

SUPPLEMENTARY REPORT TO SOUTHERN REGION PLANNING PANEL (electronic determination)

Panel Reference	PPSSTH-181
DA No.	DA-2022/960
Property	116 -122 Corrimal Street and 1 Moore Lane WOLLONGONG
Proposal	Demolition of existing structures and construction mixed use 12 storey building, 10 residential levels containing 83 units, communal spaces, ground floor commercial, two (2) level basement parking and rear commercial parking
Applicant	ADM Architects
Prior SRPP meeting	15 November 2023

BACKGROUND

The proposal was referred to Southern Region Planning Panel at its determination meeting held on 15 November 2023.

The SRPP deferred determination of the application subject to Council providing further information and changes and/or clarification in relation to certain conditions. Specifically, the Panel requested the following matters be addressed:

- *Outline the recommendations and findings of the acoustic report and how they've been incorporated into the conditions of consent.*
- *The wind attenuation measures outlined in the Qualitative Wind Statement prepared by SLR and dated 11 February 2022 to be included in Condition 26.*
- *Details of the 149 Certificate which outlines considerations of living in the CBD to prospective residents.*
- *Are the following conditions duplicates: Condition 30 & 131, Condition 55 & Condition 99, Condition 71 & Condition 135, Condition 77 and Condition 61, Condition 130 & 91, Condition 154 & 157, Condition 159 & 169, Condition 175 and 177.*
- *Condition 77 – add a reason for the condition.*
- *Condition 167 – add a reason for the condition.*
- *Condition 16 – add 'to comply with the relevant instrument' In the reason for the condition.*
- *Condition 122 – Does this need to include a Remediation Action Plan (RAP).*
- *'Geotechnical Inspection Certification' – needs a condition number (currently between conditions 131-132).*
- *Condition 69 – does this relate to or conflict with Condition 67.*

ASSESSMENT OF THE MATTERS OF CONCERN IDENTIFIED BY SRPP

Each of the above matters are addressed as follows:

- *Outline the recommendations and findings of the acoustic report and how they've been incorporated into the conditions of consent.*

Council Comment:

The Noise Impact Assessment (NIA) prepared by Harwood Acoustics submitted with the DA included advice and recommendations in relation to the construction of the external building facades to mitigate noise intrusion from road traffic and commercial activity in accordance with Australian Standard AS2107 as well as Council's Night Time Economy Policy.

The report concluded that *"the level of noise intrusion into the proposed new residential apartments will meet the internal noise design goals prescribed by Wollongong City Council if the recommendations for construction materials and methods made in the Report are implemented"*.

Following review of the NIA by Council's environment officer, Council requested the following additional information on 22 November 2022:-

"The design of the residential apartments will need to consider the acoustic impacts of nearby hospitality uses operating in the evening, noting that these uses are supported in the City Centre through a number

of strategies (Economic Development, Draft Retail and Business Centres, UDF) and managed through Council's Night-Time Economy Policy. The recommendations of the submitted acoustic report seems to rely on windows being closed (as opposed to the orientation of the building form etc) in order to mitigate acoustic impact at night. Consideration should be given to how this relates to ventilation and whether certain apartments will not comply with ADG ventilation requirements if windows need to remain closed for acoustic mitigation."

In response to the above request, a supplementary response from the acoustic consultant was provided by the applicant on 24 March 2023. This confirmed that the original acoustic assessment included the measurement of noise generated by all surrounding commercial activities, including but not limited to the adjacent Harp Hotel, as well as traffic on Corrimal Street.

In addition to noise measurements taken in February 2022, Harwood Acoustics undertook short term and long term noise surveys in proximity of the Site, as follows:-

- Corner of Crown Street and Corrimal Street (long term survey),
- Corner of Corrimal Street and Burelli Street (long term survey),
- Town Hall Place (long term survey), Traffic Noise Intrusion Assessment – Corrimal Street & Moore Lane, Wollongong Page 8 Reference: 2104010e-r.docx 28-Feb-2022
- 124 Corrimal Street (Harp Hotel) (short-term measurements),
- Corner Crown Street and Queens Parade (short-term measurements),
- Several other locations along Corrimal Street further to the north and south of the Site over many years).
- 7 Burelli Street - southeast of the Site,

The report noted that noise levels are dominated by road traffic, including buses and trucks, for each of the daytime and nighttime periods and advised that the recommended façade treatment will ensure that internal noise limits are achieved for both traffic and commercial noise generation outside the building.

In order to address Council's concern regarding fresh air ventilation within certain bedrooms at night, the consultant recommended that an alternative fresh air supply be provided to the bedrooms identified in Table 1 below so that occupants may keep their windows closed should they so desire.

Table 1 Bedrooms requiring fresh air ventilation option
Unit / Bedroom
Units 107, 108, 109 , 207, 208, 209, 307, 308, 309, 407, 408, 409, 507, 508, 509, 607, 608, 609
707, 708, 709, 807, 808, 809, 907, 908 & 909
All bedrooms (excluding ensuite)
Units 106, 206, 306, 406, 506, 606, 706, 806, 906 & 1001
Bedroom 1 only (excluding ensuite)

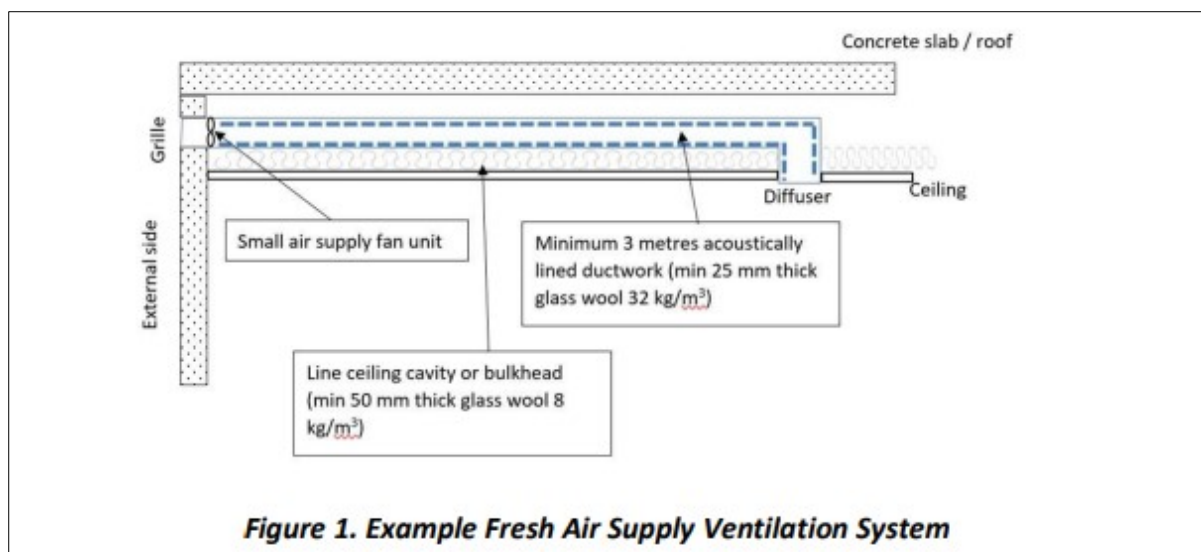
"Fresh air ventilation may be supplied by either of the following options (or approved alternative).

Option 1 – Mechanical Ventilation (Air conditioning system)

Install any mechanical ventilation system (air conditioning) with a fresh air supply option. For example <https://www.rapidcold.com.au/daikin-split-system-us7-air-conditioner/>

Option 2 – Ducted Fresh Air Supply

Install a small in line air supply fan unit with a minimum length of 3 metres of acoustically lined duct in the ceiling space of each of the relevant rooms, as shown in Figure 1 below:



These options are a common solution and in keeping with the intent of the recommendations in the Department of Planning and Environment's Development Near Rail Corridors and Busy Roads – Interim Guidelines 2008"

Condition 31 has been reviewed and amended as per red text

31 Noise Impacts

Any dwelling erected upon this site shall be designed and constructed in accordance with the recommendations and requirements of NSW Department of Planning (2008) *Development Near Rail Corridors and Busy Roads – Interim Guideline* and Australian Standard AS3671 (1989) 'Acoustic – Road Traffic Noise Intrusion – Building Siting and Construction', the Noise Intrusion Assessment (Harwood Acoustics, 28 February 2022) and additional advice in the letter from Harwood Acoustics dated 21 February 2023.

The design and construction of the dwelling/renovations shall ensure that the following LAeq levels are not exceeded:

- a. in any bedroom in the residential accommodation – 35dB(A) at any time between 10.00 pm and 7.00 am,
- b. anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.

This requirement shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To mitigate noise intrusion from road traffic and commercial activity in accordance with Australian Standard AS2107 as well as Council's Night time Economy Policy. To provide for adequate amenity within units.

- **The wind attenuation measures outlined in the Qualitative Wind Statement prepared by SLR and dated 11 February 2022 to be included in Condition 26.**

Council Comment:

Condition 26 has been reviewed and amended as per red text

26 Wind Mitigation Measures

The following wind attenuation measures outlined in the Qualitative Wind Statement prepared by SLR and dated 11 February 2022 as follows are to be shown on the Construction Certificate Plans and implemented in full:

- **Level 1 Communal Open Space**
 - The screen/parapet along the southern boundary of this outdoor area must be impermeable and at least 1.5m high measured from Level 1 slab.
- **Roof Level Communal Open Space**

- The balustrade must be impermeable and at least 1.5m high measured from Roof Level slab.

Reason:

To protect neighbourhood amenity and to provide adequate amenity for residents.

- **Details of the 149 Certificate which outlines considerations of living in the CBD to prospective residents.**

Council Comment:

Planning Certificates issued under S.10.7 of the Environmental Planning and Assessment Act, 1979, where the land is located within the Wollongong CBD, contain the following Notation:

Business Zone-Cultural Plan and Live Music

The Wollongong City Centre and Town Centres, play a key role in accommodation cultural, sporting and business uses. A key to the revitalisation of these centres is to build on these aspects through greater activation and investment beyond 5pm through an evening economy. Future residents should be aware that these uses may generate noise, odour, traffic and have longer hours of operation, which is part of living in/near a commercial centre.

- **Are the following conditions duplicates: Condition 30 & 131, Condition 55 & Condition 99, Condition 71 & Condition 135, Condition 77 and Condition 61, Condition 130 & 91, Condition 154 & 157, Condition 159 & 169, Condition 175 and 177.**

Council Comment:

Condition 30 and 131 (renumbered 128 in final draft) to remain.

Condition 99 to remain (renumbered 97 in final draft). Delete condition 55.

Condition 71 to remain (renumbered 69 in final draft). Delete Condition 135.

Condition 61 to be deleted and Condition 77 (renumbered 75 in final draft) reviewed and amended as per red text below:

77. Dilapidation Report

Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier with copies submitted to Council and adjoining property owners. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

Reason:

To establish and document the structural condition of adjoining properties and public land for comparison between when work commences, as work progresses and as work is completed and ensure neighbours and council are provided with the dilapidation report.

Condition 91 to remain (renumbered 89 in final draft). Delete condition 130.

Condition 154 to remain (renumbered 151 in final draft). Delete condition 157.

Condition 169 to remain (renumbered 164 in final draft). Delete Condition 159.

Condition 177 to remain (renumbered 171 in final draft). Delete Condition 175.

- **Condition 77 – add a reason for the condition. (Condition renumbered 75)**

Council Comment:

The reason has been added as outlined above:

- **Condition 167 – add a reason for the condition. (Condition renumbered 162)**

Council Comment:

The following reason has been added as per red text:

To ensure protection of the environment and neighbourhood amenity. To mitigate adverse amenity impacts in the locality.

- **Condition 16 – add ‘to comply with the relevant instrument’ In the reason for the condition.**

Council Comment:

The reason has been amended as per red text:

Reason provided as follows:

To comply with the requirements of Council's applicable Development Contributions Plan

- **Condition 122 – Does this need to include a Remediation Action Plan (RAP).**

Council Comment:

The condition has been amended as per the red text to read:

122 Site Contamination Remediation Works (*Condition renumbered 120*)

The completion of any site contamination remediation works in accordance with the **Remediation Action Plan (RAP)** prepared by JK Environments dated 28 February 2023, remediation measures recommended in the site contamination audit report and any additional measures as required by the site contamination auditor, if necessary.

Reason:

To satisfy the requirements of the legislation and to protect human health.

- **'Geotechnical Inspection Certification' – needs a condition number (currently between conditions 131-132).**

Council Comment:

The subject condition has been given a number **(132A)** Condition renumbered 129 in final Draft.

- **Condition 69 – does this relate to or conflict with Condition 67.**

Council Comment:

Both conditions 67 and 69 were provided by Council's stormwater engineer and are required to remain as proposed (*Conditions renumbered 65 and 67 in Final Draft*).

CONCLUSION

The Panels request of 15 November 2023 for further information and changes and/or clarification in relation to certain conditions has been addressed. The application is now referred to the Panel for determination.

Note: A 'marked up' version of the draft conditions is provided showing amendments in red as Attachment 1. A Final copy of the draft conditions as renumbered is provided as attachment 2.

RECOMMENDATION

It is recommended that Development Application DA-2022/395 be granted consent pursuant to Section 4.16(3) of the Environmental Planning & Assessment Act 1979, subject to the revised consolidated conditions contained in attachment 2.

Attachment 1 – Draft Conditions as amended

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No	Revision No	Plan Title	Drawn By	Dated
A-101	C	Site Plan	ADM Architects	16/08/23
A-102	C	Basement 3 Floor Plan	ADM Architects	16/08/23
A-102a	B	Basement 2 Floor Plan	ADM Architects	16/08/23
A-103	C	Basement 1 Floor Plan	ADM Architects	16/08/23
A-104	C	Ground floor plan	ADM Architects	16/08/23
A-105	C	Level 1 Floor Plan	ADM Architects	16/08/23
A-106	C	Level 2 Floor Plan	ADM Architects	16/08/23
A-106a	B	Level 3 Floor Plan	ADM Architects	16/08/23
A-106b	B	Level 4 Floor Plan	ADM Architects	16/08/23
A-107	C	Level 5 Floor Plan	ADM Architects	16/08/23
A-107a	B	Level 6 Floor Plan	ADM Architects	16/08/23
A-108	C	Level 7 Floor Plan	ADM Architects	16/08/23
A-108a	B	Level 8 Floor Plan	ADM Architects	16/08/23
A-108b	B	Level 9 Floor Plan	ADM Architects	16/08/23
A-109	C	Level 10 Floor Plan	ADM Architects	16/08/23
A-110	C	Roof Plan	ADM Architects	16/08/23
A-201	C	East Elevation	ADM Architects	16/08/23
A-202	C	South Elevation	ADM Architects	16/08/23
A-203	C	West Elevation	ADM Architects	16/08/23
A-204	C	North Elevation	ADM Architects	16/08/23
A-205	C	Section A-A	ADM Architects	16/08/23
A-206	B	Interface Sections	ADM Architects	16/08/23
A501	B	Colour and Materials Schedule	ADM Architects	08/03/23
		Draft DP	David Alan Jollie	01/03/23

4192-F101 D	D	Landscape Cover Sheet 1/1	DSB Architects	Landscape	22/08/23
4192-F201 D	D	Landscape Plan Ground Floor-Area 1 Sheet 2/3	DSB Architects	Landscape	22/08/23
4192-F202 D	D	Landscape Plan Ground Floor-Area 2 Sheet 2/3	DSB Architects	Landscape	22/08/23
4194-F203 D	D	Landscape Plan Ground Floor-Area 3 Sheet 3/3	DSB Architects	Landscape	22/08/23
4192-F301 D	D	Landscape Plan Level 1 – Area 1 Sheet 1/3	DSB Architects	Landscape	22/08/23
4192-F302 D	D	Landscape Plan Level 1 – Area 2 Sheet 2/3	DSB Architects	Landscape	22/08/23
4192-F303 D	D	Landscape Plan Level 1 – Area 3 Sheet 3/3	DSB Architects	Landscape	22/08/23
4192-F401 D	D	Landscape Plan Rooftop Sheet 1/1	DSB Architects	Landscape	22/08/23

Document Title	Version No	Prepared By	Dated
Energy Efficiency Report	210403-A	Greenview Consulting	16 August 2023
Geotechnical Specialist Advice	35075Lrpt	JK Geotechnics	13 July 2022
Noise Intrusion Assessment	A	Harwood Acoustics	28 February 2022
Acoustical Advice Reference: 2104010e-l		Harwood Acoustics	21 February 2023

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

General Conditions

2. Transport for NSW Requirements

The Developer must comply with all requirements of Transport for NSW as attached to this consent.

Reason:

To ensure requirements of Transport for NSW are satisfied.

3. Street Tree Removal

The Developer shall remove the existing four street trees indicated on the Landscape Plan.

Tree removal costs are to be borne by Developer. The removal of trees, including stumps, is to be carried out by suitably qualified tree contractor. This contractor must be appropriately insured to

indemnify Council against any loss or damage incurred during the above works. They must also have appropriate WH&S policies and procedures (including traffic control) to ensure that works are carried out in a safe manner and in accordance in Council's own WH&S policies.

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

Reason:

To clarify permitted tree removal.

4. **Work in Accordance with Report**

All work is to be in accordance with the geotechnical recommendations contained in the report dated 13 July 2022 by JK Geotechnics Pty Ltd and any subsequent geotechnical report required to address unanticipated conditions encountered during construction.

Reason:

To ensure compliance with geotechnical report.

5. **Ground Disturbance**

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.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

6. **Excavation Support**

All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

7. **Retaining Wall Design**

Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner(s).

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

8. **Design Endorsement**

The structural designs for all foundations are to be endorsed by the geotechnical consultant that all known site geotechnical constraints have been accommodated in the designs.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

9. **General Geotechnical Conditions**

All excavation works are to be undertaken under geotechnical supervision to ensure that no foundations for adjoining development are affected by the excavation. This could require support for cut soil embankments and/or stress relief in hard rock.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

10. **Unexpected Finds of Aboriginal Cultural Heritage**

If any Aboriginal object(s) is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must ensure:

- a. No further harm is undertaken to the object(s);
- b. Immediately cease all work at the particular location;
- c. Secure the area so as to avoid further harm to the Aboriginal object(s);
- d. Notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object(s) and its location;

- e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW;
- f. If harm cannot be avoided, an Aboriginal Heritage Impact Permit (AHIP) under the NSW National Parks and Wildlife Act 1974 will be required prior to recommencing.

Wollongong City Council's Heritage Staff should also be notified by calling 4227 7111.

Reason:

To satisfy the requirements of the legislation.

11. Demolition and Construction Noise and Vibration Management

Prior to the commencement of works, the Proponent shall undertake a noise and vibration assessment to identify all sensitive receivers where the construction noise and vibration levels may exceed the ICNG construction noise goals for that receiver. Parameters of the assessment are to consider:

- i. Levels recommended by a registered Geotechnical/Structural Engineer with regards to structural damage buildings;
- ii. German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- iii. For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472 - Guide to Evaluate
- iv. Human Exposure to Vibration in Buildings (1Hz to 80Hz) for low probability of adverse comment.

The findings, recommendations and management controls from the assessment, including complaints resolution procedures, shall be documented in a Demolition and Construction Noise and Vibration Management Plan prepared by a suitably qualified and experienced acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australasian Acoustical Consultants) and submitted to Council or Certifying Authority. For the duration of the site works noise and vibration must be managed in accordance with the submitted Demolition and Construction Noise and Vibration Management Plan.

Reason:

To protect neighbourhood amenity.

12. Construction Environmental Management Plan

Construction Environmental Management Plan (CEMP) must be prepared including Unexpected Finds Protocol and implemented **prior to the commencement of demolition works on the site**. The CEMP must address how the proponent will manage any foreseeable environmental risk during the demolition, excavation and construction phases. This includes but is not limited to documenting measures to ensure there is no pollution to waters, and dust and noise are minimised as far as practicable.

The CEMP must also include:

- details of the proposed excavated soil material and its proposed method of disposal together with proposed batching, sampling and analysis procedures as per the DECCW (2009) Waste Classification Guidelines. The plan shall be prepared by a suitably qualified and experienced consultant, copy of the plans shall be forwarded to Council.
- Details of support for all excavations during and after construction particularly to protect existing development on adjoining properties.
- Proposed excavation methods to minimise noise and vibration should hard bedrock be encountered.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

13. 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 Developer 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.

Reason:

To comply with the legislation.

14. 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 150mm in height for each number and letter in the alphabet.

Reason:

To comply with Australia Post requirements.

15. 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 an Environmental Planning Instrument.

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.

Reason:

To comply with the legislation.

16. Development Contributions

In accordance with Section 4.17(1)(h) of the Environmental Planning and Assessment Act 1979 and the Wollongong City Wide Development Contributions Plan (2022), a monetary contribution of \$713,900.00 (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 proposed cost of development and the applicable percentage levy rate.

The contribution amount will be indexed quarterly until the date of payment using Consumer Price Index; All Groups, Sydney (CPI) based on the formula show in the Contributions Plan.

To request an invoice to pay the contribution go to www.wollongong.nsw.gov.au/contributions and submit a contributions enquiry. The following will be required:

- Application number and property address.
- Name and address of who the invoice and receipt should be issue to.
- Email address where the invoice should be sent.

A copy of the Contributions Plan and accompanying information is available on Council's website www.wollongong.nsw.gov.au.

Reason:

To comply with the requirements of Council's applicable Development Contributions Plan

Before the Issue of a Construction Certificate

17. Crime Prevention Through Environmental Design (CPTED) - Design Measures

The development shall incorporate appropriate design measures to minimise any crime risk to patrons or staff and motor vehicles within the car parking areas, including (but not limited to) the following:

- a. Landscape treatment which allows visibility from the road way and other public areas;
- b. landscaping at ground level provided which is difficult or uncomfortable to hide in or traverse,
- c. provide clearly marked and sign posted visitor car parking signs (including security/intercom system);

- d. ensure that fire rated doors in the car park have a clear glass panel located no more than 1.5m from the floor. The panel shall have a minimum dimension of 300 mm x 300 mm to allow visual surveillance within the stairwell and/or next room/space.

This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with the legislation.

18. Change in Driveway Paving

A change in driveway paving is required on Moore Lane denoted on the Landscape Plan as PT-2. The use of 300 x 300 stack bond paver is not supported within Moore Lane. It is recommended that the driveway pavements in Moore Lane be constructed from oxide honed concrete with a decorative saw cut pattern designed by an engineer to withstand the predicted traffic loadings. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

Reason:

To comply with Council's Development Control Plan.

19. Landscaping

The submission of a final Landscape Plan will be required in accordance with the requirements of Wollongong City Council DCP 2009 Chapter E6 and the approved Landscape Plan (ie as part of this consent) for the approval by the Principal Certifier, prior to the release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

20. Certification for Landscape and Drainage

The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

Reason:

To comply with Council's Development Control Plan.

21. Landscape Maintenance Plan

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 Certifier prior to release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

22. 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.

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. It is recommended that the driveway pavements be constructed from oxide concrete to match the colour of the basalt paving unit with a saw cut pattern of the basalt to withstand the 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.

Reason:

To comply with Council's DCP.

23. **Street Trees City Centre**

The Developer must address the street frontage by installing street tree planting. The number and species for this development are four *Tristania laurina* 'Luscious' on the Corrimal Street footway and four *Fraxinus pennsylvanica* 'Urbanite' on the Corrimal Street front boundary (within the site frontage). The trees shall be 200 litre container size in accordance with AS 2303:2018: 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 Parks and Open Space.

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

Reason:

To comply with Council's Development Control Plan.

24. **Heritage Excavation Permit**

The Developer must obtain an excavation permit from the NSW Heritage under Section 140 of the NSW Heritage Act 1977 before any works commence. A copy of the Archaeological Research Design and Excavation Permit should be provided to Council's Heritage Staff for their information.

The Final Test Excavation Report should also be provided to Council's Heritage Staff for their information.

Reason:

To satisfy the requirements of the legislation.

25. **Interpretation Plan**

An interpretation plan is to be provided to Council for written approval to guide appropriate the delivery of onsite heritage interpretation material and interpretive devices, to reference the history of the site, its past ownership interpretation that acknowledged the significance of the site in the history of development of the area. The details of the proposed plan are to be provided to Council's Heritage Officers for written approval prior to release of Construction Certificate.

In the event that relics or archaeology are located during the course of the works these relics and details of the archaeological find are to be considered for inclusion in the interpretative plan and any resulting interpretation material.

The plan must be prepared by a suitably qualified and experienced heritage consultant and is to be provided to Council for written endorsement prior to the release of the Construction Certificate.

Reason:

To ensure heritage considerations are met.

26. **Wind Mitigation Measures**

The following wind attenuation measures outlined in the Qualitative Wind Statement prepared by SLR and dated 11 February 2022 as follows are to be shown on the Construction Certificate Plans and implemented in full:

- **Level 1 Communal Open Space**
 - The screen/parapet along the southern boundary of this outdoor area must be impermeable and at least 1.5m high measured from Level 1 slab.
- **Roof Level Communal Open Space**
 - The balustrade is must be impermeable and at least 1.5m high measured from Roof Level slab.

Reason:

To protect neighbourhood amenity and to provide adequate amenity for residents.

27. **Before the Issue of a Construction Certificate - NCC Section J Report**

A NCC Volume 1, Section J compliance report shall be prepared to demonstrate compliance with the relevant requirements and submitted to Council for endorsement prior to the issue of the Construction Certificate.

Reason:

To satisfy the requirements of the legislation.

28. **Water Heating and Stoves to be electric**

The residential component of the development is to be serviced by electric hot water and electric cooktops/stoves. This requirement shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

29. **NatHERS Certificate**

Updated NatHERS certificates demonstrating an average NatHERS rating of 7 stars for the development are to be submitted to Council prior to the issue of the Construction Certificate. This shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

30. **BASIX**

Updated BASIX certificates with an BASIX score of at least:

- 45 for Water; and
- 30 for Energy

for the development are to be submitted to Council prior to the issue of the Construction Certificate. This shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

31. **Noise Impacts**

Any dwelling erected upon this site shall be designed and constructed in accordance with the recommendations and requirements of NSW Department of Planning (2008) *Development Near Rail Corridors and Busy Roads – Interim Guideline* and Australian Standard AS3671 (1989) 'Acoustic – Road Traffic Noise Intrusion – Building Siting and Construction', the Noise Intrusion Assessment (Harwood Acoustics, 28 February 2022) and additional advice in the letter from Harwood Acoustics dated 21 February 2023.

The design and construction of the dwelling/renovations shall ensure that the following LAeq levels are not exceeded:

- c. in any bedroom in the residential accommodation – 35dB(A) at any time between 10.00 pm and 7.00 am,
- d. anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.

This requirement shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To mitigate noise intrusion from road traffic and commercial activity in accordance with Australian Standard AS2107 as well as Council's Night time Economy Policy. To provide for adequate amenity within units.

32. Car Parking and Access

The development shall make provision for the following:

Residential

- 96 residential car parking spaces (including 16 car parking spaces capable of adaption for people with disabilities)
- 17 residential visitor car parking spaces
- 6 residential motorcycle parking spaces
- A minimum of 28 secure (Security Class B) residential bicycle spaces
- A minimum of 11 residential visitor bicycle spaces (Security Class C)

Commercial

- 21 commercial car parking spaces (including 1 car parking space for people with disabilities)
- A minimum of 3 secure (Security Class B) staff bicycle spaces

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 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

Reason:

To comply with Council's Development Control Plan.

33. Parking Dimensions

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 AS 2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

34. Disabled Person Parking Space Dimensions

Each disabled person's parking space must comply with the current relevant Australian Standard AS 2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

35. Vehicular Flow Signage

Suitable barriers, line-marking and painted signage delineating vehicular flow movements must be provided within the car parking areas. These details shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

36. Structures Adjacent to Driveway

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS 2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle 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.

Reason:

To ensure compliance with Australian Standards.

37. **Bicycle Parking Facilities**

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. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

38. **Designated Loading/Unloading Facility**

The designated loading/unloading facility must be clearly delineated with appropriate signage and/or line marking to ensure the area is kept clear at all times. The designated loading/unloading facility shall be shown on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

39. **Redundant Crossings**

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter or existing edge of carriageway treatment to match the existing. The verge from the back of kerb to the boundary must be restored and the area appropriately graded, topsoiled and turfed in a manner that conforms with adjoining road reserve. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. 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. Any redundant linemarking such as 'marked parking bays' are adjusted/removed at the Developer's expense by a Council recognised contractor with the relevant insurances. Details and locations are to be shown on the Construction Certificate Plans.

Reason:

To comply with Council's Development Control Plan.

40. **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.

Reason:

To comply with Council Policy.

41. **Car parking details**

Before the issue of the relevant Construction Certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction, that it complies with the relevant parts of AS 2890 *Parking Facilities - Off-Street Carparking* and Council's development control plan.

Reason:

To ensure parking facilities are designed in accordance with the Australian Standard and council's DCP.

42. **Electric Vehicle Charging Spaces**

All electric vehicle charging car parking spaces must be a minimum of 2.8 metres wide as per Austroads to allow for side charging infrastructure. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with Austroads.

43. **Proposed Treatment of the Proposed Public Road intersection with Corrimal Street**

The proposed Public Road intersection with Corrimal Street is to be designed as a Continual Footpath Treatment/driveway 'crossover', in accordance with Transport for NSW's Technical Direction TDT2013/05 and Wollongong City Council's Public Domain Technical Manual. In this location the design of the footpath must ensure that pedestrians travelling along Corrimal Street have right of way, and vehicles are required to cross over the footpath on entry to Corrimal Street. This requirement must be detailed on the Landscape and Civil Plans submitted for approval prior to the issue of the Construction Certificate plans.

Reason:

To promote pedestrian safety and priority.

44. Road Design

The road design must be designed in accordance with Council's Subdivision Policy and comply with the following:

- a. The grading and layout of all roads and lots must not allow for trapped low points and in addition ensure that overland flow is passed safely over public land,
- b. The pavement design for the proposed roads must be carried out by a qualified Geotechnical/Civil engineer in accordance with AUSTROADS Guide to Pavement Technology,
- c. The geometric design of all roads, traffic facilities, intersection treatments, mid-block devices and entry features must be such as to permit a 10.5m HRV Heavy Rigid Vehicle to manoeuvre in order to enter and leave each road travelling in a forward direction.

The relevant drawings must be annotated and properly referenced, showing compliance with this condition and comply with Council's Subdivision Policy. The drawings must be submitted with application for a Construction Certificate for approval by the Certifying Authority.

Reason:

To comply with Council's Subdivision Policy.

45. Structural Engineering Details

The submission of structural engineering details by a suitably qualified and experienced structural engineer (with appropriate insurance coverage) to the Principal Certifier, prior to the release of the Construction Certificate addressing the following matters:

- a. Footings;
- b. reinforced concrete slabs;
- c. retaining walls;
- d. structural steelwork;
- e. wall bracing and tie-down requirements;
- f. 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."

Reason:

To satisfy the requirements of the legislation and Australian Standards.

46. Fire Safety Schedule

When issuing a Construction Certificate, a Principal Certifier 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.

Reason:

To satisfy the requirements of the legislation.

47. Present Plans to Sydney Water

Approved plans must be submitted online using Sydney Water Tap In, 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 Principal Certifier 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.

Reason:

To satisfy the requirements of the legislation.

48. **Sydney Water 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 Certifier prior to issue of the Construction Certificate.

Reason:

To satisfy the requirements of the legislation.

49. **Utilities and Services**

Before the issue of the relevant construction certificate, the Developer must submit the following written evidence of service provider requirements to the certifier:

- a. a letter of consent from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity
- b. a response from Sydney Water as to whether the plans proposed to accompany the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met.
- c. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.

Reason:

To ensure relevant utility and service providers' requirements are provided to the certifier.

50. **Obscure Glazing for all Bathroom and WC Windows**

The bathroom and WC windows for each dwelling in the development shall be frosted or opaque glass. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To protect neighbourhood amenity.

51. **Glass Reflectivity Index**

The reflectivity index of the glass 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.

Reason:

To comply with Council's Development Control Plan.

52. **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 AS 1428.1:2009: Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of the legislation.

53. **Crime Prevention through Environmental Design (CPTED) - Public Spaces**

The area of the subject site which can be accessed by the public must have lighting provided in accordance with AS 1158:1999 or AS 4360:1999 (only appropriate if the land is in public ownership). This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

54. **Security Roller Shutters for Basement Car Parking Areas**

The installation of any security roller shutter for the basement car parking area shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifier prior to the release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

55. ~~**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 Certifier and Council (in the event that Council is not the Principal Certifier) for approval of both the Principal Certifier 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 AS 1742: Traffic Control Devices for Works on Roads and the TfNSW 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 TfNSW Specification – "Traffic Control at Work Sites Manual" and the Australian Standard AS 1742: "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB84);~~
- ~~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 a Registered 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 traffic control plan endorsed by Council 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.

~~Reason:
To ensure compliance with Australian Standards.~~

56. **Dust Suppression Measures**

The submission of details of the proposed dust suppression measures for the demolition, excavation and construction phases of the development to the Principal Certifier prior to issue of the Construction Certificate.

Reason:
To comply with Council's Development Control Plan.

57. **Asbestos Management Report**

A report prepared by a licensed asbestos assessor that indicates the exact nature and extent of asbestos material contained within the site and the proposed remediation measures to be adopted for the removal of the asbestos material from the site to a NSW Environment Protection Authority licensed waste disposal facility shall be submitted to the Principal Certifier for its separate approval prior to the issue of the Construction Certificate.

Reason:
To satisfy the requirements of the legislation.

58. **Payment of S94A Levy**

Prior to release of any associated Construction Certificate the Certifier must ensure that the S94A levy has been paid in full. In this regard the Certifier must submit to Council, with the Construction Certificate documentation, receipts which will specify whether the levy has been paid by cash or bank cheque.

Reason:
To satisfy the requirements of the legislation.

59. **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 *General Property Addressing Request* through Online Services on Council's Website (<https://www.wollongong.nsw.gov.au/book-and-apply/online-services>), for the site addressing prior to the issue of the Construction Certificate. Please allow up to 5 business days for a reply. Enquiries regarding property addressing may be made by calling (02) 4227 8660.

Reason:
To comply with Council Policy.

60. **Electricity Substation Requirements**

Documentary evidence must be provided to Council for approval in relation to the construction and installation of a chamber style substation within the proposed building in accordance with Endeavour Energy's standards and requirements for access, security, drainage, ventilation and fire rating.

Reason:
To satisfy the requirements of the legislation.

~~61. **Dilapidation Report**~~

~~Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.~~

~~Reason:
To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report~~

62. Asbestos Hazard Management Strategy

An appropriate hazard management strategy shall be prepared by a suitably qualified and experienced licensed asbestos assessor pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material. This strategy shall ensure any such proposed demolition works involving asbestos are carried out in accordance with SafeWork NSW's requirements (<https://www.safework.nsw.gov.au>). The strategy shall be submitted to the Principal Certifier prior to the commencement of any works.

The approved strategy shall be implemented and a clearance report for the site shall be prepared by a licensed asbestos assessor and submitted to the Principal Certifier prior to the issue of a Construction Certificate. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated based on visual inspection plus sampling if required and/or air monitoring results and that the site is rendered suitable for work to commence.

Reason:

To comply with Council's Development Control Plan.

63. Construction Site Management Plan

Before the issue of a Construction Certificate, the Developer must ensure a construction site management plan is prepared and provided to the certifier for approval. The plan must include the following matters:

- location and materials for protective fencing and hoardings to the perimeter of the site
- provisions for public safety
- pedestrian and vehicular site access points and construction activity zones
- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The Developer must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Reason:

To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

64. Water/Wastewater Entering Road Reserve

Provision shall be made for a minimum 200mm wide grated box drain along the boundary of the property at the vehicular crossing/s to prevent surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Council Technical Specifications.

65. Engineering Plans and Specifications - Retaining Wall Structures Greater than One (1) Metre

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the Principal Certifier 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:

- 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, subsoil drainage 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, subsoil drainage and footing structure must be contained wholly within the subject property;
- e. the proposed method of subsurface and surface drainage, including water disposal. This is to include subsoil drainage connections to an inter-allotment drainage line or junction pit that discharges to the appropriate receiving system;
- f. the assumed loading used by the engineer for the wall design; and
- g. 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.

Reason:

To comply with Council's Development Control Plan.

66. Stormwater Connection to Kerb

Connection across footways shall be by means of one or two (maximum), sewer grade UPVC pipe(s), 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.

Reason:

To comply with Council's Development Control Plan.

67. Flood Level Requirements

The following requirements shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate:

- a. Habitable floor levels must be constructed at no lower than as shown on the plans approved under this consent.
- b. Any portion of the building or structure below the 1 % AEP flood level plus 0.5 metres freeboard should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP 2009, 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 DCP 2009.
- c. The proposed development shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including Probable Maximum Flood (PMF) level plus 0.5 metres freeboard.
- d. Flood gates and/or impermeable walls shall be provided adjacent to the northern and eastern side of the proposed commercial spaces where floor levels are below the adjacent 1% AEP flood level (in Corrimal Street) plus 0.3 metres freeboard. The flood gates shall be generally in accordance with the plan by JN Responsive Engineering entitled 'GROUND FLOOR STORMWATER PLAN' (Drawing No. C304, Revision F, dated 22/8/2023). The detailed design of the flood gates and/or impermeable walls shall ensure a continuous impermeable barrier between 1 % AEP floodwater flows from Corrimal Street and the proposed commercial spaces with floor levels below the 1 % AEP level plus 0.3 metres freeboard. The top of the flood gates/walls shall be set at a minimum of the 1 % AEP level plus 0.3 metres. Construction details of the flood gates/walls, including extent, product, installation method, levels, etc. shall be prepared by a suitably qualified civil engineer and reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

68. **Sizing of Drainage**

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1% AEP storm event in accordance with AS 3500.3: Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

69. **Stormwater Drainage Design**

A detailed drainage design for the development must be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate. The detailed drainage design must satisfy the following requirements:

- a. Be prepared by a suitably qualified Civil Engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept stormwater plans lodged for development approval, prepared by JN Responsive Engineering (Project No. Q0210012), including the following drawings:

Drawing No.	Drawing Title	Revision	Date
C001	Basement Level 3 Stormwater Plan	A	17-03-23
C002	Basement Level 2 Stormwater Plan	C	17-03-2023
C003	Basement Level 1 Stormwater Plan	C	17-03-2023
C304	Ground Floor Stormwater Plan	F	22-08-2023
C006	Stormwater Drainage Details Plan	D	21-03-2023

- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- c. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d. Overflow paths shall 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% AEP events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

Reason:

To comply with Council's Development Control Plan.

70. **On-Site Stormwater Detention (OSD) Design**

The Developer must provide OSD storage for stormwater runoff from the development. The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the Principal Certifier prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

- a. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.

- b. Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with the concept stormwater plans lodged for development approval, prepared by JN Responsive Engineering (Project No. Q0210012), including the following drawings:

Drawing No.	Drawing Title	Revision	Date
C003	Basement Level 1 Stormwater Plan	C	17-03-2023
C304	Ground Floor Stormwater Plan	F	22-08-2023

- c. The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d. The OSD 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.
- e. Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.4.4 of Chapter E14 of the Wollongong DCP 2009.
- f. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g. Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the Occupation:
- The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number DA-2022/960.
 - Any specialist maintenance requirements.
- h. Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

Reason:

To comply with Council's Development Control Plan.

71. No Adverse Runoff 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 runoff.

Reason:

To protect neighbourhood amenity.

72. Corrimal Street & Moore Lane – Detailed Civil Engineering Design – Council Land

A detailed civil engineering design shall be provided for the proposed footpath and drainage works within the road reserve and/or Council land. The details must be submitted to and approved by Council's Development Engineering Manager. The detailed civil engineering design shall be prepared by a suitably qualified practicing Civil Engineer in accordance with the relevant Council engineering standards. The design plans shall include:

- 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.
- 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.
- Engineering details of the proposed pit and pipe stormwater drainage system within Council's road reserve, including a hydraulic grade line analysis and longitudinal section

of the proposed system showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels. Each proposed pit must be constructed generally in accordance with Wollongong City Council's Engineering Standard Drawings.

- d. Where any adjustments to public utilities are proposed the Developer shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- e. 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.
- f. Details are to be provided regarding the type of materials used for construction. They should conform to the adjacent road reserves. Pavement designs must be provided for road reconstruction works, the pavement must be designed by a suitably qualified Engineer to the expected traffic loadings and type.

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. The application must be made via Wollongong City Council's Frontage Works Application process with details available on www.wollongong.nsw.gov.au.

Reason:

To comply with Council's Development Control Plan and Australian Standards.

73. 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. This applies to any proposed opening such as doors or ventilation louvers.

Reason:

To comply with Council's Development Control Plan

74. 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.

Reason:

To comply with Council's Development Control Plan

75. Excavation and Retaining Structures Adjacent to Public Roads

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 for assessment 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. A geotechnical report prepared in accordance with the requirements of the RMS Technical direction GTD 2012/001.
- b. 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.

Reason:

To ensure compliance with Technical Specifications

76. Ground Anchors

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

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

Reason:

To ensure compliance with Technical Specifications.

Before the Commencement of Building Work

77. Dilapidation Report

Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

Reason:

To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report

78. Hazardous Material Survey

At least one (1) week prior to demolition, the Developer must prepare a hazardous materials survey of the site and submit to Council a report of the results of the survey. Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must include at least the following information:

- a. the location of hazardous materials throughout the site;
- b. a description of the hazardous material;
- c. the form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- d. an estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- e. a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- f. identification of the disposal sites to which the hazardous materials will be taken.

This plan shall be kept on site for the duration of demolition works.

Reason:

To identify hazardous materials and ensure safe disposal.

79. Unexpected Finds Procedure

The consent holder must ensure an Unexpected Contaminated Land, Acid Sulfate Soils and Asbestos Finds Procedure is prepared and submitted to the Principal Certifier before the commencement of any works. The Unexpected Contaminated Land and Asbestos Finds Procedure must be followed should unexpected contaminated land or asbestos (or suspected contaminated land or asbestos) be excavated or otherwise discovered during excavation and construction. This shall be incorporated into the CEMP.

Reason:

To satisfy the requirements of the legislation.

80. Works in Road Reserve - Minor Works

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.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the Roads Act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to

commence. The Developer is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

- a. All restorations are at the cost of the Developer and must be undertaken in accordance with Council's standard document, "Specification for work within Council's road reserve".
- b. Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

Reason:

To satisfy the requirements of the legislation.

81. Appointment of Principal Certifier

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

- a. appoint a Principal Certifier and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and
- b. notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

The Principal Certifier must determine when inspections and compliance certificates are required.

Reason:

To satisfy the requirements of the legislation.

82. Signs On Site

A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:

- a. showing the name, address and telephone number of the Principal Certifier for the work, and
- b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c. stating that unauthorised entry to the worksite is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Reason:

To satisfy the requirements of the legislation.

83. 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.

Reason:

To satisfy the requirements of the legislation.

84. 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 Certifier, prior to the commencement of any works on the site.

Reason:

To ensure structural integrity.

85. 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.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

86. Demolition Works

The demolition of the existing structures shall be carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of 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 Certifier. 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.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

87. Notification to Surrounding Property Owners/Occupants Prior to Commencement of Demolition Works

At least five (5) days' notice must be given in writing to any residence or business within 100 metres of the premises to which this consent pertains of the impending demolition works. The written notice must include at least the following information:

- a. a summary of the work plan and method for the demolition and a timetable for completion of works, including hours of operation, transport routes etc;
- b. details of the primary contractor and/or company conducting the demolition works;
- c. the name and telephone number for a person supervising the works to which residents can direct questions, comments and/or concerns about the works for the duration of the works.

Reason:

To advise neighbourhood.

88. Asbestos Hazard Management Strategy

An appropriate hazard management strategy shall be prepared by a suitably qualified and experienced licensed asbestos assessor pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material. This strategy shall ensure any such proposed demolition works involving asbestos are carried out in accordance with SafeWork NSW requirements (<https://www.safework.nsw.gov.au>). The strategy shall be submitted to the Principal Certifier and Council (in the event that Council is not the Principal Certifier prior to the commencement of any works).

The approved strategy shall be implemented and a clearance report for the site shall be prepared by a licensed asbestos assessor and submitted to the Principal Certifier and Council (in the event that Council is not the Principal Certifier), prior to the issue of an Occupation Certificate or commencement of the development. The report shall confirm that the asbestos material has been

removed or is appropriately encapsulated based on visual inspection plus sampling if required and/or air monitoring results and that the site is rendered suitable for the development.

Reason:

To identify hazardous materials and ensure safe disposal.

89. **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.

Reason:

To satisfy the requirements of the legislation.

90. **Contaminated Roof Dust**

Any existing accumulations of dust in ceiling voids and wall cavities must be removed prior to any demolition work commencing. Removal must take place by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter.

Reason:

To ensure safety.

91. **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.

Reason:

To protect neighbourhood amenity.

92. **Survey Report - Siting of Development within Property Boundaries**

A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifier to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.

Reason:

To ensure correct development location.

93. **Public Liability Insurance**

All contractors working in Council's road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$20 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) prior to the commencement of any such works in any road reserve or public reserve area.

Reason:

To satisfy Council's Policy.

94. **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.

Reason:

To protect neighbourhood amenity.

95. **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.

Reason:

To protect neighbourhood amenity.

96. **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.

Reason:

To protect neighbourhood amenity.

97. **Depth/Location of Services**

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.

Reason:

To ensure services are not impacted.

98. **Notification to Council of any Damage to Council's Infrastructure**

Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

Reason:

To ensure services are not impacted.

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

The submission, as part of an application for a permit under Section 138 of the Roads Act 1993, of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Regulation and Enforcement for approval is required, prior to works commencing on the site. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS 1742: Traffic Control Devices for Works on Roads and the TfNSW 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 TfNSW Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS 1742: "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 a Registered 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.

Reason:

To satisfy the requirements of the legislation.

100. Adjustment to Public Utility Service

The arrangements and costs associated with any adjustment to a public utility service shall be borne by the Developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the Developer. The submission of documentary evidence to the Principal Certifier 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.

Reason:

To ensure services are not impacted.

While Building Work is Being Carried Out

101. Copy of Consent in the Possession of Person carrying out Tree Removal

The Developer must ensure that any person carrying out tree removal is in possession of this development consent and/or the approved landscape plan, in respect to the tree(s) which has/have been given approval to be removed in accordance with this consent.

Reason:

To comply with Council's Development Control Plan

102. 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.

Reason:

To comply with Council's Development Control Plan.

103. 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.

Reason:

To comply with Council's Development Control Plan

104. Responsibility for changes to public infrastructure

While building work is being carried out, the Developer must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerbs and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).

Reason:

To comply with Council's Development Control Plan.

105. Level 1 Supervision

All earthworks including drainage, retaining wall and footing construction is to be subject to 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.

Reason:

To comply with the Australian Standard

106. Foundation Inspections

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.

Reason:

To comply with Council's Development Control Plan

107. Waste Inventory Report

A Waste Inventory Report must be maintained on-site during demolition work. The waste inventory is a register of all materials and waste removed from the site during the demolition work. The register must record each load or movement of material and waste from the site and must include at a minimum the following information:

- a. The description of material (including identified hazardous material);
- b. an estimate of the quantity by volume and weight;
- c. the transporter and registration details of the relevant vehicle;
- d. the intended destination of the material;
- e. a copy of the National Association of Testing Authorities (NATA) accredited laboratory results for accumulated roof dust should be included with the Waste Inventory sent to Council.

Reason:

To comply with Council's Development Control Plan.

108. Waste Inventory

A copy of the Waste Inventory which was maintained on-site during the demolition work and copies of relevant receipts of waste material being deposited at a waste disposal facility shall be forwarded to the Principal Certifier and Council's Regulation and Enforcement Division (in the event that Council is not the Principal Certifier), within fourteen (14) days of the completion of works.

Reason:

To comply with Council's Development Control Plan.

109. Demolition Operations Not to Discharge Pollutants

Demolition operations must not lead to the discharge of materials into the stormwater drainage system or natural watercourse.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

110. New Information/Unexpected Finds

In the event that demolition works cause the generation of odours or the uncovering of other previously unidentified contaminants or hazardous materials, works must immediately cease and the Principal Certifier and Council (in the event that Council is not the Principal Certifier) must be notified in writing within seven (7) days and an appropriately qualified environmental consultant appointed to undertake an assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm.

Reason:

To satisfy the requirements of the legislation and ensure safety.

111. PCB Containing Electrical Equipment

If any metal cased capacitors are found during demolition works that were previously identified or unidentified they shall be treated as containing Polychlorinated Biphenyls (PCBs). Details on storing, conveying and disposing of PCB material or PCB wastes can be found in *Polychlorinated Biphenyls Management Plan*, Environmental Protection & Heritage Council, Revised Edition April 2003.

Reason:

To satisfy the requirements of the legislation.

112. While Building Work is Being Carried Out

All Synthetic Mineral Fibre (SMF) containing materials must be removed in accordance with the National Standard for the Safe Use of Synthetic Mineral Fibres [National Occupational Health and Safety Commission:1004 (1990)] and the National Code of Practice for the Safe Use of Synthetic Mineral Fibres [National Occupational Health and Safety Commission:2006 (1990)].

Reason:

To satisfy the requirements of the legislation.

113. Site Management

Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:

- a. Does not spill onto the road pavement and
- b. is not placed in drainage lines or watercourses and cannot be washed into these areas.

Reason:

To comply with Council's Development Control Plan.

114. Disposal of Asbestos

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 (<https://www.safework.nsw.gov.au>).

Reason:

To satisfy the requirements of the legislation.

115. Asbestos Clearance Certificate

The internal floor area affected or likely to be affected, by scattering of asbestos pieces, particles or fibres during demolition or cutting into the building, is to be cleaned by vacuuming by a contractor approved by SafeWork NSW. A Clearance Certificate to certify that the site area is free of asbestos is to be submitted to Council by a licensed asbestos assessor within 14 days of the completion of renovations (or prior to the Occupation Certificate being issued).

Reason:

To satisfy the requirements of the legislation.

116. 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 Certifier, and a copy submitted to Council (in the event that Council is not the Principal Certifier), prior to commencement of the construction works.

Reason:

To satisfy the requirements of the legislation.

117. Lead Based Paint

To prevent contamination of the soil and human health risks associated with lead dust, safeguards must be used when removing flaking paint or sanding paint surfaces that are suspected to contain lead.

Reason:

To satisfy the requirements of the legislation.

118. Waste Classification and Disposal of Contaminated Soil and Material(s), Solid and Liquid

- a) All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the *Protection of the Environment (Waste) Regulation 2014* and related guidelines, in particular NSW EPA *Waste Classification Guidelines* (2014), prior to off-site disposal.
- b) The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to and approved by Council before off-site disposal. The front cover of the report must include the details of the consultant's certification. A certified contaminated land consultant is a contaminated land consultant certified under either:
 - i. the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) (CEnvP(SC)) scheme; or
 - ii. the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.
- c) All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste.
- d) Receipts for the disposal of the waste must be submitted to council within 14 days of the waste being disposed.
- e) All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage, and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

Reason:

To satisfy the requirements of the legislation.

119. Excess Excavated Material - Disposal

Excess excavated material shall be classified according to the 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.

Reason:

To satisfy the requirements of the legislation.

120. 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:

- a. The concentration of suspended solids in the water to be discharged does not exceed 50 mg/L; and
- b. The turbidity of the water to be discharged does not exceed 50 NTUs/FTUs; and
- c. The pH of the water to be discharged is between 6.5 and 8.5; and
- d. The water to be discharged contains no visible oil or grease; and
- e. 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
- f. The water to be discharged does not contain any substances known to be toxic to aquatic life; and
- g. 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
- h. 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
- i. 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.

Reason:

To satisfy the requirements of the legislation.

121. Dust Suppression Measures

Activities occurring during the demolition, excavation and construction phases of the development must be carried out in a manner that will minimise the generation of dust.

All surfaces intended to carry vehicular traffic must be managed with the aim of preventing windblown dust emissions.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

122. Site Contamination Remediation Works

The completion of any site contamination remediation works in accordance with the **Remediation Action Plan (RAP) prepared by JK Environments and dated 28 February 2023**, remediation measures recommended in the site contamination audit report and any additional measures as required by the site contamination auditor, if necessary.

Reason:

To satisfy the requirements of the legislation and to protect human health.

123. Unexpected Finds Procedure

The consent holder must ensure the Unexpected Contaminated Land, Acid Sulfate Soils and Asbestos Finds Procedure is implemented throughout the excavation and construction phases of the development.

Reason:

To satisfy the requirements of the legislation and to protect human health.

124. Survey Report

The submission of a survey report by a registered Land Surveyor to the Principal Certifier is required, prior to the work proceeding beyond each of the following respective stages so as to guarantee that each stage of the development is completed in accordance with the approved plans:

- a. footing excavation;
- b. slab formwork;
- c. foundation walls;
- d. walls and completed eaves/gutter/fascia/gable;
- e. building on the site.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

125. Survey Certificate

The submission of a Survey Certificate to the Principal Certifier at footings and/or formwork stage (whichever occurs first) confirming:

- a. the set out of the boundaries of the site,
- b. actual siting of the buildings and
- c. siting levels comply with the approved plans.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

126. Hours of Work

The Principal Certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- e. 7:00am to 5:00pm on Monday to Saturday

Allowable construction activity noise levels must be within the limits identified in the NSW EPA Interim Construction Noise Guidelines (ICNG) July 2009.

- a) levels recommended by a registered Geotechnical/Structural Engineer with regards to structural damage buildings;
- b) German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- c) For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human. Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
- d) Overpressure and vibration from blasting are to be assessed against the levels in the Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZEC 1990). Human comfort vibration from construction works, including continuous, intermittent or impulsive vibration from construction, but excluding blasting, is to be assessed in accordance with section 2.5 'Short-term works' in Assessing Vibration – a technical guideline (DEC 2006).

Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:

- (a) 9:00am to 12:00pm, Monday to Friday;
- (b) 2:00pm to 5:00pm Monday to Friday; and
- (c) 9:00am to 1:00pm Saturday.

The Principal Certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Any variation to the hours of work requires Council's approval.

Any request to vary the approved 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;

Reason:

To protect the amenity of the surrounding area.

127. **Spillage of Material**

Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.

Reason:

To comply with Council's Development Control Plan.

128. **Control of Access to Prevent Tracking of Sediment**

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.

Reason:

To comply with Council's Development Control Plan.

129. 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 Developer 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.

Reason:

To satisfy the requirements of the legislation.

130. ~~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.~~

Reason:

~~To comply with Council's Development Control Plan.~~

131. Implementation of BASIX commitments

While building work is being carried out, the Developer must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

Reason:

To satisfy the requirements of the legislation.

131A Geotechnical Inspection Certification

Any inspections recommended in the geotechnical report must be inspected and certified by the author or verifier of the geotechnical report.

Reason:

To ensure geotechnical considerations are met.

132. Comply with Geotechnical Report

Any construction conditions including works methodology and temporary works recommended in the geotechnical report must be carried out during construction to ensure the works incorporate the encountered site geotechnical constraints to achieve an *acceptable* risk level.

Reason:

To ensure geotechnical considerations are met.

133. Survey Report for Floor Levels

A Survey Report must be submitted to the Principal Certifier verifying that each floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

134. Piping of Stormwater to Existing Stormwater Drainage System

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

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

~~135. **No Adverse Run-off Impacts on Adjoining Properties**~~

~~The design and construction of the development shall ensure there are no adverse effects to adjoining properties, 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.~~

~~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.~~

Reason:

~~To comply with Council's Development Control Plan.~~

136. Shoring and adequacy of adjoining property

If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense -

- a. Protect and support the building, structure or work from possible damage from the excavation, and
- b. Where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Reason:

To satisfy the requirements of the legislation.

137. Supervision of Engineering Works

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

Reason:

To ensure compliance with relevant Standards.

138. Pipe Connections

All pipe connections to existing stormwater drainage systems within the road reserve shall be constructed flush with the pit wall in accordance with good engineering practice. The Developer shall ensure that the condition of the existing stormwater drainage system is not compromised and that the service life of the existing stormwater drainage system is not reduced as a result of the connection.

Reason:

To ensure construction Standards are met.

Before the Issue of an Occupation Certificate

139. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree works, including pruning in accordance with *AS 4373-2007 Pruning of amenity trees* and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Reason:

To ensure compliance with relevant Standards

140. Completion of Landscape Works on Council Owned or Controlled Land

The Developer must complete all landscape works required within Council's road reserve, or other Council owned or controlled land, in accordance with the conditions of this consent. The total cost of all such landscape works shall be fully borne by the Developer and any damage to Council's assets shall be the subject of restoration works sufficient to restore the asset to its previous state and configuration previous to the commencement of works. Evidence that this requirement has been met must be satisfied prior to the issue of the Occupation Certificate.

Reason:

To ensure compliance with relevant Standards

141. Arborist Verification – Street Tree Installation

Prior to the issue of Occupation Certificate, the Developer must supply certification in the form of a report, including photographic evidence, from an AQF Level 5 Arborist to the Principal Certifier and Wollongong City Council to verify:

- a. The tree stock complies with AS 2203:2018 Tree Stock for Landscape Use.
- b. The tree pits have been constructed and the trees installed in accordance with the requirements of the Wollongong City Council City Centre Public Domain Technical Manual and arboricultural best practice.

Reason:

To ensure compliance with relevant Standards

142. Interpretation Works

Prior to the release of the Occupation Certificate, the Developer is to complete any works that are recommended and detailed in the endorsed Heritage Interpretation Plan to the written satisfaction of Council's Heritage Staff.

Reason:

To ensure heritage considerations are met.

143. Heritage Documents Local Studies Library

A bound hard copy and digital copy of all heritage documents related to this development application should be provided to Council's Heritage Staff for inclusion in the local studies library. The documents should be included as one document with an index page. Document(s) required include but are not limited to:

- a. Heritage Impact Statement;
- b. Historic Archaeological Assessment and Archaeological Research Design;
- c. Final Excavation Report; and
- d. Heritage Interpretation Plan

Reason:

To ensure heritage considerations are met.

144. Site Contamination Validation Report and Site Contamination Audit Statement

The submission of a site contamination validation report to the Principal Certifier and Council (in the event that Council is not the Principal Certifier for its records) is required, prior to the issue of an Occupation 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 NSW EPA threshold limit criteria; and
- c. the site is rendered suitable for the proposed development.

The submission of a Site Audit Statement and Site Audit Report is also required from an accredited auditor pursuant to the provisions of Part 4 of the *Contaminated Land Management Act 1997* confirming that the site has been satisfactorily remediated and is suitable for the proposed development.

Reason:

To satisfy the requirements of the legislation.

145. Acoustic Design Compliance Report

A final acoustic design compliance report confirming compliance with the Noise Intrusion Assessment (Harwood Acoustics, 28 February 2022) and additional advice from Harwood Acoustics dated 21 February 2023 shall be prepared by a suitably qualified and experienced acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australasian Acoustical Consultants) and submitted to the Certifying Authority for approval prior to the release of the Occupation Certificate.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

146. Proposed Public Laneway Land Dedication

The Developer must dedicate the land to Council as Public Road, as per the proposed Plan of Subdivision of Lot DP58423 and Lot 1 DP799074.

Reason:

To transfer the responsibility of public infrastructure.

147. Preservation of survey marks

Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:

- a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or
- b. the Developer has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 - Preservation of Survey Infrastructure.

Reason:

To protect the State's survey infrastructure.

148. Section 73 Certificate

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

Reason:

To satisfy the requirements of the legislation.

149. 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:

- a. 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
- b. 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.

Reason:

To satisfy the requirements of the legislation.

150. Swimming Pool Barriers

The swimming pool shall be provided with child-resistant barriers, prior to the placement of water in the pool, in accordance with Section 7 of the Swimming Pools Act 1992 and Australian Standards AS 1926. The barrier shall be installed to the satisfaction of the Principal Certifier and prior to the issue of an Occupation Certificate.

Reason:

To satisfy the requirements of the legislation.

151. Warning Notice

A warning notice complying with Clauses 10 and 11 of the Swimming Pools Regulation 2008 is to be displayed in a prominent position in the immediate vicinity of the swimming pool as required by Section 17 of the Swimming Pools Act 1992, prior to the filling of the pool with water and prior to the issue of an Occupation Certificate.

Reason:

To satisfy the requirements of the legislation.

152. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifier must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Reason:

To satisfy the requirements of the legislation.

153. Geotechnical Supervision

Any inspections recommended in the geotechnical report including filling must be inspected and certified by the author or verifier of the geotechnical report.

Reason:

To satisfy geotechnical requirements.

154. 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 DCP 2009. This information must be submitted to the Principal Certifier prior to the issue of the final Occupation Certificate.

Reason:

To comply with Council's Development Control Plan.

155. Restriction on Use - On-Site Detention System (OSD)

The Developer must create a restriction on use under the Conveyancing Act 1919 over the OSD 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 detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site 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 Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

Reason:

To comply with Council's Development Control Plan.

156. Retaining Wall Certification

The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifier 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 Certifier.

Reason:

To comply with the relevant Standards.

~~**157. On-Site Detention – Structural Certification –**~~

~~The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifier is required prior to the issue of the 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.~~

~~Reason:~~

~~To comply with Council's Development Control Plan.~~

158. 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 Detention System and Maintenance Schedule ([Application Number to be referenced](#)).

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

Reason:

To comply with Council's Development Control Plan.

~~159. **Work as executed plans and any other documentary evidence**~~

~~Before the issue of the relevant Occupation Certificate, the Developer must submit, to the satisfaction of the Principal Certifier, works as executed plans, any compliance certificates and any other evidence confirming the following completed works:~~

~~a. All stormwater drainage systems and storage systems~~

~~The Principal Certifier must provide a copy of the plans to Council with the Occupation Certificate.~~

Reason:

~~To confirm the location of works once constructed that will become Council assets.~~

160. Flood Proofing Certification

Certification shall be provided from a suitably qualified civil engineer to certify that all constructed floor levels that are below the adjacent 1 % AEP flood level plus 0.3 metres freeboard are protected from inundation by a combination of flood gates and impermeable walls that have been constructed in accordance with the conditions of this consent and the Construction Certificate plans. Evidence that this requirement has been satisfied shall be submitted to the Principal Certifier prior to the issue of the Occupation Certificate

Reason:

To comply with Council's Development Control Plan

Occupation and Ongoing Use

161. Street Tree Establishment Period - City Centre/Commercial Village Centre

The Developer must comply with the terms of an approved landscape maintenance program for a minimum period of 12 months to ensure that all landscape works within Council's road reserve or Council owned or controlled land becomes well established by regular maintenance. The Street Tree Establishment Period shall commence from the issue of the Occupation Certificate.

The program must include the following elements: watering, weeding, litter removal, mulching, fertilising, tree guard and grate maintenance, and pest and disease control.

Details of the proposed program must be submitted with the Landscape Plan to the Principal Certifier for approval prior to release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan

162. Mechanical Plant and Equipment Noise

The operation of all mechanical plant including exhaust and supply fans, air conditioning units, condensers, pool pumps, etc singly and /or collectively, etc., shall not emit:

- i. a noise level that is more than 5dBA above the ambient background noise level between 7:00 am and 10:00 pm on any day including Saturday, Sunday or public holiday measured at any property boundary or external apartment façade, and
- ii. a noise level that is audible in habitable rooms of a residences between 10.pm and 7.00 am on any day including Saturday, Sunday or public holiday.

Reason:

To protect neighbourhood amenity.

163. Restricted Delivery Hours

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

Reason:

To ensure protection of the environment and neighbourhood amenity.

164. Swimming Pool Filtration Motor

The operation of the swimming pool filtration motor shall be restricted to the following hours of operation:

- Monday to Friday - 7:00 am to 8:00 pm.
- Saturdays, Sundays and Public Holidays - 8:00 am to 8:00 pm.

The equivalent continuous noise level (LAeq (15min)) of the swimming pool filtration motor shall not exceed 5 dB(A) above the background noise level (LA90 (15 min)) at the most affected point(s) along any boundary of the property.

Reason:

To ensure protection of the environment and neighbourhood amenity.

165. Clothes Drying on Balconies/Terrace Areas Prohibited

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

Reason:

To ensure protection of the neighbourhood amenity.

166. Loading/Unloading Operations/Activities

All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan.

Reason:

To comply with legislation and Australian Standards.

167. Restricted Hours of operation

The hours of operation for the ground floor commercial premises shall be restricted to 7.00am to 7.00pm Monday to Saturday and 9.00am to 6.00pm on a Sunday or a public holiday. Any alteration to the approved hours of operation will require separate Council approval.

Reason:

To ensure protection of the environment and neighbourhood amenity. To mitigate adverse amenity impacts in the locality.

Before the Issue of a Subdivision Certificate

168. Occupation Certificate Prior to Subdivision Certificate

An Occupation Certificate for the dwelling/s must be issued prior to the release of the Subdivision Certificate for the Torrens title subdivision. A copy of the Occupation Certificate shall be lodged to Council with the Subdivision Certificate application.

Reason:

To satisfy the requirements of the legislation.

169. Works-As-Executed (WAE) Plans

The submission of two (2) sets (minimum) of WAE plans to the Principal Certifier, prior to the release of the Subdivision Certificate. The WAE 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 WAE dimensions and levels must also be shown in red on a copy of the approved Construction Certificate plans. The WAE plans must include:

- a. Final locations and levels for all works associated with the subdivision;
- b. a separate conduit plan showing the location of all conduits laid beneath the constructed road system;
- c. a separate fill plan showing extent and depth of filling;
- d. a separate plan which indicates the extent of flood inundation for 1% AEP, Flood Planning Level (1% AEP + freeboard) and PMF storm event superimposed on the WAE ground levels. Where the WAE ground levels differ to the ground levels approved under the Development Consent, the extent of flood inundation for the 1% AEP, Flood Planning Level (1% AEP + freeboard) and PMF event shall be based on a re-run of the original flood model. Certification shall also be provided by a suitably qualified consulting engineer confirming that the extents of flood affectation are based on the WAE ground levels; and

- e. the plan(s) must include but not be limited to the requirements stated in Chapter E14 of the Wollongong DCP 2009.

An electronic copy in CAD format is required to be submitted at the time of lodgement.

Reason:

To comply with Council's Development Control Plan.

170. CCTV

If new Stormwater Infrastructure has been constructed within the road (including pits, pipes and surface inlets, etc) All stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV. A copy of the CCTV inspection must be submitted to the Principal Certifier prior to the issue of the Subdivision Certificate. Below standard work must either be replaced or repaired to the Principal Certifier's satisfaction prior to the issuing of an Occupation Certificate.

Reason:

To satisfy the requirements of the legislation.

171. Benkelman Beam

Prior to issue of the Subdivision Certificate, Benkelman beam testing must be undertaken on all roads proposed for dedication as road reserve. Testing must be carried out in accordance with the current version of the Wollongong City Council Subdivision Code at the time of issue of this consent. The acceptance criteria is based on the tolerable deflections as specified by the Australian Road Research Board and AUSTROADS at the time of issue of this consent.

Reason:

To comply with Council's requirements and relevant Standards.

172. Street Signs

All proposed street signs must be approved by Wollongong City Council and installed prior to the issue of the Subdivision Certificate.

Reason:

To comply with Council's requirements and relevant Standards.

173. Asset Management - Roads, Drainage and Landscaping

Prior to issue of the Subdivision Certificate the following documentation must be submitted to the Principal Certifier for approval:

- a. The length, square meterage and cost of constructed roadworks and other civil assets to be dedicated as public infrastructure. Road structure (Thickness survey data), including the material used in each layer of road, during construction is to be provided.
- b. An itemised and costed list of the dimensions material and structural grade of pipes, type and dimension of associated pits and water quality features in the proposed drainage system to be handed over to Council (not including common drainage lines or inter-allotment drainage). Details and dimensions shall include:
 - i. Pipes - length between pits, diameter, invert levels;
 - ii. Pits - depths, width, length and lintel length;
 - iii. Open channels (lined or natural) - length, width and depth;
 - iv. Wetland - area;
 - v. Gross pollutant traps - depths, width, length, type (proprietary supplier, type);
 - vi. Detention basins - area;
 - vii. Headwalls - depth, width, pipe diameter;
 - viii. Riparian - length, width, depth and materials.
- c. An operations and maintenance manual for proposed riparian and water quality features including gross pollutant traps and wetlands. This manual shall include but not be limited to proposed type and frequency of establishment and maintenance intervention requirements.
- d. Itemised list of street signs and street furniture including their current cost.

- e. Itemised list of plantings in public areas. Cost of plantings must be provided (to be based on current Landscape Contractors' Association figures).
- f. Maintenance schedule of landscape works and civil works and costs to Council associated with the ongoing maintenance of the work.
- g. Risk assessment of carrying out maintenance of landscape works and drainage/water quality systems. Appropriate traffic control plans (prepared in accordance with Transport for NSW guidelines) will need to be submitted for approval where maintenance work takes place in a proposed road reserve. Current costs will need to be provided in implementing the Traffic Control Plan.
- h. All relevant reports/documentation (e.g. surveillance reports, emergency management plans etc.) associated with any detention storage basin/s, as required by the NSW Dam Safety Committee (DSC) including documentary evidence confirming approval of this reporting/documentation by the DSC.

Reason:

To comply with Council's requirements.

174. Lot Consolidation

The existing lots being Lots 2 and 3 DP 150697, Lot 1 DP 552579, Lot 1 DP 152199, Lot 1 DP 799074, and Lot 1 DP 58423 shall be consolidated.

Reason:

To comply with Council's requirements.

~~175. Final Documentation Required Prior to Issue of Subdivision Certificate~~

~~The submission of the following information/documentation to the Principal Certifier, prior to the issue of a Subdivision Certificate:~~

- ~~a. Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;~~
- ~~b. Certificate of Practical completion from Wollongong City Council or a Principal Certifier (if applicable);~~
- ~~c. Administration sheet prepared by a registered surveyor;~~
- ~~d. Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision;~~
- ~~e. Final plan of subdivision prepared by a registered surveyor;~~
- ~~f. Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water;~~
- ~~g. Original Notification of Arrangement from an Endeavour Energy regarding the supply of underground electricity to the proposed allotments;~~
- ~~h. Original Compliance Certificate from Telstra or another Telecommunications Service Provider which confirms that the Developer has consulted with the Provider with regard to the provision of telecommunication services for the development;~~
- ~~i. Payment of Development Contribution fees (Pro rata) (if applicable).~~

Reason:

~~To satisfy the requirements of the legislation.~~

176. Certification - Road Construction

The approved road constructions works within the extension of Moore Lane (required to be dedicated to Council) must be supervised by a suitably qualified geotechnical engineer. Upon completion of road construction works, written certification from the geotechnical engineer stating that all road constructions works have been completed in accordance with the approved Construction Certificate plans and Wollongong City Councils Subdivision Policy. The certification must also include appropriate test results for pavement/subgrade layers, a test location diagram and the date of testing.

Reason:

To comply with road construction standards and specifications.

177. Final Documentation Required Prior to Issue of Subdivision Certificate

The submission of the following information/documentation to the Principal Certifier, prior to the issue of a Subdivision Certificate:

- a. Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;
- b. Administration sheet prepared by a registered surveyor;
- c. Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision;
- d. Final plan of Subdivision prepared by a registered surveyor plus one (1) equivalent size paper copies of the plan.

Reason:

To comply with the relevant subdivision requirements.

Attachment 2 – Draft Conditions as renumbered

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No	Revision No	Plan Title	Drawn By	Dated
A-101	C	Site Plan	ADM Architects	16/08/23
A-102	C	Basement 3 Floor Plan	ADM Architects	16/08/23
A-102a	B	Basement 2 Floor Plan	ADM Architects	16/08/23
A-103	C	Basement 1 Floor Plan	ADM Architects	16/08/23
A-104	C	Ground floor plan	ADM Architects	16/08/23
A-105	C	Level 1 Floor Plan	ADM Architects	16/08/23
A-106	C	Level 2 Floor Plan	ADM Architects	16/08/23
A-106a	B	Level 3 Floor Plan	ADM Architects	16/08/23
A-106b	B	Level 4 Floor Plan	ADM Architects	16/08/23
A-107	C	Level 5 Floor Plan	ADM Architects	16/08/23
A-107a	B	Level 6 Floor Plan	ADM Architects	16/08/23
A-108	C	Level 7 Floor Plan	ADM Architects	16/08/23
A-108a	B	Level 8 Floor Plan	ADM Architects	16/08/23
A-108b	B	Level 9 Floor Plan	ADM Architects	16/08/23
A-109	C	Level 10 Floor Plan	ADM Architects	16/08/23
A-110	C	Roof Plan	ADM Architects	16/08/23
A-201	C	East Elevation	ADM Architects	16/08/23
A-202	C	South Elevation	ADM Architects	16/08/23
A-203	C	West Elevation	ADM Architects	16/08/23
A-204	C	North Elevation	ADM Architects	16/08/23
A-205	C	Section A-A	ADM Architects	16/08/23
A-206	B	Interface Sections	ADM Architects	16/08/23
A501	B	Colour and Materials Schedule	ADM Architects	08/03/23
		Draft DP	David Alan Jollie	01/03/23
4192-F101 D	D	Landscape Cover Sheet 1/1	DSB Landscape Architects	22/08/23

4192-F201 D	D	Landscape Plan Ground Floor-Area 1 Sheet 2/3	DSB Landscape Architects	22/08/23
4192-F202 D	D	Landscape Plan Ground Floor-Area 2 Sheet 2/3	DSB Landscape Architects	22/08/23
4194-F203 D	D	Landscape Plan Ground Floor-Area 3 Sheet 3/3	DSB Landscape Architects	22/08/23
4192-F301 D	D	Landscape Plan Level 1 – Area 1 Sheet 1/3	DSB Landscape Architects	22/08/23
4192-F302 D	D	Landscape Plan Level 1 – Area 2 Sheet 2/3	DSB Landscape Architects	22/08/23
4192-F303 D	D	Landscape Plan Level 1 – Area 3 Sheet 3/3	DSB Landscape Architects	22/08/23
4192-F401 D	D	Landscape Plan Rooftop Sheet 1/1	DSB Landscape Architects	22/08/23

Document Title	Version No	Prepared By	Dated
Energy Efficiency Report	210403-A	Greenview Consulting	16 August 2023
Geotechnical Specialist Advice	35075Lrpt	JK Geotechnics	13 July 2022
Noise Intrusion Assessment	A	Harwood Acoustics	28 February 2022
Acoustical Advice Reference: 2104010e-l		Harwood Acoustics	21 February 2023

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

General Conditions

2. Transport for NSW Requirements

The Developer must comply with all requirements of Transport for NSW as attached to this consent.

Reason:

To ensure requirements of Transport for NSW are satisfied.

3. Street Tree Removal

The Developer shall remove the existing four street trees indicated on the Landscape Plan.

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

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

Reason:

To clarify permitted tree removal.

4. **Work in Accordance with Report**

All work is to be in accordance with the geotechnical recommendations contained in the report dated 13 July 2022 by JK Geotechnics Pty Ltd and any subsequent geotechnical report required to address unanticipated conditions encountered during construction.

Reason:

To ensure compliance with geotechnical report.

5. **Ground Disturbance**

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.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

6. **Excavation Support**

All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

7. **Retaining Wall Design**

Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owner(s).

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

8. **Design Endorsement**

The structural designs for all foundations are to be endorsed by the geotechnical consultant that all known site geotechnical constraints have been accommodated in the designs.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

9. **General Geotechnical Conditions**

All excavation works are to be undertaken under geotechnical supervision to ensure that no foundations for adjoining development are affected by the excavation. This could require support for cut soil embankments and/or stress relief in hard rock.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity

10. **Unexpected Finds of Aboriginal Cultural Heritage**

If any Aboriginal object(s) is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must ensure:

- g. No further harm is undertaken to the object(s);
- h. Immediately cease all work at the particular location;
- i. Secure the area so as to avoid further harm to the Aboriginal object(s);
- j. Notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object(s) and its location;
- k. Not recommence any work at the particular location unless authorised in writing by Heritage NSW;
- l. If harm cannot be avoided, an Aboriginal Heritage Impact Permit (AHIP) under the NSW National Parks and Wildlife Act 1974 will be required prior to recommencing.

Wollongong City Council's Heritage Staff should also be notified by calling 4227 7111.

Reason:

To satisfy the requirements of the legislation.

11. **Demolition and Construction Noise and Vibration Management**

Prior to the commencement of works, the Proponent shall undertake a noise and vibration assessment to identify all sensitive receivers where the construction noise and vibration levels may exceed the ICNG construction noise goals for that receiver. Parameters of the assessment are to consider:

- v. Levels recommended by a registered Geotechnical/Structural Engineer with regards to structural damage buildings;
- vi. German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- vii. For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472 - Guide to Evaluate
- viii. Human Exposure to Vibration in Buildings (1Hz to 80Hz) for low probability of adverse comment.

The findings, recommendations and management controls from the assessment, including complaints resolution procedures, shall be documented in a Demolition and Construction Noise and Vibration Management Plan prepared by a suitably qualified and experienced acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australasian Acoustical Consultants) and submitted to Council or Certifying Authority. For the duration of the site works noise and vibration must be managed in accordance with the submitted Demolition and Construction Noise and Vibration Management Plan.

Reason:

To protect neighbourhood amenity.

12. **Construction Environmental Management Plan**

Construction Environmental Management Plan (CEMP) must be prepared including Unexpected Finds Protocol and implemented **prior to the commencement of demolition works on the site**. The CEMP must address how the proponent will manage any foreseeable environmental risk during the demolition, excavation and construction phases. This includes but is not limited to documenting measures to ensure there is no pollution to waters, and dust and noise are minimised as far as practicable.

The CEMP must also include:

- details of the proposed excavated soil material and its proposed method of disposal together with proposed batching, sampling and analysis procedures as per the DECCW (2009) Waste Classification Guidelines. The plan shall be prepared by a suitably qualified and experienced consultant, copy of the plans shall be forwarded to Council.
- Details of support for all excavations during and after construction particularly to protect existing development on adjoining properties.
- Proposed excavation methods to minimise noise and vibration should hard bedrock be encountered.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

13. **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 Developer 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.

Reason:

To comply with the legislation.

14. 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 150mm in height for each number and letter in the alphabet.

Reason:

To comply with Australia Post requirements.

15. 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 an Environmental Planning Instrument.

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.

Reason:

To comply with the legislation.

16. Development Contributions

In accordance with Section 4.17(1)(h) of the Environmental Planning and Assessment Act 1979 and the Wollongong City Wide Development Contributions Plan (2022), a monetary contribution of \$713,900.00 (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 proposed cost of development and the applicable percentage levy rate.

The contribution amount will be indexed quarterly until the date of payment using Consumer Price Index; All Groups, Sydney (CPI) based on the formula show in the Contributions Plan.

To request an invoice to pay the contribution go to www.wollongong.nsw.gov.au/contributions and submit a contributions enquiry. The following will be required:

- Application number and property address.
- Name and address of who the invoice and receipt should be issue to.
- Email address where the invoice should be sent.

A copy of the Contributions Plan and accompanying information is available on Council's website www.wollongong.nsw.gov.au.

Reason:

To comply with the requirements of Council's applicable Development Contributions Plan

Before the Issue of a Construction Certificate

17. Crime Prevention Through Environmental Design (CPTED) - Design Measures

The development shall incorporate appropriate design measures to minimise any crime risk to patrons or staff and motor vehicles within the car parking areas, including (but not limited to) the following:

- e. Landscape treatment which allows visibility from the road way and other public areas;
- f. landscaping at ground level provided which is difficult or uncomfortable to hide in or traverse,
- g. provide clearly marked and sign posted visitor car parking signs (including security/intercom system);
- h. ensure that fire rated doors in the car park have a clear glass panel located no more than 1.5m from the floor. The panel shall have a minimum dimension of 300 mm x 300 mm to allow visual surveillance within the stairwell and/or next room/space.

This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with the legislation.

18. **Change in Driveway Paving**

A change in driveway paving is required on Moore Lane denoted on the Landscape Plan as PT-2. The use of 300 x 300 stack bond paver is not supported within Moore Lane. It is recommended that the driveway pavements in Moore Lane be constructed from oxide honed concrete with a decorative saw cut pattern designed by an engineer to withstand the predicted traffic loadings. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

Reason:

To comply with Council's Development Control Plan.

19. **Landscaping**

The submission of a final Landscape Plan will be required in accordance with the requirements of Wollongong City Council DCP 2009 Chapter E6 and the approved Landscape Plan (ie as part of this consent) for the approval by the Principal Certifier, prior to the release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

20. **Certification for Landscape and Drainage**

The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

Reason:

To comply with Council's Development Control Plan.

21. **Landscape Maintenance Plan**

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 Certifier prior to release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

22. **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.

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. It is recommended that the driveway pavements be constructed from oxide concrete to match the colour of the basalt paving unit with a saw cut pattern of the basalt to withstand the 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.

Reason:

To comply with Council's DCP.

23. **Street Trees City Centre**

The Developer must address the street frontage by installing street tree planting. The number and species for this development are four *Tristania laurina* 'Luscious' on the Corimal Street footway and four *Fraxinus pennsylvanica* 'Urbanite' on the Corimal Street front boundary (within

the site frontage). The trees shall be 200 litre container size in accordance with AS 2303:2018: 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 Parks and Open Space.

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

Reason:

To comply with Council's Development Control Plan.

24. Heritage Excavation Permit

The Developer must obtain an excavation permit from the NSW Heritage under Section 140 of the NSW Heritage Act 1977 before any works commence. A copy of the Archaeological Research Design and Excavation Permit should be provided to Council's Heritage Staff for their information.

The Final Test Excavation Report should also be provided to Council's Heritage Staff for their information.

Reason:

To satisfy the requirements of the legislation.

25. Interpretation Plan

An interpretation plan is to be provided to Council for written approval to guide appropriate the delivery of onsite heritage interpretation material and interpretive devices, to reference the history of the site, its past ownership interpretation that acknowledged the significance of the site in the history of development of the area. The details of the proposed plan are to be provided to Council's Heritage Officers for written approval prior to release of Construction Certificate.

In the event that relics or archaeology are located during the course of the works these relics and details of the archaeological find are to be considered for inclusion in the interpretative plan and any resulting interpretation material.

The plan must be prepared by a suitably qualified and experienced heritage consultant and is to be provided to Council for written endorsement prior to the release of the Construction Certificate.

Reason:

To ensure heritage considerations are met.

26. Wind Mitigation Measures

The following wind attenuation measures outlined in the Qualitative Wind Statement prepared by SLR and dated 11 February 2022 as follows are to be shown on the Construction Certificate Plans and implemented in full:

- Level 1 Communal Open Space
 - The screen/parapet along the southern boundary of this outdoor area must be impermeable and at least 1.5m high measured from Level 1 slab.
- Roof Level Communal Open Space
 - The balustrade is must be impermeable and at least 1.5m high measured from Roof Level slab.

Reason:

To protect neighbourhood amenity and to provide adequate amenity for residents.

27. Before the Issue of a Construction Certificate - NCC Section J Report

A NCC Volume 1, Section J compliance report shall be prepared to demonstrate compliance with the relevant requirements and submitted to Council for endorsement prior to the issue of the Construction Certificate.

Reason:

To satisfy the requirements of the legislation.

28. **Water Heating and Stoves to be electric**

The residential component of the development is to be serviced by electric hot water and electric cooktops/stoves. This requirement shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

29. **NatHERS Certificate**

Updated NatHERS certificates demonstrating an average NatHERS rating of 7 stars for the development are to be submitted to Council prior to the issue of the Construction Certificate. This shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

30. **BASIX**

Updated BASIX certificates with an BASIX score of at least:

- 45 for Water; and
- 30 for Energy

for the development are to be submitted to Council prior to the issue of the Construction Certificate. This shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

31. **Noise Impacts**

Any dwelling erected upon this site shall be designed and constructed in accordance with the recommendations and requirements of NSW Department of Planning (2008) *Development Near Rail Corridors and Busy Roads – Interim Guideline* and Australian Standard AS3671 (1989) 'Acoustic – Road Traffic Noise Intrusion – Building Siting and Construction', the Noise Intrusion Assessment (Harwood Acoustics, 28 February 2022) and additional advice in the letter from Harwood Acoustics dated 21 February 2023.

The design and construction of the dwelling/renovations shall ensure that the following LAeq levels are not exceeded:

- e. in any bedroom in the residential accommodation – 35dB(A) at any time between 10.00 pm and 7.00 am,
- f. anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.

This requirement shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To mitigate noise intrusion from road traffic and commercial activity in accordance with Australian Standard AS2107 as well as Council's Night time Economy Policy. To provide for adequate amenity within units.

32. **Car Parking and Access**

The development shall make provision for the following:

Residential

- 96 residential car parking spaces (including 16 car parking spaces capable of adaption for people with disabilities)
- 17 residential visitor car parking spaces

- 6 residential motorcycle parking spaces
- A minimum of 28 secure (Security Class B) residential bicycle spaces
- A minimum of 11 residential visitor bicycle spaces (Security Class C)

Commercial

- 21 commercial car parking spaces (including 1 car parking space for people with disabilities)
- A minimum of 3 secure (Security Class B) staff bicycle spaces

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 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

Reason:

To comply with Council's Development Control Plan.

33. **Parking Dimensions**

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 AS 2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

34. **Disabled Person Parking Space Dimensions**

Each disabled person's parking space must comply with the current relevant Australian Standard AS 2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

35. **Vehicular Flow Signage**

Suitable barriers, line-marking and painted signage delineating vehicular flow movements must be provided within the car parking areas. These details shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

36. **Structures Adjacent to Driveway**

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS 2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle 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.

Reason:

To ensure compliance with Australian Standards.

37. **Bicycle Parking Facilities**

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. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

38. **Designated Loading/Unloading Facility**

The designated loading/unloading facility must be clearly delineated with appropriate signage and/or line marking to ensure the area is kept clear at all times. The designated loading/unloading facility shall be shown on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

39. **Redundant Crossings**

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter or existing edge of carriageway treatment to match the existing. The verge from the back of kerb to the boundary must be restored and the area appropriately graded, topsoiled and turfed in a manner that conforms with adjoining road reserve. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. 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. Any redundant linemarking such as 'marked parking bays' are adjusted/removed at the Developer's expense by a Council recognised contractor with the relevant insurances. Details and locations are to be shown on the Construction Certificate Plans.

Reason:

To comply with Council's Development Control Plan.

40. **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.

Reason:

To comply with Council Policy.

41. **Car parking details**

Before the issue of the relevant Construction Certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction, that it complies with the relevant parts of AS 2890 *Parking Facilities - Off-Street Carparking* and Council's development control plan.

Reason:

To ensure parking facilities are designed in accordance with the Australian Standard and council's DCP.

42. **Electric Vehicle Charging Spaces**

All electric vehicle charging car parking spaces must be a minimum of 2.8 metres wide as per Austroads to allow for side charging infrastructure. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with Austroads.

43. **Proposed Treatment of the Proposed Public Road intersection with Corrimal Street**

The proposed Public Road intersection with Corrimal Street is to be designed as a Continual Footpath Treatment/driveway 'crossover', in accordance with Transport for NSW's Technical Direction TDT2013/05 and Wollongong City Council's Public Domain Technical Manual. In this location the design of the footpath must ensure that pedestrians travelling along Corrimal Street have right of way, and vehicles are required to cross over the footpath on entry to Corrimal Street. This requirement must be detailed on the Landscape and Civil Plans submitted for approval prior to the issue of the Construction Certificate plans.

Reason:

To promote pedestrian safety and priority.

44. **Road Design**

The road design must be designed in accordance with Council's Subdivision Policy and comply with the following:

a. The grading and layout of all roads and lots must not allow for trapped low points and in addition ensure that overland flow is passed safely over public land,

b. The pavement design for the proposed roads must be carried out by a qualified Geotechnical/Civil engineer in accordance with AUSTROADS Guide to Pavement Technology,

c. The geometric design of all roads, traffic facilities, intersection treatments, mid-block devices and entry features must be such as to permit a 10.5m HRV Heavy Rigid Vehicle to manoeuvre in order to enter and leave each road travelling in a forward direction.

The relevant drawings must be annotated and properly referenced, showing compliance with this condition and comply with Council's Subdivision Policy. The drawings must be submitted with application for a Construction Certificate for approval by the Certifying Authority.

Reason:

To comply with Council's Subdivision Policy.

45. Structural Engineering Details

The submission of structural engineering details by a suitably qualified and experienced structural engineer (with appropriate insurance coverage) to the Principal Certifier, prior to the release of the Construction Certificate addressing the following matters:

- g. Footings;
- h. reinforced concrete slabs;
- i. retaining walls;
- j. structural steelwork;
- k. wall bracing and tie-down requirements;
- l. 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."

Reason:

To satisfy the requirements of the legislation and Australian Standards.

46. Fire Safety Schedule

When issuing a Construction Certificate, a Principal Certifier 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.

Reason:

To satisfy the requirements of the legislation.

47. Present Plans to Sydney Water

Approved plans must be submitted online using Sydney Water Tap In, 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 Principal Certifier 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.

Reason:

To satisfy the requirements of the legislation.

48. Sydney Water 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 Certifier prior to issue of the Construction Certificate.

Reason:

To satisfy the requirements of the legislation.

49. **Utilities and Services**

Before the issue of the relevant construction certificate, the Developer must submit the following written evidence of service provider requirements to the certifier:

- d. a letter of consent from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity
- e. a response from Sydney Water as to whether the plans proposed to accompany the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met.
- f. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.

Reason:

To ensure relevant utility and service providers' requirements are provided to the certifier.

50. **Obscure Glazing for all Bathroom and WC Windows**

The bathroom and WC windows for each dwelling in the development shall be frosted or opaque glass. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To protect neighbourhood amenity.

51. **Glass Reflectivity Index**

The reflectivity index of the glass 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.

Reason:

To comply with Council's Development Control Plan.

52. **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 AS 1428.1:2009: Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of the legislation.

53. **Crime Prevention through Environmental Design (CPTED) - Public Spaces**

The area of the subject site which can be accessed by the public must have lighting provided in accordance with AS 1158:1999 or AS 4360:1999 (only appropriate if the land is in public ownership). This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

54. **Security Roller Shutters for Basement Car Parking Areas**

The installation of any security roller shutter for the basement car parking area shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifier prior to the release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

55. **Dust Suppression Measures**

The submission of details of the proposed dust suppression measures for the demolition, excavation and construction phases of the development to the Principal Certifier prior to issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

56. **Asbestos Management Report**

A report prepared by a licensed asbestos assessor that indicates the exact nature and extent of asbestos material contained within the site and the proposed remediation measures to be adopted for the removal of the asbestos material from the site to a NSW Environment Protection Authority licensed waste disposal facility shall be submitted to the Principal Certifier for its separate approval prior to the issue of the Construction Certificate.

Reason:

To satisfy the requirements of the legislation.

57. **Payment of S94A Levy**

Prior to release of any associated Construction Certificate the Certifier must ensure that the S94A levy has been paid in full. In this regard the Certifier must submit to Council, with the Construction Certificate documentation, receipts which will specify whether the levy has been paid by cash or bank cheque.

Reason:

To satisfy the requirements of the legislation.

58. **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 *General Property Addressing Request* through Online Services on Council's Website (<https://www.wollongong.nsw.gov.au/book-and-apply/online-services>), for the site addressing prior to the issue of the Construction Certificate. Please allow up to 5 business days for a reply. Enquiries regarding property addressing may be made by calling (02) 4227 8660.

Reason:

To comply with Council Policy.

59. **Electricity Substation Requirements**

Documentary evidence must be provided to Council for approval in relation to the construction and installation of a chamber style substation within the proposed building in accordance with Endeavour Energy's standards and requirements for access, security, drainage, ventilation and fire rating.

Reason:

To satisfy the requirements of the legislation.

60. **Asbestos Hazard Management Strategy**

An appropriate hazard management strategy shall be prepared by a suitably qualified and experienced licensed asbestos assessor pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material. This strategy shall ensure any such proposed demolition works involving asbestos are carried out in accordance with SafeWork NSW's requirements (<https://www.safework.nsw.gov.au>). The strategy shall be submitted to the Principal Certifier prior to the commencement of any works.

The approved strategy shall be implemented and a clearance report for the site shall be prepared by a licensed asbestos assessor and submitted to the Principal Certifier prior to the issue of a Construction Certificate. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated based on visual inspection plus sampling if required and/or air monitoring results and that the site is rendered suitable for work to commence.

Reason:

To comply with Council's Development Control Plan.

61. Construction Site Management Plan

Before the issue of a Construction Certificate, the Developer must ensure a construction site management plan is prepared and provided to the certifier for approval. The plan must include the following matters:

- location and materials for protective fencing and hoardings to the perimeter of the site
- provisions for public safety
- pedestrian and vehicular site access points and construction activity zones
- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The Developer must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Reason:

To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

62. Water/Wastewater Entering Road Reserve

Provision shall be made for a minimum 200mm wide grated box drain along the boundary of the property at the vehicular crossing/s to prevent surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Council Technical Specifications.

63. Engineering Plans and Specifications - Retaining Wall Structures Greater than One (1) Metre

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the Principal Certifier 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:

- h. a plan of the wall showing location and proximity to property boundaries;
- i. 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;
- j. details of fencing or handrails to be erected on top of the wall;
- k. sections of the wall showing wall and footing design, property boundaries, subsoil drainage 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, subsoil drainage and footing structure must be contained wholly within the subject property;

- l. the proposed method of subsurface and surface drainage, including water disposal. This is to include subsoil drainage connections to an inter-allotment drainage line or junction pit that discharges to the appropriate receiving system;
- m. the assumed loading used by the engineer for the wall design; and
- n. 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.

Reason:

To comply with Council's Development Control Plan.

64. Stormwater Connection to Kerb

Connection across footways shall be by means of one or two (maximum), sewer grade UPVC pipe(s), 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.

Reason:

To comply with Council's Development Control Plan.

65. Flood Level Requirements

The following requirements shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate:

- f. Habitable floor levels must be constructed at no lower than as shown on the plans approved under this consent.
- g. Any portion of the building or structure below the 1 % AEP flood level plus 0.5 metres freeboard should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP 2009, 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 DCP 2009.
- h. The proposed development shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including Probable Maximum Flood (PMF) level plus 0.5 metres freeboard.
- i. Flood gates and/or impermeable walls shall be provided adjacent to the northern and eastern side of the proposed commercial spaces where floor levels are below the adjacent 1% AEP flood level (in Corrimal Street) plus 0.3 metres freeboard. The flood gates shall be generally in accordance with the plan by JN Responsive Engineering entitled 'GROUND FLOOR STORMWATER PLAN' (Drawing No. C304, Revision F, dated 22/8/2023). The detailed design of the flood gates and/or impermeable walls shall ensure a continuous impermeable barrier between 1 % AEP floodwater flows from Corrimal Street and the proposed commercial spaces with floor levels below the 1 % AEP level plus 0.3 metres freeboard. The top of the flood gates/walls shall be set at a minimum of the 1 % AEP level plus 0.3 metres. Construction details of the flood gates/walls, including extent, product, installation method, levels, etc. shall be prepared by a suitably qualified civil engineer and reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

66. Sizing of Drainage

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1% AEP storm event in accordance with AS 3500.3: Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

67. Stormwater Drainage Design

A detailed drainage design for the development must be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate. The detailed drainage design must satisfy the following requirements:

- e. Be prepared by a suitably qualified Civil Engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept stormwater plans lodged for development approval, prepared by JN Responsive Engineering (Project No. Q0210012), including the following drawings:

Drawing No.	Drawing Title	Revision	Date
C001	Basement Level 3 Stormwater Plan	A	17-03-23
C002	Basement Level 2 Stormwater Plan	C	17-03-2023
C003	Basement Level 1 Stormwater Plan	C	17-03-2023
C304	Ground Floor Stormwater Plan	F	22-08-2023
C006	Stormwater Drainage Details Plan	D	21-03-2023

- f. Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- g. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- h. Overflow paths shall 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% AEP events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

Reason:

To comply with Council's Development Control Plan.

68. On-Site Stormwater Detention (OSD) Design

The Developer must provide OSD storage for stormwater runoff from the development. The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the Principal Certifier prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

- e. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- f. Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with the concept stormwater plans lodged for development approval, prepared by JN Responsive Engineering (Project No. Q0210012), including the following drawings:

Drawing No.	Drawing Title	Revision	Date
C003	Basement Level 1 Stormwater Plan	C	17-03-2023
C304	Ground Floor Stormwater Plan	F	22-08-2023

- g. The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- h. The OSD 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.
- i. Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.4.4 of Chapter E14 of the Wollongong DCP 2009.
- j. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- k. Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the Occupation:
 - i. The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - ii. Identification number DA-2022/960.
 - iii. Any specialist maintenance requirements.
- l. Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

Reason:

To comply with Council's Development Control Plan.

69. No Adverse Runoff 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 runoff.

Reason:

To protect neighbourhood amenity.

70. Corrimal Street & Moore Lane – Detailed Civil Engineering Design – Council Land

A detailed civil engineering design shall be provided for the proposed footpath and drainage works within the road reserve and/or Council land. The details must be submitted to and approved by Council's Development Engineering Manager. The detailed civil engineering design shall be prepared by a suitably qualified practicing Civil Engineer in accordance with the relevant Council engineering standards. The design plans shall include:

- g. 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.
- h. 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.
- i. Engineering details of the proposed pit and pipe stormwater drainage system within Council's road reserve, including a hydraulic grade line analysis and longitudinal section of the proposed system showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels. Each proposed pit must be constructed generally in accordance with Wollongong City Council's Engineering Standard Drawings.
- j. Where any adjustments to public utilities are proposed the Developer shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- k. 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.

- I. Details are to be provided regarding the type of materials used for construction. They should conform to the adjacent road reserves. Pavement designs must be provided for road reconstruction works, the pavement must be designed by a suitably qualified Engineer to the expected traffic loadings and type.

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. The application must be made via Wollongong City Council's Frontage Works Application process with details available on www.wollongong.nsw.gov.au.

Reason:

To comply with Council's Development Control Plan and Australian Standards.

71. **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. This applies to any proposed opening such as doors or ventilation louvres.

Reason:

To comply with Council's Development Control Plan

72. **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.

Reason:

To comply with Council's Development Control Plan

73. **Excavation and Retaining Structures Adjacent to Public Roads**

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 for assessment 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:

- c. A geotechnical report prepared in accordance with the requirements of the RMS Technical direction GTD 2012/001.
- d. 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.

Reason:

To ensure compliance with Technical Specifications

74. **Ground Anchors**

Permanent ground anchors are not permitted within the road. Temporary ground anchors can only be used where the Road Authority has provided written confirmation to the Developer for their use. Temporary anchors must be designed in accordance with RMS Technical Direction GTD 2012/001.

Reason:

To ensure compliance with Technical Specifications.

Before the Commencement of Building Work

75. **Dilapidation Report**

Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and

public land, to the satisfaction of the certifier with copies submitted to Council and adjoining property owners. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

Reason:

To establish and document the structural condition of adjoining properties and public land for comparison between when work commences, as work progresses and as work is completed and ensure neighbours and council are provided with the dilapidation report

76. Hazardous Material Survey

At least one (1) week prior to demolition, the Developer must prepare a hazardous materials survey of the site and submit to Council a report of the results of the survey. Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must include at least the following information:

- g. the location of hazardous materials throughout the site;
- h. a description of the hazardous material;
- i. the form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- j. an estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- k. a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- l. identification of the disposal sites to which the hazardous materials will be taken.

This plan shall be kept on site for the duration of demolition works.

Reason:

To identify hazardous materials and ensure safe disposal.

77. Unexpected Finds Procedure

The consent holder must ensure an Unexpected Contaminated Land, Acid Sulfate Soils and Asbestos Finds Procedure is prepared and submitted to the Principal Certifier before the commencement of any works. The Unexpected Contaminated Land and Asbestos Finds Procedure must be followed should unexpected contaminated land or asbestos (or suspected contaminated land or asbestos) be excavated or otherwise discovered during excavation and construction. This shall be incorporated into the CEMP.

Reason:

To satisfy the requirements of the legislation.

78. Works in Road Reserve - Minor Works

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.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the Roads Act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Developer is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

- c. All restorations are at the cost of the Developer and must be undertaken in accordance with Council's standard document, "Specification for work within Council's road reserve".
- d. Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

Reason:

To satisfy the requirements of the legislation.

79. Appointment of Principal Certifier

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

- c. appoint a Principal Certifier and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and
- d. notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

The Principal Certifier must determine when inspections and compliance certificates are required.

Reason:

To satisfy the requirements of the legislation.

80. Signs On Site

A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:

- d. showing the name, address and telephone number of the Principal Certifier for the work, and
- e. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- f. stating that unauthorised entry to the worksite is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Reason:

To satisfy the requirements of the legislation.

81. 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:

- c. a standard flushing toilet, and
- d. 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.

Reason:

To satisfy the requirements of the legislation.

82. 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 Certifier, prior to the commencement of any works on the site.

Reason:

To ensure structural integrity.

83. 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.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

84. Demolition Works

The demolition of the existing structures shall be carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of 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 Certifier. 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.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

85. Notification to Surrounding Property Owners/Occupants Prior to Commencement of Demolition Works

At least five (5) days' notice must be given in writing to any residence or business within 100 metres of the premises to which this consent pertains of the impending demolition works. The written notice must include at least the following information:

- d. a summary of the work plan and method for the demolition and a timetable for completion of works, including hours of operation, transport routes etc;
- e. details of the primary contractor and/or company conducting the demolition works;
- f. the name and telephone number for a person supervising the works to which residents can direct questions, comments and/or concerns about the works for the duration of the works.

Reason:

To advise neighbourhood.

86. Asbestos Hazard Management Strategy

An appropriate hazard management strategy shall be prepared by a suitably qualified and experienced licensed asbestos assessor pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material. This strategy shall ensure any such proposed demolition works involving asbestos are carried out in accordance with SafeWork NSW requirements (<https://www.safework.nsw.gov.au>). The strategy shall be submitted to the Principal Certifier and Council (in the event that Council is not the Principal Certifier prior to the commencement of any works).

The approved strategy shall be implemented and a clearance report for the site shall be prepared by a licensed asbestos assessor and submitted to the Principal Certifier and Council (in the event that Council is not the Principal Certifier), prior to the issue of an Occupation Certificate or commencement of the development. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated based on visual inspection plus sampling if required and/or air monitoring results and that the site is rendered suitable for the development.

Reason:

To identify hazardous materials and ensure safe disposal.

87. 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.

Reason:

To satisfy the requirements of the legislation.

88. Contaminated Roof Dust

Any existing accumulations of dust in ceiling voids and wall cavities must be removed prior to any demolition work commencing. Removal must take place by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter.

Reason:

To ensure safety.

89. 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.

Reason:

To protect neighbourhood amenity.

90. Survey Report - Siting of Development within Property Boundaries

A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifier to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.

Reason:

To ensure correct development location.

91. Public Liability Insurance

All contractors working in Council's road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$20 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) prior to the commencement of any such works in any road reserve or public reserve area.

Reason:

To satisfy Council's Policy.

92. 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.

Reason:

To protect neighbourhood amenity.

93. 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.

Reason:

To protect neighbourhood amenity.

94. 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.

Reason:

To protect neighbourhood amenity.

95. Depth/Location of Services

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.

Reason:

To ensure services are not impacted.

96. **Notification to Council of any Damage to Council's Infrastructure**

Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

Reason:

To ensure services are not impacted.

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

The submission, as part of an application for a permit under Section 138 of the Roads Act 1993, of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Regulation and Enforcement for approval is required, prior to works commencing on the site. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS 1742: Traffic Control Devices for Works on Roads and the TfNSW 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:

- j. proposed ingress and egress points for vehicles to/from the construction site;
- k. proposed protection of pedestrians, adjacent to the construction site;
- l. proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- m. 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;
- n. proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- o. proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- p. 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 TfNSW Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS 1742: "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);
- q. 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 a Registered Certifier in Civil Engineering; and
- r. 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.

Reason:

To satisfy the requirements of the legislation.

98. Adjustment to Public Utility Service

The arrangements and costs associated with any adjustment to a public utility service shall be borne by the Developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the Developer. The submission of documentary evidence to the Principal Certifier 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.

Reason:

To ensure services are not impacted.

While Building Work is Being Carried Out

99. Copy of Consent in the Possession of Person carrying out Tree Removal

The Developer must ensure that any person carrying out tree removal is in possession of this development consent and/or the approved landscape plan, in respect to the tree(s) which has/have been given approval to be removed in accordance with this consent.

Reason:

To comply with Council's Development Control Plan

100. 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.

Reason:

To comply with Council's Development Control Plan.

101. 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.

Reason:

To comply with Council's Development Control Plan

102. Responsibility for changes to public infrastructure

While building work is being carried out, the Developer must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerbs and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).

Reason:

To comply with Council's Development Control Plan.

103. Level 1 Supervision

All earthworks including drainage, retaining wall and footing construction is to be subject to 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.

Reason:

To comply with the Australian Standard

104. Foundation Inspections

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.

Reason:

To comply with Council's Development Control Plan

105. Waste Inventory Report

A Waste Inventory Report must be maintained on-site during demolition work. The waste inventory is a register of all materials and waste removed from the site during the demolition work. The register must record each load or movement of material and waste from the site and must include at a minimum the following information:

- f. The description of material (including identified hazardous material);
- g. an estimate of the quantity by volume and weight;
- h. the transporter and registration details of the relevant vehicle;
- i. the intended destination of the material;
- j. a copy of the National Association of Testing Authorities (NATA) accredited laboratory results for accumulated roof dust should be included with the Waste Inventory sent to Council.

Reason:

To comply with Council's Development Control Plan.

106. Waste Inventory

A copy of the Waste Inventory which was maintained on-site during the demolition work and copies of relevant receipts of waste material being deposited at a waste disposal facility shall be forwarded to the Principal Certifier and Council's Regulation and Enforcement Division (in the event that Council is not the Principal Certifier), within fourteen (14) days of the completion of works.

Reason:

To comply with Council's Development Control Plan.

107. Demolition Operations Not to Discharge Pollutants

Demolition operations must not lead to the discharge of materials into the stormwater drainage system or natural watercourse.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

108. New Information/Unexpected Finds

In the event that demolition works cause the generation of odours or the uncovering of other previously unidentified contaminants or hazardous materials, works must immediately cease and the Principal Certifier and Council (in the event that Council is not the Principal Certifier) must be notified in writing within seven (7) days and an appropriately qualified environmental consultant appointed to undertake an assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm.

Reason:

To satisfy the requirements of the legislation and ensure safety.

109. PCB Containing Electrical Equipment

If any metal cased capacitors are found during demolition works that were previously identified or unidentified they shall be treated as containing Polychlorinated Biphenyls (PCBs). Details on storing, conveying and disposing of PCB material or PCB wastes can be found in *Polychlorinated Biphenyls Management Plan*, Environmental Protection & Heritage Council, Revised Edition April 2003.

Reason:

To satisfy the requirements of the legislation.

110. While Building Work is Being Carried Out

All Synthetic Mineral Fibre (SMF) containing materials must be removed in accordance with the National Standard for the Safe Use of Synthetic Mineral Fibres [National Occupational Health and Safety Commission:1004 (1990)] and the National Code of Practice for the Safe Use of Synthetic Mineral Fibres [National Occupational Health and Safety Commission:2006 (1990)].

Reason:

To satisfy the requirements of the legislation.

111. Site Management

Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:

- c. Does not spill onto the road pavement and
- d. is not placed in drainage lines or watercourses and cannot be washed into these areas.

Reason:

To comply with Council's Development Control Plan.

112. Disposal of Asbestos

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 (<https://www.safework.nsw.gov.au>).

Reason:

To satisfy the requirements of the legislation.

113. Asbestos Clearance Certificate

The internal floor area affected or likely to be affected, by scattering of asbestos pieces, particles or fibres during demolition or cutting into the building, is to be cleaned by vacuuming by a contractor approved by SafeWork NSW. A Clearance Certificate to certify that the site area is free of asbestos is to be submitted to Council by a licensed asbestos assessor within 14 days of the completion of renovations (or prior to the Occupation Certificate being issued).

Reason:

To satisfy the requirements of the legislation.

114. 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 Certifier, and a copy submitted to Council (in the event that Council is not the Principal Certifier), prior to commencement of the construction works.

Reason:

To satisfy the requirements of the legislation.

115. Lead Based Paint

To prevent contamination of the soil and human health risks associated with lead dust, safeguards must be used when removing flaking paint or sanding paint surfaces that are suspected to contain lead.

Reason:

To satisfy the requirements of the legislation.

116. Waste Classification and Disposal of Contaminated Soil and Material(s), Solid and Liquid

- a) All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the *Protection of the Environment (Waste) Regulation 2014* and related guidelines, in particular NSW EPA *Waste Classification Guidelines* (2014), prior to off-site disposal.
- b) The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to and approved by Council before off-site disposal. The front cover of the report must include

the details of the consultant's certification. A certified contaminated land consultant is a contaminated land consultant certified under either:

- i. the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) (CEnvP(SC)) scheme; or
 - ii. the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.
- c) All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste.
 - d) Receipts for the disposal of the waste must be submitted to council within 14 days of the waste being disposed.
 - e) All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage, and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

Reason:

To satisfy the requirements of the legislation.

117. Excess Excavated Material - Disposal

Excess excavated material shall be classified according to the 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.

Reason:

To satisfy the requirements of the legislation.

118. 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:

- a. The concentration of suspended solids in the water to be discharged does not exceed 50 mg/L; and
- b. The turbidity of the water to be discharged does not exceed 50 NTUs/FTUs; and
- c. The pH of the water to be discharged is between 6.5 and 8.5; and
- d. The water to be discharged contains no visible oil or grease; and
- e. 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
- f. The water to be discharged does not contain any substances known to be toxic to aquatic life; and
- g. 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
- h. 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
- i. 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.

Reason:

To satisfy the requirements of the legislation.

119. Dust Suppression Measures

Activities occurring during the demolition, excavation and construction phases of the development must be carried out in a manner that will minimise the generation of dust.

All surfaces intended to carry vehicular traffic must be managed with the aim of preventing windblown dust emissions.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

120. Site Contamination Remediation Works

The completion of any site contamination remediation works in accordance with the Remediation Action Plan (RAP) prepared by JK Environments and dated 28 February 2023, remediation measures recommended in the site contamination audit report and any additional measures as required by the site contamination auditor, if necessary.

Reason:

To satisfy the requirements of the legislation and to protect human health.

121. Unexpected Finds Procedure

The consent holder must ensure the Unexpected Contaminated Land, Acid Sulfate Soils and Asbestos Finds Procedure is implemented throughout the excavation and construction phases of the development.

Reason:

To satisfy the requirements of the legislation and to protect human health.

122. Survey Report

The submission of a survey report by a registered Land Surveyor to the Principal Certifier is required, prior to the work proceeding beyond each of the following respective stages so as to guarantee that each stage of the development is completed in accordance with the approved plans:

- f. footing excavation;
- g. slab formwork;
- h. foundation walls;
- i. walls and completed eaves/gutter/fascia/gable;
- j. building on the site.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

123. Survey Certificate

The submission of a Survey Certificate to the Principal Certifier at footings and/or formwork stage (whichever occurs first) confirming:

- d. the set out of the boundaries of the site,
- e. actual siting of the buildings and
- f. siting levels comply with the approved plans.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

124. Hours of Work

The Principal Certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- j. 7:00am to 5:00pm on Monday to Saturday

Allowable construction activity noise levels must be within the limits identified in the NSW EPA Interim Construction Noise Guidelines (ICNG) July 2009.

- e) levels recommended by a registered Geotechnical/Structural Engineer with regards to structural damage buildings;
- f) German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and

- g) For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human. Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
- h) Overpressure and vibration from blasting are to be assessed against the levels in the Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZEC 1990). Human comfort vibration from construction works, including continuous, intermittent or impulsive vibration from construction, but excluding blasting, is to be assessed in accordance with section 2.5 'Short-term works' in Assessing Vibration – a technical guideline (DEC 2006).

Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:

- (a) 9:00am to 12:00pm, Monday to Friday;
- (b) 2:00pm to 5:00pm Monday to Friday; and
- (c) 9:00am to 1:00pm Saturday.

The Principal Certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Any variation to the hours of work requires Council's approval.

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

- m. The variation in hours required (length of duration);
- n. the reason for that variation (scope of works);
- o. the type of work and machinery to be used;
- p. method of neighbour notification;

Reason:

To protect the amenity of the surrounding area.

125. **Spillage of Material**

Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.

Reason:

To comply with Council's Development Control Plan.

126. **Control of Access to Prevent Tracking of Sediment**

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.

Reason:

To comply with Council's Development Control Plan.

127. **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 Developer 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.

Reason:

To satisfy the requirements of the legislation.

128. Implementation of BASIX commitments

While building work is being carried out, the Developer must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

Reason:

To satisfy the requirements of the legislation.

129. Geotechnical Inspection Certification

Any inspections recommended in the geotechnical report must be inspected and certified by the author or verifier of the geotechnical report.

Reason:

To ensure geotechnical considerations are met.

130. Comply with Geotechnical Report

Any construction conditions including works methodology and temporary works recommended in the geotechnical report must be carried out during construction to ensure the works incorporate the encountered site geotechnical constraints to achieve an *acceptable* risk level.

Reason:

To ensure geotechnical considerations are met.

131. Survey Report for Floor Levels

A Survey Report must be submitted to the Principal Certifier verifying that each floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

132. Piping of Stormwater to Existing Stormwater Drainage System

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

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

133. Shoring and adequacy of adjoining property

If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense -

- c. Protect and support the building, structure or work from possible damage from the excavation, and
- d. Where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Reason:

To satisfy the requirements of the legislation.

134. Supervision of Engineering Works

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

Reason:

To ensure compliance with relevant Standards.

135. Pipe Connections

All pipe connections to existing stormwater drainage systems within the road reserve shall be constructed flush with the pit wall in accordance with good engineering practice. The Developer shall ensure that the condition of the existing stormwater drainage system is not compromised and that the service life of the existing stormwater drainage system is not reduced as a result of the connection.

Reason:

To ensure construction Standards are met.

Before the Issue of an Occupation Certificate

136. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree works, including pruning in accordance with *AS 4373-2007 Pruning of amenity trees* and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Reason:

To ensure compliance with relevant Standards

137. Completion of Landscape Works on Council Owned or Controlled Land

The Developer must complete all landscape works required within Council's road reserve, or other Council owned or controlled land, in accordance with the conditions of this consent. The total cost of all such landscape works shall be fully borne by the Developer and any damage to Council's assets shall be the subject of restoration works sufficient to restore the asset to its previous state and configuration previous to the commencement of works. Evidence that this requirement has been met must be satisfied prior to the issue of the Occupation Certificate.

Reason:

To ensure compliance with relevant Standards

138. Arborist Verification – Street Tree Installation

Prior to the issue of Occupation Certificate, the Developer must supply certification in the form of a report, including photographic evidence, from an AQF Level 5 Arborist to the Principal Certifier and Wollongong City Council to verify:

- c. The tree stock complies with AS 2203:2018 Tree Stock for Landscape Use.
- d. The tree pits have been constructed and the trees installed in accordance with the requirements of the Wollongong City Council City Centre Public Domain Technical Manual and arboricultural best practice.

Reason:

To ensure compliance with relevant Standards

139. Interpretation Works

Prior to the release of the Occupation Certificate, the Developer is to complete any works that are recommended and detailed in the endorsed Heritage Interpretation Plan to the written satisfaction of Council's Heritage Staff.

Reason:

To ensure heritage considerations are met.

140. Heritage Documents Local Studies Library

A bound hard copy and digital copy of all heritage documents related to this development application should be provided to Councils Heritage Staff for inclusion in the local studies library.

The documents should be included as one document with an index page. Document(s) required include but are not limited to:

- e. Heritage Impact Statement;
- f. Historic Archaeological Assessment and Archaeological Research Design;
- g. Final Excavation Report; and
- h. Heritage Interpretation Plan

Reason:

To ensure heritage considerations are met.

141. Site Contamination Validation Report and Site Contamination Audit Statement

The submission of a site contamination validation report to the Principal Certifier and Council (in the event that Council is not the Principal Certifier for its records) is required, prior to the issue of an Occupation 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 NSW EPA threshold limit criteria; and
- c) the site is rendered suitable for the proposed development.

The submission of a Site Audit Statement and Site Audit Report is also required from an accredited auditor pursuant to the provisions of Part 4 of the *Contaminated Land Management Act 1997* confirming that the site has been satisfactorily remediated and is suitable for the proposed development.

Reason:

To satisfy the requirements of the legislation.

142. Acoustic Design Compliance Report

A final acoustic design compliance report confirming compliance with the Noise Intrusion Assessment (Harwood Acoustics, 28 February 2022) and additional advice from Harwood Acoustics dated 21 February 2023 shall be prepared by a suitably qualified and experienced acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australasian Acoustical Consultants) and submitted to the Certifying Authority for approval prior to the release of the Occupation Certificate.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

143. Proposed Public Laneway Land Dedication

The Developer must dedicate the land to Council as Public Road, as per the proposed Plan of Subdivision of Lot DP58423 and Lot 1 DP799074.

Reason:

To transfer the responsibility of public infrastructure.

144. Preservation of survey marks

Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:

- a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or
- b. the Developer has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 - Preservation of Survey Infrastructure.

Reason:

To protect the State's survey infrastructure.

145. Section 73 Certificate

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

Reason:

To satisfy the requirements of the legislation.

146. 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:

- a. 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
- b. 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.

Reason:

To satisfy the requirements of the legislation.

147. Swimming Pool Barriers

The swimming pool shall be provided with child-resistant barriers, prior to the placement of water in the pool, in accordance with Section 7 of the Swimming Pools Act 1992 and Australian Standards AS 1926. The barrier shall be installed to the satisfaction of the Principal Certifier and prior to the issue of an Occupation Certificate.

Reason:

To satisfy the requirements of the legislation.

148. Warning Notice

A warning notice complying with Clauses 10 and 11 of the Swimming Pools Regulation 2008 is to be displayed in a prominent position in the immediate vicinity of the swimming pool as required by Section 17 of the Swimming Pools Act 1992, prior to the filling of the pool with water and prior to the issue of an Occupation Certificate.

Reason:

To satisfy the requirements of the legislation.

149. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifier must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Reason:

To satisfy the requirements of the legislation.

150. Geotechnical Supervision

Any inspections recommended in the geotechnical report including filling must be inspected and certified by the author or verifier of the geotechnical report.

Reason:

To satisfy geotechnical requirements.

151. 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 DCP 2009. This information must be submitted to the Principal Certifier prior to the issue of the final Occupation Certificate.

Reason:

To comply with Council's Development Control Plan.

152. Restriction on Use - On-Site Detention System (OSD)

The Developer must create a restriction on use under the Conveyancing Act 1919 over the OSD 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 detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site 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 Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

Reason:

To comply with Council's Development Control Plan.

153. Retaining Wall Certification

The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifier 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 Certifier.

Reason:

To comply with the relevant Standards.

154. 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 Detention System and Maintenance Schedule ([Application Number to be referenced](#)).

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

Reason:

To comply with Council's Development Control Plan.

155. Flood Proofing Certification

Certification shall be provided from a suitably qualified civil engineer to certify that all constructed floor levels that are below the adjacent 1 % AEP flood level plus 0.3 metres freeboard are protected from inundation by a combination of flood gates and impermeable walls that have been constructed in accordance with the conditions of this consent and the Construction Certificate plans. Evidence that this requirement has been satisfied shall be submitted to the Principal Certifier prior to the issue of the Occupation Certificate

Reason:

To comply with Council's Development Control Plan

Occupation and Ongoing Use

156. Street Tree Establishment Period - City Centre/Commercial Village Centre

The Developer must comply with the terms of an approved landscape maintenance program for a minimum period of 12 months to ensure that all landscape works within Council's road reserve or Council owned or controlled land becomes well established by regular maintenance. The Street Tree Establishment Period shall commence from the issue of the Occupation Certificate.

The program must include the following elements: watering, weeding, litter removal, mulching, fertilising, tree guard and grate maintenance, and pest and disease control.

Details of the proposed program must be submitted with the Landscape Plan to the Principal Certifier for approval prior to release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan

157. Mechanical Plant and Equipment Noise

The operation of all mechanical plant including exhaust and supply fans, air conditioning units, condensers, pool pumps, etc singly and /or collectively, etc., shall not emit:

- i. a noise level that is more than 5dBA above the ambient background noise level between 7:00 am and 10:00 pm on any day including Saturday, Sunday or public holiday measured at any property boundary or external apartment façade, and
- ii. a noise level that is audible in habitable rooms of a residences between 10.pm and 7.00 am on any day including Saturday, Sunday or public holiday.

Reason:

To protect neighbourhood amenity.

158. Restricted Delivery Hours

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

Reason:

To ensure protection of the environment and neighbourhood amenity.

159. Swimming Pool Filtration Motor

The operation of the swimming pool filtration motor shall be restricted to the following hours of operation:

- Monday to Friday - 7:00 am to 8:00 pm.
- Saturdays, Sundays and Public Holidays - 8:00 am to 8:00 pm.

The equivalent continuous noise level (LAeq (15min)) of the swimming pool filtration motor shall not exceed 5 dB(A) above the background noise level (LA90 (15 min)) at the most affected point(s) along any boundary of the property.

Reason:

To ensure protection of the environment and neighbourhood amenity.

160. Clothes Drying on Balconies/Terrace Areas Prohibited

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

Reason:

To ensure protection of the neighbourhood amenity.

161. Loading/Unloading Operations/Activities

All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan.

Reason:

To comply with legislation and Australian Standards.

162. Restricted Hours of operation

The hours of operation for the ground floor commercial premises shall be restricted to 7.00am to 7.00pm Monday to Saturday and 9.00am to 6.00pm on a Sunday or a public holiday. Any alteration to the approved hours of operation will require separate Council approval.

Reason:

To ensure protection of the environment and neighbourhood amenity. To mitigate adverse amenity impacts in the locality.

Before the Issue of a Subdivision Certificate

163. Occupation Certificate Prior to Subdivision Certificate

An Occupation Certificate for the dwelling/s must be issued prior to the release of the Subdivision Certificate for the Torrens title subdivision. A copy of the Occupation Certificate shall be lodged to Council with the Subdivision Certificate application.

Reason:

To satisfy the requirements of the legislation.

164. Works-As-Executed (WAE) Plans

The submission of two (2) sets (minimum) of WAE plans to the Principal Certifier, prior to the release of the Subdivision Certificate. The WAE 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 WAE dimensions and levels must also be shown in red on a copy of the approved Construction Certificate plans. The WAE plans must include:

- f. Final locations and levels for all works associated with the subdivision;
- g. a separate conduit plan showing the location of all conduits laid beneath the constructed road system;
- h. a separate fill plan showing extent and depth of filling;
- i. a separate plan which indicates the extent of flood inundation for 1% AEP, Flood Planning Level (1% AEP + freeboard) and PMF storm event superimposed on the WAE ground levels. Where the WAE ground levels differ to the ground levels approved under the Development Consent, the extent of flood inundation for the 1% AEP, Flood Planning Level (1% AEP + freeboard) and PMF event shall be based on a re-run of the original flood model. Certification shall also be provided by a suitably qualified consulting engineer confirming that the extents of flood affectation are based on the WAE ground levels; and
- j. the plan(s) must include but not be limited to the requirements stated in Chapter E14 of the Wollongong DCP 2009.

An electronic copy in CAD format is required to be submitted at the time of lodgement.

Reason:

To comply with Council's Development Control Plan.

165. CCTV

If new Stormwater Infrastructure has been constructed within the road (including pits, pipes and surface inlets, etc) All stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV. A copy of the CCTV inspection must be submitted to the Principal Certifier prior to the issue of the Subdivision Certificate. Below standard work must either be replaced or repaired to the Principal Certifier's satisfaction prior to the issuing of an Occupation Certificate.

Reason:

To satisfy the requirements of the legislation.

166. Benkelman Beam

Prior to issue of the Subdivision Certificate, Benkelman beam testing must be undertaken on all roads proposed for dedication as road reserve. Testing must be carried out in accordance with the current version of the Wollongong City Council Subdivision Code at the time of issue of this consent. The acceptance criteria is based on the tolerable deflections as specified by the Australian Road Research Board and AUSTRROADS at the time of issue of this consent.

Reason:

To comply with Council's requirements and relevant Standards.

167. Street Signs

All proposed street signs must be approved by Wollongong City Council and installed prior to the issue of the Subdivision Certificate.

Reason:

To comply with Council's requirements and relevant Standards.

168. Asset Management - Roads, Drainage and Landscaping

Prior to issue of the Subdivision Certificate the following documentation must be submitted to the Principal Certifier for approval:

- a. The length, square meterage and cost of constructed roadworks and other civil assets to be dedicated as public infrastructure. Road structure (Thickness survey data), including the material used in each layer of road, during construction is to be provided.

- b. An itemised and costed list of the dimensions material and structural grade of pipes, type and dimension of associated pits and water quality features in the proposed drainage system to be handed over to Council (not including common drainage lines or inter-allotment drainage). Details and dimensions shall include:
 - i. Pipes - length between pits, diameter, invert levels;
 - ii. Pits - depths, width, length and lintel length;
 - iii. Open channels (lined or natural) - length, width and depth;
 - iv. Wetland - area;
 - v. Gross pollutant traps - depths, width, length, type (proprietary supplier, type);
 - vi. Detention basins - area;
 - vii. Headwalls - depth, width, pipe diameter;
 - viii. Riparian - length, width, depth and materials.
- c. An operations and maintenance manual for proposed riparian and water quality features including gross pollutant traps and wetlands. This manual shall include but not be limited to proposed type and frequency of establishment and maintenance intervention requirements.
- d. Itemised list of street signs and street furniture including their current cost.
- e. Itemised list of plantings in public areas. Cost of plantings must be provided (to be based on current Landscape Contractors' Association figures).
- f. Maintenance schedule of landscape works and civil works and costs to Council associated with the ongoing maintenance of the work.
- g. Risk assessment of carrying out maintenance of landscape works and drainage/water quality systems. Appropriate traffic control plans (prepared in accordance with Transport for NSW guidelines) will need to be submitted for approval where maintenance work takes place in a proposed road reserve. Current costs will need to be provided in implementing the Traffic Control Plan.
- h. All relevant reports/documentation (e.g. surveillance reports, emergency management plans etc.) associated with any detention storage basin/s, as required by the NSW Dam Safety Committee (DSC) including documentary evidence confirming approval of this reporting/documentation by the DSC.

Reason:

To comply with Council's requirements.

169. Lot Consolidation

The existing lots being Lots 2 and 3 DP 150697, Lot 1 DP 552579, Lot 1 DP 152199, Lot 1 DP 799074, and Lot 1 DP 58423 shall be consolidated.

Reason:

To comply with Council's requirements.

170. Certification - Road Construction

The approved road constructions works within the extension of Moore Lane (required to be dedicated to Council) must be supervised by a suitably qualified geotechnical engineer. Upon completion of road construction works, written certification from the geotechnical engineer stating that all road constructions works have been completed in accordance with the approved Construction Certificate plans and Wollongong City Councils Subdivision Policy. The certification must also include appropriate test results for pavement/subgrade layers, a test location diagram and the date of testing.

Reason:

To comply with road construction standards and specifications.

171. Final Documentation Required Prior to Issue of Subdivision Certificate

The submission of the following information/documentation to the Principal Certifier, prior to the issue of a Subdivision Certificate:

- a. Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;

- b. Administration sheet prepared by a registered surveyor;
- c. Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision;
- d. Final plan of Subdivision prepared by a registered surveyor plus one (1) equivalent size paper copies of the plan.

Reason:

To comply with the relevant subdivision requirements.
