

Attachment 6 - DA-2017/1554 - DRAFT CONDITIONS OF CONSENT

FOR APPROVAL BY APPLICANT OR MINISTER IN ACCORDANCE WITH SECTION 4.33 OF EP&A ACT

Approved Plans and Specifications

- 1) The development shall be implemented substantially in accordance with the details and specifications set out on ***Plans and Specifications to be listed in development consent*** and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

- 2) **Roads and Maritime Services**

Prior to the occupation of the development, the developer shall demonstrate to the consent authority that the development complies with the NSW Government's Development Near Rail Corridors and Busy Roads – Interim Guideline, 2008.

- 3) **Bushfire Prone Land**

In accordance with recommendations of the Rural Fire Service dated 16 January 2018, the development is to comply with the following requirements:

Asset Protection Zones

- a) Any part of the property within 50m of the proposed and retained buildings shall be maintained in perpetuity as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

- b) Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

- c) Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

- d) New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
- e) Any new Class 10b structures as defined per the 'Building Code of Australia' shall be non-combustible.

Landscaping

- f) Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

As recommended in the Bushfire Assessment Bushfire Report (ref: 17072) dated 15 September 2017 prepared by Peterson Bushfire consulting services the development is to comply with the following requirements:

- g) Hydrants are to be installed to achieve compliance with AS 2419.1 – 2005 Fire Hydrant Installations - System Design, Installation and Commissioning (AS 2419).

- h) Where overhead electrical transmission lines are installed no part of a tree should be closer to a powerline than the distance specified in ISSC 3 Guideline for Managing Vegetation Near Power Lines (Industry Safety Steering Committee 2005). A clearance of 0.5 m is required for residential connections.
- i) Any gas services are to be installed and maintained in accordance with AS/NZS 1596-2008 The storage and handling of LP gas (Standards Australia, 2008).

4) **Building Code of Australia**

The proposed development has been assessed under the provisions of the Building Code of Australia as:

Class - 9b

In accordance with the recommendations of the BCA Report R1 2016/2297 dated 31 July 2017 prepared by Steve Watson & Partners, the following matters are to be addressed on the construction plans for the development:

- a) It is noted that covered walkways do not connect fire compartments. This will be required to be confirmed at the detailed design stage.
- b) At the detailed design stage, the internal fit out plan are to detail a minimum 1m clear path of travel through all proposed buildings.
- c) Disabled access complying with AS1428.1 is required to be provided from the main pedestrian entry at the allotment boundary to and within all new buildings. Key items include; 1:14 ramps, handrails, tactile indicators and Sanitary facilities.
 - i. Plans detailing compliance with Part D3 & AS1428.1 will be required at the detailed design stage.
 - ii. Where existing ramps are proposed to be used as part of the proposed design, an access consultant is to confirm that the existing access (ramp, gradients, handrails etc.) is compliant with AS1428.1.
- d) The operation of all doorways are to be confirmed at the detailed design stage to confirm AS1428.1 compliant circulation space is provided.
 - i. Plans will be required to be modified or a performance based solution will be required to address these non-compliances.
- e) All parts of the proposed new building must be serviced by hose reels which comply with AS2441-2005.
- f) All parts of the proposed new building must be serviced by hydrants which comply with AS2419.1-2005.
- g) Both the male and female staff toilets are required to be ambulant toilets.
 - i. Plans will be required to be modified to comply or a performance based solution will be required to address this non-compliance.
- h) At each bank of toilets where there is an accessible unisex sanitary compartment, ambulant facilities for both male and female students must be provided in accordance with AS 1428.1
 - i. Plans will be required to be modified to comply or a performance based solution will be required to address this non-compliance.
- i) Natural light is to be provided to all general purpose classrooms in primary schools. Window size and location are to be reviewed at the detailed design stage to confirm compliance.
- j) Sanitary facilities are to either achieve compliance with the natural ventilation requirements of clause F4.6 or be provided mechanical ventilation to comply with AS1668.2. Window size and location are to be reviewed at the detailed design stage to confirm compliance.

- 5) **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.
- 6) **Disability Discrimination Act 1992**
This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS1428.1 (2009) – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.
- 7) **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 commencement of the operation.

Prior to the Commencement of Works

- 8) **Tree Retention / Removal**
The developer shall retain the existing trees indicated on the General Arrangement Plan by Tract dated 15/3/2018, Existing and Demolition Site Plan by Hayball dated 15/3/2018 and the arborist report by Paul Shearer Consulting dated 16/3/2018 consisting of trees numbered T3, T4, T6, T11, T14, T16, T17, T18, T19, T21, T22, T23, T24, T25, T27, T28, T29, T30, T31, T32, T33, T34, T35, T36, T37, T38, T39, T40, T41 and T42.

Any branch pruning, which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373-2007.

All tree protection measures are to be installed in accordance with Australian standard AS4790-2009 Protection of Trees on development Sites.

All recommendations in Arborist's Report by Paul Shearer Consulting dated 16/3/2018 to be implemented including and not restricted to: remedial tree pruning, deadwooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required. All tree protection measures are to be installed as recommended by the Arborist on pages 18 and 189 of Paul Shearer Consulting report, including stem protection, protective fencing, ground protection, signage, and sediment fencing. The arborist report also includes the following activities that are to be excluded from the Tree Protection Zones, Lighting of fires, dumping of waste, machine excavation including trenching, excavation for silt fencing, cultivation, wash down and cleaning of equipment, refuelling, preparation of chemicals including preparation of cement products, parking of vehicle and plant, soil level changes, placement of fill, temporary or permanent installation of utilities and signs, physical damage to the tree.

This consent permits the removal of trees numbered T1, T2, T5, T7, T8, T9, T10, T12, T13, T15, T20 and T26 as indicated on the General Arrangement Plan by Tract dated 15/3/2018, Existing and Demolition Site Plan by Hayball dated 15/3/2018 and the arborist report by Paul Shearer Consulting dated 16/3/2018. No other trees shall be removed without prior written approval of Council.
- 9) **Detailed Drainage Design**
A detailed drainage design shall be prepared for the plans for construction. This detailed drainage design shall be prepared by a suitably qualified civil engineer 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 General Arrangement Plan, Job # 4785, drawing # C010, Issue P3, by WPS, dated 13/02/2017.

10) **On-Site Detention – Identification**

The construction 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:

“The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.

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Any specialist maintenance requirements.”

11) **On-Site Detention – Design Criteria**

The on-site stormwater detention facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen and a suitably graded invert to the outlet to prevent ponding. 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 plans.

12) **Sizing of Drainage**

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1 in 100 year ARI storm event in accordance with AS 3500.3 – Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction plans.

13) **Orifice/Weir Calculations**

The orifice shall be of circular shape, designed to allow free discharge and have no influence from any tailwater levels in the downstream drainage system.

14) **Protection of Buildings from Ingress of Stormwater Runoff**

Detailed design of the development shall ensure that there will be no ingress of surface stormwater runoff/overland flow into the proposed buildings. All building entrances shall be provided with a suitable freeboard above the adjacent local blocked pipe situation 100 year ARI water surface level. These requirements shall be reflected on the Construction plans and supporting documentation.

15) **Detailed Demolition Plan**

Prior to the commencement of any works at the site, a detailed demolition work plan prepared by a suitably qualified person shall be submitted to the Council. The plan shall be prepared in accordance with Australian Standard AS 2601- 2001 – The Demolition of Structures, and shall include the following details:

- identification of any hazardous materials,
- the proposed method and timing of demolition works;
- the expected duration of the demolition works;
- an outline of the machinery and equipment to be employed to undertake the demolition works;
- precautions to be employed to minimise any dust nuisance; and
- the disposal methods for hazardous materials.

16) **Construction Environmental Management Plan**

Prior to the commencement of any works at the site, a detailed Construction Environmental Management Plan (CEMP) prepared by a suitably qualified person shall be submitted to the Council. The CEMP shall include (but not be limited to) the following details:

- plan of proposed demolition materials and construction storage areas;
- parking for construction workers during the demolition and construction phases;
- the type of materials/plant/equipment to be transported to and stored at the site and how is it to be transported and stored;
- timing of delivery of materials;
- the proposed access points to the site during demolition and construction; and
- address all environmental aspects of the development's demolition and construction phases including erosion and sediment control; dust suppression and noise and waste management.

17) **Remediation Action Plan**

A Remediation Action Plan shall be submitted to the Council, prior to Construction. The Remediation Action Plan shall be prepared by a suitably qualified and experienced consultant who is certified under one of the following schemes:

- a) the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) scheme (CEnvP (SC)), or
- b) the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

18) **Asbestos Management Plan**

A site specific Asbestos Management Plan for the development shall be prepared by a suitably qualified person and submitted to the Council prior to construction.

19) **Recommendations of the Noise Impact Assessment Report**

The recommendations of the Noise Impact Assessment Report prepared by Acoustic Logic Consultancy Pty Ltd dated 29 August 2017 shall be reflected on the Construction plans.

20) **Present Plans to Sydney Water**

Approved plans must be submitted online using Sydney Water Tap, available through www.sydneywater.com.au to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Visit www.sydneywater.com.au or telephone 13 20 92 for further information.

- 21) 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 plans.
- 22) Provision shall be made along the boundary of the property at the vehicular crossing/s to prevent waste and surface water entering the road reserve. This requirement shall be reflected on the Construction plans.
- 23) The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction plans and supporting documentation.
- 24) 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.
- 25) 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 the Wollongong DCP2009. Details of the detention facility and SSR/PSD values must be provided with the Construction plans.

- 26) **Landscaping**
The preparation of a final Landscape Plan will be required in accordance with the requirements of Wollongong City Council DCP 2009 Chapter E6 and the approved Landscape Plan (ie as part of this consent) prior to construction.
- 27) A final Landscape Plan is to be prepared prior to commencing works. The final Landscape Plan shall address the following requirements:
- a) all proposed garden and turf edges are to be masonry construction;
 - b) All proposed retaining walls to be masonry construction;
 - c) the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees; and;
 - d) any proposed hard surface under the canopy of existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations.
- The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the occupation of the site.
- 28) The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant confirming that the landscape plan and the drainage plan are compatible is required prior to the occupation of the site.
- 29) 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.
- 30) **Tree Protection and Management**
The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:
- a) Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans prior to construction.
 - b) Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75 mm thick 100% recycled hardwood chip/leaf litter mulch.
 - c) Irrigate: Areas within the Tree Protection Zone are to be regularly watered in accordance with the arborist's recommendations.
- 31) **Engineering Plans and Specifications - Retaining Wall Structures**
The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:
- a) A plan of the wall showing location and proximity to property boundaries;
 - b) an elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
 - c) details of fencing or handrails to be erected on top of the wall;
 - d) sections of the wall showing wall and footing design, property boundaries 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;
 - e) the proposed method of subsurface and surface drainage, including water disposal;
 - f) reinforcing and joining details of the bends in the wall at the passing bay of the accessway;
 - g) the assumed traffic loading used by the engineer for the wall design.

32) **Plant and Equipment - Noise Emission Levels**

The equivalent continuous noise level (L_{Aeq} (15min)) from the operation of external plant and equipment shall not exceed 5dB(A) above the background noise level (L_{A90} (15min)) when measured at the most affected point(s) along the boundaries of the site. A report from a suitably qualified and experienced acoustical consultant who is a member of the Australian Acoustical Society (AAS), or the Association of Australasian Acoustical Consultants (AAAC) shall be obtained detailing the measures required to ensure compliance with this condition of consent. This report is to be submitted to the Council, prior to occupying the site. The recommended noise attenuation measures shall be implemented prior to the operation of the site.

33) **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.

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

A maintenance schedule for the on-site stormwater detention system is required. The maintenance schedule must be in accordance with Chapter E14 of the Wollongong DCP 2009.

35) **Planting to Child care centres, schools or near playgrounds**

The developer shall ensure that proposed planting is child friendly and must **not** include any of the types of plants listed below:

- a) plants known to produce toxins;
- b) plant with high allergen properties;
- c) plants with profuse scented flowers or known to attract high numbers of bees, spiders, and insects;
- d) species which produce small nuts or fruits;
- e) plants with thorns or spiky foliage and branches; and
- f) any weed or potential weed species.
- g) Avoid planting plants such as Asthma weed (*Parietaria judaica*), Rhus (*Toxicodendron succedaneum*), Yellow oleander (*Thevetia peruviana*), Cactus, chillies, Dumb cane (*Dieffenbachia*), Mushrooms, Angels Trumpet (*Brumansia*), Cycads, Grevilleas, Oleander (*Nerium oleander*), Poinsettia, Rhubarb, White cedar (*Melia azederach*), Yesterday Today Tomorrow (*Brunsfelsia*), Agapanthus, Amaryllis, Arum Lily, Azaleas and Rhododendrons, Daffodils, Foxgloves, Lily of the Valley and any other species that have the characteristics listed above which could place children at risk. The developer shall consult and undertake further research to ensure the most up to date information is available to determine plant suitability.

36) **Construction Environmental Management Plan**

Prior to the commencement of work, a construction environmental management plan shall be prepared. The plan shall address as minimum the vehicle traffic, dust, plant and machinery noise, water and sediment management, site security, working hours, contact information, incident response and contingency management. The plan shall be implemented at all times during the course of demolition and construction.

37) **Sign – Supervisor Contact Details**

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

- a) stating that unauthorised entry to the work site is not permitted;
- b) showing the name 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.

38) **Temporary Toilet/Closet Facilities**

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- a) a standard flushing toilet; and
- b) connected to either:
 - i) the Sydney Water Corporation Ltd sewerage system or
 - ii) an accredited sewage management facility or
 - iii) an approved chemical closet.

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

39) **Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access. No building work is to commence until the fence is erected.

40) **Demolition Works**

The demolition of the existing 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 SafeWork NSW.

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. 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.

41) **Notification to SafeWork NSW**

The demolition licence holder who proposes demolition of a structure or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure that is at least six metres in height, involving load shifting machinery on a suspended floor, or involving the use of explosives must notify SafeWork NSW in writing at least five (5) calendar days before the work commences.

42) **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 site to which this consent pertains of the impending demolition works. The written notice must include at least the following information:

- a) 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;
- b) details of the primary contractor and/or company conducting the demolition works;
- c) 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.

43) **Consultation with SafeWork NSW – Prior to Asbestos Removal**

A licensed asbestos removalist must give written notice to SafeWork NSW at least five (5) days before licensed asbestos removal work is commenced.

44) **Contaminated Roof Dust**

Any existing accumulations of dust in ceiling voids and wall cavities must be removed prior to any demolition work commencing. Removal must take place by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter.

- 45) **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 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.

The program shall include inspections of all sediment and erosion control measures and the corrective action to maintain their function. Inspections shall occur at the conclusion of each day's work, and after any rain event of 10mm or more.
- 46) **Erosion and Sediment Control Measures**
Erosion and sediment control devices shall 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 until the site has become stabilised (includes landscaping).
- 47) **Supervising Arborist – Tree Inspection and Installation of Tree Protection Measures**
Prior to the commencement of any demolition, excavation or construction works, the supervising arborist must certify in writing that tree protection measures have been inspected and installed in accordance with the arborist's recommendations and relevant conditions of this consent.
- 48) **Certification from Arborist - Adequate Protection of Trees to be Retained**
A qualified arborist is required to be engaged for the supervision of all on-site excavation or land clearing works. The submission of appropriate certification from the appointed arborist is required which confirms that all trees and other vegetation to be retained are protected by fencing and other measures, prior to the commencement of any such excavation or land clearing works.
- 49) **Application for Occupation, Use, Disturbance or Work on Footpath/Roadway**
Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and / or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993. An application must be submitted and approved by Council prior to the works commencing where it is proposed to carry out activities such as, but not limited to, the following:
- (a) Digging or disruption to footpath/road reserve surface;
 - (b) Loading or unloading machinery/equipment/deliveries;
 - (c) Installation of a fence or hoarding;
 - (d) Stand mobile crane/plant/concrete pump/materials/waste storage containers;
 - (e) Pumping stormwater from the site to Council's stormwater drains;
 - (f) Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
 - (g) Construction of new vehicular crossings or footpaths;
 - (h) Removal of street trees;
 - (i) Carrying out demolition works.

During Demolition, Excavation or Construction

- 50) **Building Demolition Waste Materials - Disposal**
All building demolition waste materials shall be classified according to the NSW EPA (2014) Waste Classification Guidelines and removed to a waste management facility that may lawfully accept that waste.
- 51) **No Crushing of Particular Demolition Materials On-Site**
Demolished concrete, bricks and tiles shall not be crushed on-site.

- 52) **Imported Fill Material**
Any imported fill material shall be certified Virgin Excavated Natural Material as defined by the NSW EPA (2014) Waste Classification Guidelines.
- 53) **Recommendations of the Noise Impact Assessment Report**
The recommendations of the Noise Impact Assessment Report prepared by Acoustic Logic Consultancy Pty Ltd dated 29 August 2017 shall be implemented during construction.
- 54) **External Speakers for the Public Address System and Bells**
External speakers for the public address system and bells shall be installed so they are directional facing away from residential receivers.
- 55) **Supervision of Engineering Works**
All engineering works associated with the development are to be carried out under the supervision of a practicing engineer and/or registered surveyor.
- 56) **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.
- 57) **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.
- 58) **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 Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development. 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 RMS Traffic Control at Worksites Manual.

Note: This includes temporary road closures for the delivery of materials, plant and equipment, concrete pours etc.
- 59) **Branch or Root Pruning in accordance with Australian Standard**
Any branch or root pruning which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373 (2007).
- 60) **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.
- 61) **Restricted Washing of Equipment or Disposal of Materials on any Tree Dripline Area**
No washing of equipment and or the disposal of building materials such as cement slurry must occur within the drip line of any tree which has been nominated for retention of the site and adjacent property.
- 62) **Treatment of any Tree Damage by a Supervised Arborist**
Any damage inflicted on a tree during the construction phase which has been nominated for retention shall be treated by an approved arborist at the developer's expense.
- 63) **Waste Inventory Report**
A Waste Inventory report must be maintained on-site during demolition work. The waste inventory is a register of all materials and waste removed from the site during the demolition work. The register must record each load or movement of material and waste from the site and must include at a minimum the following information:

- a) the description of the material (including identified hazardous material;
- b) an estimate of the quantity by volume and weight;
- c) the name of the transporter and the registration details of the relevant vehicle; and
- d) the intended destination of the material.

64) **Restricted Hours of Work (domestic residential scale ie single dwellings)**

The developer must not carry out any work other than emergency procedures to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Council.

No work is permitted on public holidays or Sundays.

Any request to vary these hours shall be submitted to the **Council** in writing detailing:

- a) the variation in hours required;
- b) the reason for that variation;
- c) the type of work and machinery to be used.

Note: The developer is advised that other legislation may control the activities for which Council has granted consent including but not limited to the Protection of the Environment Operations Act 1997.

- 65) 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.
- 66) Drains, gutters, access ways and roadways must be maintained free of sediment and any other material.
- 67) 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.
- 68) **Dust Suppression Measures**
Activities occurring during the demolition, excavation and construction phases of the development shall be carried out in a manner that will minimise the generation of dust.
- 69) Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.
- 70) **Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist**
The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with SafeWork NSW requirements (<http://www.safework.nsw.gov.au>).
- 71) **Asbestos Clearance Certificate**
A Clearance Certificate to certify that the site is free of asbestos is to be submitted to Council by a licensed asbestos assessor within fourteen (14) days after the completion of demolition works.
- 72) **Asbestos Waste Collection, Transportation and Disposal**
Asbestos waste must be prepared, contained, transported and disposed of in accordance with SafeWork NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and a copy submitted to Council, prior to commencement of the construction works.
- 73) **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.

74) **External Plant and Equipment**

External plant such as air conditioners and other equipment likely to emit noise shall be located so adjoining areas are not adversely affected.

75) **Excess Excavated Material – Disposal**

Excess excavated material shall be classified according to the NSW Environment Protection Authority's Waste Classification Guidelines – Part 1: Classifying Waste (2014) prior to being transported from the site and shall be disposed of only at a location that may lawfully receive that waste.

76) **Provision of Taps/Irrigation System**

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

Prior to the Occupation of the Site

77) **Acoustic Compliance Report**

The developer shall submit a noise compliance report prepared by an acoustical consultant who is a member of the Australian Acoustical Society (AAS) or the Association of Australasian Acoustical Consultants (AAAC) in relation compliance with the recommendations of the Noise Impact Assessment Report prepared by Acoustic Logic Consultancy Pty Ltd dated 29 August 2017 and the requirement of condition 32.

78) **Site Contamination Validation Report and Site Contamination Audit Statement**

A Site Contamination Validation Report shall be submitted to the Council, prior to occupation of the site. The Site Contamination Validation Report shall be prepared by a suitably qualified and experienced consultant who is certified under one of the following schemes:

- a) The Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) scheme (CEnvP (SC)), or
- b) The Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

This validation report shall verify that:

- a) all site decontamination and remediation works have been satisfactorily completed;
- b) the site is not affected by any soil strata and/or groundwater table contamination above NSW EPA threshold limit criteria; and
- c) the site no longer poses any environmental or health risk and is therefore suitable for the proposed development.

79) **Drainage**

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP2009.

80) **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 finalised before the use of the development.

81) **Retaining Wall Certification**

The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer is required, prior to the commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans.

82) **Waste Inventory**

A copy of the Waste Inventory which was maintained on-site during the demolition work and copies of relevant receipts of waste material being deposited at a waste disposal facility shall be forwarded to Council’s Regulation and Enforcement Division, prior to commencement of the use.

83) **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 finalised prior to the use of the development.

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

The submission of a certificate from a suitably qualified practising civil and/or structural engineer is required. 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 plans.

85) **Completion of Landscape Works**

The completion of the landscaping works as per the final approved Landscape Plan is required prior to the use of the site.

Operational Phases of the Development/Use of the Site

86) **Maintenance of Water Sensitive Urban Design Measures**

All installed water sensitive urban design measures shall be kept well maintained to ensure their effectiveness.

88) **Fire Safety Measures**

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