

Attachment 8 - Draft Conditions for: DA-2010/580

Approved Plans and Specifications

The development is to be carried out in compliance with the plans and documentation listed and endorsed with Council's stamp, except where amended by other conditions of this consent: NOTE these are to be inserted prior to final determination.

Conditions 10, 11, 97 and 98 have been discussed with the applicant.

General Matters

1) **Tree Removal**

The developer has permission to remove Trees No. T51, T52, T53, T65, T102, T103, T104, T105, T106, T109, T110, T111, T112, T113, T115, T116, T117 as indicated on the submitted Arborist Report by Moore Trees, dated December 2009. No other trees shall be removed without the prior written approval of council.

2) **Tree Retention and Arborists Recommendations**

The developer must retain Trees No. T100, T101, T107, T108, T114 as indicated on the submitted Arborist Report, dated December 2009.

The developer must carry out all recommendations as indicated on the submitted Arborist's Report.

3) **Podium Planter Boxes**

All podium planter boxes are to have a waterproofing membrane. The waterproofing membrane is to have a minimum 10 year life span.

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 an Accredited Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The submission to Council of two (2) copies of all stamped Construction Certificate plans and supporting documentation is required within **two (2)** days from the date of issue of the Construction Certificate, in the event that the Construction Certificate is not issued by Council.

6) **Disability Discrimination Act 1992**

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

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

7) **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.

- 8) **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.
- 9) **Occupation Certificate**
A final Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Prior to the Issue of the Construction Certificate

- 10) **Water Sensitive Urban Design**
Final details addressing water sensitive urban design measures to be implemented into the development proposal are to accompany the Construction Certificate application.
- 11) **Acoustic Design Measures**
Double glazing is to be provided for to all habitable rooms of the Residential Flat Buildings. The plans presented for the Construction Certificate shall reflect this requirement.
- 12) **Basement Car park Ventilation System**
The developer must provide certification from a suitably qualified and experienced professional verifying that the proposed basement car park ventilation system complies with the Building Code of Australia and Australian Standard AS 1668.2-2002 to the Principal Certifying Authority and Council (in the event that Council is not the Principal Certifying Authority) prior to issue of the Construction Certificate.
- 13) **Detailed Stormwater Design**
The developer must submit a detailed stormwater design for the proposed development strictly in accordance with Chapter E14 of the Wollongong DCP 2009. In particular, the on-site detention (OSD) facility shall be located at the lowest point(s) on the site to ensure that all stormwater runoff from the tributary area (i.e. the full pervious/impervious area draining to the OSD post development) is conveyed to the OSD facility for all rainfall events up to and including a 1 in 100 year ARI (Average Recurrence Interval). This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
- 14) **Scour Protection**
All stormwater swales and overland flow paths must incorporate appropriate scour/erosion protection measures. The final details of the proposed scour protection measures shall be reflected on Construction Certificate plans.
- 15) **Pump System**
A pump system must be provided in association with the detailed stormwater design for the site to cater for stormwater from a prolonged/extreme storm event entering the basement. The pump system shall be designed by a suitably qualified and experienced civil engineer and reflected on the Construction Certificate plans and supporting documentation.

- 16) **Existing/Proposed Levels**
Existing and proposed levels to Australian Height Datum (AHD), including floor, ground, grate, pipe inverts and pavement levels shall be shown on the detailed drainage design. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
- 17) **On-Site Detention – Design Criteria**
Each on-site stormwater detention facility must incorporate a minimum 900mm square lockable grate for access and maintenance purposes, provision for step irons where required, provision for safety, debris control screen and a suitably graded invert to prevent ponding (i.e. no sump). Also, details of the orifice plate, including diameter of orifice and method of fixing, and a cross section through each detention facility shall be provided. These requirements shall be reflected on the Construction Certificate plans.
- 18) **On-Site Detention - Identification**
Details shall be provided of a corrosion resistant identification plaque for location on or close to the on-site detention (OSD) facility. The plaque shall include the following information:
- The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - identification number [DA2010/580]
 - any specialist maintenance requirements.
- 19) **Orifice/Weir Calculations**
Orifice and weir calculations for each on-site detention facility must be provided to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.
- 20) **Subsoil Lines**
All subsoil lines draining the basement shall be directed to the on-site stormwater drainage system. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
- 21) **Drainage of Roof, Basement and Balconies**
The proposed method of draining the roof, basement and balconies must be included in the detailed drainage design and provided to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.
- 22) **Roof water Drainage**
All roof gutters and downpipes shall be designed to cater for a 1 in 100 year ARI storm event in accordance with the current version of AS 3500.3 – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe sizes and downpipe locations shall be reflected on the Construction Certificate plans.
- 23) **Driveway Crest**
The crest of the driveway shall be set such that no surface runoff will enter the basement from the road kerb and gutter drainage system for any particular rainfall event. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

- 24) **Designated Overland Flow Swale**
Details of the overland flow swale located on the site shall be provided with the detailed drainage design. The overland flow swale must be capable of catering for the 1 in 100 year storm event flows from the contributing catchment area. The overland flow swale shall be free of any vegetation and/or structures that are likely to impede natural overland flow, or make provision for such obstructions, so there will be no adverse flood impacts upon adjoining buildings. Full Manning's calculations shall be provided on the capacity of the overland flow swale. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.
- 25) **Bicycle Parking**
Bicycle Parking shall be provided in accordance with Australian Standard AS2890.3 (1993). This requirement shall be reflected on the Construction Certificate plans.
- 26) **Soil and Water Management Plan (SWMP)**
A Soil and Water Management Plan (ESCP) must be prepared by a suitably qualified person in strict accordance with the requirements set out in "Managing Urban Stormwater: Soils and Construction" NSW Dept of Housing, 4th Edition. The plan must be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.
- 27) **Subdivision/Access Road Matters**
The public access road details must be consistent with those approved via DA-2009/1544. Revised plans must be submitted with the Construction Certificate application.
- 28) **Fire Safety Schedule**
When issuing a Construction Certificate, a certifying authority must attach a Fire Safety Schedule specifying all of the fire safety measures required for the building to ensure the safety of persons in the building in the event of fire.
- 29) **Section 73 Compliance Certificate**
A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice of Requirements must be submitted to the Principal Certifying Authority prior to issue of the construction certificate.
- 30) **Integral Energy Requirements**
The submission of documentary evidence from Integral Energy to the Principal Certifying Authority is required confirming that satisfactory arrangements have been made with Integral Energy for the provision of electricity supplies to the development, prior to the release of the Construction Certificate.

Note: Applications should be made to Customer Connections – South Coast, Integral Energy PO Box 6366, Blacktown 2148.
- 31) **Telecommunications**
The submission of documentary evidence from an approved telecommunications carrier to the Principal Certifying Authority confirming that underground telecommunication services are available for this development is required prior to the issue of the Construction Certificate.

- 32) **Fencing**
The development is to be provided with fencing and screen walls at full cost to the applicant/developer as follows:
- a) where a screen wall faces the road, pedestrian walkway, reserve or public place that wall shall be constructed of the same brickwork as that used in the external wall of the building; and
 - b) rear and side property boundaries (behind the building line) and private rear courtyards are to be provided with minimum 1.8 metre high brick, timber lapped and capped or colorbond fences.
 - c) any requirements of the *Dividing Fences Act* are to be observed.
- This requirement is to be reflected on the Construction Certificate plans.
- 33) **Disabled Access and Facilities**
The provision of disabled access throughout the development is required and shall be in compliance with the Building Code of Australia Part D3 “Access for People with Disabilities” and Australian Standard AS1428.1 (2001) - Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.
- 34) The disabled access ramp(s) shall comply with Australian Standard AS1428.1 (2001) – Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans.
- 35) In order to reduce the opportunities for “hiding places” the proposed landscaping must:
- a) use shrubs/plants which are no higher than 1 metre.
 - b) the type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.
- This requirement shall be reflected on the Construction Certificate plans.
- 36) **Car parking and Access**
The development shall make provision for a total of 140 car parking spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in car parking from the 140 shown in the approved DA plans shall be dealt with via a section 96 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.
- 37) The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, blind aisle extensions, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1 (2004), except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.
- 38) Each disabled person’s parking space shall comply with Australian Standard AS2890.6 (2009). This requirement shall be reflected on the Construction Certificate plans.
- 39) The main entry point to the building shall be in accordance with Australian Standard 1428.1 - 2001 Design for Access and Mobility - Part 1 General Requirements for Access - Buildings. The proposed pedestrian ramps within the car parking areas shall incorporate gradients (with suitable landing intervals) in accordance with the Australian Standard. The final design of the pedestrian ramps, including ramp gradients shall be reflected on the Construction Certificate plans.
- 40) The designated manoeuvring area shall be kept clear for that purpose at all times.
- 41) The provision of suitable barriers, line-marking and painted signage delineating vehicular flow movements within the car parking areas. These details shall be reflected on the Construction Certificate plans.

- 42) The car parking areas and internal access roads shall be separated from the landscaped bays by means of a kerb or concrete dwarf wall. All kerbs required to act as wheel stops shall have a maximum height of 100 mm above ground. These details shall be reflected on the Construction Certificate plans.
- 43) The car parking areas shall incorporate 'low impact' floodlighting to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed floodlighting system shall be reflected on the Construction Certificate plans. The erection of the floodlighting system shall be in accordance with the approved final design.
- 44) A minimum 2.2 metre headroom height shall be provided throughout the car parking and manoeuvring area. This requirement shall be reflected on the Construction Certificate plans.
- 45) Gradients of ramps and access driveways shall be provided in accordance with the current version of Australian Standard AS2890.1 - Off Street Car Parking. This requirement shall be reflected on the Construction Certificate plans.
- 46) **Visitor Parking (outside Basement Car park – Crime Prevention/Minimisation)**
Any visitor parking spaces must be located outside the security access to the basement car park. This requirement shall be reflected on the Construction Certificate plans.
- 47) A change in driveway paving is required at the entrance threshold to clearly show motorists they are crossing a pedestrian area. The developer must construct the paving wholly within the subject site in accordance with the conditions, technical specifications and levels to be obtained from Council's Manager Works. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.
- 48) Any proposed structures adjacent to the driveway shall comply with the requirements of the latest version of Australian/New Zealand Standard AS/NZ 2890.1 to provide for adequate 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.
- 49) The edge of the car park on Precinct 'B' must be provided with a hob to direct surface water flows to the on-site detention facility. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.
- 50) Overflow paths must 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 must be incorporated in the design. Overflow paths must also be provided in low points and depressions. This requirement shall be reflected on the Construction Certificate plans prior to the release of the Construction Certificate.
- 51) The depth and location of all services (i.e. gas, water, sewer, electricity, telephone etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
- 52) Details of the proposed method of connection of each On-site Detention (OSD) facility to Council's drainage system must be provided with the detailed drainage design for the site. The details must be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
- 53) The developer must provide on-site detention storage for stormwater runoff from the development. The Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site must be designed in accordance with the requirements for on-site stormwater detention as found in Chapter E14 of the Wollongong DCP 2009. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application.

54) The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

- a) include planting of indigenous plant species *Melaleuca decora*;
- b) any proposed hard surface under the canopy of an existing tree 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.

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.

55) The provision of common tap(s) 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 indicated on the Landscape Plan for the Construction Certificate, as detailed in the Wollongong City Council Landscape Technical Policy No 98/4. This requirement shall be reflected on the Landscape Plan prior to the release of the Construction Certificate.

56) The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifying Authority prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

57) The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifying Authority prior to release of the Construction Certificate.

58) **Tree Protection and Management**

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

- a) Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority 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.

59) **On-Site Detention – Structural Design**

The on-site detention facility must be designed to withstand loadings occurring from any combination of hydrostatic, earth, traffic and buoyancy forces. Details must be provided demonstrating these requirements have been achieved prior to the issue of the Construction Certificate.

60) **On-Site Detention - Maintenance Schedule**

A maintenance schedule for the on-site stormwater detention system must be submitted with the Construction Certificate plans for the proposed development. The maintenance schedule must be in accordance with Chapter E14 of the Wollongong DCP 2009.

Prior to the Commencement of Works

61) **Site Management, Pedestrian and Traffic Management (Where Works are Proposed in or from a Public Road Reserve)**

The submission, as part of an application for a permit under Section 138 of the Roads Act 1993, of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Regulation and Enforcement for approval is required, prior to works commencing on the site. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS1742 - Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.

This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects:

- a) proposed ingress and egress points for vehicles to/from the construction site;
- b) proposed protection of pedestrians, adjacent to the construction site;
- c) proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d) proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- e) proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- f) proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- g) proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the NSW Roads and Traffic Authority's Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS1742. - "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);
- h) proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an accredited certifier in Civil Engineering; and
- i) proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

The approved plan shall be implemented, prior to the commencement of any works upon the construction site.

Note: Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

62) **Appointment of Principal Certifying Authority**

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

- a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed (if Council is nominated as the PCA please use the attached form) and
- b) notify Council in writing (on the attached form) of their intention to commence the erection of the building (at least two days notice is required).

The Principal Certifying Authority must determine when inspections and compliance certificates are required.

63) **Residential Building Work – Compliance with the Requirements of the Home Building Act 1989**

Building work involving residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates

- a) in the case of work to be done by a licensee under that Act:
 - i) has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and
 - ii) is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or
- b) in the case of work to be done by any other person:
 - i) has been informed in writing of the persons name, contact address details and owner-builder permit number; and
 - ii) has been given a declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act.

64) **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 Principal Certifying Authority 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.

- 65) **Temporary Toilet/Closet Facilities**
Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- Each toilet provided must be:
- a) a standard flushing toilet; and
 - b) connected to either:
 - i) the Sydney Water Corporation Ltd sewerage system or
 - ii) an accredited sewage management facility or
 - iii) an approved chemical closet.
- The toilet facilities shall be provided on-site, prior to the commencement of any works.
- 66) **Structural Engineer's Details**
Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifying Authority, prior to the commencement of any works on the site.
- 67) **Enclosure of the Site**
The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.
- 68) **Consultation with NSW Work Cover Authority**
Prior to any work commencing on the site it is the responsibility of the owner to contact NSW Work Cover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.
- 69) **Waste Management**
The developer must provide an adequate receptacle to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and reusable materials.
- 70) **Site Management Program – Sediment and Erosion Control Measures**
A site management program incorporating all sediment and erosion control measures (e.g. cleaning of sediment traps, fences, basins and maintenance of vegetative cover) is to be initiated prior to the commencement of any demolition, excavation or construction works and maintained throughout the demolition, excavation and construction phases of the development.
- 71) **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.
- 72) The depth and location of all services (i.e. stormwater, gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the plans and supporting documentation issued for construction.

During Demolition, Excavation or Construction

73) **Construction Noise Limits**

Noise during the demolition, excavation and construction phases of the development shall not exceed the background noise level ($L_{A90(15\text{ min})}$) plus 10 dB(A), and a continuous equivalent sound pressure level ($L_{Aeq(15\text{ min})}$) of 75 dB(A) when measured at the residential property boundary that is most exposed to demolition, excavation and construction noise, and at a height of 1.5 m above ground level.

74) **Excess Excavated Material - Disposal**

Excess excavated material must be disposed of only at a location that may lawfully receive that waste.

75) **Discharge of Accumulated Water**

Any water accumulating in excavations on-site shall not be discharged to Council's stormwater system, unless it is confirmed by testing at a NATA accredited laboratory that the pH is between 6.5 and 9, suspended solids are less than 30 mg/L, and that the water is free of oil and grease. Alternatively, such waters are to be removed by tanker for disposal at a NSW Department of Environment, Climate Change and Water licensed waste facility.

76) **Pipe Connection**

All pipe connections to existing pits within the road reserve must be constructed flush with the pit wall in accordance with good engineering practice. The developer must ensure that the condition of the pit is not compromised and that the service life of the pit is not reduced as a result of the connection.

77) **Downstream Drainage Infrastructure**

The developer must not commence construction on the roof drainage system of any building on the site until written evidence is provided to the Manager Design and Technical Services of Wollongong City Council, verifying that the downstream drainage infrastructure within the new roadway has been constructed in accordance with the approved plans under DA-2009/1544.

78) **Supervision of Engineering Works**

All engineering works associated with the development are to be carried out under the supervision of a practising civil engineer.

79) **Piping of Stormwater to Existing Stormwater Drainage System**

Stormwater for the land must be piped to Council's existing stormwater drainage system. Prior to undertaking the connection the developer shall obtain permit from and arrange inspections with Council's Regulation and Enforcement Division.

80) **No Adverse Run-off Impacts on Adjoining Properties**

The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

81) **Re-direction or Treatment of Stormwater Run-off**

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.

82) **Temporary Road Closure(s)**

If a road closure is required, an approval must be obtained from City of Wollongong Traffic Committee and Wollongong City Council.

Note: It may take up to six weeks for approval. An application for approval must include a Traffic Control Plan prepared by a suitably qualified person who is to include the date and times of closure and any other relevant information. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742-Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.

- 83) **Prior approval from Council for any works in Road Reserve**
Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Regulation and Enforcement Division 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. A traffic control plan prepared and implemented by a suitably qualified person must be submitted for approval and the appropriate fees paid a minimum of five working days prior to the expected implementation. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742 – Traffic Control Devices for Works on Roads and the RTA Traffic Control at Worksites Manual.
Note: This includes temporary road closures for the delivery of materials, plant and equipment, concrete pours etc.
- 84) **Branch or Root Pruning in accordance with Australian Standard**
Any branch or root pruning which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373 (2007).
- 85) **Copy of Consent to be in Possession of Person carrying out Tree Removal**
The applicant/developer must ensure that any person carrying out tree removal/vegetation clearance is in possession of this development consent and/or the approved landscape plan, in respect to the trees/vegetation which have/has been given approval to be removed in accordance with this consent.
- 86) **Treatment of any Tree Damage by a Supervised Arborist**
Any damage inflicted on a tree during the construction phase which has been nominated for retention shall be treated by an approved arborist at the developer's expense.
- 87) **Restricted Hours of Work (not domestic residential scale)**
The developer must not carry out any work other than emergency procedures to control dust or sediment laden runoff outside the hours of 7.00 am to 5.00 pm, Monday to Friday and 7 am to 1.00 pm Saturdays without the prior written consent of the Principal Certifying Authority and Council.
No work is permitted on public holidays, Sundays or the Saturday adjacent to public holidays on Mondays or Fridays.
Any request to vary these hours shall be submitted to the **Council** in writing detailing:
a) the variation in hours required;
b) the reason for that variation;
c) the type of work and machinery to be used.
Note: The developer is advised that other legislation may control the activities for which Council has granted consent including but not limited to the Protection of the Environment Operations Act 1997. Developers must note that EPA Environmental Noise manual restricts use of power tools (electronic or pneumatic) to between the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8.00 am to 4.00 pm on Saturdays.
- 88) The developer must carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to the owners and/or occupiers of adjoining and adjacent land.
- 89) **Site Management**
Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:
a) Does not spill onto the road pavement and
b) is not placed in drainage lines or watercourses and cannot be washed into these areas.
- 90) Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.

- 91) **Dust Suppression Measures**
Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.
- 92) Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.
- 93) All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.
- 94) All excavations and backfilling associated with the erection of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 95) **External Plant and Equipment**
External plant such as air conditioners, compressors and other machinery likely to emit noise shall be located so adjoining areas are not adversely affected.
- 96) **Compliance with Statutory Authorities / Government Departments**
Compliance with the requirements of any Statutory Authorities or Government Departments such as, but not limited to:
- NSW Work Cover Authority;
 - NSW Roads & Traffic Authority;
 - NSW Environment Protection Authority;
 - NSW Police Service; and
 - NSW Fire Brigades.

Prior to the Issue of the Occupation Certificate

- 97) **Subdivision Registration**
All works associated with DA-2009/1544 must be completed and the subdivision registered with NSW Land and Property Management prior to the issue of the Occupation Certificate for this development.
- 98) **Restriction under section 88E of the *Conveyancing Act 1919*.**
As required by Part 2 Division 1 clause 17 of the State Environmental Planning Policy (Affordable Rental Housing) 2009 evidence of a registered restriction under section 88E of the *Conveyancing Act 1919* is required against the title of the property to the effect that for 10 years from the date of the issue of the Occupation Certificate:
- (i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and
 - (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider.
- 99) **Discharge to Council's Stormwater System**
Prior to discharge to Council's stormwater system, water shall be treated via a gross pollution trap or similar device to achieve 100% reduction in gross pollutants and at least 80% reduction in total suspended solids.

100) **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.

101) **Drainage**

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

102) **Restriction on use – On-site Detention System**

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

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

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

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

103) The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, four 75 litre container mature plant stock shall be placed in a suitable location on the site. The species to be planted are Eucalyptus tereticornis and Eucalyptus eugenioides.

104) **BASIX**

A final occupation certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The Principal Certifying Authority must not issue the final occupation certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate. NOTE: Clause 154B of the Environmental Planning and Assessment Regulation 2000 provides for independent verification of compliance in relation to certain BASIX commitments.

105) **Positive Covenant – On-Site Detention Maintenance Schedule**

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

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

106) **On-Site Detention – Structural Certification**

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifying Authority is required prior to the issue of the final Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

Operational Phases of the Development/Use of the Site

107) **Fire Safety Measures**

All new and existing fire safety measures shall be maintained in working condition, at all times.

108) **Clothes Drying on Balconies/Terrace Areas Prohibited**

The use of the balconies/terrace areas for the external drying of clothes is strictly prohibited.

109) **Loading/Unloading Operations/Activities**

All loading/unloading operations are to take place at all times wholly within the confines of the site.