

DETERMINATION AND STATEMENT OF REASONS

SOUTHERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	27 June 2018
PANEL MEMBERS	Pam Allan (Chair), Alison McCabe, Renata Brooks, Mark Carlon, David Brown
APOLOGIES	Michael Mantei
DECLARATIONS OF INTEREST	Discrepancy non-pecuniary disclosure from David Brown (account with bank)

Public meeting held at Wollongong City Council on 27 June 2018, opened at 1:30 pm and closed at 1:50 pm.

MATTER DETERMINED

2017STH031 – Wollongong DA-2017/1462

47 Burelli Street Wollongong

A Grade office building -Demolition of all structures, and the construction of a seven (7) storey office building for IMB bank with two basement car parking levels for 89 car parking spaces.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel also considered a submission from the applicant requesting reconsideration or amendment to proposed conditions 26, 29, 35 and 70, as well as Council comments on the requests.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.16 (previously section 80) of the *Environmental Planning and Assessment Act 1979*, subject to conditions as described below.

The decision was Unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were as set out in the assessment report.





In addition, the Panel considered the potential for ambiguity arising from commencement of works under existing DA 2010/1682 and imposed a condition 1A requiring surrender of the existing DA after completion of demolition works and prior to commencement of work under DA2017/1462.

The Panel also modified proposed conditions 80 (deleted) and 84 to remove ambiguity about landscaping to be provided and require retention of existing street trees.

The Panel accepted arguments in support of the amendments to conditions requested by the applicant.

CONDITIONS

The development application was approved subject to the conditions tabled at the meeting dated 27 June 2018, subject to the further deletion of condition 26, as set in Appendix One of the Record of Determination and Statement of Reasons.

PANEL MEMBERS	
 Pam Allan (Chair)	 Alison McCabe
 Renata Brooks	 Mark Carlon
<i>Sign of via email, 6:34 pm on 2/7/18</i> David Brown	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017STH031 – Wollongong DA-2017/1462
2	PROPOSED DEVELOPMENT	Demolition of all structures, and the construction of a seven (7) storey office building for IMB bank with two basement car parking levels for 89 car parking spaces
3	STREET ADDRESS	47 Burelli Street Wollongong
4	APPLICANT/OWNER	Applicant – ADM Architects; Owner – City Investments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million, lodged before 1 March 2018
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy Wollongong Local Environmental Plan 2009 Draft environmental planning instruments: State Environmental Planning Policy (Coastal Management) 2016 (exhibited draft at time of lodgement) Development control plans: <ul style="list-style-type: none"> Wollongong Development Control Plan 2009 Wollongong Section 94A Development Contributions Plan 2017 Planning agreements: Nil Provisions of the Environmental Planning and Assessment Regulation 2000: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the Environmental Planning and Assessment Act 1979 or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Documents tabled at public meeting 27/6/18: Applicant comments in response to draft conditions, Council's commentary on the applicant's requested amendments to the draft conditions Council assessment report: 14 June 2017 Written submissions during public exhibition: One (1) Verbal submissions at the public meeting: <ul style="list-style-type: none"> On behalf of the applicant – Angelo Di Martino and Nadine Page
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection 27 June 2018 Final briefing meeting to discuss council's recommendation, 27 June 2018. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Pam Allan (Chair), Alison McCabe, Renata Brooks, Mark Carlon, David Brown <u>Council assessment staff</u>: Pier Panozzo, Theresa Whittaker
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Approved as per the conditions tabled at the meeting dated 27 June 2018, subject to the further deletion of condition 26.

APPENDIX ONE

DA-2017/1462

Draft conditions tabled at the meeting of the Southern Regional Planning Panel held 27 June 2018

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications *to be inserted by Council* prepared by ADM Architects and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.
- 1A **DA-2010/1682 shall be surrendered at the conclusion of the demolition works being carried out at the site under DA-2010/1682 and prior to the commencement of any work associated with this consent (DA-2017/1462).**

General Matters

- 2 **Building Work - Compliance with the Building Code of Australia**
All building work must be carried out in compliance with the provisions of the Building Code of Australia.
- 3 **Construction Certificate**
A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The submission to Council of two (2) copies of all stamped Construction Certificate plans and supporting documentation is required within **two (2)** days from the date of issue of the Construction Certificate, in the event that the Construction Certificate is not issued by Council.
- 4 **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.
- 5 **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.
- 6 **Protection of Public Infrastructure**
Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

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

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

7 Geotechnical

1. A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by the geotechnical consultant.
2. All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
3. No disturbance of ground is to occur beyond site boundaries. A minimum buffer between site boundaries and the construction of retaining structures is to be recommended by the geotechnical consultant to ensure adjoining property is not adversely impacted upon by this development.
4. Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner.
5. All work is to be in accordance with the geotechnical recommendations contained in the report dated 31 August 2017 by Douglas Partners and any subsequent geotechnical report required to address unanticipated conditions encountered during construction.
6. All site preparation earthworks including drainage, retaining wall and footing construction is to be subject to Level 1 geotechnical supervision as defined in Australian Standard AS3798 Guidelines for Earthworks for Commercial and Residential Developments. Where necessary amendments are to be made to the designs during construction based on supplementary geotechnical advice given during the supervision to ensure that the completed works accommodates all encountered geotechnical constraints.
7. Hard bedrock where encountered will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.
8. All excavations for foundations are to be inspected by the geotechnical consultant and certified that the ground has been suitably prepared for the placement of footings.

8 Advertising Signage

This consent authorises the erection of the advertising signs only as shown on the approved plan. Any additional advertising signage will require separate Council approval unless such signage is exempt.

9 Maintenance of Advertising Sign

The advertising signs shall be maintained in a clean and tidy condition at all times. If rendered obsolete at any time in the future, the signs shall be removed.

10 Restricted Vegetation Removal

This consent permits the removal of trees and other vegetation from the site within three (3) metres of the approved buildings. This consent also permits the pruning of trees within three (3) metres of approved buildings in accordance with AS 4373-2007 Pruning of Amenity Trees. No other trees or vegetation shall be removed or pruned, without the prior written approval of Council.

11 Occupation Certificate

An 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

12 Heritage Excavation Permit

The developer must obtain an excavation permit under Section 140 of the NSW Heritage Act 1977, from the Heritage Branch of the Office of Environment and Heritage prior to commencing works on site. The permit must be sighted by the PCA prior to the issue of a Construction Certificate and a copy shall be furnished to Council.

13 Heritage Interpretation Strategy

Prior to the completion of works and in accordance with recommendation 3 in the Biosis Report, the applicant is to prepare a Heritage Interpretation Strategy. This should be guided by the findings and outcomes of the Archaeological Investigation. A copy of the draft report is to be provided to Council's Heritage Staff for written approval.

14 **Demolition Plan**

Prior to the release of a Construction Certificate or the commencement of any works at the site, a detailed demolition work plan prepared by a suitably qualified person shall be submitted to and approved by Council. The plan shall be prepared in accordance with Australian Standard AS 2601-2001 – The Demolition of Structures, and shall include the following details:

- Identification of any hazardous materials,
- the proposed method and timing of demolition works;
- the expected duration of the demolition works;
 - an outline of the machinery and equipment to be employed to undertake the demolition works;
- precautions to be employed to minimise any dust nuisance and;
- the disposal methods for hazardous materials.

A Construction Certificate shall not be released by the Principal Certifying Authority and no demolition works shall commence until such time as Council's written approval has been obtained for the demolition plan. The approved demolition plan shall be complied with at times.

15 **Construction Management Plan**

Prior to the release of a Construction Certificate or the commencement of any works at the site, a detailed Construction Management Plan (CMP) prepared by a suitably qualified person shall be submitted to and approved by Council. The construction management plan shall include (but not be limited to) the following details:

- a details of staging and timing
- b plan of proposed construction storage area;
- c parking for construction workers during the demolition and construction phases;
- d the type of materials/plant/ equipment to be transported to and stored at the site and how is it to be transported and stored;
- e timing of delivery of materials;
- f the proposed access points to the site during construction;
- g treatment of barricading/ hoarding for construction/and restricting access;
- h address all environmental aspects of the development's demolition and construction phases including soil and water management/erosion and sediment control plan; noise and vibration management plan; dust suppression/ dust management plan; waste management plan and litter control;
- i construction noise mitigation measures; and
- j timing of waste collection during construction.

A Construction Certificate shall not be released by the Principal Certifying Authority and no works shall commence until such time as Council's written approval has been obtained for the construction management plan. The approved construction management plan shall be complied with at times.

16 **Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Builders and Developers" section of the web site www.sydneywater.com.au then search to "Find a Water Servicing Coordinator". Alternatively, telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice of Requirements must be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate.

- 17 **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.
- 18 **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.
- 19 **Substation Design**
Prior to the release of a Construction Certificate, the developer shall obtain and provide evidence of Endeavour Energy's approval of the substation design.
- 20 **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.
- 21 **Utility Services**
Should a proposed Vehicular Crossing be located where it is likely to disturb or impact upon a utility installation (ie power pole, Telstra pit etc) written confirmation from the affected supplier that they have agreed to the proposed impacts shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
- 22 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 the release of the Construction Certificate.
- 23 The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
- 24 **Dilapidation Report Prior to Construction**
A Dilapidation Report detailing the current structural condition of the existing streetscape, street trees and neighbouring buildings prior to work commencing and include a detailed description of elements and a photographic record. The report shall be prepared and endorsed by a qualified structural engineer.
The report shall be submitted to the satisfaction of the Certifying Authority prior to issue of the Construction Certificate. The report shall also identify the condition of all Council assets in the vicinity of the proposed works.
A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of a Construction Certificate.
- 25 **Main Public Entry**
The main public entry to the ground floor of the building on the northern facade shall be accessible for all users. Details demonstrating compliance shall be provided to Council for approval prior to the release of the Construction Certificate.
- 26 DELETE

27 **Visitor bicycle racks**

The bicycle racks on the northern side of the building shall be relocated further eastward to improve accessibility to the building. Details demonstrating compliance shall be provided to Council for approval prior to the release of the Construction Certificate.

28 **Lighting of northern façade, forecourt and Kembla Street entry**

Provision should be made for lighting in and around the Burelli and Kembla Street thresholds and the northern forecourt area. The lighting scheme shall provide for quality lighting to the forecourt area and entries to provide for safe access and a lively night-time presence. Details demonstrating compliance shall be provided to Council for approval prior to the release of the Construction Certificate.

29 DELETE

30 **Glass Reflectivity Index**

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

31 **External Finishes**

The building shall be constructed and finished in accordance with the approved schedule of finishing materials and colours except where amended by conditions of this consent. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

32 Pedestrian access ways, entry paths and lobbies must be constructed with durable materials commensurate with the standard of the adjoining public domain with appropriate slip resistant materials, tactile surfaces and contrasting colours.

33 **Awnings**

Awnings erected over the Kembla Street frontage of the site shall comply with the specifications contained within Clause 3.5 Awnings of Chapter D13 (Wollongong City Centre) of Wollongong Development Control Plan 2009.

34 **Finish of Vehicular Entries**

Vehicular entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No ducts or pipes are to be visible from the street.

35 **Placement of Air Conditioning Units**

Air conditioning systems are to not to be located where they are visible from Kembla or Burelli Streets. Plans submitted to the Principal Certifying Authority prior to issue of the Construction Certificate are to identify any external components of air conditioning systems to ensure they meet the requirements of this condition.

36 **Integration of Rooftop Structures in Approved Building Envelope**

All rooftop or exposed structures including lift rooms, plant rooms together with air conditioning units, ventilation and exhaust systems are to be integrated within the approved rooftop envelope. This requirement shall be reflected on the Construction Certificate plans.

37 **Mechanical Ventilation of the Car park**

The car park shall be mechanically ventilated, to be ducted to the roof. Details demonstrating compliance shall be provided with the Construction Certificate.

38 **Permeable Garage Shutter**

Any shutters provided within the basement car park shall be permeable so as to improve basement ventilation, as per the requirements of 3J-4 of the Apartment Design Guide.

39 **External Lighting**

Any lighting of external areas within the development shall be designed and located in a manner to prevent light spill and/ or glare impacts on neighbouring properties. Light placement and design shall be indicated on the construction certificate drawings.

40 **Car Parking and Access**

The development shall make provision for a total of 112 car parking spaces as indicated on the approved plans (including 5 disabled persons' car parking spaces) and 5 motorcycle parking spaces. The development shall also make provision for a minimum of 33 secure (Class B) employee bicycle spaces and 9 visitor bicycle spaces (Class C). This requirement shall be reflected on the Construction Certificate plans. Any change in the 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.

This requirement shall be reflected on the Construction Certificate plans. Any change in the 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.

41 Car Parking and Access on Adjacent Lot 502 DP 845275

The development shall make provision for a total of 34 car parking spaces (including 1 disabled persons' car parking space) and 12 bicycle spaces on the adjacent Lot 502 DP 845275. The car parking layout shall comply with AS2890.1. Linemarking and directional signage will be required to ensure that users are aware of the entry and exit requirements and that the proposed one-way access from Stewart Street is complied with (eg 'No Exit', 'Entry Only', 'One Way' etc) Any change in the 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 Reciprocal rights of way shall be registered over each of Lots 50 and 502 inclusive of the areas of the shared driveway and any circulation/ manoeuvring space required to facilitate access, egress and to allow vehicles to manoeuvre and exit the site in a forward direction.

43 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.

44 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.

45 A change in driveway paving is required at the entrance threshold within the property boundary to clearly show motorists they are crossing a pedestrian area. Between the property boundary and the kerb, the developer must construct the driveway pavement 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.

46 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.

47 Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS2890.3 - Bicycle Parking Facilities and Austroads Guide to Traffic Management Part 11: Parking (Commentary 9: C9.2). This requirement shall be reflected on the Construction Certificate plans.

48 Gradients of ramps and access driveways shall be provided in accordance with the current relevant Australian Standard AS2890.1 - Off Street Car Parking. This requirement shall be reflected on the Construction Certificate plans.

49 Barriers shall be constructed to prevent vehicles from running over the edge of an elevated driveway or parking area. They are required wherever the drop from the edge of the platform exceeds 600mm. Barriers are to comply with Clause 2.4.5.3 of AS2890.1 and designed structurally for the loading requirements of AS1170.1. This requirement shall be reflected on the Construction Certificate plans.

50 Mechanical Parking System

Details and specifications of the mechanical parking system shall be provided to Council for approval prior to the issue of a Construction Certificate. The above-ground double car stackers to be implemented at the site shall be the *Model Number DS 2300* system provided by 'Hercules' which provides a minimum height of 1.5 m in each stacker.

51 **Mechanical Parking System**

The width and length of the car spaces available within the mechanical parking system/stacker shall accommodate a B85 vehicle (ie. 5.4m length x 2.4m width).

52 The above ground double car stackers are to be certified by the company installing the stackers that they can be accommodated within the level 3 basement car park and achieve operational heights of at least 1.5m clear for both stacked vehicles.

53 **Car Park Management Plan**

A car park management plan is required to be provided to Council for approval prior to the issue of a Construction Certificate. The car park management plan shall provide for the following:

- Parking within the car stackers/mechanical parking system must be allocated to a pair of suitable vehicles from the same tenant;
- the following procedure for accessing the stacker shall be employed:
 - The car park management plan is to require the upper stacker to be left in a lowered position so the first vehicle accessing the pair of spaces may drive onto the upper space.
 - on parking the vehicle, the driver would raise the stacker to allow the second vehicle to drive into the lower space; and
 - when the last vehicle departs the car stacker, the driver would return the stacker to the default (low) position.
- A range of smaller and larger car parking spaces shall be allocated to individual tenants to allow for a variety of vehicle types and sizes to be accommodated within the car park.
- No tenant shall be allocated parking only within car stackers. Any tenant with parking provided in a car stacker shall have at least 25% of its allocation provided in standard spaces. (Note, this is to provide flexibility in accommodating parking for a range of vehicle sizes). Any amendments to this plan require the agreement of Council.

54 **Car Park Management Plan**

The car park management plan required by Condition 53 shall be implemented at all times.

55 **Maintenance & Operation of Mechanical Parking System**

The mechanical parking system shall be regularly maintained to ensure that it remains operational at all times and operates with a lifting time of 40 seconds.

56 **Green Travel Plan**

A Green Travel Plan is to be developed for the site. The purpose of the Plan is to reduce private vehicular travel and parking demand from customers and staff, and to encourage the use of sustainable travel modes such as walking, cycling or public transport. This Plan is to be developed to the satisfaction of the Wollongong City Council's Traffic Section and include measurable targets which are to be monitored through the use of customer and staff surveys.

57 **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 Siteworks and Drainage Plan, Job no. 167407, Drawing no. C3.01, rev 5, by Northrop, dated 06/04/2018.

58 **On-Site Detention – Design Criteria**

The on-site stormwater detention facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen and a suitably graded invert to the outlet to prevent ponding. Also, details of the orifice plate including diameter of orifice and method of fixing shall be provided. These requirements shall be reflected on the Construction Certificate plans.

59 **On-Site Detention – Identification**

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

The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.

Identification number – DA-2017/1462

Any specialist maintenance requirements.

60 **Orifice/Weir Calculations**

Orifice and weir calculations for the on-site detention facility shall be provided to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate. The orifice shall be of circular shape, designed to allow free discharge and have no influence from any tailwater levels in the downstream drainage system.

61 **Roofwater Drainage**

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

62 **Stormwater Connection to Kerb**

Connection across footways shall be by means of one or two (maximum) 100mm diameter pipes with a continuous downslope gradient to the kerb. Connection to the kerb shall be made with a rectangular, hot dipped galvanised mild steel weephole(s) shaped to suit the kerb profile, with each weephole having the capacity equal to a 100mm diameter pipe. Alternatively, a maximum of two 150mm x 100mm hot dipped galvanised steel pipes may be used across footways, with the 150mm dimension being parallel to the road surface to suit the kerb profile.

63 **Council Footpath Reserve Works**

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter to match the existing. The verge from the back of kerb to the boundary must be removed. All alterations of public infrastructure where necessary are at the developer's expense.

All new driveway laybacks and driveway crossings must be designed in accordance with Wollongong City Council Standards. Details and locations are to be shown on the Construction Certificate Plans.

64 **Excavation and Retaining Structures adjacent to Public Road**

The design of all permanent and temporary retaining structures within the zone of influence of any Council assets including the road pavement, stormwater pipes and pits, must be provided to Wollongong City Council and the Principal Certifying Authority prior to the issue of the Construction Certificate. The design must be prepared in accordance with the RMS Technical direction GTD 2012/001, by a qualified Civil Engineer, NPER 3 accreditation with the Institute of Engineers Australia and experienced in structural design. The plan must clearly show that all components of the retaining structure and associated drainage is wholly located within the subject site. The design must be supported by:

- A geotechnical report prepared in accordance with the requirements of the RMS Technical direction GTD 2012/001.
- A dilapidation survey of the existing Council infrastructure
- Details of the proposed monitoring program for the excavation and retaining structures, and relevant threshold actions prepared in accordance with RMS Technical direction GTD 2012/001.

65 **Ground Anchors**

Permanent ground anchors are not permitted within the road reserve. Temporary ground anchors can only be used where the Road Authority has provided written confirmation to the applicant for

their use. Temporary anchors must be designed in accordance with RMS Technical Direction GTD 2012/001.

66 Coordination of Footpath Works

The developer must make arrangements with Council with regards to the coordination of the footpath works required by the conditions of this consent with Council's proposed roadworks adjacent to the site. These works are likely to involve raising of the road, kerb and guttering. The developer must contact Councils manager of Development Engineering to obtain the design levels.

The design levels from Council shall be reflected in the Construction Certificate Plans and any supporting documentation prior to the release of the Construction Certificate.

67 Burelli and Kembla Streets– Detailed Civil Engineering Design – Council Land

A detailed civil engineering design shall be provided for the proposed footpath works within the road reserve and/or Council Land. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with the The Siteworks and Drainage Plan [Job no. 167407, Drawing C3.01, Rev 5, by Northrop, dated 06/04/2018] and Public Domain Details [Job no. 167407, Drawing DA6.11 (Rev 1), DA6.12 (Rev 1), DA6.01 (Rev 1), By Northrop, dated 06/04/2018] and include Councils design levels for footpath works. The design shall include:

- a) Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway crown, street signs (clearly identifying the type of sign) and footpath levels, and shall extend a minimum of 5 metres beyond the limit of works.
- b) Footpath longitudinal sections, and cross-sections at 10 metre intervals as well as including building entrance points and transitions to existing at the property boundary demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c) Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- d) All construction must be in accordance with the requirements of Council's Subdivision Code. Evidence that this requirement has been met must be detailed on the engineering drawings.
- e) Details are to be provided regarding the type of materials used for construction. They should conform to the adjacent road reserves.

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

68 Basement Waterproofing

Full engineering details of the proposed wall around the basement car park shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. These shall include construction details indicating that no ingress of stormwater is possible into the basement levels other than from sub-soil drainage, vehicle wash water and runoff from the driveway that drains towards the basement. This applies to any proposed opening such as doors or ventilation louvres. The problem of backwater from the stormwater pipeline entering the basement car park level shall be addressed by a method such as a flap gate or one-way valve system.

69 Pump System

A pump system shall be provided in association with the detailed drainage design for the site to cater for stormwater from a prolonged/extreme storm event entering the basement. The pump system shall be designed by a suitably qualified and experienced civil engineer and reflected on the Construction Certificate plans and supporting documentation.

70 DELETE

71 On-Site Detention – Structural Design

The on-site detention facility must be designed to withstand loadings occurring from any combination of hydrostatic, earth, traffic and buoyancy forces. Details must be provided demonstrating these requirements have been achieved prior to the issue of the Construction Certificate.

72 On-Site Detention - Maintenance Schedule

A maintenance schedule for the on-site stormwater detention system must be submitted with the Construction Certificate plans for the proposed development. The maintenance schedule must be in accordance with Chapter E14 of the Wollongong DCP2009.

73 Overflow Paths

Overflow paths must be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI events must be incorporated in the design. Overflow paths must also be provided in low points and depressions. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.

74 Provision shall be made along the boundary of the property at the vehicular crossing/s to prevent waste and surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.

75 Details of the proposed alterations to the existing pit and of the proposed pit No 1 shall be provided in conjunction with the detailed drainage design for the site. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

76 Details of the proposed method of connection of the On-site Detention (OSD) facility to Council's drainage system must be provided with the detailed drainage design for the site. The details must be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

77 The developer must provide on-site detention storage for stormwater runoff from the development. The Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site must be designed in accordance with Chapter E14 of the Wollongong DCP2009. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application.

78 The developer must provide on-site detention storage for stormwater runoff in conjunction with the inter-allotment drainage system. The Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site must be designed in accordance with Council's On-Site Stormwater Detention Code. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application

79 Landscaping

The submission of a final Landscape Plan will be required in accordance with the requirements of Chapter E6 of Wollongong Development Control Plan (DCP) 2009 and the submitted Landscape Plan for the approval by the Principal Certifying Authority, prior to the release of the Construction Certificate. The final landscape plan shall make provision for the required street tree planting and footpath paving works as required by other conditions of this consent.

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

80 DELETE

81 Landscape and Drainage Compatibility

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.

82 Landscape Maintenance Program

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.

83 **Footpath Paving City Centre**

The developer is responsible for the construction of footpath paving for the entire frontage of the development for the full width of the verge. The type of paving for this development shall be in accordance with the Wollongong City Council Public Domain Technical Manual. Both Street frontages shall be Basalt paving as indicated on the approved Landscape Plan by Ochre Landscape Architects dated 04.06.18.

The footpath levels in the road reserve shall be set by the design information supplied by Wollongong City Council (WCC) Design and Technical Services. The developer must ensure coordination of proposed levels and the design levels supplied by WCC.

A nominal two percent (2%) minimum one percent (1%), maximum two and a half percent (2.5%) cross fall to be provided from property line to back of kerb. Any changes of level, ramps or stairs and associated tactile markers and handrails are to be contained within the property boundary.

The driveway entry threshold from the property boundary line to the face of kerb is to match the footpath material and be designed to withstand predicted traffic loadings.

The driveway threshold finish within property boundary line is to contrast with driveway entry.

The footpath and driveway entry on the council property must be installed to the satisfaction of WCC Manager of Works.

A Landscape Plan is to be submitted to Council for approval prior to the issue of the Construction Certificate showing proposed paving, footpath design levels, street tree details and location of all services.

84 **Street Trees City Centre**

The developer must address the street frontage by installing street tree planting. The number and species for this development three *Zelkova serrata* 'Green Vase' on Burelli Street and three *Waterhousia floribunda* 'Green Avenue' 200 litre container size in accordance with AS 2303:2015 Tree stock for landscape use. Tree pit detailing is to be in accordance with the Wollongong City Council Public Domain Technical Manual. Dial Before You Dig must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Location of street tree plantings to be sited to ensure no conflict occurs with street light poles.

Tree pits must be adequately mulched, plants installed and tree guard/staking/tree grille/edging installed to the satisfaction of WCC Manager of Works.

All existing street trees in front of Lot 502 DP 845275 shall be retained. No approval is granted for the removal of the existing Brush Boxes.

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

85 **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:

- a A plan of the wall showing location and proximity to property boundaries;
- b 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;
- c details of fencing or handrails to be erected on top of the wall;
- d 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;
- e the proposed method of subsurface and surface drainage, including water disposal;
- f reinforcing and joining details of the bends in the wall at the passing bay of the accessway;

g the assumed traffic loading used by the engineer for the wall design.

86 **Property Addressing Policy Compliance**

Prior to the issue of any construction certificate, the developer must ensure that any site addressing complies with Council's **Property Addressing Policy** (as amended). Where appropriate, the developer must also lodge a written request to Council's **Infrastructure Systems & Support – Property Addressing** (propertyaddressing@wollongong.nsw.gov.au), for the site addressing prior to the issue of the construction certificate. Enquiries regarding property addressing may be made by calling 4227 8660.

87 **External Lighting**

Any lighting of external areas within the development such as driveways and car parking entry, shall be designed and located in a manner to prevent light spill and/ or glare impacts on neighbouring properties. Light placement and design shall be indicated on the Construction Certificate drawings.

88 **Crime Prevention**

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

89 **Road Occupancy Licence**

The developer must apply for, and obtain a Road Occupancy Licence (ROL) from the RMS Traffic Operations Unit (TOU) prior to commencing works that impact the operation of traffic signals at the intersection of Burelli Street and Kembla Street. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU. The developer shall submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependant upon RMS receiving an accurate and compliant TMP.

90 Council must be satisfied that the construction of the building does not impact of the structural integrity of the intersection of, and traffic signals at, Burelli Street and Kembla Street. Details shall be provided with the Construction Certificate application in this regard.

91 **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:

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

and Maritime 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);

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

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

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

92 **Works in Road Reserve**

Prior to the issue of a Construction Certificate, the owner or contractor shall provide evidence to the Council of a Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works. The policy is to note Council as an interested party.

93 **Supervision of Works within Road Reserve**

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

94 **Development Contributions - City Centre**

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong Section 94A Development Contributions Plan (2017), a monetary contribution of \$480,000.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

This amount has been calculated based on the estimated cost of development and the applicable percentage rate as outlined in Clause 25K of the Environmental Planning and Assessment Regulation 2000.

The contribution amount will be subject to indexation until the date of payment. The formula for indexing the contribution is:

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

Where:

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

CP1 is the Consumer Price Index; All Groups CPI; Sydney at the time the consent was issued

CP2 is the Consumer Price Index; All Groups CPI; Sydney at the time of payment

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

The following payment methods are available:

METHOD	HOW	PAYMENT TYPE
Online	http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 920865	• Credit Card
In Person	Wollongong City Council	• Cash

	Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	<ul style="list-style-type: none"> • Credit Card • Bank Cheque
PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted)		

A copy of the Wollongong Section 94A Development Contributions Plan (2017) 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

Prior to the Commencement of Works

95 Temporary Road Closure(s)

If a road closure is required, an approval must be obtained from City of Wollongong Traffic Committee and Wollongong City Council.

Note: It may take up to eight (8) weeks for approval. An application for approval must include a Traffic Control Plan prepared by a suitably qualified person which is to include the date and times of closure and any other relevant information. 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.

96 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.

97 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.

98 Construction Noise and Vibration Management Plan

Prior to commencement of works a Construction Noise and Vibration Management Plan shall be prepared by an appropriately qualified Noise and Vibration Consultant.

99 **Construction Environmental Management Plan**

Prior to the commencement of work, a construction environmental management plan shall be provided to the PCA. The plan shall address as minimum the vehicle traffic, odour and vapour, dust, plant and machinery noise, water and sediment management, surface water, subsurface seepage and accumulated excavation water, sediment from equipment and cleaning operations, site security, working hours, contact information, incident response and contingency management. The plan shall be implemented at all times during the course of demolition and construction.

100 **Appointment of Principal Certifying Authority**

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

- a 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
- b 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.

101 **Sign – Supervisor Contact Details**

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

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

102 **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:

- a a standard flushing toilet; and
- b connected to either:
 - i the Sydney Water Corporation Ltd sewerage system or
 - ii an accredited sewage management facility or
 - iii an approved chemical closet.

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

103 **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.

104 **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.

105 **Hoardings (within any Public Road Reserve)**

The site must be enclosed with a suitable hoarding (type A or B) or security fence of a type in accordance with the Works and Services Division Design Standard, and must satisfy the requirements of the Occupational Health and Safety Act, the Occupational Health and Safety Regulations and Australian Standard AS 2601. This application must be submitted to Council's Works and Services Division, and a permit obtained, before the erection of any such hoarding or fence.

106 **Demolition Works**

The demolition of the existing structures shall be carried out in accordance with Australian Standard AS2601 (2001): The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of the SafeWork NSW.

No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifying Authority. In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

107 **Consultation with SafeWork NSW – Prior to Asbestos Removal**

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

108 **Notification Prior to Use of Rock Hammers**

At least two (2) days written notice shall be given to any residence or business within 50m of the site prior to the commencement of any work involving hydraulic rock hammers.

109 **Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist**

The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with SafeWork NSW requirements (<http://www.safework.nsw.gov.au>).

110 **Asbestos Waste Collection, Transportation and Disposal**

Asbestos waste must be prepared, contained, transported and disposed of in accordance with SafeWork NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and submitted to the Principal Certifying Authority, and a copy submitted to Council (in the event that Council is not the Principal Certifying Authority), prior to commencement of the construction works.

111 **Footpath Levels**

Where required to construct footpath paving for the entire frontage of the development or build up to the property boundary, footpath levels must be obtained from Council's Development Engineering Division prior to the issue of Construction Certificate. This can be achieved by filling out an Application for Footpath Levels form and payment of the relevant fee.

All such structures, finished floor levels and internal driveway slabs 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.

112 **Consultation with SafeWork NSW**

Prior to any work commencing on the site it is the responsibility of the owner to contact SafeWork NSW in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

113 **Support for Neighbouring Buildings**

This consent requires the preservation and protection of neighbouring buildings from any damage and if necessary, requires the underpinning and support of any neighbouring building in an approved manner. The applicant or the contractor carrying out the work must at least seven days in advance

of any excavation works below the level of the base of the footings of a building on an adjoining allotment, including a public road or place, give written notice of intention to carry out such works to the property owner of the affected adjoining building and furnish specific written details and supporting plans or other documentation of the proposed work.

The adjoining property owner of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

114 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.

115 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.

During Demolition, Excavation or Construction

116 Heritage Excavation Permit

The proposed development must be undertaken in strict accordance with the conditions and requirements of the Heritage Excavation Permit.

117 Heritage Report

The proposed development is to be undertaken in strict accordance with the Recommendations of the Historical Heritage Assessment Report dated 6 July 2017, by Biosis unless expressly identified in any other condition of consent.

118 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.

119 Restricted Hours of Construction Work

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 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 (length of duration);
- b the reason for that variation (scope of works);
- c the type of work and machinery to be used.
- d method of neighbour notification;
- e supervisor contact number;
- f any proposed measures required to mitigate the impacts of the works

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.

120 Minimise Nuisance

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.

121 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.

122 **Waste Management**

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 reusable materials.

123 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.

124 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.

125 **Dust Suppression Measures**

Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust. All sealed surfaces intended to carry vehicular traffic must be managed with the aim of preventing windblown dust emissions.

126 **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.

127 **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.

128 **Piping of Stormwater to Existing Stormwater Drainage System**

Stormwater for the land must be piped to Council's existing stormwater drainage system.

129 **Flows from Adjoining Properties**

Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels.

130 **Supervision of Engineering Works**

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

131 **Protection of Excavations**

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on adjoining allotment of land, the person causing the excavation to be made:

- a must preserve and protect the adjoining building from damage; and
- b if necessary, must underpin and support the building in an approved manner; and
- c must, at least seven (7) days before excavation below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation.

132 All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.

133 All excavations and backfilling associated with the erection of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

134 **Excess Excavated Material - Disposal**

Excess excavated material shall be classified according to NSW Environment Protection Authority's Waste Classification Guidelines - Part 1: Classifying Waste (2014) prior to being transported from the site and shall be disposed of only at a location that may lawfully receive that waste.

135 **Importation of Soils to Site**

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

136 **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.

137 **Discharge of Accumulated Water**

Any water accumulating in excavations on-site or in the settlement ponds shall not be discharged to Council's stormwater system, unless all the following criteria are met:

- 1 The concentration of suspended solids in the water to be discharged does not exceed 50 mg/L; and
- 2 The pH of the water to be discharged is between 6.5 and 8.5; and
- 3 The water to be discharged contains no visible oil or grease; and
- 4 If alum has been used to reduce suspended solids, the concentration of aluminium in the water to be discharged does not exceed 0.055 mg/L; and
- 5 The water to be discharged does not contain any substances known to be toxic to aquatic life; and
- 6 The flow rate of discharged water does not exceed 55 litres per second in dry weather conditions, or is less than the capacity of the receiving stormwater drain; and
- 7 A copy from a NATA accredited laboratory of sample test results for suspended solids and pH (and aluminium if applicable) confirming the water to be discharged meets criteria 1 and 2 (and criteria 4 if applicable) as stated above is submitted to Council's Environment Planning Team (phone 4227 7111; fax 4227 7277; email records@wollongong.nsw.gov.au, attention Environment Planning Team Manager); and
- 8 Written permission is obtained from Council's Environment Planning Team prior to any discharge.

Alternatively, such waters are to be removed by tanker for disposal at a NSW Environment Protection Authority licensed waste facility.

138 **Provision of Taps/Irrigation System**

The provision of common taps 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 implemented in accordance with the approved Landscape Plan.

139 **Podium Planting**

All podium planting areas are to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding is to be installed to protect membrane from damage.

All podium planting areas to be provided with an adequate drainage system connected to the stormwater drainage system. The planter box is to be backfilled with free draining planter box soil mix.

If selected mulch is decorative pebbles/gravel, the maximum gravel pebble size is 10mm diameter

Prior to the Issue of the Occupation Certificate

140 Redundant Crossings

Any existing vehicular crossings rendered unnecessary by this development must be removed and the footpath and normal kerbing and guttering must be restored. This work shall be carried out by a Council recognized concrete contractor at the developer's expense.

141 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.

142 Post Dilapidation Report

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

143 Drainage

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.

144 Restriction on use – On-site Detention System

The applicant must create a restriction on use under the Conveyancing Act 1919 over the on-site detention system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

"The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."

The instrument, showing the restriction, must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

145 Positive Covenant – On-Site Detention Maintenance Schedule

A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced).

The instrument, showing the positive covenant must be submitted to the Principal Certifying Authority for endorsement prior to the issue of the final Occupation Certificate and the use of the development.

146 On-Site Detention – Structural Certification

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

147 Heritage Interpretation Works

Prior to the release of an Occupation Certificate, any interpretation devices recommended within the Heritage Interpretation Strategy are to be implemented to the satisfaction of the Heritage Consultant.

148 **External Plant and Equipment**

All external plant such as air conditioners, compressors/pumps, exhaust systems and other equipment likely to emit noise shall have suitable noise attenuation so that the noise (LAeq(15min)) emanating from the operation of external plant and equipment does not exceed 5dB(A) above the background noise level (LA90(15min)) of the area at any boundary of the land.

149 **Completion report for excavation adjacent to a Public Road**

A report be provided to Wollongong City Council and Principal Certifying Authority, prepared by a qualified Civil Engineer, NPER 3 accreditation with the Institute of Engineers Australia and experienced in structural design that:

- Certifies that all proposed retaining structures within the zone of influence of any Council assets including the road pavement, stormwater pipes and pits was constructed in accordance with the approved plans prepared in accordance to RMS Technical direction GTD 2012/001.
- Certifies that the monitoring of the site was carried out in accordance with the requirements of RMS Technical direction GTD 2012/001.
- Provides a post construction dilapidation survey

150 **Works-as-Executed Plans – Works within Council Land**

The submission of a Works-As-Executed (WAE) plan for works within Council land must be submitted to Councils Development Engineering Manager for assessment, prior to the release of the occupation Certificate. The Works-As-Executed plans shall be certified by a registered surveyor indicating that the survey is a true and accurate record of the works that have been constructed. The Works-As-Executed dimensions and levels must also be shown in red on a copy of the approved Construction Certificate plans. The Works-As-Executed (WAE) plans must include:

- Final locations and levels for all works associated with the development within Council land
- the plan(s) must include but not be limited to the requirements stated in Chapter E14 of the Wollongong DCP 2009.

151 **Completion of Engineering Works**

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

152 **Mailboxes & Street Numbering**

The developer must install mailboxes in accordance with Australia Post Guidelines and Clause 4.5.2 of Chapter D13 of Wollongong Development Control Plan 2009. The mailboxes must be provided in one accessible location adjacent to the main entrance to the development, integrated into a wall if possible and constructed of materials consistent with the appearance of the building. Letterboxes shall be secure and large enough to accommodate articles such as newspapers, parcels and the like. 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.

153 **Completion of Landscape Works**

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

Operational Phases of the Development/Use of the Site

154 **Waste Collection**

All waste collection is to be undertaken from within the site. On-street collection of waste is not permitted at any time.

155 **Storage of Waste Bins and Waste**

All waste and bins associated with the development shall be stored within the waste storage rooms at all times. No waste shall be allowed to accumulate or shall be stored on or adjacent to the street frontages of the site at any time.

156 **Loading/Unloading Operations/Activities and Maintenance Vehicles**

Vehicles associated with deliveries to the building and any maintenance shall park within the site where possible. Loading / unloading activities shall take place within the loading dock and shall not obstruct vehicle movements within the driveway / Right of Way area.

157 **Graffiti Removal**

Any graffiti shall be removed immediately from the exterior of the building or any associated structures including any fences, site services and retaining/ planter bed walls.

158 **Car Park Management Plan**

The car park management plan required by Condition 53 shall be implemented at all times.

159 **Maintenance & Operation of Mechanical Parking System**

The mechanical parking system shall be regularly maintained to ensure that it remains operational at all times and operates with a lifting time of 40 seconds