.		
<u>5.2 Energy efficiency and conservation</u>		
<b>Residential</b> New dwellings, including multi-unit development within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy – Building Sustainability Index (BASIX).		Condition
<b>Non-Residential</b> Comply with the Building Code of Australia energy efficiency provisions.	Condition compliance with the BCA is required	
<u>5.3 Water conservation</u>		
<b>Residential</b> New dwellings, including a residential component within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy – Building Sustainability Index (BASIX).		Yes
<b>Non-residential</b> Water saving measures are to be incorporated into non-residential building.	Water saving measures have been incorporated into the design of the building	
<u>5.4 Reflectivity</u> New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.  Visible light reflectivity from building materials used on facades of new buildings should not exceed 20%.  Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.	Condition that the building does not exceed the appropriate reflectivity level.	Condition
<u>5.5 Wind mitigation</u>		
	Considered satisfactory	Yes
<u>5.6 Waste and recycling</u>		
	Adequate garbage room has been provided on site and the allowance for onsite collection has been made.	Yes

## 6 Residential development standards

N/A



## 7 Planning controls for special areas

<i>Objectives/ controls</i>	<i>Comment</i>	<i>Compliance</i>
<u>7.1 Special areas with heritage items</u>		
<u>7.2 Special areas and Development Standards</u>		
<u>7.3 Non-residential development in the enterprise corridor zone</u>		
<u>7.4 Special area design guidelines</u>		
<u>7.5 Design excellence</u>		

## 8 Works in the public domain

Council's landscape section has assessed the application and provided conditions in regards to the public domain. Yes

## ATTACHMENT 5 - DRAFT CONDITIONS FOR: DA-2012/1307

### Approved Plans and Specifications

- 1 TO BE INSERTED BY COUNCIL.

### General Matters

2 **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.

3 **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.

4 **Disability Discrimination Act 1992**

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS1428.1 – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

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.

6 **Geotechnical**

- a. Hard bedrock will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.
- b. An earthworks plan is to be developed by a geotechnical consultant prior to start of soil and rock excavation.
- c. All earthworks are to be in accordance with the geotechnical recommendations included in the earthworks plan developed for Geotechnical Condition 2.
- d. All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
- e. All earthworks, drainage, retaining wall and footing construction is to be subject to geotechnical supervision. Where necessary amendments are to be made to the designs during construction based on supplementary geotechnical advice given during the supervision to ensure that the completed works accommodates all encountered geotechnical constraints.

7 **Tree Retention**

The developer shall retain existing trees indicated on the landscape plan by Ochre Landscape Architects Pty Ltd Issue: Amended Development Application dated 05.03.13 consisting of tree numbered T3 – T5 (located in the adjacent eastern site).

Any branch pruning which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373-2007.

All tree protection measures are to be installed in accordance with Australian standard AS4790-2009 Protection of Trees on development Sites.

All recommendations in Arborist's Report by Moore Trees dated September 2012 page no. 9 and 10 to be implemented including and not restricted to: remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required.

8 **Tree Removal**

This consent permits the removal of trees numbered T1 and T2 as indicated on the landscape plan by Ochre Landscape Architects Pty Ltd Issue: Amended Development Application dated 05.03.13. No other trees shall be removed without prior written approval of Council.

9 **Separate Consent Required for Advertising Signage**

This consent does not authorise the erection of any advertising signage. Any such advertising signage will require separate Council approval, in the event that such signage is not exempt development, under Schedule 2 of Wollongong Local Environmental Plan 2009/Wollongong (West Dapto) Local Environmental Plan 2010.

Any new application for advertising signage must be submitted to Council in accordance with Chapter C1 – Advertising and Signage Structure of Wollongong Development Control Plan 2009.

10 **Approval of NSW Health**

The construction and fit out of the surgery is to comply with the requirements of the New South Wales Health.

**Prior to the Issue of the Construction Certificate**

11 **Fire Safety Schedule**

When issuing a Construction Certificate, a certifying authority must attach a Fire Safety Schedule specifying all of the fire safety measures required for the building to ensure the safety of persons in the building in the event of fire.

12 **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](http://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.

13 **Energy Provider Requirements**

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

14 **Section 94A Levy Contribution**

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 \$87,425.76 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 158.1.

The following formula for indexing contributions is to be used:

Contribution at time of payment = **\$C x (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.

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](http://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).*

- 15 Prior to the issuing of a construction certificate, Roads and Maritime Services (RMS) recommends that the developer consider the impact of road and traffic noise on the proposal and where appropriate design the development such that road traffic noise from Crown Street is mitigated in accordance with the NSW Government's Development Near Rail Corridors and Busy Roads – Interim Guideline, 2008.

16 **Dilapidation Reports**

A Dilapidation Report detailing the current structural condition of the adjoining buildings, infrastructure and roads shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

17 **Car parking and Access**

As shown on the plans at the completion of Stage 1 the development shall make provision for a total of 39 car spaces (including 1 disabled car parking space), 5 bicycle spaces and 1 motorcycle space. At the completion of Stage 2 the development shall make provision for a total of 42 car spaces (including 1 disabled car parking space), 5 bicycle spaces and 1 motorcycle space. This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on 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.

- 18 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, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.
- 19 Each disabled person's parking space must comply with the current relevant Australian Standard AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.
- 20 The provision of adequate directional signposting upon the surrounding road network in the locality (subject to approval of Council or the RMS), to help guide drivers and pedestrians to/from the development, including signposting near the combined driveway from Urunga Parade. The directional signposting shall be in accordance with the RMS "Interim Guide to Signs and Markings" publication. The final design details of the proposed signage shall be reflected on the Construction Certificate plans.
- 21 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.
- 22 Details of the proposed method of connection of the On-site Detention (OSD) facility to Council's drainage system must be provided with the detailed drainage design for the site. The details must be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
- 23 The developer must provide on-site detention storage for stormwater runoff from the development. The Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site must be designed in accordance with Chapter E14 of Council's Wollongong DCP 2009. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application.

24 **Street Trees**

The developer must address the street frontage by installing street tree planting. The number and species for this development is one *Elaeocarpus reticulatis*, 200 litre. The tree is to be positioned 4m west of the driveway on Urunga Parade. Tree pit detailing is to be in accordance with the Wollongong City Council Public Domain Technical Manual. Dial Before You Dig must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Location of street tree plantings to be sited to ensure no conflict occurs with street light poles.

Tree pits must be installed to the satisfaction of Wollongong City Council (WCC).

These requirements shall be reflected on the Construction Certificate plans and any supporting documentation.

25 **Footpath Paving**

The developer is responsible for the construction of footpath paving for the entire frontage of the development for the full width of the verge. The type of paving for this development, in accordance with the Wollongong City Council Public Domain Technical Manual is as follows:

Main body of pavement to be 'Sante Fe, Illiad' by Adbri Masonry Pty Ltd (or approved equivalent) dark grey, honed finish, 300 x 300 x 50mm. Contrasting band to be 'Sante Fe, Off White' by Adbri Masonry Pty Ltd (or approved equivalent) ivory coloured paving unit, honed finish, 300 x 300 x 50mm.

Driveway pavement to be 'Brickpave, Illiad' by Adbri Masonry Pty Ltd (or approved equivalent) dark grey, honed, 230 x 113 x 80mm paving units in a herringbone pattern, contrasting band to be 'Brickpave, Off White' Adbri Masonry Pty Ltd (or approved equivalent) ivory coloured paving unit, honed finish, 230 x 113 x 80mm.

Samples to be approved by WCC Infrastructure Division.

Penetrating sealer 'Uni Seal' by Spirit Marble & Tile Care Pty Ltd (or approved equivalent).

A nominal two percent (2%) minimum one percent (1%), maximum two and a half percent (2.5%) cross fall to be provided from property line to back of kerb.

Driveway entry threshold finish from property boundary line to face of kerb: To match footpath and be designed to withstand predicted traffic loadings.

Driveway threshold finish within property boundary line: To contrast with driveway entry.

Footpath must be installed to the satisfaction of WCC.

Landscape Plan to be submitted to Council prior to the issue of the Construction Certificate showing proposed paving and location of all services.

26 **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.

27 The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

27.1 The driveway and footpath are to be paved in accordance with the PD TM. It is requested that concrete unit paving be installed for the full width of the site.

Construction documentation is to be submitted to Wollongong City Council Design and Technical Services for approval in relation to the design for the pavement levels, materials and retaining wall configurations on the Council property.

The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the issue of Occupation Certificate.

28 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.

29 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.

30 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.

31 **Tree Protection and Management**

The existing tree nominated trees to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

31.1 Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.

32 **Engineering Plans and Specifications - Retaining Wall Structures**

The submission of engineering plans and supporting documentation of all proposed retaining walls to the Principal Certifying Authority for approval prior to the issue of the Construction

Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

- 32.1 A plan of the wall showing location and proximity to property boundaries;
- 32.2 an elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
- 32.3 details of fencing or handrails to be erected on top of the wall;
- 32.4 sections of the wall showing wall and footing design, property boundaries and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall and footing structure must be contained wholly within the subject property;
- 32.5 the proposed method of subsurface and surface drainage, including water disposal;
- 32.6 reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
- 32.7 the assumed traffic loading used by the engineer for the wall design.

- 33 Overflow paths must be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. 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. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.

34 **Detailed Drainage Design**

A detailed drainage design shall be submitted with the Construction Certificate documentation for the proposed development. This detailed drainage design shall be prepared by a suitably qualified civil engineer strictly in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, conditions listed under this consent, and generally in accordance with the concept drainage plan by Sherson Lautier Consultancy, Drawing No. 12118-C3, dated 21/8/2012.

35 **On-Site Detention – Structural Design**

The on-site detention facility must be designed to withstand loadings occurring from any combination of hydrostatic, earth, traffic and buoyancy forces. Details must be provided demonstrating these requirements have been achieved prior to the issue of the Construction Certificate.

36 **On-Site Detention - Maintenance Schedule**

A maintenance schedule for the on-site stormwater detention system must be submitted with the Construction Certificate plans for the proposed development. The maintenance schedule must be in accordance with Chapter E14 of Council's Wollongong DCP 2009.

37 **On Site Stormwater Detention - Design Criteria**

Each on-site stormwater detention facility must incorporate a minimum 900mm square lockable grate for access and maintenance purposes, provision for step irons where required, provision for safety, debris control screen and a suitably graded invert to prevent ponding (i.e., no sump). Also, details of the orifice plate including diameter of orifice and method of fixing shall be provided. These requirements shall be reflected on the Construction Certificate plans.

38 **On Site Stormwater Detention – Identification**

Details shall be provided of a corrosion resistant identification plaque for location on or close to the on-site detention (OSD) facility. The plaque shall include the following information:

The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with. The identification number [DA2012/1307] and any specialist maintenance requirements.

39     **Design Details of Security System**  
The submission of final design details of proposed security systems to be installed within the development to the Principal Certifying Authority, in order to minimise crime and vandalism related matters is required, prior to the release of the Construction Certificate. (Recommend the lift area in Basement A be considered part of the CCTV footprint).

40     **Crime Prevention through Environmental Design (CPTED)**  
The area of the subject site which can be accessed by the public, including the carpark must have lighting provided in accordance with AS1158 (1999) or AS4360 (1999). This requirement shall be reflected on the Construction Certificate plans.

### **Prior to the Commencement of Works**

41     **Appointment of Principal Certifying Authority**  
Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- 41.1     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; and
- 41.2     notify Council in writing of their intention to commence work (at least two days' notice is required).

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

42     **Sign – Supervisor Contact Details**  
Before commencement of any work, a sign must be erected in a prominent, visible position:

- 42.1     stating that unauthorised entry to the work site is not permitted;
- 42.2     showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 42.3     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.

43     **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.

44     **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:

- 44.1     a standard flushing toilet; and
- 44.2     connected to either:
  - 44.2.1     the Sydney Water Corporation Ltd sewerage system or
  - 44.2.2     an accredited sewage management facility or
  - 44.2.3     an approved chemical closet.

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

45     **Structural Engineer's Details**  
Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifying Authority, prior to the commencement of any works on the site.



- 46     **Demolition Works**  
The demolition of the existing dwellings and associated structures shall be carried out in accordance with Australian Standard AS2601 (2001): The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of the NSW WorkCover Authority.
- No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifying Authority. In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.
- 47     **Demolition Notification to Surrounding Residents**  
Demolition must not commence unless at least 2 days written notice has been given to adjoining residents of the date on which demolition works will commence.
- 48     **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.
- 49     **Survey Report – Siting of Development within Property Boundaries**  
A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifying Authority to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.
- 50     **Support for Neighbouring Buildings**  
This consent requires the preservation and protection of neighbouring buildings from any damage and if necessary, requires the underpinning and support of any neighbouring building in an approved manner. The applicant or the contractor carrying out the work must at least seven days in advance of any excavation works below the level of the base of the footings of a building on an adjoining allotment, including a public road or place, give written notice of intention to carry out such works to the property owner of the affected adjoining building and furnish specific written details and supporting plans or other documentation of the proposed work.
- The adjoining property owner of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- 51     **Consultation with NSW WorkCover Authority – Prior to Asbestos Removal**  
The applicant or appointed contractor is to give NSW WorkCover Authority at least seven days advanced notice, prior to the removal of asbestos from the site.
- 52     **Contaminated Roof Dust**  
Any existing accumulations of dust in ceiling voids and wall cavities must be removed prior to any demolition work commencing. Removal must take place by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter.
- 53     **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.

- 54     **Temporary Sediment Fences**  
Temporary sediment fences (eg haybales or geotextile fabric) must be installed on the site, prior to the commencement of any excavation, demolition or construction works in accordance with Council's guidelines. Upon completion of the development, sediment fencing is to remain until the site is grassed or alternatively, a two (2) metre strip of turf is provided along the perimeter of the site, particularly lower boundary areas.
- 55     **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.
- 56     **Supervising Arborist – Tree Inspection and Installation of Tree Protection Measures**  
Prior to the commencement of any demolition, excavation or construction works, the supervising arborist must certify in writing that tree protection measures have been inspected and installed in accordance with the arborist's recommendations and relevant conditions of this consent.
- 57     **Certification from Arborist - Adequate Protection of Trees to be Retained**  
A qualified arborist is required to be engaged for the supervision of all on-site excavation or land clearing works. The submission of appropriate certification from the appointed arborist to the Principal Certifying Authority is required which confirms that all trees and other vegetation to be retained are protected by fencing and other measures, prior to the commencement of any such excavation or land clearing works.
- 58     **RMS - Road Occupancy Licence (ROL)**  
The developer shall apply for, and obtain a Road Occupancy Licence (ROL) from the RMS Traffic Operations Unit (TOU) prior to the commencing works that impact a travel lane of a State Road or impact the operation of traffic signals on any road. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU. The developer shall submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL with this 10 business day period is dependent upon RMS receiving an accurate and compliant TMP. Conditions of development consent relating to road work, traffic control facilities and other structure on the classified road network contrary to those outlined above are unlike top RMS consent under the Road Act, 1993.
- 59     **Application for Occupation, Use, Disturbance or Work on Footpath/Roadway**  
Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and / or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993. An application must be submitted and approved by Council prior to the works commencing where it is proposed to carry out activities such as, but not limited to, the following:
- a.     Digging or disruption to footpath/road reserve surface;
  - b.     Loading or unloading machinery/equipment/deliveries;
  - c.     Installation of a fence or hoarding;
  - d.     Stand mobile crane/plant/concrete pump/materials/waste storage containers;
  - e.     Pumping stormwater from the site to Council's stormwater drains;
  - f.     Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
  - g.     Construction of new vehicular crossings or footpaths;
  - h.     Removal of street trees;
  - i.     Carrying out demolition works.

## **During Demolition, Excavation or Construction**

### **60 Supervision of Engineering Works**

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

### **61 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.

### **62 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.

### **63 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.

### **64 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.

### **65 Copy of Consent to be in Possession of Person carrying out Tree Removal**

The applicant/developer must ensure that any person carrying out tree removal/vegetation clearance is in possession of this development consent and/or the approved landscape plan, in respect to the trees/vegetation which have/has been given approval to be removed in accordance with this consent.

### **66 Restricted Hours of Work**

The developer must not carry out any work other than emergency procedures to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Friday and 8.00 am to 4.00 pm Saturday, without the prior written consent of the Principal Certifying Authority and Council.

No work is permitted on public holidays or Sundays.

Any request to vary these hours shall be submitted to the **Council** in writing detailing:

- 66.1 the variation in hours required;
- 66.2 the reason for that variation;
- 66.3 the type of work and machinery to be used.

**Note:** The developer is advised that other legislation may control the activities for which Council has granted consent including but not limited to the Protection of the Environment Operations Act 1997. Developers must note that EPA Environmental Noise manual restricts use of power tools (electronic or pneumatic) to between the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8.00 am to 4.00 pm on weekends.

67 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.

- 68 The lighting of the premises must be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.
- 69 Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.
- 70 Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.
- 71 **Dust Suppression Measures**  
Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.
- 72 **Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by an Approved Contractor**  
The removal of any asbestos material must be carried out by an approved contractor if over 10 square metres in area in strict accordance with WorkCover Authority requirements.
- 73 Asbestos waste must be prepared in accordance with WorkCover requirements and disposed of to an EPA licensed landfill site.
- 74 **Provision of Waste Receptacle**  
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 re-usable materials.

## **Prior to the Issue of the Occupation Certificate**

- 75 A Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.
- 76 **Approval of NSW Health**  
The construction and fit out of the surgery is to comply with the requirements of the New South Wales Health. The premises must be inspected and approved by an authorised representative of NSW Health prior to the issue of an occupation certificate.
- 77 **Fire Safety Certificate**  
A Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Fire Safety Certificate is issued, the owner of the building to which it relates:
- 77.1 Must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
  - 77.2 must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- 78 **Lot Consolidation**  
Prior to the issue of the first Occupation Certificate involving Stage 1 the lots are to be consolidated and registered with Land and Property Information.
- 79 RMS will not permit direct vehicular access to Crown Street from the subject property therefore all access must be via Urunga Parade and New Dapto Road. The existing vehicular egress point to Crown Street shall be physically closed by reinstating the kerb and gutter and footpath to Council's satisfaction. This and any other road works required to be completed prior to the issue of an Occupation Certificate. All roadworks will be at no cost to RMS.

- 80     **Drainage**  
The developer must obtain a certificate of Hydraulic Compliance (using Council’s M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have 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 and certification must satisfy all the requirements stated in Chapter E14 of Council’s Wollongong DCP 2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.
- 81     **Restriction on use – On-site Detention System**  
The applicant must create a restriction on use under the Conveyancing Act 1919 over the on-site detention system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:
- “The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression ‘on-site stormwater detention system’ shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.
- Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council.”
- The instrument, showing the restriction, must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.
- 82     **Retaining Wall Certification**  
The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifying Authority is required, prior to the issue of the Occupation Certificate or commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans approved by the Principal Certifying Authority.
- 83     The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, five 100 litre container mature plant stock shall be placed in a suitable location on the site. The suggested species are *Tristaniopsis laurina*.
- 84     **Positive Covenant – On-Site Detention Maintenance Schedule**  
A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced).
- The instrument, showing the positive covenant must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.
- 85     **Dilapidation Report**  
A second Dilapidation Report shall be prepared by a suitably qualified person at the completion of the works to ascertain if any structural damage has occurred to the adjoining buildings, infrastructure and roads. The report shall also be submitted to the satisfaction of the Principal Certifying Authority and should be compared with the earlier report to ascertain if any change has occurred.
- A copy of both reports, pre and post construction, are to be forwarded to Council.

## **Operational Phases of the Development/Use of the Site**

### **86 Fire Safety Measures**

All new and existing fire safety measures shall be maintained in working condition, at all times.

### **87 Loading/Unloading Operations/Activities**

All loading/unloading operations are to take place at all times wholly within the confines of the site.