

## DRAFT CONDITIONS FOR: DA-2012/635

### Approved Plans and Specifications

- 1 To be inserted by Council.

### General Matters

- 2 **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.
- 3 **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.
- 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 exempt development, under Schedule 2 of Wollongong Local Environmental Plan 2009/Wollongong (West Dapto) Local Environmental Plan 2010.  
  
Any new application for advertising signage must be submitted to Council in accordance with Chapter C1 – Advertising and Signage Structure of Wollongong Development Control Plan 2009.
- 6 **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.
- 7 **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

### 8 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](http://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.

### 9 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.

### 10 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 1% of the cost of development shall be paid to Council prior to the release of any associated Construction Certificate for that stage as outlined in the table below:

Stage	Contribution Amount
1	\$ 0.00 - Exemption granted
2	\$ 0.00 - Exemption granted
3	\$ 0.00 - Exemption granted
4	\$ 101,259.96
5	\$ 214,330.31
6	\$ 101,259.96

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 179.9. 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.

Payment must be made by cash, credit card or bank cheque only, personal and company cheques are not accepted. Payments are accepted by mail or in person at Council's Customer Service Centre, located on the ground floor of Wollongong City Council Administration Building during business hours.

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](http://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).*

**11 Street Trees**

The developer must address the street frontage by installing street tree planting. The number and species for this development are nine (9 No.) *Brachychiton acerfolius* 75 litre pot 2.5 m minimum height, 1.2m wide and 40mm minimum caliper. Street trees are to be installed in accordance with Wollongong Development Control Plan 2009 – Chapter E6: Landscaping. Dial before you Dig must be consulted prior to any excavation on site. Pot holing must be carried out to determine service location. Tree pits must be adequately mulched, plants installed and tree guard/staking installed to the satisfaction of WCC Manager of Works. Staking to consist of min. 3 x 2400 x 50 x 50mm hardwood stakes driven min 600mm into firm ground. Hessian webbing to be utilised to secure plant stock to industry standard.

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

**12 Footpath Paving**

The developer is responsible for the construction of footpath paving for the entire frontage of the development. The type of paving for this development is 1500mm wide 100mm thick reinforced broom finished concrete. A nominal two percent (2%) minimum 1%, maximum two and a half (2.5%) cross fall to be provided from property line to back of kerb.

Landscape Plan to be submitted to Council prior to the issue of Construction Certificate showing proposed paving and location of all services.

**13 Dust Suppression Measures**

The submission of details of the proposed dust suppression measures for the demolition, excavation and construction phases of the development to the Principal Certifying Authority, prior to issue of the Construction Certificate.

**14 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.

**15 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.

- 16 The development shall provide suitable light spillage mitigation measures within the development to mitigate against any adverse light spillage impacts upon surrounding properties. This requirement shall be reflected on the Construction Certificate plans. The implementation of the approved light spillage mitigation measures is required prior to the use or occupation of the development.
- 17 **Parking and Access**  
The development shall make provision for a total of 40 car parking spaces (including 3 disabled car parking spaces), 2 motorcycle parking spaces and 20 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.
- 18 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 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.
- 19 Each disabled person's parking space must comply with AS2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.
- 20 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.
- 21 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.
- 22 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.
- 23 **Landscaping**  
The submission of a final Landscape Plan in accordance with the requirements of Wollongong City Council Landscape DCP 2009 Chapter E6 Landscape 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.
- 24 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.
- 25 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.
- 26 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.
- 27 **Engineering Plans and Specifications - Retaining Wall Structures**  
The submission of engineering plans and supporting documentation of all proposed retaining walls to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil

and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

- 27.1 A plan of the wall showing location and proximity to property boundaries;
  - 27.2 an elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
  - 27.3 details of fencing or handrails to be erected on top of the wall;
  - 27.4 sections of the wall showing wall and footing design, property boundaries and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall and footing structure must be contained wholly within the subject property;
  - 27.5 the proposed method of subsurface and surface drainage, including water disposal;
  - 27.6 reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
  - 27.7 the assumed traffic loading used by the engineer for the wall design.
- 28 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.
- 29 Provision shall be made along the boundary of the property at the vehicular crossings to prevent waste and surface water entering the road reserve in Lathe Place. This requirement shall be reflected on the Construction Certificate plans.
- 30 The depth and location of all services (ie gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.
- 31 Details of the proposed junction pit and the connecting pipeline to Council's existing drainage system shall be provided in conjunction with the detailed drainage design for the site. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
- 32 Details of the proposed method of connection of the 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.
- 33 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 Chapter E14 of Council's Wollongong DCP 2009. Details of the detention facility and SSR/PSD values must be submitted with the Construction Certificate application.
- 34 **On Site Stormwater Detention - Design Criteria**  
The on-site stormwater detention facility must incorporate a minimum 900mm square lockable grate for access and maintenance purposes, 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.
- 35 **On Site Stormwater 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 [DA2012/635] and any specialist maintenance requirements.

- 36 **Retaining Walls/ Boundary Walls/ Boundary Fences**  
Retaining and or boundary walls of the development shall be constructed to match the existing up-slope ground level so as not to obstruct surface flows from adjoining land entering the development site. This requirement shall be reflected on the Construction Certificate plans and associated documentation and submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.
- 37 **Detailed Drainage Design**  
A detailed drainage design shall be submitted with the Construction Certificate documentation for the proposed development. This detailed drainage design shall be prepared by a suitably qualified civil engineer strictly in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, conditions listed under this consent, and generally in accordance with the concept drainage plan by Cardno Collingwood Vic, Drawing No.CG120272, Sheet No. SK03 issue: P1, dated: 13/06/2012.
- 38 **Stormwater Outflow Details**  
The exact location and details of the stormwater outflow arrangement into receiving waters (including scour protection measures) shall be shown on the stormwater management concept plan. The stormwater outlet and associated erosion and scour protection measures shall be completely contained within the boundaries of the subject lot. Details of this requirement shall be reflected on the Construction Certificate plans and associated documentation and submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.
- 39 **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.
- 40 **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 Council's Wollongong DCP 2009.

## **Prior to the Commencement of Works**

- 41 **Appointment of Principal Certifying Authority**  
Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:
- 41.1 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; and
  - 41.2 notify Council in writing of their intention to commence work (at least two days notice is required).
- The Principal Certifying Authority must determine when inspections and compliance certificates are required.
- 42 **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.
- 43 **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.
- 44 **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:

- 44.1 proposed ingress and egress points for vehicles to/from the construction site;
- 44.2 proposed protection of pedestrians, adjacent to the construction site;
- 44.3 proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- 44.4 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;
- 44.5 proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- 44.6 proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- 44.7 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);
- 44.8 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
- 44.9 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.

#### 45 **Sign – Supervisor Contact Details**

Before commencement of any work, a sign must be erected in a prominent, visible position:

- 45.1 stating that unauthorised entry to the work site is not permitted;
- 45.2 showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- 45.3 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.

#### 46 **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:

- 46.1 a standard flushing toilet; and
- 46.2 connected to either:
  - 45.2.1 the Sydney Water Corporation Ltd sewerage system or
  - 45.2.2 an accredited sewage management facility or
  - 45.2.3 an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

47 **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.

48 **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.

49 **Temporary Sediment Fences**

Temporary sediment fences (eg haybales or geotextile fabric) must be installed on the site, prior to the commencement of any excavation, demolition or construction works in accordance with Council's guidelines. Upon completion of the development, sediment fencing is to remain until the site is grassed or alternatively, a two (2) metre strip of turf is provided along the perimeter of the site, particularly lower boundary areas.

50 **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.

51 **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**

52 **Contaminated Material**

Excavation spoils from area marked by test pits TP2, TP3, TP4, TP 8, TP 6 and TP7,( Environmental Strategies, soil assessment report, fig. 2) if intended to be disposed of out site of the premises must be tested and classified according to EPA's solid waste classification guidelines and disposed accordingly.

53 If during excavation of the area marked with test pits TP2, TP3, TP4, TP 8, TP 6 and TP7, the excavation site is inundated by ground water or surface runoff, the accumulated water must be collected and disposed off in an EPA approved waste disposal depot.

54 **Acoustic Report**

All the noise attenuation recommendations stated in Section 6.3 to 6.3.5 of the Acoustic Report prepared by Norman Disney & Young dated 27<sup>th</sup> July 2012 shall be implements.

55 **Supervision of Engineering Works**

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

56 **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 Council's Regulation and Enforcement Division.



- 57 **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.
- 58 **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.
- 59 **Notification to Adjoining Property Owners Prior to Commencement of Works**  
The contractor shall be mindful of maintaining access to existing properties fronting the drainage works. It would be prudent to provide some form of notification to the affected properties prior to commencement of works. This is particularly the case if any disruption to access will be required as a consequence of the works.
- 60 **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 eight 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.
- 61 **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.
- 62 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.
- 63 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.
- 64 Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.
- 65 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.
- 66 **Driveway Located over Drainage Easement**  
The proposed driveway shall be constructed in accordance with the approved structural plans to suit the existing surface levels on the site. The contractor shall ensure the driveway will not cause any adverse effects to the adjoining property or upon the subject land as a result of flood or stormwater runoff. Council will require the reconstruction of any finished driveway pavement that does not conform to the approved Construction Certificate plans or above requirements. This work shall be done at the developer's expense. Furthermore, in the event that access to the pipeline within the easement is required, the cost of restoring the driveway and surrounding area shall be borne by the property owner.

## Prior to the Issue of the Occupation Certificate

### 67 Noise Compliance Report

Developer shall provide a noise compliance report to the council prepared by suitably qualified and experienced acoustic consultant stated that all noise attenuation recommendation stated in Norman Disney & Young dated 27<sup>th</sup> July 2012 have been implemented and the proposed development shall comply with the NSW Noise Criteria.

### 68 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:

- 68.1 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
- 68.2 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.

### 69 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 requirements stated in Chapter E14 of Council's Wollongong DCP 2009. This information must be submitted to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.

### 70 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.

### 71 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 (DA2012/635).

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.

### 72 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

### 73      **Storage of Goods and Materials**

All goods, materials and equipment shall be stored within the building and no part of the land shall be used for purposes of storage.

### 74      **Fire Safety Measures**

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