

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney *28 January* 2020

SCHEDULE 1

- Development consent:** **SSD 8596** granted by the Executive Director, Priority Projects Assessments on 24 August 2018.
- For the following:** Construction and use of a new educational establishment, known as the Western Building, comprising:
- site preparation works involving the demolition of two existing demountable buildings, removal of 113 trees and removal of 104 Carpark P4 car parking spaces and two bicycle spaces.
 - construction of a new four storey education building (plus rooftop plant), and 9,329 sqm of gross floor area
 - provision of 13 new bicycle parking spaces
 - Robsons Road culvert upgrade works
 - landscaping and public domain works and ancillary drainage, infrastructure and site access works.
- Applicant:** University of Wollongong
- Consent Authority:** Minister for Planning and Public Spaces
- The Land:** University of Wollongong, Lot 1 DP 1188267, Northfields Avenue, Keiraville and Robsons Road, Keiraville
- Modification:** Modifications to the stormwater management system.

SCHEDULE 2

The consent (SSD 8596) is modified as follows:

- a) Schedule 1 – Description of Development is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~**bold and struckout**~~ words numbers as follows:

Construction and use of a new educational establishment, known as the Western Building, comprising:

- site preparation works involving the demolition of two existing demountable buildings, removal of ~~113~~ **130** trees and removal of 104 Carpark P4 car parking spaces and two bicycle spaces.
- construction of a new four storey education building (plus rooftop plant), and 9,329 sqm of gross floor area
- provision of 13 new bicycle parking spaces
- ~~Robsons Road culvert upgrade works~~ **construction of a flood training wall**
- landscaping and public domain works and ancillary drainage, infrastructure and site access works.

- b) Schedule 2 Part A – Administrative Conditions, Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~**bold and struckout**~~ words numbers as follows:

Development in Accordance with Plans and Documents

A2. The development may only be carried out:

- a) in compliance with the conditions of this consent;
- b) in accordance with all written directions of the Planning Secretary;
- c) generally in accordance with the EIS as amended by the RtS;
- d) the s4.55(1A) Modification Application (SSD MOD 1) prepared by Ethos Urban, dated 4 March 2019 and the Response to Request for Further Information prepared by Ethos Urban, dated 18 April 2019; ~~and~~
- e) **the s4.55(1A) Modification Application (SSD 8596 MOD 2) prepared by Ethos Urban, dated 16 September 2019 and 11 October 2019 and the Responses to Request for Further Information prepared by Ethos Urban, dated 10 October 2019, 29 October 2019 and 12 December 2019; and**
- f) in accordance with the approved plans in the table below:

Architectural (or Design) Drawings prepared by HASSELL and University of Wollongong			
Dwg No.	Rev.	Name of Plan	Date
-	-	Demountables Relocation Plan	March 2018
A_0200	A	Demolition Plan and Nominal Contractor Laydown and Car Parking Area	16.02.18
SK_0001	B	Site Plan	23.10.17
SK_0033	H	Schematic Ground Layout	20.10.17
SK_0034	H	Schematic_Level 1 Layout	20/02/19
SK_0035	H	Schematic_Level 2 Layout	20/02/19
SK_0036	J	Schematic_Level 3 Layout	20/02/19

SK_0037	H	Schematic_Level 4 Layout	20/02/19
SK_0042	H	GA Elevations North-South	28/02/19
SK_0043	G	GA Elevations East-West	25/02/19
Landscape (or Design) Drawings prepared by TaylorBrammer			
Dwg No.	Rev.	Name of Plan	Date
LC01	L	Landscape Concept – Masterplan	27.10.17
LC02	L	Landscape Concept – Sections	27.10.17
Stormwater Drawings prepared by Taylor Thomson Whitting and Cardno			
Dwg No.	Rev.	Name of Plan	Date
C05	P6	Site Works Plant Sheet 1	18.10.17
C02	P1	Erosion & Sediment Control Plan	15.08.17
8201720801-001 SK005 8201720801-001 C2000	2 A	Culvert Layout Plan <u>Cover Sheet</u>	15.01.18 <u>19.08.19</u>
8201720801-001 SK006 8201720801-001 C2001	1 A	Long section <u>Locality Plan and Drawing Schedule</u>	15.01.18 <u>19.08.19</u>
8201720801-001 C2002	A	Cross sections <u>General Notes</u>	15.01.18 <u>19.08.19</u>
8201720801-001 C2003	A	Typical Details <u>General Arrangement and Layout Plan</u>	15.01.18 <u>19.08.19</u>
8201720801-001 C2004	A	<u>Retaining Wall Longsection Plan</u>	<u>19.08.19</u>
8201720801-001 C2005	A	<u>Retaining Wall Typical Details</u>	<u>19.08.19</u>

- c) Schedule 2 Part B – Prior to Commencement of Works, Condition B17 is amended by the insertion of the **bold and underlined** words and deletion of the ~~**bold and struckout**~~ words as follows:

B17. Final ~~drainage~~ **flood mitigation** design plans of the stormwater drainage management system must be prepared by a suitably qualified engineer generally in accordance with the stormwater drainage drawings prepared by *Taylor Thomson Whitting and Cardno* and be in accordance with the requirements of Chapter E14 of Council's Development Control Plan 2009. The ~~drainage~~ design plans must be submitted to the Certifying Authority prior to the commencement of works. The design of the development is to ensure there are no adverse effects adjoining properties or upon the land as a result of flood or stormwater run-off.

- d) Schedule 2 Part C – During Construction, Condition C19 is amended by the insertion of the **bold and underlined** words and deletion of the ~~**bold and struckout**~~ words as follows:

Protection of Trees

C19.

- a) No trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property.

- b) All trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of Council.
- c) All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.
- d) If access to the area within any protective barrier is required during the works, it shall be carried out under the supervision of a qualified arborist. Alternative tree protection measures shall be installed, as required. The removal of tree protection measures, following completion of the works, shall be carried out under the supervision of a qualified arborist and shall avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

e) Works associated with the installation of footings associated with the flood training wall must be supervised by an AQF Level 5 Arborist to ensure that surrounding trees are appropriately protected and not impacted by the works.

- e) Schedule 2 Part C – During Construction, is amended by the insertion the **bold and underlined** words immediately following Condition C37, as follows:

Biodiversity

C38. Prior to any clearing associated with the flood training wall, the class and number of ecosystem credits in the table below must be retired to offset the residual biodiversity impacts of the development.

<u>Plant community type</u>	<u>Number of Credits</u>	<u>In the below IBRA sub regions</u>
<u>PCT 1245: Sydney Blue Gum x Bangalay – Lilly Pilly moist forest in gullies and on sheltered slopes, southern Sydney Basin Bioregion</u>	<u>1</u>	<u>Illawarra</u>

C39. The requirement to retire credits in Condition C38 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

C40. Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition C38 must be provided to the Planning Secretary prior to commencing works associated with the construction of the flood training wall, including any impacts to relevant vegetation.

C41. Immediately prior to and during the clearing of trees associated with the installation of the flood training wall, an ecologist is to be on site to catch and relocate any fauna and ensure that only trees identified within Biodiversity Development Assessment Report prepared by Lodge Environmental, dated 9 December 2019, are cleared and impacts are minimised wherever possible.

- f) Schedule 2 Part D – Prior to Occupation of Commencement of Use, Condition D15 is amended by the insertion of the **bold and underlined** numbers and deletion of the ~~**bold and struckout**~~ numbers as follows:

Landscaping

D15. Prior to the commencement of use of the new Western Building, the Applicant must submit to the satisfaction of the certifying authority an as-planted landscape plan, prepared by a suitably qualified arborist **and/or ecologist**, depicting **57 74** new trees and five new palms planted on the subject site in locations viable to their long-term growth.

A copy of the as-planted landscape plan is to be submitted to the Planning Secretary.

End of modification

(SSD 8596 MOD 2)