**Attachment 4:** *Revised*Conditions

Consent has been granted subject to the following conditions:

The development proposed is Integrated Development and approval is required from the approval bodies listed below:

**Department of Planning and Environment - Water Management Act 2000**

Pursuant to s91 - authorisation under the Water Management Act 2000 - General Terms of Approval issued by the Department of Planning and Environment dated 5 March 2024 as attached form part of this Notice of Determination at Attachment 1.

Conditions imposed by Council as part of this Integrated Development Consent are:

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** |
| DA1102 | 02 | Proposed Site Plan  | QOH Architects | 6/08/2024 |
| DA1200 | 02 | Detailed Site Plan Sheet 01 – Demolition Plan | QOH Architects | 6/08/2024 |
| DA1201 | 03 | Detailed Site Plan Sheet 02 | QOH Architects | 6/08/2024 |
| DA2220 | 02 | Block L – Proposed Ground Floor Plan | QOH Architects | 6/08/2024 |
| DA2221 | 02 | Block L – Proposed First Floor Plan | QOH Architects | 6/08/2024 |
| DA2222 | 01 | Block L – Proposed Roof Plan | QOH Architects | 30/11/2023 |
| DA2300 | 02 | Block L – Elevations And Sections Sheet 01 | QOH Architects | 3/09/2024 |
| DA2301 | 02 | Block L – Elevations And Sections Sheet 02 | QOH Architects | 6/08/2024 |
| DA3220 | 02 | Lift – Lower Ground & Ground Floor Plan | QOH Architects | 3/09/2024 |
| DA3221 | 01 | Lift – First Floor Plan & Roof Plan | QOH Architects | 30/11/2023 |
| DA3300 | 02 | Lift – Elevations | QOH Architects | 3/09/2024 |
| DA3350 | 01 | Lift – Sections | QOH Architects | 30/11/2023 |

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**

1. **Compliance with the Building Code of Australia (BCA)**

Building work must be carried out in accordance with the requirements of the BCA.

Reason:
To ensure the development is built in accordance with the Building Code of Australia.

1. **Construction Certificate**

A Construction Certificate must be obtained from Council or a Registered Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Part 3 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

**Note**: The Certifier must cause notice of its determination to be given to the consent authority, and to the Council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in Section 13 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Reason:
To satisfy the requirements of the legislation.

1. **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.

1. **Tree Retention/Removal**

The developer shall retain existing trees indicated on Landscape Plan by OHD Dwg.  No.  DA1801 & DA1802 Issue 2 dated 06 Aug 2024 consisting of tree numbered 28, 30, 35, 41 & 44 in vicinity of development. Total number: five+ (5+ No.) & across school site.

Any branch or root pruning which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373 (2007).

All tree protection measures are to be installed in accordance with Australian standard AS4970-2009 Protection of Trees on development Sites.

Recommendations in arborist’s report dated Aug 2024, by Allied Tree Consultancy Author: Warwick Varley & Geoff Beisler Ref. No. D5523 to be implemented including and not restricted to: establishing Tree Protection Zones (TPZs), project arborist being present during work within Structural Root Zones (SRZs) and supervising work within TPZs, site induction with reference to tree protection, referring matters to project arborist, re routing of sub surface utilities to avoid TPZs, hand excavation within TPZ near tree roots, remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, mulching and watering and root hormone application if required. Soil levels within the TPZ must remain the same.

The developer shall remove existing tree numbered 27, 36, 37, 38, 39, 48, 49, 50, 51 & 52. Total number: ten (10 No.) No other trees shall be removed without prior written approval of Council.

Reason:
To protect the amenity of the environment and the neighbourhood.

1. **Height Restriction**

The development shall be restricted to a maximum height at RL 54.300 for the proposed TAS Building and at ~~RL 54.370~~ RL 55.730 for the proposed lift shaft within Block B from the natural ground level (inclusive of the lift tower and any air conditioning plant). Any alteration to the maximum height of the development will require further separate approval of Council.

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

**Before the Issue of a Construction Certificate**

1. **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.

1. **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.

1. **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.

1. **~~Crime Prevention Through Environmental Design (CPTED) -~~ ~~Landscaping~~**

~~In order to reduce the opportunities for “hiding places” the proposed landscaping must:~~

1. ~~Use shrubs/plants which are no higher than one (1) metre.~~
2. ~~The type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.~~
3. ~~Be set back one (1No.) metres from the centre of the pathway. Groundcovers acceptable.~~

**Low Impact lighting**

The areas surrounding the new building and car parking areas shall incorporate ‘low impact’ lighting (floodlighting and bollard lighting) to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed lighting system shall be reflected on the Construction Certificate plans.

Reason:
To protect neighbourhood amenity.

1. **Final Landscape Plan Requirements**

The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

1. planting of indigenous plant species typical of the Illawarra region such as: *Syzygium smithii* (formerly Acmena smithii) Lilly pilly, *Archontophoenix cunninghamiana* Bangalow palm, *Backhousia myrtifolia* Grey myrtle, *Elaeocarpus reticulatus* Blueberry ash, *Glochidion ferdinandii* Cheese tree, *Livistona australis* Cabbage palm tree, B*rachychiton acerifolius*  Illawarra Flame Tree.;  A further list of suitable suggested species for the Keiraville area may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping;
2. a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
3. the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees;
4. ~~any proposed hard surface under the canopy of an existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer’s recommendations;~~

Any proposed hard surface under the canopy of an existing trees shall be permeable unless agreement is reached between Council’s landscape officer,the project design consultant team and the project arborist for an alternate option once the root arrangement and depth are exposed and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer’s recommendations;

1. the developer shall ensure that proposed planting is child friendly and must **not** include any of the types of plants listed below: **i)** plants known to produce toxins; **ii)** plant with high allergen properties; **vi)** any weed or potential weed species;
2. compensatory planting to be incorporated;
3. landscaping to the site should consider the principles in Appendix 4 of Planning for Bush Fire Protection 2019 (PBP 2019)
4. attractive, hardy, low maintenance & low water use planting recommended; and;
5. any fill material should not cover topsoil. Topsoil shall be removed, stockpiled, ameliorated and replaced over any fill material to a minimum depth of 100mm.

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

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

1. **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 issue of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

Reason:
To ensure development does not impact services.

1. **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 issue of the Construction Certificate.

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

1. **Tree Protection Measures**

The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

* 1. Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
	2. Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch.
	3. Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist’s recommendations.

The submission of a final Site Plan to the Principal Certifying Authority indicating required tree protection fencing is required, prior to the release of the Construction Certificate.

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

1. **Engineering Plans and Specifications - Retaining Wall Structures** **Greater than 1m**

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than 1m 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:

1. A plan of the wall showing location and proximity to property boundaries;
2. An elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
3. Details of fencing or handrails to be erected on top of the wall;
4. 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;
5. 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;
6. The assumed loading used by the engineer for the wall design.
7. 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 Policy.

1. **Present Plans to Sydney Water**

Approved plans must be submitted online using Sydney Water Tap In, available through [www.sydneywater.com.au](http://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](http://www.sydneywater.com.au) or telephone 13 20 92 for further information.

Reason:
To satisfy the requirements of the legislation.

1. **~~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:~~

1. ~~Landscape treatment which allows visibility from the road way and other public areas;~~
2. ~~landscaping at ground level provided which is difficult or uncomfortable to hide in or traverse,~~
3. ~~provide clearly marked and sign posted visitor car parking signs (including security/intercom system);~~
4. ~~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 300mm x 300mm 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 Council's Development Control Plan.~~

1. **~~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. This requirement shall be reflected on the Construction Certificate plans.~~

~~Reason:
To satisfy the requirements of Australian Standards.~~

1. **Design in Accordance with Flood Study**

The detailed design of the development (incl. earthworks, pavement, bridges, finished surface levels, and surface treatment) shall be generally in accordance with Site Plus Document Project No.23153 November 2024 "Flood Study and Flood Impact Assessment". This requirement shall be reflected on the Construction Certificate plans and certified by a suitably qualified civil engineer prior to the release of the Construction Certificate.

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

1. **Loss of Flood Storage**

The detailed design of the development shall ensure no net loss of existing flood storage in any storm event (up to the PMF). Construction details of compensatory flood storage areas (where required) shall be prepared by a suitably qualified civil engineer and reflected on the Construction Certificate plans. This must include detailed plans showing finished surface levels, finished surface treatment and the flood storage volume. Certification from a suitably qualified civil engineer verifying that these requirements have been met shall be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

Reason:
To comply with Council's Development Control Plan

1. **Flood Level Requirements**

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

1. Habitable floor levels must be constructed to the Probable Maximum Flood (PMF) flood level plus 500mm freeboard (as determined by an experienced Civil Engineer).
2. Any portion of the building or structure below Probable Maximum Flood (PMF) flood level plus 500mm freeboard (as determined by an experienced Civil Engineer 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.
3. The proposed Building shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including the Probable Maximum Flood (PMF) flood level plus 500mm freeboard (as determined by an experienced Civil Engineer)

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

1. **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:

1. 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 plan/s lodged for development approval.
2. Include details of the method of stormwater disposal. Stormwater from the development must be piped to [Council’s existing stormwater drainage system/natural watercourse/inter-allotment drainage system/infiltration trench].
3. 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.
4. 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.

1. **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:

1. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
2. Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 10.2.4 of Chapter E14 of the Wollongong DCP 2009.
3. 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.
4. The OSD facility shall incorporate a minimum 600/900mm x 600/900mm 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.
5. 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.
6. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
7. 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/Subdivision Certificate:
	1. The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
	2. Identification number DA-2023/962
	3. Any specialist maintenance requirements.
8. 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.

1. **~~Site Filling~~**

~~Filling on the site being within the floodplain shall be restricted to within the proposed building footprint and ramped areas immediately adjacent to the garage only. No wholesale filling of the site within the floodplain is permitted. This requirement shall be reflected on the Construction Certificate plans.~~

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

1. **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.

**Before the Commencement of Building Work**

1. **Appointment of Principal Certifier**

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

1. appoint a Principal Certifier and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and
2. 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.

1. **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.

1. **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.

1. **Erosion and Sediment Controls in Place**

Before the commencement of any site or building work, the Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time).

Reason:
To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

1. **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 Applicant 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:

1. All restorations are at the cost of the Applicant and must be undertaken in accordance with Council’s standard document, “Specification for work within Council’s road reserve”.
2. 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.

1. **Supervising Arborist - Tree Inspection and Installation of Tree Protection Measures**

Prior to the commencement of any demolition, excavation or construction works, the supervising Arborist must certify in writing that tree protection measures have been inspected and installed in accordance with the Arborist’s recommendations and relevant conditions of this consent.

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

1. **Tree Protection Implementation**

The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development.  This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

* 1. installation of Tree Protection Fencing - Protective fencing shall be 1.8 m cyclone chainmesh fence, with posts and portable concrete footings;
	2. mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch;
	3. irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist’s recommendations.

The tree protection fencing shall be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phases of the development.

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

1. **Site Management Program - Sediment and Erosion Control Measures**

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

Reason:
To protect neighbourhood amenity.

**While Building Work is Being Carried Out**

1. **Waste Management**

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

* The contract details of the person(s) who removed the waste;
* The waste carrier vehicle registration;
* The date and time of waste collection;
* A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill;
* The address of the disposal location(s) where the waste was taken;
* The corresponding tip docket/receipt from the site(s) to which the waste is transferred, notifying date and time of delivery, description (type and quantity) of waste.

**Note:** If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to the Order or Exemption and provide the records to the principal certifier and Council.

Reason:
To require records to be provided, during site work, documenting the lawful disposal of waste.

1. **Cut and Fill**

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.
2. All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to resource recover exemption by the NSW EPA.

Reason:
To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.

1. **Tree Protection**

While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of AS 4970-2009 Protection of trees on development sites and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Reason:
To protect and retain trees.

1. **Where Polystyrene Waffle Pods Are Used During Construction**

Management of waffle pods at the site must comply with the Industry Code of Practice - Waffle Pods (2023/2024)

[*https://epsa.org.au/wp-content/uploads/2023/07/Pod-Code-of-Practice-EPSA\_2023.pdf*](https://epsa.org.au/wp-content/uploads/2023/07/Pod-Code-of-Practice-EPSA_2023.pdf)

* Pods must be secured using the approved tie down method at time of delivery, immediately upon completion of installation and any other time not in use.
* Scrap pods, offcuts and beads must be collected immediately after installation and placed in approved bags provided by the supplier.
* Waffle pods, waffle pod offcuts or waffle pod fragments must not be permitted to lie or accumulate on the property.

Reason:
To ensure protection of the environment.

1. **Contaminated Land Consultant Supervision**

The site contains an Asbestos Containment Cell and is subject to a Long-term Environmental Management Plan (EMP) (Noel Arnold and Associates, February 2014). During works, a suitably qualified Contaminated Lands Consultant is to supervise any works that involve disturbance of the ground surface within the vicinity (≤5m) of edge of the identified containment cell (as shown on the Landscape Plans, OHD Landscape Architect, dated 8 August 2024).

If the cell and/or warning markers are encountered during works, all works are to cease immediately until appropriate measures are put in place in accordance with the EMP and any legislative/regulatory requirements. Should this occur, Council is to be notified in writing within 7 days.

Reason:
To ensure protection of the environment and comply with legislation.

1. **New Information/Unexpected Finds**

In the event that demolition and/or construction works cause the generation of odours or the uncovering of previously unidentified contaminants, hazardous materials or acid sulfate soils, works must immediately cease.  The Principal Certifier and Council (in the event that Council is not the Principal Certifier) must be notified in writing within two (2) days of the incident.  An assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm must be undertaken by an appropriately qualified environmental consultant as soon as possible.  This assessment will necessitate a report to be prepared outlining the required remediation measures for the sign off by Council and the Principal Certifier.

Reason:
To ensure protection of the environment and comply with legislation.

1. **Demolition Materials - Disposal**

All demolition materials not being reused on-site shall be disposed of only at a recycling or waste management facility that may lawfully receive that waste.

Reason:
To comply with legislation.

1. **While Building Work is Being Carried Out - 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 comply with legislation.

1. **While Building Work is Being Carried Out - SMF Materials**

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 comply with legislation.

1. **Asbestos - Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist**

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

Reason:
To satisfy the requirements of the legislation.

1. **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 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.

1. **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.

1. **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.

1. **Building Site to be Kept Free of Rubbish**

The building site must be kept free of rubbish at all times. All refuse capable of being wind-blown must be kept in a suitable waste container.

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

1. **Erosion and Sediment Control Measures**All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as the ground disturbed by the works has been stabilise and rehabilitated so that it no longer acts as source of sediment.

Reason:
To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

1. **Discharge of Accumulated Water**

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

1. The concentration of suspended solids in the water to be discharged does not exceed 50 mg/L; and
2. The turbidity of the water to be discharged does not exceed 50 NTUs/FTUs; and
3. The pH of the water to be discharged is between 6.5 and 8.5; and
4. The water to be discharged contains no visible oil or grease; and
5. 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
6. The water to be discharged does not contain any substances known to be toxic to aquatic life; and
7. 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
8. 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
9. 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.

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

The applicant must ensure that any person carrying out tree removal is in possession of this development consent and the approved landscape plan, in respect to the vegetation which has been given approval to be removed in accordance with this consent.

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

1. **Responsibility for Changes to Public Infrastructure**

While building work is being carried out, the applicant 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 ensure payment of approved changes to public infrastructure.

1. **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:

1. footing excavation;
2. slab formwork;
3. foundation walls;
4. walls and completed eaves/gutter/fascia/gable;
5. building on the site.

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

1. **Implementation of the site management plans**

While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times.

The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

Reason:
To ensure site management measures are implemented during the carrying out of site work.

1. **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).

Where a timber/steel frame supports the floor, the survey shall be undertaken after the piers have been installed and prior to the laying of the bearers/joists and installation of the wall frames for each respective ground floor level of the building.

All levels shall relate to Australian Height Datum.

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

**Before the Issue of an Occupation Certificate**

1. **Compensatory Planting**

The developer should make compensatory provision for the trees required to be removed as a result of the development. In this regard, ten (10 No.) 75 litre container advanced mature plant stock should be placed within the property boundary of the site in appropriate locations within Deep Soil Zone (DSZ). The suggested species are to be selected from the following list:  *Elaeocarpus reticulatus* Blueberry ash, *Eucalyptus sideroxylon* Red Ironbark or *Waterhousea floribunda ‘Sweeper’* Weeping Lilli Pilli. A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping**.**

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

1. **Access Certification**

Prior to the occupation of the building, the Principal Certifier must ensure that a certificate from an “accredited access consultant” has been issued certifying that the building complies with the requirements of AS 1428.1.

Reason:
To comply with legislation and Australian Standards.

1. **Drainage Certification and WAE**

The following information shall be submitted to the Principal Certifier prior to the issue of the final Occupation Certificate:

1. Certification from a suitably qualified Civil Engineer, stating that all stormwater drainage and related work has been constructed in accordance with the approved Construction Certificate plans and Chapter E14 of the Wollongong DCP2009.
2. A certificate of Hydraulic Compliance (using Council’s M19 form) from a suitably qualified Civil Engineer, confirming that all on-site stormwater detention works have been constructed in accordance with the approved plans.
3. Full works-as-executed plans, prepared and signed by a Registered Surveyor, including levels and location for all drainage structures and works, buildings (including floor levels), and finished ground and pavement surface levels, and satisfying the requirements stated in Chapter E14 of the Wollongong DCP2009.

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

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

The applicant 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 registered 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.

1. **Positive Covenant - On-Site Detention Maintenance Schedule**

A positive covenant shall be created and registered 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

The registered 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.

1. **Structural Soundness Certification**

The submission of a report from a suitably qualified and experienced structural engineer to the Principal Certifier is required, prior to the issue of the Occupation Certificate and commencement of use. This report is required to verify that the development can withstand the forces of floodwater, debris and buoyancy up to and including the Probable Maximum Flood (PMF) flood level plus 500mm freeboard (as determined by an experienced Civil Engineer)

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

1. **Evacuation Report and Procedure**

An effective Site Emergency Response Flood Plan and procedure shall be prepared by an appropriate consulting engineer. The report shall be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.  A copy of the report shall be provided to Council for record keeping purposes.  The report shall incorporate an effective evacuation and emergency response procedure, consistent with the recommendations in the Site Plus Letter Dated 8th November 2024 Ref 23153, and the associated flood report dated November 2024 Project.23153

Notification of the presence of the evacuation report and procedure will be placed on the section 10.7 certificate for the property to ensure future property owners are made aware of the procedure in the case of flood.

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

**Occupation and Ongoing Use**

1. **Waste Collection and Site Servicing to be Undertaken Outside of Normal Operating Hours**

All large vehicle servicing and deliveries are to be undertaken outside of normal operating hours to ensure that service and delivery vehicles reversing within car parking areas do not impact on the safety of staff and students.

Reason:
To ensure adequate site safety.

1. **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.

**Attachment 1**: Department of Planning & Environment - Water   