

**From:** [Admin](#)  
**To:** [Tim Mahoney](#); [Tracey Gillett](#)  
**Cc:** [Angelo Di Martino](#)  
**Subject:** CM Record: FW: 37-39 Burelli Street, Wollongong - Consent Conditions Comments  
**Date:** Thursday, 10 October 2024 1:34:24 PM

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Hi Tim

Please see response below for 37-39 Burelli St.

I have been unable to upload to the Planning Portal.

Kind Regards,

**Michelle Carey**

**Administration / Reception**

**adm** ARCHITECTS

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**From:** Angelo Di Martino <[Angelo@admarchitects.com.au](mailto:Angelo@admarchitects.com.au)>  
**Sent:** Wednesday, 9 October 2024 9:15 PM  
**To:** 'AStarr@wollongong.nsw.gov.au' <[AStarr@wollongong.nsw.gov.au](mailto:AStarr@wollongong.nsw.gov.au)>  
**Cc:** Admin <[Admin@admarchitects.com.au](mailto:Admin@admarchitects.com.au)>; Luke Rollinson <[luke.rollinson@mmj.com.au](mailto:luke.rollinson@mmj.com.au)>  
**Subject:** FW: 37-39 Burelli Street, Wollongong - Consent Conditions Comments

Evening Ann,

Below are combined applicant team comments on the draft DA conditions that we feel need to be adjusted, deleted, or modified.

1. **Condition 5:** Is vague and is to be **deleted**. A DSI and RAP was undertaken for the previous hotel DA and the DA for that hotel (consent DA-2020/1490) simply provided for site remediation and validation reporting requirements (conditions 5 & 6). Accordingly, these conditions should be similarly adapted instead.
2. **Condition 6:** **Delete**. The previous hotel consent DA-2020/1490 had no requirement for an auditor.
3. **Condition 10 (h):** **Delete the words** "Due to the sensitivity of the site to changing geotechnical conditions". This is incorrect. The site is not sensitive and geotechnical conditions are not changing.
4. **Condition 22:** **Delete**. As discussed with council assessing officers and RMS the location of the pedestrian kerb ramps is historically set and not able to be changed given the amount of services in the footpath and there location. As such, the kerb ramps do not need to be replaced.
5. **Condition 23:**
  - a. First paragraph to read that the EMP is to be submitted to "the Private Certifier".

The present condition is silent on who the submission is to go to.

b. Section (i):

- (iii) **Delete** as it's dealt with in other sections and is an unnecessary duplication
- (iv) **Delete** the words "and revegetation plan" as its not relevant"
- (v) **Delete** as its not relevant
- (x) **Delete** as its dealt with in other conditions and is unnecessary duplication
- (xi) **Delete** as its dealt with in other conditions and is unnecessary duplication.

6. **Condition 24:** In the last paragraph remove the words "and relics".
7. **Condition 26:** The Quantitative Wind Assessment report should go to the certifier for approval not council. As such the word "council" in the second line should be changed to "certifier".
8. **Codntion 28:** Numbers on the consent are incorrect. Correct number are **Residential cars -71 & Accessible cars - 8**
9. **Condition 38:** Approval of this plan is the responsibility of the private certifier. As such remove in the third line the words "and council".
10. **Condition 42:** **Delete**, as it's a repeat of condition 24.
11. **Condition 50:** **Delete**. The applicant has already proved to council that principal areas of the COS receive a minimum of 2 hours of direct sunlight. Furthermore, the BBQ, dining area is located in the optimum location in the COS.
12. **Condition 57:** This report should be submitted to the private certifier rather than council. As such, on the second line of this condition the word "council" should be changed to "certifier".
13. **Condition 58:** **Delete**. This content is covered in multiple other conditions.
14. **Condition 65:** **Delete**. This is a repeat of condition 59.
15. **Condition 69:** The Vibration Management Plan should be submitted to the certifier not council. As such, on page 20 in the second last paragraph (third line down) the word "council" should be changed to "certifier". On page 21 we request the hours of operation for Rock breaking, rock hammering etc on Monday to Friday in dot point (a) & (b) be changed to "7am to 5pm". There is no reason to have a 2 hour break in the middle of the day and a 5pm finish rather than 6pm is able to be accommodated".
16. **Condition 74:** Section (2) third line change the word "council" to "certifier".
17. **Condition 75:** **Delete**. This condition is not required as it is covered in condition 74.
18. **Condition 78:** **Delete** as is covered in various other condition.
19. **Condition 86:** In the fourth line change the word "council" to "certifier".
20. **Condition 92:** **Delete**, as it's covered in condition 12.
21. **Condition 95:** **Delete**. There is no need for a site Contamination Audit Statement. Furthermore, the earlier DA consent for the hotel (consent number DA-2020/1490) had no requirements for an auditor statement.
22. **Condition 100:** Add to the end of this clause the words "within 14 days of the submission to the panel".
23. **Condition 108:** **Delete**. This is an unreasonable condition to expect the developer to maintain the public art in perpetuity.

Any questions, please contact us. Thanks

Regards,

## Angelo Di Martino

DIRECTOR B.Arch (Hon) AIA  
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