

# DRAFT CONDITIONS FOR:

## DA-2024/502

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### GENERAL CONDITIONS

Conditions				
<b>1. Approved Plans and Supporting Documentation</b>				
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
DA0001	B	Site Plan	ALTIS Architecture	1 November 2024
DA1000	B	Existing Demolition Basement Plan – Zone A	ALTIS Architecture	1 November 2024
DA1001	B	Existing Demolition Ground Floor Plan – Zone A	ALTIS Architecture	1 November 2024
DA1002	B	Existing Demolition Ground Floor Plan – Zone B	ALTIS Architecture	1 November 2024
DA1003	B	Existing Demolition Level 1 Plan – Zone A	ALTIS Architecture	1 November 2024
DA1004	B	Existing Demolition Level 2 Plan (Plant Room) – Zone A	ALTIS Architecture	1 November 2024
DA1005	B	Existing Demolition Roof Plan – Zone A	ALTIS Architecture	1 November 2024
DA1100	B	Basement Plan – Zone A	ALTIS Architecture	1 November 2024
DA1101	B	Ground Floor Plan – Zone A	ALTIS Architecture	1 November 2024
DA1102	B	Ground Floor Plan – Zone B	ALTIS Architecture	1 November 2024
DA1103	B	Level 1 Plan – Zone A	ALTIS Architecture	1 November 2024
DA1104	B	Level 1 Plan -Zone B	ALTIS Architecture	1 November 2024

DA1105	B	Level 2 Plan (Plant Room) – Zone A	ALTIS Architecture	1 November 2024
DA1106	B	Roof Plan – Zone A	ALTIS Architecture	1 November 2024
DA1107	A	Roof Plan – Zone B	ALTIS Architecture	1 November 2024
DA2100	B	Proposed Overall Elevations	ALTIS Architecture	1 November 2024
DA2100	A	Proposed Overall Elevations	ALTIS Architecture	1 November 2024
DA2101	B	Proposed Elevations – Zone A	ALTIS Architecture	1 November 2024
DA2102	B	Proposed Elevations – Zone A	ALTIS Architecture	1 November 2024
DA2103	B	Proposed Elevations – Zone B	ALTIS Architecture	1 November 2024
DA3000	B	Proposed Section – Zone A	ALTIS Architecture	1 November 2024
DA3001	B	Proposed Sections – Zone A	ALTIS Architecture	1 November 2024
DA3002	B	Proposed Sections – Zone B	ALTIS Architecture	1 November 2024

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.

## 2. Design and Construction of Food Premises

The construction and fit out must comply with *AS 4674:2004 - Design, Construction and Fit-Out of Food Premises*.

Reason:

To satisfy the requirements of the legislation.

## 3. Geotechnical

- a. All work is to be in accordance with the geotechnical recommendations contained in the report dated 28 June 2023 by Douglas Partners and any subsequent geotechnical report required to address unanticipated conditions encountered during construction.
- b. Foundation systems are to be designed for Class P soils with all footings for the additions to be founded within the underlying weathered bedrock as recommended by the geotechnical consultant.
- c. Articulation jointing is to be provided between new and existing development as recommended by the geotechnical consultant.
- d. 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.

<p><u>Reason:</u> To ensure the site is suitable for development.</p>
<p><b>4. Compliance with the Building Code of Australia (BCA)</b></p> <p>Building work must be carried out in accordance with the requirements of the BCA.</p> <p><u>Reason:</u> To ensure the development is built in accordance with the Building Code of Australia.</p>
<p><b>5. Construction Certificate</b></p> <p>A Construction Certificate must be obtained from Council or a Registered Certifier prior to work commencing.</p> <p>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.</p> <p><b>Note:</b> 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.</p> <p><u>Reason:</u> To satisfy the requirements of the legislation.</p>
<p><b>6. Occupation Certificate</b></p> <p>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.</p> <p><u>Reason:</u> To satisfy the requirements of the legislation.</p>
<p><b>7. Unexpected Finds of Aboriginal Cultural Heritage</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>No further harm is undertaken to the object(s);</li> <li>Immediately cease all work at the particular location;</li> <li>Secure the area so as to avoid further harm to the Aboriginal object(s);</li> <li>Notify Heritage NSW as soon as practical by calling 131 555 or emailing: <a href="mailto:info@environment.nsw.gov.au">info@environment.nsw.gov.au</a>, providing any details of the Aboriginal object(s) and its location;</li> <li>Not recommence any work at the particular location unless authorised in writing by Heritage NSW;</li> <li>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.</li> </ol> <p>Wollongong City Council's Heritage Staff should also be notified by calling 4227 7111.</p> <p><u>Reason:</u> To satisfy the requirements of the legislation.</p>
<p><b>8. Stormwater Quality Management</b></p> <p>The stormwater treatment system must achieve pollutants and nutrients removal minimum: gross pollutants – 90%, total suspended solids – 85%, total phosphorus – 60% and total nitrogen</p>

<p>—</p> <p>It is the building manager's responsibility to maintain the stormwater treatment system.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan and to ensure stormwater runoff does not impact on the environment and surrounding amenity.</p>	45%.
<p><b>9. Tree Retention/Removal</b></p> <p>The developer shall retain the existing tree(s) indicated on Landscape Plan by Clouston Associates dated 08/11/2024 and the AIA by Lizzie the Arborist Dated 06.06.2024 V2 consisting of tree(s) numbered T15, T16, T17, T24, T25, T26, T27, T33, T34, T35, T45, T49, T50, T51, T52, T53, T54, T55, T56, T57, T58, T59, T60, T61, T62, T63, T64, T65, T66, T67, T68, T71 and T73.</p> <p>Any branch pruning, which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS 4373:2007.</p> <p>All tree protection measures are to be installed in accordance with Australian standard AS 4970:2009 Protection of Trees on development sites.</p> <p>All recommendations in the Arboricultural Impact Assessment by Lizzie the Arborist Dated 06.06.2024 V2 page nos 27-54 are to be implemented including and not restricted to: remedial tree pruning, dead wood removal, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required.</p> <p>This consent permits the removal of trees numbered T18-23, T28-32, T44, T37-44, T46-48, T69, T70, T72-78, and T80-109 as indicated on the Landscape Plan by Clouston Associates dated 08/11/2024 and the AIA by Lizzie the Arborist Dated 06.06.2024 V2. No other trees shall be removed without prior written approval of Council.</p> <p><u>Reason:</u> To protect the amenity of the environment and the neighbourhood.</p>	
<p><b>10. Street Tree Removal</b></p> <p>The developer shall remove existing the street tree(s) indicated on the Landscape Plan by Clouston Associates dated 08/11/2024 and the AIA by Lizzie the Arborist Dated 06.06.2024 V2 consisting of tree(s) numbered T1, T2, T3, T4, T5, T6, T7, T8, T9, T10, T11, T12, T13, and T14.</p> <p>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&amp;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&amp;S policies.</p> <p>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.</p> <p><u>Reason:</u> To ensure all parties are aware of the approved plans and supporting documentation.</p>	
<p><b>11. Disability Discrimination Act 1992</b></p> <p>This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.</p> <p>It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS 1428.1:2009: 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.</p> <p><u>Reason:</u> To satisfy the requirements of the legislation.</p>	
<p><b>12. Development Contributions</b></p>	

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 \$476,224.22 (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](http://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](http://www.wollongong.nsw.gov.au).

**Reason:**

To ensure the development contributes to the provision of local infrastructure, through the payment of development contributions.

### 13. Housing and Productivity Contribution

- a) The Housing and Productivity Contribution (HPC) set out in the table below, but as adjusted in accordance with condition b), is required to be made:

Housing and Productivity Contribution	Amount
Housing and Productivity Contribution (base component)	\$67,051.43
Transport Project Component	
Total Housing and Productivity Contribution	

- b) The amount payable at the time of payment is the amount shown in condition a), as the total Housing and Productivity Contribution adjusted by multiplying it by:

***highest PPI number***

***consent PPI number***

where:

*highest PPI number* is the highest PPI number for a quarter following the June quarter 2023 and up to and including the 2<sup>nd</sup> last quarter before the quarter in which the payment is made, and

*consent PPI number* is the PPI number last used to adjust HPC rates when consent was granted, and

*June quarter 2023* and *PPI* have the meanings given in clause 22 (4) of the *Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023*.

If the amount adjusted in accordance with this condition is less than the amount at the time consent is granted, the higher amount must be paid instead.

- c) The HPC must be paid before the issue first Construction Certificate in relation to the development, or before the commencement of any work authorised by this consent (if no Construction Certificate is required). However, if development is any of the kinds set out in

the table below, the total Housing and Productivity Contribution must be paid as set out in the table:

Development	Time by which HPC must be paid
Development consisting only of residential subdivision within the meaning of the HPC Order	Before the issue of the first Subdivision Certificate
High-density residential development within the meaning of the HPC Order for which no Construction Certificate is required	Before the issue of the first Strata Certificate
Development that consists only of residential Strata Subdivision (within the meaning of the HPC Order) or only of residential strata subdivision and a change of use of an existing building	Before the issue of the first Strata Certificate
Manufactured home estate for which no Construction Certificate is required	Before the installation of the first manufactured home

In the table, *HPC Order* means the *Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023*.

- d) The HPC must be paid using the NSW Planning Portal (<https://pp.planningportal.nsw.gov.au/>).
- e) If the Minister administering the *Environmental Planning and Assessment Act 1979* agrees, the HPC (apart from any transport project component) may be made, instead of as a monetary contribution, in the following ways:
- the dedication or provision of land for the purpose of regional infrastructure in the region in which the development will be carried out,
  - the carrying out of works for the purpose of regional infrastructure in the region in which the HPC development will be carried out.

If the HPC is made partly as a monetary contribution, the amount of the part payable is the amount of the part adjusted in accordance with condition b), at the time of payment.

- f) Despite condition a), the Housing and Productivity Contribution is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the *Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023* exempts the development from the contribution. The amount of the contribution may also be reduced under the order, including if payment is made before 1 July 2025.

Reason:

To satisfy the requirements of the legislation.

#### **14. Endeavour Energy**

The Endeavour Energy response dated 10 July 2024 shall form part of this notice of determination.

Reason:

To satisfy the requirements of legislation

## **BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

### **Conditions**

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**15. Provision of Hob or Dish Drain**

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The edge of the carpark and driveway must be provided with a kerb, hob or dish drain to prevent surface water flows from entering the adjoining property. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.

Reason:

To ensure compliance with Council Technical Specifications.

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**16. Water/Wastewater Entering Road Reserve**

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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.

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**17. Depth and Location of Services**

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The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.

Reason:

To ensure development does not impact services.

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**18. Certification for Landscape and Drainage**

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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.

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

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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.

## 20. 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.

## 21. 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 plan/s lodged for development approval by Greenview Consulting, including the plans listed below:

Drawing No.	Drawing Title	Revision	Date
C01	NOTES & LEGENDS	4	18.06.2024
C02	BASEMENT DRAINAGE PLAN 1	4	18.06.2024
C03	GROUND FLOOR DRAINAGE PLAN ZONE A	4	18.06.2024
C04	GROUND FLOOR DRAINAGE PLAN ZONE B	4	18.06.2024
C05	LEVEL 1 DRAINAGE PLAN ZONE A	3	18.06.2024
C06	LEVEL 1 DRAINAGE PLAN ZONE B	4	18.06.2024
C07	ROOF DRAINAGE PLAN	3	18.06.2024
C08	EXISTING SITE CATCHMENT PLAN	4	18.06.2024
C09	PROPOSED SITE CATCHMENT PLAN	4	18.06.2024

- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to the existing stormwater drainage system within the site.
- 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.
- e. The detailed drainage design shall ensure no increase in catchment area and/or peak stormwater discharge rates to any receiving public stormwater drainage system. Evidence that this requirement has been satisfied shall be submitted to the Principal Certifier prior to the release of a Construction Certificate. This evidence must include detailed pre and post development catchment plans, stormwater calculations, and certification from the design engineer.

Reason:

To comply with Council's Development Control Plan.

## **22. 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.
- 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/Subdivision Certificate:
  - 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-2024/502.
- iii. 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.

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**23. No Adverse Runoff Impacts on Adjoining Properties**

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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.

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**24. Building Code of Australia – Fire Safety Upgrade**

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The following information will be required to be detailed on the plans or supporting documentation to the Principal Certifier, prior to the issue of the Construction Certificate. This condition relates to fire safety upgrade considerations under Clause 64 of the Environmental Planning & Assessment Regulation 2021 and relates to the building. The upgrade work shall be carried out in accordance with the National Construction Code Series (BCA) 2022 Volume 1.

Any works requiring upgrade and identified in BCA Assessment Report prepared by Jensen Hughes dated 26 June 2024, details / plans / specifications of such works shall be included in the Construction Certificate documentation.

Reason:

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

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**25. Structures Adjacent to Driveway**

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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.

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**26. Car Parking and Access**

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The development shall make provision for a total of 358 car parking spaces (including 9 car parking spaces for people with disabilities), 17 motorcycle parking spaces, a minimum of 8 secure (Security Class B) staff bicycle spaces and a minimum of 8 visitor bicycle spaces (Security Class C). This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

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**27. Parking Dimensions**

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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.

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**28. Redundant Crossings**

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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.

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### **29. 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.

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### **30. 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.

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### **31. 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.

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### **32. Change in Driveway Paving**

A change in driveway paving is required at the entrance threshold within the property boundary to clearly show motorists they are crossing a pedestrian area. Between the property boundary and the kerb, the developer must construct the driveway pavement in accordance with the conditions, technical specifications and levels to be obtained from Council's Manager Works. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

Reason:

To ensure compliance with Council's Technical Specifications.

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### **33. Acoustic Attenuation**

The proposed alterations and additions must be designed and constructed in accordance with the recommendations and requirements of the Environmental Noise Assessment Proposed Alterations Dapto Leagues Club prepared by Harwood Acoustics Pty Ltd. 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 protect neighbourhood amenity.

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### **34. Demolition and Construction Noise and Vibration Management**

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Before the release of the Construction Certificate, a noise and vibration assessment to identify all sensitive receivers where the construction noise and vibration levels may exceed the NSW EPA Interim Construction Noise Guidelines (July 2009) (or as superseded) construction noise goals for that receiver must be undertaken. Parameters of the assessment are to consider:

- a. For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472 - Guide to Evaluation of 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 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 Construction Noise and Vibration Management Plan.

Reason:

To protect neighbourhood amenity.

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### **35. Construction Site Management Plan**

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Before the issue of a Construction Certificate, a construction site management plan must be prepared, and provided to and approved by the Principal Certifier. The plan must include the following matters:

- The location and materials for protective fencing and hoardings on the perimeter of the site
- Location of dedicated washdown areas (located away from drainage lines, stormwater drains and water bodies)
- 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, estimated frequency of truck movements and measures to ensure pedestrian safety near the site
- Details of bulk earthworks to be carried out
- Unexpected finds protocol
- The location of site storage areas and sheds
- The equipment used to carry out works
- The location of a garbage container with a tight-fitting lid
- Dust, noise and vibration control measures
- Details of chemical storage and management
- The location of temporary toilets
- The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with AS 4970 – Protection of trees on development sites, Council's Development Control Plan and the Arboricultural Impact Assessment and Tree Protection Plan prepared by Lizzie the Arborist dated 7 February 2024.

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

Reason:

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

### **36. Erosion and Sediment Control Plan**

Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents before it is provided to and approved by the Principal Certifier:

- Council's development control plan,
- the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction' (the Blue Book), and
- the 'Guidelines for Erosion and Sediment Control on Building Sites' (Department of Planning, Housing and Infrastructure) (dated 2024, as amended from time to time).

A copy of the erosion and sediment control plan must be kept on-site at all times during site works and construction.

Reason:

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

### **37. Waste Management Plan**

Before the issue of a Construction Certificate, a waste management plan for the development must be prepared and provided to the Principal Certifier.

The plan must be prepared in accordance with:

- the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and
- Chapter E7: Waste Management of Wollongong Development Control Plan 2009, and

include the following information:

- the name and contact details of who is responsible for the plan and management of the waste onsite
- the name and contact details of the person(s) removing waste
- a description of each different waste type and an estimate of the and quantity of each waste type expected to be produced
- how each waste type will be managed onsite and offsite, including whether the waste is expected to be reused, recycled or sent to landfill
- where any onsite management of waste will occur, such as for consolidation and collection
- how each waste type will be characterised and classified for waste management and transport
- where each waste type is intended to be transported for disposal or other fate
- how the quantity of each waste type will be measured and recorded
- how each waste movement will be tracked
- contingencies including to managing unexpected finds, such as asbestos.

A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.

Reason:

To ensure waste management practices are undertaken, resource recovery is promoted, and local amenity is protected during construction site works.

### **38. Crime Prevention Through Environmental Design (CPTED) - Landscaping**

In order to reduce the opportunities for "hiding places" the proposed landscaping must:

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

This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

### **39. 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 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.

### **40. 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.

### **41. Tree Protection and Management**

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:

- a. 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 Certifier prior to release of the Construction Certificate.
- b. Installation of Tree Protection Fencing - A one (1) metre high exclusion fence must be installed around the extremity of the dripline of the tree/trees to be retained prior to any site works commencing. The minimum acceptable standard is a 3 strand wire fence with star pickets at 1.8 metre centres. This fence must be maintained throughout the period of construction to prevent any access within the tree protection area. Details of tree protection and its locations must be indicated on the architectural and engineering plans to be submitted to the Principal Certifier prior to release of the Construction Certificate.
- c. Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75mm thick 100% recycled hardwood chip/leaf litter mulch.

- d. Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the Arborist's recommendations.

Reason:

To comply with Council's Development Control Plan.

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#### **42. Footpath Paving**

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The developer is responsible for the construction of footpath paving on Osbourne Street between the driveway into the Car park and the new Unit Paving. The type of paving for this development is a 1900mm wide, 100mm thick, reinforced, broom finished concrete. 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 be broom finished concrete to match the footpath and be designed to withstand predicted traffic loadings.

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

The footpath and driveway entry on the council property must be installed to the satisfaction of Wollongong City Council.

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 Policy.

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#### **43. Street Trees**

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street trees outside the business centre scope only. Trees within a turf verge along Station Street and Osbourne Street to the north of the footpath identified as Unit Pavers and Bann Bann Street frontage

The developer must address the street frontage by installing street tree planting. The number and species for this development are;

- Six Callistemon saligna 100 litre container size between the edge of Osbourne Street paved footpath entrance to Dapto Leagues Club and the Bann Bann St / Osbourne St corner. These species will not impact overhead services and underground services.
- Seven Waterhousia floribunda 100 litre container size. The species will provide similar shade to those suggested but do not impact council footpath and road assets as Lophostemon do.
- Six Callistemon saligna 100 litre container size between the edge of Station Street paved footpath entrance to Dapto Leagues Club and the Bann Bann St / Station Street corner. These species will not impact overhead services and underground services.

##### **Street Trees in Turf**

In accordance with AS 2303:2015: Tree stock for landscape use.

'Before You Dig Australia' 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 or underground services.

The verge must be prepared by excavating a trench of 1.2m x 3m for each street tree. each trench is to be excavated and the base and walls broken up to avoid glazing of the pit. Trench to be backfilled with imported topsoil for both 300mm depth of topsoil equal to Soilco Gold Blend and 450mm depth imported soil with no compost. Soils must be tamped down in layers of 150mm. Tree trench preparation to be inspected and process recorded by Arborist.

Brick edging is to consist of 110mm wide paver on 100mm deep by 150mm wide reinforced concrete footing.

Root control barrier to kerb side of trench 600mm deep and extended along three metres along footpath. Installation of root barrier to be inspected by Arborist who must make a photographic record of the installation of all street trees.

Tree pits must be adequately mulched, plants staked (2400 x 50 x 50mm – final height of stake max 1600mm above finish level) and edging installed to the satisfaction of Wollongong City Council.

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

Reason:

To comply with Council's Development Control Plan.

#### **44. 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.

#### **45. Footpath Paving in Commercial Village Centres**

The developer is responsible for the construction of footpath paving for the entire frontage of the development. In keeping with the surrounding commercial precinct and the Business Centres Public Domain Technical Manual the type of paving for this development is

- In regards to the public domain, the applicant is responsible for providing a full width paved footpath, extending from the building alignment to the back of kerb, and for the full frontage of the subject site. Footpath paving design to match frontage on the southern side of Werowi Street and Princes Hwy Dapto. Maximum cross-fall for the footpath is 2.5%. The landscape plans are to be amended to include the following public domain design features:
  - Footpath paving: Austral Bricks London paver (or approved equivalent); colour: Chestnut; Size: 230x114x65mm; Pattern: 90° herringbone. (or PGH Wirecut colour: 'Chestnut' ; size 230x115x65; pattern: 90° herringbone).
  - Footpath header course and feature banding: Urbanstone 'Spinifex' size: 600x400x60mm; finish: milled (or approved equivalent). Banding to be at approximately 8-10m centres.
  - Driveway: Austral Bricks London paver (or approved equivalent); colour: Chestnut; Size: 230x114x65mm; Pattern: 90° herringbone. Driveway detail to be designed by a suitably qualified engineer to withstand trafficable loads. (or PGH Wirecut colour: 'Chestnut' ; size 230x115x65; pattern: 90° herringbone).

Adjust service pits as required to achieve a level footpath with maximum 2.5% cross-fall.

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

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

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

The footpath and driveway entry on the council property must be installed to the satisfaction of Wollongong City Council.

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 Policy.

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#### **46. Street Trees Commercial Village Centres**

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Street trees in Unit Paved footpath to meet the business Centres Technical manual. Structural Tree vaults are to be used.

Where existing trees are impacting over head services, road assets and or where the works will likely require root damage to the existing trees to install council may require the trees to be removed. This site matches all three triggers.

The developer must address the street frontage by installing street tree planting. The number and species for this development are;

- a. Zero (0) trees along the Bong Bong Road frontage as High Voltage underground services are located in the area and the club awning will be impacted by the planting.
- b. Eight Callistemon saligna 100 litre container size between the corner of Bong Bong Street and Osbourne street to the end of the paved footpath on Station Street. These species will not impact new paving, overhead services and underground services.
- c. Eight Callistemon saligna 100 litre container size between the Bong Bong Road and Station Street Corner to the end of the paved footpath on Station Street. These species will not impact new paving, overhead services and underground services.

Street Trees installed in paved areas to meet the Business Centres technical Manual

In accordance with AS 2303:2018 Tree stock for landscape use. Street trees are to be installed in accordance with City Centre Public Domain Technical Manual. 'Before You Dig Australia' must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Street trees must be installed in soil vaults along with a tree anchor system equal to D Man anchor system by City Green.

Soil vault preparation and installation to be inspected by Arborist. Installation soil vault to be inspected by Arborist who must make a photographic record of the installation of all street trees.

Tree pits must be adequately mulched, plants staked, and tree grates and guards installed to the satisfaction of Wollongong City Council.

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

Modification of existing condition

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:

- i. The tree stock complies with AS 2203:2018 Tree Stock for Landscape Use.
- ii. The soil vaults for street tree pits have been constructed and the trees installed in accordance with manufacturers recommendations and arboricultural best practice.

Reason:

To comply with Council's Development Control Plan.

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#### **47. Station Street Northern Access to Be 'Left Out Exit Only'**

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The existing driveway at the northern end of Station Street near the existing Station Street/Baan Baan Street roundabout is to be 'exit only' (as per the existing arrangements) with signage reinforcing this restriction provided wholly within the curtilage of the site. The 'left only' signage must be clearly visible to all drivers. The location and design of the required signage is to be provided to the satisfaction of Wollongong City Council's Development Engineering Manager. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To manage road safety at the vehicle access.

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#### **48. Bong Bong Road Dapto – Detailed Civil Engineering Design – Council Land**

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Civil Engineer and Geotechnical reports may be required to correctly reinstall the Kerb and Gutter. Dev Eng need to be consulted to undertake this assessment and support the footpath renewal.

A detailed civil engineering design shall be provided for the proposed footpath, kerb, gutter, pram ramp 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 and shall include:

- a. Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway crown, street signs (clearly identifying the type of sign) and footpath levels - and shall extend a minimum of 5 metres beyond the limit of works.
- b. Footpath longitudinal sections, and cross-sections at 10 metre intervals as well as including building entrance points and transitions to existing at the property boundary demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards.
- c. 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 applicant 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 Policy. 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.

Evidence that the above requirements have been met must be detailed on the engineering drawings. 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](http://www.wollongong.nsw.gov.au). It is recommended that where the development also may include landscaping in the public domain or other works such as temporary anchors, that details and supporting information be included with the frontage works application.

Reason:

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

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#### **49. Landscaping**

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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 issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

#### **50. 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.

#### **51. Sydney Water Section 73 Compliance Certificate**

A Section 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](http://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.

#### **52. Floodlighting - Light Spillage/Glare Impact Mitigation Measures**

The proposed floodlighting system for the car parking area in the development shall be designed to ameliorate any potential light spillage and/or direct glare impacts upon surrounding properties. In this regard, a light spillage diagram is required to be submitted to the Principal Certifier, prior to the release of the Construction Certificate. This light spillage diagram shall confirm that appropriate measures have been incorporated in the design of the proposed floodlighting system, in order to guarantee that no adverse light spillage or direct glare impacts will occur upon any surrounding property.

Reason:

To protect neighbourhood amenity.

## **BEFORE BUILDING WORK COMMENCES**

### **Conditions**

#### **53. 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:

- a. 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".
- 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.

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#### **54. Appointment of Principal Certifier**

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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.

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#### **55. Demolition Works**

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The demolition works 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.

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#### **56. Demolition Management Plan**

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Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person and provided to the Principal Certifier.

The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work and Chapter E21: Demolition and Hazardous Building Materials Management of Wollongong Development Control Plan 2009 and must include the following matters:

- The proposed demolition methods

- The materials for and location of protective fencing and any hoardings to the perimeter of the site
- Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones
- Details of construction traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles
- The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with AS 4970 – Protection of trees on development sites, Council's Development Control Plan and the Arboricultural Impact Assessment and Tree Protection Plan prepared by Lizzie the Arborist dated 7 February 2024.
- Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways
- Dust, noise and vibration control measures
- Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines
- Details of any bulk earthworks to be carried out
- Details of re-use and disposal of demolition waste material
- Location of any reusable demolition waste materials to be stored on-site (pending future use)
- Location and type of temporary toilets onsite

A garbage container with a tight-fitting lid.

Reason:

To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site.

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

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Before any site work commences, the Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan which was provided to the Principal Certifier are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the erosion and sediment control plan.

Reason:

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

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**58. Notification to SafeWork NSW**

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The demolition licence holder who proposes demolition of a structure or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure that is at least six (6) metres in height, involving load shifting machinery on a suspended floor, or involving the use of explosives must notify SafeWork NSW in writing at least five (5) calendar days before the work commences.

Reason:

To ensure safety.

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

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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.

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**60. Consultation with SafeWork NSW - Prior to Asbestos Removal**

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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.

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**61. Contaminated Roof Dust**

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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.

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**62. Demolition Works**

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Demolition works must be carried out in accordance with the Demolition Management Plan provided to the Principal Certifier.

Reason:

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

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

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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.

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**64. Notification of Excavation Works or Use of High Noise Emission Appliances/Plant**

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The immediately adjoining neighbours of the site must be given a minimum of 48 hours notice, in writing, that excavation, shoring or underpinning works or use of high noise emission appliances/plant are about to commence. Contact details of the site supervisor are also to be provided.

Reason:

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

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**65. Sediment Control Measures**

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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.
<b>66. Supervising Arborist - Tree Inspection and Installation of Tree Protection Measures</b>
<p>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.</p> <p>Reason: To ensure all parties are aware of the approved plans and supporting documentation.</p>
<b>67. Certification from Arborist - Adequate Protection of Trees to be Retained</b>
<p>A qualified Arborist is required to be engaged for the supervision of all on-site excavation or land clearing works. The submission of appropriate certification from the appointed Arborist to the Principal Certifier is required which confirms that all trees and other vegetation to be retained are protected by fencing and other measures, prior to the commencement of any such excavation or land clearing works.</p> <p>Reason: To ensure all parties are aware of the approved plans and supporting documentation.</p>
<b>68. Tree Protection</b>
<p>Prior to commencement of any work on the site, including any demolition, all trees not approved for removal as part of this consent that may be subjected to impacts of this approved development must be protected in accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970:2009).</p> <p>Tree Protection Zones must be established prior to the commencement of any work associated with this approved development.</p> <p>No excavation, construction activity, grade changes, storage of materials stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within Tree Protection Zones.</p> <p>Reason: To ensure all parties are aware of the approved plans and supporting documentation.</p>
<b>69. Demolition Notification to Surrounding Residents</b>
<p>Demolition must not commence unless at least two (2) days written notice has been given to adjoining residents of the date on which demolition works will commence.</p> <p>Reason: To advise neighbourhood.</p>
<b>70. Structural Engineer's Details</b>
<p>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.</p> <p>Reason: To ensure structural integrity.</p>
<b>71. Enclosure of the Site</b>
<p>The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifier. No building work is to commence until the fence is erected.</p> <p>Reason: To ensure safety.</p>
<b>72. Temporary Sediment Fences</b>
<p>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</p>

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.

**73. 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.

## DURING BUILDING WORK

### Conditions

**74. Unexpected Archaeological Finds**

Should an unexpected find be identified during ground disturbing works, work should cease, and the area be cordoned off to prevent any further disturbance. The applicant should engage an archaeologist to assess the condition and significance of the find. Should the find be determined to be of heritage significance (local or State), the Heritage Council should be notified under s.146 of the NSW Heritage Act 1977. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

Works are not to recommence until advised in writing by Heritage NSW or Council's Heritage Staff.

Reason:

To satisfy the requirements of the legislation.

**75. Piping of Stormwater to Existing Stormwater Drainage System**

Stormwater for the land must be piped to the existing stormwater drainage system within the site.

Reason:

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

**76. 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.

**77. 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.

**78. Detailed Asbestos Contamination Assessment**

Following car park demolition works, a detailed assessment for asbestos contamination (as per National Environment Protection (Assessment of Site Contamination) Measure 2013) must be conducted in the vicinity of Bore 103 (as identified in the Report on Detailed Site Investigation (Contamination) Proposed Car Park Upgrade prepared by Douglas Partners dated 17 October 2024) to inform the extent and degree of asbestos impacted soils and provided to the Principal Certifier.

Reason:

To identify asbestos impacted soils and to ensure safety.

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**79. Asbestos Impacted Soils Management**

While site work is being carried out, appropriate asbestos impacted soils management strategies as informed by the detailed assessment for asbestos contamination must be implemented.

Reason:

To ensure asbestos impacted soils are managed safely, professionally and lawfully.

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

While site work is being carried out, the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times.

A copy of these plans must be 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.

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**81. New Information/Unexpected Finds**

In the event that site 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.

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**82. 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:

- a. 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.
- b. 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 a resource recovery 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.

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**83. Rock Breaking, Rock Hammering, Rock Sawing, Blasting, Sheet Piling, Pile Driving**

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The operation of high noise emission appliances, plant and/or machinery such as rock breaking, rock hammering, rock sawing, blasting, sheet piling, pile driving may only be carried out between the following hours:

9:00am to 12:00pm Monday to Friday;

2:00pm to 5:00pm Monday to Friday; and

9:00am to 1:00pm Saturday.

Any request to vary these hours shall be submitted to the **Council** in writing prior to works being undertaken and shall detail:

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

**Note:** Blasting for excavation works is only permitted where it has been identified within a submitted and approved Demolition, Construction, Noise and Vibration Management Plan and must be undertaken observing all the requirements of SafeWork NSW.

Reason:

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

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#### **84. Demolition and Construction Noise and Vibration Management**

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The findings, recommendations and management controls from the Construction Noise and Vibration Management Plan provided to the Principal Certifier must be adhered to in full for the duration of the works subject of the plan.

Where the duration or excavation methods of the demolition and excavation vary from those prescribed in the Demolition Construction Noise and Vibration Management Plan, Council may require an updated management plan be prepared to incorporate the changes in excavation methods and/or duration.

Once reviewed by Council, the updated Management Plan is to be adhered to at all times.

Where all such control measures have been implemented and the noise and/or vibration levels at any receiver still exceed the applicable noise levels as identified in the Demolition Construction and Vibration Management Plan (including updated plan) and are resulting in substantial complaints, the applicant must provide regular, appropriate and sustained periods of respite from such works as specified by Council's Development and Environment Compliance Team.

Reason:

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

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

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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.

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#### **86. Asbestos Waste Collection, Transportation and Disposal**

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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.

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**87. Lead Based Paint**

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

Reason:

To satisfy the requirements of the legislation.

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**88. PCB Containing Electrical Equipment**

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If any metal cased capacitors are found during demolition works that were previously identified or unidentified they must 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 and the NSW Environment Protection Authority's Polychlorinated Biphenyl (PCB) Chemical Control Order 1997.

Reason:

To ensure that the removal of PCBs is undertaken safely and professionally.

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**89. Synthetic Mineral Fibre Materials**

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All synthetic mineral fibre containing materials must be removed in accordance with SafeWork NSW requirements.

Reason:

To ensure that the removal of synthetic mineral fibre containing materials is undertaken safely and professionally.

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**90. Asbestos Clearance Certificate**

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An asbestos clearance certificate issued by a suitably qualified person must be submitted to the Principal Certifier within fourteen (14) days of completion of the demolition work.

Reason:

To satisfy the requirements of the legislation.

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**91. Stormwater Quality Treatment Measures**

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Stormwater quality treatment measures must be installed in accordance with the Civil Design drawings prepared by Greenview Consulting dated 8 November 2024.

Reason:

To protect the environment.

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**92. Provision of Waste Receptacle**

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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.

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

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<p>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.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
<p><b>94. Site Management</b></p> <p>Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:</p> <ul style="list-style-type: none"> <li>a. Does not spill onto the road pavement and</li> <li>b. is not placed in drainage lines or watercourses and cannot be washed into these areas.</li> </ul> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
<p><b>95. Spillage of Material</b></p> <p>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.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
<p><b>96. Control of Access to Prevent Tracking of Sediment</b></p> <p>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.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
<p><b>97. Drains Maintained Free of Sediment</b></p> <p>Drains, gutters, access ways and roadways must be maintained free of sediment and any other material.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
<p><b>98. Building Operations Not to Discharge Pollutants</b></p> <p>Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.</p> <p><u>Reason:</u> To ensure ongoing protection of the environment and neighbourhood amenity.</p>
<p><b>99. Dust Suppression Measures</b></p> <p>Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.</p> <p><u>Reason:</u> To ensure ongoing protection of the environment and neighbourhood amenity.</p>
<p><b>100. Sustainable Building Design Measures</b></p> <p>During construction, all recommendations of the Ecologically Sustainable Design (ESD) Report prepared by Efficient Living and dated 5 November 2024 and the Section J Assessment prepared by Partners Energy dated 11 March 2024 are to be implemented.</p>

Reason:

To comply with Council's Development Control Plan.

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**101. External Plant and Equipment**

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External plant and equipment such as air conditioners, compressors and other machinery likely to emit noise shall be located so adjoining areas are not adversely affected.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

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**102. Waste management**

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While building work 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 or removal of the waste, records of the disposal or other fate (such as re-use on site) must be compiled and provided to the Principal Certifier, detailing the following:

- The name and contact 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, classification and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill or other fate;
- The contact details and address of the disposal location or other offsite location(s) where the waste was taken;
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

**Note:** If waste has been removed from the site where the waste is under an Environment Protection Authority Resource Recovery Order or Exemption, records in relation to and required by that Order or Exemption must be maintained and provided to the Principal Certifier and Council.

Reason:

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

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

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The Developer/Applicant 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 ensure all parties are aware of the approved plans and supporting documentation.

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**104. Restricted Washing of Equipment or Disposal of Materials on any Tree Dripline Area**

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No washing of equipment and or the disposal of building materials such as cement slurry must occur within the drip line of any tree which has been nominated for retention of the site and adjacent property.

Reason:

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

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**105. Treatment of any Tree Damage by a Supervised Arborist**

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Any damage inflicted on a tree during the construction phase which has been nominated for retention shall be treated by an approved arborist at the developer's expense.

Reason:

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

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

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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.

#### **107. Restricted Hours of Construction Work**

The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifier and Council. No work is permitted on public holidays or Sundays.

Any request to vary these hours shall be submitted to the **Council** in writing prior to works being undertaken and shall detail:

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

**Note:** Other legislation, such as the Noise Guide for Local Government January 2023, may control the activities for which Council has granted consent, including but not limited to, the *Protection of the Environment Operations Act 1997*.

Reason:

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

## **BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

<b>Conditions</b>
<b>108. Floor Construction</b> <p>The floor must be finished to a smooth, even non-slip surface, graded and drained to the floor waste (AS 4674:2004 Section 3).</p> <p><u>Reason:</u> To comply with legislation and Australian Standards.</p>
<b>109. Floor Waste</b> <p>The floor waste(s) must be fitted with a basket trap and grate and constructed in all stainless steel finish (AS 4674:2004 Section 4.1.8).</p> <p><u>Reason:</u> To comply with legislation and Australian Standards.</p>
<b>110. Coving</b> <p>Recessed coving must be provided at all intersections of the floor with the walls. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface. "Feather edge skirting" and non-rebated coving are not permitted (AS 4674:2004 Section 3.1.5).</p> <p><u>Reason:</u> To comply with legislation and Australian Standards.</p>

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**111. Tap Fittings**

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Where floor wastes are installed as a means of disposing of wastewater, hot and cold wall mounted taps fitted with hose connectors and positioned at least 600mm above the floor must be installed in a convenient and accessible location outside of areas where open food is handled (AS 4674:2004 Section 4.1.8).

Reason:

To comply with legislation and Australian Standards.

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**112. Penetrations**

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All service pipes and electrical conduit must be contained in the floor, walls and plinths or ceiling or fixed on brackets so as to provide at least 25mm clearance between the pipe or conduit and adjacent vertical surfaces and 100mm between the pipe or conduit and any adjacent horizontal surface (AS 4674:2004 Section 3.2.9).

Reason:

To comply with legislation and Australian Standards.

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**113. Wall Requirements**

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All walls must be of solid construction and be finished to provide a smooth impervious surface capable of being easily and effectively cleaned, in accordance with Table 3.2 of AS 4674:2004. Cavity walls are not permitted (AS 4674:2004 Section 3.2).

Reason:

To comply with legislation and Australian Standards.

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**114. Ceiling Construction**

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All ceilings must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light-coloured, washable paint. The intersection of the walls and ceiling must be tight-joined, sealed and dustproof. Drop-in panel ceilings are not permitted (AS 4674:2004 Section 3.2).

Reason:

To comply with legislation and Australian Standards.

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**115. Hand Basin(s) and Hand Towels**

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A suitable number of hand basins must be provided in accessible and convenient locations within all food handling areas and in or adjacent to toilet facilities used by food handlers. Hand basins must be freestanding and serviced with hot and cold water which can be mixed at a temperature of at least 40°C through a single outlet (AS 4674:2004 Section 4.4).

Hand basins within food handling areas must be located no further than five (5) metres from any place where food handlers are handling open food.

Soap and single-use towels from a wall-mounted dispenser must be provided adjacent to each hand basin. Air dryers installed as the sole means of drying hands are not permitted (AS 4674:2004 Section 4.4).

Reason:

To comply with legislation and Australian Standards.

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**116. Equipment for Cleaning and Sanitising**

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Adequate facilities must be provided for cleaning and sanitising food handling equipment and utensils in accordance with Table 4.1 of AS 4674:2004. As a minimum, a double bowl wash sink of adequate size and capacity must be provided for washing food handling equipment and utensils. All sinks must be serviced with hot and cold water through a single outlet (AS 4674:2004 Section 4.1).

Reason:

To comply with legislation and Australian Standards.

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**117. Fittings**

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All fixtures, fittings and equipment must be installed in accordance with Section 4 of AS 4674:2004 and be finished in a smooth, non-absorbent material, and be free of cracks, gaps, crevices or exposed joints (AS 4674:2004 Section 4).

Reason:

To comply with legislation and Australian Standards.

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**118. False Bottoms**

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False bottoms and cavities under fittings are not permitted (AS 4674:2004 Section 4.2 and 4.3).

Reason:

To comply with legislation and Australian Standards.

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**119. Display Units**

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All food display units must be enclosed to prevent the possibility of contamination by customer's breath, physical contact, flies, dust, etc (AS 4674:2004 Section 4.2).

Reason:

To comply with legislation and Australian Standards.

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**120. Condensation Collection/Overflow**

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Condensation from cool rooms, refrigeration units, overflow from coffee machines and the like must be directed to the sewer via a tundish installed in accordance with Sydney Water requirements.

Reason:

To comply with legislation and Australian Standards.

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**121. Mechanical Exhaust**

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Mechanical exhaust ventilation must be provided to the cooking appliances and be installed in accordance with AS 1668.2:2012: The Use of Ventilation and Air-conditioning in Buildings, Part 2: Ventilation Design for Indoor Air Contaminant Control (AS 4674:2004 Section 2.5, AS 1668.2:2012).

Reason:

To comply with legislation and Australian Standards.

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**122. Hot Water Service**

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A hot water service of adequate capacity must be provided. The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted a minimum 150mm above floor level on a stand of non-corrosive metal construction (AS 4674:2004 Section 4.3).

Reason:

To comply with legislation and Australian Standards.

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**123. Storerooms**

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Storerooms must be constructed in accordance with Section 3.2 of AS 4674:2004. Shelving or storage racks must be impervious and constructed to enable easy cleaning.

Reason:

To comply with legislation and Australian Standards.

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**124. Insect Protection**

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Tight-fitting, washable insect screens or other approved means of excluding insects must be provided to all window and door openings (AS 4674:2004 Section 2.1.5).

Reason:

To comply with legislation and Australian Standards.

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**125. Storage Facilities**

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Sufficient facilities must be provided for the storage of cleaning materials, office materials, employees' clothing and personal belongings (AS 4674:2004 Section 5.1).

Reason:

To comply with legislation and Australian Standards.

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**126. Waste Storage**

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Adequate storage facilities must be provided for garbage containers, containers for recyclable materials and compacters in an external area or in a room specifically for that purpose (AS 4674:2004 Section 2.4).

Reason:

To comply with legislation and Australian Standards.

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**127. Registration**

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The food business is required to be registered with Council prior to business operations commencing. The notification process can be completed online at Online Services | Wollongong City Council ([nsw.gov.au](http://nsw.gov.au)). Once you are logged in, select Lodge an Application, and then Operate a Food Business.

Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a registration form.

Reason:

To satisfy the requirements of the legislation.

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**128. Installation of Fittings and Fixtures**

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All fittings and fixtures must be built into the wall and floor so to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following:

- a. Plinths - Plinths must be an integral part of the floor, constructed of solid materials, at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth.
- b. Wheels or Castors - The wheels and castors must be capable of supporting and easily moving a full loaded fitting and be provided with a restraining device.
- c. Legs - Fittings and fixtures may be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and cervices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

Reason:

To satisfy the requirements of the legislation.

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**129. Cool Rooms and Freezer Rooms**

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The cool room(s) and/or freezer room(s) must be constructed in accordance with Clause G1.2 of the NCC Building Code of Australia.

Reason:

To satisfy the requirements of the legislation.

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**130. Drainage Certification and WAE**

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

- a. 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.

- b. 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.
- c. 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.

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

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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.

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**132. Retaining Wall Certification**

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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.

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

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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 (DA-2024/502).

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.

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**134. On-Site Detention - Structural Certification**

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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.

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**135. Fire Safety Upgrade**

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Upgrade works and recommendations identified in BCA Assessment Report prepared by Jensen Hughes dated 26 June 2024, must be complete to the satisfaction of the Registered Certifier.

Reason:

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

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**136. Removal of waste upon completion**

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Before the issue of an Occupation Certificate:

- a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and
- b. written evidence of the waste removal must be provided to the satisfaction of the Principal Certifier.
- c. Any chemical waste generated throughout construction must be disposed of to an approved waste management facility or otherwise lawfully managed.

Reason:

To ensure waste material is appropriately disposed or satisfactorily stored.

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**137. Sustainable Building Design Measures**

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Before the issue of an Occupation Certificate, documentation from a suitably qualified person to confirm the recommendations of the Ecologically Sustainable Design (ESD) Report prepared by Efficient Living dated 5 November 2024 and the Section J Assessment prepared by Partners Energy dated 11 March 2024 were implemented during construction must be submitted to the satisfaction of the Principal Certifier.

Reason:

To confirm recommended sustainable building design measures were implemented during construction.

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**138. Completion of Landscape Works on Council Owned or Controlled Land**

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

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**139. Arborist Verification – Street Tree Installation**

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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 comply with the Australian Standards.

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**140. Fire Safety Certificate**

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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.

## OCCUPATION AND ONGOING USE

Conditions
<p><b>141. Noise from the Operation of the Club</b></p> <p>Noise from the operation of club must be managed to meet the recommendations of section 6.2 Operational Noise Management Plan of the Environmental Noise Assessment prepared by Harwood Acoustics Pty Ltd dated 7 November 2024 and Office of Liquor and Gaming NSW noise conditions.</p> <p><u>Reason:</u> To protect neighbourhood amenity.</p>
<p><b>142. Offensive Odours</b></p> <p>The operator must not cause or permit the emission of offensive odours from the premises.</p> <p><u>Reason:</u> To ensure protection of the environment and neighbourhood amenity.</p>
<p><b>143. Street Tree Establishment Period - City Centre/Commercial Village Centre</b></p> <p>The Developer must comply with the terms of an approved landscape maintenance program for a minimum period of 18 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.</p> <p>The program must include the following elements: watering, weeding, litter removal, mulching, fertilising, tree guard and grate maintenance, and pest and disease control.</p> <p>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.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
<p><b>144. Loading/Unloading Operations/Activities</b></p> <p>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.</p> <p><u>Reason:</u> To comply with legislation and Australian Standards.</p>
<p><b>145. Plan of Management</b></p> <p>The recommendations of the plan of management by Dapto Leagues Club / Wormald dated February 2022 must be implemented during the operation of the club throughout the life of the development.</p>

Reason:

To ensure practical operation of the club.

**Development Application and Planning Proposal Review  
NSW Planning Portal Concurrence and Referral**



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Wollongong City Council	DA-2024/502	CNR-70885	Braiden Buttigieg	9/07/2024	30/07/2024	10/07/2024

Address	Land Title
18 BONG BONG ROAD DAPTO 2530	Lot 1 DP 1277336

**Scope of Development Application or Planning Proposal**

Demolition of the Western side of the existing Club. Extension to the existing ground level of the Club to provide a new food and beverage venue with associated external spaces. Internal renovation to parts of the existing ground floor, and new alfresco area to the café. An additional level of parking above the current on-grade parking facility.

**Endeavour Energy's G/Net master facility model indicates:**

Within or adjacent to the site the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
<b>Overhead Power Lines</b>				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Transmission voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Pole / tower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Underground Cables</b>				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Streetlight / pillar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Substation</b>				
<input type="checkbox"/> Pole mounted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Padmount	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Indoor / Cottage	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other:</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c. and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

\*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

\*\* Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

\*\*\*Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by ☒ .

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Look up and Live	Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
<input type="checkbox"/>	<input type="checkbox"/>	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.

Condition	Advice	Clause No.	Issue	Detail
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
<input type="checkbox"/>	<input type="checkbox"/>	28	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
<input type="checkbox"/>	<input type="checkbox"/>	30	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input type="checkbox"/>	32	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	34	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
<b>Decision</b>				Approve (with conditions)

#### Environmental Services Team

P 133 718  
E Property.Development@endeavourenergy.com.au

Level 40-42, 8 Parramatta Square, 10 Darcy Street  
Parramatta NSW 2150.

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

[endeavourenergy.com.au](http://endeavourenergy.com.au) |    



**Endeavour  
Energy**

**POWER  
together**



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past and present.

#### Reason(s) for Conditions or Objection (If applicable)

- Electricity distribution infrastructure on the site which is not held under easement are regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW) and may be managed as if an easement is in place.

Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure', Table 1 'Minimum easement widths' provided the minimum required easement for various types of electricity distribution infrastructure.

Low voltage up to 22 kV high voltage underground cable requires a minimum easement width of 3 metres (assumed to have no concrete protection unless proven otherwise) for ie. 1.5 metres to both sides of the centre line of the conductor / cable ducts.

The below copy of Reference Plan RP 5196 shows the proposed easement over part of the low voltage and 11 kV high voltage underground cables going to cottage substation no. 41627.

- The Statement of Environmental Effects indicates the existing substation is proposed to be removed as shown in the following extract of the Existing Demolition Ground Floor Plan – Zone A.



- All encroachments, activities and / or works (including subdivision and even if not part of the Development Application) whether temporary or permanent within or affecting an easement, restriction, right of access or protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project) need to be referred to Endeavour Energy's Easements Officers for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities.

For further information please refer to the attached copies of Endeavour Energy's:

- General Restrictions for Underground Cables.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.
- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- Any required padmount substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling not located within a public road / reserve) with an appropriate form of property tenure as detailed in the attached copy of Endeavour Energy's 'Land Interest Guidelines for Network Connection'.

Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc. If the substation does not comply with Endeavour Energy's standards, the applicant must request a dispensation.

For further information please also refer to the attached copies of Endeavour Energy's:

- o Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- o Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.

The below copy of the Site Plan shows provision of a padmount substation to the Osborne Street road frontage.

- Endeavour Energy's network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- The electricity distribution network relies in part on the retention of appropriate building setbacks to the road frontages to allow for line route / network design options and to provide safety clearances to conductors. Particular regard needs to be had to secondary road frontages or where overhead power lines are located near side or rear boundaries where lesser building setbacks apply. The higher the voltage, the greater the safety clearance required. This is also in keeping with a policy of prudent avoidance.

The encroachment of building setbacks (including by roof structures or projections from external walls constructed with conductive materials) may transfer fault currents to the main building / dwelling. It can also result in construction works being required within the minimum safe approach distance and may require the application to Endeavour Energy for appropriate network outages eg. when erecting and dismantling scaffold, and may also be an issue for the ongoing maintenance of the building or structure.

Endeavour Energy's recommendation is that whenever reasonably possible buildings and structures be located and designed to avoid the need to work within the safe approach distances for ordinary persons eg. not having parts of the building normally accessible to persons in close proximity of the overhead power lines; the use of durable / low maintenance finishes. Alternatively, in some instances the adoption of an underground solution may be warranted ie. particularly for low voltage which can be more readily (in shorter distances) and comparatively economically be undergrounded.

As a guide, Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Table 1 – 'Minimum easement widths', requires a minimum easement width of 9 metres for low voltage up to 22,000 volt / 22 kilovolt (kV) high voltage overhead power lines ie. 4.5 metres to both sides of the centreline of the poles / conductors. For higher voltages, the wider the required minimum easement width.

The safety clearances to both the existing and proposed buildings will need to be checked for compliance with current codes, standards etc. eg. there are 33 kV overhead transmission lines to the Osborne Street road frontage to which there is a zero building setback. To resolve any matters related to the safety clearances the applicant will need to make direct contact with Endeavour Energy's Field Operations Branch (who do not have access to the NSW Planning Portal) via the contact details provided below.

- The minimum required safety clearances and controls for buildings and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building or structure, consideration must be given to WorkCover (now SafeWork NSW) 'Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV). It also includes the following requirements for work near low voltage overhead power / service lines.

TABLE 4

Approach distances for work near low voltage overhead service lines

Ordinary Persons (m)				
Hand held tools	Operation of crane or mobile plant	Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc)	Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc)	Driving or operating vehicle
0.5	3.0	4.0	1.5	0.6

- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

No planting of trees is allowed in the easement for a padmount substation. Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

#### **Endeavour Energy's G/Net master facility model.**

The advice provided regarding the extent of the electricity infrastructure on or near the site is based on a desk top review of Endeavour Energy's G/Net master facility model. This is a computer based geographic information system which holds the data on and is used to map the electricity network. The location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. It only shows the Endeavour Energy electricity network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property.

#### **Easement (or other form of property tenure).**

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

#### **Condition or Advice**

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement and will be generally indicated as 'Condition'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution and in regard to any other underground utilities.

Not all of the matters may be directly or immediately relevant or significant to the Development Application or Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur. Even if a matter is not indicated a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

#### **Decision**

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked as for 'Advice', the outcome of the assessment will also be 'Advice'.

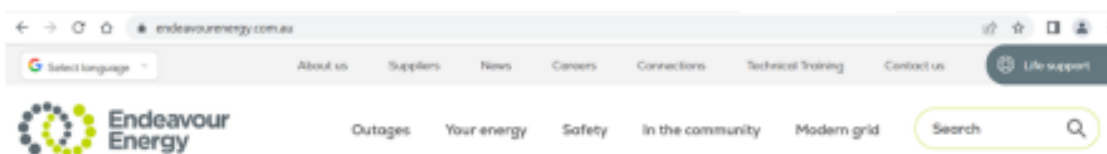
#### **Objection**

Endeavour Energy may object to a Development Application if the conditions may substantially impact the proposed development or regarded as a significant risk to the electricity distribution network. Although Council may be able to appropriately condition these matters, Endeavour Energy's recommendation is to address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.

### Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



To resolve any objection or to seek further advice the following are the main contacts and can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Services Team are able to provide general advice, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s.

Branch / Section	Matters	Email
Customer Network Solutions	Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP).	<a href="mailto:CWAdmin@endeavourenergy.com.au">CWAdmin@endeavourenergy.com.au</a>
Easements Officers	Easement management or protected works / assets.	<a href="mailto:Easements@endeavourenergy.com.au">Easements@endeavourenergy.com.au</a>
Property	Property tenure eg. the creation or release of easements.	<a href="mailto:network_property@endeavourenergy.com.au">network_property@endeavourenergy.com.au</a>
Field Operations (to the relevant Field Service Centre).	Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).	<a href="mailto:Construction.Works@endeavourenergy.com.au">Construction.Works@endeavourenergy.com.au</a>

Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.

### Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

Details of the ASP Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

### Duty of Care

All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance.
- 4) **DO NOT** attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

