

PROJECT APPLICATION APPROVAL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

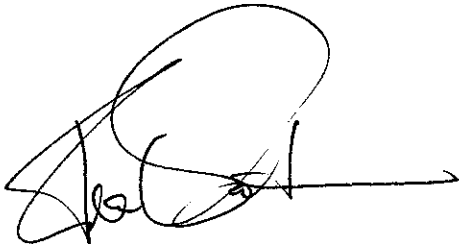
DETERMINATION OF MAJOR PROJECT NO. MP 06_0209

(FILE NO. S06/00441)

WOLLONGONG CENTRAL REDEVELOPMENT

I, the Minister for Planning, having considered the following, pursuant to Part 3A of the *Environmental Planning & Assessment Act, 1979*, Section 75J Clause (2) determine the major project proposal referred to in the attached Director-General's Environmental Assessment Report, by **granting approval** to the major project referred to in the attached Schedule 1 subject to the conditions of consent in the attached Schedule 2.

This approval applies to the plans, drawings and documents cited by the Proponent in their Environmental Assessment identified in that attached Schedule 2 and the Proponent's Statement of Commitments in Schedule 3, subject to the conditions of approval in the attached Schedule 2.



Frank Sartor MP
Minister for Planning

Sydney,

28th April 2008

SCHEDULE 1

PART A—TABLE

Application made by:	The GPT Group
Application made to:	Minister for Planning
Major Project Application:	MP 06_0209 (Project Approval)
On land comprising:	Lot 262 & 260 DP 823263, lot 270 DP 847391, lot 250 DP823262, lot 1 DP 503512, lot 100 DP 568649, lot 7 DP 521621, lot 1 DP 510608, lot A-B DP 403097, lot 1 DP 799494, lot 1 DP 797590, lot 100 DP 734993, lot 1-2 DP 17888, lot 1 DP 154592, Lot 1 DP 804785
Local Government Area	Wollongong
For the carrying out of:	<ul style="list-style-type: none"> • demolition of all existing structures on the West Keira site; • construction of a new six-level retail centre comprising a single level basement car park, three levels of retail (including one at lower ground level), and two levels of above-ground parking on the West Keira site; • internal alterations and remix of existing retail activities within Wollongong Central Shopping Centre; • construction of a new eight-screen cinema complex at the corner of Market Street and Church Street; • extension of the retail façade out to the Crown Street Mall alignment (1m); • a total of 80,270sq.m of GFA (Stage 1); • the use of the land for retail, commercial, residential, cinema (place of public entertainment), food premises (such as restaurants and cafes) and car parking; • the erection of internal walls and fit out of shops, and the erection of signage; • associated road works, public domain and landscape works, and service augmentation/ connection; • support structures on the West Keira site for the erection of two future towers (subject to separate approval); • construction of a pedestrian tunnel and a pedestrian bridge across Keira Street and the creation of associated stratum lots, linking Wollongong Central with West Keira; • realignment of the eastern end of Crown Street through demolition of No. 228 Crown Street and the dedication of that land to Wollongong Council, and the creation of a new piazza at the corner of Crown Lane, Crown Street, and Keira Street; and • closure of the southern end of Richardson Street.
Estimated Cost of Works	\$181.2m
Type of development:	Major Project
S.119 Public Inquiry held:	No
Determination made on:	
Date approval is liable to lapse:	Approval shall lapse in 5 years after the determination date of this approval unless works have physically commenced on the development.

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06_0209***Responsibility for other consents / agreements***

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

Legal notices

Any advice or notice to the Certifying Authority and the PCA shall be served on the Council.

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

Council means Wollongong City Council.

CPI means Consumer Price Index.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department.

Environmental Assessment means the Environmental Assessment prepared by BBC Consulting Planners dated July 2007.

Minister means the Minister for Planning.

MP No. 06_0209 means the Major Project described in the Proponent's Environmental Assessment.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Proponent means The GPT Group or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 06_0209

PART A—ADMINISTRATIVE CONDITIONS

A1 Development Description

Approval is granted only to carrying out the development described in detail below:

1. demolition of all existing structures on the West Keira site;
2. construction of a new six-level retail centre comprising a single level basement car park, three levels of retail (including one at lower ground level), and two levels of above-ground parking on the West Keira site;
3. internal alterations and remix of existing retail activities within Wollongong Central Shopping Centre;
4. construction of a new eight-screen cinema complex at the corner of Market Street and Church Street;
5. extension of the retail façade out to the Crown Street Mall alignment (1m);
6. a total of 80,270sq.m of GFA (Stage 1);
7. the use of the land for retail, commercial, residential, cinema (place of public entertainment), food premises (such as restaurants and cafes) and car parking;
8. the erection of internal walls and the erection of signage;
9. associated road works, public domain and landscape works, and service augmentation/ connection;
10. support structures on the West Keira site for the erection of two future towers (subject to separate approval);
11. construction of a pedestrian tunnel and a pedestrian bridge across Keira Street and the creation of associated stratum lots, linking Wollongong Central with West Keira;
12. realignment of the eastern end of Crown Street through demolition of No. 228 Crown Street and the dedication of that land to Wollongong Council, and the creation of a new piazza at the corner of Crown Lane, Crown Street, and Keira Street; and
13. closure of the southern end of Richardson Street.

A2 Development in Accordance with Documents

The development will be undertaken in accordance with the Environmental Assessment dated July 2007 prepared by BBC Consulting Planners and all Appendices, except where varied by

- the Preferred Project Report submitted on 20 December 2007 and all Appendices,
- the Proponent's Statement of Commitments included in the PPR amendments dated 20 December 2007; and
- the following drawings:

Architectural (or Design) Drawings prepared by Lend Lease Design in association with PTW Architects			
Drawing No.	Revision	Name of Plan	Date
DA-A100C	Q	Overall Floor Plan – Level B1 Basement Car park	06/07/2007
DA-A101C	Q	Overall Floor Plans – Level 1 Retail Lower Ground Floor	06/07/2007
DA-A102C	R	Overall Floor Plans – Level 2 Retail Ground Floor	14/12/2007
DA-A103aC	Q	Overall Floor Plans – Level 3A Crown Central Mezzanine	06/07/2007
DA-A103C	R	Overall Floor Plans – Level 3 Retail Crown	14/12/2007

		Central First Floor	
DA-A104C	R	Overall Floor Plans – Level 4 Retail and Car park Level	14/12/2007
DA-A105C	R	Overall Floor Plans – Level 5 Car park Level	14/12/2007
DA-A106C	R	Overall Floor Plans – Level 6 Car park Level	14/12/2007
DA-A107C	R	Overall Floor Plans – Level 7 Car park and Cinema Levels	14/12/2007
DA-A108C	Q	Overall Floor Plans – Level 8 Plant Level	06/07/2007
DA-A109C	Q	Overall Floor Plans – Level 9 Plant Level	06/07/2007
DA-A201C	R	Overall Elevations – Sheet 1	14/12/2007
DA-A202C	R	Overall Elevations – Sheet 2	14/12/2007
DA-A210C	A	Elevation – Crown St. Mall	11/12/2007
DA-A211C	A	Elevation – Crown Ln. (West Keira)	11/12/2007
DA-A212C	A	Elevation – Keira St. (West Keira)	11/12/2007
DA-A213C	A	Elevation – Keira St. (Crown Central)	11/12/2007
DA-A214C	A	Elevation – Market St. (Crown Central)	11/12/2007
DA-A215C	A	Façade Details – Crown Street	11/12/2007
DA-A216C	A	Elevation – Keira St. Bridge	11/12/2007
DA-A219C	A	Façade Details – Keira St. (West Keira)	12/2007
DA-A301C	Q	Overall Sections – Sheet 1	06/07/2007
DA-A302C	Q	Overall Sections – Sheet 2	06/07/2007
DA-A303C	Q	Overall Sections – Sheet 2	06/07/2007
DA-A304	R	Sections and Details through Tunnel under and Bridge over Keira St	14/12/2007
DA-A305C	R	Sections – Street Awnings	14/12/2007
Demolition Drawings prepared by Lend Lease Design in association with PTW Architects			
Drawing No.	Revision	Name of Plan	Date
DA-A401C	Q	Overall Demolition Plans – General Site	06/07/2007
DA-A402C	Q	Overall Demolition Plans – Level 2	06/07/2007
DA-A403C	R	Overall Demolition Plans – Level 3	14/12/2007
DA-A404C	R	Overall Demolition Plans – Level 4	14/12/2007
DA-A405C	Q	Overall Demolition Plans – Level 5 Car park Level	06/07/2007
DA-A406C	Q	Overall Demolition Plans – Level 6	06/07/2007
DA-A407C	Q	Overall Demolition Plans – Level 2	06/07/2007
Landscape Drawings prepared by Lend Lease Design in association with Site Image			
Drawing No.	Revision	Name of Plan	Amendment Date
0101	M	Landscape Master plan Sheet 1	18/12/2007
0102	E	Landscape Master plan Sheet 2	18/12/2007
Civil Engineering Drawings prepared by Lend Lease Design in association with Hyder Consulting			

Drawing No.	Revision	Name of Plan	Date
DAC200002	08	Erosion & Sediment Control Plan and Details	27/04/2007
DAC200003	13	Pavement Plan	10/07/2007
DAC200004	11	Site works & Stormwater Drainage Plan – Sheet 1	27/04/2007
DAC200005	12	Site works & Stormwater Drainage Plan – Sheet 2	27/04/2007
DAC200006	06	Catchment Plan	27/04/2007
DAC200007	12	Services Coordination Plan - Sheet 1	27/04/2007
DAC200008	12	Services Coordination Plan - Sheet 2	27/04/2007
DAC200009	08	Turns Paths - Sheet 1	27/04/2007
DAC200010	13	Turnings Paths - Sheet 2	13/12/2007
DAC200011	09	Traffic Management Plan – Heavy Vehicles and Bus Diversion Routes during Tunnel Construction	27/04/2007
DAC200012	08	Keira Street Tunnel – Construction Management Plan	27/04/2007
DAC200013	07	Tunnel Sections	27/04/2007
DAC200016	07	Intersection Plans	10/07/2007
DAC200017	02	Signage and Line marking Plan Sheet 1	13/12/2007
DAC200018	02	Signage and Line marking Plan Sheet 2	13/12/2007
DAC200019	01	Turns Paths - Sheet 3	13/10/2007
DAC200714	07	Site works Details	27/04/2007
DAC200715	06	Stormwater Details	27/04/2007

except for:

- (1) otherwise provided by the conditions of this approval.

A3 Inconsistency between documents

In the event of any inconsistency between conditions of this approval and the drawings/documents including Statement of Commitments referred to above, the conditions of this approval shall prevail.

A4 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of development approval under clause 98 of the Regulation.

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

B1 Design Modifications

Documentation incorporating the following amendments shall be submitted for approval to the Director-General, prior to issue of a Construction Certificate for above ground works:

- (1) The Crown Street Pedestrian Bridge linking the Wollongong Central and the Gateway shopping centres shall be refurbished and upgraded to match/complement the architecture and external presentation of the Keira Street pedestrian bridge and generally to improve the visual presentation to the mall.
- (2) The Keira Street pedestrian bridge shall be reduced in width from 10m to a maximum external width of 6m.
- (3) The height of the Regent Street access ramp shall not be higher than the lowest balcony floor level of the adjoining residential flat building.

B2 Advertising Signs

No retail advertising signs shall be erected above the ground floor level of both the West Keira and Crown Central sites. Advertising sign No. 7 identified on the signage strategy shall be deleted.

B3 Footpath and Road Damage Bank Guarantee

Prior to commencement of works the Proponent must provide a bank guarantee for a reasonable sum to be determined by Council as security for rectification of any damage to the public way and roadways adjacent to the site resulting from the works the subject of this approval.

B4 Landscaping/public domain

All public domain and landscaping works shall be undertaken by the proponent at no cost to Council for all street frontages (apart from the Crowns Street Mall covered by the 2% levy) to the extent of the property boundary. A revised landscaping plan is to be prepared in accordance with Council's City Centre City Improvement Plan and approved by Council prior to issue of a Construction Certificate for public domain works.

All works shall be done in consultation with Council in accordance with Council's City Centre City Improvement Plan, to a standard approved by Council, prior to the issue of an Occupation Certificate.

B5 Treatment of Vehicular Entries

In order to improve the appearance of the building when viewed from the street, any part of the walls and ceilings of vehicular entry points that are visible from the street shall be finished in high quality materials and no service ducts or pipes are to be visible.

B6 Disabled Access

Access and facilities for people with disabilities, including but not limited to public open space within the development and footpaths forming part of the works, shall be provided in accordance with Part D3 of the *Building Code of Australia*. Prior to the issue of a Construction Certificate, a certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.

B7 Reflectivity

The light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for above ground works.

B8 GFA Certification

A Registered Surveyor is to certify that the Gross Floor Area (GFA) of the development at the subject site approved by this major project does not exceed 80,270m² for both West Keira and Wollongong Central in accordance with the definition of GFA contained within the *WCC LEP 2007*. Details shall be provided to the Certifying Authority demonstrating compliance with this condition prior to the issue of a Construction Certificate

for above ground works. Upon completion of the building works the GFA shall be validated by a registered surveyor prior to issuing an Occupation Certificate.

Remediation / Demolition / Earthworks

B9 Erosion and Sedimentation Control

Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1 (2004)* by Landcom.

B10 Pre-Construction Dilapidation Reports

The Proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all existing and adjoining buildings, infrastructure and roads where relevant.

The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate. A copy of the report is to be forwarded to Council prior to commencement of work.

Construction Management

B11 Construction Management Plan

Prior to the issue of a Construction Certificate, the Construction Management Plan shall be amended to be consistent with the conditions contained in this consent (where relevant). The Proponent shall submit a copy of the approved plan to the Council prior to commencement of work.

B12 Traffic & Pedestrian Management Plan

Prior to the issue of a Construction Certificate, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (1) ingress and egress of vehicles to the site,
- (2) loading and unloading, including construction zones,
- (3) predicted traffic volumes, types and routes, and
- (4) pedestrian and traffic management methods.

The Proponent shall submit a copy of the approved plan to the Council prior to commencement of work.

B13 Construction Waste Management Plan

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority a Waste Management Plan prepared by a suitably qualified person in accordance with Council's policy. The Proponent shall submit a copy of the plan to the Council prior to commencement of work.

B14 Soil and Water Management Plan

Prior to issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority a Soil and Water Management Plan prepared by a suitably qualified person and in accordance with Council's policy.

Appropriate strategies and systems are to be installed to ensure the prevention of discharge of any pollutant, which may degrade the environment or be prejudicial to its inhabitants. During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the proponent.

B15 Stormwater and Drainage

Prior to issuing a construction certificate for the proposed development, details of the proposed storm water disposal and drainage must be submitted to and approved by Council. All approved details for the disposal of storm water and drainage are to be implemented in the development.

The requirements of Council with regard to the on-site detention and disposal of storm water must be submitted and endorsed prior to commencement of works.

Traffic**B16 Number of Car Spaces**

The number of car spaces to be provided for stage 1 of the development shall be a minimum of 1446 (inclusive of 610 existing car parking spaces). Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for works relating to car parking.

A minimum of 72 bicycle spaces and suitable end of trip facilities (including access to change/shower facilities) for staff of commercial/retail development is to be provided in the development. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for works relating to car parking.

B17 Car Park and Service Vehicle Layout

- (1) The layout of the car park shall comply with Australian Standard AS2890.1: 2004 *Parking Facilities Part 1: Off Street Parking*. All parking spaces are to be line marked. Provision for motorcycles and push bikes are also to be detailed.
- (2) The layout of the service vehicle area shall comply with Australian Standard AS2890.2: 2002 *Off Street Parking Part 2 – Commercial Vehicles Facilities*.
- (3) Details demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior the issue of a Construction Certificate for construction works relating to car parking.

B18 Traffic Management

The following traffic management works are required as a result of this development including:

- Installation of a roundabout at the Richardson Street/Richardson Lane intersection
- Upgrade the existing Give Way (priority) intersection at the Market Street/Richardson Street intersection
- Modifications to the existing Give Way intersection at the Market Street/Regent Street intersection
- Installation of a roundabout at the Regent Street/West Keira car park ramp
- Install traffic calming feature including pedestrian refuge at the Crown Lane/Regent Street/Rawson Street intersection
- To improve parking efficiency across the Wollongong Central redevelopment a signage system is to be provided that indicates the location and availability of car spaces for the entire redevelopment to prevent unnecessary traffic circulation through out the city centre; and
- A "Green Travel Plan" and travel demand management strategies are to be developed and implemented.

Detailed design of the above traffic management requirements is to be carried out for the approval of the RTA prior to issuing a Construction Certificate. Included in the detailed design will be a staging plan for the construction program for the works. The required works shall be completed prior to the completion of the construction works on the development site to which the traffic management changes relate. The traffic management works shall be carried out at no cost to Wollongong City Council or the RTA.

B19 Keira Street Pedestrian bridge

- The Keira Street pedestrian bridge shall be kept clear/free of signs or any other solid structures and shall not be used for any retail/commercial purposes.
- The pedestrian overbridge shall be constructed in accordance with relevant RTA standards and specifications. Details/plans shall be submitted to the RTA for endorsement prior to the issue of the construction certificate for the bridge.
- A minimum vertical clearance of 5.4m shall be maintained between Keira Street and any structure connected to or forming part of the pedestrian overbridge.
- Detailed engineering design plans and drawings of the proposed pedestrian tunnel shall be submitted to the RTA for endorsement. These plans shall be developed in accordance with relevant RTA standards and specifications and shall detail all works within the road reserve including any relocation of utilities and provision for storm water drainage.
- Prior to the issue of the construction certificate for the bridge the applicant shall obtain written confirmation from all utility providers that demonstrates that the design of the proposed pedestrian tunnel is appropriate to accommodate all utility infrastructure and allows practical access to this infrastructure for future maintenance works.
- Long term maintenance of the Keira Street pedestrian overbridge and the Keira Street tunnel shall be borne by the developer. Prior to the issue of the construction certificate for the bridge the developer shall enter in a legal arrangement with the RTA that defines the developer's maintenance responsibilities.

B20 Servicing

- The junction of Market Street and Richardson Lane shall be upgraded to accommodate the swept path of a semi-trailer with a minimum length of 19.0m to AUSROADS Standards.
- Concept design plans for all changes to infrastructure, signposting and line-marking on the classified road network shall be submitted to the RTA and Council for endorsement prior to the issue of the construction certificate for road works.

B21 Traffic Management (further approvals)

The proponent shall gain the RTA's approval for the following traffic/pedestrian management issues prior to the release of a construction certificate for any above ground works relating to the proposal for:

- Infrastructure changes to Keira Street;
- widening of the existing pedestrian crossing on Keira Street including pedestrian safety requirements at this crossing;

The Director General shall be the arbiter between any disputes arising from the above requirements. The above matters shall be addressed to the satisfaction of the Director General, in the event of a dispute.

Landscaping**B22 Outdoor Lighting**

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3.1: 2005 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for public domain works.

Health**B23 Mechanical Ventilation**

All mechanical ventilation systems shall be installed in accordance with the Building Code of Australia and shall comply with the *Public Health (Microbial Control) Regulation 2000* under the Public Health Act 1991. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for above ground works.

Public Services & Infrastructure**B24 Monetary Contributions**

The Proponent shall pay the following monetary contributions in accordance with the Wollongong City Centre Civic Improvement Plan 2007.

(1) Amount of Contribution

Contribution Category	Rate of Contribution	Amount
Section 94A Levy	2% (of the cost of development)	\$3,624,000.00
Section 94 EE Levy	1% (of the cost of development)	\$1,812,000.00

(2) Timing and Method of Payment

The **Section 94A Contributions Levy** is payable to the **Wollongong City Council** prior to the issue of an Occupation Certificate for new development. A bank guarantee for the full contribution including verification of the CIV for the project shall be submitted to Council prior to the release of any Construction Certificate.

The **Section 94EE Special Contributions Levy** is payable to the **Director-General of the Department of Planning** prior to the issue of an occupation certificate for new development. A bank guarantee for the full contribution including verification of the CIV for the project shall be submitted to the Director General prior to the release of any Construction Certificate.

(3) Indexing

At the time of payment, both levies will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

PART C—PRIOR TO COMMENCEMENT OF WORKS

C1 *Demolition Works*

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures*. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

C2 *Awnings*

The proposed footpath awnings are to be constructed in accordance with Council's specifications. Details of the proposed awning materials shall be submitted to and approved by the Department of Planning prior to the commencement of construction works.

C3 *Details of Material, Colours and Finishes*

An alternative pallet of proposed colours for the louvre blades and vitrolite panelling, which include some earthy tones, shall be submitted to and approved by the Department of Planning prior to the commencement of construction works.

C4 *Remediation / Removal of hazardous materials in existing structures and soil*

Prior to the commencement of demolition work:

- (1) A Hazardous Materials Survey shall be prepared for all buildings and structures to be demolished. The Survey shall include the recommendations for the management of removal and transportation of such materials in accordance with the requirements of the Department of Environment and Climate Change (DECC) and the NSW Work Cover Authority.
- (2) A Remediation Action Plan (RAP) to describe the remediation and validation measures shall be developed in accordance with the recommendations of the Report on Stage 1 Contamination Assessment prepared by Douglas Partners dated May 2007 and submitted to the satisfaction of the PCA prior to the commencement of works.
- (3) The site is to be remediated and validated in accordance with the approved RAP prior to commencement of construction. Any variations to the RAP shall be approved in writing by the Accredited Site Auditor and the DECC prior to the commencement of such work. A copy is to be provided to the Department and Council.

C5 *Relocation of bus zones and changes to signposting*

Approval shall be sought from Council's Traffic Committee/RTA to approve relocation of bus and taxi zones and changes to any signposting. Compliance with any conditions of this approval must be presented to the satisfaction of the Certifying Authority prior to commencement of work on the site.

Commencement of Works

C6 *Notice to be Given Prior to Commencement of Works*

The Certifying Authority, and Council shall be given written notice, at least 48 hours prior to the commencement of construction and excavation works on the site.

Structural Works

C7 *Structural Details*

Prior to the commencement of works, the Proponent shall submit to the satisfaction of the Certifying Authority structural drawings for the area of work which is the subject of the construction certificate, prepared and signed by a suitably qualified practising Structural Engineer that comply with:

- (1) the relevant clauses of the BCA,
- (2) the relevant development approval,

- (3) drawings and specifications comprising the Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

C8 *Barricade Permit*

Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the Local Government Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

C9 *Services to be Underground*

All services associated with the development are to be located underground and works associated with this are to be fully born by the Proponent, within the development and along all street frontages for the length of the development.

C10 *Crown Lane Realignment*

Detailed design plans of the proposed Crown Lane realignment shall be approved by the relevant authority prior to the commencement of works. The proposed works shall be carried out at no cost to Council or the RTA.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Erosion and Sediment Control

All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

D2 Disposal of Seepage and Stormwater

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

Any seepage or rainwater collected on-site during construction shall not be pumped to Council's stormwater system unless separate prior approval is given in writing by Council.

Structural Works

D3 Setting Out of Structures

The buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels. The registered surveyor shall submit a plan to the Certifying Authority that structural works are in accordance with the approval.

Construction Management

D4 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Council or the Certifying Authority.

D5 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.

D6 Contact Telephone Number

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D7 Impact of Below Ground (Sub-surface) Works – Archaeological Objects

If any archaeological objects are exposed during construction works, the Proponent shall immediately stop work on the site and notify the NSW Heritage Council in accordance with Section 146 of the NSW Heritage Act 1977 and the Department of Conservation and Climate Change (DECC) and obtain any necessary approvals to continue the work. The Proponent shall comply with any request made by the NSW Heritage Council and DECC to cease work for the purposes of archaeological investigation and recording.

D8 Protection of Trees – Street Trees

All street trees, shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

D9 Dust Control Measures

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,

- (3) All materials shall be stored or stockpiled at the best locations,
- (4) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (5) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (8) Cleaning of footpaths and roadways shall be carried out regularly.

Noise and Vibration

D10 Hours of Work

The hours of construction, including the delivery of materials to and from the site are as follows:

- (1) between 7:00 am and 7:00 pm, Mondays to Fridays inclusive;
- (2) between 8:00 am and 4:00 pm, Saturdays;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities;
- (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (3) the work is approved by Council; and
- (4) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

PART E—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**E1 *Air Space Lease Agreement***

A suitable air space lease agreement in respect of the proposed bridges/tunnel connection is to be completed prior to the issue of an occupation certificate. The term of the lease shall be as negotiated between Council and the Developer.

E2 *Fire Safety Certificate*

A Fire Safety Certificate shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of any Occupation Certificate. A copy of the Fire Safety certificate must be submitted to the Council and the NSW Fire Brigade.

E3 *Annual Fire Safety Statement*

An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Fire Safety Certificate is received.

E4 *Mechanical Ventilation*

Following completion, installation and testing of all the mechanical ventilation systems, the Proponent shall provide evidence to the satisfaction of the PCA, prior to the issue of any Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- (1) The Building Code of Australia;
- (2) Australian Standard AS1668 and other relevant codes;
- (3) The development approval and any relevant modifications; and,
- (4) Any dispensation granted by the New South Wales Fire Brigade.

E5 *Structural Inspection Certificate*

A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of any Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact PCA for specific electronic format) shall be submitted to the PCA and the Council after:

- (1) The site has been periodically inspected and the Certifier is satisfied that the Structural Works is deemed to comply with the final Design Drawings; and,
- (2) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

E6 *Road/Kerb and Gutter Damage*

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, shall be met in full by the Proponent, to the satisfaction of Council, prior to the issue of any Occupation Certificate.

E7 *Vehicular Crossing*

All new vehicular crossings are to be constructed in accordance with Council's specifications.

E8 *Removal of redundant crossings*

The proponent shall remove all redundant crossings together with any necessary reinstatement of the footpath, nature strip, kerb and gutter. Such work shall be carried out in accordance with Council's specification.

E9 *Construction of Kerb & Gutter*

Construct new kerb and gutter and associated roadwork/pavement unless otherwise determined by Council in accordance with Council's specification for the full frontage of the development

E10 *Waste Management*

A Waste Management Plan is to be prepared that has regard to the following:

- The Centre layout (type of shop/kiosk and waste requirements including recycling) in relation to the location of waste management facilities;
- Predicted waste volumes to be handled at each collection point and type of waste;
- Frequency of collection for different waste;
- Capacity of and type of equipment at collection locations;
- Demonstrated maximising of recycling opportunities for waste;
- Holding area capacity;
- Provision of hot and cold water for cleaning of waste holding areas;
- Provision of refrigerated waste storage for putrescibles waste (if necessary).

The Waste Management Plan is to be approved by Council. Details are to be submitted to the Certifying Authority prior to the issue of Construction Certificate.

E11 GFA Certification

Upon completion of the building works the approved GFA (80,270sq.m) shall be validated by a registered surveyor prior to issuing an Occupation Certificate.

E12 Traffic Management Works

The traffic management works required by earlier conditions are to be completed to the satisfaction of the RTA prior to issue of an Occupation Certificate.

E13 Section 73 Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building, Development and Plumbing section of the website at www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, as it may take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

A copy of Sydney Water's Notice of Requirements must be submitted to Council.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

E14 Post-construction Dilapidation Report

The Proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining infrastructure and roads. The report is to be submitted to the PCA, Council and the RTA.

PART F—PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE**F1 *Plan of Subdivision***

Prior to the issue of a Subdivision Certificate, the applicant is to provide to the issuing authority, a survey plan of subdivision including a copy of the relevant instrument under Section 88B of the *Conveyancing Act 1919*.

F2 *Access*

Documentary easements for access must be created over the appropriate lots in the subdivision to provide for public access and access to lifts, lobbies, fire stairs, service areas, loading areas and car parking areas, and created pursuant to Section 88B of the *Conveyancing Act 1919*.

PART G—POST OCCUPATION***Fire Safety*****G1 *Annual Fire Safety Certification***

The owner of the building shall certify to Council and the NSW Fire Brigade every year that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. The purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

Traffic and Parking**G2 *Loading and Unloading***

All loading and unloading of service vehicles in connection with the use of the premise shall be carried out wholly within the site at all times.

G3 *Unobstructed Driveways and Parking Areas*

All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

G4 *Noise Control – Plant and Machinery*

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the site.

General**G5 *Anti Graffiti***

All ground level surfaces are to be treated with anti-graffiti coating to minimise the potential of defacement. In addition, any graffiti evident on the exterior facades and visible from a public place is to be removed within 24 hours.

Compliance**G6 *Compliance Report***

The Proponent, or any party acting upon this approval, shall submit to the PCA a report addressing compliance with conditions of this consent within 3 months of occupation.

ADVISORY NOTES

AN1 Further Approvals

The following shall be subject of separate development applications to Council under Part 4 of the Act (except where exempt and complying development applies):

- Advertising signs - it is noted this consent approves the location of signage structures but does not approve the content, illumination or materials.
- Public Art - The proposed projector screen on the Wollongong Central site shall be subject to separate development approval from Council under Part 4 of the Act.
- Shop fit out - the proponent shall seek development consent prior to occupation and use of individual tenancies. Development applications for food premises shall comply with the requirements of AS 4674 Design, Construction and Fit-out of Food Premises, The Food Act 2003 and the Food Safety Standards.

AN2 Place of Public Entertainment

An approval from the Council under Section 68 of the Local Government Act 1993 must be obtained for a "Place of Public Entertainment Licence" prior to the use of the premises commencing. The Proponent shall provide evidence of receipt of the approval to the satisfaction of the PCA prior to the occupation of the building(s) or commencement of the use.

AN3 Roads Act, 1993

A separate application shall be made to RTA for approval under Section 138 of the *Roads Act, 1993* to undertake any of the following:

1. erect a structure or carry out a work in, on or over a public road, or
2. dig up or disturb the surface of a public road, or
3. remove or interfere with a structure, work or tree on a public road, or
4. pump water into a public road from any land adjoining the road, or
5. connect a road (whether public or private) to a classified road.

AN4 ESD

The proponent shall submit to the Department a report on the outcomes of the investigation into the investigative commitments in relation to ESD.

AN5 Long Service Levy

Under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* any work costing \$25,000 or more is subject to a Long Service Levy. The levy rate is 0.35% of the total cost of the work and shall be paid to either the Long Service Payments Corporation or Council. Under section 109F(1) of the *Environmental Planning & Assessment Act, 1979* this payment must be made prior to commencement of building works.

AN6 Requirements of Public Authorities for Connection to Services

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

AN7 Application for Hoardings and Scaffolding

A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place. Such an application shall include:

- (1) Architectural, construction and structural details of the design

- (2) Structural certification prepared and signed by a suitably qualified practising structural engineer.

The Proponent shall provide evidence of the issue of a Structural Works Inspection Certificate and structural certification shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

AN8 Signage

All works/regulatory signposting associated with the proposed development shall be at no cost to the RTA.

AN9 Use of Cranes, Plant or Machinery

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the Certifying Authority:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The proponent will submit a Plan showing all craneage and other aerial operations for the development;
- (3) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN10 Movement of Trucks Transporting Waste Material

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN11 Stormwater drainage works or effluent systems

A construction certificate for works that involve any of the following:

- (1) water supply, sewerage and stormwater drainage work
- (2) management of waste

as defined by Section 68 of the Local Government Act, 1993 will not be issued until prior separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN12 Temporary Structures

An approval under Section 68 of the Local Government Act 1993 must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the Local Government Act 1993 to certify the structural adequacy of the design of the temporary structures.

AN13 Road and Footpath

Council's footpath, nature strip or roadway not being damaged and shall be kept clear at all times.

AN14 No storage on foot/roadway

Building materials, plant and equipment and builder's waste, are not to be placed or stored at any time on Council's footpath, nature strip or roadway adjacent to building sites unless prior written approval has been granted by Council.

AN15 Skips and Bins

Rubbish skips or bins are not to be placed on Council's footpath, nature strip or roadway unless prior written approval has been granted by Council.

AN16 Access to site

During Demolition, Excavation and Construction, access to the site is to be available in all weather conditions, and stabilised to prevent vehicles tracking soil materials onto public roads.

AN17 Noise Generation

Any noise generated during the construction of the development shall not exceed specified in any relevant noise management policy prepared pursuant to the *Protection Environment Operations Act 1997*, or exceed approved noise limits for the site.

AN18 Recycling of Concrete

Any existing concrete of suitable volume, which is not used as fill, shall be taken to a concrete recycling works and evidence that this has occurred shall be provided to the PCA

AN19 Asbestos Removal

All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos".

AN20 Consolidation of Lots

Prior to occupation, the lots which form the subject site are to be consolidated and the Plan of Consolidation registered with the Land Titles Office. Evidence of the registration of the Consolidation shall be provided to the satisfaction of the Self-Certifying Authority.

AN21 Road Closure

A temporary road closure permit is to be obtained by Council/RTA prior to the closure of any roads.

AN22 Disability Discrimination Act

This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the *Building Code of Australia* which references *AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4* provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

SCHEDULE 3

MP 06_0209

WOLLONGONG CENTRAL REDEVELOPMENT

REVISED STATEMENT OF COMMITMENTS

(SOURCE: PREFERRED PROJECT REPORT AMENDMENT 20 DECEMBER 2007)

DRAFT STATEMENT OF COMMITMENTS - WOLLONGONG CENTRAL CONCEPT PLAN AND PROJECT APPLICATION (STAGE 1)

No.	Subject / Commitment
1	General
A	The development will be undertaken generally in accordance with the Environmental Assessment report prepared by BBC Consulting Planners, including accompanying appendices, as amended by the Preferred Project Report (or as subsequently amended with the approval of the Minister for Planning)
B	The Stage 1 development will be undertaken generally in accordance with the Project Application drawings in Appendix 9b of the Preferred Project Report, (or as subsequently amended with the approval of the Minister for Planning), while allowing for reasonable design development to occur.
	Future Project or Development Applications will be generally in accordance with the Concept Plan drawings in Appendix 9a of the Preferred Project Report, except that the bridge over Keira Street will have a width of approximately 10m (or as otherwise subsequently modified by the Minister for Planning).
C	The Proponent is committed to the principles of sustainability as defined in the Environmental Planning and Assessment Act, 1979.
D	The Proponent will develop a program of informing key stakeholders including Wollongong City Council and the Roads and Traffic Authority, of construction staging and activities during the development process.
2	Development of Council Land
A	In relation to Richardson Street, Council has agreed to sell the land to GPT and has lodged a Road Closure application. The Proponent will continue to work with Council in this regard.
B	In relation to that part of Crown Lane which is to become a piazza, no road closure is required or proposed and the affected part of Crown Lane will remain in Council's ownership. Following demolition of No. 228 Crown Street (owned by GPT), part of that property will be gifted to Council for the purpose of widening Crown Lane. This will facilitate the creation of a revised intersection with Crown Street. Council requires the dedication and widening to be undertaken at no cost to Council. The Proponent will continue to work with Council in this regard.

C	In relation to the tunnel and bridge on Keira Street, Council has resolved to consent to enter into a 50-year lease for an airspace stratum above Keira Street for a retail and pedestrian bridge, and a similar lease for a stratum below Keira Street. Consent is sought as part of this application to the stratum subdivision of Keira Street for the purpose of creation of the stratum lots. Once consent has been granted to this application, the Proponent and Council will enter into a formal agreement to lease, and the Proponent will proceed to undertake the necessary survey prior to registering a Deposited Plan of Subdivision with the Land Titles Office. The lease can then commence, assuming that all commercial conditions have been met. The Proponent will continue to work with Council in this regard.
3	Contributions Towards Infrastructure Costs.
A	The Proponent will discuss with Council the contributions which are anticipated to be levied by way of a consent condition pursuant to Wollongong City Council's Section 94A Plan (2% of cost of development). Consideration will be given to the provision of a material public benefit by the Proponent in part or full satisfaction of a condition imposed on any consent which may be granted.
B	A Section 94EE Special Contributions Levy applies at 1% of the cost of development.
C	The Proponent will meet the costs associated with service upgrades attributable to the development imposed by the service authorities and will undertake all works associated with the proposed tunnel and bridge at no cost to Council and the RTA.
4	Further Approvals
A	The Proponent will obtain a series of staged Construction Certificates in relation to excavation and building works.
B	<p>Consent is sought to the use of the buildings generally in accordance with the plans, the erection of inter-tenancy walls, and the first fitout of the tenancies created as part of the Project Application, subject to the following:</p> <p>Construction certificate(s) are to be obtained for the construction of inter-tenancy walls and the first internal fitout of each tenancy. Prior to issuing construction certificate(s) for the above, the Principal Certifying Authority must be satisfied that the development is to be carried out in accordance with the matters set out below:</p> <ul style="list-style-type: none"> All building work must be carried out in accordance with the provisions of the Building Code of Australia. This is achieved either by satisfying the prescriptive or performance requirements of the BCA; The building is to comply with the fire safety provisions as are applicable to the proposed new use; On completion of the building work, the following are not to be reduced:

	<ul style="list-style-type: none"> a) the structural strength and load bearing capacity of the building; and b) the measures to protect persons using the building, and to facilitate their egress from the building, in the event of fire; and c) the measures to restrict the spread of fire from the building to other buildings nearby; ▪ External plant likely to emit noise shall be located so adjoining areas are not adversely affected; ▪ The use cannot be for the purposes of a Restricted Premises; and ▪ Any premises that is regulated under the Food Act 2003 is required to comply with the relevant provisions of the relevant Food Act, Food Regulations and Council Code.
C	Following the first fitout and use of the tenancies created as part of the Project Application, future fitout and changes of use will be subject to Wollongong City Council Exempt and Complying Development DCP provisions.
D	Appropriate approvals and licences will be obtained for the cinema complex including development consent as a Place of Public Entertainment.
E	Approval/s for future stage/s will be obtained under Part 3A or Part 4 of the Environmental Planning and Assessment Act 1979, as required by the conditions of Concept or Project Application Approval.
F	Generally, the Proponent will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.
5	Demolition, Excavation and Construction Management
A	<p>Demolition, excavation (including de-watering) and construction will be undertaken in general accordance with the Construction Management Plan (CMP) prepared by Bovis Lend Lease (BLL), and lodged with the application (or as subsequently expanded and updated as required).</p> <p>Compliance with the recommendations made throughout the CMP aims to ensure that environmental impacts during construction are mitigated to the fullest extent possible, and that disruption to the operations of this important regional CBD is limited.</p>
B	All work will be undertaken in accordance with BLL's Environment, Health and Safety Management System set out in the CMP.
C	All work will be undertaken in accordance with the proposed mitigative measures set out in the detailed plans incorporated in the CMP, including:

	<ul style="list-style-type: none"> ▪ Waste Management Plan for the construction phase (reflecting BLL and GPT waste policies); ▪ Stormwater and Erosion Management Plan (building on the recommendations of the Civil Engineering Report and Civil Drawings prepared by Hyder Consulting); ▪ Noise and Vibration Management Plan (building on the recommendations of the Environmental Noise Impact Assessment prepared by Renzo Tonin & Associates); ▪ Air Quality Management Plan; ▪ Construction Traffic and Parking Management Plan (building on the recommendations of the Traffic Impact Assessment prepared by Maunsell, and the Civil Engineering report prepared by Hyder); and ▪ Archaeological Management Plan (building on the Archaeological Assessment prepared by Casey and Lowe).
D	Excavation procedures and footing details will have regard to the findings of the Geotechnical Investigation prepared by Douglas Partners to accompany the application.
7	Tree Removal and Protection
A	Street trees adjacent to the Wollongong Central site will be subject to tree protection measures in accordance with the detailed recommendations of the report 'Tree Assessment - Wollongong Central' (prepared by Allied Tree Consultancy and submitted with the application) except as otherwise agreed with Wollongong City Council.
B	All trees within the West Keira site and some street trees on Keira Street are identified for removal.
8	Heritage Archaeology
A	Future redevelopment works have the potential to disturb nineteenth-century archaeological remains, however Part 3A projects are exempted from the requirement to obtain a Section 140 Excavation Permit (Heritage Act 1977). Any approvals or permits required to be obtained as part of the conditions of Concept or Project approval will be complied with.
B	In the event that substantive remains have survived, an archaeological recording program should be put forward to record a sample of the site's remains. The sampling will focus on the sites shown on the 1884 plan, as recommended by the Casey and Lowe 'Archaeological Assessment Report' submitted with the application.

C	Any artefacts recovered from the site will be catalogued and reported in accordance with the standard Heritage Office conditions of consent.
D	Consideration will be given to interpretation of the results of the archaeological program within the public spaces of the proposed development.
9	Contamination
A	In accordance with the recommendations of the Phase 1 Contamination Assessment report prepared by Douglas Partners and submitted with the application, a Remediation Action Plan (RAP) will be prepared to describe remediation and validation measures for the UST and PAH/TRH hotspot removal.
B	If excavated fill/ soils are required to be disposed offsite, then such waste materials are required to be assessed for waste classification in accordance with the NSW DEC Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999). Similarly, any imported soil material (such as imported structural filling) will require verification testing to ensure such soils are suitable for reuse onsite from a contamination perspective.
10	Sustainability
A	<p><i>Energy Conservation and Greenhouse Reduction</i></p> <ul style="list-style-type: none"> For West Keira, the Proponent commits that the base case system will be a VAV air handling plant with 100% outdoor air economisers and low design off-coil temperatures to minimise fan energy use. In addition, the Proponent will consider alternative air handling and cooling plant configurations that must achieve equivalent or more energy savings to the base case to be accepted. Life cycling costing will be utilised to determine the preferred system configuration; For Crown Central, the Proponent will minimise greenhouse gas production by reutilising as much of the existing air handling system as possible. For newly built areas, new VAV plant will be provided. High efficiency cooling plant will be installed including water cooled chillers, variable speed primary chilled water and condenser water pumps, and zero ozone depletion refrigerant. The Proponent will optimise use of common area roofs and façade to control glare and solar gains while providing for a high quality of daylight to the internal streets; The Proponent will implement the following:-

	<ul style="list-style-type: none"> use of high efficiency lamps and control gear for common area lighting with flexible control systems to allow efficient management of base building lighting during trading and outside trading hours, CO control to variable speed car park exhaust fans, All shopfront glass will be low-e coated to reduce peak loads and meet BCA, 2006 energy efficiency provisions, motion control required in back of house/storage areas, time clock scheduling for all lighting to switch off after trading hours, neon will not be permitted, high efficiency motors and fans, a tenant engagement program to educate tenants and maximise efficiencies in their tenancies, and energy metering and monitoring systems to ensure ongoing efficient use of energy resources. <p><i>Natural Ventilation</i></p> <ul style="list-style-type: none"> The Crown Central car park will be largely naturally ventilated. <p><i>Water Conservation and Water Reuse</i></p> <p>The Proponent will ensure/deliver:-</p> <ul style="list-style-type: none"> Use of efficient irrigation systems; Drought-resistant shrubbery to street; Waterless urinals; All toilet pans will be 4.5/3L flush or better; and Basin tap ware will be minimum 5A while sink tap ware will be minimum 4A; A water management strategy to minimise wastage, including user education, monitoring and maintenance.
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	<p><i>Stormwater Management</i></p> <ul style="list-style-type: none"> Stormwater treatment will be in accordance with Council and Environmental Protection Authority (EPA) requirements. <p><i>Waste Management Strategy</i></p> <ul style="list-style-type: none"> The Proponent will develop a waste management strategy with centre management and architects to provide appropriate areas for waste separation and recycling; The Proponent will implement a construction waste management plan including diverting demolition/waste materials for landfills. <p><i>Management and Operations</i></p> <ul style="list-style-type: none"> The Proponent will incorporate into the development scheme a useable calculator that assists both the Proponent and its tenants in identifying and further understanding the environmental impacts of design and operational practices. (The Ecological Footprint Calculator has proven to be a valued tool used extensively throughout the Proponent's developments and operations process including the Rouse Hill Town Centre and Melbourne Central.) The Proponent will apply a calculator to the base building, to calculate the Footprint reduction of its initiatives; and The Proponent will develop an environmental management plan for the construction phase.
B	<p>Commitments to investigate</p> <p>The Proponent commits to investigating the following ESD initiatives:-</p> <p><i>Energy Conservation and Greenhouse Reduction</i></p> <ul style="list-style-type: none"> Consideration of a gas fired cogeneration plant to minimise greenhouse gas emissions and to reduce dependency on the grid; Consideration of absorption chiller using waste heat from generators; and Consideration of thermal storage as part of a cogeneration option, with utilisation of sprinkler storage tanks as thermal store. <p><i>Orientation, Passive Solar Design and Daylighting</i></p>

	<ul style="list-style-type: none"> Potential for atrium to future commercial tower. <p><i>Water Conservation and Water Reuse</i></p> <ul style="list-style-type: none"> Treatment devices to remove gross solids and hydrocarbons; and As part of a blackwater treatment analysis, water reuse strategies will be investigated and adopted should life cycle costs prove attractive. <p><i>Indoor Environmental Quality</i></p> <ul style="list-style-type: none"> Selection of materials to promote good indoor air quality; Potential for atrium to future commercial tower; and Avoidance of ozone depleting substances to refrigerants and insulation. <p><i>Embodied Energy in Materials and Building Processes</i></p> <ul style="list-style-type: none"> Investigate use of PVC alternatives where viable; Investigate use of recycled steel reinforcement; Investigate potential for use of recycled aggregates in non-structural concrete; Maximise the use of post industrial recycled materials in concrete mixes; Maximise the use of recycled material content in street furniture with known recycled alternatives such as bollards, signage, benches, wheel stops, etc; and Where alternatives exist for major material choices, select materials to lower environmental impact based on a life cycle assessment of materials.
C	Any future residential tower shall be accompanied by a list of commitments as to the manner in which the development will be carried out, in order to achieve the required BASIX objectives and requirements.
11	Materials, Finishes and Colours

A	A materials, finishes and colours sample board, generally consistent with the approved elevations, will be provided for the endorsement of the Manager Assessments at the Department of Planning prior to the issue of the first Construction Certificate for above ground building works.
B	The final selection of materials, finishes and colours will be generally consistent with the above sample board. Any significant variation from the endorsed sample board will be required to be further endorsed by the Manager Assessments at the Department of Planning.
12	Heritage Impacts
A	The colours and lighting levels at night of the northern edge of the cinema complex will be appropriate to the adjacent heritage precinct.
13	Tunnel Under Keira Street
A	Service allocations within the Keira Street Tunnel structure will be designed in accordance with the NSW Street Opening Conference – Guide to Codes & Practices for Street Opening" dated September 2002.
B	An appropriate stratum subdivision will be registered and a lease entered into with Wollongong City Council.
C	The tunnel will be trafficable to disabled persons.
D	Works related to the tunnel and overbridge on Keira Street will be undertaken in accordance with Council and RTA requirements, including: <ul style="list-style-type: none"> ▪ design and clearances to relevant standards, including RTA standards; ▪ the infrastructure will not compromise the ability to carry out future maintenance activities within the road reserve; ▪ all construction impacts will be managed to the satisfaction of the RTA and Council; ▪ all costs associated with the infrastructure will be at no cost to the RTA and Council (except as otherwise agreed); ▪ the Proponent will enter into an agreement to ensure the long term maintenance of the tunnel and bridge structures.
14	Keira Street Pedestrian Bridge
A	The detailed design of the bridge will seek to minimise apparent bulk and maximise transparency of the structure.

B	The bridge will be trafficable to disabled persons.
C	An appropriate stratum subdivision will be registered and a lease entered into with Wollongong City Council.
D	RTA requirements will be satisfied (refer Statement of Commitment No. 13D).
15	Existing Crown Street Mall Pedestrian Bridge
A	A condition of approval is invited to require the upgrade of the existing pedestrian bridge over Crown Street Mall, linking the Crown Central building to the Gateway building. The bridge will be stripped of existing signage, painted and upgraded to help make a positive contribution to the streetscape.
16	Wind Effects
A	The detailed design of the works subject of the Project Application will have regard to the recommendations of the Wind Effects report prepared by Vipac and submitted with the application. Wind tunnel testing will determine the detailed requirements.
B	Further wind modelling, including wind tunnel testing, will accompany the future detailed application/s for the residential and commercial towers.
17	Reflectivity
A	Glass selected will comply with the recommended reflectivity coefficients of less than 15% (at normal incidence).
18	Signage Strategy
A	Approval is sought for building signage to be erected, following the issue of construction certificate/s for that signage, generally in accordance with the Signage Strategy submitted with the Preferred Project Report.
B	Any significant departures from the Signage Strategy will require the submission of a revised Signage Strategy for the endorsement of the Manager Assessment of the Department of Planning.
19	Accessibility
A	Compliance with statutory requirements pertaining to site access, common area access, accessible parking and accessible sanitary facilities will be achieved, in accordance with the recommendations of the Access Review prepared by Morris Goding Accessibility

	Consultants.
20	Crime Prevention Through Environmental Design
A	The Proponent will adopt the recommendations of the Security Review prepared by Harris Crime Prevention Services and submitted with the application, in relation to: <ul style="list-style-type: none"> incorporating appropriate security design specifications into detailed design documentation; establishing a whole-of-site security strategy; and considering the preparation of a post-construction Security Awareness Plan, in consultation with relevant stakeholders such as Wollongong City Council, local police and transport authorities
21	Noise Management in Design and Operation
A	The Proponent will implement the noise management recommendations set out in Section 6.4 of the Environmental Noise Impact Assessment, including those relating to design of the access ramp and car parking, construction of speed humps and floor slabs, and acoustic treatment of the western boundary at Stage 2, and testing and treatment of mechanical plant.
22	Compliance with SEPP 65
A	Compliance with the principles of SEPP 65 and the Residential Flat Design Code will be detailed with any future application for the residential tower.
23	Public domain and landscaping
A	Public domain and landscaping works will be undertaken as detailed in the plans and reports accompanying the Preferred Project Report, including: <ul style="list-style-type: none"> the creating of a Piazza through the demolition of No. 228 Crown Street and the dedication of that land to Council, the realignment of the eastern end of Crown Street, and the paving and landscaping of the Piazza and part of Crown Lane; paving and landscaping to Crown Lane and Keira Street along the frontages of the site in accordance with the revised landscape plans;
	<ul style="list-style-type: none"> 'xeroscape' landscaping to the Regent Street vehicular ramp and western car park roof edge at Stages 1 and 2; and a 'green roof' as part of Stage 2.
B	The landscape is to be designed in a manner that respects the use of natural resources, and is efficient in terms of energy for installation and on-going operation. The planting areas within the public domain are to be mulched to reduce water transpiration from the soil. Imported mulch and soil products are to incorporate recycled and or composted materials where possible.
24	Access and Car Parking
A	The following complies with the Traffic Impact Assessment (TIA) prepared by Maunsell to accompany the application.
B	New and modified vehicular access arrangements will be provided for Stages 1 and 2 as identified in the documentation;
C	Car parking provision will be in accordance with the reduced car parking rates for retail, commercial and residential floorspace identified in the TIA;
D	The design and layout of car parking areas and access thereto will be in accordance with the TIA and the relevant Australian Standards;
E	Bicycle parking will be provided for the floorspace at Stage 1 and the future stage, initially at 50% of the rate required for the floorspace constructed in the Wollongong City Centre DCP 2007, with space set aside for 100% provision in the event that full demand for cycle parking is realised.
F	Motorcycle parking will be provided in accordance with DCP rates.
G	New and modified service vehicle access will be provided in accordance with the TIA.
25	Local Intersection Improvements
A	New intersections are to be provided on both Regent Street and Richardson Street, to facilitate access to the proposed car parking levels within the new development. The following modifications are proposed for the local road network at Stages 1 and 2:-

B	<ul style="list-style-type: none"> Richardson Street/Richardson Lane - install roundabout; Market Street/Richardson Street - upgrade existing Give Way (priority) intersection; Regent Street/West Keira car park ramp - install roundabout; Crown Lane/Regent Street/Rawson Street - install traffic calming feature including pedestrian refuge; Market Street/Keira Street - no infrastructure improvements are required, however traffic signal phasing may be modified; and Market Street/Regent Street - Stage 1 includes minor modifications to the Give Way intersection. For Stage 2, this intersection would be upgraded to traffic signal control; and <p>[Note: Other recommended intersection improvements at Market Street/Young Street and Young Street/Victoria Street have been identified by Council as part of its works program]</p>
26	Pedestrian Improvements
A	<p>Improvements to the pedestrian realm will be provided in the following locations:</p> <ul style="list-style-type: none"> Provision of a pedestrian bridge over, and underground link beneath, Keira Street; Provision of a wider pedestrian crossing of Keira Street at the Crown Street intersection; The creation of a piazza at the corner of Crown Lane and Crown Street; and The provision of pedestrian crossings as part of signalised intersections on Market Street at Regent Street and Young Street (in Stage 2)
27	Travel Demand Management
A	A Travel Demand Management (TDM) strategy will be developed which aims to moderate the growth in car use by encouraging changes to people's travel behaviour.
B	Work place travel plans will be implemented as part of the commercial development.
28	Infrastructure and Servicing
A	The Proponent will comply with the requirements of relevant public authorities in regard to the connection to, relocation and/or adjustment of services affected by the construction of the proposed development.
B	<p>The following measures will be initiated to monitor and mitigate impacts relating to services and infrastructure:</p> <ul style="list-style-type: none"> Test pit existing services at specific locations to determine alignment and level prior to finalisation of design. Install all necessary erosion and sediment controls prior to commencement of works. Maintain all erosion and sediment controls. Provide adequate temporary signage and line markings during construction to clearly guide pedestrians and vehicles. Provide adequate protection to all pedestrian routes during construction. Ensure the design is compliant with all necessary standards and guidelines. Sight distance requirements will be checked at all conflict points between vehicles and pedestrians / cyclists. Stormwater drainage will be monitored to ensure all gross pollutant traps and drains are clean and functioning.
29	Waste Management
A	Waste Management will be generally in accordance with the Waste Management Services report, prepared by GPT and submitted with the application, and in the GPT Retail National Waste Management Strategy appended thereto (or as may be amended from time to time).