

ATTACHMENT 5 - DRAFT CONDITIONS FOR: DA-2010/905

General Matters

- 1 **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.
- 2 **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.
- 3 **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.
- 4 **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.
- 5 **Separate Consent Required for Advertising Signage**
This consent does not authorise the erection of any advertising signage. Any such advertising signage will require separate Council approval, in the event that such signage is not “complying or exempt development”, under Wollongong Development Control Plan No 1 – Complying Development or Wollongong Development Control Plan No 2. – Exempt Development.
- 6 **Maintenance of Access to Adjoining Properties**
Access to all properties not the subject of this approval must be maintained at all times and any alteration to access to such properties, temporary or permanent, must not be commenced until such time as written evidence is submitted to Council or the Principal Certifying Authority indicating agreement by the affected property owners.
- 7 **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.

- 8 **Geotechnical**
- a. Hard bedrock will be difficult to excavate. Alternative excavation methods should be considered to minimise noise and vibration.
 - b. An earthworks plan is to be developed by a geotechnical consultant prior to start of earthworks.
 - c. All earthworks are to be in accordance with the recommendations of the geotechnical consultant included in the earthworks plan developed for Geotechnical Condition b.
 - d. All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
 - e. All earthworks, drainage, retaining wall and footing construction is to be subject to geotechnical supervision. Where necessary amendments are to be made to the designs during construction based on supplementary geotechnical advice given during the supervision to ensure that the completed works accommodates all encountered geotechnical constraints.
- 9 **Trees to be Removed**
- The developer has permission to remove the Cocos Palm from the footpath as indicated on the submitted Landscape Plan by Ochre Landscape Architects, dated 08.07.10. No other trees or vegetation shall be removed without the prior written approval of council.
- 10 **Street Tree Removal**
- Tree removal costs are to be borne by developer. The removal of trees, including stumps, is to be carried out by suitably qualified tree contractor. This contractor must be appropriately insured to indemnify Council against any loss or damage incurred during the above works. They must also have appropriate OH&S policies and procedures (including traffic control) to ensure that works are carried out in a safe manner and in accordance in Council's own OH&S policies.
- The developer must apply for (and be granted) permission under section 138 of the roads act to work within the road reserve.
- 11 **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.

Prior to the Issue of the Construction Certificate

- 12 **Amended Plan – Planter Boxes fronting Harbour Street**
- The planter boxes long Harbour Street are to be reduced from 650mm to 400mm. Details of the amended planter boxes shall be submitted for the approval of the Principal Certifying Authority, prior to the release of the Construction Certificate.
- 13 **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.
- 14 **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.

15 **Dilapidation Report Prior to Construction**

A Dilapidation Report detailing the current structural condition of adjoining buildings, infrastructure and roads shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

16 **Street Trees**

Provide street tree planting to Burelli Street, species *Cupaniopsis anacardioides* and Harbour Street, species *Araucaria cookii*, size 200L as shown on the Landscape Concept Plan. Tree pits must be detailed in accordance with the Public Domain Technical and installed to the satisfaction of WCC Manager City Works. Contact Dial Before You Dig and undertake any necessary pot holing to determine the location of existing services before excavating tree pits. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

17 **Footpath Pavement –**

The developer is responsible for the construction of footpath paving for the entire frontage of the development. The footpath must be installed to the satisfaction of WCC Manager of Works. A minimum two percent (2%) maximum two and a half percent (2.5%) cross fall to be provided from property line to back of kerb. This requirement shall be indicated on the final Landscape Plans submitted to the Principal Certifying Authority, prior to the release of the construction certificate.

18 **Driveway Threshold**

A change in driveway paving is required at the entrance threshold on the subject site (not on the council footpath) to clearly show motorists they are crossing a pedestrian area. The developer must construct the paving 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.

19 **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. In addition, protective boarding is to be installed to protect from further water damage. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

20 **Stormwater Runoff from Up-slope Properties**

Provision shall be made for a minimum 450 mm square grated surface inlet pit in the north western corner of the development site adjacent to proposed pit PG3 to collect up-slope surface runoff. This pit shall incorporate appropriate debris control and shall be connected via an independent pipe system to the proposed drainage pit immediately south of pit PG1. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

21 **On-Site Detention – Design Criteria**

The on-site stormwater detention facility must incorporate a minimum 900 mm square lockable grate for access and maintenance purposes, 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 shall be provided. These requirements shall be reflected on the Construction Certificate plans.

- 22 **On-Site Detention – Identification**
The construction certificate plans are to detail a corrosion resistant identification plaque for location on or close to the on-site stormwater detention (OSD) facility. The plaque shall include the following information and must be installed prior to the issue of the occupation certificate:
- The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - Identification number – DA-2010/905.
 - Any specialist maintenance requirements.
- 23 **On-Site Detention – Orifice and Weir Calculations**
Orifice and weir calculations for the on-site detention facility must be provided on the Construction Certificate plans and supporting documentation prior to the release of the Construction Certificate.
- 24 **Scour Protection**
All overland flow paths and the surface of the on-site detention storage facility must incorporate appropriate scour/erosion protection measures. The final details of the proposed scour protection measures shall be reflected on Construction Certificate plans.
- 25 **On-site Detention – Stormwater Connections**
All stormwater connections to the on-site detention storage facility shall be via a piped connection directly into the pit/pipe network beneath the surface of the detention storage facility. Free discharge to the surface of the detention storage facility is not permitted. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.
- 26 **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.
- 27 **Roofwater Drainage**
All roof gutters and downpipes shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3 (2003) – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe sizes and downpipe locations shall be reflected on the Construction Certificate plans.
- 28 **Parking and Access**
The development shall make provision for a total of 101 car parking spaces, 74 motorcycle parking spaces and 18 bicycle parking spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 96 modification to the development. The approved parking spaces shall be maintained to the satisfaction of Council, at all times.
- 29 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 (2004), except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.
- 30 Should a proposed Vehicular Crossing be located where it is likely to disturb or impact upon a utility installation (ie power pole, Telstra pit etc) written confirmation from the affected supplier that they have agreed to the proposed impacts shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
- 31 The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms

that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to the release of the Construction Certificate.

32 **Gradient of Driveways**

All driveways within the development shall be constructed with a maximum vertical alignment as shown in Council Drawing No. 5000-C34-1 (Maximum Internal Grading – Units and Commercial Developments). This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

33 **Structures Adjacent to Driveway**

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 plans.

34 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.

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

36 The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.

37 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 approved plans, and such that the maximum piped discharge from the on-site detention storage facility does not exceed 55 L/s. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application.

38 **Landscaping**

The submission of a final Landscape Plan in accordance with the requirements of Wollongong City Council Landscape Technical Policy No 98/4 and in accordance with the approved Landscape Plan (ie as part of this consent) for the approval by the Principal Certifying Authority, prior to the release of the Construction Certificate.

39 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:

39.1 deletion of exposed aggregate concrete and replace with honed concrete for Harbour Street, and Basalt for Burelli Street – in accordance with the Public Domain Technical Manual.

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.

40 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.

- 41 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.
- 42 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.
- 43 **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.
- 44 **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 DCP2009.
- 45 **Integration of Rooftop Structures in Approved Building Envelope**
All rooftop or exposed structures including lift rooms, plant rooms together with air conditioning units, ventilation and exhaust systems are to be integrated within the approved rooftop envelope. This requirement shall be reflected on the Construction Certificate plans.
- 46 **External Finishes**
The building shall be constructed and finished in materials and colours consistent with that shown on the approved schedule of finishing materials and colours. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
- 47 **Low Reflective External Finishes**
Any outbuildings or other ancillary structures are to be finished in colours and materials of natural earthy tones and low reflective quality to blend with the surroundings. The driveway is to be finished in dark earth tones.
- 48 **Glass Reflectivity Index**
The reflectivity index of the glass used in the external façade of the building shall not exceed 20 per cent. The details and samples of the glass to be used are to be submitted with the Construction Certificate together with written evidence that the reflectivity of the glass is 20 per cent or less.
- 49 **Single Master TV Antenna**
A single master TV antenna is to be installed to service the development and provision made for connection to each dwelling unit within the development. This requirement shall be reflected on the Construction Certificate plans.
- 50 **Air Conditioning Units**
Air conditioning systems are to not to be located where they are visible from Atchison Street.

In addition, air conditioning systems are not to be located where they could generate amenity impacts for neighbouring residents. Plans submitted to the Principal Certifying Authority prior to issue of the Construction Certificate are to identify external components of an air conditioning system that meets the requirements of this condition.
- 51 **Fencing**
The development is to be provided with fencing and screen walls at full cost to the applicant/developer as follows:

51.1 rear and side property boundaries (behind the building line) are to be provided with minimum 1.8 metre high brick, timber lapped and capped or colorbond fences.

This requirement is to be reflected on the Construction Certificate plans.

52 **Disabled Access and Facilities**

The provision of disabled access throughout the commercial component of 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.

53 **Crime Prevention through Environmental Design (CPTED)**

The area of the subject site which can be accessed by the public must have lighting provided in accordance with AS1158 (1999) or AS4360 (1999) (*only appropriate if the land is in public ownership*). This requirement shall be reflected on the Construction Certificate plans.

54 The development shall incorporate appropriate design measures to minimise any crime risk to patrons or staff and motor vehicles within the car parking areas, including (but not limited to) the following:

- 54.1 Landscape treatment which allows visibility from the road way and other public areas;
- 54.2 Landscaping at ground level provided which is difficult or uncomfortable to hide in or traverse,
- 54.3 Provide clearly marked and sign posted visitor car parking signs (including security/intercom system);
- 54.4 Ensure that fire rated doors in the car park have a clear glass panel located no more than 1.5 m from the floor. The panel shall have a minimum dimension of 300 mm x 300 mm to allow visual surveillance within the stairwell and/or next room/space.

This requirement shall be reflected on the Construction Certificate plans.

55 The submission of final design details of proposed security systems to be installed within the development, to the Principal Certifying Authority, in order to minimise crime and vandalism related matters is required, prior to the release of the Construction Certificate. The security arrangements are to include a including a CCTV system within the access points, the basements and ground floor commercial area and communal lobby. The CCTV should be of a standard that allows facial recognition to assist Police with identification of any offenders.

56 **CPTED – Design Details of Lighting System**

The full design details of the proposed lighting system and associated light spillage measures/devices for the development are required to be submitted to the Principal Certifying Authority for endorsement, prior to the release of the Construction Certificate. The proposed lighting system and associated light spillage measures shall be in general accordance with the requirements of Australian Standard AS4282 - Control of Obtrusive Effects of Outdoor Lighting. The approved light spillage measures shall be installed on the lighting system, prior to the use or operation of the lighting system. The approved light spillage measures shall be maintained at all times.

57 **Basement Ventilation**

Exhausts associated with mechanical ventilation from the basement are to be conveyed to the top of the building for discharge. Measures must be adopted to mitigate potential noise and amenity issues associated with the mechanical ventilation system/s. In this respect, noise generated by the system/s must not exceed 5dB(A) above the ambient background noise level.

Details of the basement ventilation are to indicated on plans submitted to the Principal Certifying Authority with the Construction Certificate application.

58 **Water Conservation**

The development shall incorporate the following water saving measures:-

- all water fixtures (shower heads, taps, toilets, urinals, etc) are to be 3 stars or better rated;
- appliances are to be 3 stars or better rated with respect to water use efficiency;
- non-potable water should be used for watering gardens.

Details demonstrating compliance shall be submitted with the Construction Certificate application.

59 **Asbestos Management Report**

The submission of a report, prepared by a suitably qualified and experienced asbestos consultant, which indicates the exact nature and extent of asbestos material contained within the existing dwellings and site and the proposed remediation measures to be adopted for the removal of the asbestos material from the site to a NSW Environmental Protection Authority registered waste disposal site. This report shall be submitted to the Principal Certifying Authority for its separate approval prior to the issue of the Construction Certificate.

60 **Acid Sulphate Soils Management Strategy**

An Acid Sulphate Soils Management strategy (prepared by a suitably qualified and experienced environmental/geotechnical consultant) shall be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate. This strategy is required to recommend specific procedures and mitigation measures and shall include a site analysis from a NATA registered laboratory. This strategy shall address the following aspects:

- 60.1 specific mitigative measures to minimise the disturbance of acid sulphate soils as well as measures relating to acid generation and acid neutralisation of the soil;
- 60.2 management of the excavated material;
- 60.3 measures taken to neutralise the acidity; and
- 60.4 run-off control measures.

The recommendations of the strategy shall be completed, prior to the commencement of building works.

61 **Section 94A Levy Contribution**

The following Section 94A Levy Contribution is required towards the provision of public amenities and services in accordance with the Wollongong City Council Section 94A Development Contributions Plan.

Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Wollongong City Council Section 94A Development Contributions Plan, a contribution of \$191,770.00 shall be paid to Council prior to the release of any associated Construction Certificate.

The amount to be paid will be adjusted at the time of actual payment, in accordance with the provisions of the Wollongong City Council Section 94A Development Contributions Plan. The Consumer Price Index All Group Index Number for Sydney at the time of the development application determination is 158.1.

The following formula for indexing contributions is to be used:

Contribution at time of payment = **\$C x (CP2/CP1)**

Where

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

CP1 is the Consumer Price Index (all groups index for Sydney) used in the proceeding indexation calculation

CP2 is the Consumer Price Index (all groups index for Sydney) at the time of indexation

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

A copy of the Wollongong City Council Section 94A Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at www.wollongong.nsw.gov.au.

(Reason: To provide high quality and diverse public amenities and services to meet the expectations of the existing and new residents of Wollongong City Council).

Prior to the Commencement of Works

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:

- 62.1 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
- 62.2 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

- 63.1 in the case of work to be done by a licensee under that Act:

- 63.1.1 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
- 63.1.2 is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or

- 63.2 in the case of work to be done by any other person:

- 63.2.1 has been informed in writing of the persons name, contact address details and owner-builder permit number; and
- 63.2.2 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:

- 64.1 stating that unauthorised entry to the work site is not permitted;
- 64.2 showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 64.3 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:

- 65.1 a standard flushing toilet; and
- 65.2 connected to either:
 - 65.2.1 the Sydney Water Corporation Ltd sewerage system or
 - 65.2.2 an accredited sewage management facility or
 - 65.2.3 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 **Hoardings (within any Public Road Reserve)**

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

68 **Consultation with NSW WorkCover Authority**

Prior to any work commencing on the site it is the responsibility of the owner to contact NSW WorkCover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

69 **Demolition Works**

The demolition of the two existing dwellings and associated structures shall be carried out in accordance with Australian Standard AS2601 (2001): The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of the NSW WorkCover Authority.

No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifying Authority. In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

70 **Notification to Surrounding Property Owners/Occupants Prior to Commencement of Demolition Works**

At least five (5) days notice must be given in writing to any residence or business within 100 metres of the premises to which this consent pertains of the impending demolition works. The written notice must include at least the following information:

- 70.1 a summary of the work plan and method for the demolition and a timetable for completion of works, including hours of operation, transport routes etc;
- 70.2 details of the primary contractor and/or company conducting the demolition works;
- 70.3 the name and telephone number for a person supervising the works to which residents can direct questions, comments and/or concerns about the works for the duration of the works.

- 71 **Hazardous Material Survey**
 At least one week prior to demolition, the applicant must prepare a hazardous materials survey of the site and submit to Council a report of the results of the survey. **Hazardous materials** includes, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must include at least the following information:
- 71.1 the location of hazardous materials throughout the site;
 - 71.2 a description of the hazardous material;
 - 71.3 the form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
 - 71.4 an estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
 - 71.5 a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
 - 71.6 identification of the disposal sites to which the hazardous materials will be taken.
- 72 **Consultation with NSW WorkCover Authority – Prior to Asbestos Removal**
 The applicant or appointed contractor is to give NSW WorkCover Authority at least seven days advanced notice, prior to the removal of asbestos from the site.
- 73 **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.
- 74 **Survey Report – Siting of Development within Property Boundaries**
 A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifying Authority to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to commencement of works.
- 75 **Support for Neighbouring Buildings**
 This consent requires the preservation and protection of neighbouring buildings from any damage and if necessary, requires the underpinning and support of any neighbouring building in an approved manner. The applicant or the contractor carrying out the work must at least seven days in advance of any excavation works below the level of the base of the footings of a building on an adjoining allotment, including a public road or place, give written notice of intention to carry out such works to the property owner of the affected adjoining building and furnish specific written details and supporting plans or other documentation of the proposed work.
- The adjoining property owner of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- 76 **Site Management, Pedestrian and Traffic Management (Where Works are Proposed in or from a Public Road Reserve)**
 The submission of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Regulation and Enforcement is required as part of an application for consent under Section 138 of the Roads Act 1993, 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:
- 76.1 proposed ingress and egress points for vehicles to/from the construction site;

- 76.2 proposed protection of pedestrians, adjacent to the construction site;
- 76.3 proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- 76.4 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;
- 76.5 proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- 76.6 proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- 76.7 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);
- 76.8 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
- 76.9 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.

77 **Consent to Enter and Exit Demolition or Construction Site**

Any use of the footpath or road reserve for demolition or construction purposes requires Council consent under the Roads Act 1993.

Where it is proposed to carry out demolition activities or construction vehicles entering and leaving the site from a public road reserve and/or installation of a fence or hoarding, a consent under S.138 of the Roads Act 1993 must be obtained from Council's Regulation and Enforcement Division, prior to the works commencing.

78 **Tank Overflows**

Overflows from all water storage tanks must be connected to the on-site stormwater drainage system. This requirement shall be reflected on the plans and supporting documentation issued for Construction.

79 **Supervision of Works and Notification to Council of Works in Road Reserve**

The work shall be supervised by a suitably qualified and experienced Civil Engineer, Registered Surveyor or Civil Engineering Foreman. The supervisor's name, address and contact details (including telephone number) shall be submitted to the Principal Certifying Authority and Council prior to the commencement of any works.

The submission of a written construction program and anticipated duration of the construction to Council is required prior to the commencement of any works within any public road reserve.

80 **Public Liability Insurance**

All contractors working in Council's road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$10 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the Principal Certifying Authority and Council (in the event that Council is not the Principal Certifying Authority) prior to the commencement of any such works in any road reserve or public reserve area.

81 The depth and location of all services (ie stormwater, gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the plans and supporting documentation issued for construction.

82 **Construction of Vehicular Crossing**

The applicant shall remove the existing and non complying concrete vehicular crossing and replace it with a new concrete crossing to service the development in accordance with Council's current policies and standards.

The applicant shall arrange, through Council's Regulation and Enforcement Division for a Council qualified concrete contractor to obtain consent under S.138 of the Roads Act 1993, to carry out the works.

A copy of the consent shall be submitted to the Principal Certifying Authority prior to works commencing. The entire length of any vehicular crossings must be constructed:

- a) to Council's currently adopted standard drawings;
- b) for the full width of the footpath; and
- c) by one of Council's qualified concrete contractors at the developer's expense.

83 **Footpath Levels**

Footpath levels must be obtained from Council's Regulation and Enforcement Division prior to works commencing. This can be achieved by filling out an application form and payment of the relevant fee.

All such structures and internal driveways shall be constructed to these approved levels.

The longitudinal grade of the footpath must be parallel to the top of kerb level and all building entrance adjustments for level access to building floor levels must be developed within the private property of the building in accordance with the requirements of the latest versions of AS1428.1, the Building Code of Australia and the Disability Discrimination Act. No adjustments to the uniform and even longitudinal grade of the footpath at the boundary line will be permitted for access points to buildings.

A copy of the approved levels shall be submitted to the Principal Certifying Authority prior to works commencing.

84 **Notification to Council of any Damage to Council's Infrastructure**

Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

85 **Application for Occupation of Footpath/Roadway**

Any use of the footpath or road reserve for construction purposes requires Council consent under the Roads Act 1993. Where it is proposed to carry out activities such as, but not limited to the following:

- (a) Loading or unloading machinery/equipment/deliveries;
- (b) Installation of a fence or hoarding;
- (c) Stand mobile crane/plant/concrete pump/materials;
- (d) Pumping stormwater from the site to Council's stormwater drains;
- (e) Carrying out survey or investigation works;
- (f) Installation of services, including water, sewer, gas, stormwater and power;
- (g) Construction of new vehicular crossings or footpaths;
- (h) Removal of street trees;
- (i) Any activity which proposes an interruption to pedestrian and or vehicular traffic.
- (j) Carrying out demolition works
- (k) Materials or equipment delivered to and from site;

an application for occupation of footpath/roadway must be submitted to Council's Regulation and Enforcement Division, and a S.138 consent obtained, prior to the works commencing.

86 **Site Management Program – Sediment and Erosion Control Measures**

A site management program incorporating all sediment and erosion control measures (eg 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.

87 **Erosion and Sediment Control Measures**

Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

88 **All-weather Access**

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

89 **Shaker Pads**

Shaker pads are to be installed at the entry/exit points to the site to prevent soil material leaving the site on the wheels of vehicles and other plant and equipment.

During Demolition, Excavation or Construction

90 **Heritage – Potential Archaeology**

Should any Aboriginal artefacts or other archaeological material be discovered during the excavations on the site, works shall immediately stop and the Council shall be contacted for advice.

91 **Supervision of Engineering Works**

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

92 **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 a permit from and arrange inspections with Council's Regulation and Enforcement Division.

93 **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.

94 **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.

95 **Redundant Crossings**

Any existing vehicular crossings rendered unnecessary by this development must be removed and the footpath and normal kerbing and guttering must be restored. This work shall be carried out by a Council qualified concrete contractor at the developer's expense.

96 **Protection of Public Places**

If the work involved in the erection or demolition of a building involves the enclosure of a public place or is likely to cause pedestrian/vehicular traffic in a public place to be obstructed or rendered inconvenient, or have the potential for conflict between pedestrians and vehicles:

96.1 A hoarding or fence must be erected between the work site and the public place;

- 96.2 an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place;
- 96.3 the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in a public place;
- 96.4 safe pedestrian access must be maintained at all times;
- 96.5 any such hoarding, fence or awning is to be removed when the work has been completed.
- 97 **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 6 weeks for approval. An application for approval must include a Traffic Control Plan prepared by a suitably qualified person which 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
- 98 **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.
- 99 **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.
- 100 **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.
- 101 **Compliance with Statutory Authorities / Government Departments**
Compliance with the requirements of any Statutory Authorities or Government Departments such as, but not limited to:
- NSW Workcover Authority;
 - NSW Roads & Traffic Authority;
 - NSW Environment Protection Authority;
 - NSW Police Service; and
 - NSW Fire Brigades.

102 **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:

- 102.1 the variation in hours required;
- 102.2 the reason for that variation;
- 102.3 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.

103 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.

104 The lighting of the premises must be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.

105 Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.

106 Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

107 Drains, gutters, access ways and roadways must be maintained free of sediment and any other material. Gutters and roadways must be swept/scraped regularly to maintain them in a clean state.

108 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.

109 **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.

110 Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.

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

- 111.1 must preserve and protect the adjoining building from damage; and
- 111.2 if necessary, must underpin and support the building in an approved manner; and
- 111.3 must, at least seven (7) days before excavation below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation.

- 112 All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.
- 113 Any demolition works involving asbestos are to be carried out in accordance with the WorkCover Authority's – Your Guide to Working with Asbestos, "*Guidelines for Practices Involving Asbestos Cement in Buildings*". Transportation and disposal of asbestos materials shall be in accordance with EPA requirements.
- 114 **Acid Sulphate Soils**
Any spoil material extracted or excavate from the foundation must be neutralized with commercial lime (calcium bicarbonate) by the addition of 10 kilograms of lime per 1 cubic metre of spoil material before it is disposed of or re-used on-site.

Lime is to be added by evenly distributing over all exposed surface areas, drilled piers and footing trenches on the site, prior to the pouring of concrete.
- 115 **Provision of Waste Receptacle**
The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.
- 116 The building site must be kept free of rubbish at all times. All refuse capable of being wind blown must be kept in a suitable waste container.
- 117 **BASIX**
All the commitments listed in each relevant BASIX Certificate for the development must be fulfilled in accordance with Clause 97A(3) of the Environmental Planning & Assessment Regulation 2000.

A relevant BASIX Certificate means:
- A BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Environmental Planning & Assessment Act 1979, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
 - BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000."

Prior to the Issue of the Occupation Certificate

- 118 A Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.
- 119 **Completion of Engineering Works**
The completion of all engineering works in accordance with the conditions of this consent and any necessary work to make the construction effective to the satisfaction of Council's Manager Works and Services. The cost of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be restored in a satisfactory manner, prior to the issue of the Occupation Certificate.
- 120 **Works-as-Executed Plans**
On completion of any civil infrastructure works, the applicant must submit, to Council's Manager Works and Services, the Works-As-Executed plans for any works within any road reserve or other Council owned or controlled land. A certificate shall also be submitted by a registered surveyor confirming that the survey is a true and accurate record and that all pipelines and associated structures lie wholly within any easements required by the engineering works. The

WAE plans shall also be certified by an accredited engineer indicating that construction works have been built in accordance with the conditions of development consent.

121 **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.

122 **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 as stated in Chapter E14 of the Wollongong DCP2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.

123 **Restriction on use – On-site Detention System**

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

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

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

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

124 **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 Stormwater 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.

125 **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.

126 **Dilapidation Report Following Construction**

A Dilapidation Report prepared by a qualified structural engineer must be submitted to the principal certifying authority, together with the initial Dilapidation Report prepared prior to construction of the approved development.

The report must ascertain whether any structural damage has occurred to adjoining buildings, infrastructure or roads following construction of the development. The report shall be submitted to the satisfaction of the Principal Certifying Authority and a copy must be provided to Council within one month of submission to the Principal Certifying Authority. This must be provided prior to the release of the Occupation Certificate.

127 **Consolidation of Allotments**

The allotments the subject of this development application shall be consolidated. Evidence of registration of the plan of consolidation must be provided to Council prior to the release of an Occupation Certificate.

Operational Phases of the Development/Use of the Site

128 **Consent required for Initial Use of Commercial/Retail Spaces**

Development consent shall be obtained for the first use of the commercial or retail spaces prior to their occupation.

129 **Loading/Unloading Operations/Activities**

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

130 **Strata Plan Requirements**

Should a Strata Plan be prepared for this development in the future, the following matters must be addressed:

- #.1 Garbage and recycling rooms must be contained within the common area;
- #.2 Motorbike and bicycle storage areas must be contained within the common area; and
- #.3 Appropriate allocation of carparking and storage areas to the dwellings.

131 **Graffiti Removal**

Any graffiti shall be removed immediately from the exterior of the building or any associated structures including the front fence.