

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. **Approved Archaeological Works**

All works shall be in accordance with the approved research design and methodology outlined in '47-51 Crown Street, Wollongong, NSW, Historical Archaeological Assessment and Research Design' by Biosis, dated 11 November 2013, except as amended by other archaeological conditions specified within this consent, including the following:

- a. This permit covers the removal of locally significant relics, only.
- b. This archaeological approval is valid for five (5) years from the date of approval. Requests for extensions beyond this time must be made in writing prior to expiry of the permit.

6. **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.

7. **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.

8. **Maintenance of Access to Adjoining Properties**

Access to all properties not the subject of this approval must be maintained at all times and any alteration to access to such properties, temporary or permanent, must not be commenced until such time as written evidence is submitted to Council or the Principal Certifying Authority indicating agreement by the affected property owners.

9. **Tree Removal**

This consent permits the removal of all trees on the subject site as indicated on the Existing Tree and Details Plan, by Zenith Landscapes, Issue A, dated 7.11.13. No other trees shall be removed without prior written approval of Council.

10. **Street Tree Removal**

The developer has consent to remove the existing street trees on Crown Street (two Plane Trees and three Cocos Palms).

Tree removal costs are to be borne by developer. The removal of trees, including stumps, is to be carried out by suitably qualified tree contractor. This contractor must be appropriately insured to indemnify Council against any loss or damage incurred during the above works. They must also have appropriate OH&S policies and procedures (including traffic control) to ensure that works are carried out in a safe manner and in accordance in Council's own OH&S policies.

The developer must apply for (and be granted) permission under section 138 of the roads act to work within the road reserve. Tree removal must be carried out to the satisfaction of WCC Manager of Works.

11. **Geotechnical**

- a. All earthworks including 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.
- b. Hard bedrock where encountered will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.
- c. Foundation systems are to be designed for Class P soils with all footings to be founded within the underlying weathered bedrock. Other foundation systems may be acceptable if supported by appropriate geotechnical advice.
- d. 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.
- e. 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.

12. **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

13. **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.

14. 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.

15. Telecommunications

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

16. 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.

17. Bicycle parking must have adequate weather protection and 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.

18. Detailed Drainage Design

A detailed drainage design for the proposed development shall be prepared by a suitably qualified civil engineer in accordance with Chapter E14 of the Wollongong DCP 2009 and conditions listed under this consent. The proposed stormwater disposal system for the development shall be designed to replicate the existing distribution of stormwater discharges from the site to ensure no localised increase in stormwater discharges into Council's existing stormwater drainage system. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

19. 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.

20. 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.

21. 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 points (i.e. driveway crest), 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.

22. 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.

23. Town Hall Place – Detailed Civil Engineering Design

A detailed civil engineering design shall be provided for the proposed widening of Town Hall Place and associated drainage modifications. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall include:

- a. Levels and details of existing and proposed infrastructure such as kerb and gutter, public utility, pits, poles, stormwater drainage, adjacent road carriageway and footpath levels, and top of proposed basement, and shall extend a minimum of 10 metres beyond the limit of works.
- b. Road and drainage longitudinal sections, and cross-sections at regular intervals including building entrance points and driveways demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c. Details of modifications to Council's existing stormwater drainage system to accommodate the proposed road widening. The drainage modifications shall be designed to replicate the design function and capacity of the existing stormwater drainage system.
- d. A minimum clearance of 1 metre shall be provided vertically between the top of basement level and the finished surface levels within the laneway for the full extent of the basement within the laneway to allow for stormwater drainage and utility services.
- e. Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- f. All construction must be in accordance with the requirements of Council's Subdivision Code and the Wollongong City Council Public Domain Technical Manual. Evidence that this requirement has been met must be detailed on the engineering drawings.

The detailed civil engineering design and supporting documentation shall be submitted to Wollongong City Council's Development Engineering Manager for approval prior to the issue of the construction certificate.

24. Drainage Longitudinal Sections

A hydraulic grade line analysis and longitudinal sections for the existing and proposed drainage system within Council's road reserve shall be provided in conjunction with the detailed civil engineering design for Town Hall Place. Each longitudinal section shall show calculated flows, velocity, pipe size/class, grade, inverts and existing/proposed surface levels. The analysis shall include the full extent of the proposed modifications and demonstrate that the proposed system has been designed to replicate the design function and capacity of the existing stormwater drainage system. This information shall be submitted to Wollongong City Council's Development Engineering Manager for approval prior to the issue of the Construction Certificate.

25. Burelli Street, Corrimal Street – Detailed Civil Engineering Design

A detailed civil engineering design shall be provided for the proposed footpath works in Burelli Street and Corrimal Street. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall include:

- a. Levels and details of existing and proposed infrastructure such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway and footpath levels, and shall extend a minimum of 10 metres beyond the limit of works.
- b. Footpath longitudinal sections, and cross-sections at regular intervals including building entrance points demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c. Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.

- d. All construction must be in accordance with the requirements of Council's Subdivision Code and the Wollongong City Council Public Domain Technical Manual. Evidence that this requirement has been met must be detailed on the engineering drawings.

The detailed civil engineering design and supporting documentation shall be submitted to Wollongong City Council's Development Engineering Manager for approval prior to the issue of the Construction Certificate.

26. Footpath Levels

Footpath levels must be obtained from Council's Development Assessment and Certification Division prior to the issue of the Construction Certificate. The approved footpath levels shall be reflected on the Construction Certificate plans. All such structures and internal driveways shall be constructed to these approved levels.

27. Permit to Enter and Exit Construction Site

Any use of the footpath or road reserve for construction purposes requires Council approval under the Roads Act 1993. Where it is proposed to carry out activities such as construction vehicles entering and leaving the site from a public road reserve and/or installation of a fence or hoarding, a permit must be obtained from Council's Development Assessment and Certification Division prior to the issue of the Construction Certificate.

28. Car Parking and Access

The development shall make provision for a total of 235 car parking spaces, 15 motorbike spaces, and 76 bicycle spaces (45 bicycle spaces for residents, 12 bicycle spaces for resident's visitors, 10 bicycle spaces for commercial staff members, 3 bicycle spaces for commercial visitors, 3 bicycle spaces for retail staff and 3 bicycle spaces for shoppers). 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.

29. 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.

30. 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.

31. 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.

32. 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.

33. 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.

34. A change in driveway paving is required at the entrance threshold to clearly show motorists they are crossing a pedestrian area. The developer must construct the paving in accordance with the conditions, technical specifications and levels to be obtained from Council's Manager Works. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

35. Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS2890.1 to provide for adequate sight distance. This

includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.

36. Ground floor levels of the proposed building shall be constructed at no lower than 0.2 metres above the adjacent 100 year ARI flood level. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.
37. Any portion of the building or structure below the 100 year ARI 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. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
38. Overflow paths must be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining 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.
39. 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.
40. **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.
41. 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.
42. 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.
43. **Podium Planting**
All podium planting areas to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding to be installed to protect membrane from damage. All podium planting areas to be provided with an adequate drainage system connected to stormwater drainage system. Planter box to be backfilled with free draining planter box soil mix. If selected mulch is decorative pebbles/gravel, the maximum gravel pebble size is 10mm diameter.

This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.
44. **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 paving for this development is to be in accordance with the City Centre Public Domain Technical Manual.

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.

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

45. **Street Trees**

The developer must address all three street frontages by installing street tree planting. The number and species for this development are six *Cupaniopsis anacardioides* (Tuckeroo), 200 litre size to be planted along Corrimal Street and two, 200 litre size *Brachychiton acerifolius* on Burelli Street and three, 200 litre size *Brachychiton acerifolius* on Crown Street. Tree pit detailing is to be in accordance with the City Centre 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 Design and Technical Services.

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

46. 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.

47. **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:

- 47.1 A plan of the wall showing location and proximity to property boundaries;
- 47.2 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;
- 47.3 details of fencing or handrails to be erected on top of the wall;
- 47.4 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;
- 47.5 the proposed method of subsurface and surface drainage, including water disposal;
- 47.6 reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
- 47.7 the assumed traffic loading used by the engineer for the wall design.

48. **Dilapidation Report Prior to Construction**

A Dilapidation Report detailing the current structural condition of 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 issue of the Construction Certificate.

A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

49. **Crime Prevention through Environmental Design (CPTED) – Lighting**

All areas of the subject site which can be accessed by the public (including building entry points, communal open space areas, car parking areas and vehicle and pedestrian entrances) must have lighting provided in accordance with AS1158 (1999). This requirement shall be reflected on the Construction Certificate plans.

50. **Crime Prevention through Environmental Design (CPTED) – Basement Ceiling**

In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be reflected on the Construction Certificate plans.

51. 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.

52. **Remediation Action Plan and associated reports**

- a. Prepared a site remediation plan with amended legislation considering POEO Act - UPSS Regulation 2008;
- b. Site waste management plan; and
- c. Risk assessment considering any risk to human health and environment during site remediation.

To be submitted prior to the release of the construction certificate.

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 \$766,300.00 shall be paid to Council prior to the release of any associated Construction Certificate.

The amount to be paid will be adjusted at the time of actual payment, in accordance with the provisions of the Wollongong City Council Section 94A Development Contributions Plan. The Consumer Price Index All Group Index Number for Sydney at the time of the development application determination is 105. The following formula for indexing contributions is to be used:

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

Where

SC is the original contribution as set out in the Consent

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

CP2 is the Consumer Price Index (all groups index for Sydney) at the time of indexation

Details of CP1 and CP2 can be found in the Australian Bureau of Statistics website Catalog No. 6401.0 - Consumer Price Index, Australia.

Payment must be made by cash, credit card or bank cheque only, personal and company cheques are not accepted. Payments are accepted by mail or in person at Council's Customer Service Centre, located on the ground floor of Wollongong City Council Administration Building during business hours.

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

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

Prior to the Commencement of Works

54. **Basement Ventilation**

Exhausts associated with mechanical ventilation from the basement are to be conveyed to the top of the building for discharge. Measures must be adopted to mitigate potential noise and amenity issues associated with the mechanical ventilation system/s. In this respect, noise generated by the system/s must not exceed 5dB(A) above the ambient background noise level.

Details of the basement ventilation are to indicated on plans submitted to the Principal Certifying Authority with the Construction Certificate application.

55. Residential Building Work – Compliance with the Requirements of the Home Building Act 1989

Building work involving residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates

55.1 in the case of work to be done by a licensee under that Act:

55.1.1 has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and

55.1.2 is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or

55.2 in the case of work to be done by any other person:

55.2.1 has been informed in writing of the persons name, contact address details and owner-builder permit number; and

55.2.2 has been given a declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act.

56. Sign – Supervisor Contact Details

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

56.1 stating that unauthorised entry to the work site is not permitted;

56.2 showing the name, address and telephone number of the Principal Certifying Authority for the work; and

56.3 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.

57. 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:

57.1 a standard flushing toilet; and

57.2 connected to either:

57.2.1 the Sydney Water Corporation Ltd sewerage system or

57.2.2 an accredited sewage management facility or

57.2.3 an approved chemical closet.

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

58. 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.

59. **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.

60. **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.

61. **Dilapidation Report**

The developer shall provide Wollongong City Council's Development Engineering Manager with a dilapidation report, identifying the condition of Council assets and all land in the vicinity of the proposed works prior to the commencement of works.

62. **Supervision of Works within Road Reserve**

The works within Council's road reserve shall be supervised by a suitably qualified and experienced Civil Engineer or Civil Engineering Foreman. The supervisor's name, address and contact details (including telephone number), together with a written construction program and anticipated duration of the construction works shall be submitted to Council's Development Engineering Manager prior to the commencement of works within the road reserve.

63. **Site Management, Pedestrian and Traffic Management (Where Works are Proposed in or from a Public Road Reserve)**

The submission, as part of an application for a permit under Section 138 of the Roads Act 1993, of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Development Engineering for approval is required, prior to works commencing on the site. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS1742 - Traffic Control Devices for Works on Roads and the RMS Traffic Control at Worksites Manual.

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

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

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

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

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

64. 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.

65. 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.

66. 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.

67. Asbestos Hazard Management Strategy

The preparation of an appropriate hazard management strategy by an asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure any such proposed demolition works involving asbestos are carried out in accordance with the WorkCover Authority's "Guidelines for Practices Involving Asbestos Cement in Buildings". The strategy shall be submitted to the Principal Certifying Authority prior to the commencement of any works.

The approved strategy shall be implemented and a clearance report for the site shall be prepared by a NATA accredited hygienist and submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate or commencement of the development. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

68. 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.

69. Construction Environmental Management Plan

- a. 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.

70. 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.

71. Archaeological fieldwork

The Heritage Council of NSW or its delegate must be informed of the commencement and completion of the archaeological program at least 5 days prior to the commencement and within 5 days of the completion of work on site. The Heritage Council and staff of the Heritage Division, Office of Environment & Heritage authorised under section 148(1) of the 'Heritage Act, 1977', reserve the right to inspect the site and records at all times and to access any relics recovered from the site.

72. 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.

73. 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.

74. 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.

75. 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

76. Archaeological fieldwork

- a. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics not identified in '47-51 Crown Street, Wollongong, NSW, Historical Archaeological Assessment and Research Design' by Biosis, dated 11 November 2013, are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

- b. Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately. The Excavation Director must inform the Office of Environment and Heritage in accordance with Section 89A of the National Parks and Wildlife Act, 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act, 1974.
- c. The Heritage Council of NSW must approve any substantial deviations from the approved research design outlined in '47-51 Crown Street, Wollongong, NSW, Historical Archaeological Assessment and Research Design' by Biosis, dated 11 November 2013, including extent and techniques of excavations, as an application for the variation or revocation of a permit under section 144 of the 'Heritage Act, 1977'.
- d. The Applicant must ensure that the approved Primary Excavation Director nominated in the section 140 application number 2013/S140/30, Dr Iain Stuart, is present at the site supervising all archaeological fieldwork activity likely to expose significant relics. If the approved Primary Excavation Director, Dr Iain Stuart, will be absent from the site for more than 50% of the duration of the archaeological activity, the Applicant must forward for the written approval of the Heritage Council or its delegate the details of a Secondary Excavation Director, Joint Director or Site Director in charge for this period.
- e. The Applicant must ensure that the approved Primary Excavation Director nominated in the section 140 application 2013/S140/30, Dr Iain Stuart, takes adequate steps to record in detail relics, structures and features discovered on the site during the archaeological works in accordance with current best practice. This work must be undertaken in accordance with relevant Heritage Council guidelines.
- f. The Applicant must ensure that the nominated Excavation Director briefs all personnel involved in the project about the requirements of the NSW 'Heritage Act 1977' in relation to the proposed archaeological program. This briefing should be undertaken prior to the commencement of on-site excavation works.
- g. The Applicant must ensure that the nominated Excavation Director and the excavation team is given adequate resources to allow full and detailed recording to be undertaken to the satisfaction of the Heritage Council.
- h. The Applicant must ensure that the site under archaeological investigation is made secure and that the unexcavated artefacts, structures and features are not subject to deterioration, damage, destruction or theft during fieldwork.
- i. The Applicant is responsible for the safe-keeping of all relics recovered from the site.

77. Archaeological - Analysis and Reporting

The Applicant must ensure that the approved Primary Excavation Director or an appropriate specialist, cleans, stabilises, labels, analyses, catalogues and stores any artefacts recovered from the site in a way that allows them to be retrieved according to both type and provenance.

78. Stormwater Connections

All stormwater connections to Council's existing stormwater drainage system shall be constructed in accordance with good engineering practice. The developer shall ensure that the condition of the existing stormwater drainage system is not compromised and that the service life of the existing stormwater drainage system is not reduced as a result of the connection.

79. 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 shall 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.

80. Notification to Adjoining Property Owners Prior to Commencement of Works

The contractor shall maintain access to existing properties fronting the works. Notification shall be made to the affected properties prior to commencement of works. This is particularly the case if any disruption to access will be required as a consequence of the works.

81. **Survey Report for Floor Levels**
A Survey Report must be submitted to the Principal Certifying Authority verifying that each ground floor level accords with the floor levels as 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 ground floor level of the building. All levels shall relate to Australian Height Datum.
82. **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.
83. **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 a permit from and arrange inspections with Council's Development Engineering Manager.
84. **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.
85. **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.
86. **Forty Eight Hours Notice – Prior to Works Commencing in any Road Reserve**
The applicant shall consult with Wollongong City Council's Divisional Engineer, giving 48 hours notice to arrange an on-site meeting, prior to any works commencing in any road reserve (footpath/carriageway). The purpose of the meeting will be to discuss any relevant issues such as a schedule of inspections, the need for a road opening permit and the provision of a traffic control plan as part of the works.
87. **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.
88. **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.
89. **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:
 - 89.1 the variation in hours required;
 - 89.2 the reason for that variation;
 - 89.3 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.

90. 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.
91. 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.
92. 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.
93. 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.
94. **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.
95. Asbestos waste must be prepared in accordance with WorkCover requirements and disposed of to an EPA licensed landfill site.
96. Asbestos waste must only be disposed of at a land-fill site lawfully approved to receive this type of waste. A receipt must be retained and submitted to the Principal Certifying Authority, prior to commencement of the construction works.
97. **During removal of old USTs**
 - a. Site remediation must be undertaken as per the Remediation Action Plan;
 - b. Site waste management – as per the site waste management plan; and
 - c. Any risk to human health and environment must be managed as per the Risk Assessment
98. **UPSS Regulation requirement for the removal USTs**
 - a. A validation report for the storage site must be submitted to the council as stated in condition to verify the site has met remediation criteria or is suitable for continued and future use.
 - b. Documents relating to the decommissioning of tanks must be kept for at least seven years from the date of decommissioning. When considering tank decommissioning, reference should be made to the Occupational Health and Safety Regulation 2001, *UPSS technical note: Site validation reporting UPSS technical note: Decommissioning abandonment and removal of underground petroleum storage systems* and *Dangerous goods fact sheet 3_1* (WorkCover NSW 2009).
 - c. The applicant must follow the applicable standards and industry best practice as well as ensure that appropriate notification and reporting occurs before and after decommissioning works and tank removal.
 - d. The applicant should also be aware that NSW WorkCover Authority is responsible for occupational health and safety issues relating to decommissioning and removal of tanks from a site: see *Storage and handling of dangerous goods – Code of practice 2005* (WorkCover NSW 2005) and *Dangerous goods fact sheet 3_1* (WorkCover NSW 2009).
99. **Site validation reporting requirements**
 - a. Where UPSS are removed, clauses 13 and 15 of the UPSS Regulation and require preparation of a report validating that the site is suitable for continued use. This report must be submitted to the council within 60 days of completion of the validation or any necessary remediation works.

- b. In accordance with the *Guidelines for consultants reporting on contaminated sites* (EPA 1997) and technical note (UPSS Technical Note: Site Validation Reporting NSW EPA dated January 2010) outlines the matters that should be considered when preparing a validation report that meets the requirements of clauses 13 and 15 of the UPSS Regulation and *SEPP 55*.
 - c. A validation report must be prepared by the NSW EPA accredited independent site auditor to provide independent verification, using objective and measurable criteria, that a UPSS site is free of unacceptable levels of contamination, all necessary remediation works have been successfully carried out, and the site is suitable for an ongoing or future use.
100. **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.
101. **Importation soils to site**
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.
102. **Façades Glazing for acoustic requirement - Double glazing external sliding doors and windows:**
 - a. 6mm glazing – 100mm air gap – 6 mm glazing set in a sealed metal or timber frame to achieve the sound insulation of a window and sliding door system (R_w 40 – 45).
 - b. The apartments from 1st/2nd floor to 7th floor window and sliding door system should achieve sound insulation (R_w 43 – 45).
 - c. The apartments from 8th floor and above window and sliding door system should achieve sound insulation (R_w 40 – 45).
 - d. Frames should be well sealed internally and externally to provide acoustic, thermal and moisture protection. Awning windows are preferred to sliding windows as they are able to achieve a positive compression seal.
 - e. The air gap between the two panes should be at least 100mm that is good for reducing traffic and other low frequency noise such as music from surrounding night clubs.
103. **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.
104. The building site must be kept free of rubbish at all times. All refuse capable of being wind blown must be kept in a suitable waste container.
105. **BASIX**
All the commitments listed in each relevant BASIX Certificate for the development must be fulfilled in accordance with Clause 97A(2) of the Environmental Planning & Assessment Regulation 2000.
A relevant BASIX Certificate means:
 - A BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Environmental Planning & Assessment Act 1979, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
 - BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.”
106. **Mechanical Plants and Exhaust Ventilation system**
 - a. **Mechanical Exhaust**

Centralised mechanical exhaust ventilation must be provided to the building and all commercial kitchens such as cafes and restaurants cooking appliances installation as per AS4674-2004, AS1668.2-1991 and the grease filters to comply with AS1530.1.

b. Outdoor Air Conditioning or refrigeration units

The outdoor units for refrigeration system including air conditioners shall have suitable acoustic enclosure to comply with the noise guidelines.

c. Duct system

The ducting within the building must be mounted on vibration reducing pads to minimise vibration effect for residential and commercial spaces to comply with the vibration guidelines.

107. Water Sensitive Urban Design

Water sensitive urban design concept stated in WSUD Design plan by EZE Hydraulics must be implemented.

Prior to the Issue of the Occupation Certificate

108. A Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.

109. Archaeological – Analysis and Reporting

- a. The Applicant must ensure that a summary of the results of the field work, up to 500 words in length, prepared by the approved Primary Excavation Director nominated in the section 140 form, Dr Iain Stuart, is submitted to the Heritage Council of NSW for approval within one (1) month of completion of archaeological field work. This information is required in accordance with section 146(b) of the 'Heritage Act, 1977'.
- b. The Applicant must ensure that a final excavation report is written by the approved Primary Excavation Director nominated in the section 140 application 2013/S140/30, Dr Iain Stuart, to publication standard, within one (1) year of the completion of the field based archaeological activity unless an extension of time or other variation is approved by the Heritage Council of NSW in accordance with section 144 of the 'Heritage Act, 1977'.
- c. The Applicant must ensure that one (1) electronic copy of the final excavation report, is submitted on CD to the Heritage Council of NSW together with two (2) printed copies of the final excavation report. These reports are required in accordance with section 146(b) of the 'Heritage Act, 1977'. The Applicant must also ensure that further copies are lodged with the local library and/or another appropriate local repository in the area in which the site is located. It is also required that all digital resources (including reports, context and artefact data, scanned field notes, other data sets and documentation) should be lodged with a sustainable, online and open-access repository.
- d. The Applicant must ensure that the information presented in a final excavation report includes the following:
 - i. An executive summary of the archaeological programme;
 - ii. Due credit to the client paying for the excavation, on the title page;
 - iii. An accurate site location and site plan (with scale and north arrow) and including geo-reference data;
 - iv. Historical research, references, and bibliography;
 - v. A statement of archaeological significance for the site (pre-excavation) and for the archaeological collection (post-excavation).
 - vi. Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
 - vii. Nominated repository for the items;
 - viii. Detailed response to research questions (at minimum those stated in the Heritage Council approved Research Design);

- ix. Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance; statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the on-going use of the site as a hotel, a comparison to other early hotel sites from the Wollongong area; recommendations for the future management of the site and how much of the site remains undisturbed;
- x. Details of how this information about this excavation has been publicly disseminated (for example, provide details about Public Open Days and include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the site).

110. Archaeological - Interpretation

The Applicant must ensure that at the completion of archaeological works, the results of the archaeological programme are interpreted within the completed redevelopment of the site. This interpretation should help the public understand the history and significance of the site.

111. BASIX

A final occupation certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The Principal Certifying Authority must not issue the final occupation certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate. NOTE: Clause 154B of the Environmental Planning and Assessment Regulation 2000 provides for independent verification of compliance in relation to certain BASIX commitments.

- 112.** A pedestrian fence is to be installed on the western side of Corrimal Street between Burelli Street and Crown Street to prevent pedestrians from crossing the road in mid-block locations. The pedestrian fencing is required to direct pedestrians towards the signalised pedestrian crossings and must meet RMS requirements.

113. 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 shall be submitted. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels), and finished ground and pavement surface levels. This information shall be submitted to the Principal Certifying Authority prior to the issue of the final occupation certificate.

114. Post Dilapidation Report

The developer shall provide Wollongong City Council's Development Engineering Manager with a post construction dilapidation report, identifying the condition of Council assets and all land in the vicinity of the proposed works at the completion of works.

115. Drainage within Council Land WAE

The developer shall obtain written verification from a suitably qualified civil engineer, stating that the construction of the drainage infrastructure works within Council land has been undertaken in accordance with the approved construction plans. In addition, a full works-as-executed plan, prepared and signed by a Registered Surveyor shall be submitted. This plan shall include the location and levels of the drainage lines, structures and finished surface levels. This information shall be approved by Wollongong City Council's Development Engineering Manager prior to the issue of the final Occupation Certificate.

116. Completion of Engineering Works

The completion of all engineering works within Council's road reserve or other Council owned or controlled land in accordance with the conditions of this consent and any necessary work to make the construction effective to the satisfaction of Council's Manager Development Engineering. The total cost of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be restored in a satisfactory manner, prior to the issue of the Occupation Certificate.

117. **Works-as-Executed Plans**
On completion of any civil infrastructure works, the applicant must submit, to Council's Manager Development Engineering, the Works-As-Executed plans for any works within any road reserve or other Council owned or controlled land. A certificate shall also be submitted by a registered surveyor confirming that the survey is a true and accurate record and that all pipelines and associated structures lie wholly within any easements required by the engineering works. The WAE plans shall also be certified by an accredited engineer indicating that construction works have been built in accordance with the conditions of development consent.
118. **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.
119. The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, ten 100 litre container mature plant stock shall be placed within Level 1 of the development and eleven, 200 litre street trees shall be provided along the street frontages. The suggested species are *Bradychiton acerifolius* and *Cupaniopsis anacardioides*.
120. **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 noise and vibration requirements stated in Condition..... A copy of the acoustic and vibration compliance report must be submitted to PCA and a copy forwarded to council..

Prior to Issue Subdivision Certificate/Release of Final Subdivision Plan

121. **Existing Easements**
All existing easements must be acknowledged on the final subdivision plan.
122. **Existing Restriction as to Use**
All existing restriction on the use of land must be acknowledged on the final subdivision plan.
123. **Encroaching Pipes**
A minimum one (1) metre wide easement to drain water shall be created over any encroaching drainage pipes.
124. **Encroaching Services**
A minimum one (1) metre wide easement for services must be created over any encroaching utility service.
125. **Final Documentation Required Prior to Issue of Subdivision Certificate**
The submission of the following information/documentation to the Principal Certifying Authority, prior to the issue of a Subdivision Certificate:
- 125.1 Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;
 - 125.2 Final plan of Subdivision prepared by a registered surveyor plus four (4) equivalent size paper copies of the plan;
 - 125.3 Section 88B Instrument (where applicable) covering all necessary easements and restrictions on the use of any lot within the subdivision;
 - 125.4 Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water.

Operational Phases of the Development/Use of the Site

126. **Restricted Hours of Operation**

The hours of operation for the development shall be restricted to 9am to 5pm Monday to Saturday and 10am to 4pm Sundays. Any alteration to the approved hours of operation will require separate Council approval.

127. **Restricted Delivery Hours**

The delivery of service trucks shall be limited to 6.30 am to 9.00 pm daily, Mondays to Fridays and 8.00 am to 5.00 pm Saturdays only. Any alteration to the approved delivery hours will require the separate approval of Council.

128. **Storage of Goods and Materials**

All goods, materials and equipment shall be stored within the building and no part of the land shall be used for purposes of storage.

129. **No Display of Goods and Materials Outside Premises**

The placement of any cabinet, display stand, racks or any other means of displaying goods, whether or not for sale shall not be located on any property boundary, road reserve or outside the premises.

130. **Fire Safety Measures**

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

131. **Clothes Drying on Balconies/Terrace Areas Prohibited**

The use of the balconies/terrace areas for the external drying of clothes is strictly prohibited.

132. **Loading/Unloading Operations/Activities**

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

Reasons

The reasons for the imposition of the conditions are:

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

Notes

- 1 This consent becomes effective and operates from the date shown as "**Endorsement Date**" on the front page of this notice. This consent will lapse unless development is commenced within five years from the endorsement date shown on this notice.
- 2 Section 97 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within six (6) months from the date of receipt of this notice.
- 3 Section 82A of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right to request the consent authority to review the determination. The request for review of the determination must be made within six (6) months from the date of receipt of this notice. In the absence of a pending appeal before the Land and Environment Court, the request for review, and the review by Council, must all be completed within the abovementioned 6 month time period. Accordingly, applicants are advised to provide Council with sufficient time to complete the review within this period, failing which the determination cannot be reviewed. The request must be accompanied by the fees set by the Environmental Planning and Assessment Regulation. A right of review of determination does not exist for a determination made in respect of a Designated Development or an Integrated Development.

- 4 The holder of a development consent that is being acted upon must also hold a current:
- a Construction Certificate under the provisions of the Environmental Planning and Assessment Act, 1979.
 - b Subdivision Certificate under the provisions of the Environmental Planning and Assessment Act, 1979.
- 5 Where the consent is for building work or subdivision work, no temporary buildings may be placed on the site and no site excavation, filling, removal of trees or other site preparation may be carried out prior to the issue of a Construction Certificate and appointment of a Principal Certifying Authority.
- 6 A Tree Management Order has been proclaimed in the City of Wollongong. Under this order, no tree on the land the subject of this approval may be ringbarked, cut down, topped, lopped or wilfully destroyed except with the prior consent of Council which may be given subject to such conditions as Council considers appropriate. However, unless specified otherwise in this consent, those trees which are specifically designated to be removed on the plans approved under this consent or are within 3 metres of an approved building footprint may be removed, provided that a Construction Certificate has been issued for the development the subject of this consent and a Principal Certifying Authority appointed.
- 7 In this consent the developer means the applicant for development consent and any person or corporation who carries out the development pursuant to that consent.
- 8 Council recommends that NSW Wildlife Information and Rescue Service (WIRES) be contacted (phone (02) 4285 5630) for assistance in relocating any native fauna prior to removal of any trees and bushland, authorised by this consent.
- 9 Prolonged Rainfall Events
The applicant is advised that under existing conditions and during prolonged rainfall events, flooding of the site may occur and it is in the applicant's interest to take all necessary precautions to minimise the risk of property loss and/or damage.