

SOUTHERN REGIONAL PLANNING PANEL

SRPP No	2017STH019
DA Number	DA-2017/730, lodged 16 June 2017
Local Government Area	Wollongong City Council
Proposed Development	Demolition of existing buildings and ancillary structures and the construction of a mixed use development above basement parking
Street Address	115-117 Keira Street Wollongong – Lot 1 DP 510890 131-135 Keira Street Wollongong – Lot C DP 65920 131-135 Keira Street Wollongong – Lot 1 DP 152849 137-141 Keira Street Wollongong – Lot 2 DP 152849 2 Thomas Street Wollongong – Lot 2 DP 12385 2A Thomas Street Wollongong – Lot B DP 345880 4 Thomas Street Wollongong – Lot 3 DP 12385 6 Thomas Street Wollongong – Lot 4 DP 12385
Applicant/Owner	ADM Architects
Date	15 April 2019

Response to Knight Frank Town Planning email 11 April 2019

Knight Frank Town Planning email to Council 11 April 2019

On 11 April 2019, Knight Frank Town Planning, emailed Council on behalf of the applicant:

....We have reviewed the material that has been uploaded to the Regional Panel Website. For clarity of Council and the Panel we wanted to provide a response, which could be circulated to the Panel members in their deliberation.

BCA Upgrade Works and Conservation Works Condition

With regard to the wording of the Condition 26 (BCA Upgrade Works and Conservation Works). - The draft conditions provided to us by Council for review on 19/3/19 required these works to be completed, and approved by Council, prior to the issue of the Construction Certificate. Given the proposed wording of Council, the material or practical benefit of relocating this condition to a deferred commencement condition given the proposed wording of Council is not clear to us.

If the relocation to a deferred commencement condition is intended to ensure the conservation/BCA works are prepared, the condition could be maintained as operable with the wording change below. We see this as another option that would allow an active consent to be issued to the proponent, whilst ensuring the required works are done prior to any Construction Certificate being issued. Should the Panel maintain that condition 26 be a deferred commencement condition, this would be accepted by the proponent.

BCA Upgrade Works and Conservation Works

*Prior to issue of the Construction Certificate, a detailed Schedule of Works is required showing all works proposed on the heritage buildings to meet both the BCA and the conservation works within the GML Heritage 'Schedule of Conservation Works'. The Schedule of Works is to be endorsed by the developer's heritage consultant and Council prior to issue of ~~the~~ **any** Construction Certificate.*

Draft Conditions

We thought it prudent to confirm to the Panel and Council that the draft conditions of consent have been reviewed and, other than the comment above regarding BCA Upgrade and Conservation Works, there are no other issues with the condition – including draft Condition 12 (Condition ##) heritage – Future Subdivision.

Council response to Knight Frank Town Planning email

Council and the applicant have no objection to the determination containing a deferred commencement condition of consent regarding BCA Upgrade and Conservation Works. The deferred commencement condition as emailed to the SRPP Secretariat on 9 April 2019 is:

The development has been determined by granting deferred commencement consent subject to the following conditions:

- (i) The development consent shall not operate until Council has been satisfied as to the following matters:*
 - a **Deferred Commencement - BCA Upgrade Works and Conservation Works**
A detailed Schedule of Works is required showing all works proposed on the heritage buildings to meet both the BCA and the conservation works within the GML Heritage 'Schedule of Conservation Works'. The Schedule of Works is to be endorsed by the developer's heritage consultant and Council.*
- (ii) The developer must satisfy Council, within 12 months of the date shown on the top of this consent, that the matters specified in condition number (i) have been complied with. Failure to satisfy Council within that time period will lapse this development consent.*
- (iii) If compliance with the matters contained in condition number (i) results in a substantial variation to the development approved by deferred commencement, a new development application must be submitted.*

Once Council is satisfied that the matters contained in condition number (i) have been complied with and the developer has been notified in writing of such compliance, the following conditions shall apply in respect of the approved development.

Wollongong City Council

15 April 2019