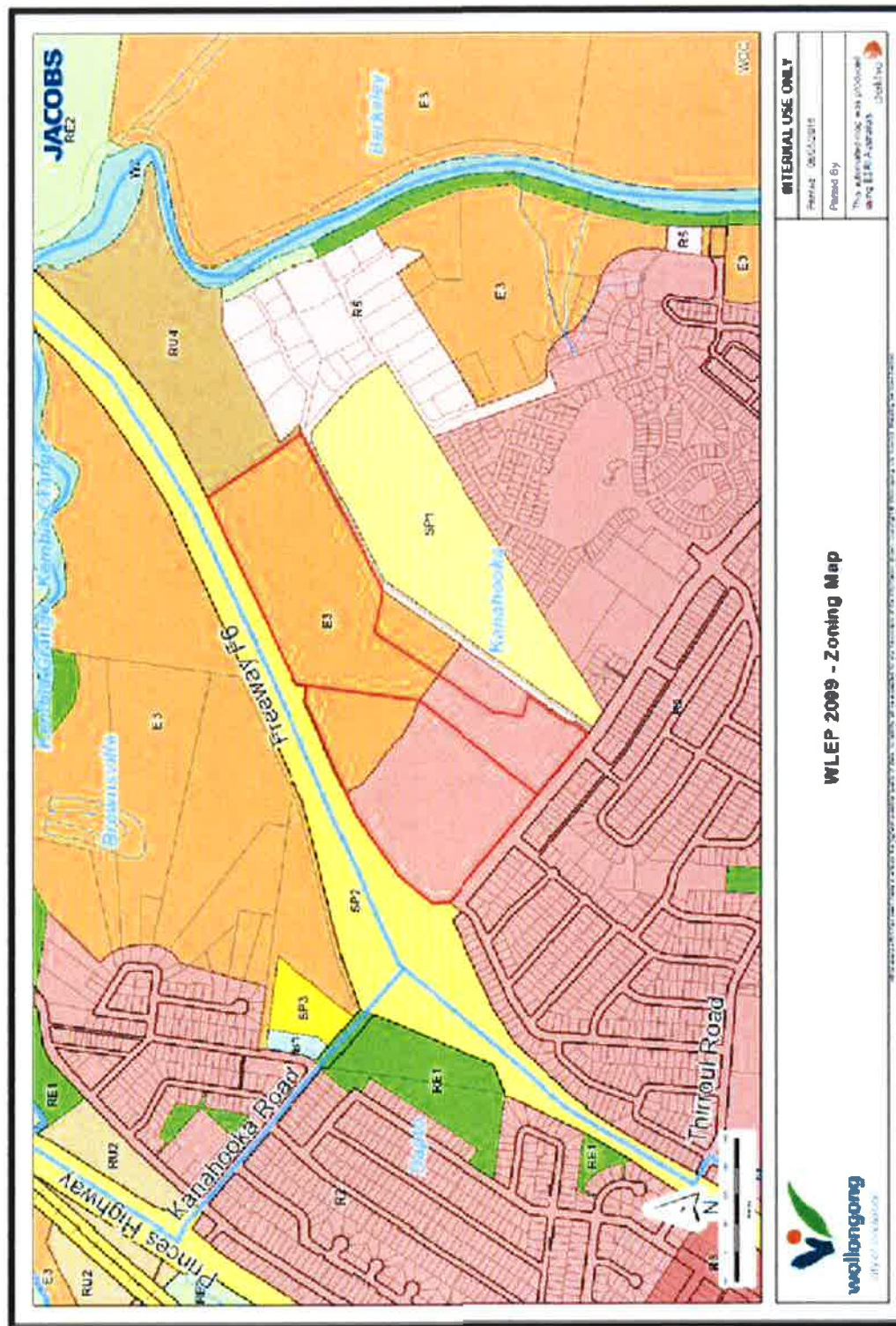


Attachment 2: Wollongong Local Environmental Plan 2009 – Zoning Map



Attachment 3: Site Photographs

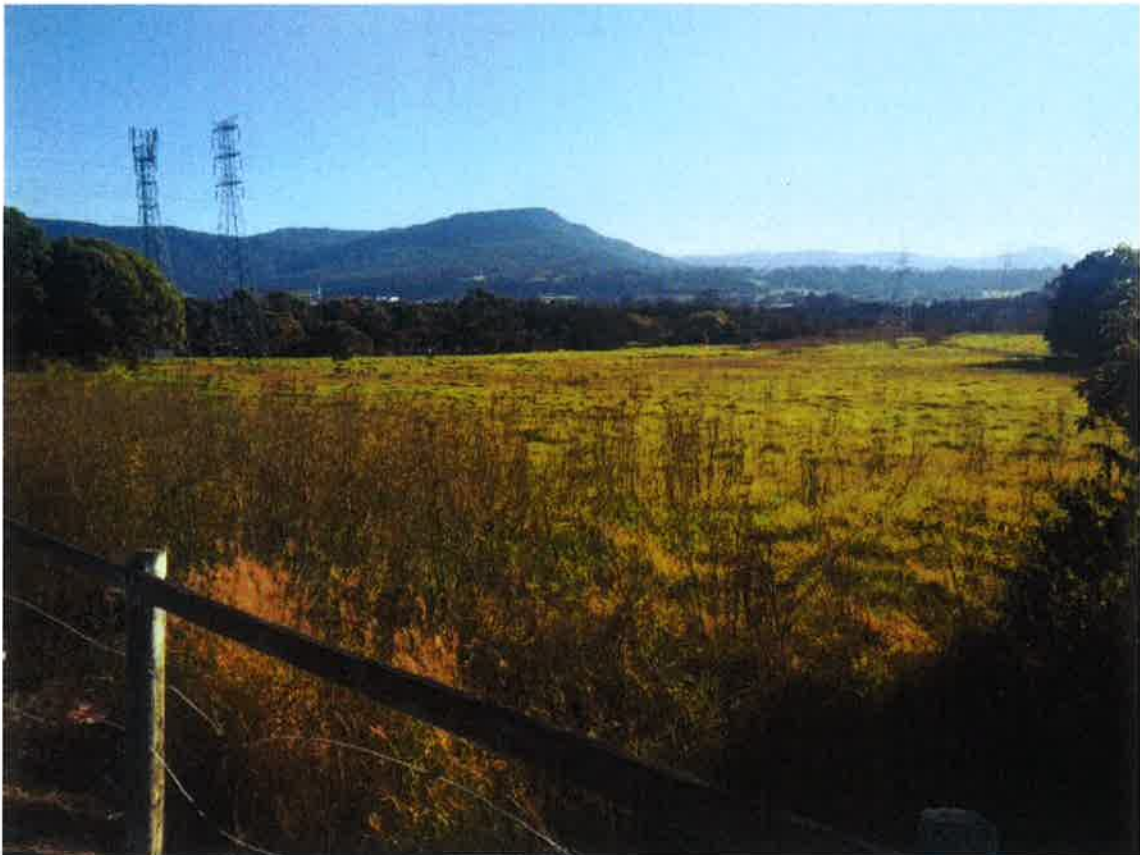


Photo 1: Subject site viewed from Kanahooka Road – looking north west



Photo 2: Subject site and adjoining dwelling to the east view from Kanahooka Road



Photo 3: View of subject site from Rondenella Estate Driveway – looking west



Photo 4: Western side of subject site (Lot 5 DP 249038) and Endeavour Energy Easement – looking north



Photo 5: View of easement from south western corner of site, looking north west. Existing IRT development in background



Photo 6: Adjoining IRT development to the west of subject site – view from Kanahooka Road



Photo 7: Adjacent dwelling houses on southern side of Kanahooka Road

[illegible]

BOUNDARY 166

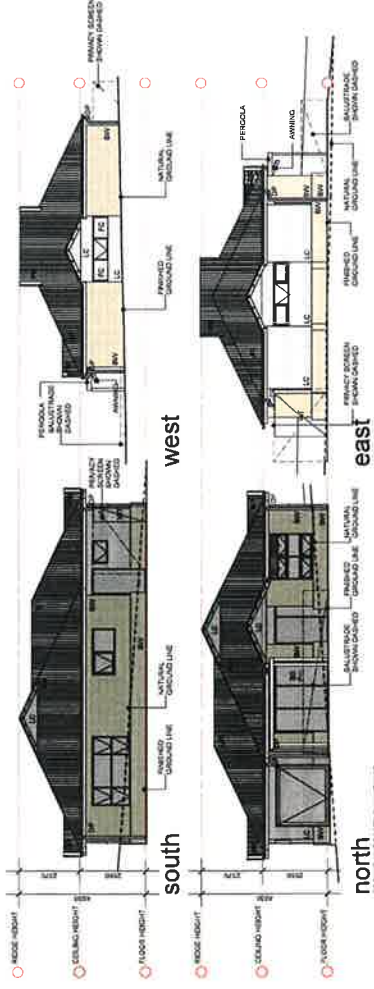


staging
PLAN

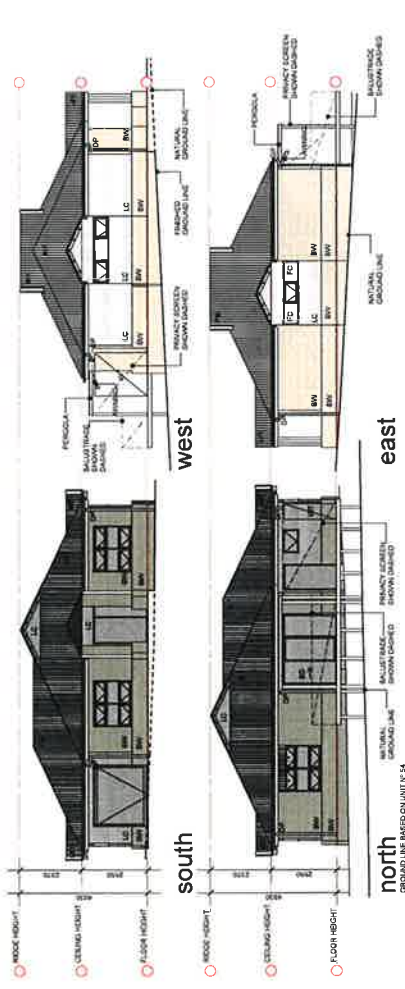
Proposed Seniors Living Community
For IRT
At 260 Kanaheka Road, Kanaheka
Lot 2 DP 851407

WOLLONGONG	NOWRA	BATEMANS BAY
111 Lakeside Drive Wollongong NSW 2520 T 02 422 4000 F 02 422 4000 E info@edjones.com.au	102 North Street Nowra NSW 2541 T 02 442 4000 F 02 442 4000 E info@edjones.com.au	102 North Street Batemans Bay NSW 2494 T 02 442 4000 F 02 442 4000 E info@edjones.com.au

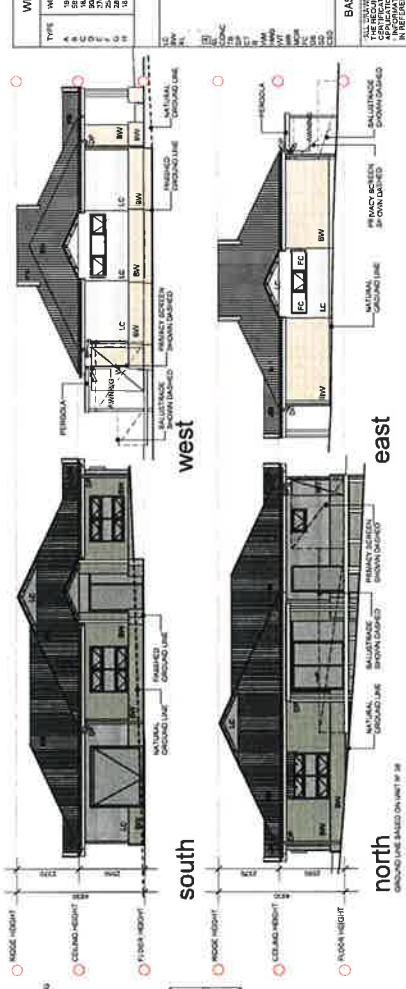
DA14c



GROUND LINES BASED ON UNIT # 27

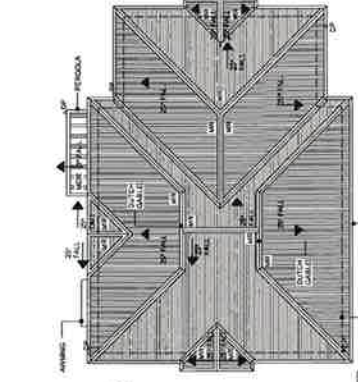


GROUND LINES BASED ON UNIT # 4



GROUND LINES BASED ON UNIT # 4

ELEVATIONS



AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

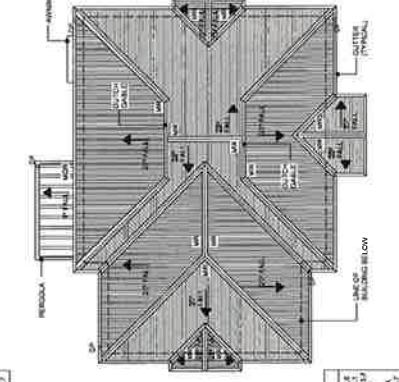
AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1



AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

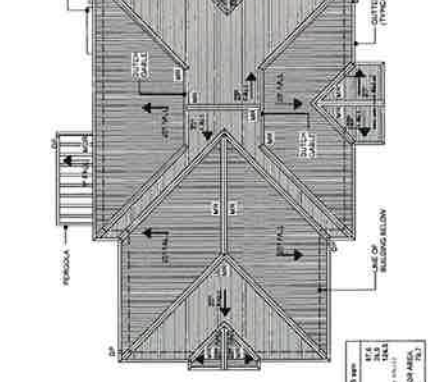
AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1



AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

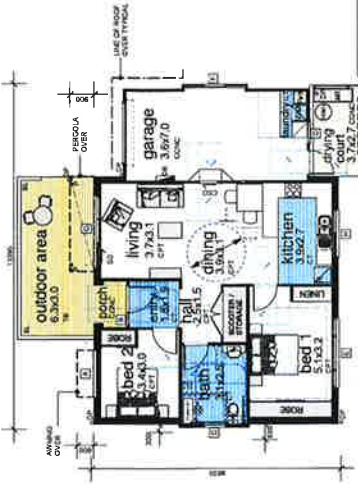
AREA: 11.1

AREA: 11.1

AREA: 11.1

AREA: 11.1

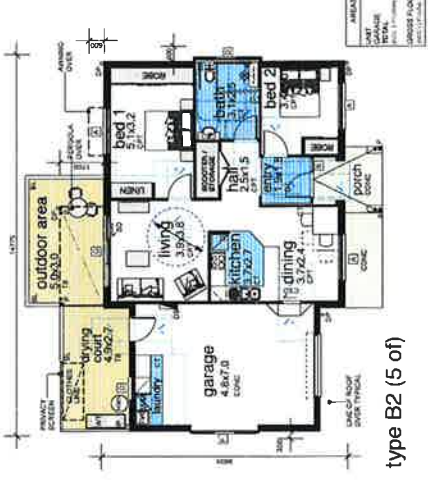
roof PLANS



type A (30 of)



type B1 (32 of)



type B2 (5 of)

typical unit FLOOR PLANS

Proposed Seniors Living Community

For IRT

At 260 Kanahooka Road, Kanahooka

Lot 2 DP 851407

COPYRIGHT OF TILNUT PTY LTD (ACA 003 164 461) TRADING AS ARCHITECTS EDMISTON JONES © 2015

WOLONGONG NOWRA

10/11/2015

10/11/2015

10/11/2015

10/11/2015

BATEMANS BAY

10/11/2015

10/11/2015

10/11/2015

10/11/2015

DA03 B

10/11/2015



BASIC REQUIREMENTS	
ALL COVERINGS ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE BASIC CERTIFICATE PROVIDED WITH THIS INFORMATION IN THE BASIC SCHEDULE IN ACCORDANCE TO THE WINDOW SCHEDULED NO VENTED DOWNLIGHTS TO BE USED	
INSULATION	SOUND ATTENON
EXTERNAL WALLS	R20
CEILING	100.5
GLAZING	U VALUE 8.7 CHGC 0.57
TYPE A	U VALUE 6.7 SHGC 0.75
TYPE B	

ELEVATIONS

Copyright of TILMENT PTY LTD (ACN 003 163 451) trading as ARCHITECTS EDMISTON JONES © 2015

A08 YU 670049P 0500-51

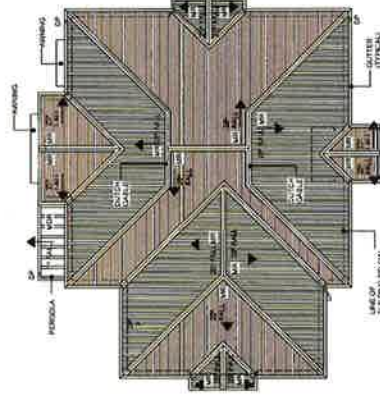
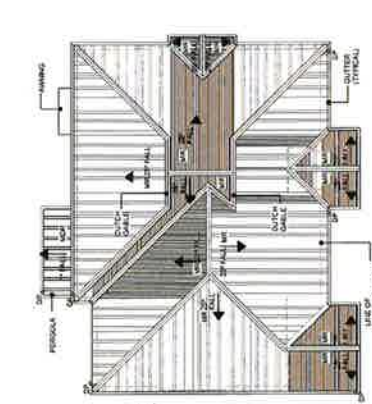
DAO4_B



type E - (9 of)



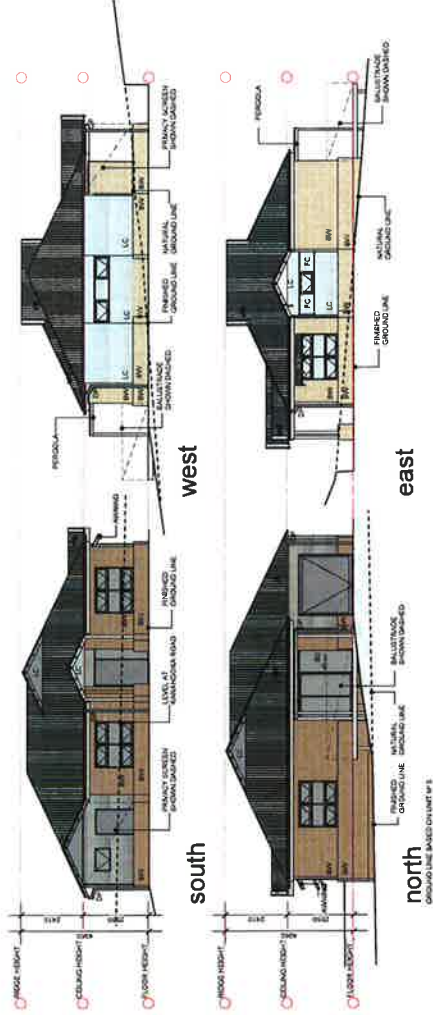
type F - (4 of)



typical unit FLOOR PLANS

roof PLANS

ELEVATIONS



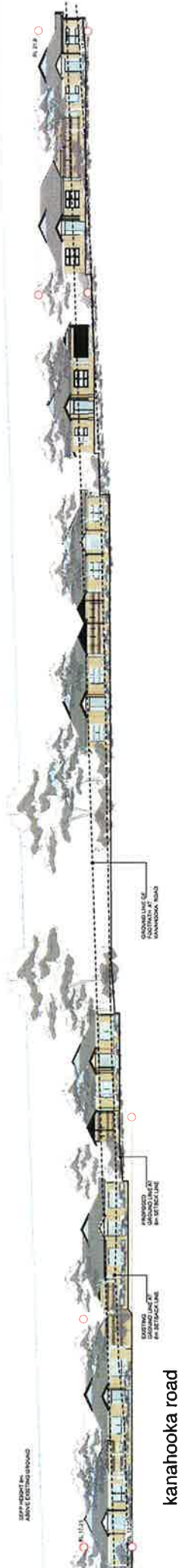
TYPE	WIDTH	HEIGHT	OPENING
1	1500	1500	ANNEXED
2	1500	1500	ANNEXED
3	1500	1500	ANNEXED
4	1500	1500	ANNEXED
5	1500	1500	ANNEXED
6	1500	1500	ANNEXED
7	1500	1500	ANNEXED
8	1500	1500	ANNEXED
9	1500	1500	ANNEXED
10	1500	1500	ANNEXED

LEGEND
1. EXTERIOR WALL
2. EXTERIOR WALL
3. EXTERIOR WALL
4. EXTERIOR WALL
5. EXTERIOR WALL
6. EXTERIOR WALL
7. EXTERIOR WALL
8. EXTERIOR WALL
9. EXTERIOR WALL
10. EXTERIOR WALL

BASIC REQUIREMENTS
1. ALL DRAWINGS MUST BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 1992.
2. ALL DRAWINGS MUST BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 1992.
3. ALL DRAWINGS MUST BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 1992.
4. ALL DRAWINGS MUST BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 1992.
5. ALL DRAWINGS MUST BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 1992.

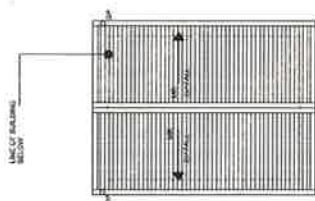
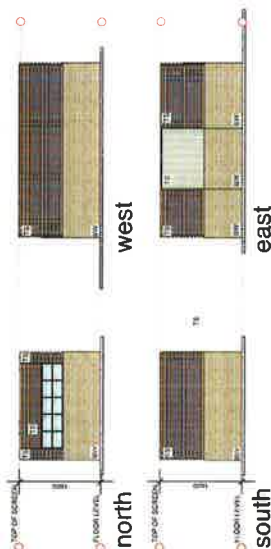
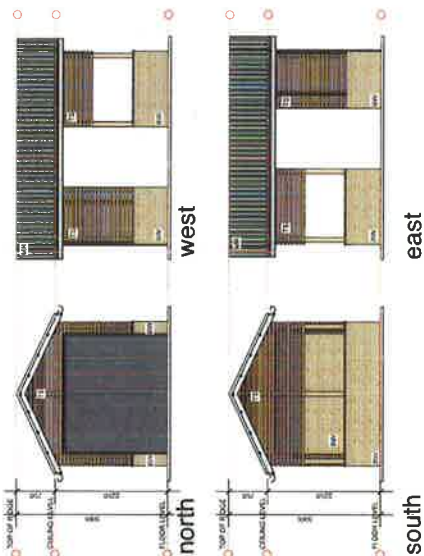
DA05 B
1. EXTERIOR WALL
2. EXTERIOR WALL
3. EXTERIOR WALL
4. EXTERIOR WALL
5. EXTERIOR WALL

WOLLONGONG	NOWRA	BATEMANS BAY
1. North Street	1. North Street	1. North Street
2. 44-46 North Street	2. 44-46 North Street	2. 44-46 North Street
3. 44-46 North Street	3. 44-46 North Street	3. 44-46 North Street
4. 44-46 North Street	4. 44-46 North Street	4. 44-46 North Street
5. 44-46 North Street	5. 44-46 North Street	5. 44-46 North Street



Proposed Seniors Living Community For IRT At 260 Kanahooka Road, Kanahooka Lot 2 DP 851407

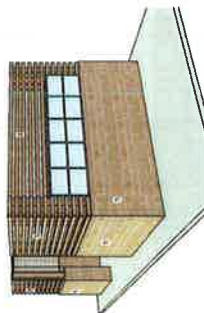
WOLLONGONG		BATEMANS BAY	
10 Lakeside Circuit Wollongong NSW 2522 T 02 4427 4827 F 02 4427 4828 W www.edmiston.com.au	NOVRA 12 Lakeside Circuit Wollongong NSW 2522 T 02 4427 4827 F 02 4427 4828 W www.edmiston.com.au	1 North Street Batemans Bay NSW 2526 T 02 4427 4827 F 02 4427 4828 W www.edmiston.com.au	14-02-09 Kanahooka DA Rev E WX



mail / waste pavilion
floor PLAN TYPICAL



ELEVATIONS



PERSPECTIVE

[illegible]

Project: Kanahooka Community
For: IRT
Job No: 14-0039
Date: 21 April 2016



ARCHITECTURAL DESIGN STATEMENT

1) SITE LAYOUT & URBAN DESIGN

An aerial view of the site layout could suggest a regimented character to the buildings however when viewed from ground level, the extent of open space and articulation of the buildings will provide variety and interest.

The overall layout of the village has been carefully considered to create five precincts which each benefit from a communal open space including a small pavilion. The precincts are then divided into short 'streets' consisting of six to eight dwellings. Each street terminates with a neighbourhood open space.

The residential character of the Kanahooka Road environment has been maintained, positioning dwellings (Type E) so that entry porches face the street, encouraging residents to sit and watch the street life.

A central spine road allows the majority of the traffic to traverse the site from the entry to the community centre at the northern end, with minimal disruption to the majority of residents.

A round-a-bout with a significant sculpture of some scale provides an identifier for the village and a geographically central meeting space. This device also assists in way-finding to direct visitors (e.g. "second street on the right past the round-a-bout") and a visual reference point for the residents in the village.

The design of the site layout is to optimise the northerly aspect for each dwelling. The north/south relationship of adjacent units is positioned so that the separation maximises solar access. The design also capitalises on the gentle slope to the north with cantilevered decks benefiting from views to the escarpment.

The proposed dwellings have a variable set back to the side boundaries at a minimum of 2m allowing for a landscaped drainage swale with a minimum width of 1500mm. The buffer planting to the boundaries has been selected by the Landscape Architect, to have planting that will be under pruned at the time of installation so that branches will not interfere with the overland flow of storm water. The single storey dwellings stepping down with the gentle slope of the site will create a low scale residential character that is consistent with the suburban context.

The density of one dwelling per 309m² of site area is typical of senior living villages and not out of character with other developments in the suburb such as Forest Grove to the east.

2) DWELLING DESIGN AND HOUSING MIX

Six different house types have been designed to provide some variety both in the choice of dwellings and the character of the buildings. The majority of the dwellings are two-bedroom with a small number of three-bedroom dwellings to accommodate different family structures. This allows siblings or relatives to co-habit a single dwelling. It also provides a more affordable alternative for friends or relatives seeking to share accommodation.

IRT recognise that safety is a primary concern for their residents and stairs create a significant hazard and dwellings are single storey to cater for the senior population. Maintaining single storey dwellings ensures that overshadowing is also minimised.

The selection of materials is to give a coastal feel to the village - a nod to nearby Lake Illawarra. Timber cladding will be used in the gables, portions of the walls as well as the garages to alternating residences lining the main access road.

WOLLONGONG

10 Belmore Street
T 02 4226 1387

NOWRA

92 North Street
T 02 4421 6822

BATEMANS BAY

1 North Street
T 02 4472 7388

The residential dwellings have been designed with a limited palette of materials in the three colour schemes illustrated on the Development Application drawing DA12. The colour schemes' subtle variations of creams and greys are complemented by timber battening to screens and balustrades. Pergolas over outdoor areas, simple awnings to north facing windows and gables over entry porches articulate the building forms. Exposed rafters to the hoods, entry gables, as well as the Dutch gables to the roof, add detail that creates a visual links to the timber-work on the pavilions in the communal areas.

Landscaping is carefully positioned to screen living areas and bedrooms of adjacent dwellings so that the privacy of rooms in opposite units is not compromised. In some locations, where decks are in close proximity to habitable rooms in adjacent units, 1500mm high solid balustrades will be provided to the appropriate side of the deck to achieve the necessary privacy. Notwithstanding, the location and orientation of all Private Open Space (POS) areas will provide for a certain level of passive surveillance for residents, enabling a sense of safety and security throughout. This also enables residents to interact in a more communal environment.

3) RESIDENT RECREATION CENTRE

Various options were considered for the location of the resident recreational facility. Early concepts positioned the facility in the middle of the site in an attempt to achieve equitable access for all the residents. Ultimately, it was decided to position the recreational facility to take advantage of an outlook across the open space to the north and unrestricted views to the escarpment. It was recognised that, given the scale of the site, frailer residents would use motor scooters to access the centre.

4) COMMUNAL OPEN SPACE

Houses are clustered around short streets of six to eight dwellings that share a communal garden at the far end of the street. These spaces allow for communal vegetable gardens in raised beds with associated composting and worm farms. The spaces also create the opportunity for interaction between residents of the 'street' to facilitate a small neighbourhood feel within the village.

The spaces between the 'neighbourhoods' function as landscaped swales distributing the drainage from the central spine road to the swales on the boundaries. The result is that when the development is viewed from a distance, it is broken down into pairs of houses either side of a communal garden.

Communal open spaces for each of the five precincts are illustrated on the landscape drawings (1570-LD02A) showing a sensitive landscape treatment with a balance of substantial trees and grassed areas providing sufficient space for the 30 or 40 people in each precinct to gather. The centrepiece of each communal area is a pavilion illustrated on the architectural drawing DA13. These screened shelters provide covered seating and storage that can accommodate deckchairs and outdoor games. The pavilions also carefully disguise the electrical switch room that caters for each precinct.

Waste container enclosures with mailboxes have been designed in sympathy with the shelters (refer drawing DA 13) and are intended to facilitate incidental social contact between residents in each precinct as they carry household waste to the central facility and collect mail.

Mark Jones
EDMISTON JONES



19th April 2016

John Wood
City Wide Development Manager
Wollongong City Council

Dear John,

Project Name: IRT Kanahooka (260 Kanahooka Road: DA 2015/852)

Subject: Response to Matters Identified in JRPP Briefing (17 March 2016)

IRT note the concerns indicated by the JRPP and wish to positively inform the following:

As at 2016, IRT manages a portfolio of retirement communities that service close to 3,000 residents. The majority of our activities are based in NSW and the greatest proportion of this portfolio extends throughout the Illawarra.

Based on our existing villages and those under construction, IRT have a very concise view as to the retirement living choices and design solutions our customers require. Understanding what accommodation and retirement community options are needed directs much of our planning for future projects such as the proposal currently before council at 260 Kanahooka Rd.

- The most equitable accommodation choice remains a 2 bedroom single storey villa with few residents able to pay a premium for a 3 bedroom product and single retirees still preferring an efficient 2 bedroom design that provides sufficient space for house guests rather than a single bedroom. Our research suggests that 2 and 3 storey product for self-contained seniors living are most undesirable.
- The greatest impediment to retirees being able to retain independence is due to a 'fall'. The design for single storey product is intentional to ensure that internal stairs do not cause a safety concern.
- IRT own the adjoining landholding and retirement village site at 286 Kanahooka Rd (IRT William Beach Gardens). The accommodation density planned on the R2 zoned land at the proposed new project is of a lower site density per dwelling (1 dwelling per 309 m2) than our existing village (1 dwelling per 285 m2). Whilst the small scale of the project might appear as high density of plan, the fall of the land and the inclusion of precinct neighborhood parks with teahouse shelters and share libraries will foster a pleasant community experience.

The site at 260 Kanahooka Rd provides IRT with an exceptional opportunity to connect with the environmental wetlands inherent within the environmentally sensitive E3 portion of the site.

- Our intentions have been to incorporate this zone as a key point of difference for those choosing to live within the community and it is for this reason that we placed the resident recreation centre; with its northern aspect, in as close proximity to this zone as permissible.
- It is our desire that the resident population will wish to actively engage in nature discovery and prospective future plans have suggested that a raised walkway and bird viewing platforms might also enable greater connectivity with our resident recreation centre. In conjunction with this, we have been investigating the prospect of enabling biobanking credits across this land parcel as it involves the largest single holding of 'southern coastal wetlands' in the immediate vicinity to significant road infrastructure works.

IRT is committed to providing access to quality housing for all seniors where we can. In 2015 close to 70% of our independent living dwellings were priced at no more than 80% of the median house price in the local area. As a designated Not-For-Profit business IRT is able to provide more affordable housing at lower price points than similar commercial operators simply because IRT is able to develop at very low risk margins.

- A key driver in enabling this equitable housing solution is the 'smoothing' of site infrastructure and 'averaging' of capital costs across multiple dwellings.
- It is totally intentional that our sites are not delivered at lower densities that might be more appropriate in the general housing market. This would only serve to increase price levels and exclude a broad range of seniors being able to buy into our communities.
- The key concern of retirees in Australia at present is having insufficient funds in retirement (ie. running out of money). IRT is proud that we practically strive to alleviate this concern through cost effective accommodation solutions and in many cases provide private benevolence arising from remaining project funds to assist seniors and those with disabilities in obtaining access to shelter.

The site seeks to enable a new direction in retirement living which is not simply replicating 'brick and tile' designs. The proximity to Lake Illawarra and the sailing club has inspired a local connection whereby the design detailing of the proposed new project celebrates a nautical theme.

Variations in color, external materials selections and crisp roof profiles is intended to provide future residents with access to quality design at a reasonable price point. The layout of the villas and points of visual identity involve the key principles of the movement towards 'new urbanism' where residents can easily get to know one another, and engender a safe and healthy community.

Yours sincerely,



Andrew Hahn
IRT Head- Property Development

Attachment 6 – Merit assessment against State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004

Clause	Comment
Chapter 1:	
4. Land to which this policy applies.	<p>The site is zoned R2 Low Density Residential & E3 Environmental Management, pursuant to the WLEP 2009.</p> <p>The proposal is defined as Seniors Housing and is permissible in the R2 zone with development consent. The proposal incorporates 100 single level independent, living units (ILU's) which are considered to meet the definitions of in-fill self-care housing in accordance with the SEPP and multi-dwelling housing which are permissible in the R2 zone in accordance with the WLEP 2009.</p>
5. Relationship to other Environmental Planning Instruments	<p>(3) If this Policy is inconsistent with any other environmental planning instrument, made before or after this Policy, this Policy prevails to the extent of the inconsistency.</p> <p>(4) This Policy does not affect a provision in another environmental planning instrument that relates to demolition of a Heritage Item. It is noted that the proposal does not involve the demolition of a Heritage Item, rather construction of a new seniors housing development in the vicinity of a known listed item and a place of cultural significance with no issues identified.</p>
Chapter 2	
10. Seniors Housing	The proposal is for the development of seniors housing in the form of 100 self-contained dwellings that is, or is intended to be, used permanently for seniors or people with a disability.
13. Self-contained dwellings	<p>In this Policy, a self-contained dwelling is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a share basis.</p> <p>The proposal is for in-fill self-care housing is seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.</p> <p>The proposal is self-contained dwellings as in-fill self-care housing.</p>
Chapter 3	
15. What Chapter does	<p>This Chapter allows for the development for the purposes of Seniors Housing on land that is zoned primarily for urban proposes, despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy, however given that seniors housing is permissible in the R2 zone under the WLEP, the applicant is not relying on the provisions of the SEPP, or this chapter, to enable the development to be permissible.</p> <p>Whilst this Chapter does not strictly apply to the development, it is considered that there are provisions which are relevant to the site and that a comparison with these controls in the form of a merit assessment is appropriate in this case.</p>
18. Restrictions on occupation of seniors housing allowed under this Chapter	Condition number 108 has been included requiring a Restriction as to the User to be registered against the title of the property in accordance with this clause.
26 Location and access to facilities	<p>(2) Access to comply with this clause:</p> <p>(c) in the case of a proposed development on land in a local government area that is not within the Sydney Statistical Division—there is a transport</p>

	<p>service available to the residents who will occupy the proposed development:</p> <ul style="list-style-type: none"> (i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and (ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and (iii) that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive), <p>and the gradient along the pathway from the site to the public transport services (and from the transport services to the facilities and services referred to in subclause (1) complies with subclause (3).</p> <p>The submitted Statement of Compliance: Access For People with a Disability prepared by Accessible Building Solutions dated 15 June 2015 provides that the proposal complies with the requirements of this clause. Bus stops are located along the frontage of the site and within 120m. The buses which services these stops go to nearby town centres where the required services are available The stops are serviced 7 days a week, with return trips throughout the day.</p> <p>(3) For the purposes of subclause (2) (b) and (c), the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable:</p> <ul style="list-style-type: none"> (i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time, (ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time, (iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time. <p>The submitted Statement of Compliance: Access For People with a Disability prepared by Accessible Building Solutions dated 15 June 2015 provides that the proposal complies with the requirements of this clause with pathways being an average gradient of less than 1:14.</p> <p>(4) For the purposes of subclause (2):</p> <ul style="list-style-type: none"> (a) a suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and (b) distances that are specified for the purposes of that subclause are to be measured by reference to the length of any such pathway <p>It is considered that the proposed pedestrian pathway access to the bus stops is a suitable access pathway and that the proposal reasonably complies with this clause.</p>
28 Water and sewer	<p>The existing services on the site are able to be extended to accommodate the development. The proposal was referred to Sydney Water for comment who advised in correspondence dated 18 August 2015 that the detailed drinking water and wastewater requirements can be dealt with at the Section 73 application phase. Condition 114 of the draft consent account for this matter.</p>
29 Consent authority to consider certain site compatibility criteria for development applications to	<p>25, 5 (b) (i) Council is satisfied that the proposal is compatible with the natural environment. The use of the adjacent site for seniors living was approved in 1981. There are no onerous impacts on the natural environment envisaged nor are there any site constraints which would preclude the development.</p> <p>(iii) The site has existing access to services and existing utilities which can be augmented to service the proposal.</p> <p>(v) Council considers that the proposed bulk and scale of the development is</p>

which clause 24 does not apply	<p>unlikely to have a significant negative impact on the existing and future use of surrounding lots.</p> <p>The proposed development is considered to be compatible with the natural environment, the services and infrastructure that will be available to meet the demands from the development and the bulk, scale, built form and character of the existing, approved and future uses of land in the vicinity of the development.</p>
30 Site analysis	The visual site analysis submitted with the application provides detail on the relevant parts of this clause and is considered satisfactory. The proposal is considered to have regard to the site and the surrounding development and is also considered to have met the design principals as discussed in Division 2 below.
31 Design of infill self-care housing	The proposal meets the definition of infill-self-care housing and therefore the provisions within the <i>Seniors Living Policy- Urban Design Guidelines</i> for Infill Development. See table 5 below for a detailed description on how the proposal meets the objectives and controls within this Policy.
32 Design of residential development	<p>See below:</p> <p>Council is satisfied that the development demonstrates adequate regard to the principles set out in Division 2 below. The applicant has provided an Architectural Design Statement from the Architect and Retirement Living Demand response from IRT to address design issues raised by the JRPP, in support of the application. This is provided at Attachment 5. These statements detail how the proposal has been designed in a way that is responsive to the constraints on the site and also provides for the requirements of prospective customers.</p>
Division 2 Design Principles 33 Neighbourhood amenity and streetscape	<p>The new buildings contribute to the quality and identity of the area by maintaining the low density suburban character of the vicinity. A 6m setback is provided for the proposal. The front building line of the development is not congruous with the existing building line of the neighbouring development to the west. However this is not considered to be aesthetically detrimental due to the buffer provided by the transmission line easement. Additionally, the separation of this development with the neighbouring residential development to the east by the entrance to the Lakeside Lawn Cemetery reduces the bulk of the proposal.</p> <p>Due to the single storey nature of the proposal, the development is not expected to cause unreasonable overshadowing.</p> <p>The proposed location of the development is considered to respond to the site context as it is located in a position which allows for the development of a facility which will provide to the needs of the residents with regard to view planes towards the wetlands at the northern end of the site.</p> <p>There are a number of trees proposed to be removed; this is not considered problematic and significant compensatory planting is proposed. There are no works within any riparian zone.</p>
34 Visual and acoustic privacy	<p>The proposal has been designed in a way such that the private open spaces areas are separated and provided with privacy screens. There are some overlooking impacts from kitchens into POS areas however in a development such as this, such impacts are considered acceptable. There are positive passive surveillance implications.</p> <p>Floor plans are separated by adjoining garages to provide acoustic privacy where possible. An acoustic report by Day Design dated 10 July 2015 was submitted with the proposal recommending measures to ensure the operation of the development will comply with Council's requirements and the relevant Australian Standards. These recommendations have been included as draft conditions. The report provides that <i>Traffic noise levels at the proposed site are low and standard construction methods will ensure the internal noise level recommendations set by Australian Standard AS2107:2000.</i></p> <p>Where there is a shared dividing wall, the uses are the same (bedrooms or garages) which limits potential noise conflicts.</p>
35 Solar access	The shadow diagrams submitted to Council indicate that height of the proposal

and design for climate	<p>has minimal potential to overshadow the properties internally. There are no overshadowing impacts on adjacent sites.</p> <p><i>(a) Ensure adequate daylight to main living rooms to neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space.</i> Shadow diagrams submitted for 21 June and 21 December. Solar access is considered acceptable and adequate daylight is received by north facing living areas and substantial areas of private open space.</p> <p><i>(b) Site planning for solar access and natural ventilation.</i> Satisfactory. Cross ventilation & solar access is facilitated in all units.</p>
36 Stormwater	Councils Stormwater Officer has reviewed the application and is satisfied that satisfactory arrangements have been made to ensure that the potential impacts of stormwater runoff are minimised.
37 Crime prevention	The site layout has been designed in a way that provides passive surveillance opportunities and safe pedestrian access throughout the site. The proposal was referred to Council's Community Safety Officer who advised that they have no objection to the proposal, subject to conditions. It is considered the proposal provides a satisfactory level of security for residents and encourages crime prevention.
38 Accessibility	The site provides safe pedestrian links and access and parking for residents and their guests on the site. Refer to discussion in Clause 26.
39 Waste management	<p>Adequate waste management arrangements have been considered for the development.</p> <p>A Site Waste Minimisation and Management Plan was included with the application submission. Private contractor waste collection vehicles will enter the site from Kanahooka Rd and bins will be collected from the waste drop off/pick up area at the located at the northern end of the developed area. Staff will coordinate for the bins to be collected and placed there weekly. This arrangement has been reviewed by Councils Traffic Officer who has not indicated any objections.</p>
Part 4 Division 1 40 Development standards— minimum sizes and building height	<p>(1) The proposal complies with the standards specified in this clause.</p> <p>(2) The subject site has an area of approximately 16.53HA (>1,000m²).</p> <p>(3) The site has a frontage to Kanahooka Rd of more than 165m. (>20m)</p> <p>(4) The proposal is located in an R2 where residential flat buildings are permitted therefore the height restrictions do not apply.</p> <p>(5) The application has not been made by the Department of Housing or any other social housing provider.</p>
Division 3 Hostels and self-contained dwellings— standards concerning accessibility and useability 41 Standards for hostels and self- contained dwellings	<p>Compliance with the development standards within Schedule 3 are considered below: Draft condition number 16 has been imposed requiring access to the facility to be in accordance with the BCA and the Commonwealth Aged Care Accreditation Standards.</p> <p>The applicant has submitted an Access Report by Accessible Building Solutions dated 15 June 2015 which states that the proposal can comply with the BCA requirements for wheelchair access, disabled car parking and general controls such as access to common areas, accessible paths of travel, signage and adaptable housing. The proposal has also been assessed by the Access Reference Group and Councils Community Services Officer who has provided conditionally satisfactory referral advice.</p>
Part 7 Development standards that cannot be used as grounds to refuse consent Division 1 General 46 Inter-	Adequate regard has been given to the principles set out in Division 2 of Part 3. See above for comments relating to clauses 33-39.

relationship of Part with design principles in Part 3	
Division 4 Self-contained dwellings 50 Standards that cannot be used to refuse development consent for self-contained dwellings	<p>The proposal incorporates 100 self-contained independent living units;</p> <p>(a) Building Height: single storey: the R2 zone height is 9m and the proposal complies.</p> <p>(b) Density and Scale: Proposed FSR is less than 0.5:1 at 0.24:1.</p> <p>(c) Landscaped area: The proposed landscaping covers 34% of the site area which is in excess of the 30% required by this Clause.</p> <p>(d) Deep Soil Zone: 25% of the site is provided as a deep soil zone.</p> <p>(e) Solar Access: 70% of the 100 proposed self-contained dwellings achieve the minimum of 3hrs direct sunlight between 9am and 3pm in mid-winter as indicated by the submitted shadow diagrams.</p> <p>(f) Private Open Space: 15m² is to be provided for each dwelling and is accessible from living areas.</p> <p>(h) Parking: Council's Traffic section has returned satisfactory referral advice as per section 2.3.1 of the report.</p>

Attachment 7: Draft conditions of consent

Consent has been granted subject to the following conditions:

Approved Plans and Specifications

1. To be inserted by Council

General Matters

2. Tree Removal

This consent permits the removal of existing trees as indicated on the Site Plan, Dwg. No 14-0038 by Edmiston Jones dated 3 July 2015. No other trees shall be removed without prior written approval of Council.

3. Water Cycle/Stormwater Quality Management

- a) The water cycling management treatment nodes shall be constructed as per the water sensitive urban design (WSUD) report prepared by KFW Infrastructure Professional report ref no. KF111754 dated 8th December 2015. The treatment goals for removal of pollutants and nutrients which shall be: Gross Pollutants (GP) – 99%, Total Suspended Solids (TSS) – 85%, Total Phosphorus (TP) – 70% and Total Nitrogen (TN) – 45%;
- b) The minimum treatment goals for removal of pollutants and nutrients shall be GP – 90%, TSS – 80%, TP – 60% and TN – 45%.
 - i. It is the developer's/owner's responsibility to maintain the water cycle management infrastructure and undertake regular servicing of gross pollutant traps.
 - ii. Within six months of completion of the development stormwater quality monitoring results and compliance of these results with design criteria must be sent to Council's Environment Section. Thereafter on yearly basis stormwater quality monitoring results and compliance of these results with design criteria must be sent to Council's Environment Section.
 - iii. The stormwater samples shall include prior to treatment train and after treatment train (prior to discharge into natural waterway). The sample must be undertaken after wet weather event and in addition to percentage removal for TP and TN millilitre per litre (ml/L) must be stated.

4. Site Remediation

Development work shall not be commenced and the Construction Certificate shall not be issued until site decontamination works are complete, validated of contaminated material undertaken to Council's satisfaction, being:

- a) Remediation and validation works shall be conducted in accordance with the relevant regulations and EPA's Remediation Action Plan endorsed guidelines;
- b) The proposed seniors' residential development lots shall be remediated as per the environmental consultant advice stated in the preliminary site investigation with limited sampling prepared by Douglas Partners dated November 2015 Report ref no. 38410.03. The report recommended to prepare unexpected finds protocol (UFP) as a part of site management plan for potential future fly tipping and uncontrolled fill material on site prior to earthworks for proposed development.

5. Aboriginal Cultural Heritage Due Diligence Assessment

The development shall be undertaken in strict accordance with the findings and recommendations contained in the Aboriginal Cultural Heritage Due Diligence Assessment Report dated 19 April 2015 prepared by Biosis unless expressly identified in any other condition of consent.

6. **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.
7. **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.
8. **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 (2009) – 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.
9. **Mailboxes**
The developer must install mailboxes along street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet.
10. **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.
11. **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.
12. **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.
13. **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

14. **Signs and Linemarking**
A sign and linemarking diagram must be endorsed by the Local Traffic Committee and approved by Council prior to the issue of the Construction Certificate.
15. **Site Contamination Validation Report**
The submission of a site contamination validation report to the Principal Certifying Authority and Council is required, prior to the issue of a Construction Certificate. This validation report shall verify that:
 - a) all site contamination remediation works have been satisfactorily completed;
 - b) the site is not affected by any soil strata and/or groundwater table contamination, above the NSW DECCW threshold limit criteria; and
 - c) the site is rendered suitable for the proposed development.
16. **Standards for Self-contained Dwellings**
The proposed independent living units are to comply with the standards specified in Schedule 3 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 concerning accessibility and usability. Evidence of this compliance or provision for compliance is to be submitted to the Private Certifier prior to the issue of the Construction Certificate.
17. **Redundant Crossings**
All redundant vehicular crossovers rendered unnecessary by this development must be reconstructed to normal kerbing.
18. **Site Management Plan**
Submit a Site Management Plan (SMP) incorporating unexpected finds protocol (UFP) for potential future fly tipping and uncontrolled fill material. A copy SMP must be submitted to Council prior to issue of a Construction Certificate.
19. **Flows from Adjoining Properties**
Flows from adjoining properties shall be accepted, contained and directed to the proposed on site stormwater system. Finished ground levels/free standing retaining walls shall be no higher than the existing upslope adjacent ground levels. Overflow paths shall be maintained to cater for flows in excess of the capacity of the underground stormwater system. These requirements shall be reflected on the Construction Certificate plans.
20. **Accessway Drainage**
The internal accessways shall be provided with a kerb system or dish drain to collect surface runoff and convey into the proposed stormwater disposal system for the site. Details of the proposed drainage collection system shall be reflected on the Construction Certificate plans and supporting documentation.
21. **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. In addition, all finished ground levels adjacent to the proposed buildings shall have a minimum 2% fall towards the proposed stormwater drainage system, in order to allow for suitable stormwater run-off from the land and to help minimise any potential water ponding. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
22. **Protection of Buildings from Surface Runoff**
The development shall be designed such that adequate protection is provided to each building against the ingress of upslope surface run-off in any rainfall event. This design shall also ensure there are no adverse effects to adjoining properties or upon the subject land as a result of flood

or surface run-off. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

23. **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 KFW, Revision C dated 21/04/2016.

24. **Designated Overland Flow Paths**

Details of each overland flow path located on the site shall be provided with the detailed drainage design. Each overland flow path shall be capable of catering for the 1 in 100 year storm event flows from the contributing catchment area, and direct these flows into the proposed stormwater disposal facility. The overland flow paths shall be free of any vegetation and/or structures that are likely to impede natural overland flow, or make provision for such obstructions, so there will be no adverse flood impacts upon the subject and adjoining properties. Full Manning's calculations shall be provided on the capacity of each overland flow path. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

25. **Scour Protection**

All stormwater outlets and overland flow paths shall be treated with appropriate scour/erosion protection measures in accordance with good engineering practice. The final details of the proposed scour/erosion protection measures shall be undertaken by a suitably qualified civil engineer and reflected on Construction Certificate plans.

26. **Compensatory Cut/Fill Design**

Compensatory cut and fill design and computations (including plan showing cut/fill elements and design surface levels) shall be provided with the Construction Certificate plans and documentation. The computations shall clearly show no net loss of flood storage within the area of the floodplain on the IRT sites up to and including the Probable Maximum Flood. The design shall also demonstrate a minimum of 1% grade to the area of compensatory excavation in the direction of natural slope of the land to adequately shed surface runoff. This information shall be certified by a suitably qualified civil engineer and submitted to the Principal Certifying Authority for assessment prior to the release of the Construction Certificate.

27. **Stormwater Disposal**

All stormwater from the development shall be directed to an appropriately sized absorption trench on the site. The absorption trench shall be designed by a suitably qualified civil engineer in accordance with Chapter E14 of the Wollongong DCP 2009 and Council's 'Domestic Stormwater Drainage Systems' fact sheet. A minimum setback of 3 metres shall be provided between the absorption trench and property boundary line and a minimum 5 metres setback provided from any existing/proposed building. The orientation of the absorption trench shall be parallel to the contours of the subject land. The top of the absorption trench shall have appropriate end scour protection, designed to replicate natural overland flows and not result in long term ponding. These requirements shall be reflected on the Construction Certificate plans.

28. **Excavation within Transmission Easement**

The developer shall obtain written approval from Endeavour Energy with respect to the proposed extent and depth of excavation to be undertaken within the transmission easement burdening No. 286 Kanahooka Road (Lot 5 in DP 249038). The written approval shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

29. **Structural Soundness Design Criteria**

The proposed buildings located within the floodplain shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including the Probable Maximum Flood plus 0.5m freeboard, being RL 4.61 metres AHD. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

30. **Fences**

All new fences proposed for the site and located in the flood plain shall be of a type that will not obstruct the free flow of floodwaters and not cause damage to surrounding land in the event of a flood. In addition, all new fences shall be designed to have a continuous permeable gap of sufficient size under the fence to allow for surface runoff. Details of the proposed fence and location shall be reflected on the Construction Certificate plans and supporting documentation.

31. **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 where applicable:

- 31.1 Footings;
- 31.2 reinforced concrete slabs;
- 31.3 retaining walls;
- 31.4 structural steelwork;
- 31.5 wall bracing and tie-down requirements;
- 31.6 the structural engineer, in producing a design is to complement the Geotechnical Engineer's Stability Report to make a clear statement that "any structure designed and erected in accordance with the plans and specifications will achieve the performance requirements described in Clause 1.3 of 2870 (1996) and any other relevant codes and standards."

32. **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.

33. **Present Plans to Sydney Water**

Approved plans must be submitted online using Sydney Water Tap, available through www.sydneywater.com.au to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

The Certifying Authority must ensure that Sydney Water has issued an approval receipt prior to the issue of a Construction Certificate.

Visit www.sydneywater.com.au or telephone 13 20 92 for further information.

34. **Endeavour Energy Requirements**

The submission of documentary evidence from Endeavour Energy to the Principal Certifying Authority is required confirming that satisfactory arrangements have been made with Endeavour 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, Endeavour Energy PO Box 811 Seven Hills NSW 1730.

35. **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.

36. **Schedule of External Building Materials/Finishes**
The final details of the proposed external treatment/appearance of the development, including a schedule of building materials and external finishes (including the type and colour of the finishes) together with a sample board and an A4 or A3 sized photograph of the sample board shall be submitted for the separate approval of the Principal Certifying Authority, prior to the release of the Construction Certificate.
37. **External Clothes Drying Facilities**
In the event that external clothes drying facilities are proposed, full details of the screening and the location of these facilities shall be reflected on the Construction Certificate plans and the final landscape plan. The location of the external clothes drying facilities are to be located outside of the designed Private Open Space area.
38. **Garbage, Green Waste and Recycling Bin Enclosure Structure**
The garbage/recycling bin enclosure areas shall be constructed of brick or other approved masonry material and shall be provided with sufficient screening of all bins contained therein. The storage areas shall be constructed with a concrete floor, suitably graded to enable drainage of run-off into Council's stormwater drainage system and shall be at-grade with any proposed pedestrian accessway. The final design details of the proposed storage areas shall be reflected on the Construction Certificate plans.
39. **Disabled Access and Facilities**
The provision of disabled access throughout the development is required and shall be in compliance with the Building Code of Australia Part D3 "Access for People with Disabilities" and Australian Standard AS1428.1 (2009) - Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.
40. In order to reduce the opportunities for "hiding places" the proposed landscaping must:
- 40.1 use shrubs/plants which are no higher than 1 metre.
 - 40.2 the type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.
- This requirement shall be reflected on the Construction Certificate plans.
41. **Car Parking and Access**
The development shall make provision for a total of 119 car parking spaces comprising of 100 resident parking spaces and 19 visitor spaces (in which 8 spaces are to be accessible). 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.
42. 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.
43. 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.
44. The designated loading/unloading facility and waste drop off and pick up area shall be kept clear for that purpose at all times. The designated facilities shall be shown on the Construction Certificate plans.
45. 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.

46. The car parking areas and entrances to dwellings shall incorporate 'low impact' floodlighting to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed floodlighting system shall be reflected on the Construction Certificate plans. The erection of the floodlighting system shall be in accordance with the approved final design.

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

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

- 47.1 proposed ingress and egress points for vehicles to/from the construction site;
- 47.2 proposed protection of pedestrians, adjacent to the construction site;
- 47.3 proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- 47.4 proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- 47.5 proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- 47.6 proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- 47.7 proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the NSW Roads and Maritime Service's Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS1742. - "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);
- 47.8 proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an accredited certifier in Civil Engineering; and
- 47.9 proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

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

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

48. 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.

49. 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.
50. Habitable floor levels must be constructed at a minimum of RL 4.24 metres AHD. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.
51. Garage floor levels located within the floodplain must be constructed at no lower than 300mm above finished adjacent ground. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.
52. Any portion of the building or structure located within the floodplain below RL 4.24 metres AHD 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 in Chapter E13 of the Wollongong DCP2009. These requirements shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
53. Parking area levels shall be designed and constructed in accordance with Chapter E13 of the Wollongong DCP 2009, giving regard to vehicle stability limits in terms of velocity and depth during inundation by floodwaters. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
54. 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.
55. 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.
56. The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:
 - 56.1 a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
 - 56.2 the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees.

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

57. 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.
58. 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.
59. 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.

60. **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:

- 60.1 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.
- 60.2 Installation of Tree Protection Fencing - A one (1) metre high exclusion fence must be installed around the extremity of the dripline of the tree/trees to be retained prior to any site works commencing. The minimum acceptable standard is a 3 strand wire fence with star pickets at 1.8 metre centres. This fence must be maintained throughout the period of construction to prevent any access within the tree protection area. Details of tree protection and its locations must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
- 60.3 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.
- 60.4 Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

61. **Provision of a Fire Hydrant**

The provision of a fire hydrant in accordance with AS2419 (1994) Fire Hydrant Installations and any requirements of the NSW Rural Fire Service and/or NSW Fire Brigades. The final details of the location of the fire hydrant shall be reflected on the Construction Certificate plans prior to the issue of the Construction Certificate.

62. **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 where applicable:

- 62.1 A plan of the wall showing location and proximity to property boundaries;
- 62.2 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;
- 62.3 details of fencing or handrails to be erected on top of the wall;
- 62.4 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;
- 62.5 the proposed method of subsurface and surface drainage, including water disposal;
- 62.6 reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
- 62.7 the assumed traffic loading used by the engineer for the wall design.
- 62.8 any barrier requirements in accordance with Clause 2.4.5.3 of AS2890.1.

Section 94A Levy Contribution

63. 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 \$277,710.00 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 108.7. The following formula for indexing contributions is to be used:

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

Where

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

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

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

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

METHOD	HOW	PAYMENT TYPE
Online	http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 665810	<ul style="list-style-type: none">• Credit Card
In Person	Wollongong City Council Administration Building Customer Service Centre Ground Floor 41 Burelli Street WOLLONGONG	<ul style="list-style-type: none">• Cash• Credit Card• Bank Cheque
PLEASE MAKE CHEQUES PAYABLE TO: Wollongong City Council (Personal Cheques not accepted)		

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

The reason for Section 94A is to provide high quality and diverse public amenities and services to meet the expectations of the existing and new residents of Wollongong City Council.

Prior to the Commencement of Works

64. Appointment of Principal Certifying Authority

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

- 64.1 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
- 64.2 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.

65. **Sign – Supervisor Contact Details**

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

- 65.1 stating that unauthorised entry to the work site is not permitted;
- 65.2 showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 65.3 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.

66. **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:

- 66.1 a standard flushing toilet; and
- 66.2 connected to either:
 - 66.2.1 the Sydney Water Corporation Ltd sewerage system or
 - 66.2.2 an accredited sewage management facility or
 - 66.2.3 an approved chemical closet.

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

67. **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.

68. **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.

69. **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.

70. **Site Management Program – Sediment and Erosion Control Measures**

A site management program incorporating all sediment and erosion control measures (eg cleaning of sediment traps, fences, basins and maintenance of vegetative cover) is to be initiated prior to the commencement of any demolition, excavation or construction works and maintained throughout the demolition, excavation and construction phases of the development.

71. **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.

72. **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.

73. **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.

74. **Erosion Controls – Vehicular Entry/Exit Points**

The vehicular entry/exits to the site must be protected from erosion and laid with a surface material which will not wash into the street drainage system or watercourse.

75. **Sediment Control Measures**

The developer must ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work.

76. The depth and location of all services (ie stormwater, gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the plans and supporting documentation issued for construction.

77. **Footpath Levels**

Footpath levels must be obtained from Council's Works and Services Division prior to works commencing. This can be achieved by filling out an application form and payment of the relevant fee.

All such structures and internal driveways shall be constructed to these approved levels.

The longitudinal grade of the footpath must be parallel to the top of kerb level and all building entrance adjustments for level access to building floor levels must be developed within the private property of the building in accordance with the requirements of the latest versions of AS1428.1 (2009), the Building Code of Australia and the Disability Discrimination Act. No adjustments to the uniform and even longitudinal grade of the footpath at the boundary line will be permitted for access points to buildings.

A copy of the approved levels shall be submitted to the Principal Certifying Authority prior to works commencing.

78. **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.

79. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms

that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to any works commencing on site.

During Demolition, Excavation or Construction

80. **Protection of Wetlands**

Areas of Freshwater Wetlands on Coastal Floodplains beyond the development footprint shall be protected from disturbance, particularly during the construction phase.

81. **Acoustic Compliance**

All of the recommendations engineering noise controls contained within the Section 6.0 of the acoustic report prepared by Day Design Report No. 5660-1.1R dated 10 July 2015 shall be implemented.

82. **Water Sensitive Urban Design**

The developer shall install the water sensitive urban design (WSUD) infrastructure as stated in the engineering design document reference KF Williams Infrastructure Professions dated 8th December 2015 Report Ref. No. KF 111754. Upon completion of the WSUD infrastructure the developer shall submit an engineering certificate stated that the WSUD infrastructure was installed as stated in the Figure 4.1 of the report.

The developer shall ensure the Environmental Area vegetation continues to receive overland flows with the suitable stormwater dispersion outlets. The developer at construction certificate stage shall demonstrate that the water flow to the Environmental Area has not been affected due to the development.

83. **Noise Control – Construction Works**

The construction works shall comply with the Australian Standard AS 2436- 2010 “Guide to Noise Control on Construction, Maintenance & Demolition Sites” and any other requirements as specified by Council or the NSW Environment Protection Authority.

84. **Imported Fill Material**

Any fill material intended to be brought onto the site shall be virgin excavated natural material as defined by the NSW Environment Protection Authority, or excavated natural material or certified coal washery rejects in accordance with the Coal Washery Rejects General Exemption 2009 and in accordance with Chapter E19: Earthworks (Land Reshaping Works) of Wollongong Development Control Plan 2009.

The intended fill material shall not exceed the National Environment Protection (Assessment of Site Contamination) Measure 1999 Health investigation levels for soil contaminants Residential A.

The intended fill material shall be assessed as per the NSW Environment Protection Authority sampling guidelines by a suitably qualified and experienced environmental consultant and certificates/reports with the environmental consultant’s comments shall be submitted to the Certifying Authority prior to issue of the Subdivision Certificate.

85. **Fences**

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

86. **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 each building. Where a timber/steel frame supports the

floor, the survey shall be undertaken after the piers/piles have been installed and prior to the laying of the bearers/joists and installation of the wall frames for each respective ground floor level of each building. All levels shall relate to Australian Height Datum.

87. **Flood Compatible Materials - Electrical**

All power service (metering) equipment, power outlets, switches etc. shall be located above the factored 1 in 100 year flood level plus 0.5m freeboard for the site, being RL 4.24m AHD. All electrical wiring installed below these levels should be suitable for continuous underwater immersion and should contain no fibrous components. Earth leakage circuit breakers shall also be installed. Any equipment installed below or partially below the abovementioned levels should be capable of disconnection by a single plug and socket assembly.

88. **Supervision of Engineering Works**

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

89. **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.

90. **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.

91. **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 Team 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 RMS Traffic Control at Worksites Manual.

Note: This includes temporary road closures for the delivery of materials, plant and equipment, concrete pours etc.

92. **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.

93. **Restricted Hours of Work (domestic residential scale ie single dwellings)**

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

No work is permitted on public holidays or Sundays.

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

- a the variation in hours required;
- b the reason for that variation;
- c the type of work and machinery to be used.

Note: The developer is advised that other legislation may control the activities for which Council has granted consent including but not limited to the Protection of the Environment Operations Act 1997. Developers must note that consistent with the Environment Protection Authority's Interim Construction Noise Guideline (July, 2009), the noise from construction ($L_{Aeq} (15 \text{ min})$) must not exceed the background noise level ($L_{A90} (15 \text{ min})$) plus 10 dB(A), and a $L_{Aeq} (15 \text{ min})$ of 75 dB(A) when measured at the residential property boundary that is most exposed to construction noise, and at a height of 1.5 metres above ground level. If the property boundary is more than 30 metres from the residence, the location for measuring noise levels is at the most noise-affected point within 30 metres of the residence.

94. 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.
95. 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.
96. **Site Management**
Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:
 - 96.1 Does not spill onto the road pavement and
 - 96.2 is not placed in drainage lines or watercourses and cannot be washed into these areas.
97. 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.
98. Drains, gutters, access ways and roadways must be maintained free of sediment and any other material. Gutters and roadways must be swept/scraped regularly to maintain them in a clean state.
99. 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.
100. **Dust Suppression Measures**
Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.
101. Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.
102. All sealed surfaces intended to carry vehicular traffic must be managed with the aim of preventing windblown dust emissions.
103. **Excavation/Filling/Retaining Wall Structures**
Any proposed filling on the site must not:
 - 103.1 encroach onto the adjoining properties, and
 - 103.2 adversely affect the adjoining properties with surface run-off.
104. **Acid Sulfate Soils**
The Wollongong Local Environmental Plan 2009 Acid Sulfate Soils Map has identified that this property may be affected by classes 3, 4 or 5 Acid Sulfate Soils. Acid Sulfate Soils contain iron sulfides which, when exposed to air due to drainage or disturbance, may produce sulfuric acid and release toxic quantities of iron, aluminium and heavy metals. The Acid Sulfate Soils Map is an

indication only and you are advised that you may encounter acid sulfate soils during the excavation for the proposed development.

Any spoil material extracted or excavated from the foundations must be neutralised 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 pouring concrete.

Council suggests the applicant refer to the Acid Sulfate Soils Assessment Guidelines contained in the Acid Sulfate Soils Manual, prepared by NSW Acid Sulfate Management Advisory Committee, August 1998 for further information.

105. **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.

106. 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.

107. **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.”

Prior to the Issue of the Occupation Certificate

108. **SEPP (Housing for Seniors or People with a Disability) 2004**

The independent living unit component of the development may only be occupied by the kinds of people referred to in subclause (1) of Clause 18 of the SEPP. In accordance with Clause 18(2) of the SEPP, restriction as to user must be registered against Lot 2 DP 851407 in accordance with section 88E of the Conveyancing Act 1919. Evidence of the restriction must be forwarded to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

109. **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.

110. **Structural Soundness Certification**

The submission of a report from a suitably qualified and experienced structural engineer to the Principal Certifying Authority is required, prior to the issue of the final Occupation Certificate and commencement of use. This report is required to verify that each building located on site and within the floodplain can withstand the forces of floodwater, debris and buoyancy up to and including the Probable Maximum Flood plus 0.5m freeboard, being RL 4.61 metres AHD.

111. **Flood Affection Certification**

The submission of a report from a suitably qualified and experienced civil (hydrology) engineer to the Principal Certifying Authority is required, prior to the issue of the final Occupation Certificate or commencement of use. This report is required to certify that the 'as-constructed' development including compensatory excavation will not have any adverse effects to adjoining properties or upon the land with respect to the loss of flood storage, changes in flood levels and alteration of flood conveyance, as a result of flooding or stormwater run-off.

112. **Restriction on Use – 1 in 100 year Flood Area**

The applicant shall create a restriction on use under the Conveyancing Act 1919 over the 1 in 100 year flood inundation area of the site which prohibits the erection of additional buildings or structures, solid fences and the placement of fill. The name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council. The instrument, showing the restriction shall be submitted to Council for endorsement prior to the issue of the Final Occupation Certificate.

113. **Flood Emergency Response Report**

An effective flood emergency response report shall be prepared by a suitably qualified and experienced consulting engineer to be generally in accordance with the Flood Evacuation Plan Report by KFW No. KF111754 dated 22 April 2016 for the subject site. The report shall be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate and commencement of use. A copy of the report shall be provided to Council for record keeping purposes. The report shall include an effective flood emergency response plan and procedure for the site during the peak of a Probable Maximum Flood, being a floodwater level of RL 4.11 metres AHD in this instance. The flood emergency response plan and procedure shall include details of how floodwater levels will be monitored and how people on-site will be alerted once floodwaters reach the evacuation trigger levels. The flood emergency response plan and procedure shall also include details of any ongoing maintenance requirements for equipment/components associated with the floodwater level monitoring/alerting system to ensure that this system will be effective when needed.

The report shall include a strategy on the management of vehicles on the site such that vehicles do not become moving debris and cause damage to downstream properties, and do not present a safety hazard to patrons during a flood event.

Notification of the presence of the flood emergency response report and procedure will be placed on the section 149 certificate for the property to ensure future property owners are made aware of the procedure in the case of flood.

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

115. **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:

- 115.1 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

- 115.2 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.
116. **Access Certification**
Prior to the occupation of the building, the Principal Certifying Authority must ensure that a certificate from an “accredited access consultant” has been issued certifying that the building complies with the requirements of AS 1428.1.
117. **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.
118. **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.
119. The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, ten (10) 100 litre container mature plant stock shall be placed in appropriate locations within the property boundary of the site. The suggested species are *Tristaniopsis laurina* ‘Luscious’.
120. **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.

Operational Phases of the Development/Use of the Site

121. **Surface finishes**
Decks and external paved areas must have slip-resistant surfaces.
Note. Advice regarding finishes may be obtained from AS 1428.1.
122. **Letterboxes**
All letterboxes must be lockable.
123. **Waste Management**
Waste collection is to be via private contractor and is to be carried out within the site.
124. **External Storage of Materials/Equipment**
Any external storage of materials/equipment including waste bins etc, located within the floodplain shall be adequately secured to prevent any buoyancy in the event of a flood.
125. **Fire Safety Measures**
All new and existing fire safety measures shall be maintained in working condition, at all times.
126. **Loading/Unloading Operations/Activities**
All loading/unloading operations are to take place at all times wholly within the confines of the site.