

# Wollongong Local Planning Panel Assessment Report | 7 December 2021

<b>WLPP No.</b>	Item No. 1
<b>DA No.</b>	DA-2021/279
<b>Proposal</b>	Addition and visual enhancement to Clifton School of Arts building
<b>Property</b>	Clifton School Of Arts, Lot 1 DP 966733, 338 Lawrence Hargrave Drive, CLIFTON NSW 2515
<b>Applicant</b>	Mr Timothy Antiohos
<b>Responsible Team</b>	Development Assessment and Certification – City Wide Development Team
<b>Development cost</b>	\$580,000
<b>Lodgement date</b>	15 March 2021
<b>Prior WLPP meeting</b>	N/A

## ASSESSMENT REPORT AND RECOMMENDATION

### Executive Summary

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#### Reason for consideration by Local Planning Panel – Determination

The proposal has been referred to the Wollongong Local Planning Panel for **determination** pursuant to 2(a) of schedule 2 of the Local Planning Panels Direction. Twelve (12) unique submissions by way of objection have been received in respect of the proposed development.

#### Proposal

The proposal is for the construction of a multi-purpose area to the rear of the existing School of Arts building.

#### Permissibility

The site is zoned R2 Low Density Residential pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as an information and education facility which is permissible in the zone with development consent.

#### Consultation

The proposal was exhibited in accordance with Council's Community Participation Plan 2019. Twelve (12) submissions which are discussed at section 1.5 of the assessment report.

#### Main Issues

- Streetscape character
- Traffic and parking.
- Overshadowing and lack of consultation

Commentary addressing the issues raised is provided at section 1.5 of the report.

## RECOMMENDATION

Development Application DA-2021/279 be approved subject to the conditions provided at Attachment 3.

## 1 APPLICATION OVERVIEW

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### 1.1 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the construction of an additional multi-purpose area for use as an information and education facility. The proposed addition connects to the rear of the existing School of Arts Building. The proposal is a re-use of the heritage item. A copy of the plans is provided at Attachment 1.

### 1.2 BACKGROUND

Application No.	Description	Decision	Decision Date
BA-1961/2528	Temporary Laundry	Approved	22/11/1961
DA-2000/680	Additions to Building	Approved	20/07/2000
CC-2000/1724	Refurbishment/Restoration of Interior	Approved	1/12/2000
DA-2013/1359	Operation of mobile food van (52 days per year maximum) at the Clifton School of Arts	Approved	21/01/2014
PL-2019/167	One storey extension at rear of existing Clifton School of Arts (heritage) building	Complete	5/02/2020
PL-2020/183	Extension to Clifton School of Arts	Complete	30/11/2020

### 1.3 PLANNING CONTROLS

The following planning controls apply to the proposal:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulations 2000

#### State Environmental Planning Policies:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Infrastructure) 2007

#### 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 2021 (section 7.12 of EP&A Act 1979)
- Wollongong Community Participation Plan 2019
- Planning for Bushfire Protection 2019

#### Customer service actions

There are no outstanding customer service requests of relevance to the development.

### 1.4 SITE DESCRIPTION

The site is located at 338 Lawrence Hargrave Drive CLIFTON and the title reference is Lot 1 DP 966733.

The site is irregular in shape with a front eastern boundary measures 11.630 metres, the rear western boundary measures 11.205 metres, the southern boundary measures 29.130 metres and the northern boundary measures 32.25 metres. It has a fall towards the front eastern boundary by approximately 4.4M, and a cross fall from north to south by 0.6metres and has a site area of 343m2.

Adjoining development is as follows:

- North: Clifton School Parade and Rube Hargrave Park
- East: Lawrence Hargrave Drive Moronga Park and single storey dwelling
- South: two storey dwelling house
- West: single storey dwelling house

The locality is characterised by low density residential development. Historically housing consisted of small clad dwellings however the locality is undergoing significant levels of redevelopment with larger scale brick and rendered dwellings of coastal contemporary design and the refurbishment of the heritage listed Imperial Hotel.

#### Property constraints

Council records identify the land as being impacted by the following constraints:

- Local Heritage Item 6132 Clifton School of Arts building.
- SEPP Coastal Management - Littoral rainforest 100m buffer zone
- Unstable land: A Geotechnical report was provided. Conditions of consent are recommended in this regard.
- Bushfire: A Bushfire Hazard Report was provided with the application. No concerns are raised in this regard.
- Acid sulphate soils (Class 5): No significant earthworks are proposed, and no concerns are raised in this regard.

There are no restrictions on the Title.



**Figure 1 Aerial of the site and immediate location**

### 1.5 SUBMISSIONS

The application was exhibited in accordance with Council’s Community Participation Plan 2019. Twelve (12) submissions were received, with 11 being objections. The issues identified are discussed below.

**Table 1: Submissions**

Concern	Comment
<p>1. <u>Parking and Traffic</u> – Concern is raised that the site has limited parking availability and increased patronage will lead to traffic generation and safety issues.</p>	<p>The Councils Traffic Engineer has provided a satisfactory referral and was specifically asked to review submissions made. The proposal is within a constrained area, the parking provisions for the area are limited, but not non-existent. The proposal is not anticipated to create safety issues as the site has one disabled parking space with adequate sightlines. The development type is eligible for parking variations under the Wollongong Development Control Plan 2009 to ensure that heritage items can be reasonably utilised and protected. Parking within the locality is an issue that can be considered more broadly at a strategic level.</p>

<p><u>2. Boundary issues</u> – 4 submissions from two adjoining properties have raised questions regarding the proposed structure and existing structure in regard to its position on the site, and its potential for extending over the boundary.</p>	<p>The proposal was supported by a survey plan. The proposed structure and the existing heritage item do not extend over the boundaries and are within reasonable setbacks.</p>
<p><u>3. Noise</u> – Concerns are raised regarding potential for noise from the proposed deck and use of the site.</p>	<p>The proposed deck is not an open deck, it has coverings on the southern elevation to the existing heritage item. Occupation of the new extension including the deck is limited to 50 people under NCC requirements and the submitted plan of management dictates that the space will not be used after 10pm. It is considered that noise is minimised by the walls and covering of the deck along with the limited time period of use.</p>
<p><u>4. Overshadowing</u> – It has been stated that both adjoining properties will be affected by overshadowing.</p>	<p>Solar access has been maximised by the design of the extension to the rear. The adjoining property is currently shaded by the existing heritage item from 9am till noon on the 21 June, the proposed extension will not create an adverse impact on the shading of the northern elevation of the adjoining dwelling. The design provides for a skillion roof and the overall building height reduces towards the rear which minimises overshadowing of the neighbours rear private open space. The solar access provisions of WDCP2009 require windows to living rooms of adjoining dwellings to receive at least 3 hours continuous sunlight, between 9am and 3pm on 21 June and that at least 50% of the private open areas of adjoining residential properties receive at least 3 hours of sunlight between 9am and 3pm on June 21. These requirements are considered as satisfied.</p>
<p><u>5. Septic tank location</u> – Concern has been raised that the proposed extension will be over the septic tank on the site.</p>	<p>The proposed covered decking will be placed over the existing septic tank. This is not considered to be an issue as access is available through a removable portion of decking and underneath the decking to the septic tank. A condition requiring approval for the septic tanks capacity and operation is imposed. Prior to the release of the Occupation Certificate an active approval and licence for the system is required.</p>
<p><u>6. No community involvement in design</u> – some objectors have raised concern regarding the lack of community involvement by the Clifton School of Arts in the proposal and its design.</p>	<p>This is not necessarily an assessment issue for Council. The application was exhibited in accordance with the adopted Community Participation Plan 2019.</p>
<p><u>7. Design of the building</u> – concerns are raised that the design does not add to the visual enhancement of the existing heritage building.</p>	<p>The overall design is considered innovative and provides a space for future use. The proposal was referred to Councils Heritage Officer who provided a satisfactory referral and was satisfied that the</p>

	design compliments the existing heritage item and does not detract from the locality or the heritage curtilage.
<u>8. Inappropriate for zone</u> – Concern has been raised that the proposal should not be considered as an information and education facility as it will be used for a commercial purpose.	The proposal is appropriately categorised as an information and education facility within the definitions of the Wollongong Local Environmental Plan 2009. The definition of the use provides for the use of the space as identified in the submitted Plan of Management. A condition has been imposed to ensure compliance with the Management Plan.
<u>9. Structural integrity of heritage item</u> – One objection raised concern regarding the structural integrity of the existing heritage item.	The proposal is at the rear of the existing heritage item and is unlikely to impact upon the structural integrity of the existing building. An NCC report was provided and that indicated the existing building and the proposed structure are sound. Conditions will be imposed regarding structural certification of the proposed structure.

**Table 2 Issue and Frequency**

Issue	1	2	3	4	5	6	7	8	9
Frequency	11	4	3	3	3	2	2	1	1

## 1.6 CONSULTATION

### 1.6.1 INTERNAL CONSULTATION

#### **Development Engineering Officer**

The application has been assessed in relation to traffic, stormwater and subdivision matters and found to be conditionally satisfactory.

#### **Environment Officer**

The application has been assessed in relation to coastal vegetation mapping, onsite wastewater disposal, contamination, acoustics and found to be conditionally satisfactory.

#### **Landscape Officer**

The application has been assessed in relation to landscape matters and found to be conditionally satisfactory.

#### **Heritage Officer**

The application has been assessed in relation to Heritage matters and found to be conditionally satisfactory.

#### **NCC (BCA) Officer**

Councils NCC Officer has provided a conditionally satisfactory referral and conditions of consent in relation to the fire safety upgrades required for the existing heritage item and for the proposed extension are provided for at Attachment 3.

#### **Geotechnical Engineer**

The application has been assessed in relation to Geotechnical matters and found to be conditionally satisfactory.

## **Development Contributions Officer**

The proposal for the extension of a heritage item that is utilised as a community-based information and education facility qualifies for an exemption from development contributions as provided for in the City-Wide Development Contributions Plan 2021 Section 15i.

### 1.6.2 EXTERNAL CONSULTATION

None required

## **2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

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### **1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994**

This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

#### NSW BIODIVERSITY CONSERVATION ACT 2016

Section 1.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) provides that Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act).

Part 7 of the BC Act relates to Biodiversity assessment and approvals under the EP&A Act where it contains additional requirements with respect to assessments, consents and approvals under this Act.

Clause 7.2 of the Biodiversity Conservation Regulation 2017 provides the minimum lot size and area threshold criteria for when the clearing of native vegetation triggers entry of a proposed development into the NSW Biodiversity offsets scheme. For the subject site, entry into the offset scheme would be triggered by clearing of an area greater than 0.25 hectares based upon the minimum lot size of the WLEP 2009 R2 zoned land (i.e. less than 1 hectare minimum lot size).

No native vegetation is proposed to be cleared for the development. The minimum subdivision lot size for the land under WLEP 2009 is 449sqm. Therefore, the proposal does not trigger the requirement for a biodiversity offset scheme and the site is not identified as being of high biodiversity value on the Biodiversity Values Map.

The development is therefore not considered to result in adverse impacts on biodiversity and is consistent with the provisions of the Biodiversity Conservation Act 2016.

### **2.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT**

#### 2.1.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

*A consent authority must not consent to the carrying out of any development on land unless—*

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

*Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*

*The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out,*

and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

The land concerned is—

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital—land—
  - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
  - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

A desktop audit of previous land uses does not indicate any historic use that would contribute to the contamination of the site. The earthworks proposed are considered minor in nature and Council's Environment officer considers the provisions of Clause 7 have been satisfied.

#### 2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The proposal is within proximity to a state classified road (Lawrence Hargrave Drive) and the Sydney Trains rail corridor. The proposal does not have vehicular access provided from Lawrence Hargrave Drive; therefore, the proposal is considered satisfactory without further assessment in this regard. Additionally, the proposal does not adjoin the rail corridor and as such is considered satisfactory without further assessment in this regard.

#### 2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

##### Clause 21 Savings and transitional provisions

The application was lodged on 2 February 2021 and this policy commenced on 3 April 2018.

##### Clause 3 Aim of Policy

The proposal is consistent with the aims of the policy.

##### Clause 5 Land to which Policy applies

This Policy applies to land within the coastal zone.

##### Clause 7 Relationship with other environmental planning instruments

Noted.

#### **Part 2 Development controls for coastal management areas**

##### Division 1 Coastal wetlands and littoral rainforests area

- (1) Development consent must not be granted to development on land identified as "proximity area for coastal wetlands" or "proximity area for littoral rainforest" on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on—
  - (a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or
  - (b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

(2) This clause does not apply to land that is identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map.



**Figure 2 SEPP mapped Littoral rainforest buffer zone mapping**

Clause 11 applies as the proposal involves development on land mapped as Littoral rainforest buffer zone. Councils Environment Officer is satisfied that the proposal will not impact on the environment adjacent to the mapped littoral rainforest and will not significantly impact surface flows or ground water adjacent to the mapped littoral rainforest.

No vegetation is proposed to be removed and the proposal involves an addition to an existing building within the buffer zone. The proposal is not expected to impact upon the adjacent littoral rainforest.

### Division 3 Coastal environment area

#### 13 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
- (b) coastal environmental values and natural coastal processes,
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

*(f) Aboriginal cultural heritage, practices and places,*

*(g) the use of the surf zone.*

*(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*

*(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*

*(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*

*(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

*(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

The site is located within the Coastal Environment Area. The proposal is in keeping with the surrounding development and is to be located within the existing cleared area of the site, with minimal earthworks required. The proposal is not expected to negatively impact upon the coastal environment area.

#### Division 4 Coastal use area

##### 14 Development on land within the coastal use area

*(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:*

*(a) has considered whether the proposed development is likely to cause an adverse impact on the following:*

*(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*

*(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*

*(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*

*(iv) Aboriginal cultural heritage, practices and places,*

*(v) cultural and built environment heritage, and*

*(b) is satisfied that:*

*(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*

*(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*

*(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

*(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

*(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

The site is located in the Coastal Use Area. Council is satisfied that the proposal has been designed and sited to have minimal adverse impact on:

- Access to the foreshore - Access to the foreshore will remain unchanged as part of the proposal.
- Amenity of the foreshore – The proposal would not result in any overshadowing of the foreshore.
- The visual amenity and scenic qualities of the coast - The proposal will have minimal visual impact when viewed from the foreshore as the site is elevated above the foreshore and on the western side of Lawrence Hargrave Drive.
- Built environment heritage and Built environment – the development is at the rear of the local heritage listed Clifton School of Arts building, it is considered the development compliments the built environment and heritage of the locality.

### **Division 5 General**

#### **15 Development in coastal zone generally—development not to increase risk of coastal hazards**

*Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.*

The land is affected by geotechnical coastal hazards. Council's Geotechnical Officer has assessed the proposal and has not raised any concerns in this regard.

#### **16 Development in coastal zone generally coastal management programs to be considered**

*Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.*

### **NSW Coastal Management Act 2016 and Wollongong Coastal Zone Management Plan**

On 30 October 2017, Council endorsed the final draft of the Wollongong Coastal Zone Management Plan for resubmission to the NSW Minister for Environment for certification. The draft Plan was certified on 20 December 2017.

At the Council meeting of 19 February 2018, Council resolved that the certified final draft be adopted. Council's Notice was published in the NSW Gazette No 25 of 9 March 2018 and a community briefing on the implications arising from Council adopting and gazetting the plan have been undertaken.

The NSW Coastal Management Act 2016 came into force on 3 April 2018. Under the Act any existing certified CZMP's continue in force until 31 December 2021.

A review of Council's associated CZMP coastal hazard mapping extents identifies that the subject site and specifically the building envelope is not impacted by coastal inundation/ coastal geotechnical risk/ reduced foundation capacity at the 2010/ 2015/2100 timeline.

Minimal adverse impact on the coastal environment is anticipated as a result of the proposed development.

Minimal adverse impacts on the development are expected as a result of coastal processes

The proposal is therefore considered satisfactory with regard to the aims outlined in clause 3 of this policy and the matters outlined for consideration.

## 2.1.4 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

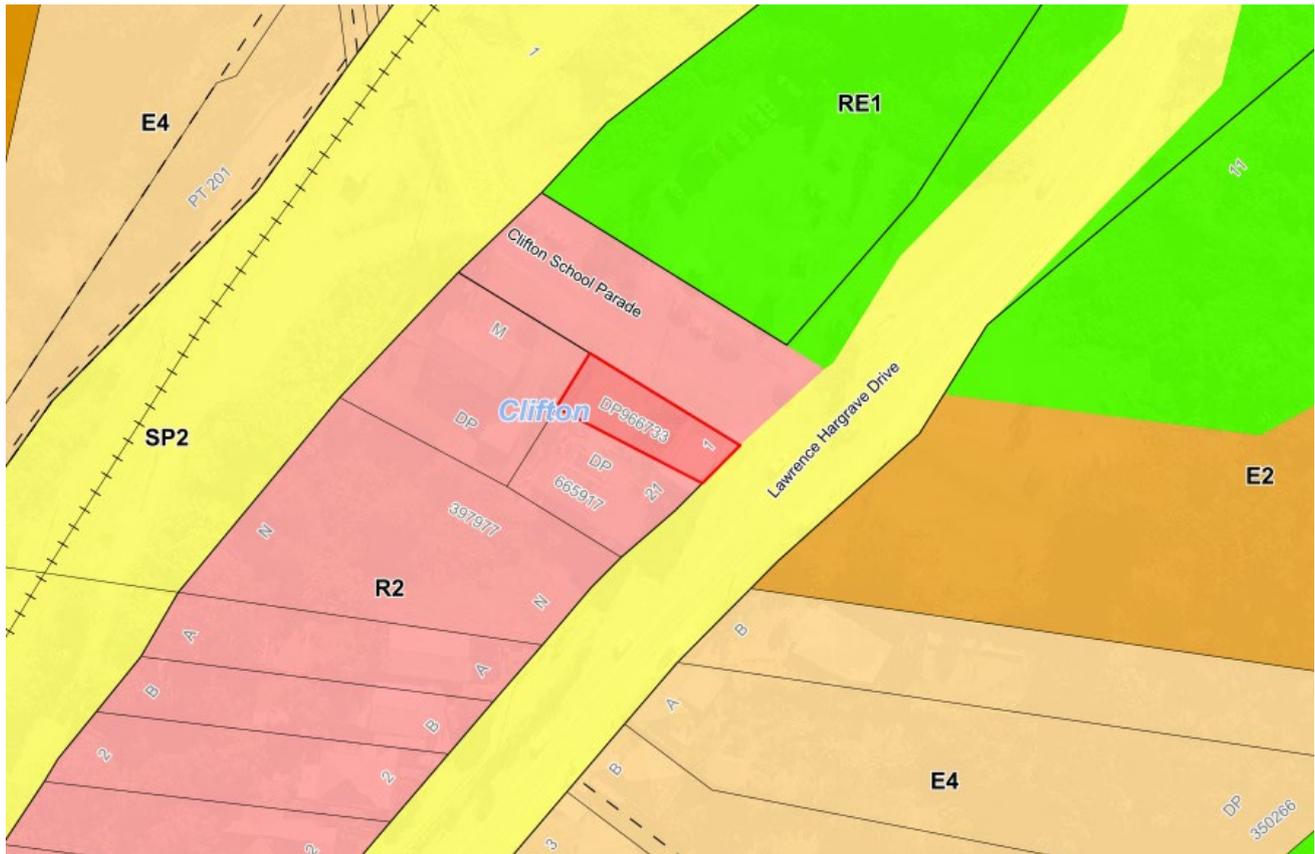
### Clause 1.4 Definitions

**Information and education facility** means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

### **Part 2 Permitted or prohibited development**

#### Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned R2 Low Density Residential.



**Figure 3 WLEP 2009 Zoning**

#### Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposal is satisfactory with regard to the above objectives.

The land use table permits the following uses in the zone.

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home-based child care; Hospitals; Hostels; **Information and education facilities**; Jetties; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat*

*buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Veterinary hospitals*

The proposal is categorised as an **Information and education facility** as defined above and is permissible in the zone with development consent.

#### **Part 4 Principal development standards**

##### Clause 4.3 Height of buildings

The proposed extension does not increase the existing building height of 7.8m, the proposed extension is at its highest point 4m, which does not exceed the maximum of 9m permitted for the site.

##### Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone: 0.5:1

Site area: 343m<sup>2</sup>

GFA: 171m<sup>2</sup>

FSR:  $171\text{m}^2/343\text{m}^2 = 0.49:1$

#### **Part 5 Miscellaneous provisions**

##### Clause 5.10 Heritage Conservation

The proposal is on the site of Heritage Item 6132 Clifton School of Arts building identified in Schedule 5 Environmental Heritage of the LEP. The proposed extension was referred to Councils Heritage Officer who provided a satisfactory referral with conditions related to external materials and finishes to be at the satisfaction of council prior to the release of the Construction Certificate.

The proposal is for the continued use and future utilisation through an extension of a Heritage item. This will ensure that the building and its use continues as a School of Arts into the future. The proposal satisfies the objectives of this clause.

#### **Part 7 Local provisions – general**

##### Clause 7.1 Public utility infrastructure

The development is already serviced by electricity, water.

A condition is provided for requiring approval from the relevant authorities for the connection of electricity, water to service the site.

##### Clause 7.2 Natural resource sensitivity – biodiversity

The site is not identified as being affected by “Natural Resource Sensitivity – Biodiversity” on the Natural Resource Sensitivity – Biodiversity Map.

##### Clause 7.4 Riparian lands

The site is not identified in the Riparian Land Map as containing “riparian land”.

##### Clause 7.5 Acid Sulfate Soils

The proposal is identified as being affected by class 5 acid sulphate soils. An acid sulphate soils management plan is not required as minimal excavation is proposed. Council’s Environment officer is satisfied.

##### Clause 7.6 Earthworks

The proposed earthworks are limited to foundation works and are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features surrounding land. Council’s Development Engineering and Geotechnical officers are satisfied.

## **2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT**

### **Draft Environment SEPP**

The Explanation of Intended Effect for the Environment SEPP was on exhibition from 31 October 2017 until the 31 January 2018.

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property.

Changes proposed include consolidating the following seven existing SEPPs:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 – Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

Changes are also proposed to the Standard Instrument – Principal Local Environmental Plan. Some provisions of the existing policies will be transferred to new Section 9.1 Local Planning Directions where appropriate.

Engagement is now closed, and feedback is being considered by the Department.

### **Draft Remediation of Land SEPP**

The Explanation of Intended Effect for the Remediation of Land SEPP and the Managing Land Contamination guidelines were exhibited between 25 January 2018 and 13 April 2018.

The proposed SEPP: provides a state-wide planning framework for the remediation of land requires consent authorities to consider the potential for land to be contaminated when determining development applications clearly lists the remediation works that require development consent introduces certification and operational requirements for remediation works that can be undertaken without development consent.

Engagement is now closed, and feedback is being considered by the Department.

It is considered the draft SEPP is of limited relevance at this point in time.

### **Draft Design and Place SEPP**

Public exhibition of the Design and Place SEPP Explanation of Intended Effect closed in April 2021.

The Design and Place SEPP will establish principles for the design and assessment of places in urban and regional NSW: PRINCIPLE 1. Design places with beauty and character that people feel proud to belong to PRINCIPLE 2. Design inviting public spaces to support engaged communities PRINCIPLE 3. Design productive and connected places to enable thriving communities PRINCIPLE 4. Design sustainable and greener places for the wellbeing of people and the environment PRINCIPLE 5. Design resilient and diverse places for enduring communities

The draft Design and Place SEPP will go on public exhibition later in 2021 to provide more opportunities for feedback. Supporting guidance and tools, drafts of which will also go on exhibition with the draft SEPP. These guides include revisions to the Apartment Design Guide and improvements to the Building Sustainability Index (BASIX), as well as the proposed Urban Design Guide, and Design Review Guide. The Department is currently conducting workshops with Council's around the State.

It is considered the draft SEPP is of limited relevance at this point in time.

## 2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

### 2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

#### CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

The proposal is considered to be consistent with the principles of Ecologically Sustainable Development.

#### CHAPTER B1 – RESIDENTIAL DEVELOPMENT

While Chapter B1 relates to residential development within the R2 Low-density residential zone an assessment of the proposal against relevant controls has been undertaken.

Controls/objectives	Comment	Compliance
<u>4.1 Maximum Number of Storeys</u>		
<ul style="list-style-type: none"> <li>R2 max height of 9m or two storey</li> <li>Ancillary structures – 1 storey</li> <li>Built form that has a positive impact on the visual amenity of the area and addresses site constraints and overlooking of neighbouring properties</li> </ul> <p>In R2 Low Density Residential zones, where development occurs within the 8m rear setback the development is limited to single storey</p>	<p>The proposed extension is lower than the existing heritage item with a maximum height of 7.8m (existing building) and proposed extension height of 4m</p>	Yes
<u>4.3 Side and Rear Setbacks</u>		
<ul style="list-style-type: none"> <li>Wall Setback: 0.9m min</li> <li>Eave Setback: 0.45m</li> <li>Rear Setback 0.9m</li> </ul>	<p><u>Side Setbacks</u></p> <p>South: Min 1.2m</p> <p>North: Wall setback 1.3m</p> <p>The decking has a setback 0.36m due to the requirement for disabled access.</p> <p><u>Rear Setback</u></p> <p>West: 1.63m</p>	Yes – minor variation due to disabled access provision.
<u>4.7 Solar Access Requirements</u>		
<ul style="list-style-type: none"> <li>Windows to living rooms of adjoining dwellings must receive at least 3hrs continuous sunlight between 9.00am - 3.00pm on 21 June.</li> <li>At least 50% of the private open areas of adjoining residential properties must receive</li> </ul>	<p>The site is orientated east - west and minimal overshadowing of adjoining properties will occur.</p>	Yes

<p>at least 3hrs continuous sunlight between 9.00am - 3.00pm on June 21.</p> <ul style="list-style-type: none"> <li>Shadow diagrams will be required by Council for 9am, 12pm, 3pm for the 21 June for two storey dwellings.</li> </ul>		
<p><u>4.15 Development near the coastline</u></p> <ul style="list-style-type: none"> <li>Must minimise built intrusions into coastal landscape</li> <li>Retain views to the ocean from roads and public spaces</li> <li>Maintain buildings consistent with coastal character</li> </ul>	<p>No view loss from roads or public spaces</p> <p>Building design is considered appropriate for the location.</p>	Yes
<p><u>4.16 View sharing</u></p> <ul style="list-style-type: none"> <li>To protect and enhance view sharing, significant view corridors</li> <li>A range of view sharing measures to be considered for building design</li> </ul>	<p>No view loss issues identified</p>	Yes
<p><u>4.17. Retaining walls</u></p> <ul style="list-style-type: none"> <li>A retaining wall or embankment should be restricted to a maximum height above or depth below natural ground level of no more than: (a) 600mm at any distance up to 900mm setback from any side or rear boundary; or (b) 1 metre, if the toe of the retaining wall or embankment is setback greater than 900mm from any side or rear boundary.</li> <li>To ensure well designed retaining walls that are structurally sound</li> </ul>	<p>The retaining wall proposed has a height of 440mm which is on the rear boundary. It is considered acceptable.</p>	Yes

## CHAPTER D1 – CHARACTER STATEMENTS

### Existing Character:

*Clifton is a compact seaside village situated upon a relatively narrow strip of coastal plain, between the coastal cliff line and the Illawarra Escarpment.*

*Clifton village is characterised by a very low residential density comprising predominantly of single storey detached weatherboard or brick wall detached dwelling-houses with pitched rooflines. The majority of the properties in Clifton have direct frontage to Lawrence Hargrave Drive as well as expansive coastal or escarpment views.*

*Clifton village also contains a number of heritage items namely, the Imperial Hotel, the School of Arts building, a former school residence at Clifton School and a stand of Norfolk Island Pines along Lawrence Hargrave Drive. Moronga Park and Rube Hargrave Park are also located in the village.*

### Desired Character:

*Clifton should retain its low-density village character. Therefore, any alterations and additions to existing dwellings or the erection of new dwelling-houses must be sympathetic with the streetscape character of the village, especially neighbouring dwellings.*

*Any new dwelling should be individually designed with a coastal theme, typically with a weatherboard or rendered brick construction in off-white, beige, light to mid brown, light to mid blue or light grey coloured finishes.*

*The configuration of new dwellings on the eastern side of Lawrence Hargrave Drive should be designed to maximise view sharing opportunities for dwellings on the opposite western side of Lawrence Hargrave Drive. This may be achieved by way of staggering of the building form including the possible narrowing of first floor storeys and minimising the overall height of dwellings by incorporating sloping flat or gently pitched roofline forms, where necessary.*

*The use of lightly framed balconies and verandahs, rather than plain masonry balustrading is required. All balconies should be designed to minimise any potential amenity or privacy impacts upon the habitable rooms of the dwellings or private courtyard areas of adjoining properties.*

The proposal is considered to be consistent with the existing and desired character for the locality as relates to the design scale of the proposal and retention of heritage items

#### **CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY**

The proposal provides access for people with a disability. The proposal satisfies the objectives and development controls of this chapter.

#### **CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

The proposal provides adequate lighting, landscaping and signage to satisfy the objectives and development controls of this chapter.

#### **CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT**

Councils Traffic Engineer has provided a satisfactory referral for the proposal.

The Traffic Impact Assessment (TIA) has adequately addressed the traffic and car parking requirements for the heritage site utilising car parking credits as per Clause 7.5 of Chapter E3 of the DCP which is standard practice for buildings that have been operating prior to the introduction of contemporary DCP car parking controls.

The TIA also found that there is adequate car parking in the surrounding area to accommodate visitors to the occasional art exhibitions that would take place, acknowledging that people tend to travel to exhibitions in groups, sharing lifts and nominating a designated driver etc, lessening parking demands in the local area.

The proposed development satisfies the objectives of Council's requirements for car parking and access.

#### **CHAPTER E6: LANDSCAPING**

The proposed development satisfies the objectives of WDCP2009 Chapter E6 Landscaping.

#### **CHAPTER E7: WASTE MANAGEMENT**

It is considered that the proposed development satisfies the objectives of WDCP2009 Chapter E7 Waste Management. Conditions are imposed to ensure that Waste Management is carried out to Council's Waste Management specification during construction.

A Site Waste Minimisation and Management Plan has been provided.

#### **CHAPTER E8: ON-SITE SEWAGE MANAGEMENT**

The existing septic system is to be utilised for the proposed extension and operation of the School of Arts. A removeable panel on the decking and under decking access will be provided to ensure access to the tank is provided. Conditions are imposed to ensure that the registration and operation of the on-site septic system is in accordance with the Protection of the Environment Operations Act 1997 and Local Government Act 1993.

#### **CHAPTER E10 ABORIGINAL HERITAGE**

Not Applicable.

#### **CHAPTER E11 HERITAGE CONSERVATION**

The proposal is listed within the WLEP 2009 as heritage item 6132 Clifton School of Arts. The proposal was referred to Councils Heritage Officer who provided a satisfactory referral subject to conditions.

#### **CHAPTER E12 GEOTECHNICAL ASSESSMENT**

The proposal was supported by a geotechnical report. Councils Geotechnical Officer has provided a conditionally satisfactory referral.

#### **CHAPTER E13 FLOODPLAIN MANAGEMENT**

Not applicable

#### **CHAPTER E14 STORMWATER MANAGEMENT**

The application has been reviewed by Council's Development Engineering Officer in relation to stormwater management. The proposed development satisfies the objectives of WDCP2009 Chapter E14 Stormwater Management. Appropriate conditions have been recommended.

#### **CHAPTER E15 WATER SENSITIVE URBAN DESIGN**

Not Applicable.

#### **CHAPTER E16 BUSHFIRE MANAGEMENT**

The proposal was supported by a Bushfire Hazard Assessment report which recommended that the proposed works be constructed to comply with BAL 12.5 standards.

It is considered that the proposal is satisfactory in this regard.

#### **CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION**

No tree removal is proposed, and it is considered that the proposed development satisfies the provisions of this Chapter

#### **CHAPTER E18 THREATENED SPECIES**

Not Applicable.

#### **CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)**

The proposed development will have minimal impact on soils the surface water drainage of the site and satisfies the objectives of WDCP2009 Chapter E19 Earthworks (Land Reshaping Works). Councils Development Engineer and Geotechnical officer are satisfied.

#### **CHAPTER E20 CONTAMINATED LAND MANAGEMENT**

See SEPP 55 commentary section 2.1.1. Council's Environment officer is satisfied.

#### **CHAPTER E21 DEMOLITION AND ASBESTOS MANAGEMENT**

Minor works associated with the construction of the extension to the existing item are required, however there is very minimal demolition is associated with the proposal A site waste minimisation and management plan has been submitted and Council's Environment officer is satisfied. Conditions are imposed for demolition works and asbestos management if such materials are encountered.

#### **CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL**

Conditions have been imposed to minimise the impacts of the proposed works on the environment.

#### **CHAPTER E23: RIPARIAN LAND MANAGEMENT**

Not Applicable.

### **2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN**

#### Wollongong City-Wide Development Contributions Plan

The Wollongong City-Wide Development Contributions Plan applies to the subject property.

Council's Development Contributions Officer has granted an exemption to development contributions under Section 15i as the proposal is for the extension of a community-based information and education facility. Therefore, development contributions will not be levied for this development.

### **2.4 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4**

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

### **2.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)**

#### 92 What additional matters must a consent authority take into consideration in determining a development application?

Conditions of consent are recommended with regard to demolition.

#### 93 Fire safety and other considerations

Conditions imposed by Council's officer for fire and safety services provision to the existing and proposed structures

#### 94 Consent authority may require buildings to be upgraded

Conditions imposed by Council's officer for fire and safety services provision upgrade to the existing structure

### **2.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT**

The proposal is considered acceptable with regard to the likely impacts.

#### Context and Setting:

In regard to the matter of context, the planning principle in *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191 is relevant in that it provides guidance in the assessment of compatibility. The two major aspects of compatibility are physical impact and visual impact. In assessing each of these the following questions should be asked:

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.

#### Comment:

The proposal is considered to have been appropriately sited and designed to minimise potential impacts on adjoining properties and in this regard is considered satisfactory.

- Is the proposals' appearance in harmony with the buildings around it and the character of the street?

#### Comment:

The extension's design maybe considered unique to the area, but also complements the heritage item on the site. The proposal's design is considered to be in harmony with the locality and respects the heritage features of the Clifton School of Arts.

The development is considered to be largely in harmony with the surrounding buildings and character of the street which is a mixture of older single dwellings and modern dwellings, and the recently refurbished heritage hotel (Imperial Hotel).

In summary, the proposal has been assessed with regard to the amenity impacts from the development, the zoning, permissible height and FSR for the land, and existing and future character of the area, and is considered to be compatible with the local area. Council's Heritage officer is satisfied with heritage considerations

Access, Transport and Traffic:

Access to the site will be via an approved driveway to Council's local road being Clifton School Parade. The development is considered not to result in adverse impacts on the traffic movement and access to the site. Council's Traffic officer is satisfied.

Public Domain:

The development is considered to be consistent with the amenity of the locality. The development is not considered to result in significant impact upon the public domain. Council's Heritage officer is satisfied with heritage considerations

Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities can be augmented to service the proposal.

Heritage:

No heritage items will be impacted by the proposal. Council's Heritage officer is satisfied with heritage considerations

Other land resources:

The proposal is considered to contribute to orderly development of the site and use of a heritage item and is not envisaged to impact upon any valuable land resources.

Water:

The site is presently serviced by Sydney Water, which can be readily extended to meet the requirements of the proposed development. The proposal is not envisaged to have unreasonable water consumption.

Soils:

It is expected that, with the use of appropriate erosion and sedimentation controls during construction, soil impacts will not be unreasonably adverse. The soil profile is considered to be acceptable for the construction of the proposed development. Council's Development Engineer and Geotechnical officer have assessed the proposal and considered it is satisfactory, subject to conditions.

Air and Microclimate:

The proposal is not expected to have negative impact on air or microclimate.

Flora and Fauna:

No tree removal is proposed.

Waste:

A condition is proposed that an appropriate receptacle be in place for any waste generated during the construction.

Energy:

The proposal is not envisaged to have unreasonable energy consumption.

Noise and vibration:

A condition is proposed that nuisance be minimised during any construction, demolition, or works. A condition is proposed regarding days and hours of operation. Council's Environment officer is satisfied

Natural hazards:

There are no natural hazards affecting the site that would prevent the proposal.

Technological hazards:

There are no technological hazards affecting the site that would prevent the proposal.

Safety, Security and Crime Prevention:

This application does not result in greater opportunities for criminal or antisocial behaviour.

Social Impact:

The proposal is not expected to create negative social impacts.

Economic Impact:

The proposal is not expected to create negative economic impact.

Site Design and Internal Design:

The application does not result in any departures from development standards or variations to development controls.

Construction:

Conditions are recommended in relation to construction impacts such as hours of work, erosion and sedimentation controls, works in the road reserve, excavation, demolition and use of any crane, hoist, plant or scaffolding. A condition is proposed that all works are to be in compliance with the Building Code of Australia.

Cumulative Impacts:

The development is considered consistent with the amenity of the neighbourhood and to be consistent with surrounding development.

## **2.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT**

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

## **2.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS**

Twelve (12) submissions were received with 11 in objections and the matters raised therein have been addressed in Section 1.5 of this report.

## **2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST**

The proposed development is consistent with Council's planning controls and objectives for the R2 Low Density Residential zone and accordingly it is not considered that conditional approval would be contrary to the public interest.

## **3 CONCLUSION**

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This application has been assessed as satisfactory having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies. The proposal is to assist in the use and future maintenance of a heritage item.

Whilst not all the issues in submissions received can be considered as technically resolved the proposed design and conditions are considered as effective in mitigating potential impacts.

The proposal is considered appropriate with regard to the objectives of the zoning of the site and is not expected to have negative impacts on the amenity of the locality or adjoining developments.

#### **4 RECOMMENDATION**

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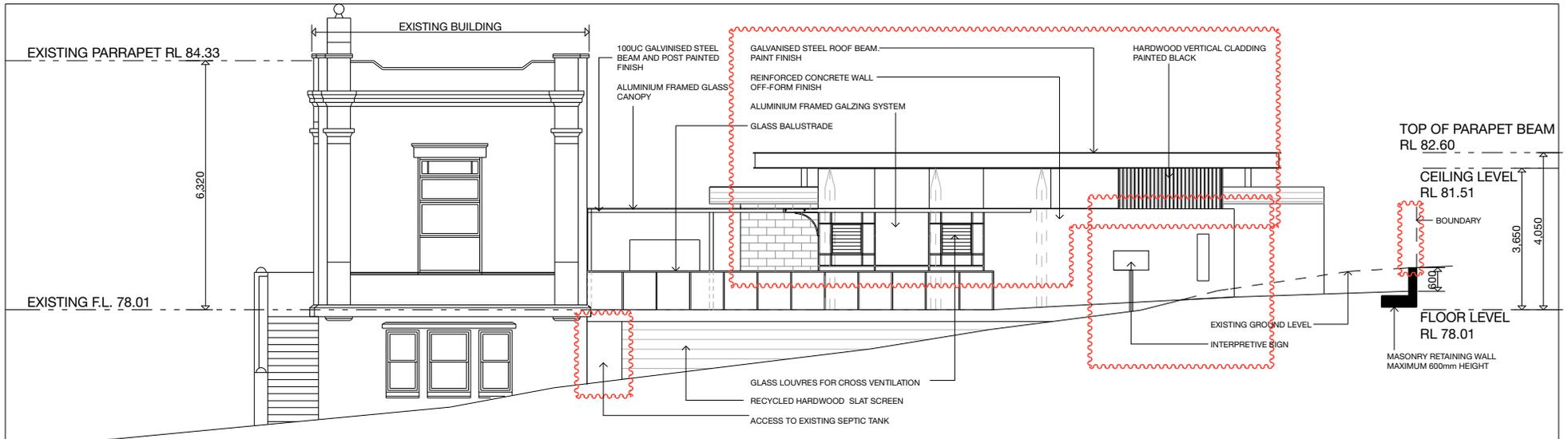
DA-2021/279 be approved subject to the draft conditions at **Attachment 2**

#### **5 ATTACHMENTS**

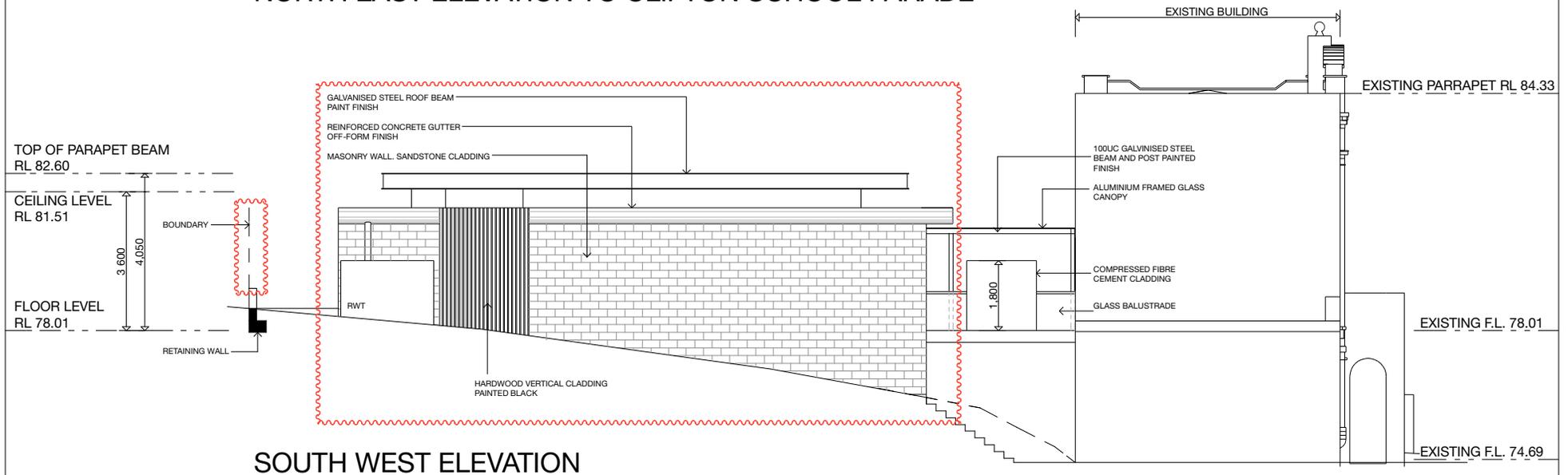
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- 1 Plans and documents
- 2 Draft conditions





**NORTH EAST ELEVATION TO CLIFTON SCHOOL PARADE**

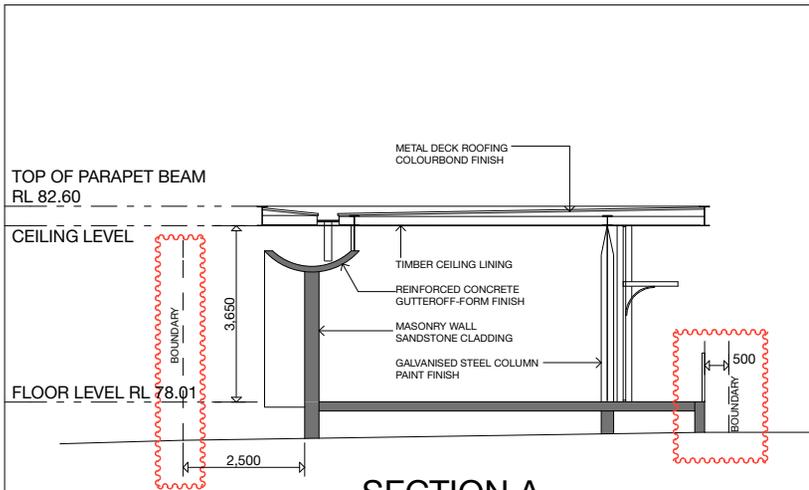


**SOUTH WEST ELEVATION**

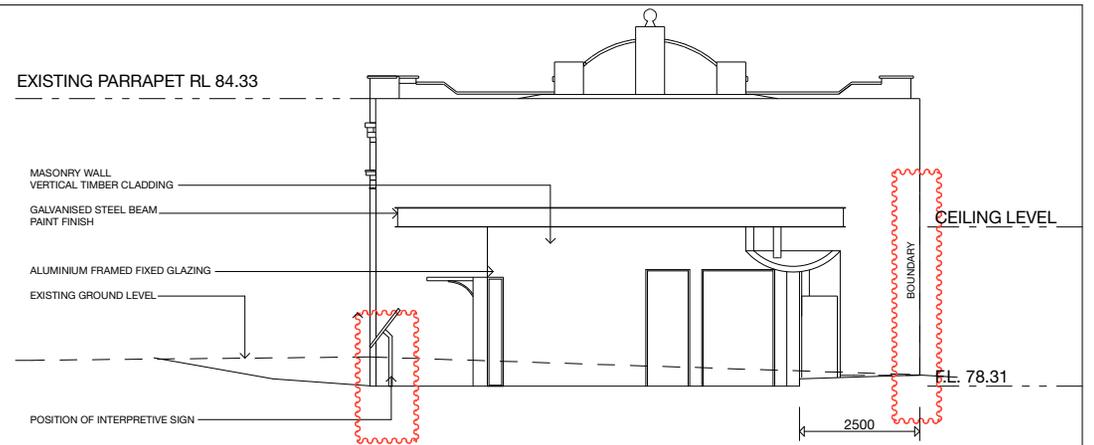
**NOTE A:**  
REFER TO A4  
SCHEDULE OF EXTERNAL FINISHES

12.11.21	3	GALVANISED STEEL BEAMS AND COLUMNS ADDED TO SUPPORT ALUMINIUM FRAMED GLASS CANOPY	1.11.21	2	MATERIAL FINISHES ADDED TO THE ELEVATIONS GLASS LOUVRES ADDED TO THE NORTH ELEVATION NOTE ADDED 500 SETBACK TO DECK ADDED ACCESS TO SEPTIC TANK ADDED NORTH ELEVATION SIMPLIFIED INTERPRETIVE SIGN ADDED BUILDING HEIGHTS ADDED BOUNDARY NOTATION ADDED	DRAWING DEVELOPMENT APPLICATION ELEVATIONS AND SECTIONS 1	TIMOTHY JAMES ANTIOHOS CHARTERED ARCHITECT
DATE	NO.	AMENDMENTS	DATE	NO.	PARTICULARS	SCALE 1:100 at A3	
			20.7.21	1		DWG NO. A04	REV NO 3

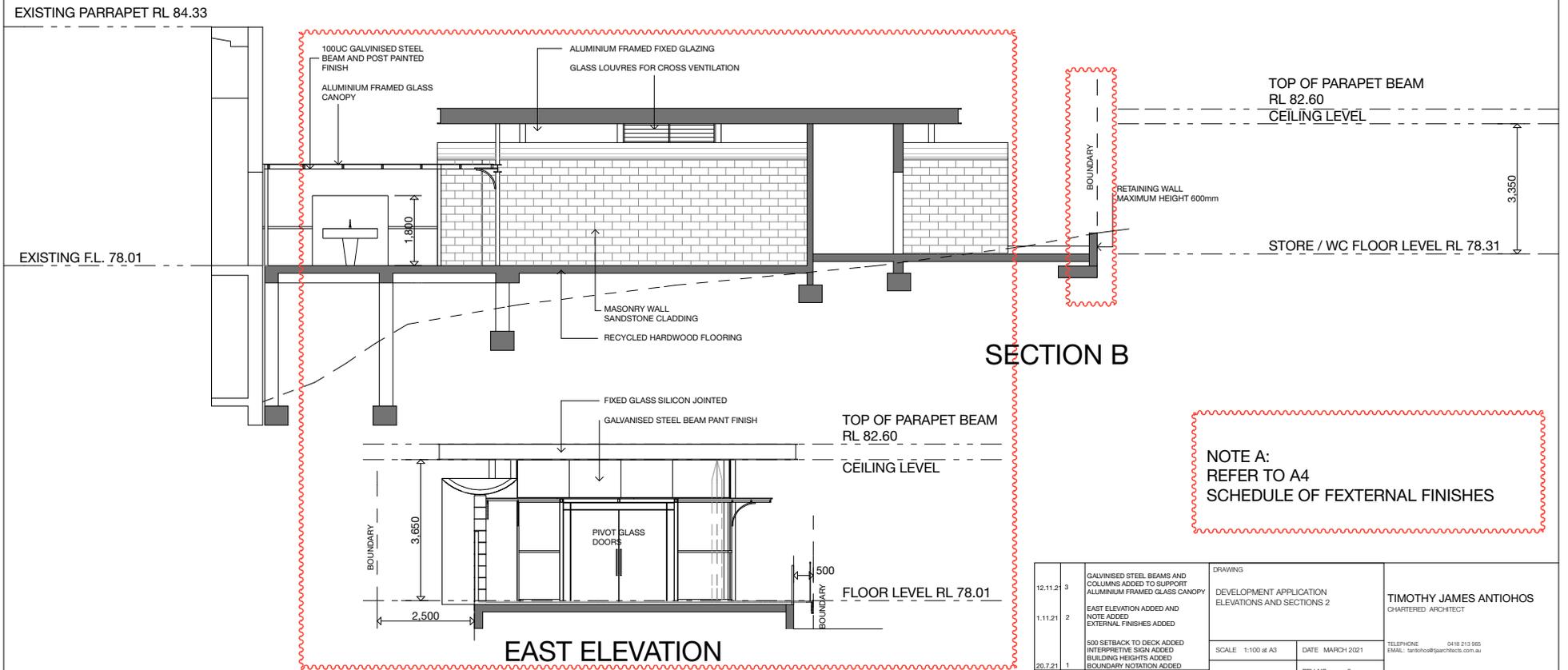
TELEPHONE 018 213 960  
EMAIL: t.antoios@tjpacrllb.com.au



**SECTION A**



**NORTH WEST ELEVATION**

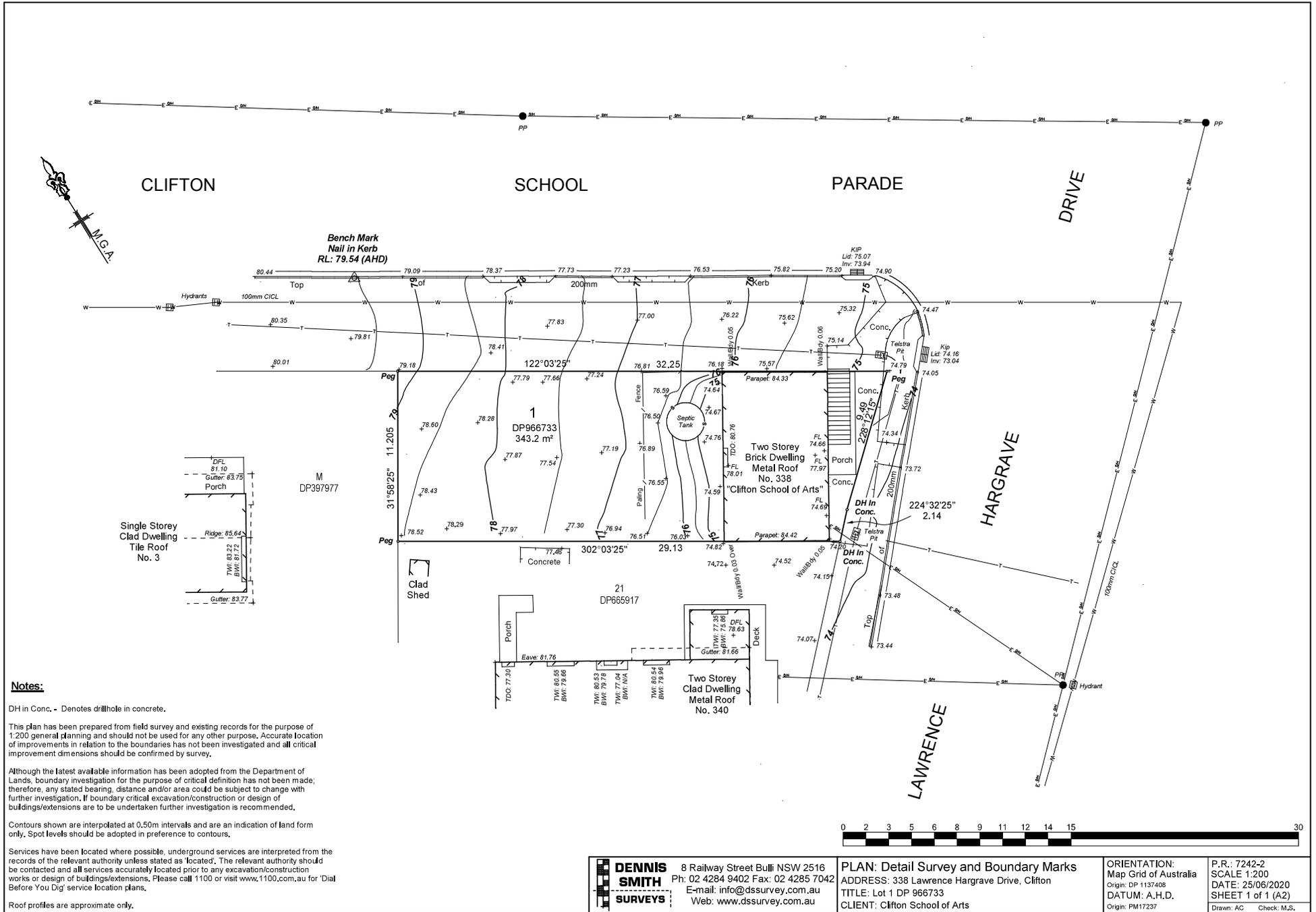


**SECTION B**

**EAST ELEVATION**

**NOTE A:**  
REFER TO A4  
SCHEDULE OF FEXTERNAL FINISHES

DATE	NO.	PARTICULARS	DRAWING	SCALE	DATE	REV. NO.	TELEPHONE
12.11.21	3	GALVANISED STEEL BEAMS AND COLUMNS ADDED TO SUPPORT ALUMINIUM FRAMED GLASS CANOPY	DRAWING DEVELOPMENT APPLICATION ELEVATIONS AND SECTIONS 2	SCALE 1:100 at A3	DATE MARCH 2021	REV. NO. 3	TIMOTHY JAMES ANTIOHOS CHARTERED ARCHITECT
1.11.21	2	EAST ELEVATION ADDED AND NOTE ADDED EXTERNAL FINISHES ADDED					
20.7.21	1	500 SETBACK TO DECK ADDED INTERPRETIVE SIGN ADDED BUILDING HEIGHTS ADDED BOUNDARY NOTATION ADDED					



**Notes:**

DH in Conc. - Denotes drillhole in concrete.

This plan has been prepared from field survey and existing records for the purpose of 1:200 general planning and should not be used for any other purpose. Accurate location of improvements in relation to the boundaries has not been investigated and all critical improvement dimensions should be confirmed by survey.

Although the latest available information has been adopted from the Department of Lands, boundary investigation for the purpose of critical definition has not been made; therefore, any stated bearing, distance and/or area could be subject to change with further investigation. If boundary critical excavation/construction or design of buildings/extensions are to be undertaken further investigation is recommended.

Contours shown are interpolated at 0.50m intervals and are an indication of land form only. Spot levels should be adopted in preference to contours.

Services have been located where possible, underground services are interpreted from the records of the relevant authority unless stated as 'located'. The relevant authority should be contacted and all services accurately located prior to any excavation/construction works or design of buildings/extensions. Please call 1100 or visit www.1100.com.au for 'Dial Before You Dig' service location plans.

Roof profiles are approximate only.

<p><b>DENNIS SMITH SURVEYS</b></p>	<p>8 Railway Street Bulli NSW 2516          Ph: 02 4284 9402 Fax: 02 4285 7042          E-mail: info@dssurvey.com.au          Web: www.dssurvey.com.au</p>	<p><b>PLAN:</b> Detail Survey and Boundary Marks  <b>ADDRESS:</b> 338 Lawrence Hargrave Drive, Clifton  <b>TITLE:</b> Lot 1 DP 966733  <b>CLIENT:</b> Clifton School of Arts</p>	<p><b>ORIENTATION:</b>          Map Grid of Australia  <b>Origin:</b> DP 1137408  <b>DATUM:</b> A.H.D.          Origin: PM17237</p>	<p><b>P.R.:</b> 7242-2  <b>SCALE:</b> 1:200  <b>DATE:</b> 25/06/2020  <b>SHEET</b> 1 of 1 (A2)          Drawn: AC Check: M.S.</p>
	<p>0 2 3 5 6 8 9 11 12 14 15 30</p>			

ATTACHMENT 6



# Management Plan

Clifton School of Arts

August 2021

**Timothy Antiohos**  
Architect

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## **1.0 Executive Summary**

The Clifton School of Arts (CSA) is a not-for-profit organisation.

During the 1880s the Clifton community frequently gathered in a meeting hall for education and social interaction. As interest in these gatherings grew it became necessary for a permanent hall to be constructed and this came in the form of land donated by the Coal Cliff colliery on which the striking miners constructed the building known today as the Clifton School of Arts.

Over the years this building has been supported by the generous donations of government bodies and the community at large and continues to be supported by the same means up to today.

The original 1911 design intended for a large hall to be attached on the land behind the current heritage building but the miners returned to work and this was never built.

Since that time several plans have been produced but none have come to fruition. Now the current committee has undertaken an ambitious plan to finally achieve what the original miners had in mind, to provide additional space on land to the rear of the heritage listed building to cater for the growing needs of the community and will include provision for disabled access.

Over the past years many events have been held at the CSA managed by various members of the community, in the form a committee who have given their valuable time to maintain the community spirit. The Committee is voted in every year by members of the CSA. This allows for new and fresh ideas of how best the CSA can improve the service to the community and more importantly maintain the viability and upkeep of the building.

This management plan has been prepared to facilitate an understanding of how to run the activities that CSA provides on a day to day basis and includes:

- \* The aims and objectives of the plan
- \* The strategies used to meet the objectives
- \* The methods to be used to measure whether these objectives have been achieved. This will be done by evaluating the *Activity Schedule* of future operations at the end of each financial year.

## **2.0 Aims and objectives of the plan / Strategies used to meet the objectives**

The main aim of this management plan is to provide a clear understanding of what the CSA stands for and by what means to achieve its goals in order to remain relevant in the future by:

- a) Making CSA a viable alternative as a regional gallery that would see an increase in well known artists as well local talent exhibiting not only within the existing heritage building but within the new multi functional gallery.***

Northern Illawarra has always been a magnet for artists over the years because of the natural beauty of the escarpment to the west and the vastness of the Pacific Ocean /Tasman sea to the east.

The completion of the Sea Cliff Bridge has allowed easier access in to the Northern Illawarra for tourists as well as people wishing to settle in this part of the world thus transforming the demographics and increasing the population twofold.

It has become a natural evolutionary process that an increase in the population would require additional infrastructure to service the needs of a growing community. Already we have seen the construction of the Headlands Hotel / apartment complex, and Imperial Hotel a heritage building that has been revitalised to its former glory soon to open.

This evolutionary process has been seen by the CSA as an opportunity to realise the vision that the miners first envisaged 110 years ago and continue their dream.

This proposed pavilion type extension has been viewed by members of the CSA that showed interested. It was presented by the architect responsible for the design at the Coledale Community Hall on 23rd October 2020 and was given overwhelming support.

CSA believes in its community and that is the reason it has undertaken a progressive plan to obtain approval from Wollongong City Council to construct the pavilion style extension. Once this building is realised it will attract interest from artists around NSW wanting to exhibit in this unique setting where old meets new / transition of place.

Strategising to meet goals are just mere words on paper, it takes hard work and dedication to enable these written words to become reality and the CSA committee together with the community will make dreams a reality.

***b) To raise funds that will enable the new pavilion style extension to be realised.***

Fundraising is an integral part of this management plan that will involve developing trust from donors and foster long term involvement within the community and local corporate sector.

It will require hard work from volunteers to help raise the much needed funds involving strategic planning that will outline the means to achieve the CSA goals.

In addition CSA will explore all possible needs and options for the community fundraisers by reaching out to local business and public agencies in order to develop lasting relationships between members and donors. This will create a credible presence locally that will encourage continual involvement in the future.

The following is a synopsis of a much larger plan that is being prepared by the CSA in its effort to raise funds.

***Synopsis***

The CSA will make an initial contribution of approximately \$100,000 to construction costs. This will come from existing funds, the result of a generous legacy that we received in 2020. We project that we will raise a further \$30,000 from activities conducted by the Clifton School of Arts over the coming three years and up to a further \$50,000 from member donations.

We have applied for a NSW Government Community Building Partnership Infrastructure Grant for \$150,000. This is pending.

The remaining funds are expected to be raised through government and philanthropic grants, together with corporate and private donations.

In order to provide tax deductibility for donors, the CSA is pursuing two avenues.

Initially, we will seek donations via the mechanism provided by Creative Partnerships Australia, which is a Federal Government organisation that enables arts and creative bodies to raise funds from donors that can be claimed as tax deductions.

Secondly in order to have a continuing capacity for donations to the CSA to be tax deductible, we are applying for Designated Grant Recipient (DGR) this is pending.

***C) Maintain and increase interest that the CSA will always be a meeting place to share goals and inspirations by the local community.***

Clifton School of Arts has always been a meeting place for the community and it will in the future continue to provide a sense of place that has inspired generations.

This much loved building has gone through some difficult times and at one point was so badly deteriorated it was considered for demolition but was rescued with extraordinary energy by the local community raising funds and completing its restoration. It remains a much-treasured venue and tourist attraction.

The CSA is in constant demand for local community meetings, gatherings and exhibitions. Due to the main gallery's excellent acoustics, it's perfect for small musical recitals and film screenings and it's widely known as a unique and spectacular exhibition space for artists to display their work and to give classes and workshops.

These days, the CSA "community" is considered by the committee to be not just the immediate residents of Clifton as in original days, but people from the area north of Bulli up to Stanwell Park. Our records indicate that CSA events are regularly attended by residents from Wollongong to Helensburgh as well as visitors from Sydney. Our policy is to offer a spectacular venue to community residents and members at a modest price, the income from which contributes to necessary maintenance of the building.

Continuing to inspire future generations to maintain interest of the voluntary work that has been carried in the past and continue to do so in the future is paramount to the survival of the CSA. Therefore the proposed pavilion style addition at the rear of the existing building will provide the inspiration that is needed to move forward and excite the community for years to come.

The proposed addition is an inspiring evolutionary transition of old and new standing side by side complimenting each other in a way that provides a visual statement of how far the CSA has evolved.

We are therefore committed to continue the 110 year tradition of the Clifton School of Arts enabling its community to come together to learn, meet, exhibiting and celebrate events, as well as providing the CSA with much needed flexibility to continue to operate as an artistic/educational centre and community venue by allowing physical accessibility to all.

***d) Increase Membership through Advertising***

The membership of the Clifton School of Arts has been increasing steadily over the last 2 years and is now at an all-time high. This increase in membership has been accompanied by a surge in the participation rate for CSA activities.

Prior to the Covid19 lock downs, CSA had multiple sold-out events and bulging wait-lists for activities like screenings, recitals and workshops.

The present committee has been very active in responding to the demand by the community for art classes. All the art classes held in the last two of years have been oversubscribed. Non-member attendees of these classes have appreciated what CSA is doing and have enthusiastically become members.

The CSA Committee applied for grants to provide courses and workshops during Senior's Week in 2020 and 2021.

The grants have made it possible to offer these activities at no cost to participating seniors. Grant applications have been lodged for 2022.

During lockdowns, the CSA committee is conscious that some members may feel isolated. They are kept engaged through social media, regular stories and articles in the local press and events like "Clifton Conversations" where members can gather together online each week to participate in conversations with local artists. This series, which is recorded and uploaded to our website "[artsclifton.org](http://artsclifton.org)" has proved extremely popular.

When bookings opened for our Contemporary Art Fair fundraising dinner at the Imperial Hotel, places sold out within 24 hours. Since then we have had to postpone the dinner and the Art Fair twice due to lockdowns. To date, not one ticket holder has requested a refund and not one artist has pulled out of the Art Fair. This gives a good indication of the loyalty of our members and supporters.

There are numerous examples of successful advertising via social media, Instagram, facebook and Youtube.

Also a major part of advertising events is via the website "[artsclifton.org](http://artsclifton.org)". This has become a successful tool in increasing venue hire.

e) *Provide opportunities for certain groups to hold meetings e.g. Historical societies, physical education classes such as yoga or pilates*

\* Physical Education

Physical education is an integral part of the way we live no matter what the age group. We now live in an age of healthy living where individuals are choosing to adopt a more environmental and spiritual means to sustain a healthy lifestyle.

People are opting to train their bodies and minds through yoga, pilates and meditation to name a few. They are making life style choices that have become part of our mainstream culture, so the old saying of healthy mind , healthy body, has become synonymous within the age of technology and social media.

CSA has been providing physical education classes for several years now mainly on weekends. The proposed pavilion style extension will become the perfect space to extend these types of activities.

\* Historical Events

The CSA members are trustees and have actively promoted the historic nature of the building through well attended historic displays, lectures, publications and regular articles in the local press.

The CSA History group maintains an important historic archive in the downstairs history room and has published two books of local history; -*The Bridge, a Seacliff Solution and Cornerstone of a Village.*

Both books have never been out of print and have continued to sell well. Now we are about to publish a third, *Chronicles of Clifton.*

The CSA has proved to be a very popular, low cost venue for a whole variety of local groups. These include local history groups, film and literature appreciation groups and many more.

Some of these groups have older and less able members. Sadly only attendees who can manage steep stairs can attend these activities. For those who can manage the stairs, we make it clear that those same stairs are also the emergency exit.

With the addition of a new deck it will provide safe, easy access to ALL members of the community.

*f) To enable future committees to adapt to the changing needs of the community by using this Management Plan as a guide.*

The key to surviving 110 years as a community organisation is having an active, open connection with your community and members, having the awareness and flexibility to respond and adapt to community needs. In the past, as you approached the Clifton School of Arts you may well have heard someone playing an upright piano and if you stepped into the main gallery with its wide wooden floors, high ceilings and spectacular views, you may have come across miners and their wives practicing the Pride of Erin or the Polka.

These days you are more likely to step into a yoga or tai chi class. The room may be filled by meditators or ballet students working on their arabesques. You might find the room stacked with easels and drawing boards with a lively art class going on. It may be decorated with native flowers for an upcoming memorial service. You may find the room smelling of cedar and eucalyptus and the floor sprinkled with wood shavings from a woodworking workshop. Visit the next day, and thanks to our volunteers, the room will be pristine again and lined with tables and chairs all set up for a community meeting.

The community puts the CSA to constant use as seen from the Management Plan/Activities Schedule, but there are limitations regarding the function of the building and sometimes makes it difficult to meet the requirements/demands of the community. For example, if there is an exhibition over a week, yoga classes or workshops can not be held.

The management plan will become a perfect tool to assess and evaluate day to day activities that will enable future committee members to adjust and adapt to the changing needs of the community.

The new multifunctional space will provide some much-needed flexibility. It will enable more than one event to occur at the same time.

An analysis of CSA activities for the 6 months to 30 June 2021 shows that 86% were on weekdays and the remainder on weekends. Weekend activities were either in the evening or art exhibitions that attract small numbers of people spread over the day. Traffic density and parking pressures at Clifton mainly occur on weekends.

Analysis of CSA Bookings 1 January 2021 to 30 June 2021

<b>No of days Booked</b>	<b>Days 1 Jan -30 June</b>	<b>Percentage Days Booked</b>	
86	181	48%	
<b>Total Number of Bookings</b>	93	<b>7 Double bookings</b>	
<b>No of weekday bookings</b>	<b>% of weekday bookings</b>	<b>No of weekend bookings</b>	<b>% of weekend bookings</b>
74	86%	12	14%

A 'double booking' is two bookings on the same day.

### 3.0 Activities Schedule

Activity	Operating hours	Managing the event	Comment
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Meetings	Monday to Sunday 8am to 10pm	Place	Attendees	Staff Responsible/ volunteers	Frequency	
Community meeting		Indoors	10-40	0	Occasional	<p>The meetings are held to keep the community informed of local issues, events, infrastructure/new developments.</p> <p><u>Parking:</u> Parking for 10 spots + one disabled is located at Rube Hargrave Park.</p> <p>One disabled drop off spot is located within the proposed development.</p> <p>Also available are 11 spots on Clifton School Parade and 12 spots along Lawrence Hargrave Drive.</p> <p>Arrival of attendees to the meetings is via:</p> <ul style="list-style-type: none"> <li>• Car pooling</li> <li>• Public Transport ( bus stop outside CSA)</li> <li>• Walking if members choose to do so</li> <li>• Train</li> </ul>

Committee meeting		Indoors	7	Committee	every 6 weeks	The committee holds these meetings to resolve matters that require collaborative decisions in the interest of the CSA members and community as they arise. Minutes to members are distributed promptly after every meeting.
General meeting		Indoors	10-20	CSA Committee	bi-monthly	This meeting held regularly throughout the year is to keep the membership of the Clifton School of Arts informed of issues affecting the CSA and allow discussion and input from members to the committee. The Annual General Meeting allows members to vote in a new Committee and is usually held in September. The meetings usually take place in the morning. Parking and arrival of attendees as under Community meeting
<b>Exhibitions</b>						
Art exhibitions		Indoors	5-40	The artist/s usually look after the exhibition	Depends on the bookings	The number of attendees will be spread over the period of the exhibition. Usually there is an opening ceremony when there might be up to 50 people present. The exhibition might be a weekend or a week in duration. The average spread of people per day is 10-15. Attendees generally arrive by car, many carpooling
Historical exhibitions		Indoors	5-25	CSA members look after the exhibition	Annually	Historical exhibitions to date have been over a weekend. Approximately 15 people per day view the exhibition.

Photography exhibitions		Indoors	5-40	The photographer who is exhibiting	Depends on booking. Approx. Annually	The number of attendees will be spread over the period of the exhibition, usually a weekend. The average number of visitors per day is 10-15.
Other exhibitions		Indoors	5-25	The exhibitor	Depends on the exhibitor	All other exhibitions that may take place within the CSA space will be managed in the same manner as described above.
<b>Classes and workshops</b>						
Art and craft classes + workshops		Indoors	10-15	1 teacher	Depends on bookings Often weekly for 6-8 weeks also 1 day workshops	Classes usually take place between 10am and 4pm with about 12 participants who bring their own materials. The group leader or teacher may also supply materials. The new extension proposed with disabled parking will provide access for wheelchairs to the existing building as well as to the new facilities. At present, classes in the existing building can only be attended by those who can manage the stairs.
Yoga, Tai Chi, meditation and similar classes		Indoors	5-8	1 teacher	Weekdays usually mornings and evenings	The available parking nearby, as described above is more than adequate for this group.
<b>Community events and Fundraisers</b>						
Lectures and visual presentations		Indoors	10-30	1 speaker 1-2 CSA members	occasionally	Content is dictated by the interests of the members. Parking and attendees arrival as above Community meetings.

Musical recitals		Indoors	25-50	3-4 musicians 1-2 CSA members	occasionally	These are community events organized by the membership and our aim is to showcase emerging local talent. We have also raised funds for the upkeep of the building in this way. Our membership is notified of any upcoming recitals. Parking is available as described under community meetings
Screenings		Indoors	25-50	5-6 CSA members	occasionally	We have held, and hope to continue to hold screenings of films that have been made by our members or are significant to members. We have raised funds for the maintenance of the School of Arts in this way. Parking is available as described under community meetings.
Small cultural events such as writers' and artists' festivals		indoors	10-30	1-2 volunteers	Occasionally	These are small events usually no more than 5 hours duration managed by the organisers
Memorials, and community gatherings		indoors	10-30	At least 1 CSA member	occasionally	The memorials and family gatherings that have been held are for local people who have chosen the School of Arts because they have a special affection and attachment to the building, often over a lifetime. Such gatherings have been held by and for the community and members for many decades.
Community fetes, book and jumble sales		Indoors and outdoors	Up to 50	3-5 CSA Members	occasionally	The number of attendees will be spread over the period of the event. In the past the committee has raised funds for the maintenance of the School of Arts in this way.

Waste collection of bins	between 7am and 12noon				Weekly	
Septic tank waste collection	between 7am and 12noon				every six weeks (pre pandemic)	

## **4.0 Conclusion**

Wollongong City Council requested additional information for the D.A. currently being assessed for the proposed pavilion style extension submitted by the Architect Tim Antiohos on behalf of the Clifton School of Arts.

This management plan has been prepared to satisfy Item 6 of WCC request for additional information by outlining and detailing CSA activities for now and in the future.

## ATTACHMENT 2

### Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Drawing A03-4, A04-3 and A05-3 dated 12 November 2021 prepared by Timothy James Antiohos, P.R.: 7242-2 sheet 1 dated 25 June 2020 prepared by Dennis Smith Surveys and Management Plan dated August 2021 prepared by Timothy Antiohos 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 **Geotechnical**

- 2.1. All work is to be in accordance with the geotechnical recommendations contained in the report dated 21 October 2020 by Fortify Geotech and any subsequent geotechnical report required to address unanticipated conditions encountered during construction.
- 2.2. Foundation systems are to be designed for Class P soils with all footings for the additions to be founded within the underlying stiff natural soil or as recommended by the geotechnical consultant.
- 2.3. Articulation jointing is to be provided between new and existing development as recommended by the geotechnical consultant.
- 2.4. All excavations for foundations are to be inspected by the geotechnical consultant and certified that the ground has been suitably prepared for the placement of footings.

#### 3 **General Heritage**

This consent does not approve any Building Code of Australia upgrades to the existing heritage building (Clifton School of Arts). Any BCA upgrade works to the existing heritage listed (Clifton School of Arts) building will require prior written approval from Councils Heritage Staff.

#### 4 **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.

#### 5 **Construction Certificate**

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

A Construction Certificate certifies that the provisions of Clauses 139-147 of the Environmental Planning and Assessment Regulation 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

**Note:** The Certifier must cause notice of its determination to be given to the consent authority, and to the Council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in clause 142 (2) of the Environmental Planning and Assessment Regulation 2000.

#### 6 **Mailboxes**

The developer must install mailboxes along street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet. The developer must install minimum two (2 No.) reflective paint house number on face of kerb along street frontage of the property to assist emergency services/ deliveries/ visitors.

#### 7 **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.

#### 8 **Tree Management**

The developer shall retain & indicate existing trees on Concept Landscape Plan by Shaw landscape Group Dwg No LD-CS-00 Issue A dated 1 September 2021 consisting of trees on adjoining property.

Any branch or root pruning which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS 4373:2007.

All tree protection measures are to be installed in accordance with Australian standard AS 4970:2009 Protection of Trees on development Sites.

Tree Protection measures to be implemented including and not restricted to: site induction, compliance documentation, modified footings, sub surface utility siting, crown lifting, remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones (TPZ) and watering and root hormone application if required. Soil levels within the TPZ must remain the same.

The developer shall remove existing vegetation near existing tank. No other trees shall be removed without prior written approval of Council.

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

#### **9 Application to Install On-Site Sewage Management System**

The site is not connected to Sydney Water sewer line and an Application to Install an On-Site Sewage Management System (specifically a pump out system) must be submitted and approved by Council prior to the issue of the Construction Certificate.

#### **10 Fire Safety Upgrade (Construction Certificate)**

Prior to the issue of a Construction Certificate, all key compliance matters detailed in the National Construction Code Series Capability Statement prepared by Accredited Building Certifiers dated 21 January 2021, must be considered and implemented/incorporated into the Construction Certificate documentation to the satisfaction of the Certifying Authority.

#### **11 Heritage – Final Signage Strategy**

Final details of the interpretive sign including wording and images proposed should be provided to Council's Heritage Officer for approval prior to release of the Construction Certificate.

#### **12 Heritage – Window Schedule**

A window schedule that provides additional detail on the window shown facing Clifton School Parade is to be provided to Council's Heritage Staff prior to the release of the Construction Certificate.

#### **13 Building Code of Australia – Fire Safety Upgrade (Existing Building)**

The following information will be required to be detailed on the plans or supporting documentation to the PC, prior to the issue of the Construction Certificate. This condition relates to fire safety upgrade considerations under Clause 94 of the Environmental Planning & Assessment Regulation 2000 and relates to the existing School of Arts Building. The upgrade work shall be carried out in accordance with the National Construction Code Series (BCA) Volume 1.

- Portable fire extinguishers in accordance with Part E1.6 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS 2444.
- Exit signage in accordance with Part E4 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS 2293.1.

The above fire safety measures must be installed within the building to a standard of performance not less than that specified in this condition and included on the fire safety schedule.

#### **14 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.

15 **Schedule of External Building Materials/Finishes**

The final details of the proposed external treatment/appearance of the development including a schedule of building materials and external finishes is to be submitted for the separate approval of Wollongong City Council Heritage Officers, prior to the release of the Construction Certificate. The use of concrete brick paving for the deck area is not supported.

- 16 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 AS2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

17 **Structures Adjacent to Driveway**

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS 2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.

18 **Landscaping**

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:

- a planting of indigenous plant species typical of the Illawarra Region such as: *Syzygium smithii* (formerly *Acmena smithii*) Lilly pilly, *Archontophoenix cunninghamiana* Bangalow palm, *Backhousia myrtifolia* Grey myrtle, *Elaeocarpus reticulatus* Blueberry ash, *Glochidion ferdinandii* Cheese tree, *Livistona australis* Cabbage palm tree, *Brachychiton acerifolius* Illawarra Flame Tree. A further list of suitable suggested species for the Clifton area may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping;
- b a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
- c the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees;
- d any proposed hard surface under the canopy of an existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations;
- e the developer shall ensure that proposed planting is child friendly and must **not** include any of the types of plants listed below: **i)** plants known to produce toxins; **ii)** plant with high allergen properties; **vi)** any weed or potential weed species; and;
- f screen planting to be incorporated to western boundary.

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

- 19 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.

- 20 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.

21 **Planting on site**

The developer must plant one (1 No.) 75 litre container advanced mature plant stock shall be placed within the property boundary of the site in appropriate locations. The suggested species are to be selected from the following list: *Elaeocarpus reticulatus* Blueberry ash, *Livistona australis* Cabbage palm tree, or *Brachychiton acerifolius* Illawarra Flame Tree. A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

22 **Tree Protection Measures**

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

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

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

23 **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.

24 **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 within the property boundary.

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

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

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

25 **Street Trees**

The developer must address the street frontage by installing street tree planting. The number and species for this development are three (3 No.) *Waterhousea floribunda* 'Green Avenue' Weeping Lilly Pilly 200 litre container size, in accordance with AS 2303:2018 Tree stock for landscape use. Street 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. Tree pits must be adequately mulched, plants installed and staking installed to the satisfaction of WCC Manager of Works. Staking is to consist of min. 3 x 2400 x 50 x 50mm hardwood stakes driven min 600mm into firm ground. Hessian webbing is to be utilised to secure plant stock to industry standard.

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

26 **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 Stormwater Drainage Plan lodged for development approval, prepared by Jones Nicholson Engineers, Reference No. N0201342, C200 , issue 2, dated 2 November 2021.
- b Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing 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.

27 **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 600mm x 600mm 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:
  - i The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
  - ii Identification number DA-2021/279.
  - iii Any specialist maintenance requirements.
- h Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

28 **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.

**Prior to the Commencement of Works**

29 **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.

30 **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.

31 **Tree Protection Implementation**

The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the

development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

- a installation of Tree Protection Fencing - Protective fencing shall be 1.8 m cyclone chainmesh fence, with posts and portable concrete footings;
- b 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;
- c irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.

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

32 **Supervising Arborist – Tree Inspection and Installation of Tree Protection Measures**

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

33 **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.

34 **Protection of Public Infrastructure**

Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Any damage to Council's assets shall be made good, prior to the issue of any Occupation Certificate or commencement of the operation.

35 **Tree Protection**

Prior to commencement of any work on the site, including any demolition, all trees not approved for removal as part of this consent that may be subjected to impacts of this approved development must be protected in accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970:2009).

Tree protection zones must be established prior to the commencement of any work associated with this approved development.

No excavation, construction activity, grade changes, storage of materials stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within Tree Protection Zones.

**During Demolition, Excavation or Construction**

36 **New Information/Unexpected Finds**

In the event that demolition and/or construction works cause the generation of odours or the uncovering of previously unidentified contaminants or hazardous materials, works must immediately cease and the PC and Council (in the event that Council is not the PC) must be notified in writing within seven (7) days and an appropriately qualified environmental consultant appointed to undertake an assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm.

37 **Demolition Materials - Disposal**

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

38 **PCB Containing Electrical Equipment**

If any metal cased capacitors are found during demolition works that were previously identified or unidentified they shall be treated as containing Polychlorinated Biphenyls (PCBs). Details on storing, conveying and disposing of PCB material or PCB wastes can be found in *Polychlorinated Biphenyls Management Plan*, Environmental Protection & Heritage Council, Revised Edition April 2003.

39 **Synthetic Mineral Fibre (SMF) Materials**

All SMF containing materials must be removed in accordance with the National Standard for the Safe Use of Synthetic Mineral Fibres [National Occupational Health and Safety Commission:1004 (1990)] and the National Code of Practice for the Safe Use of Synthetic Mineral Fibres [National Occupational Health and Safety Commission:2006 (1990)].

40 **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>).

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

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

42 **Lead Based Paint**

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

43 **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.

44 **Provision of Taps/Irrigation System**

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

45 **Screen Planting**

To mitigate impact to adjoining dwelling a continuous hedge is to be established along western boundary for the length of property boundary (excluding area occupied by the existing building). Recommended species: *Callistemon viminalis* 'Slim', *Photinia glabra* Rubens, *Viburnum tinus*, *Syzygium australe* Aussie Southern, *Syzygium*, 'Resilience', *Viburnum odoratissimum* Dense Fence or suitable climber. Minimum spacing 1000mm. Minimum pot size 5 lt.

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

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

- 46 **Fire Safety Upgrade (Occupation Certificate)**  
Prior to the issue of an Occupation Certificate, all key compliance matters detailed in the National Construction Code Series Capability Statement prepared by Accredited Building Certifiers dated 21 January 2021, must be complete to the satisfaction of the Registered Certifier
- 47 **Exit Signage**  
Prior to the issue of an Occupation Certificate, install Exit Signage throughout the existing School of Arts Building in accordance with Part E4 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS 2293.1.
- 48 **Portable Fire Extinguisher**  
Prior to the issue of an Occupation Certificate, install portable fire extinguishers throughout the existing School of Arts Building in accordance with Part E1.6 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS 2444.
- 49 **Heritage – Interpretative Sign**  
Prior to the release of the Occupation Certificate, the developer is to install the interpretive sign, as detailed in the endorsed by Council’s Heritage Staff.
- 50 **Application for Approval to Operate an On-Site Sewage Management System**  
Prior to issue of Occupation Certificate an onsite wastewater management application shall be submitted and approved for the Approval to Operate an onsite waste water management system license from the Council.
- 51 **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:
- a) Must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
  - b) must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- 52 **Completion of Landscape Works on Council Owned or Controlled Land**  
The Developer must complete all landscape works required within Council’s road reserve, or other Council owned or controlled land, in accordance with the conditions of this consent. The total cost of all such landscape works shall be fully borne by the Developer and any damage to Council’s assets shall be the subject of restoration works sufficient to restore the asset to its previous state and configuration previous to the commencement of works. Evidence that this requirement has been met must be satisfied prior to the issue of the Occupation Certificate.
- 53 **Arborist Verification – Street Tree Installation**  
Prior to the issue of Occupation Certificate, the developer must supply certification in the form of a report, including photographic evidence, from an AQF Level 5 Arborist to the PC and Wollongong City Council to verify:
- The tree stock complies with AS 2203:2018 Tree Stock for Landscape Use
  - The tree pits have been constructed and the trees installed in accordance with the requirements of the Wollongong City Council City Centre Public Domain Technical Manual and arboricultural best practice.

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

- 53 **Restricted Operation**  
The hours of operation for the development shall be restricted to between 8am to 10pm Monday to Sunday. No more than 50 attendees are permitted within the proposed extension. Operation of

the site shall be conducted in accordance with the Management Plan dated August 2021. Any alteration to the approved operations will require separate Council approval.

54 **Access to On-Site Sewage System**

Access is to be provided to the on-site sewage system for routine operational and maintenance purposes.

55 **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.