

Consent has been granted subject to the following conditions:

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. **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.
5. **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.
6. **Tree Retention**
The developer shall retain the existing trees (5 x *Lophostemon confertus* on the side road south of the Dean Street frontage) indicated on the Landscape Concept Plan – Ground Level by Eco Design Issue F dated 07.06.13 and the Arborist Report by Andrew Morrison dated 24.04.13.

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.

CONSENT

All recommendations in the Arborist Report by Andrew Morrison dated 24.04.13 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.

7. **Geotechnical**

- a. All work is to be in accordance with the geotechnical recommendations contained in the report dated 12 April and 15 May 2013 by Asset Geotechnical and any subsequent geotechnical report required to address unanticipated conditions encountered during construction.
- b. Hard bedrock where encountered will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.
- c. All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development. Selection of appropriate means of support should be based on geotechnical advice.
- d. Foundation systems are to be designed for Class P soils with all footings to be founded within the underlying weathered bedrock as recommended by the geotechnical consultant.
- 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.
- f. All excavations for foundations are to be inspected by the geotechnical consultant and certified that the ground has been suitably prepared for the placement of footings.

8. **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.

Prior to the Issue of the Construction Certificate

9. **RailCorp**

Prior to the issue of a Construction Certificate the RailCorp conditions contained at Attachment A and B to this considered are to be satisfied.

10. **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.

11. **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.

12. **Low Reflective External Finishes**

Any outbuildings or other ancillary structures are to be finished in colours and materials of natural earthy tones and low reflective quality to blend with the surroundings. The driveway is to be finished in dark earth tones.

13. **Glass Reflectivity Index**

The reflectivity index of the glass used in the external façade of the building shall not exceed 20 per cent. The details and samples of the glass to be used are to be submitted with the Construction Certificate together with written evidence that the reflectivity of the glass is 20 per cent or less.

14. **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 on Auburn and Dean Streets. The type of paving for this development, in accordance with the Wollongong City Council Public Domain Technical Manual is as follows:

Pavement:

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.

Sealant:

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 threshold is to 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.

15. **Street Trees (CBD)**

The developer must address the street frontage by installing street tree planting. The number and species for this development are seven *Elaeocarpus reticulatis* 200 litre. 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 WCC Manager of Works.

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

16. **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 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 plans by Eze Hydraulic Engineers (Job No. 10863), Drawing Numbers D1-D6, issue C dated 11/6/2014.

17. **On-Site Detention – Design Criteria**

The on-site stormwater detention facility shall incorporate minimum 900 mm square lockable grates for access and maintenance purposes, provision for safety, step irons, debris control screen and a suitably graded invert to the outlet to prevent ponding. 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.

18. **On-Site Detention – Identification**

The construction certificate plans are to detail a corrosion resistant identification plaque for location on or close to the on-site stormwater detention (OSD) facility. The plaque shall include the following information and shall be installed prior to the issue of the occupation certificate:

- The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
- Identification number – DA-2013/666.
- Any specialist maintenance requirements.

19. **On-Site Detention – Orifice and Weir Calculations**

Orifice and weir calculations for the on-site detention facility shall be provided on the Construction Certificate plans and supporting documentation prior to the release of the Construction Certificate. These calculations shall be in accordance with Section 12.2.6 of Chapter E14 of the Wollongong DCP2009.

20. **Existing/Proposed Levels**

Existing and proposed levels to Australian Height Datum (AHD), including floor, ground, grate, pipe inverts and pavement levels shall be shown on the detailed drainage design. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

21. **Roofwater Drainage**

All roof gutters/sumps and downpipes shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3 (2003) – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe sizes and downpipe locations shall be reflected on the Construction Certificate plans.

22. **Stormwater Outlets**

Stormwater outlets to the watercourse shall be oriented in the direction of flow of the receiving watercourse. Stormwater outlet scour protection measures shall be designed giving regard to maximum outlet discharges and bank full discharges in the receiving watercourse. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

23. **Scour Protection**

All stormwater outlets and overland flow paths shall incorporate appropriate scour/erosion protection measures in accordance with good engineering practice. Scour protection measures within the floodplain shall be no higher than existing surface levels and designed to ensure no impact on existing flooding behaviour. The final details of the proposed scour/erosion protection measures shall be reflected on Construction Certificate plans.

24. **Basement Waterproofing**

Full engineering details of the proposed wall around the basement car park shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. This shall include construction details indicating that no ingress of stormwater is possible into the basement levels. This applies to any proposed opening such as doors or ventilation louvres. All vehicular access, doors, and ventilation points to the basement car park shall be a minimum of 0.2 metres above the adjacent 100 year ARI flood level. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

25. **Pump System**
A pump system shall be provided in association with the detailed drainage design for the site to cater for stormwater from a prolonged/extreme storm event entering the basement. The pump system shall be designed by a suitably qualified and experienced civil engineer and reflected on the Construction Certificate plans and supporting documentation.
26. **Details of Works within Floodplain**
Details of the proposed grilles/louvres, sub-floor floodway, and changes to surface levels within the floodplain shall be provided on the detailed drainage design for the development. These details shall be prepared by a suitably qualified civil engineer in accordance with the flood modelling for the development (being Model Scenario 3 in WMA Water Report titled '*14-18 Auburn Street Wollongong, Supplementary Flood Impact Modelling Assessment*', dated December 2013) to ensure that there will be no increase in flood affectation elsewhere as a result of the development. A minimum freeboard of 300 mm shall be provided from the 100 year ARI water level to the underside of the lowest member of the proposed building/structure suspended over the floodplain. These requirements shall be reflected on the Construction Certificate plans and supporting documentation prior to the release of the Construction Certificate.
27. **Flows from Adjoining Properties**
Flows from adjoining properties shall be accepted and catered for within the site. Finished ground levels/retaining walls on the boundary shall be no higher than the existing upslope adjacent ground levels. These requirements shall be reflected on the Construction Certificate plans and supporting documentation prior to the release of the Construction Certificate.
28. A signage plan for the car park entrances must be agreed by the Traffic Section prior to the issuing of the Construction Certificate. This must clearly indicate the location and type of sign to be used, with the intension of clearly notifying drivers the correct entry for each use. All signage is to be located within the development site (outside of the road reserve).
29. Bicycle parking must provide the appropriate level of security as required by Table 3.1 of AS2890.3 (1993) - Bicycle Parking facilities and Austroads Guide to Traffic Management Part 11: Parking (Commentary 9: C9.2). This requirement shall be reflected on the Construction Certificate plans.
30. **Footpath Design Levels**
Kerb levels for footpath design are to be confirmed by Wollongong City Council Design and Technical Services.
31. **Car Parking and Access**
The development shall make provision for a total of 143 car parking spaces (including 2 disabled car parking spaces for the commercial element and 9 residential spaces which are 'capable' of adaption for disabled people in the future), 50 bicycle parking spaces and 9 motorbike parking spaces. 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 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, 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 the current relevant Australian Standard AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.
34. 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.
35. 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.
36. **Security Roller Shutters for Basement Car Parking Areas**

The installation of any security roller shutter for the basement car parking area shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifying Authority prior to the release of the Construction Certificate.

37. The floor levels of the proposed building shall be constructed in accordance with the plans approved under this consent. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.
38. Any portion of the building or structure below the 100 year flood level plus 0.5 metres freeboard should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated Chapter E13 of the Wollongong DCP2009. These requirements shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
39. 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. All overflow paths must be shown on the detailed drainage design. These requirements shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
40. Provision shall be made along the boundary of the property at the vehicular crossing/s for a minimum 200mm wide grated box drain to prevent waste and surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.
41. The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, stormwater, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
42. Details of the proposed method of connection of the On-site Detention (OSD) facility to the watercourse within the site 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.
43. 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 the Wollongong DCP2009. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application.
44. **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.
45. The submission of final Landscape Plans to the Principal Certifying Authority will be required prior to the release of the Construction Certificate. The final Landscape Plans shall address the following requirements:
 - a) Amend the extent of footpath pavement, extending the pavement westward to the corner of Dean Street where the road becomes Lowden Square, and provide a pram ramp in an east/west direction of travel.
 - b) Remove all the existing understory of weeds from the embankment under the trees to be retained and lay turf.
 - c) Crown-lift the trees to be retained up 4m to provide better passive surveillance.

- d) Provide pram ramps on the corner of Auburn and Dean Street in a north south direction. Pram ramps are to be built in accordance with the requirements of Wollongong City Council.
- e) Amend the footpath levels to comply with the cross fall requirements of maximum 2.5%.

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

- 46. 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.
- 47. 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.
- 48. 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.
- 49. **Tree Protection and Management**
The existing trees are 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:
 - 49.1 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.
- 50. **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:
 - 50.1 A plan of the wall showing location and proximity to property boundaries;
 - 50.2 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;
 - 50.3 details of fencing or handrails to be erected on top of the wall;
 - 50.4 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;
 - 50.5 the proposed method of subsurface and surface drainage, including water disposal;
 - 50.6 reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
 - 50.7 the assumed traffic loading used by the engineer for the wall design.
- 51. **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.
- 52. **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 the Wollongong DCP2009.

53. **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 1% of the cost of development (Contribution may be increased to 2% within the City Centre in accordance with Clause 1 of the Plan) amounting to \$665,599.14 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 105.6. 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.

| METHOD | HOW | PAYMENT TYPE |
|--|---|--|
| Online | http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 499475 | <ul style="list-style-type: none"> • Credit Card |
| In Person | Wollongong City Council Administration Building Customer Service Centre Ground Floor 41 Burelli Street WOLLONGONG | <ul style="list-style-type: none"> • Cash • Credit Card • Bank Cheque |
| PLEASE MAKE CHEQUES PAYABLE TO: Wollongong City Council (Personal Cheques not accepted) | | |

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

The reason for Section 94A is 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

54. **Construction Environmental Management Plan**

- Submit a construction environmental management to PCA, the plan shall address as minimum the vehicle traffic, odour and vapour, dust, plant and machinery noise, water and sediment management, surface water, subsurface seepage and accumulated excavation water, sediment from equipment and cleaning operations, site security, working hours, contact information, incident response and contingency management.

- b. Submit an excavated soil material disposal plan to PCA, with the batching, sampling and analysis procedures as per the DECCW (2009) *Waste Classification Guidelines*. The plan shall be prepared by a suitably qualified and experienced consultant. A copy of the plan shall be forwarded to council.

55. **Sign – Supervisor Contact Details**

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

- 55.1 stating that unauthorised entry to the work site is not permitted;
- 55.2 showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 55.3 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.

56. **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:

- 56.1 a standard flushing toilet; and
- 56.2 connected to either:
 - 56.2.1 the Sydney Water Corporation Ltd sewerage system or
 - 56.2.2 an accredited sewage management facility or
 - 56.2.3 an approved chemical closet.

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

57. **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.

58. **Demolition Works**

The demolition of the existing 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.

59. **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.

60. **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.

61. **Consultation with WorkCover NSW – Prior to Asbestos Removal**

A licensed asbestos removalist must give written notice to WorkCover NSW at least five (5) days before licensed asbestos removal work is commenced.

62. **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.
63. **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.
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. **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.
67. **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.
68. **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

69. **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 hours of 7.00 am to 6.00 pm, Monday to Friday and 8.00 am to 4.00 pm Saturdays without the prior written consent of the Principal Certifying Authority and Council.

No work is permitted on public holidays, Sundays or the Saturday adjacent to public holidays on Mondays or Fridays.

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

- the variation in hours required;
- the reason for that variation;
- 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 NSW EPA Construction Noise Guideline August 2008 states that the maximum allowable construction noise levels are Background + 10 dB(A) during the standard working hours i.e. between the hours of 7.00 am to 6.00 pm Mondays to Fridays and 8.00 am to 4.00 pm on Saturdays.

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.

70. **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.

All sealed surfaces intended to carry vehicular traffic must be managed with the aim of preventing windblown dust emissions.

71. **Waste Classification of excavated soils**

Prior to disposal of excavated soils off site, these soils should be classified in accordance with the DECCW (2009) *Waste Classification Guidelines* and dispose accordingly to approved landfill facility.

Prior to importing any soils to site for the purpose of back-filling also requires validation testing following the EPA (1995) *Sampling Design Guidelines* to confirm suitability for the proposed land use.

72. **Implementation of all the recommendation (Façades Glazing) of acoustic report**

Implement all the recommendations stated section 5.0 of acoustic assessment report prepared by Renzo Tonin & Associates dated 16th April 2013 refer no. TG159-01F02 (REV1) for building compliance with the NSW SEPP Infrastructure 2007 – Development Near Rail Corridors & Busy Roads –Interim Guidelines.

73. **Flood Compatible Materials – Electrical**

All external power service (metering) equipment, wiring, power outlets, switches etc. shall be located above the 100 year flood level plus 0.5 metres freeboard. All external electrical wiring installed below this level should be suitable for continuous underwater immersion and should contain no fibrous components. Earth leakage circuit breakers shall also be installed. Any external equipment installed below or partially below the 100 year flood level plus 0.5 metres freeboard should be capable of disconnection by a single plug and socket assembly.

74. **Fences**

Any new fences constructed on the site and located in the flood plain shall be of a type that will not obstruct the free flow of floodwaters and not cause damage to surrounding land in the event of a flood.

75. **Protection of Council Infrastructure**
The developer shall provide adequate protection to all Council assets prior to work commencing and during construction. Wollongong City Council's Development Engineering Manager must be notified immediately in the event of any damage to Council's assets. Any damage to Council's assets shall be made good to the satisfaction of Council, with all associated costs borne by the developer.
76. **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 approved 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.
77. **Supervision of Engineering Works**
All engineering works associated with the development are to be carried out under the supervision of a suitably qualified and experienced practicing engineer.
78. **Stormwater Disposal**
Stormwater for the land must be piped to the on-site watercourse or to Council's existing stormwater drainage system. Prior to undertaking the connection the developer shall obtain a permit from and arrange inspections with Council's Development Engineering Manager.
79. **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.
80. **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.
81. **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 Development Engineering Manager 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.
82. **Restricted Hours of Work (domestic residential scale ie single dwellings)**
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:
- a the variation in hours required;
 - b the reason for that variation;
 - c 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 consistent with the Environment Protection Authority's Interim Construction Noise Guideline (July, 2009), the noise from construction ($L_{Aeq(15\text{ min})}$) must not exceed the background noise level ($L_{A90(15\text{ min})}$) plus 10 dB(A), and a $L_{Aeq(15\text{ min})}$ of 75 dB(A)

when measured at the residential property boundary that is most exposed to construction noise, and at a height of 1.5 metres above ground level. If the property boundary is more than 30 metres from the residence, the location for measuring noise levels is at the most noise-affected point within 30 metres of the residence.

83. 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.
84. 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.
85. **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.
86. Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.
87. **Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist**
The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with WorkCover NSW requirements (<http://www.workcover.nsw.gov.au>).
88. **Asbestos Waste Collection, Transportation and Disposal**
Asbestos waste must be prepared, contained, transported and disposed of in accordance with WorkCover NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and submitted to the Principal Certifying Authority, and a copy submitted to Council (in the event that Council is not the Principal Certifying Authority), prior to commencement of the construction works.
89. **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

90. **Acoustic Compliance Report**
The developer shall submit a noise compliance report prepared by an acoustic consultant who is a member of the Australian Acoustic Society (AAS) or the Association of Australian Acoustic Consultants (AAAC) in relation to the building compliance with the NSW SEPP Infrastructure 2007 – Development Near Rail Corridors & Busy Roads –Interim Guidelines. A copy of the acoustic compliance report must be submitted to PCA and forward a copy to council.
91. **Flood Affectation Certification**
The submission of a report from a suitably qualified and experienced civil (hydrology) engineer to the Principal Certifying Authority is required, prior to the issue of the final Occupation Certificate or commencement of use. This report is required to certify that the ‘as constructed’ development (including landscaping) will not have any adverse effects to adjoining properties or upon the land with respect to the loss of flood storage, changes in flood levels, and alteration of flood conveyance, as a result of flooding or stormwater run-off.
92. **Structural Soundness Certification**
The submission of a report from a suitably qualified and experienced structural engineer to the Principal Certifying Authority is required, prior to the issue of the final Occupation Certificate and commencement of use. This report is required to verify that all structures can withstand the forces of floodwater, debris (including vehicles) and buoyancy up to and including the Probable Maximum Flood (PMF) level plus 0.5 metres freeboard.

93. **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 stormwater requirements stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.
94. **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.
95. **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.
96. **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.
97. **On-Site Detention – Structural Certification**
The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

Operational Phases of the Development/Use of the Site

98. **External Storage of Materials/Equipment**
No external storage of materials/equipment including waste bins etc, which are likely to cause pollution or be potentially hazardous during a flood event, is permitted below the 100 year flood level plus 0.5 metres freeboard.

Attachment A**Deferred Commencement Condition**

This consent is not to operate until the Applicant satisfies the Council, within 12 months of the date of this consent, that it has obtained approval/certification from RailCorp as to the following matters and the approval/certification has been forwarded to the Council:

A1

The Applicant shall prepare and provide to RailCorp for approval/certification the following items:

- 1. Final Geotechnical and Structural report/drawings that meet RailCorp's requirements. The Geotechnical Report must be based on actual borehole testing conducting on the site closest to the rail corridor.*
- 2. Final Construction methodology with construction details pertaining to structural support during excavation.*
- 3. Final cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor. All measurements are to be verified by a Registered Surveyor.*
- 4. Detailed Survey Plan showing the relationship of the proposed developed with respect to RailCorp's land and infrastructure.*
- 5. If required by RailCorp, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.*

Any conditions issued as part of RailCorp's approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

Attachment B

- *If required by RailCorp, prior to the commencement of works and prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.*
- *An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".*
- *Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.*
- *The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of RailCorp.*

The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

- *If required by RailCorp, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to RailCorp for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.*
- *Prior to the issuing of a Construction Certificate the Applicant is to submit to RailCorp a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the RailCorp confirming that this condition has been satisfied.*

- *If required by RailCorp, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to RailCorp for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from RailCorp advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.*

--oOo--