

Attachment 3 - Revised conditions of consent as agreed

The development proposed is integrated development and approval is required from the approval bodies listed below:

Pursuant to s100B –authorisation under the Rural Fires Act 1997 – NSW Rural Fire ServiceAn unconditional Bushfire Safety Authority has been issued as part of this Integrated Development Consent and is included at Attachment A:

Conditions imposed by Council as part of this Integrated Development Consent are:

Approved Plans and Specifications

1 Plans and Documents to be inserted by Council

General

2 Tree Retention

The developer shall retain existing trees indicated on Landscape Sketch Plan by Taylor Brammer landscape architects Dwg. No. LC01 Issue A dated 14.06.2013 consisting of tree numbered 1, 2, 3, 9, 10, 11, 13, 14, 17, 18, 19, 20, 21, 25, 26, 45, 46, 47, 53, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 70 and 72 (x3) Total number: thirty-five (35 No.)

Any branch or root 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 Ref. No. Draft Version 2 dated June 2013 by Moore Trees Author Paul Vezgoff to be implemented including and not restricted to: pruning of branch from tree 55, remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required.

The developer shall transplant tree numbered 4, 5, 6, 7 and 8, Total number: five (5 No.) to an appropriate location on site by an experienced and qualified contractor.

3 Tree Removal

This consent permits the removal of trees and other vegetation from the site within three (3) metres of the approved buildings, structures, permanent accessways and car parks. This consent also permits the removal or pruning of trees within three (3) metres of approved buildings. No other trees or vegetation shall be removed or lopped, without the prior written approval of Council.

The developer shall remove existing trees indicated on Landscape Sketch Plan by Taylor Brammer landscape architects Dwg. No. LC01 Issue A dated 14.06.2013 and in Arborist's Report Ref. No. Draft Version 2 dated June 2013 by Moore Trees Author Paul Vezgoff consisting of tree numbered 12, 15, 16, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 48, 49, 50, 51, 52, 54, 56, 68, 69, 71, and 72 (x4). Total number: thirty-eight (38 No.)

4 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.

5 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.

6 **Protection of Public Infrastructure**

Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Any damage to Council's assets shall be made good, prior to the issue of any Occupation Certificate or commencement of the operation.

7 **Occupation Certificate**

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

Prior to the Issue of the Construction Certificate

8 **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 plan by Mott Macdonald, Drawing No. MMD-323552-C-DR-00-XX-140, Revision P3, dated 17/06/13.

9 **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.

10 **Deleted**

11 **Non-Return Valve**

The proposed internal pipeline connecting the building to the existing street drainage system shall be provided with a flap gate or non-return valve system to prevent backwater from the street drainage system entering the basement car park.

12 **Roof Water Drainage**

The design of the roof drainage system shall be in accordance with the current version of AS 3500.3 – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe sizes, emergency overflow and downpipe locations shall be reflected on the Construction Certificate plans.

13 **Deleted**

14 **Structural Engineering Details**

The submission of structural engineering details by a suitably qualified and experienced structural engineer (with appropriate insurance coverage) to the Principal Certifying

Authority, prior to the release of the Construction Certificate addressing the following matters:

- 14.1 Footings;
- 14.2 reinforced concrete slabs;
- 14.3 structural steelwork;

15 **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.

16 **Deleted**

17 **Deleted**

18 **Deleted**

19 In order to reduce the opportunities for “hiding places” the proposed landscaping must:

- 19.1 use shrubs/plants which are no higher than one 19.1.1.1 metre.
- 19.2 the type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.
- 19.3 Be set back one 19.3.1.1 metre from the centre of the pathway.

This requirement shall be reflected on the Construction Certificate plans.

20 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.

21 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.

22 The designated loading/unloading facility shall be kept clear for that purpose at all times. The designated loading/unloading facility shall be shown on the Construction Certificate plans.

23 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.

24 Overflow paths must be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the University of Wollongong campus and also the contributing upslope catchment. 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.

25 The depth and location of all services (ie gas, stormwater, water supply, sewer, electricity, telephone, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.

- 26 Deleted
- 27 Deleted
- 28 Deleted
- 29 Deleted

30 **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:

- 30.1 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.
- 30.2 Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch.
- 30.3 Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

Prior to the Commencement of Works

31 **Appointment of Principal Certifying Authority**

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

- 31.1 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
- 31.2 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.

32 **Sign – Supervisor Contact Details**

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

- 32.1 stating that unauthorised entry to the work site is not permitted;
- 32.2 showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 32.3 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.

33 **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:

- 33.1 a standard flushing toilet; and
- 33.2 connected to either:
 - 33.2.1 the Sydney Water Corporation Ltd sewerage system or
 - 33.2.2 an accredited sewage management facility or
 - 33.2.3 an approved chemical closet.

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

34 **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.

35 **Demolition Works**

The demolition of the existing building identified as Building 32A 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.

36 **Deleted**

~~**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.~~

37 **Reinstated**

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.

38 **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:

- 38.1 installation of Tree Protection Fencing - Protective fencing shall be 1.8 m cyclone chainmesh fence, with posts and portable concrete footings;
- 38.2 mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch;
- 38.3 irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

The tree protection fencing shall be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phases of the development.

39 **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.

40 **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.

During Demolition, Excavation or Construction

41 **Site topsoil**

Any fill material should not cover topsoil. Topsoil shall be removed, stockpiled, ameliorated and replaced over any fill material to a minimum depth of 100mm.

42 **Stormwater to Existing**

Stormwater from the development must be piped to the existing on-site stormwater drainage system.

43 **Pipe Connection**

All stormwater pipe connections to existing pits must be constructed flush with the pit wall in accordance with good engineering practice. The developer must ensure that the condition of the pit is not compromised and that the service life of the pit is not reduced as a result of the connection.

44 **Supervision of Engineering Works**

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

45 **No Adverse Run-off Impacts on Adjoining Areas**

The design of the development shall ensure there are no adverse effects to adjoining buildings or upon the proposed building footprint 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.

46 **Re-direction or Treatment of Stormwater Run-off**

Allowance must be made for surface run-off from adjoining land. Any redirection or treatment of that run-off must not adversely affect any other building.

47 **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.

48 **Restricted Hours of Work (not domestic residential scale)**

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 5.00 pm, Monday to Friday and 7 am to 1.00 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:

- 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 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 Saturdays.

- 49 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.
- 50 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.
- 51 **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.
- 52 Asbestos waste must be prepared in accordance with WorkCover requirements and disposed of to an EPA licensed landfill site.
- 53 **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.
- 54 **Acid Sulphate Soils**
Any spoil material extracted or excavate from the foundation must be neutralized with commercial lime (calcium bicarbonate) by the addition of 10 kilograms of lime per 1 cubic metre of spoil material before it is disposed of or re-used on-site.

Lime is to be added by evenly distributing over all exposed surface areas, drilled piers and footing trenches on the site, prior to the pouring of concrete.

Prior to the Issue of the Occupation Certificate

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

Principal Certifying Authority prior to the issue of the final occupation certificate and use of the development.

56 **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:

56.1 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

56.2 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.

57 **Compensatory Plantings**

The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, thirty-eight (38 No.) 75 litre container advanced mature plant stock shall be placed within the property boundary of the site in appropriate locations. The suggested species are to be selected from the following list: planting of indigenous plant species native to the Illawarra Region such as : *Syzygium smithii* (syn *Acmena smithii*) Lilly pilly, *Archontophoenix cunninghamiana* Bangalow palm, *Backhousia myrtifolia* Grey myrtle, *Elaeocarpus reticulatus* Blueberry ash, *Glochidion ferdinandii* Cheese tree, *Livistona australis* Cabbage palm tree, *Brachychiton acerifolius* Illawarra Flame Tree.

A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

Operational Phases of the Development/Use of the Site

58 All site servicing is to be carried out prior to 8am to ensure that conflicts with other users of the car park are minimised.

59 **Fire Safety Measures**

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

60 **Loading/Unloading Operations/Activities**

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