

# Wollongong Local Planning Panel Assessment Report | 20 December 2021

<b>WLPP No.</b>	<b>Addendum Report to WLPP Item 3 - 16 November 2020</b>
<b>DA No.</b>	DA-2021/321
<b>Proposal</b>	Mixed Use Development comprising retail shops, gymnasium, childcare centre, basement parking and six (6) awning signs
<b>Property</b>	429-431 Princes Highway, WOONONA NSW 2517
<b>Applicant</b>	Mr Michael Trinh
<b>Responsible Team</b>	Development Assessment & Certification – City Wide Planning Team (RT)

## ADDENDUM REPORT

This report should be read in conjunction with the Council Assessing Officer's report as presented to the Wollongong Local Planning Panel on the 16 November 2021 at **Attachment 4**.

### 1 BACKGROUND AND EXECUTIVE SUMMARY

#### Reason for consideration by Wollongong Local Planning Panel (WLPP)

The proposal has been referred to the WLPP for **determination** pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction, as the application is the subject of 10 or more unique submissions by way of objection.

#### Background

This matter was reported to the WLPP meeting on 16 November 2021. A copy of the Panel's recommendation is included at **Attachment 1**. The Panel determined to defer the development application until receipt of amended plans addressing the issues raised by the Panel as follows:

*"The Panel discussed this with the applicant's representatives and the applicant agreed that amended plans would be provided to clarify these issues.*

- a. The Panel would prefer an increase to the height of the brick parapet wall to 1.4 metres to address the issue of acoustic attenuation. Details of this are to be provided in amended plans and elevations.*
- b. An updated landscape plan to be provided to reduce any conflict and ability to climb from the proposed planters by children using the open space. No child should be able to climb from the landscape planters and gain access to the perimeter wall.*
- c. The proposed parking spaces are to be specifically allocated to each use and the child care spaces to be marked staff/parent as appropriate.*
- d. Signage shall be included on plans which indicates that outside of the hours of operation of the child-care centre, the parking spaces may be used by the gym members and other users of the centre."*

#### Proposal

The proposal seeks consent for the construction of a mixed use development consisting of the following:

- Basement parking
- Retail premises (Food and Drink premises) and Neighbourhood shop;
- Gymnasium;
- Childcare centre; and
- Six (6) awning signs.

## Permissibility

The subject site is zoned SP3 Tourist pursuant to Wollongong Local Environmental Plan (WLEP) 2009. Food and Drink Premises, Neighbourhood Shops, indoor recreation facilities (gymnasiums), childcare centres and advertising structures (awning signs) are permissible with consent in the SP3 zone.

## Planning Controls

The following planning controls apply to the proposal:

### State Environmental Planning Policies:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy – (Infrastructure) 2007
- State Environmental Planning Policy No. 64 – Advertising and Signage

### Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

### Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

### Other policies

- Wollongong City Wide Development Contributions Plan 2020
- Wollongong Community Participation Plan 2019

An assessment of the planning controls relevant to the proposal are provided in the Council Assessing Officer's report as presented to the Wollongong Local Planning Panel on the 16 November 2021 at **Attachment 4**.

## Consultation

It was considered that the additional information received did not require re-exhibition.

## RECOMMENDATION

DA-2021/321 be approved subject to the conditions provided in **Attachment 3**.

## **2 APPLICANTS RESPONSE TO THE WLPP RECOMMENDATIONS**

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The applicant has provided amended plans and additional information in response to the concerns raised by the Panel including:

- Amended Architectural Plans;
- Amended Landscape Plan;

The amended plans are provided at **Attachments 2**.

## **3 COUNCIL'S ASSESSING OFFICER'S COMMENTS**

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Council's Assessing Officer has reviewed the Panel's recommendations from the 16 November 2021 WLPP meeting and the Applicant's response to the issues raised and provides the following comments.

- a. The Panel would prefer an increase to the height of the brick parapet wall to 1.4 metres to address the issue of acoustic attenuation. Details of this are to be provided in amended plans and elevations.***

Amended Elevations and 3D Perspective have been submitted as at **Attachment 2** detailing an increase in the height of the brick parapet to 1.4m in accordance with the recommendations of the acoustic report.

It is considered that the applicant has addressed the Panels concerns in relation to Item a.

***b. An updated landscape plan to be provided to reduce any conflict and ability to climb from the proposed planters by children using the open space. No child should be able to climb from the landscape planters and gain access to the perimeter wall.***

An amended Landscape Plan has been submitted as at **Attachment 2** with proposed planters moved away from the wall reducing climb zones near the walls.

It is considered that the applicant has addressed the Panels concerns in relation to Item b.

***c. The proposed parking spaces are to be specifically allocated to each use and the child care spaces to be marked staff/parent as appropriate.***

An amended Lower Basement, Basement and Ground Floor Plans have been submitted as at **Attachment 2** that now detail the allocation of parking spaces to each specific use and child care spaces are marked for staff/parents as appropriate.

It is considered that the applicant has addressed the Panels concerns in relation to Item c.

***d. Signage shall be included on plans which indicates that outside of the hours of operation of the child-care centre, the parking spaces may be used by the gym members and other users of the centre.***

The Lower Basement and Basement Plans as at **Attachment 2** have been amended detailing signage for the child care centre parent parking and the hours for which the parking spaces are required for child care centre parent parking.

It is considered that the applicant has addressed the Panels concerns in relation to Item d.

## **CONSULTATION**

### **INTERNAL CONSULTATION**

Details of the proposal considered by the Panel at the meeting 16 November 2021 were referred to Council's Development Engineering, Landscape and Building Officers for assessment. Satisfactory referral advice, comments and/or recommended conditions were provided in each instance.

It was considered that the additional information received to address matters raised by the Panel did not require re-referral to the above referral groups.

Details, however, of the amended plans were referred to Council's Architect for review to address the Panels concerns regarding the visual impact of raising the parapet to 1.4m to satisfy the requirements of the Acoustic report. Advice received is that the visual impact of the proposed development on the streetscape is considered satisfactory.

### **AMENDED CONDITIONS**

The following conditions from the report to WLPP of 16 November 2021 will need to be revised as a result of the amended proposal:

- Condition 1 'Approved Plans and Documents'
- Condition 27 'Car Parking and Access'

The following conditions from the report to WLPP of 16 November 2021 have been added:

5        **Use of Gymnasium and Swimming Pool**

This consent does not grant approval for the use of the gymnasium and swimming pool as separate uses/businesses. The use of the gymnasium is to be as a combined i.e one business.

117      **Child-care centre numbers**

The Child Care centre is restricted to a maximum number of 90 children which are permitted to be at the centre at any one time.

119      **Child Care Management Plan**

The recommendations of child care plan of operation management plan must be implemented during the operation of child care.

128      **Loading Bay/Service Bay**

This Loading Bay/Service Bay is to be dedicated for loading and unloading at all times and for waste removal. No parking in this space shall occur. A sign shall clearly mark this space and its use.

130      **Activities and Storage of Goods Outside Buildings**

There will be no activities including storing or depositing of any goods or maintenance to any machinery external to the building with the exception of waste receptacles.

131      **Waste facilities**

Work Health and Safety issues such as slippery floors in waste rooms and the weight of the waste and recycling receptacles will need to be monitored. Cleaners must monitor the bin storage area and all spills need to be attended to immediately by cleaners.

133      **Maintenance of Landscaping**

All trees and plants forming part of the approved landscaping in must be maintained in perpetuity. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.

### **3        CONCLUSION**

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At the WLPP meeting of 16 November 2021, the Panel determined to defer the development application to allow the applicant an opportunity to address a number of concerns as described in Section 1 of this report.

Responding to the recommendations of the WLPP the applicant has provided amended plans. Council's Assessing Officer is of the view that the amended proposal has satisfactorily addressed the concerns previously raised.

Food and drink premises, Neighbourhood Shops, Indoor Recreation Facilities and Centre based child care centres are permitted in the SP3 land use zone with development consent pursuant to the WLEP 2009.

The development is consistent with most of the applicable provisions of the relevant planning instruments including Wollongong LEP 2009 with the exception of the height of buildings development standard departure which has been discussed in the body of this report and is considered capable of support as discussed within section 2.1.5 of the original Council Assessing Officer's WLPP Report as at **Attachment 4**.

The development is considered appropriate with regard to the controls outlined in the Wollongong DCP 2009.

All internal referrals are satisfactory and there are no outstanding issues.

It is considered that the proposed development is unlikely to result in adverse impacts on the character or amenity of the surrounding area, environment and adjoining development.

#### **4 RECOMMENDATION**

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DA-2021/321 be approved pursuant to Section 4.16(1) of the Environmental Planning & Assessment Act 1979 subject to the conditions provided at **Attachment 3**.

#### **5 ATTACHMENTS**

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- 1 WLPP Recommendation from 16 November 2021
- 2 Amended Architectural Plans and Landscape Plans
- 3 Revised Conditions
- 4 Original Council Assessing Officer's WLPP Report and Conditions as presented to WLPP meeting on 16 November 2021

[Click on red line above for link to WLPP Report of 16 November 2021](#)

# ATTACHMENT 1 - WLPP Recommendations from 16 November 2021

## DETERMINATION AND STATEMENT OF REASONS

### WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	16 November 2021
PANEL MEMBERS	Sue Francis (Chair), Scott Lee, Larissa Ozog, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 16 November 2021 opened at 5:00pm and closed at 5:30pm.

#### MATTER DETERMINED

DA-2021/321 – Lot 1 DP 830398, 429-431 Princes Highway, Woonona (as described in detail in schedule 1).

#### PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant's representatives.

#### PANEL CONSIDERATION AND DECISION

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

The Panel determined to defer the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous

#### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel was generally supportive of the proposal, the proposed uses and the architectural treatment and resolution for this site.
- However, the Panel was concerned with the lack of detail provided in relation to the acoustic and safety barriers that are required on the roof top outdoor play areas to the child-care centre and the proposed landscaping shown on the landscaping plans.
- There was no detail as to how the acoustic barrier of 1.4 metres in height would work with the proposed planters which abut the parapet wall and are 600mm high.
- The Panel discussed this with the applicant's representatives and the applicant agreed that amended plans would be provided to clarify these issues.
  - a The Panel would prefer an increase to the height of the brick parapet wall to 1.4 metres to address the issue of acoustic attenuation. Details of this are to be provided in amended plans and elevations.
  - b An updated landscape plan to be provided to reduce any conflict and ability to climb from the proposed planters by children using the open space. No child should be able to climb from the landscape planters and gain access to the perimeter wall.
  - c The proposed parking spaces are to be specifically allocated to each use and the child care spaces to be marked staff/parent as appropriate.
  - d Signage shall be included on plans which indicates that outside of the hours of operation of the child-care centre, the parking spaces may be used by the gym members and other users of the centre.
- Accordingly, the Panel determined to defer determination of the matter until receipt of amended plans addressing the above. Following which, the Panel will consider the matter electronically unless otherwise determined by the Chair.

PANEL MEMBERS



Sue Francis  
(Chair)



Scott Lee



Larissa Ozog

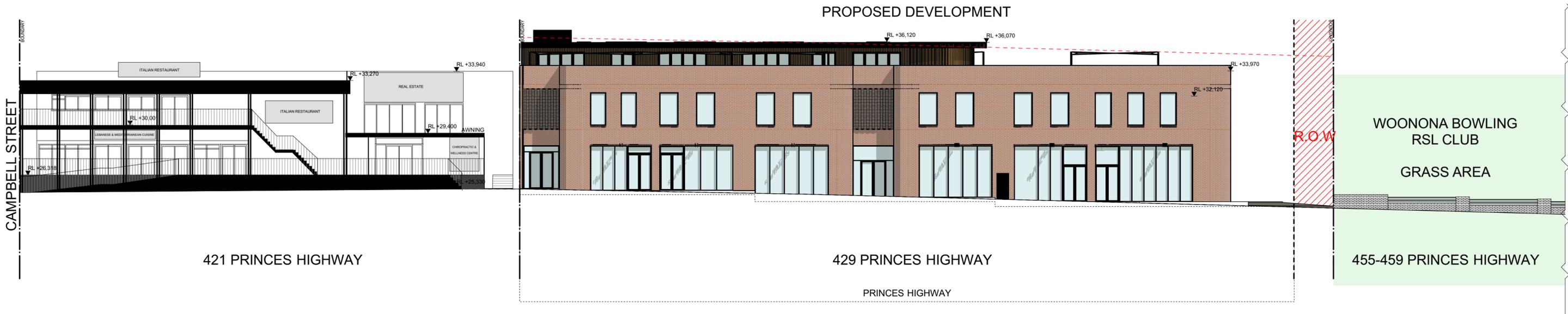


Bernard Hibbard  
(Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/321
2	PROPOSED DEVELOPMENT	Mixed Use Development comprising retail shops, gymnasium, childcare centre, basement parking and six (6) awning signs
3	STREET ADDRESS	429-431 Princes Highway, WOONONA
4	APPLICANT	Mr Michael Trinh
5	REASON FOR REFERRAL	The proposal has been referred to the WLPP for determination pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction, as the application is the subject of 10 or more unique submissions by way of objection
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>· Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No 64—Advertising and Signage</li> <li>○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>○ Wollongong Local Environment Plan 2009</li> </ul> </li> <li>· Wollongong City Wide Development Contributions Plan</li> <li>· Development control plans: <ul style="list-style-type: none"> <li>○ Wollongong Development Control Plan 2009</li> </ul> </li> <li>· The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>· The suitability of the site for the development</li> <li>· Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>· The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>· Council assessment report dated 16 November 2021</li> <li>· Written submissions during public exhibition: 23</li> <li>· Verbal submissions at the public meeting: Nil</li> </ul>
8	SITE INSPECTIONS BY THE PANEL	Virtual site inspection 16 November 2021. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Sue Francis (Chair), Scott Lee, Larissa Ozog, Bernard Hibbard (Community Representative)</li> <li>○ <u>Council assessment staff</u>: Rodney Thew, John Wood</li> </ul>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report







429 PRINCES HIGHWAY, WOONONA

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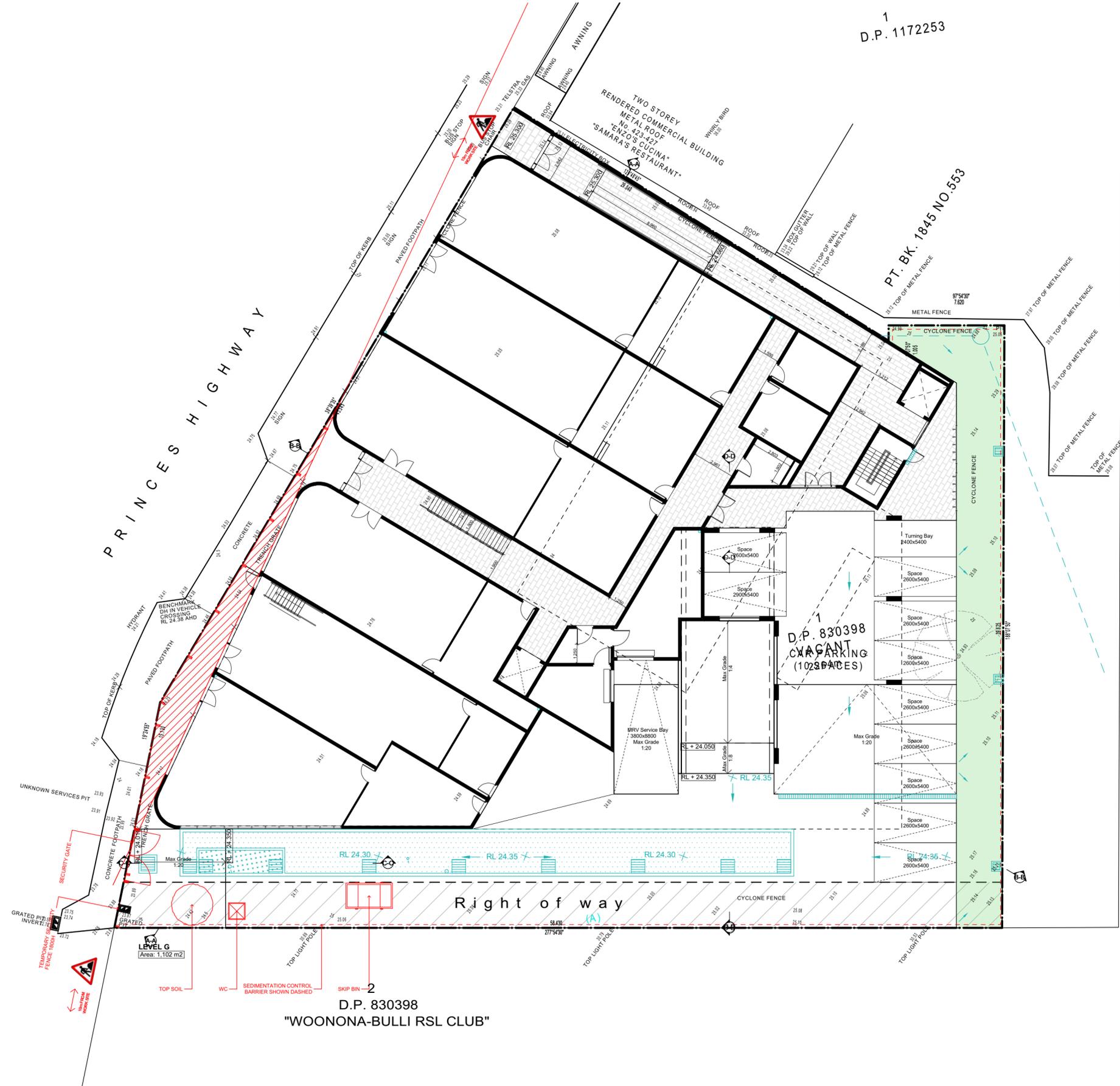
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**NOTES:**

DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>STREETSCAPE</b>	Council Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
Client: Danny S Jacobs & Vito Penimpede	Paper/Scale: A2/1:1000, 1:500, 1:100	Date: 2/12/2021
	Job #: <b>28798</b>	Dwg #: <b>0003</b>

1  
D.P. 1172253



D.P. 830398  
"WOONONA-BULLI RSL CLUB"

**LEGEND**

- District Views
- Noise Source
- Prevailing Warm Easterly Winds in Spring/Summer
- Prevailing Cold Westerly Winds in Autumn/Winter
- Distance to Public Transport
- Proposed Development Site
- Single Storey Dwelling
- Double Storey Dwelling
- Residential Flat Building
- Local Business

### 429 PRINCES HIGHWAY, WOONONA

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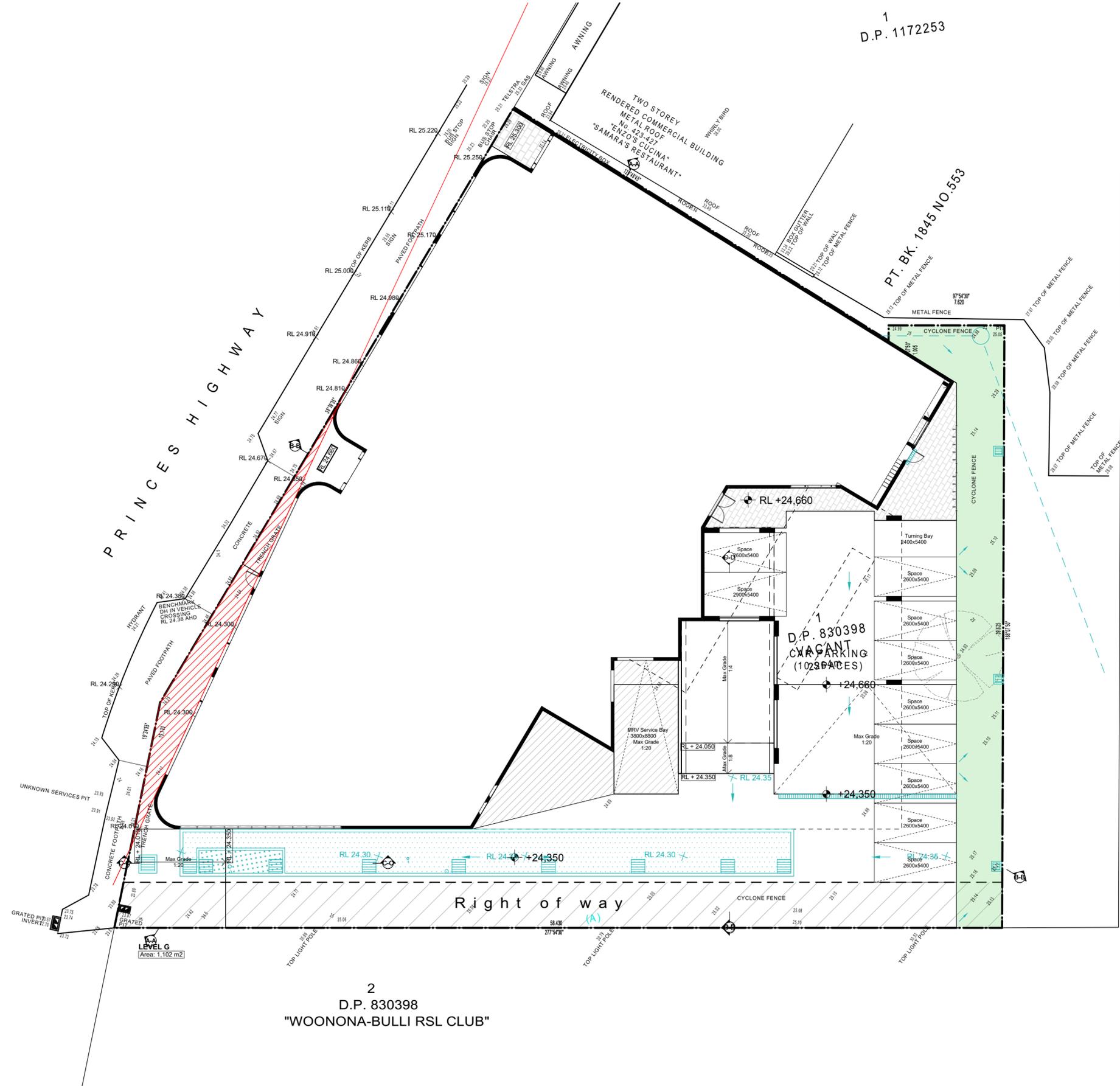
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DATE	DRAWING DESCRIPTION	ISSUE

<b>Drawing Title:</b> <b>SEDIMENTATION CONTROL PLAN</b>	Council Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
<b>Client:</b> Danny S Jacobs & Vito Penimpe	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
		Paper/Scale: A2/1:200, 1:500
		Date: 2/12/2021
		Job #: <b>28798</b>
		Dwg #: <b>0004</b>



1  
D.P. 1172253

2  
D.P. 830398  
"WOONONA-BULLI RSL CLUB"

**LEGEND**

- District Views
- Noise Source
- Prevailing Warm Easterly Winds in Spring/Summer
- Prevailing Cold Westerly Winds in Autumn/Winter
- Distance to Public Transport
- Proposed Development Site
- Single Storey Dwelling
- Double Storey Dwelling
- Residential Flat Building
- Local Business

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DATE	DRAWING DESCRIPTION	ISSUE

**SITE PLAN**

Council: Wollongong City Council

Project: Construction of a Mixed Used Development

Client: Danny S Jacobs & Vito Penimpe

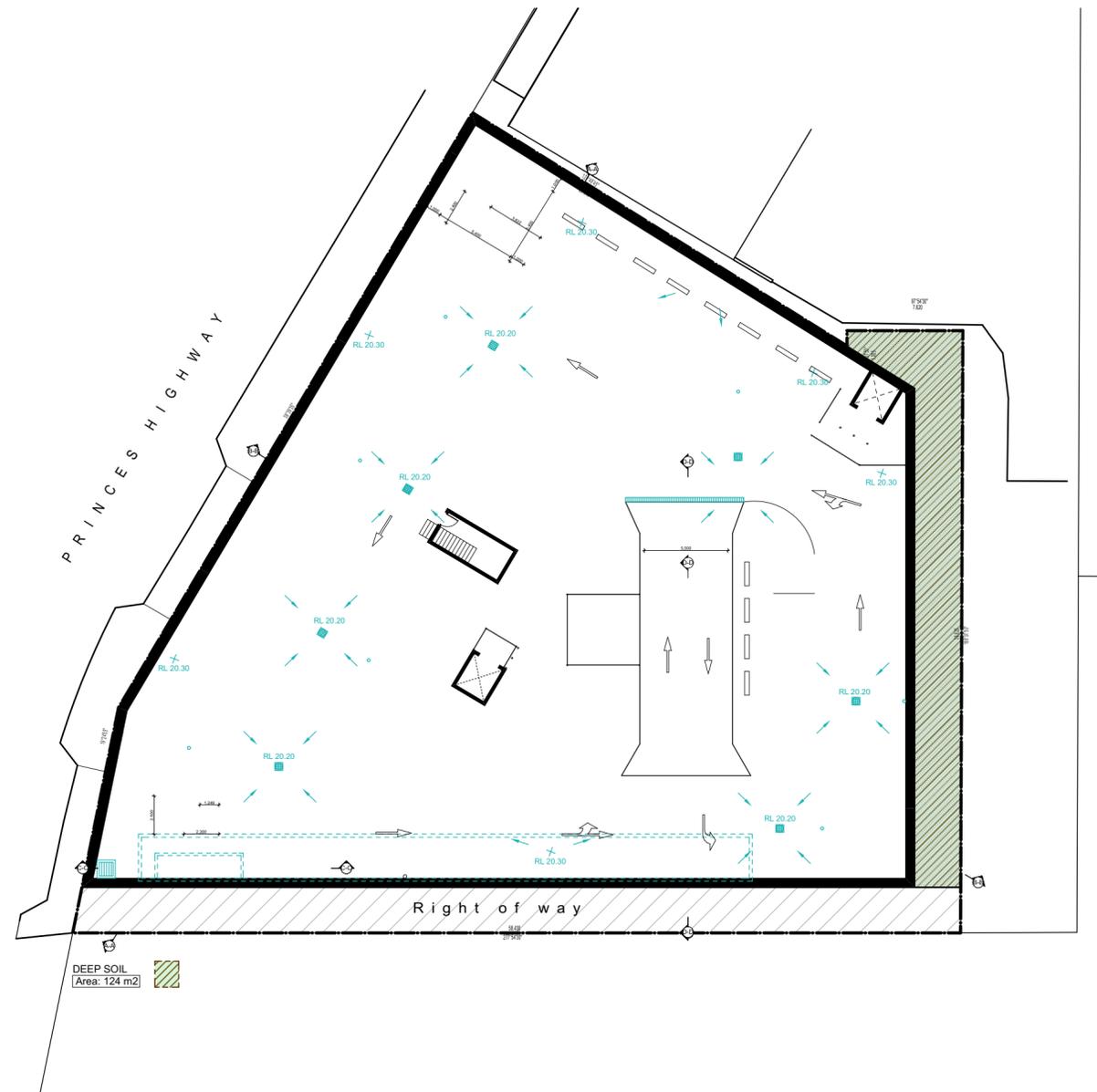
Designed + Drawn: M.Trinh & P.Revollar

Issue/Stage: DA - ISSUE E

Paper/Scale: A2/1:200, 1:500

Date: 2/12/2021

Job #: 28798 Dwg #: 0005



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NOTES:

DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>SITE ZONES</b>	Council Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
Client: Danny S Jacobs & Vito Penimpede	Paper/Scale: A2/1:300	Date: 2/12/2021
	Job #: <b>28798</b>	Dwg #: <b>0006</b>

1  
D.P. 1172253

PRINCES HIGHWAY

TWO STOREY  
RENDERED COMMERCIAL BUILDING  
No. 423-427  
"EIZO'S CUCINA"  
"SAMARA'S RESTAURANT"

PT. BK. 1845 NO.553

D.P. 830398  
CYCLONE FENCE  
(1028 SQUARE METRES)

3:00PM

9:00AM

12:00PM

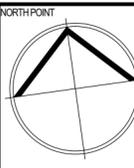
12:00PM

9:00AM

Right of way

2  
D.P. 830398  
"WOONONA-BULLI RSL CLUB"

429 PRINCES HIGHWAY, WOONONA



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screens to be fitted on inside of hob bulkheads may be required to  
accommodate drainage lines & steel beams position to be determined on  
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for shrinkage or milling position of electrical meter to be determined on site  
in accordance to the turnst position front garden lap on meter.

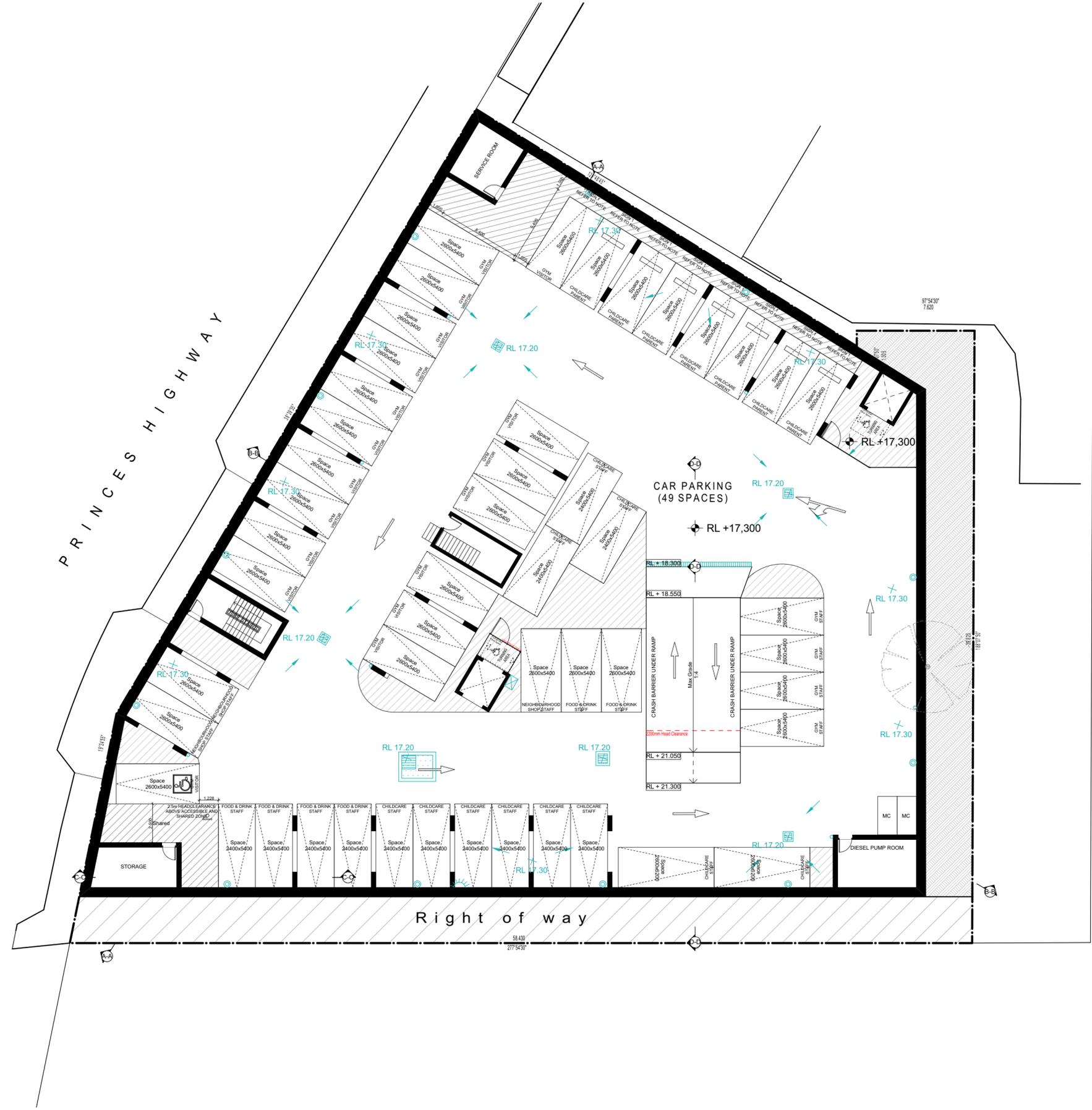
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ARCHITECTS

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DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>SHADOW DIAGRAMS</b>	Council Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
Client: Danny S Jacobs & Vito Penimpe	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
		Paper/Scale: A2/1:200
		Date: 2/12/2021
		Job #: <b>28798</b>
		Dwg #: <b>0007</b>

**LEGEND**  
**SIGNAGE 1:**  
 CHILD CARE CENTRE PARENT PARKING  
 7:00am TO 10:00am, 2:30PM TO 6:00PM



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**IDRAFT ARCHITECTS**

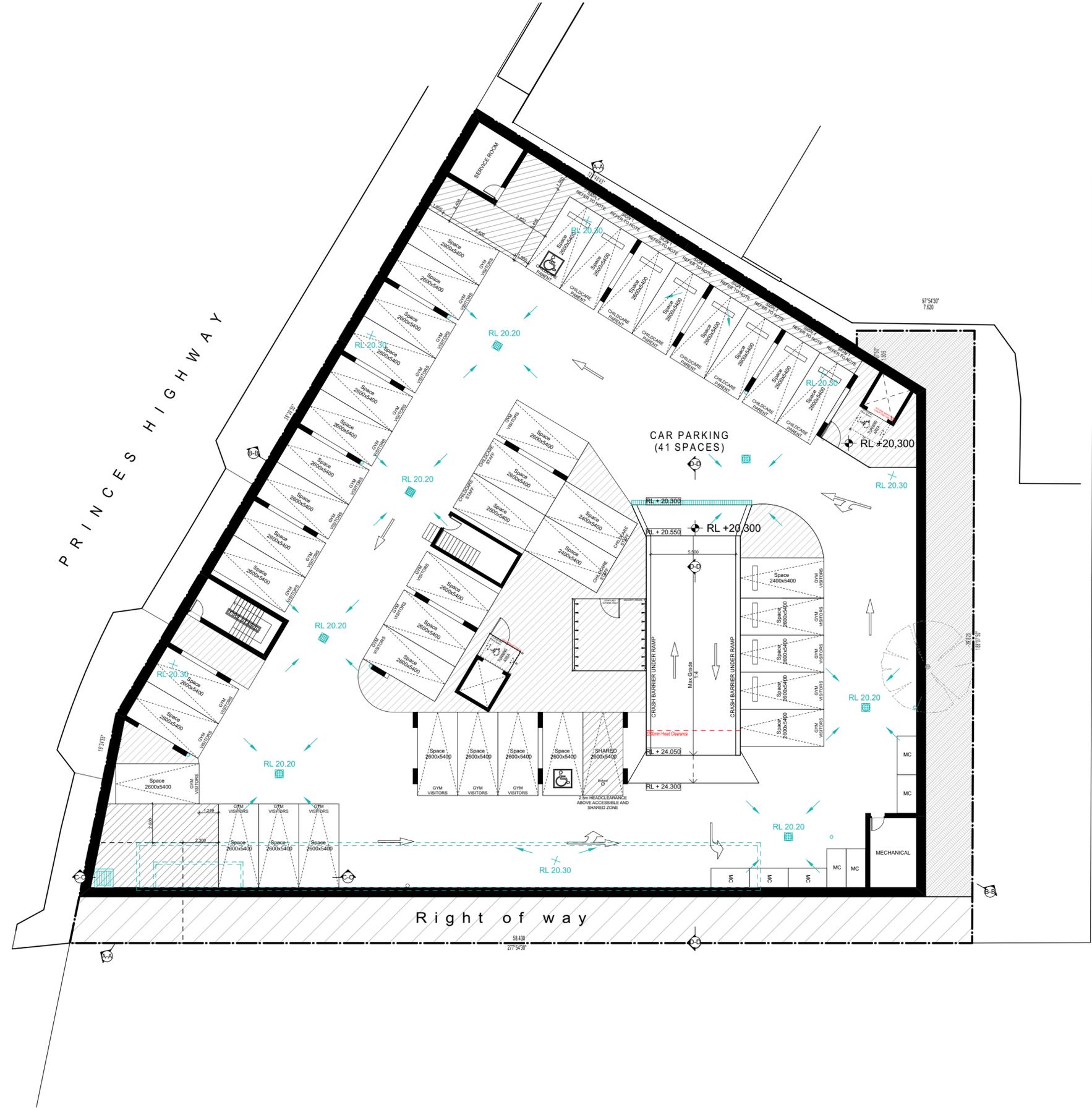
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Drawing Title: <b>LOWER BASEMENT PLAN</b>	Council: Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
Client: Danny S Jacobs & Vito Penimpede	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
		Paper/Scale: A2/1:200
		Date: 2/12/2021
		Job #: <b>28798</b>
		Dwg #: <b>1001</b>

**LEGEND**  
**SIGN 1:**  
 CHILD CARE CENTRE PARENT PARKING  
 7:00am TO 10:00am, 2:30PM TO 6:00PM



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Drawing Title:	<b>BASEMENT PLAN</b>	Council:	Wollongong City Council	Designed + Drawn:	M.Trinh & P.Revollar
Client:	Danny S Jacobs & Vito Penimpe	Project:	Construction of a Mixed Used Development	Issue/Stage:	<b>DA - ISSUE E</b>
		Paper/Scale:	A2/1:200	Date:	2/12/2021
		Job #:	28798	Dwg #:	1002



429 PRINCES HIGHWAY, WOONONA

**NORTHPOINT**

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**IDRAFT ARCHITECTS**

REGISTERED ARCHITECTS  
Address: Winton NSW Architects Registration Board 5347  
City Centre NSW Architects Registration Board 15951  
GPO Box 966 (www.idraft.com.au) PO Box 427 Woonona NSW 2509

NOTES:

DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>GROUND FLOOR PLAN</b>	Council Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
		Issue/Stage: <b>DA - ISSUE E</b>
Client: Danny S Jacobs & Vito Penimpe	Project: Construction of a Mixed Used Development	Paper/Scale: A2/1:200, 1:100
		Date: 2/12/2021
		Job #: <b>28798</b>
		Dwg #: <b>1003</b>





PRINCES HIGHWAY

Right of way

LEVEL 2  
Area: 638 m2

429 PRINCES HIGHWAY, WOONONA

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**IDRAFT ARCHITECTS**

Architects  
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 City: Chateau NSW Architects Registration Board 15951  
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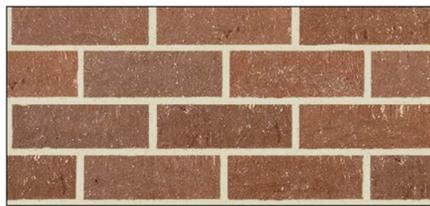
NOTES:

DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>LEVEL 2 FLOOR PLAN</b>	Council: Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
Client: Danny S Jacobs & Vito Penimpede	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
		Paper/Scale: A2/1:200, 1:100
		Date: 2/12/2021
		Job #: <b>28798</b>
		Dwg #: <b>1005</b>



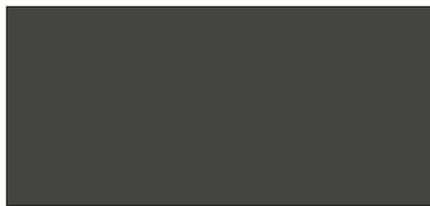
**MATERIALS & FINISHES SCHEDULE**



FACEBRICK - AUSTRAL - LYGON COFFEE (OR SIMILAR) TO EXT. WALLS



RENDER - WHITE TO EXT. WALLS & MASONRY BALUSTRADES



RENDER - BLACK TO EXT. WALLS



CONCRETE COLUMNS



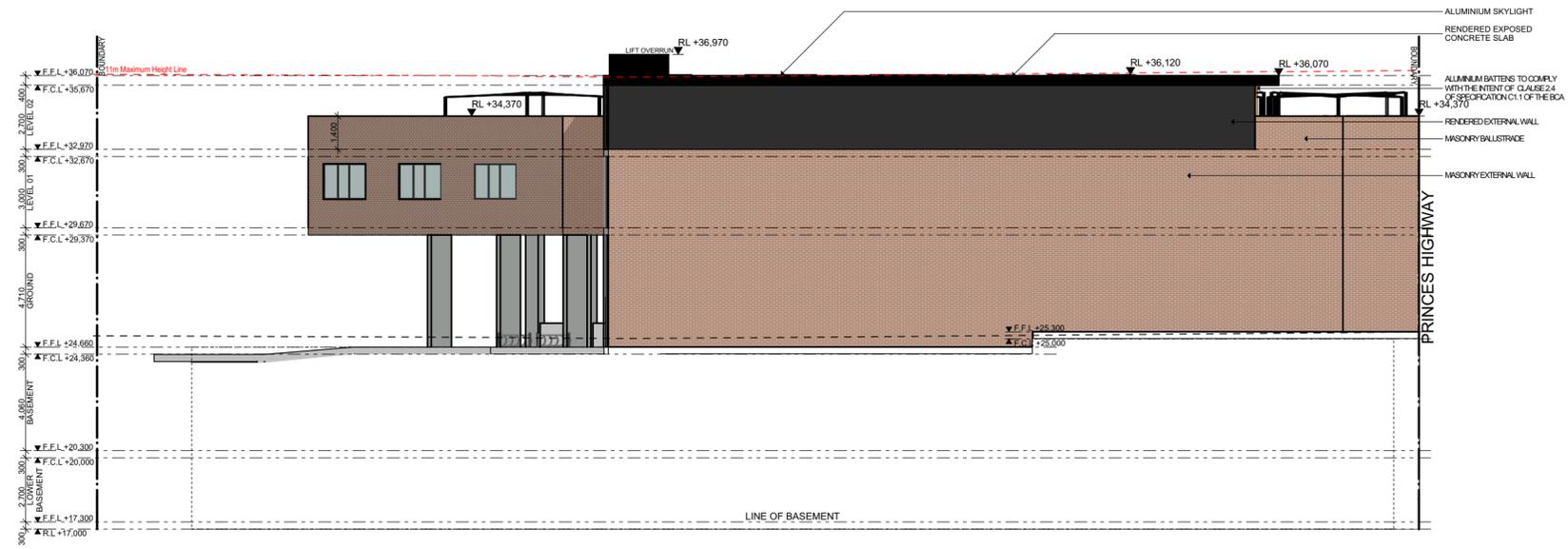
ALUMINIUM LOUVRES/BATTENS - LIGHT TIMBER COLOUR



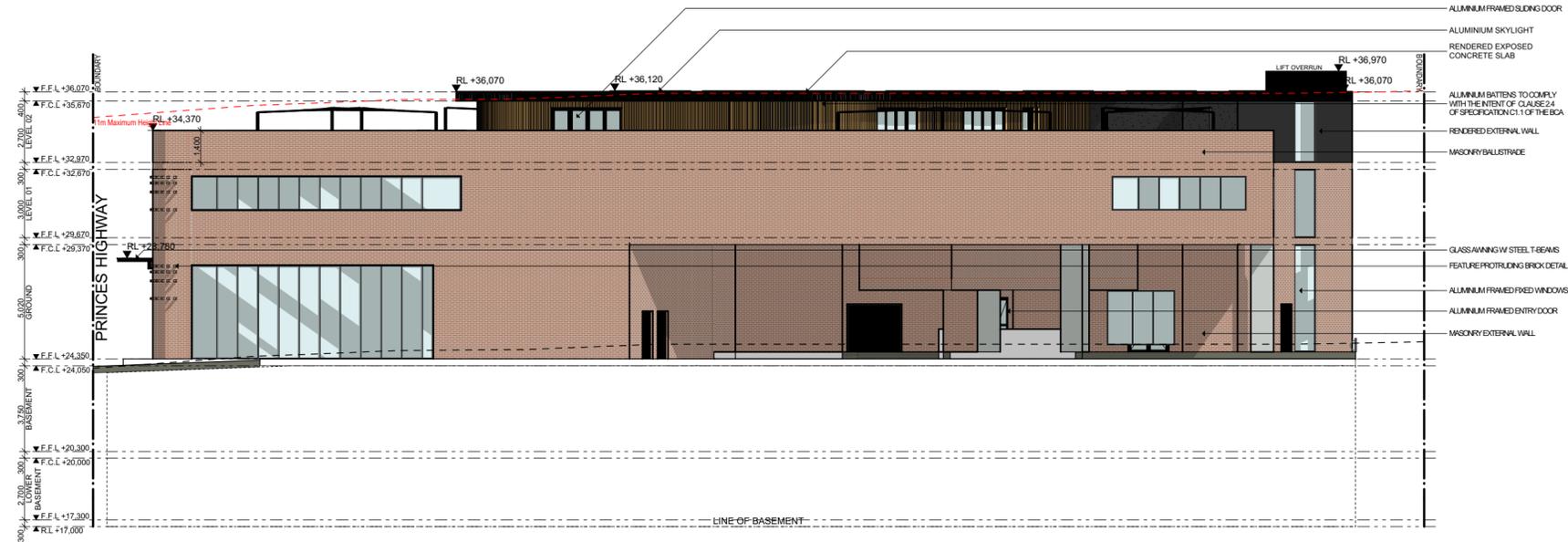
COLORBOND NIGHT SKY - WINDOW & DOOR FRAMES



COLORBOND NIGHT SKY - WINDOW SHADING DEVICE



**NORTH ELEVATION**  
scale 1:200



**SOUTH ELEVATION**  
scale 1:200

**429 PRINCES HIGHWAY, WOONONA**

**NORTH POINT**

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**IDRAFT ARCHITECTS**

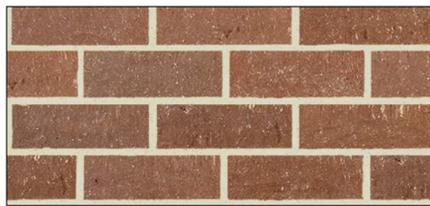
Nominated Architect  
Adrian Wilson NSW Architects Registration Board 5347  
Dany Chauhan NSW Architects Registration Board 15651  
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NOTES:

DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>NORTH &amp; SOUTH ELEVATIONS</b>	Council Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
Client: Danny S Jacobs & Vito Penimpede	Paper/Scale: A2/1:200, 1:3.10, 1:1.	Date: 2/12/2021
	Job #: <b>28798</b>	Dwg #: <b>2001</b>

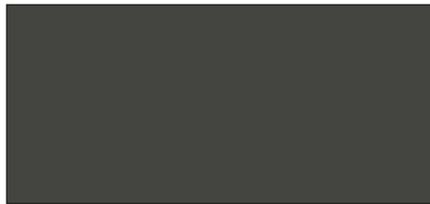
**MATERIALS & FINISHES SCHEDULE**



FACEBRICK - AUSTRAL - LYGON COFFEE (OR SIMILAR) TO EXT. WALLS



RENDER - WHITE TO EXT. WALLS & MASONRY BALUSTRADES



RENDER - BLACK TO EXT. WALLS



CONCRETE COLUMNS



ALUMINIUM LOUVRES/BATTENS - LIGHT TIMBER COLOUR (OR SIMILAR)



COLORBOND NIGHT SKY - WINDOW & DOOR FRAMES



COLORBOND NIGHT SKY - WINDOW SHADING DEVICE



**EAST ELEVATION**



**WEST ELEVATION (PRINCES HWY)**

**429 PRINCES HIGHWAY, WOONONA**

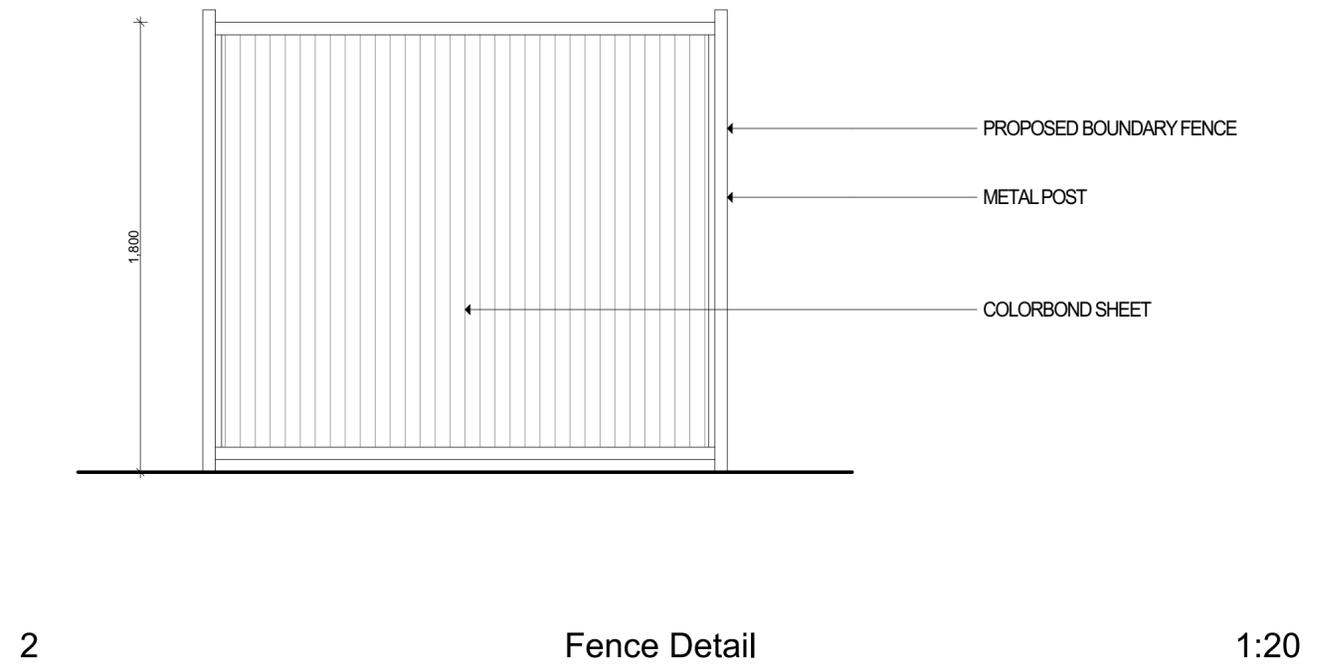
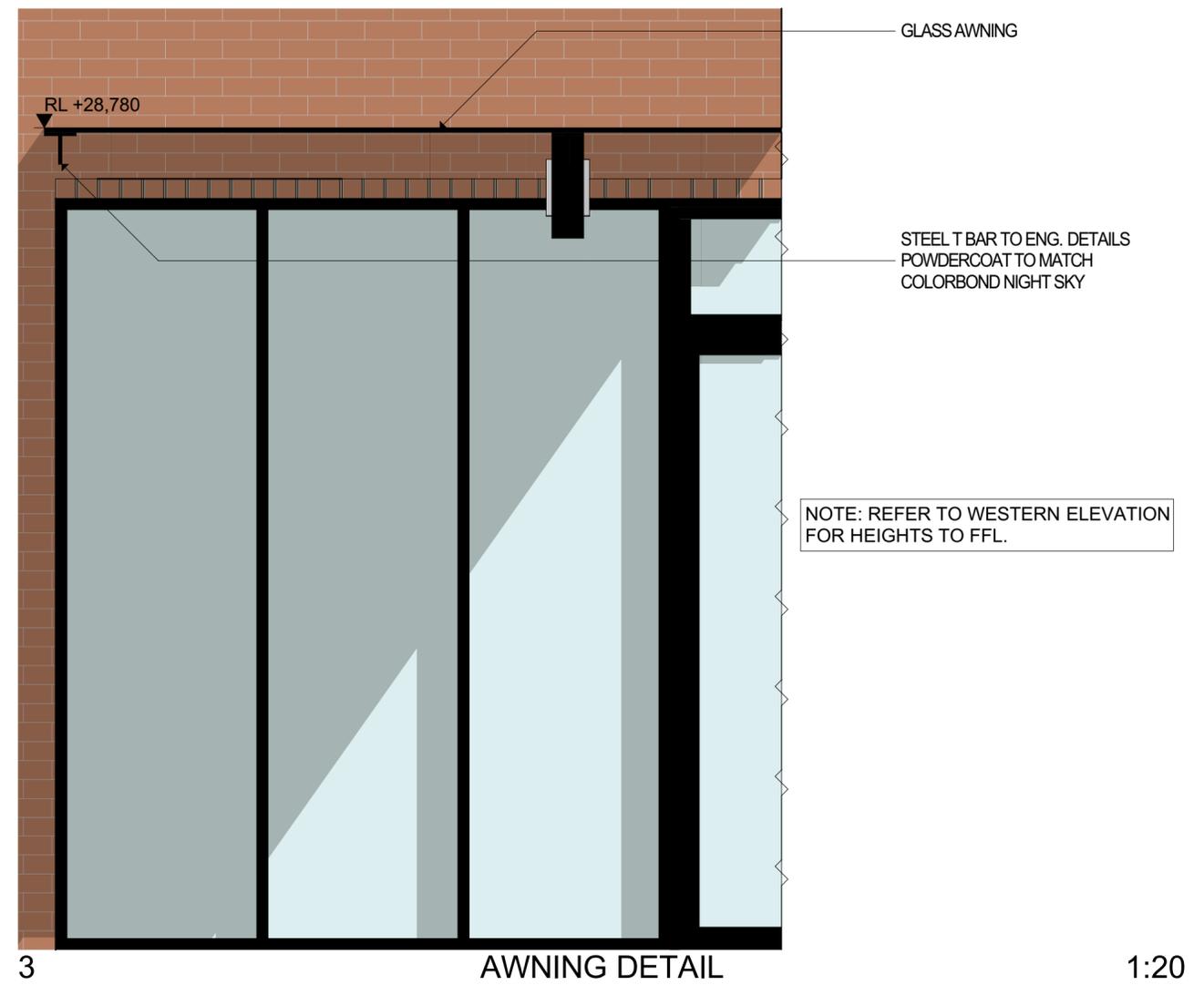
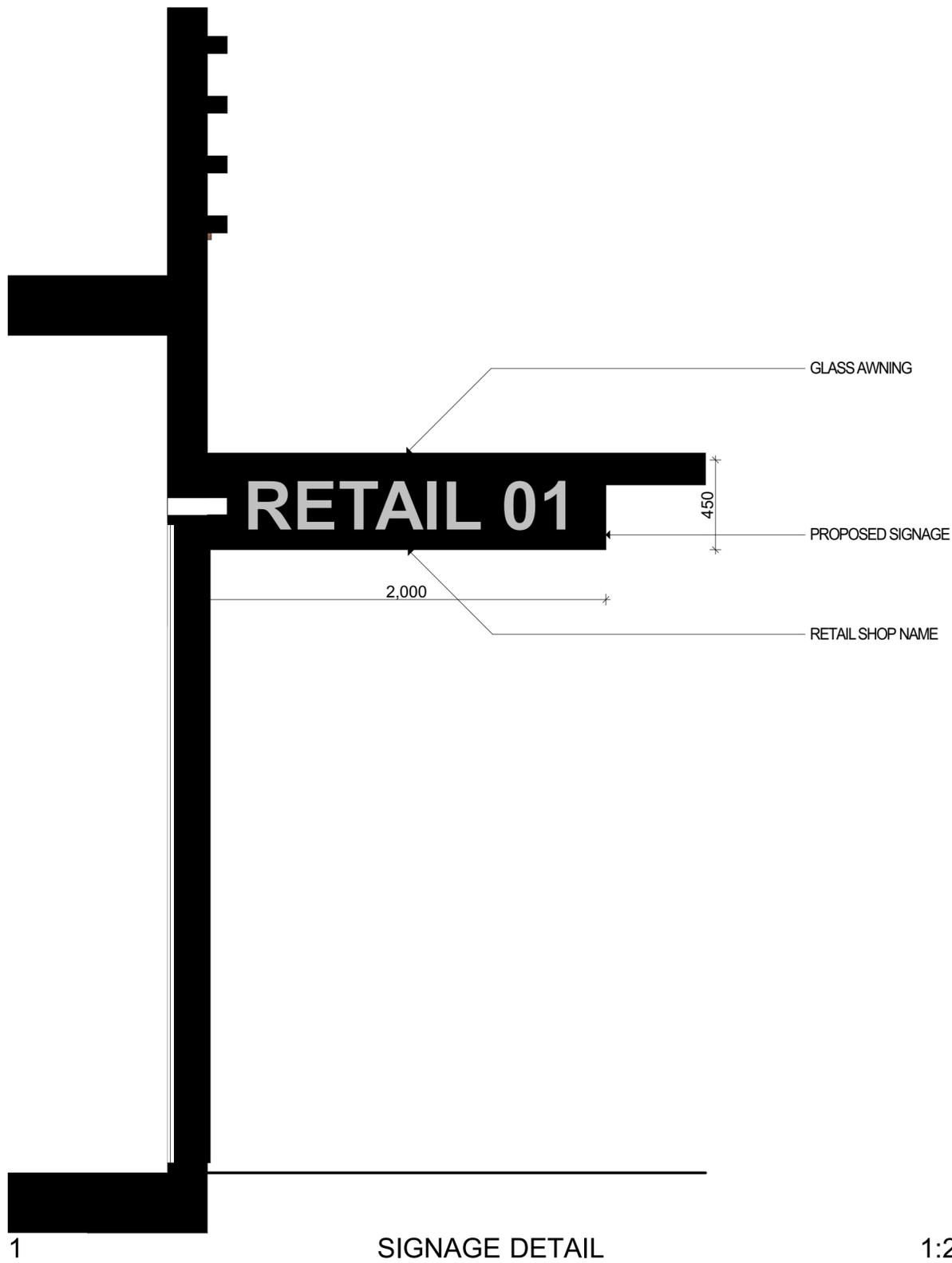


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DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>EAST &amp; WEST ELEVATIONS</b>	Council Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
Client: Danny S Jacobs & Vito Penimpe	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
		Paper/Scale: A2/1:200, 1:3.10, 1:0.
		Date: 2/12/2021
		Job #: <b>28798</b>
		Dwg #: <b>2002</b>





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**IDRAFT ARCHITECTS**

REGISTERED ARCHITECTS  
Adrian Wilson NSW Architects Registration Board 5347  
Danny Charles NSW Architects Registration Board 15951  
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NOTES:

DATE	DRAWING DESCRIPTION	ISSUE	Drawing Title:	Council:	Designed + Drawn:
			<b>DETAIL</b>	Wollongong City Council	M.Trinh & P.Revollar
					Issue/Stage: <b>DA - ISSUE E</b>
				Project: Construction of a Mixed Used Development	Paper/Scale: A2/1:20
			Client: Danny S Jacobs & Vito Penimpede		Date: 2/12/2021
					Job #: 28798 Dwg #: 4001



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NOTES:

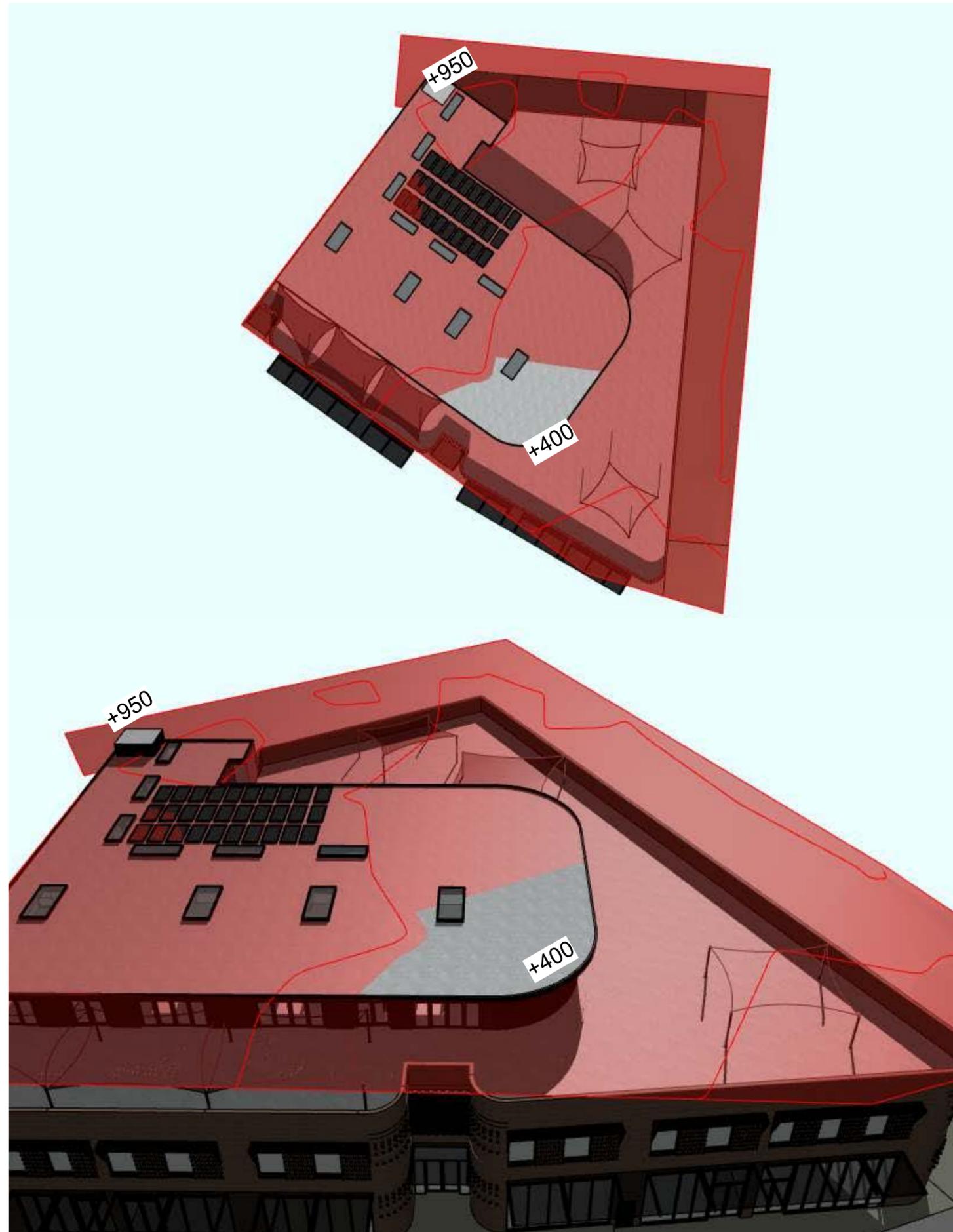
DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title: <b>ADAPTABLE DETAILS - GROUND FLOOR PLAN</b>	Council: Wollongong City Council	Designed + Drawn: M.Trinh & P.Revollar
Client: Danny S Jacobs & Vito Penimpede	Project: Construction of a Mixed Used Development	Issue/Stage: <b>DA - ISSUE E</b>
		Paper/Scale: A2/1:200
		Date: 2/12/2021
		Job #: <b>28798</b>
		Dwg #: <b>4002</b>

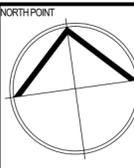








PRINCES HIGHWAY, WOONONA



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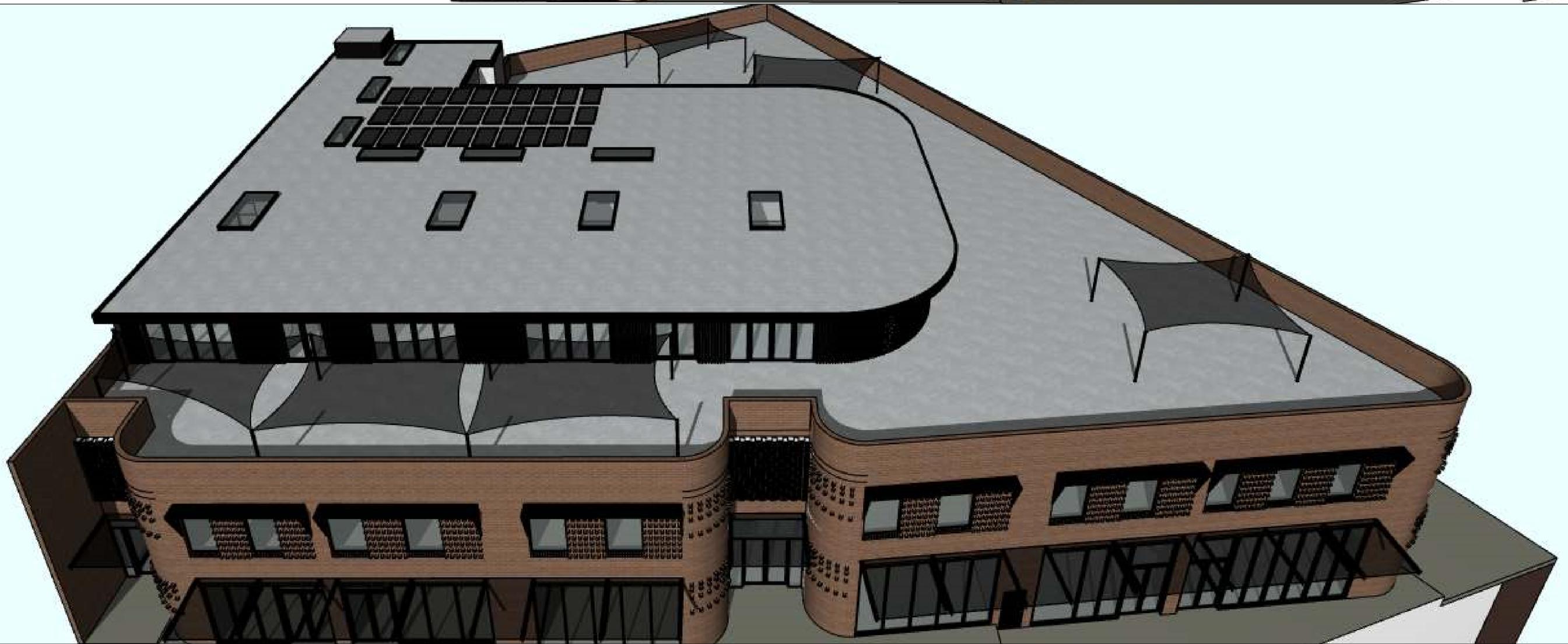
NOTES:

DATE	DRAWING DESCRIPTION	ISSUE

Drawing Title:	HEIGHT PLANE	Council:	Wollongong City Council	Designed + Drawn:	M.Trinh & P.Revollar
Client:	Danny S Jacobs & Vito Penimpede	Project:	Construction of a Mixed Used Development	Issue/Stage:	DA - ISSUE E
		Paper/Scale:	A2/1:100	Date:	2/12/2021
		Job #:	28798	Dwg #:	4006



429 PRINCES HIGHWAY, WOONONA  
PROPOSED COMMERCIAL DEVELOPMENT



**LEGEND / FINISHES SCHEDULE**

**EXISTING RL**  
 EXISTING TREE TO BE REMOVED  
 NOTE:  
 All noxious weeds on the site shall be removed and destroyed as per their classification under the noxious weeds Act.

**EXISTING TREE TO BE RETAINED**  
 AND SHALL BE PROTECTED DURING CONSTRUCTION IN ACCORDANCE WITH AS 4970-2009  
 TREE PRUNING SHALL BE IN ACCORDANCE WITH AS 4373

**PROPOSED TREES, SHRUBS & GROUND COVER**  
 (REFER NO. TO PLANT SCHEDULE)

**BOUNDARY FENCE**  
 MULCHED GARDEN BED 900 WIDE MIN. OR AS SHOWN ON PLAN REFER TO DETAIL 1 & 2

**SELECTED BRICK GARDEN EDGE**  
 OR AS SELECTED REFER TO DETAIL 1

**SELECTED RETAINING WALL / OSD WALL**  
 ALL RETAINING WALL HEIGHT SHALL BE CONFIRM ON SITE AND TO -TO ENGINEER DETAIL & TO BCA REQUIREMENTS

**RETAINING WALL**

**LAWN AREA**  
 SIR WALTER BUFFALO REFER TO DETAIL 1

**SELECTED DECOMPOSED GRANITE (COMPACTED)**  
 -100 DEPTH

**SELECTED SYNTHETIC LAWN (TYPE 1)**  
 -TO MANUF. DETAIL

**SELECTED SYNTHETIC LAWN (TYPE 2)**  
 -TO MANUF. DETAIL

**PERMEABLE PEBBLE AREA**  
 SELECTED 100 DEPTH RIVER PEBBLES WITH WEED MAT UNDER

**DRIVEWAY / PATH**  
 SELECTED STENCILED OR COLOURED CONCRETE

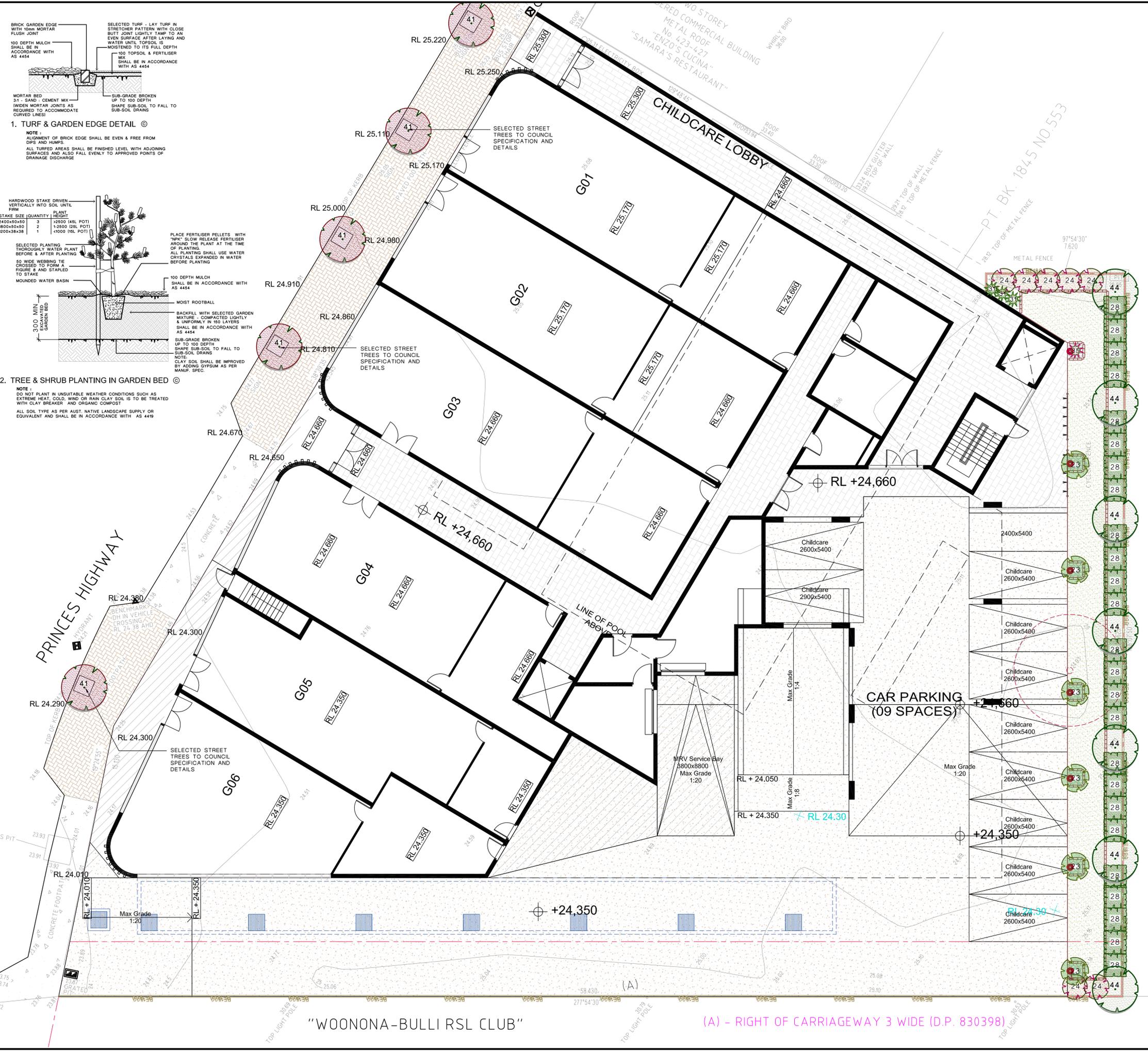
**PATIO / TERRACE / PATH**  
 SELECTED TILES

**SELECTED LETTER BOX**  
 -TO AUST POST REQUIREMENTS AND TO AS/NZS 4253-1994

**SELECTED ILLUMINATION**  
 ILLUMINATION SHALL BE DESIGNED BY A QUALIFIED LIGHTING CONSULTANT AND WITH AS 4282, AS 1680 & AS 1168 IN ACCORDANCE

**DRAINAGE**  
 REFER TO ENGINEER PLANS FOR DETAILS  
 NOTE:  
 PROVIDE SELECTED HEEL GUARD GRATES TO PITS ON TRAFFICABLE AREAS - TO MANUF. DETAIL

ITEM	MATERIAL
<b>SOIL</b> DETAIL 1 & 2	NOTE: ALL SOIL TYPE AS PER AUST. NATIVE LANDSCAPE SUPPLY OR EQUIVALENT AND SHALL BE IN ACCORDANCE WITH AS 4419 AND AS 4454 FOR SOIL CONDITIONERS AND COMPOSTS
<b>LAWN AREA</b>	1st QUALITY TOP SOIL
<b>NATIVE GARDEN BED</b>	NATIVE GARDEN MIX
<b>EXOTIC GARDEN BED</b>	ORGANIC GARDEN MIX
<b>PLANTER BOX</b>	IN PLANTER BOX MIX ACCORDANCE WITH AS4419-1998 & AS3743
<b>MULCH</b>	SELECTED HARD WOOD CHIP SHALL BE IN ACCORDANCE WITH AS 4454 NOTE: PROVIDE DECORATIVE GRAVEL TO OSD / RAIN GARDEN AREA REFER TO DETAIL 1 & 2
<b>PLANT MATERIAL</b>	AS PER PLANT SCHEDULE REFER TO DETAIL 2
<b>GARDEN EDGE</b>	SELECTED PRESSED BRICK OR AS SELECTED REFER TO DETAIL 1
<b>FENCE</b>	
<b>SIDES &amp; REAR BOUNDARY</b>	1800 HIGH LAPPED & CAPPED TIMBER FENCE OR 1800 HIGH COLOURBOND
<b>IRRIGATION</b>	PROVIDE DRIP IRRIGATION SYSTEM TO ALL PLANTER BOXES IN ACCORDANCE WITH AS3600 AND SYDNEY WATER CODE



REV	DESCRIPTION	REVISION DATE
D	AMEND PLANTERS	25.11.21
C	AMEND AS PER ARCH. CHG	2.7.21
B	AMEND AS PER COUNCIL REG & OSD CHG	10.6.21
A	DA ISSUE	12.3.21

- NOTE:**
- In the event of any inconsistency between the architectural plans and stormwater plans, The architectural plan shall prevail to the extent of the inconsistency
  - All landscape works shall be carried out by members of the LANDSCAPE CONTRACTORS ASSOCIATION OF AUSTRALIA.
  - Contractors must verify all dimensions at the site before commencing any work or making any shop drawings which must be approved before manufacturing.
  - Do not scale drawing, if in doubt - ASK
  - This drawing is to be read in conjunction with Architectural, Hydraulic and survey plans
  - All Existing trees to remain shall be protected as per arborist report & council requirements
  - All pruning shall be in accordance with the AS 4373
  - Thoroughly eradicate weeds from all garden areas.
  - No variation to the works to be carried out without prior approval from owner.
  - All materials to be the best of their respective kinds and shall comply with approved sample type submitted or specified.
  - Substitution of plant species or varieties will not be permitted.
  - Unless otherwise specified or directed, all instructions are to be issued by the consulting landscape designer.
  - All storm water outlets & surface run off shall be to Hydraulic Engineers detail.
  - Provide sub-soil drainage to garden beds & lawn areas where required - To be confirmed on site.
  - Refer to survey plan for position of all existing services.
  - Refer to Architectural elevations & Sections for existing and proposed ground lines.
  - All landscape works shall comply with all councils DA & CC conditions and all relevant "AUSTRALIAN STANDARDS" and AUS SPEC NO.1 Specification C273-Landscaping.
  - Irrigation system - If required, shall be designed & installed to comply with AS 2698, AS 2698.1-1994, AS 2698.2-1985, AS 2698.3-1990, water board and other relevant authority regulations.

**MAINTENANCE**  
 - All landscape works are to be maintained for a period of 12 months (or as required by council DA Consent) by landscape contractor after final completion AND shall be maintained at all times in a suitable manner. Replace all plants which have failed with the same species. Mulch is to be maintained at specified depth. All plants and turf shall be watered on a regular basis to maintain moisture levels required for optimum growth. All garden areas are to be maintained free from weeds.

**Mixed Use and Childcare Development**  
 429 Princes Highway, Woonona

ARCHITECT:

**vision dynamics** Pty Ltd.  
 landscape design  
 8 Blaxland Road  
 Killara NSW 2071  
 m.0412 282 888  
 Ph:(02) 9499 8888 Fax:(02) 9499 8899  
 em - visiondynamics @ westnet.com.au

**LANDSCAPE CONCEPT PLAN**

DRAWN	FF	SCALE	1:100@A1 OR 1:200@A3	REV.	
DRAWING NUMBER	21044 DA 1-2				
MEMBER	Fiona Fong Associate Member Australian Institute Landscape Designers & Managers Ltd of Membership No. 193				

(A) - RIGHT OF CARRIAGEWAY 3 WIDE (D.P. 830398)

**LEGEND / FINISHES SCHEDULE**

**EXISTING RL**  
EXISTING TREE TO BE REMOVED  
NOTE:  
All noxious weeds on the site shall be removed and destroyed as per their classification under the noxious weeds Act.

**EXISTING TREE TO BE RETAINED AND SHALL BE PROTECTED DURING CONSTRUCTION IN ACCORDANCE WITH AS 4970-2009**  
TREE PRUNING SHALL BE IN ACCORDANCE WITH AS 4373

**PROPOSED TREES, SHRUBS & GROUND COVER (REFER NO. TO PLANT SCHEDULE)**

**BOUNDARY FENCE**  
MULCHED GARDEN BED 900 WIDE MIN. OR AS SHOWN ON PLAN REFER TO DETAIL 1 & 2

**SELECTED BRICK GARDEN EDGE**  
OR AS SELECTED REFER TO DETAIL 1

**SELECTED RETAINING WALL / OSD WALL**  
ALL RETAINING WALL HEIGHT SHALL BE CONFIRM ON SITE AND TO -TO ENGINEER DETAIL & TO BCA REQUIREMENTS

**RETAINING WALL**

**LAWN AREA**  
SIR WALTER BUFFALO REFER TO DETAIL 1

**SELECTED DECOMPOSTED GRANITE (COMPACTED)**  
-100 DEPTH

**SELECTED SYNTHETIC LAWN (TYPE 1)**  
-TO MANUF. DETAIL

**SELECTED SYNTHETIC LAWN (TYPE 2)**  
-TO MANUF. DETAIL

**PERMEABLE PEBBLE AREA**  
SELECTED 100 DEPTH RIVER PEBBLES WITH WEED MAT UNDER

**DRIVEWAY / PATH**  
SELECTED STENCILED OR COLOURED CONCRETE

**PATIO / TERRACE / PATH**  
SELECTED TILES

**SELECTED LETTER BOX**  
-TO AUST POST REQUIREMENTS AND TO AS/NZS 4253-1994

**SELECTED ILLUMINATION**  
ILLUMINATION SHALL BE DESIGNED BY A QUALIFIED LIGHTING CONSULTANT AND WITH AS 4282, AS 1680 & AS 1168 IN ACCORDANCE

**DRAINAGE**  
REFER TO ENGINEER PLANS FOR DETAILS  
NOTE:  
PROVIDE SELECTED HEEL GUARD GRATES TO PITS ON TRAFFICABLE AREAS - TO MANUF. DETAIL

ITEM	MATERIAL
<b>SOIL</b> DETAIL 1 & 2	NOTE: ALL SOIL TYPE AS PER AUST. NATIVE LANDSCAPE SUPPLY OR EQUIVALENT AND SHALL BE IN ACCORDANCE WITH AS 4419 AND AS 4424 FOR SOIL CONDITIONERS AND COMPOSTS
<b>LAWN AREA</b>	1st QUALITY TOP SOIL
<b>NATIVE GARDEN BED</b>	NATIVE GARDEN MIX
<b>EXOTIC GARDEN BED</b>	ORGANIC GARDEN MIX
<b>PLANTER BOX</b>	IN PLANTER BOX MIX ACCORDANCE WITH AS4419-1998 & AS3743
<b>MULCH</b>	SELECTED HARD WOOD CHIP SHALL BE IN ACCORDANCE WITH AS 4454 NOTE: PROVIDE DECORATIVE GRAVEL TO OSD / RAIN GARDEN AREA REFER TO DETAIL 1 & 2
<b>PLANT MATERIAL</b>	AS PER PLANT SCHEDULE REFER TO DETAIL 2
<b>GARDEN EDGE</b>	SELECTED PRESSED BRICK OR AS SELECTED REFER TO DETAIL 1
<b>FENCE</b>	
<b>SIDES &amp; REAR BOUNDARY</b>	1800 HIGH LAPPED & CAPPED TIMBER FENCE OR 1800 HIGH COLOURBOND
<b>IRRIGATION</b>	PROVIDE DRIP IRRIGATION SYSTEM TO ALL PLANTER BOXES IN ACCORDANCE WITH AS3600 AND SYDNEY WATER CODE

**QUATRO DESIGN PLANTER**  
<http://www.quatrodsgn.com.au>  
OR SIMILAR  
1000 TALL CYLINDER PLANTER (1000x9-1000H)

**QUATRO DESIGN PLANTER**  
<http://www.quatrodsgn.com.au>  
OR SIMILAR  
2200 Soul Seat With Timber Deck & Centre Planter

**SELECTED RAISED VEGE GARDEN BED**

**SELECTED ARTIFICIAL ROCK**

**SELECTED ROCK EDGING**

**DIFFERENT HEIGHT SELECTED STEPPING STONES**

**SELECTED TREE TRUNKS**

**SELECTED ARCHED TIMBER BRIDGE**

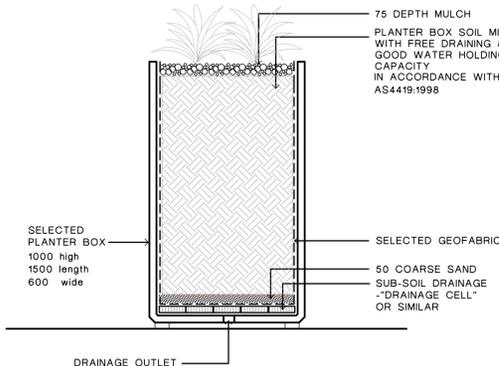
**PROPOSED PLANT SCHEDULE**

IN ACCORDANCE WITH AS 2303: 2015

CODE	BOTANICAL NAME	COMMON NAME	APPROX MATURED HEIGHT	POT SIZE	QUANTITY
<b>GROUND COVER / BOARDER</b>					
4	<i>Liriope muscari</i> 'Just Right'	Just Right Liriope	0.5	150mm	24
<b>TALL SHRUBS</b>					
23	<i>Backhousia myrtifolia</i>	Grey Myrtle	3	200mm	6
24	<i>Callistemon SLIM</i>	Slim callistemon	3	200mm	7
27	<i>Alcantarea imperialis</i>	Imperial Bromeliad	1	200mm	3
28	<i>Pittosporum tenuifolium</i> 'Silver Sheen'	Pittosporum Silver Sheen	3	200mm	25
29	<i>Lagerstroemia Indian Summer</i> 'Lipan'	Lipan Crepe Myrtle	3	25 L	3
<b>FEATURE SHRUBS</b>					
31	<i>Cordyline stricta</i>	Slender palm lily	3	200mm	3
34	<i>Phormium tenax purpurea</i>	Dianella	12	200mm	1
35	<i>Cordyline 'Red Sensation'</i>	Red Sensation	12	25 L	1
37	<i>Strelitzia juncea</i>	Bird of Paradise	12	25 L	2
39	<i>Thysanotus maxima</i>	Tiger grass	16	200mm	5
<b>TREES</b>					
41	<i>Callistemon viminalis</i>	Weeping bottlebrush	6	45 L	5
44	<i>Tristania laurina</i> 'Luscious'	Water gum	8	45 L	7
47	<i>Schefflera Arboricola</i>	Dwarf umbrella tree	2	45 L	7
48	<i>Magnolia Teddy Bear</i>	Magnolia	6	45 L	5
50	<i>Howea forsteriana</i>	Kentia Palm	10	45 L	7
51	<i>Fraxinus griffithii</i>	Evergreen ash	7	100 L	4

**NOTE:**

THE TREES SHALL COMPLY WITH NATSPEC SPECIFYING TREES: A GUIDE TO ASSESSMENT OF TREE QUALITY (2003) OR AUSTRALIAN STANDARD AS 2303 - 2015 TREE STOCK FOR LANDSCAPE USE.  
HEIGHT AND SPAN ARE INDICATIVE ONLY. SUBJECT TO ON SITE ENVIRONMENTAL FACTORS. USE ONLY AS A GUIDE.



**4. TYPICAL PLANTER TROUGH DETAIL**

**NOTE 1:**  
INSTALLATION OF SUB-SOIL DRAINAGE SHALL BE AS PER MANUFACTURER'S DETAILS & SPECIFICATION



**LEVEL 2**

REV	DESCRIPTION	REVISION DATE
D	AMEND PLANTERS	25.11.21
C	AMEND AS PER ARCH. CHG	2.7.21
B	AMEND AS PER COUNCIL REG & OSD CHG	10.6.21
A	DA ISSUE	12.3.21

- NOTE:**
- In the event of any inconsistency between the architectural plans and stormwater plans, The architectural plan shall prevail to the extent of the inconsistency
  - All landscape works shall be carried out by members of the LANDSCAPE CONTRACTORS ASSOCIATION OF AUSTRALIA.
  - Contractors must verify all dimensions at the site before commencing any work or making any shop drawings which must be approved before manufacturing.
  - Do not scale drawing, if in doubt - ASK
  - This drawing is to be read in conjunction with Architectural, Hydraulic and survey plans
  - All existing trees to remain shall be protected as per arborist report & council requirements
  - All pruning shall be in accordance with the AS 4373
  - Thoroughly eradicate weeds from all garden areas.
  - No variation to the works to be carried out without prior approval from owner.
  - All materials to be the best of their respective kinds and shall comply with approved sample type submitted or specified.
  - Substitution of plant species or varieties will not be permitted.
  - Unless otherwise specified or directed, all instructions are to be issued by the consulting landscape designer.
  - All storm water outlets & surface run off shall be to Hydraulic Engineers detail.
  - Provide sub-soil drainage to garden beds & lawn areas where required - To be confirmed on site.
  - Refer to survey plan for position of all existing services.
  - Refer to Architectural elevations & Sections for existing and proposed ground lines.
  - All landscape works shall comply with all councils DA & CC conditions and all relevant "AUSTRALIAN STANDARDS" and AUS SPEC NO.1 Specification C273-Landscaping.
  - Irrigation system - If required, shall be designed & installed to comply with AS 2698, AS 2698.1-1994, AS 2698.2-1985, AS 2698.3-1990, water board and other relevant authority regulations.

**MAINTENANCE**  
- All landscape works are to be maintained for a period of 12 months (or as required by council DA Consent) by landscape contractor after final completion AND shall be maintained at all times in a suitable manner. Replace all plants which have failed with the same species. Mulch is to be maintained at specified depth. All plants and turf shall be watered on a regular basis to maintain moisture levels required for optimum growth. All garden areas are to be maintained free from weeds.

**Mixed Use and Childcare Development**  
429 Princes Highway, Woonona

ARCHITECT: IDRAFT ARCHITECTS

**vision dynamics** landscape design  
8 Blaxland Road Killara NSW 2071  
Ph: (02) 9499 8888 Fax: (02) 9499 8899  
em: visiondynamics@westnet.com.au

DRAWING TITLE: **LANDSCAPE CONCEPT PLAN**

DRAWN: FF SCALE: 1:100@A1 OR 1:200@A3 REV: D

DRAWING NUMBER: **21044 DA 2-2**

MEMBER: Foria Fang Associate Member Australian Institute Landscape Designers & Managers Ltd of Membership No. 193

**NORTH**

## **ATTACHMENT 3 – CONDITIONS**

### **Approved Plans and Specifications**

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Job No 28798 Drawing 0005-E, 1001-E to 1006-E, 2001-E, 2002-E, 3001-E and 4001-E to 4005-E dated 2 December 2021 prepared by IDraft Architects and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

### **General Matters**

#### **2 Site Remediation Work**

The site remediation work shall be undertaken as per the remediation action plan (RAP) prepared by Reditus Consulting dated 6 September 2021.

#### **3 Unexpected Find Protocol**

Prior to any remediation work commencing unexpected find protocol (UFP) shall be prepared for any “hotspots” on site, sometimes site contamination is not expected and is detected after work commences. Excavations may uncover buried asbestos, other materials. Unexpected contamination or hotspots on a site should be taken into account for any site health and safety plan. Precautions should be included in the plan, including:

- workers trained to recognise potential contamination and danger signs eg odours or soil discolouration.
- precautions if signs of unexpected contamination or hot spots are found, such as:
  - stop work.
  - report signs to the site supervisor immediately.
  - isolate the area with a physical barrier.
  - assume the area is contaminated until an assessment proves otherwise.
  - assess the area to identify contaminants in the soil or spoil.

#### **4 Initial Use Food and Drink Premises and Neighbourhood Shop**

This consent does not grant approval for the use of the proposed food and drink premises and neighbourhood shop once constructed. The use of the food and drink premises and neighbourhood shop will require separate approval by Council.

#### **5 Use of Gymnasium and Swimming Pool**

This consent does not grant approval for the use of the gymnasium and swimming pool as separate uses/businesses. The use of the gymnasium is to be as a combined i.e one business.

#### **6 Building Work - Compliance with the Building Code of Australia**

All building work must be carried out in compliance with the provisions of the Building Code of Australia.

#### **7 Disability Discrimination Act 1992**

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS1428.1 (2009) – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

#### **8 Advertising Signage**

This consent authorises the erection of six (6) under awning advertising signs only as shown on the approved plan. Any additional advertising signage will require separate Council approval in the event that such signage is not exempt development, under Schedule 2 of Wollongong Local Environmental Plan 2009.

Any new application for advertising signage must be submitted to Council in accordance with Chapter C1 – Advertising and Signage Structure of Wollongong Development Control Plan 2009.

- 9       **Height Restriction**  
The development shall be restricted to a maximum height of 36.970 metres AHD from the natural ground level (inclusive of the lift tower and any air conditioning plant). Any alteration to the maximum height of the development will require further separate approval of Council.
- 10       **Occupation Certificate**  
An Occupation Certificate must be issued by the Principal Certifier (PC) prior to occupation or use of the development. In issuing an Occupation Certificate, the PC 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.
- 11       **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.

#### **Prior to the Issue of the Construction Certificate**

- 12       **Site Validation Report**  
A Validation Report (Stage IV) shall be submitted to Council prior to the issue of the Construction Certificate.  
  
The Validation Report shall verify that:
- a. the site is not affected by soil and/or groundwater contamination above the NSW EPA threshold limit criteria; and
  - b. the site is suitable for the proposed development.
- The Validation Report must be prepared by a contaminated land consultant who is a member of certified under one of the following certification schemes:
- the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) scheme (CEnvP (SC)); or
  - the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.
- The Validation Report is to be issued by the certified contaminated land consultant direct to Council. No third party submissions will be accepted.
- 13       **Building Acoustic Specifications**  
Prior to the issue of the Construction Certificate amended plans shall be provided incorporating the revised acoustic report recommendations for the fire centre (window glazing specifications), fitness centre/gymnasium (floor and walls) and commercial spaces (noise barrier) as outlined in the Noise Impact Assessment report recommendations dated 2 July 2021 prepared by Rodney Stevens Acoustic.
- 14       The development must provide signage at the driveway entrance restricting the maximum length of all vehicles to enter the site to 8.8 metres. Signage which states this restriction must be located wholly within the curtilage of the site, clearly visible to all drivers from the road, and designed to the satisfaction of the Traffic Section. Details of such compliance are to be reflected on the Construction Certificate plans.
- 15       **Pump System**  
A pump system shall be provided in association with the detailed drainage design for the site to cater for stormwater from a prolonged/extreme storm event entering the basement. The pump system shall be designed by a suitably qualified and experienced civil engineer and reflected on the Construction Certificate plans and supporting documentation.
- 16       **Basement Waterproofing**  
Full engineering details of the proposed wall around the basement car park shall be submitted to the PC prior to the issue of the Construction Certificate. These shall include construction details indicating that no ingress of stormwater is possible into the basement levels other than from sub-soil drainage.

- 17 **Excavation and Retaining Structures Adjacent to Public Roads**  
The design of all permanent and temporary retaining structures within the zone of influence of any Council assets including the road pavement, stormwater pipes and pits, must be provided to Wollongong City Council and the PC for assessment prior to the issue of the Construction Certificate. The design must be prepared in accordance with the RMS Technical direction GTD 2012/001, by a qualified Civil Engineer, NPER 3 accreditation with the Institute of Engineers Australia and experienced in structural design. The plan must clearly show that all components of the retaining structure and associated drainage is wholly located within the subject site. The design must be supported by:
- a A geotechnical report prepared in accordance with the requirements of the RMS Technical direction GTD 2012/001.
  - b A dilapidation survey of the existing Council infrastructure
  - c Details of the proposed monitoring program for the excavation and retaining structures, and relevant threshold actions prepared in accordance with RMS Technical direction GTD 2012/001.
- 18 **Ground Anchors**  
Permanent ground anchors are not permitted within the road. Temporary ground anchors can only be used where the Road Authority has provided written confirmation to the applicant for their use. Temporary anchors must be designed in accordance with RMS Technical Direction GTD 2012/001.
- 19 **Flows from Adjoining Properties**  
Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels. The above requirements must be clearly shown on Construction Certificate plans prior to the release of the Construction Certificate.
- 20 **Structural Engineering Details**  
The submission of structural engineering details by a suitably qualified and experienced structural engineer (with appropriate insurance coverage) to the PC, prior to the release of the Construction Certificate addressing the following matters:
- a Footings;
  - b reinforced concrete slabs;
  - c retaining walls;
  - d structural steelwork;
  - e wall bracing and tie-down requirements;
- 21 **Present Plans to Sydney Water**  
Approved plans must be submitted online using Sydney Water Tap, 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 PC 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.
- 22 **Endeavour Energy Requirements**  
The submission of documentary evidence from Endeavour Energy to the PC is required confirming that satisfactory arrangements have been made with Endeavour Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.  
**Note:** Applications should be made to Customer Connections – South Coast, Endeavour Energy PO Box 811 Seven Hills NSW 1730.

23 **Telecommunications**  
The submission of documentary evidence from an approved telecommunications carrier to the PC confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.

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

25 **CPTED - Landscaping**  
In order to reduce the opportunities for “hiding places” the proposed landscaping must:

- a use shrubs/plants which are no higher than 1 metre adjacent to pathways.
- b the type of trees proposed must have a sufficiently high canopy, when installed and fully grown, so that pedestrian vision is not impeded.
- c Shrub planting to be set back minimum one (1) metre from the edge of the pathway. Groundcover planting acceptable.

This requirement shall be reflected on the Construction Certificate plans.

26 **Crime Prevention through Environmental Design (CPTED) - Lighting**  
The proposed development shall incorporate ‘low impact’ lighting to ameliorate any light spillage and/or glare impacts upon surrounding properties in accordance with Council’s CPTED principles. The final design details of the proposed lighting system shall be reflected on the Construction Certificate plans. The erection of the lighting system shall be in accordance with the approved final design.

27 **Car Parking and Access**  
The development shall make provision for a total of 100 car parking spaces (including 3 spaces for people with disabilities), 9 motorcycle parking spaces and 16 secure (Security Class B) bicycle spaces provided in a secure compound with a self-closing door and combination keypad.

Car parking associated with the development is to be allocated as follows:

**Child Care Centre**

- Minimum of 15 spaces dedicated for staff.
- Minimum of 15 spaces for visitors/parents to the centre.

Spaces shall be appropriately sign marked and shall be located within close proximity to the lift and entry to the child care centre.

**Retail and Neighbour Centre Shops**

- A minimum of 4 car parking spaces shall be dedicated to tenancy G01
- A minimum of 4 car parking spaces shall be dedicated to tenancy G02
- A minimum of 4 car parking spaces shall be dedicated to tenancy G03
- A minimum of 4 car parking spaces shall be dedicated to tenancy G04
- A minimum of 4 car parking spaces shall be dedicated to tenancy G05

These spaces shall be appropriately and clearly sign marked and shall be located within close proximity to each tenancy.

**Gymnasium and Swimming Pool**

- A minimum of 46 car parking spaces shall be designated to the Gym and swimming pool.

These spaces shall be appropriately sign posted and marked.

These requirements shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

28 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.

29 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.

30 **Water/Wastewater Entering Road Reserve**

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

31 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.

32 **Details of Proposed Pit and Pipeline**

Details of the proposed connecting pipeline to the Council pit, within the existing drainage system shall be provided in conjunction with the detailed drainage design for the site. Connection is to be made in accordance with Wollongong City Council Standard Drawings. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

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

Street tree planting shall not be within 15m of the up-stream flow of traffic from the bus stop sign location and 5m downstream of the bus stop sign.

The landscape area at the rear of the site is to contain additional planting of native shrubs and grasses. 100 plants in 200mm pots are to be planted, The mix of plants should be limited to 10% maximum for 1 species and at least 12 species are to be used with a mix of Medium Trees (3), Large Trees (2), shrubs, grasses and groundcovers. Species are to include but not be limited to

- *Dianella caerulea*
- *Poa sieberiana*
- *Asplenium australasicum*
- *Dampiera purpurea*
- *Carex appressa*
- *Dichondra repens*
- *Lomandra longifolia*
- *Viola hederacea*
- *Indigofera australis*
- *Westringia fruticosa*
- *Rhagodia candolleana*
- *Leptospermum laevigatum*
- *Goodenia ovata*
- *Callistemon citrinus*
- *Prostanthera incisa*
- *Melaleuca hypericifolia*
- *Dodonaea viscosa subsp. Angustifolia*
- *Ricinocarpos pinifolius*
- *Correa alba*
- *Syzygium austral* (Medium Tree)
- *Glochidion ferdinandi* (Medium Tree)
- *Backbousia myrtifolia* (Medium Tree)

- *Cyathea australis*
- *Callistemon salignus* (Medium Tree)
- *Archontophoenix cunninghamiana*
- *Ceratopetalum apetalum* (Medium Tree)
- *Alphitonia excelsa* (Large Tree)
- *Stenocarpus salignus* (Medium Tree)
- *Eucalyptus robusta* (Large Tree).

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

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

35 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 PC prior to release of the Construction Certificate.

36 **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 PC 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 PC prior to release of the Construction Certificate.
- c Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch.
- d Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

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

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the PC 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.
- 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.

38 **Pier and Beam Footings Adjacent to any Drainage Easement**

Buildings and structures (including brick fences) adjacent to easements shall be supported on pier and beam footings outside the easement. The base of the piers shall be a minimum 900 mm below ground level and shall extend below the invert level of the drainage pipelines within the easement. Structural engineers details are required detailing the size and levels of the existing drainage pipelines and the design levels for the base of the piers adjacent to the easement.

- 39 Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS 2890.3 - Bicycle Parking Facilities. This requirement shall be reflected on the Construction Certificate **plans**.

40 **Property Addressing Policy Compliance**

Prior to the issue of any Construction Certificate, the developer must ensure that any site addressing complies with Council's **Property Addressing Policy** (as amended). Where appropriate, the developer must also lodge a written request to Council's **Infrastructure Systems & Support – Property Addressing** ([propertyaddressing@wollongong.nsw.gov.au](mailto:propertyaddressing@wollongong.nsw.gov.au)), for the site addressing prior to the issue of the Construction Certificate. Please allow up to 3-5 business days for a reply. Enquiries regarding property addressing may be made by calling 4227 8660.

41 **Footpath Paving**

The developer is responsible for the construction of footpath paving for the entire frontage of the development. The type of paving for this development is a 1500mm 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 with 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 WCC Manager of Works.

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

42 **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 herringbone pattern at 90 degrees to the kerb with single header course stacked running along both back of kerb and boundary line to match the existing paver pattern to the north. Paver type is to match existing pavers as approved by WCC Landscape Architect. The pavers should be trafficable at driveway crossings and rated for heavy vehicles at this location.

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 with the property boundary.

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

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

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

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.

#### 43 **Street Trees Commercial Village Centres**

The Developer must address the street frontage by installing street tree planting with edging/tree grate and tree guards. In keeping with the surrounding commercial precinct and the Business Centres Public Domain Technical Manual the type of the number and species for this development is five (5) *Backhousia myrtifolia* 75 litre container size in accordance with AS 2303:2015 Tree stock for landscape use. The tree guards and grate shall be Coniston Style by Arborgreen.

Trees are to be installed in accordance with Wollongong Development Control Plan 2009 – Chapter E6: Landscaping. ‘Dial Before You Dig’ must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Location of street tree plantings to be sited to ensure no conflict occurs with street light poles.

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

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

#### 44 **Planting to Child Care Centres, Schools or near Playgrounds**

The developer shall ensure that proposed planting is child friendly and must **not** include any of the types of plants listed below:

- i plants known to produce toxins;
- ii plant with high allergen properties;
- iii plants with profuse scented flowers or known to attract high numbers of bees, spiders, and insects;
- iv species which produce small nuts or fruits;
- v plants with thorns or spiky foliage and branches; and
- vi any weed or potential weed species.
- vii Avoid planting plants such as Asthma weed (*Parietaria judaica*), Rhus (*Toxicodendron succedaneum*), Yellow oleander (*Thevetia peruviana*), Cactus, chillies, Dumb cane (*Diffenbachia*), Mushrooms, Angels Trumpet (*Brumansia*), Cycads, Grevilleas, Oleander (*Nerium oleander*), Poinsettia, Rhubarb, White cedar (*Melia azederach*), Yesterday Today Tomorrow (*Brunsfelsia*), Agapanthus, Amaryllis, Arum Lily, Azaleas and Rhododendrons, Daffodils, Foxgloves, Lily of the Valley and any other species that have the characteristics listed above which could place children at risk. The developer shall consult and undertake further research to ensure the most up to date information is available to determine plant suitability.

#### 45 **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 in 100 year ARI 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.

#### 46 **Stormwater Drainage Design**

A detailed drainage design for the development must be submitted to and approved by the PC 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, prepared by Australian Consulting Engineers, Reference No. 201168, revision B, dated 1 July 2021.
- b Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- c Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1 in 100 year ARI 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.

47 **Flood Level Requirements**

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

- a Habitable floor levels must be constructed at a minimum of RL 23.95 metres AHD.
- b Any portion of the building or structure below RL 23.95 metres AHD should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP 2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated in Chapter E13 of the Wollongong DCP 2009.
- c The proposed development shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including the PMF plus freeboard being RL 25.98 metres AHD.

48 **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 PC prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

- a Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- b Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 10.2.4 of Chapter E14 of the Wollongong DCP 2009.
- 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 Certificate:
  - The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
  - Identification number DA-2021/321;
  - 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.

49 **Council Footpath Reserve Works – Driveways and Crossings**

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter or existing edge of carriageway treatment to match the existing. The verge from the back of kerb to the boundary must be restored and the area appropriately graded, topsoiled and turfed in a manner that conforms with adjoining road reserve. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. All alterations of public infrastructure where necessary are at the developer's expense.

All new driveway laybacks and driveway crossings must be designed in accordance with Wollongong City Council Standards. Any redundant linemarking such as 'marked parking bays' are adjusted/removed at the developer's expense by a Council recognised contractor with the relevant insurances. Details and locations are to be shown on the Construction Certificate Plans.

50 **Environmental Management Plan**

The submission of a detailed Environmental Management Plan which addresses but is not limited to, the following issues:

- a Introduction
- b Project Description  
This section should include:
  - i Timing and duration of works;
  - ii location of work sites offices, compounds, stockpiles and refuelling areas;
  - iii a description of the site and surrounds and location of environmentally sensitive areas.
- c Objectives of the CEMP  
This section should state what the CEMP is trying to achieve.
- d Context of the CEMP  
This section should specify how the CEMP fits into the planning process of the project.
- e Planning Project Environmental Actions
- f EIA Obligations  
This section should identify all Environmental Impact Assessment documentation related to this project.
- g Environmental Aspects  
This section should reference or describe the aspects and impacts associated with the construction activities. Each impact should be assigned a risk ranking of low, medium or high. Control measures should be selected for all impacts ranked as medium or high. Low risk impacts should be monitored to ensure that they do not increase.
- h Legal and Other Requirements  
This section should detail the legislative requirements of the work, and all other specifications.
- i Supplementary Environmental Plans  
These include:
  - i Erosion and Sediment Control Plan (ESCP) or Soil and Water Management Plan (SWMP).

- ii Note: Requirements for ESCPs and SWMPs are provided in “Managing Urban Stormwater: Soils and Construction” NSW Dept of Housing, 1998.
- iii Noise and Vibration Management Plan.
- iv Landscaping and Revegetation Plan.
- v Traffic Management Plan (TMP)/Traffic Control Plan (TCP).
- vi Air Quality Management Plan.
- vii Waste Management Plan.
- viii Contaminated Soil Management Plan.

j Implementation

k On-site Structure and Responsibility

This section should state the duties and responsibilities of all contractors and sub-contractors working on site and the relationship between these parties.

l Training, Awareness and Competence

This section should detail the environmental training that all site personnel are required to undertake. Environmental training should include:

- i Knowledge and understanding of the CEMP.
- ii Site induction.

And may include:

- iii Emergency response training.
- iv Familiarisation with site environmental controls.
- v Erosion and sediment control training.

m Communication

This section should include how the contractor plans to keep affected residents informed as to the nature and scope of works, the type of consultation and frequency.

This section should identify and list details for relevant external stakeholders such as:

- i EPA.
- ii NPWS.
- iii NSW Fisheries.
- iv NRAR.
- v Aboriginal Groups.
- vi TfNSW.
- vii Council.

This section should also detail the procedures for the notification of complaints and identify the person responsible for its maintenance and follow up action.

n Emergency Planning and Response

This section should detail the procedure to be followed in the event of an environmental emergency. An environmental emergency is any event that causes or has the potential to cause environmental damage. The procedure needs to include:

- i The names of key emergency response personnel;
- ii Personnel responsibilities and contact details;
- iii Contact details for emergency services (ambulance, fire brigade, spill clean up services);
- iv The location of on-site information on hazardous materials, including MSDSs and spill containment material;
- v The procedure to follow to minimise/control the emergency;
- vi Procedures for notifying the Superintendent, the public and/or EPA.

Emergency Response Contacts should be listed in table form.

o Auditing and Monitoring

- p Environmental Action Monitoring  
This section should detail how all Environmental Actions identified in Section 2 are going to be monitored and verified. This section should also detail or refer to a procedure to ensure that all monitoring results that exceed set criteria are acted on quickly and that the appropriate regulatory authorities are notified.
- q Auditing  
This section should detail audit criteria, frequency and scope.
- r Non-Conformance and Corrective and Preventive Action  
This section should state how these items should be addressed.
- s Review of CEMP  
This section should detail the procedure and frequency of reviewing the CEMP and how those using it will be aware of changes.
- t Appendix 1 - Environmental Action Table  
The environmental action table should provide sufficient information to ensure effective and efficient on-site environmental management. The Environmental Actions Table should include all Environmental Actions that were identified in Section 2.0 of the CEMP. The Environmental Actions Table must clearly convey what action is required, when it needs to be done and who is supposed to do it.
- u Appendix 2 - Environmental Action Monitoring Table  
This section should detail how all of the environmental actions listed in Appendix 1 are going to be monitored and verified, The monitoring must clearly convey what monitoring is required, when the monitoring is to take place and who is to do it.

#### 51 **Dilapidation Survey**

A dilapidation survey and report shall be submitted to the PC.

The dilapidation survey and report shall accurately reflect the condition of existing public and private infrastructure and buildings in the adjacent street(s) fronting the lots and adjoining lots.

The report shall outline measures for the protection of existing public and private infrastructure during the works.

Any damage to buildings, infrastructure items and relics which is caused by the developer shall be repaired to the satisfaction of the PC prior to the issue of an Occupation Certificate.

#### 52 **Development Contributions**

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan, a monetary contribution of \$73,560.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

This amount has been calculated based on the estimated cost of development and the applicable percentage rate.

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

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

Where:

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

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

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

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

The following payment methods are available:

METHOD	HOW	PAYMENT TYPE
Online	<a href="http://www.wollongong.nsw.gov.au/applicationpayments">http://www.wollongong.nsw.gov.au/applicationpayments</a> Your Payment Reference: 1319666	<ul style="list-style-type: none"> <li>• Credit Card</li> </ul>
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	<ul style="list-style-type: none"> <li>• Cash</li> <li>• Credit Card</li> <li>• Bank Cheque</li> </ul>
PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted)		

A copy of the Wollongong City-Wide Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at [www.wollongong.nsw.gov.au](http://www.wollongong.nsw.gov.au)

#### Prior to the Commencement of Works

##### 53 Appointment of PC

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

- a Appoint a PC 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 days notice is required).

The PC must determine when inspections and compliance certificates are required.

##### 54 Sign – Supervisor Contact Details

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

- a stating that unauthorised entry to the work site is not permitted;
- b showing the name, address and telephone number of the PC for the work; and
- c showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

##### 55 Temporary Toilet/Closet Facilities

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

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

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

##### 56 Structural Engineer's Details

Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the PC, prior to the commencement of any works on the site.

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

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

58 **Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the PC. No building work is to commence until the fence is erected.

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

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

60 **Waste Management**

The developer must provide an adequate receptacle to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and reusable materials.

61 **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.

**During Demolition, Excavation or Construction**

62 **Acoustic Requirements**

All the structural recommendations of the Noise Impact Assessment report dated 2 July 2021 prepared by Rodney Stevens Acoustic shall be implemented. The construction material used for the retail, fitness centre/gymnasium spaces and glazing for child care centre is to comply with the various noise criteria of the Noise Impact Assessment report dated 2 July 2021 prepared by Rodney Stevens Acoustic.

63 **Mechanical Plants and Exhaust Ventilation System**

**Mechanical Exhaust**

Centralised mechanical exhaust ventilation must be provided to the building and all commercial kitchens such as cafes and restaurants cooking appliances installation as per AS 4674:2004, AS 1668.2:1991 and the grease filters to comply with AS 1530.1.

**Outdoor Air Conditioning or Refrigeration Units**

The outdoor units for refrigeration system including air conditioners shall have suitable acoustic enclosure to comply with the noise guidelines.

### **Duct System**

The ducting within the building must be mounted on vibration reducing pads to minimise vibration effect for residential and commercial spaces and is to comply with the vibration guidelines.

64 **Survey Report for Floor Levels**

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

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

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

66 **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.

67 **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 PC and Council. No work is permitted on public holidays or Sundays.

Allowable construction activity noise levels must be within the limits identified in the NSW EPA Interim Construction Noise Guidelines (ICNG) July 2009. ICNG are also applied for blasting, rock hammer and drilling, external plant and equipment.

<https://www.environment.nsw.gov.au/resources/noise/09265cng.pdf>

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

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

Note: The developer is advised that other legislation may control the activities for which Council has granted consent, including but not limited to, the Protection of the Environment Operations Act 1997.

### **Excavation/Filling/Retaining Wall Structures**

68 Any proposed filling on the site must not:

- a encroach onto the adjoining properties, and
- b adversely affect the adjoining properties with surface run-off.

69 All proposed cut and filling works must be adequately retained with all battered slopes being no steeper than 2H: 1V and comply with Council's Development Control Plan.

70 **Excavation – Protection of Adjoining Buildings**

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

- a must preserve and protect the adjoining building from damage; and
- b if necessary, must underpin and support the building in an approved manner; and

- c must, at least seven (7) days before excavation below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation.

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

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

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

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

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

74 **Provision of Waste Receptacle**

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

75 **Excess Excavated Material – Disposal**

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

76 **Provision of Taps/Irrigation System**

The provision of common taps and an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and irrigation system must be implemented in accordance with the approved Landscape Plan.

77 **Screen Planting**

To mitigate impact to adjoining dwelling a continuous hedge is to be established along eastern boundary for the length of property boundary up to but not encroaching on the right of carriage way.

Recommended species:

- i. *Murraya paniculata*, *Photinia* "Red Robin",
- ii. *Viburnum tinus*, *Syzygium australe* "Aussie Southern",
- iii. *Syzygium australe* "Aussie Compact",
- iv. *Syzygium luehmannii* x *S.wilsonii* "Cascade",
- v. *Westringia fruticosa*.

Minimum spacing 900mm.

Minimum pot size 5 lt.

A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

78 **Podium Planting**

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

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

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

79 **Fences**

Any new fences constructed on the site and located in the flood plain shall be of a type that will not obstruct the free flow of floodwaters and not cause damage to surrounding land in the event of a flood.

**Prior to the Issue of the Occupation Certificate**

80 **A Section 73 Certificate must be submitted to the PC prior to occupation of the development/release of the plan of subdivision.**

81 **Fire Safety Certificate**

A Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Fire Safety Certificate is issued, the owner of the building to which it relates:

- 1.1 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
- 1.2 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.

82 **Drainage**

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP 2009. This information must be submitted to the PC prior to the issue of the final Occupation Certificate.

83 **Restriction on Use – On-site Detention System**

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

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

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

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

84 **Retaining Wall Certification**

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

85 **Swimming Pool Barriers**

The swimming pool shall be provided with child-resistant barriers, prior to the placement of water in the pool, in accordance with Section 7 of the Swimming Pools Act 1992 and Australian

Standards AS 1926. The barrier shall be installed to the satisfaction of the PC and prior to the issue of an Occupation Certificate.

86 **Warning Notice**

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

87 **Occupation Certificate**

A Occupation Certificate must be issued by the PC prior to occupation or use of the development. In issuing an Occupation Certificate, the PC 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.

88 **Positive Covenant – On-Site Detention Maintenance Schedule**

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

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

89 **On-Site Detention – Structural Certification**

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the PC 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.

90 **Completion of Landscape Works**

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

91 **Floor Construction**

The floor must be finished to a smooth, even non-slip surface, graded and drained to the floor waste (AS 4674:2004 - Section 3).

92 **Floor Waste**

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).

93 **Coving**

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).

94 **Cleaner’s Sink**

Where floor wastes are not installed as a means of disposing of wastewater, a cleaner’s sink serviced with hot and cold water through taps fitted with hose connectors must be provided and located outside of areas where open food is handled (AS 4674:2004 - Section 4.1.8).

95 **Tap Fittings**

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).

96 **Penetrations**

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).

97 **Wall Requirements**

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).

98 **Ceiling Construction**

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).

99 **Hand Basin(s) and Hand Towels**

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 5m 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).

100 **Equipment for Cleaning and Sanitising**

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).

101 **Fittings**

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).

102 **False Bottoms**

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

103 **Display Units**

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).

104 **Condensation Collection/Overflow**

Condensation from 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.

105 **Mechanical Exhaust**

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).

106 **Doors**

Doors to the internal toilet and air lock must be fitted with a self-closing device. Toilet and air lock doors must not be able to be held in an open position (AS 4674:2004 - Section 5.2).

- 107 **Hot Water Service**  
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).
- 108 **Storerooms**  
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.
- 109 **Insect Protection**  
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).
- 110 **Storage Facilities**  
Sufficient facilities must be provided for the storage of cleaning materials, office materials, employees' clothing and personal belongings (AS 4674:2004 - Section 5.1).
- 111 **Waste Storage**  
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).
- 112 **Registration**  
The food business is required to be registered with Council. A Food Business Notification Form must be submitted prior to business operations commencing. The appropriate form can be completed on Councils' web page by visiting:  
<https://wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/food-businesses>  
Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a registration form.
- 113 **Structural Soundness Certification**  
The submission of a report from a suitably qualified and experienced structural engineer to the PC is required, prior to the issue of the Occupation Certificate and commencement of use. This report is required to verify that the building can withstand the forces of floodwater, debris and buoyancy up to and including the 1 in 100 year flood level plus freeboard, Probable Maximum Flood (PMF) or Probable Maximum Flood (PMF) plus freeboard being RL 25.98 metres AHD or greater.
- 114 **Installation of Fittings and Fixtures**  
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.

### **Operational Phases of the Development/Use of the Site**

- 115 All servicing and waste collection is to be carried out by a vehicle no larger than a Medium Rigid Vehicle (max 8.8 metres in length) from the designated loading/unloading facility enabling forward exit in no more than a 3-point turn.
- 116 All waste collection, servicing and deliveries are to be undertaken outside of normal retail trading hours to ensure that service and delivery vehicles reversing within car parking areas do not impact on the safety of the general public.

- 117 **Child Care Centre Numbers**  
The child care centre is restricted to a maximum number of 90 children which are permitted to be at the centre at any one time.
- 118 **Child Care Centre Noise Restriction**
- a **Residential Receptors**
- i Outdoor Play Area  
**Up to two (2) hours (total) per day** - The LAeq 15 minute noise level emitted from the outdoor play area shall not exceed the background noise level by more than 10 dB at the assessment location.  
**More than two (2) hours per day** - The LAeq 15 minute noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dB at the assessment location.  
The assessment location is defined as the most affected point on or within any residential receiver property boundary. Examples of this location may be:
- 1.5 m above ground level;
  - On a balcony at 1.5 m above floor level;
  - Outside a window on the ground or higher floors.
- ii Indoor Play Area, Mechanical Plant, Pick up and Drop off  
The LAeq 15 minute noise level emitted from the cumulative noise impact of children playing indoors, mechanical plant and traffic on the site shall not exceed the background noise level by more than 5 dB at the assessment location.
- 119 **Child Care Management Plan**  
The recommendations of child care plan of operation management plan must be implemented during the operation of child care.
- 120 **Acoustic Compliance Report**  
Within six months of the child care centre commencing operation, when the capacity of the centre has reached its maximum capacity, the centre operator shall submit a child care operational noise compliance report prepared by an acoustic consultant who is a member of the Australian Acoustic Society (AAS) or the Association of Australian Acoustic Consultants (AAAC) in relation to noise requirements stated in Condition 61. A copy of the acoustic compliance report must be submitted to council Environment Section.
- 121 **CCTV**  
A closed circuit television system (CCTV) should be installed to record all images of the rear and basement car parks. The camera views are not to be obstructed by temporary or permanent structures, signage or other impediments. The cameras should operate 24 hours a day.
- 122 **Restricted Hours of Operation**  
The hours of operation for the child care centre shall be restricted to 7.00 am to 6.00 pm Monday to Friday only.  
The hours of operation for the fitness centre (gymnasium) shall be restricted to 7.00 am to 7.00 pm Monday to Friday only.  
Any alteration to the approved hours of operation will require separate Council approval.
- 123 **Backwash of Swimming Pool Water**  
The discharge of water from the pool should only be carried out after chlorine levels in the water have been depleted. Swimming pool water should not be discharged to a watercourse.
- 124 **Swimming Pool Filtration Motor**  
The operation of the swimming pool filtration motor shall be restricted to the following hours of operation:  
Monday to Friday - 7:00 am to 8:00 pm  
Saturdays, Sundays and Public Holidays - 8:00 am to 8:00 pm

The equivalent continuous noise level ( $L_{Aeq(15min)}$ ) of the swimming pool filtration motor shall not exceed 5dB(A) above the background noise level ( $L_{A90(15min)}$ ) at the most affected point(s) along any boundary of the property.

125 **Swimming Pool – Discharging Water**

Discharge and/overflow pipe from the swimming pool and filtration unit must be connected to the sewer where available. All backwash water from the filtration unit is to be similarly disposed.

The pool excavations are not to conflict with the position of household drainage trenches or lines, the position of which must be ascertained before pool excavation commences.

126 **Noise Restrictions on Commercial Development excluding Child Care**

The noise ( $L_{Aeq(15min)}$ ) emanating from commercial developments must not exceed 5 dB(A) above the background noise level ( $L_{A90(15min)}$ ) of the area at any boundary of the land.

127 **Loading/Unloading Operations/Activities**

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

128 **Loading Bay/Service Bay**

This Loading Bay/Service Bay is to be dedicated for loading and unloading at all times and for waste removal. No parking in this space shall occur. A sign shall clearly mark this space and its use.

129 **Waste Management**

An adequate number of waste receptacles for both general rubbish and recyclable materials shall be placed strategically around the site and collected on the regular basis. Waste shall not be allowed to accumulate on the site.

130 **Activities and Storage of Goods Outside Buildings**

There will be no activities including storing or depositing of any goods or maintenance to any machinery external to the building with the exception of waste receptacles.

131 **Waste facilities**

Work Health and Safety issues such as slippery floors in waste rooms and the weight of the waste and recycling receptacles will need to be monitored. Cleaners must monitor the bin storage area and all spills need to be attended to immediately by cleaners.

132 **Registration**

The public swimming pool and spa is required to be registered with Council. A Notification of Public Pool Spas – Mortuary – Sex Industry Premises – Places of Shared Accommodation Form must be submitted prior to business operations commencing. The appropriate form can be found on Council's website by visiting: <https://www.wollongong.nsw.gov.au/business-in-wollongong/business-permits-and-regulations/health-and-safety-rules/health-and-safety-accordions/other-businesses-that-must-be-registered-with-council>

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

133 **Maintenance of Landscaping**

All trees and plants forming part of the approved landscaping in must be maintained in perpetuity. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.