

Annexure 'A'

Edmondson Grange Pty Ltd v Liverpool City Council

Conditions of Consent

A. STAGED APPROVAL

STAGE	DEVELOPMENT (SUBDIVISION AND WORKS)	PART REFERENCE	CONDITION REFERENCE
1	Torrens title subdivision of one existing lot to create 16 residential lots (201 to 216), Lot 214 being a temporary OSD for future subdivision, creation, construction and dedication of a new road (Hoffman Road) including all associated civil works	All Parts	All Conditions
2	Construction of dual occupancy units on Lot 201 and multi dwelling units on Lot 215.	All Parts	All Conditions
3	Construction of 3 Residential Flat Buildings on Lot 216.	All Parts	All Conditions
4	Decommissioning of temporary on-site detention basin on Lot 214 and Torrens title subdivision to create 2 lots (Lots 401 & 402).	All Parts	All Conditions

B. THE DEVELOPMENT**1. Approved Plans**

Development the subject of this determination notice must be carried out strictly in accordance with the following approved plans/reports marked as follows, except where modified by the undermentioned conditions.

DRAWING NO.	TITLE	REV	DATE
<i>Building work</i>			
AP001	Development Cover Page	C	5 August 2020
AP002	Overall Site Plan	C	5 August 2020
AP101	Cover Sheet – RFB	E	5 August 2020
AP102	Unit Data	D	5 August 2020
AP103.1	Building A_Plans	F	5 August 2020

AP103.2	Building A_ Plans Elevations & Sections	G	5 August 2020
AP104.1	Building B & C_Plans	F	5 August 2020
AP104.2	Building B & C_Plans	F	5 August 2020
AP104.3	Building B & C_Plans	E	5 August 2020
AP104.4	Building B & C_Elevations & Sections	G	5 August 2020
AP105	Adaptable Unit Details	B	5 August 2020
AP106.1	Building A Material Palette	B	5 August 2020
AP106.2	Building A Material Palette	B	5 August 2020
AP106.3	Building B Material Palette	B	5 August 2020
AP106.4	Building B Material Palette	B	5 August 2020
AP106.5	Building C Material Palette	B	5 August 2020
AP106.6	Building C Material Palette	B	5 August 2020
SP108	Ramp Details	D	5 August 2020
AP201	Cover Sheet – Attached Multi-Dwellings	C	19 August 2020
AP202	Attached Multi Dwelling Houses_Plans	E	19 August 2020
AP301	Cover Sheet – Dual Occupancy	B	5 August 2020
AP302	Dual Occupancy_Plans	D	5 August 2020

DRAWING NO.	TITLE	REV	DATE
<i>Plans of subdivision</i>			
20-10-21	Proposed Plan of Subdivision of Lot 117 in DP 1245022	-	17 May 2020
20-10-21	Proposed Plan of Subdivision of Lot 214 in Stage 1	-	17 May 2020

DRAWING NO.	TITLE	REV	DATE
--------------------	--------------	------------	-------------

<i>Stormwater drawings (multi dwelling houses)</i>			
Sheet 1 of 6	Title Sheet	A	27 July 2020
Sheet 2 of 6	Proposed Catchment Plan	A	27 July 2020
Sheet 3 of 6	Stormwater Plan	A	27 July 2020
Sheet 4 of 6	Stormwater Plan, Notes, Details, Legend	A	27 July 2020
Sheet 5 of 6	OSD Tank Detail, CALC Summary, OSD Details, Notes	A	27 July 2020
Sheet 6 of 6	Soil Erosion & Sediment Control Plan Details	A	27 July 2020
<i>Stormwater drawings (dual occupancy)</i>			
Sheet 1 of 6	Title Sheet	A	27 July 2020
Sheet 2 of 6	Proposed Catchment Plan	A	27 July 2020
Sheet 3 of 6	Stormwater Plan	A	27 July 2020
Sheet 4 of 6	Stormwater Plan, Notes, Details, Legend	A	27 July 2020
Sheet 5 of 6	OSD Tank Detail, CALC Summary, OSD Details, Notes	A	27 July 2020
Sheet 6 of 6	Soil Erosion and Sediment Plan	A	27 July 2020
<i>Stormwater drawings (residential flat building)</i>			
Sheet 1 of 19	Cover Sheet	D	15 July 2020
Sheet 2 of 19	Overall Stormwater Plan, Notes, Legend	D	15 July 2020
Sheet 3 of 19	Stormwater Detail Plan 1 of 3	D	15 July 2020
Sheet 4 of 19	Stormwater Detail Plan 2 of 3	D	15 July 2020
Sheet 5 of 19	Stormwater Detail Plan 3 of 3	D	15 July 2020
Sheet 6 of 19	Soil Erosion & Sediment Control Plan	D	15 July 2020
Sheet 7 of 19	Stormwater Catchment Plan Details	D	15 July 2020
Sheet 8 of 19	Drains Model Setout Diagram and Music Model Treatment Plan	D	15 July 2020

Sheet 9 of 19	OSD A Details, Sections, CALC Summary	D	15 July 2020
Sheet 10 of 19	OSD B Details, Sections, CALC Summary	D	15 July 2020
Sheet 11 of 19	Level 1 Basement SW Plan 1 of 3	D	15 July 2020
Sheet 12 of 19	Level 1 Basement SW Plan 2 of 3	D	15 July 2020
Sheet 13 of 19	Level 1 Basement SW Plan 3 of 3	D	15 July 2020
Sheet 14 of 19	Level 2 Basement SW Plan 1 of 3	D	15 July 2020
Sheet 15 of 19	Level 2 Basement SW Plan 2 of 3	D	15 July 2020
Sheet 16 of 19	Level 1 Basement SW Plan 3 of 3	D	15 July 2020
Sheet 17 of 19	Roof Plan Building A	D	15 July 2020
Sheet 18 of 19	Roof Plan Building B, Gutter Details	D	15 July 2020
Sheet 19 of 19	Roof Plan Building C, Gutter Details	D	15 July 2020
<i>Other civil drawings</i>			
C01	Cover Sheet, Locality Plan, Drawing List & Legends	B	25 August 2020
C03	Erosion and Sediment Control Plan	B	25 August 2020
C04	Erosion and Sediment Control Details	B	25 August 2020
C05	Concept Bulk Earthworks Plan	B	25 August 2020
C10	Engineering Concept Plan – Roads and Stormwater	B	25 August 2020
C11	Road 1 Long Sections and Typical Carriageway Cross Section	B	25 August 2020
C20	OSD Plan, Sections and Drainage Long Section	B	25 August 2020
C30	Catchment Plan – Post Development (Ultimate Case)	B	25 August 2020
2061 (sheets 1'-5)	Temporary Stairs for OSD Basin		25 August 2020
<i>Pipe upgrade plans</i>			
Sheet 1 of 3	Catchment Plan	B	4 August 2020

Sheet 2 of 3	Engineering Plan Upgrade The Existing Drainage Pipe	C	5 August 2020
Sheet 3 of 3	Pipe Upgrade Longitudinal Sections	B	4 August 2020

Letter from Colston Budd Rogers & Kafes to Edmondson Grange Pty Ltd regarding Amended Plans for Lot 117. DP 1245022 Ardennes Avenue, Edmondson Park	4 August 2020
Development Application Acoustic Report prepared by Sebastian Giglio	3 August 2020
Waste Management Plan (Revision 2) prepared by Dickens Solutions Pty Ltd	August 2020
BASIX certificate 1123849M (Dual Occupancy) prepared by GAT and Associates	5 August 2020
Concept Stormwater Management Report (revision C) prepared by Tekcivil Pty Ltd	25 August 2020
Letter from Ground Technologies, Stage 1 OSD basin Lot 117 Ardennes Avenue Edmondson Park	22 August 2020

2. General Terms of Approval

- a) The development is to demonstrate compliance with all relevant requirements issued by APA (Reference 444740) dated 20 January 2020 (**Attachment 2**).
- b) The development is to demonstrate compliance with all relevant requirements issued by Jemena (Reference DA-723/2019) dated 22 July 2020 (**Attachment 3**).

3. Works at no cost to Council

All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council.

For avoidance of doubt, the proponent is not obliged to carry out any work for the purposes of any roundabout on the corner of Ardennes and Okinawa Road.

4. Compliance with the Environmental Planning and Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000

The requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

5. Building works

In accordance with section 4.17 (11) of the Environmental Planning & Assessment Act 1979 and clause 98 of the Environmental Planning & Assessment Regulation 2000, it is a prescribed condition that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- a) Complying with the Deemed to Satisfy Provisions; or
- b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

6. Stages of Consent

This consent approves the completion of subdivision works and registration of Torrens title lots as set out in Part A of these conditions. The following requirements are to be satisfied prior to the issue of the Subdivision Certificate for Torrens title lots and include (but not limited to):

- a) Registration of residue Lots (for the Stage 1 subdivision) and completion of relevant civil works (for the Stage 1 and the Stage 4 subdivision).
- b) Completion of subdivision works including inter-allotment drainage lines and service connections relevant to the given stage (either Stage 1 or Stage 4) as approved in this development consent.
- c) The Developer is to enter into a voluntary planning agreement in the terms of the offer made by the Developer on 20 November 2020.
- d) Registration of restriction as to user over Lot 201 and Lot 215 requiring dwellings to be constructed in accordance with this development consent.
- e) Relevant conditions listed under Part E of this consent.

7. Individual Construction Certificates

Prior to the erection of a building (for approved residential dwellings), a Construction Certificate is required in relation to the relevant a building in accordance with this development consent.

C. PRIOR TO ISSUE OF A CONSTRUCTION OR SUBDIVISION WORKS CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of a Construction or Subdivision Works Certificate by a Registered Certifier:

Design of Splitter Islands

- 8. Prior to the issue of the construction certificate for stage 3, detailed

civil design drawings of splitter islands on the Ardennes Avenue approaches and the new road to the development site, to be incorporated in a roundabout at the intersection prepared by a suitably qualified professional is to be submitted to Council' Traffic Committee for approval.

9. Fee Payments

Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction or Subdivision Works Certificate.

The following fees are applicable and payable:

- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
- (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.
- (c) Long Service Levy – based on 0.35% of the cost of building work where the costing of the CC is \$25,000 or more.

These fees are reviewed annually and will be calculated accordingly.

10. Provision of Services

- a) An application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, must be lodged with **Sydney Water**. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the “building and developing” section of Sydney Water’s web site at www.sydneywater.com.au, or telephone 13 20 92.

Following receipt of the application, a ‘Notice of Requirements’ will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the ‘Notice of Requirements’ must be submitted to the PC.

- b) Written clearance from **Endeavour Energy**, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development must be submitted to the PC.
- c) Prior to the issue of a Construction or Subdivision Works Certificate, the Registered Certifier shall be satisfied that telecommunications infrastructure can be installed to service the premises which complies with the following:
 - The requirements of the Telecommunications Act 1997:
 - For a fibre ready facility, the **NBN Co’s** standard specifications current at the time of installation; and

- For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications

11. Substation

Location of any proposed substation to the approval of Council. If the proposed substation is located outside the building envelope, the distance between the substation and the closest part of the building must exceed 3m otherwise a 6m high fire rated wall will be required as part of the design. Should the Electrical Substation be located outside the building envelope, the location and any associated fire separation walls must comply with Integral Energy Substation Design Instruction Document No SDI 104 (Current Version).

12. Building works

The erection of a building under this development consent shall not commence prior to the issue of a relevant Construction Certificate.

13. Subdivision works

Subdivision works under this development consent shall not commence prior to the issue of a relevant Subdivision Works Certificate.

14. Cladding

For all buildings of Type A and B construction having finishes or claddings other than concrete or masonry, a fire safety report prepared by an accredited C10 fire engineer, must be submitted to the PC prior to issue of a construction certificate, demonstrating that the proposed external wall cladding material and system for the building complies with the NCC and relevant Australian Standards. The fire safety report is to include evidence of suitability of all proposed external wall cladding materials as per clause A2.2 of the NCC.

15. Special Infrastructure Contribution

A special infrastructure contribution is to be in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution — Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).

More information

A request for assessment by the Department of Planning, Industry and Environment of the amount of the special infrastructure contribution that is required under this condition can be made through the NSW planning portal (<https://www.planningportal.nsw.gov.au/special-infrastructurecontributions-online-service>). Please refer enquiries to SIContributions@planning.nsw.gov.au

16. Fire Safety Measures

A schedule specifying all of the relevant essential fire safety services, which are required for the building, shall be attached to a construction certificate and submitted to Council, in compliance with the provisions of the EP&A Regulation.

17. Notification

The certifying authority must advise Council, in writing of:

- (a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
- (b) The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

18. Fees – Road Opening

All fees associated with a road opening permit required for the connection, extension or amplification of any services within Council's road reserve must be paid to Council and receipts provided to the Principal Certifier. A separate form must be submitted in conjunction with payment of the fees. The fees include the standard road opening permit fee and any restoration fees that may be required as a result of the works.

19. Retaining Walls on Boundary

All retaining walls shall be of masonry construction and must be wholly within the property boundary (noting that for the purposes of drainage works, the property includes Lot 500 DP 1242177), including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a Construction or Subdivision Works Certificate must be obtained prior to commencement of works on the retaining wall.

20. S138 Roads Act – roadworks requiring approval of civil drawings

Prior to the issue of a Subdivision Works Certificate for subdivision works within a public road reserve the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for the construction of a new road, but only in relation to works that are within a public road reserve.

Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

Note: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Subdivision Works Certificate.

21. Road design

Prior to the issue of a Subdivision Works Certificate for roadworks the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works

22. Road Safety Audit

A Stage 3, Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with a Subdivision Works Certificate that includes roadworks or a Roads Act application.

Prior to the issue of the Subdivision Works Certificate approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in those parts of the final design that are the subject of the Subdivision Works Certificate.

23. No loading on easements

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures (that are the subject of the certificate) adjoining the drainage and/ or services easement have been designed clear of the zone of influence.

24. On-Site Detention

On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by **TEKCIVIL, reference number 20002, Drawings C01,C03,C04,C05,C10,C11,C20 & C30, Issue B. dated 25.08.2020**

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for the relevant Subdivision Works or Construction Certificate.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Liverpool City Council's Design Guidelines and Liverpool City Council's On-Site Stormwater Detention policy and Technical Specification, except where a variation necessary flows from the alternative design set out in the TEK CIVIL drawings above .

25. Stormwater Discharge – Basement Car parks

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system for the basement car parks has been designed in accordance with the requirements for pumped systems in AS3500.3:2003 and Council's Stormwater Drainage Design Specifications for pump out systems for basement carparks.

26. Subdivision Works Certificate

Prior to the issue of a Subdivision Works Certificate the Certifying Authority shall ensure that engineering plans are generally consistent with the approved concept plan/s prepared by **TEK Civil, Job Number 20002, dated 25/08/20 as listed on the table below:**

Company	Job No./Drawing No.	Title	Revision /Issue	Date
---------	---------------------	-------	-----------------	------

		Civil Plan		
TekCivil	20002/C01	Cover Sheet, Locality Plan, Drawing List & Legends	B	25-08-2020
	20002/C03	Erosion & Sediment Control Plan	B	25-08-2020
	20002/C04	Erosion & Sediment Control Details	B	25-08-2020
	20002/C05	Concept Bulk Earthworks Plan	B	25-08-2020
	20002/C10	Engineering Concept Plan Road and Stormwater	B	25-08-2020
	20002/C11	Road 1 Long Section and Typical Carriageway Cross Section	B	25-08-2020
	20002/C20	OSD Plan and Sections	B	25-08-2020
	20002/C30	Catchment Plan-Post Development (Ultimate Case)	B	25-08-2020

and that all subdivision works the subject of the certificate have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

The subdivision works may include but are not limited to the following:

- Public and private roads
- Stormwater drainage including water quantity and quality treatment measures
- Interallotment drainage
- Private access driveways
- Sediment and erosion control measures
- Overland flow paths
- Flood control measures
- Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- Earthworks
- Bridges, culverts, retaining walls and other structures
- Landscaping and embellishment works
- All works required for conversion of the proposed sediment basin to a bio retention function
- All works required for the decommissioning temporary OSD systems including pipe removal, basin filling and works to existing pit structures if required

Any Subdivision Works Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

27. Prior to the issue of a Subdivision Works Certificate the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works and the following criteria:

Road No.	Road Reserve Width	Carriageway Width	Verge	Footpath (1.5m wide)	ESA
Road No.1	15.2m	7.2m	4.0	1.5 (both sides)	3 x 10 ⁵

28. **Water Quality**

Prior to the issue of a relevant Subdivision Works Certificate the Certifying Authority shall ensure that details of a stormwater pre-treatment system for the residential flat buildings and during civil construction of the subdivision have been provided on the stormwater plans and that the design meets pollutant retention criteria in accordance with Council's Development Control Plan.

Such a Subdivision Works Certificate must be supported by:

- Specification & installation details of the stormwater pre-treatment system
- The approval of an operation and maintenance manual/ schedule for the stormwater pre-treatment system

A copy of the approved operation and maintenance manual/ schedule shall be submitted to Liverpool City Council with notification of the Subdivision Works Certificate issue.

29. **Access, Car Parking and Manoeuvring – General**

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that any vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the works that are the subject of the certificate are in accordance with AS 2890.1, AS2890.2 and AS2890.6.

30. **Dilapidation report**

Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in **Hoffman Road and Okinawa Road** is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

31. **Construction Traffic Management Plan**

A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to Council for review.

32. **Recommendations of Acoustic Report**

The recommendations provided in the approved acoustic report Lot 117 DP 1245022 Ardennes Avenue, Edmondson Park – Development Application Acoustic Report (Ref: 2976-D05) prepared by Sebastian Giglio dated 3 August 2020 are to be implemented and incorporated into the design and construction of the development and be shown on plans accompanying the Construction Certificate application for the residential flat buildings.

The construction methodology and plans accompanying the Construction Certificate application shall be assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the acoustic report.

The written certification from the suitably qualified acoustic consultant shall be submitted to and approved by the PC prior to the Construction Certificate being issued.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses Australian Acoustical Society membership or are employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

33. **Construction Environmental Management Plan (CEMP)**

Prior to issue of a Construction or Subdivision Works Certificate, a Construction Environmental Management Plan (CEMP) for the development must be provided to the Principal Certifier for approval. The environmental site management measures must remain in place and be maintained throughout the period of the development. The CEMP must address all environmental aspects of the development's construction phases, and include, but not be limited to, the following:

- a) Asbestos Management Plan
- b) Project Contact Information;
- c) Site Security Details;
- d) Timing and Sequencing Information;
- e) Site Soil and Water Management Plan;
- f) Noise and Vibration Control Plan;
- g) Dust Control Plan;
- h) Air Monitoring;
- i) Odour Control Plan;
- j) Health and Safety Plan;
- k) Waste Management Plan
- l) Incident management Contingency; and
- m) Unexpected Finds Protocol.

The CEMP must be kept on site for the duration of the works and must be made available to Council Officers upon request.

34. **Waste Storage Area – Construction**

All waste management facilities shall comply with the Liverpool Development Control Plan 2008. Prior to the issue of a Construction Certificate for the residential flat buildings on Lot 216, detailed floor and section plans shall be submitted to and approved by the Registered Certifier for a waste storage area/s within the buildings that are the subject of the certificate. The plans shall identify the location of the waste storage area/s and incorporate the following requirements:

- a) Sufficient space for access by residents, storage and easy manoeuvring of bins;
- b) The area is to be fully enclosed and include a solid roof and concrete or cement rendered walls coved to the floor;
- c) A concrete floor graded to an approved sewer connection comprising a sump and galvanised fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer;
- d) Adequate ventilation to the external air by natural or mechanical means;
- e) The door to the room must be tight fitting and self-closing;

- f) A hose cock adjacent to the garbage storage area to facilitate cleaning of bins and the storage area. If the hose cock is located inside the waste storage area, it shall not protrude into the space indicated for the placement of bins;
- g) Sufficient lighting to permit usage at night; and
- h) Should garbage chutes be integrated into the design of the building, operational instructions shall be located prominently next to the chute.

Any modifications to the construction of the waste storage area require Council's prior written Approval.

35. **Construction Noise and Vibration Management Plan (CNVMP)**

A CNVMP is to be prepared by a suitably qualified acoustic consultant in accordance with relevant planning policies, guidelines and standards (whether that be Australian, British or German) and is to include, but not be limited to, the following:

- a) Site description
- b) Nature of the development
- c) Staging of construction
- d) Hours of construction
- e) A quantitative assessment of the airborne and ground-borne noise generated by the work for the proposed development and its impact on nearby receivers
- f) A quantitative vibration assessment and the impact to surrounding structures and on nearby receivers
- g) Proposed methods to mitigate the noise and vibration impact during the construction works
- h) Complaints handling and community liaison procedures. This is to include but not be limited to a complaints register with complainant details, date and time of complaint, nature of complaint and how the complaint was resolved or handled.

Once the noise and vibration impact on the surrounding community and structures is adequately assessed, all necessary action is to be taken to eliminate such impacts as recommended and suggested by the suitably qualified acoustic consultant.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses Australian Acoustical Society membership or are employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

36. **Waste Classification Report for Stockpiles**

Soils in the form of stockpiles have been introduced post the Site Validation report (Ref. 5017190108-D) prepared by Construction Sciences Pty Ltd dated 23 November 2018 being finalised. These soils are to be analysed and classified by an appropriately qualified and certified consultant, in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014* and related guidelines, in particular, the NSW EPA *Waste Classification Guidelines*. A Waste Classification Report is to be provided to the PC. Stockpiles are to be disposed of in compliance with the noted regulations and guidelines at a lawful waste facility able to accept such waste.

Note: 'Suitably qualified and experienced contaminated land consultant' means someone who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme.

37. Waste Management Plan

Prior to the issue of the Construction Certificate for the residential flat buildings on Lot 216, the Waste Management Plan is to be revised and resubmitted, covering:

- a) the removal of any reference to 240 litre bins on page 25 of the Waste Management Plan and anywhere else this may occur, as this has been included in error;
- b) the inclusion of two clearly marked and differentiated waste containers for 'waste' and 'recyclables', to be contained in the cabinet located within the kitchen area of each unit (Page 19 of the WMP);
- c) the signage for the chute rooms must detail that all recyclables must go into the recycling chute loose and unbagged;
- d) signage is to have a substantial pictographic content wherever possible, to overcome the effect of any potential language barrier;
- e) the management of the building is to take a pro-active role in educating, guiding and providing feedback to residents as regards correct waste practices and working in cooperation with Liverpool Council to achieve this.

38. Traffic Management Plan

A traffic management plan is to be submitted to Liverpool City Council's Traffic Committee for approval. Works within the road reserve shall not commence until the traffic management plan has been approved.

39. Design Verification Statement

In accordance with the EP&A Regulation and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Apartment Development", the residential development on Lot 216 must be undertaken or directed by a 'qualified designer' (i.e., a registered architect under the Architects Act). In this regard, a design verification statement shall be submitted to the PC. The PC shall ensure that the statement prepared by the qualified designer provides the following:

- (a) A valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW);
- (b) That the qualified designer has designed or directed the design of the subject development; and
- (c) That the plans and specifications lodged with the CC achieve or improve the design quality of the development for which the subject development consent was granted, having regard to the design principles set out in Part 2 of SEPP 65.

Note: The design verification statement must provide an explanation of the design in terms of the design quality principles set out in Part 2 of SEPP 65.

40. Site Development Works

Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as either the relevant Subdivision Works Certificate or Construction Certificate has been issued.

All aspects of construction that is building work shall comply with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- a) Complying with the Deemed to Satisfy Provisions; or
- b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

41. Landowner Consent

Any works proposed or required on adjoining properties will require the written consent of the affected property owner to be submitted as part of the Subdivision Works Certificate application.

42. Waste Storage Area

Any bin bays for the residential flat buildings on Lot 216 must be:

- a) Provided with mechanical ventilation,
- b) Provided with a hose cock for hosing the garbage bin bay and a sewerage drainage point in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay, it is not to protrude into the space indicated for the placement of bins,
- c) Provided with sufficient light to permit usage at night,
- d) Allocated with sufficient space within the bin bay to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector,
- e) Bin bay signs are available from Council,
- f) Should garbage chutes be incorporated into the design of the building, signage on how to use the chutes is to be located prominently next to the chute,
- g) Operation, maintenance and cleaning of the garbage compactor and associated equipment is the responsibility of the strata management or body corporate and not of Council,
- h) Maximum compaction ratio is 2:1,
- i) Operation, maintenance and cleaning of the garbage chutes and associated waste cupboards, rooms, or equipment is the responsibility of the strata management or body corporate, and not of Council, and
- j) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
 - i. Garbage is to be placed wholly within the garbage bins provided,
 - ii. Only recyclable materials accepted by Council are to be placed within the recycling bins,
 - iii. The area is to be kept tidy,
 - iv. A phone number for arranging disposal of bulky items, and
 - v. Graphic illustrative content to be 50%.

43. Crime Prevention Through Environmental Design

The following Crime Prevention through Environmental Design (CPTED) principles are to be incorporated into the residential flat buildings on Lot 216:

- a) basement parking areas shall be painted a light colour,
- b) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building,
- c) 'way finding' signage should be utilised at all major interchanges such as lifts and stair wells,
- d) lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting,
- e) corrugated ramps to prevent skate boarding activities,
- f) any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details, and
- g) access to the basement parking levels relating to the residential component of the building shall be controlled via a security controlled device.

Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the PC.

44. **Garbage Services**

The developer/owner of the site is to contact Liverpool Council- Waste Management Section to determine the required number of waste and recycle bins for the residential component of the development as well as servicing requirements. For the residential flat buildings on proposed Lot 216 these waste and recycle bins are to be kept at all times within the residential waste storage rooms except before and after collection days. Waste and Recycle bins are to be returned to the storage rooms within 24 hours of collection.

45. **Temporary Turning Head**

Temporary turning heads must be provided at the end of any roads that terminate at this stage of the subdivision or do not have safe and adequate connection to a dedicated public road. Where such turning heads are required shall have a minimum radius of 8.5m. Details are to be submitted prior to the release of the Subdivision Works Certificate.

46. **Basin Batter Protection**

The OSD basin batters shall be supported by an erosion control geofabric blanket in accordance to the report prepared by Ground Technologies Pty Ltd reference number GTE3242-ENG1 Date 22/08/2020.

45. **Pipe Upgrade Works**

Upgrading of existing drainage pipe within Lot 500 DP 1242177 shall be undertaken in accordance with plans prepared by LEC as listed in the table below:

Company	Job No./Drawing No.	Title	Revision /Issue	Date
LEC	10/2018/1 of 3	Catchment Plan	B	04-08-2020
	10/2018/2 of 3	Engineering Plan Upgrade The Existing Drainage Pipe	C	05-08-2020
	10/2018/3 of 3	Pipe Upgrade Longitudinal Sections	B	04-08-2020

D. PRIOR TO WORKS COMMENCING

The following conditions are to be complied with or addressed prior to works commencing on the subject site/s:

47. Building works

The erection of a building shall not commence prior to the issue of a relevant Construction Certificate.

48. Construction or Subdivision Works Certificate

Any Construction or Subdivision Works Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.

49. Prior to Work Commencement

Prior to the commencement of works for the erection of a building, the following requirements must be complied with:

- a) Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.
- b) Where a Construction Certificate is obtained from a Registered Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 6.12 of the Act.
- c) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.
- d) A Principal Certifier (PC) must be appointed to carry out the necessary building inspections and to issue an occupation certificate; and

- e) The PC must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.

50. Building Works for Residential Building Work

Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be commenced unless the principal certifier for the development to which the work relates has been given written notice of the following information:

- (a) In the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor; and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

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

51. Residential work

If name of the person (eg the contractor) doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the PC for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

52. Excavation

In the event the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the following is to be undertaken at full cost to the developer:

- (a) Protect and support the adjoining premises from possible damage from the excavation, and
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

53. Sediment & Erosion Control

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the

Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book".

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

54. Traffic Control Plan

Prior to commencement of any works within the public road reserve, a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.

55. Matters to be addressed prior to commencement of Subdivision Works

Work on the subdivision shall not commence until:

- a Subdivision Works Certificate has been issued,
- a Principal Certifier has been appointed for the project, and
- any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

A Notice of Commencement is to be submitted to Liverpool City Council two (2) days prior to commencement of engineering works or clearing associated with the subdivision.

56. Facilities – Waste

Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

57. Construction Requirements

Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements.

58. Council Assets

The applicant/ builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

59. Waste Classification and Disposal of Contaminated Soil and Material

All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and certified consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and related guidelines, in particular the NSW EPA Waste Classification Guidelines, prior to off-site disposal.

All Waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to the Principal Certifier within 30 days of the waste being disposed of.

All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage, and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

60. 'Dial Before you Dig'

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

61. Notification of Service Providers

The approved development must be approved through the 'Sydney Water Tap in' service to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. A receipt must be provided to Council.

Please refer to the website www.sydneywater.com.au for more information.

62. Visible signage identifying key personnel

Clear, visible signage with the Site or Construction Managers name and contact details are to be erected on the sites fencing in a prominent position along the perimeter of the building site so that any community concerns can be adequately addressed.

The signage will contain the following wording or similar: "For enquires, complaints or emergencies relating to this site at any time please contact"

The signs are to remain erected for the duration of construction works.

E. DURING CONSTRUCTION

The following conditions are to be complied with or addressed during construction:

63. Building Compliance

The building works must be inspected by the Principal Certifier, in accordance with Sections 6.5 (1)(b) of the Environmental Planning & Assessment Act 1979 and Clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

64. Construction Stages

The Principal Certifier must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the Principal Certifier, prior to proceeding to the subsequent stages of construction or finalisation of the works.

65. Identification Survey Report

The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PC has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor works continue, until the PC has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

In the event that Council is not the PC, a copy of the survey shall be provided to Council within three (3) working days.

66. Hours of Construction Work and Deliveries

Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

67. Demolition Waste

All demolition and construction waste must be separated as it is generated and kept separate bays, builder's site bins and/or skips prior to recycling or disposal.

68. Building Waste

All lightweight or granular excavation or construction wastes such as wrapping, packaging materials, bags, insulation, sand, soil etc. must be kept fully enclosed to prevent them from becoming wind-blown litter in strong wind conditions or from washing away in wet weather.

69. Slab Construction

On placement of the concrete, works again shall not continue until the PC has issued a certificate stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.

70. Sign with the details of the Principal Certifier

A sign must be erected and maintained in a prominent position on the site, which contains the following details:

- name, address, contractor licence number and telephone number of the principal contractor, including a telephone number at which the person may be contacted outside working hours, or owner-builder permit details (as applicable)
- name, address and telephone number of the Principal Certifier
- a statement stating that ‘unauthorised entry to the work site is prohibited’.

71. Excavation Works

In the event the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the following is to be undertaken at full cost to the developer:

- (a) Protect and support the adjoining premises from possible damage from the excavation, and
- (b) where necessary, underpin the adjoining premises to prevent any such damage.
- (c) Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer.

72. Security Fence

A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.

Note: Fencing is not to be located on Council's reserve area.

73. Toilet Facilities

Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:

- a. be a standard flushing toilet connected to a public sewer, or
- b. have an on-site effluent disposal system approved under the Local Government Act 1993, or
- c. be a temporary chemical closet approved under the Local Government Act 1993.

74. Waste Management Plan

The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

Note: Any non-compliance with this requirement will result in penalties being issued.

75. Waste Management

Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

76. Soil and sediment Control

Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum:

- (a) Siltation fencing;
- (b) Protection of the public stormwater system; and
- (c) Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

77. Construction Noise

Construction noise shall not exceed the management levels defined within the Interim Construction Noise Guideline published by the NSW Department of Environment and Climate Change dated July 2009.

Construction activities, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

78. Termite Protection

To protect the buildings from subterranean termite, termite barriers must be installed in accordance with AS 3660.1 to the underside and penetrations of the concrete slab floor. In addition a durable notice must be permanently fixed inside the metre box indicating:

- (a) The method of protection;
- (b) The date of installation of the system;
- (c) Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label;
- (d) The need to maintain and inspect the system on a regular basis.

Certification from a licensed pest controller shall be submitted to the PC certifying that the termite protection system installed complies with AS3660.1.

79. Car Parking Areas

Car parking spaces and driveways must be constructed of a minimum of two coat finish seal or better. The spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.

All car parking areas to be appropriately line marked and sign posted in accordance with the approved plans. All customer/visitor/staff parking areas are to be clearly signposted limiting

Certificates proving that the material imported is ENM or VENM must be provided to the Principal Certifier prior to filling. Certificates are to be provided to Council officers if and when requested.

Fill imported on to the site must be compatible with the existing soil characteristic for site drainage purposes

86. Record Keeping of Imported Fill

Records of the following must be submitted to the principal certifier monthly and at the completion of earth works:

- (a) The course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration;
- (b) The results of a preliminary contamination assessment carried out on any fill material used in the development.
- (c) The results of any chemical testing of fill material.

87. Unidentified Contamination

Any new information which comes to light during construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and the accredited certifier immediately after discovery.

A Section 4.55 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

88. Air Quality – Dust Screens

Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.

89. Air Quality - Stabilisation

Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the PC may direct that such work is not to proceed.

90. Air Quality – Vehicle Movement

All vehicles involved in the delivery, demolition or construction process departing from the property shall have their loads fully covered before entering the public roadway.

91. Water Quality

All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.

92. Pollution Control - Site Operations

Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway

or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.

F. Pollution Control - Truck Movements

The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent.

Measures must be implemented to prevent tracking of sediment by vehicles onto roads.

Vehicle loads must be covered when entering and exiting the site with material.

93. Construction Noise and Vibration Management Plan and Construction Environmental Management Plan

The approved site-specific Construction Noise and Vibration Management Plan and Construction Environmental Management Plan prepared and approved by the PC shall be implemented, adhered to and maintained at all times during the construction period.

94. General Site Works

The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent. Measures must be implemented to prevent tracking of sediment by vehicles onto roads. Vehicle loads must be covered when entering and exiting the site with material.

The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

95. Disruption to Pedestrian or Vehicular Traffic

If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public area or road reserve area a construction hoarding must be erected to prevent any substance from, or in connection with the construction site, falling onto a public area as follows:

Such hoarding or barrier must be designed and erected in accordance with Council's guidelines on hoarding construction. Relevant application under the Roads Act approval must be completed and fees paid prior to the construction of a hoarding on Council road reserve area.

96. Craning

Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with Work Cover authority requirements.

97. Ventilation

The design, construction, installation and commissioning of any mechanical ventilation systems(s) serving the premises shall be carried out in accordance with Australian Standard 1668 Parts 1 & 2.

The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person, and shall be positioned to comply with Section 3.7 of Australian Standard 1668 Part 2 – 1991.

98. **Removal of Dangerous and/or Hazardous waste Material**

All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor licensed by SafeWork NSW. The removal of such material shall be carried out in accordance with the requirements of SafeWork NSW and the material shall be transported and disposed of in accordance with NSW Environment Protection Authority requirements.

99. **Major Filling/ Earthworks**

All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifier.

100. **External – Switch board**

Switchboards for utilities shall not be attached to the street and/or road elevations of the development.

101. **External - Lighting**

Any external lighting is to incorporate full cut-off shielding and is to be mounted so as to not cause any glare or spill over light nuisance within the development, neighbouring properties or road users.

102. **Windows**

The windows of all bathrooms, W.C. and en-suites shall be fitted with translucent/ obscure glazing, and all stair-well windows shall be fixed and are to be provided with obscured/frosted glazing, to the satisfaction of the PC.

103. **Air Conditioning Plant**

The plant associated with any air conditioning system is to be located a minimum of 3 metres from any property boundary, to the satisfaction of the PC.

104. **Vegetation - Weeds**

No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.

Mulch generated from exotic trees or other weed species cleared shall not be used on site. It shall be removed from the site and disposed of appropriately and in accordance with legislative requirements.

105. **Vegetation - Soil**

Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.

Premium quality organic garden soil shall be incorporated into all planting areas in sufficient quantity to achieve optimum plant growing conditions.

106. Erosion and sediment control

The applicable erosion and sediment control measures shall remain in place and be maintained until the relevant disturbed areas have been rehabilitated and stabilised.

All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.

107. Street Lighting

Street lighting is to be provided for all new streets within the proposed subdivision to Liverpool City Council's standards.

The developer shall submit a Public Lighting Design Brief to Council for approval for the provision of street lighting on all new public roads dedicated to Council. A street lighting design plan must be prepared by an accredited service provider for approval prior to construction. All street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.

All cost associated with the installation of street lighting shall be borne by the developer.

108. Drainage Connection

Prior to the connection of private drainage to Council's drainage system, an inspection is to be carried out by Liverpool City Council's Development Engineering Unit. A fee will be charged in accordance with Council's adopted Fees and Charges and is to be paid prior to the inspection.

109. Footpaths

Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.

G. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of either an Partially Completed Building Occupation Certificate or Final Occupation Certificate by the Certifier:

110. VOLUNTARY PLANNING AGREEMENT

Prior to the issue of any subdivision works certificate, subdivision certificate or construction certificate the developer is to enter into a Voluntary Planning Agreement in accordance with the offer made by the applicant's solicitor, Mills Oakley dated 20 November 2020.

The VPA is to:

1. exclude the application of s. 7.11 of the Environmental Planning and Assessment Act to the development; and
2. require the payment of monetary contributions totalling \$1,412,617, indexed for inflation, for a public purpose in the following manner:
3. \$515,974 indexed for inflation prior to the subdivision certificate of stage 1
4. \$168,323 indexed for inflation prior to the occupation certificate of any dwelling in stage 2
5. \$670,142 indexed for inflation prior to the occupation certificate of any residential flat building in stage 3
6. \$58,178 indexed for inflation prior to the subdivision certificate of stage 4

The above contributions will be indexed for inflation at the time of payment using the following formula:

$$C_{\text{payment}} = C_{\text{consent}} \times (\text{CPI}_{\text{payment}} \text{ divided by } \text{CPI}_{\text{consent}})$$

Where:

C_{payment} is the contribution at the time of payment

C_{consent} is the contribution at time of consent, as shown above

$\text{CPI}_{\text{payment}}$ is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment; and

$\text{CPI}_{\text{consent}}$ is the Consumer Price Index (All Groups Index) for Sydney at the date the consent was granted.

111. Construction of Splitter Islands

Prior to any occupation certificate for stage 3 the splitter islands approved as part of condition 8 at the are to be completed and installed. Evidence is to be provided to the certifier that Liverpool Council has inspected the splitter islands and are satisfied that splitter islands have been constructed and installed to Council satisfaction.

112. Occupation of Residential Flat Buildings on Proposed Lot 216

Prior to the occupation of any building on proposed Lot 216, the building construction on proposed Lot 201 (duplex A & B) and Lot 215 (multi dwelling units A to F) must have progressed to the placement of walls to at least 900mm in height as validated by the PC.

113. Dedication of Okinawa Road

The Multi-dwelling Units A, B, C, D, E & F shall not be utilised until Okinawa Road from the intersection on Ardennes Avenue to the cul-de-sac has been dedicated as a public road or a right of way has been obtained providing the necessary vehicular/pedestrian access over the adjacent existing constructed (but not dedicated) road.

114. Critical Stages

Details of critical stage inspections carried out by the principal certifier together with any other certification relied upon must be provided to Council with any occupation certificate.

115. Building compliance

The premises must not be utilised until an Occupation Certificate is issued by the Principal Certifier. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.

The Principal Certifier (Building) and/or the Principal Certifier (Subdivision) shall ensure that all compliance certificates required by this development consent are referenced to the condition consent number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.

116. Waste Facilities

In relation to the residential flat buildings on Lot 216, the relevant waste management facilities, chutes and equipment (bin lifters and compactors etc., but excluding waste bins), plus the required features within bin storage areas and permanent fixed signage must be installed and operational prior to the issue of an Occupation Certificate in relation to those buildings.

117. Accessibility

Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (access to Premises – Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General requirements for new building work, to the satisfaction of the Certifying Authority

118. Landscaping

Upon completion of the approved landscape works associated with the relevant part of the development and prior to the issue of any OC for that part of the development, an Implementation Report is to be submitted to the PC attesting to the satisfactory completion of the relevant landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person.

119. BASIX

Supporting documentation issued by a suitable qualified person who has installed or carried out the works associated with the BASIX commitments for the Dual Occupancy A & B, Multi Dwellings A to F and Residential Flat Buildings A, B & C shall be submitted to Council prior to the issue of the OC for the relevant building.

120. Dilapidation Report

Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer.

121. Service Providers

The following documentation is to be provided for the relevant building prior to the release of an Occupation Certificate.

- a) Written evidence (Section 73 Certificate) is to be submitted to the PC prior to the issue of the Occupation Certificate.
- b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.

- c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:
- The requirements of the Telecommunications Act 1997;
 - For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
 - For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications.

122. **Stormwater Compliance**

Prior to the issue of an Occupation Certificate the Principal Certifier shall ensure that (as relevant) the:

- (a) On-site detention system/s
- (b) Stormwater pre-treatment system/s
- (c) Basement Carpark pump-out system

Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.

Have met the design intent with regard to any construction variations to the approved design.

Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings

123. **Restriction as to User and Positive Covenant**

Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to (where relevant) the:

- a) On-site detention system/s
- b) Stormwater pre-treatment system/s
- c) Basement carpark pump-out system

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

124. **Works as executed – General**

Prior to the issue of an Occupation Certificate, the relevant works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifier in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and electronic copies on a USB of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

125. Liverpool City Council clearance – Roads Act/ Local Government Act

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all required works (that must have been completed under this consent) associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.

126. Recommendations of Acoustic Report

Upon completion of works and prior to the issue of each relevant Certificate, written certification prepared by a suitably qualified acoustic consultant shall be submitted to and approved by the PC. The written certification prepared by the suitably qualified acoustic consultant shall confirm that the development complies with all requirements and recommendations detailed within the approved acoustic report titled **Lot 117 DP 1245022 Ardennes Avenue, Edmondson Park – Development Application Acoustic Report (Ref: 2976-D05) prepared by Sebastian Giglio dated 3 August 2020**. The acoustic consultant shall confirm that the development or use is capable of operating in accordance with the design criteria.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses Australian Acoustical Society membership or are employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

127. Design Verification Statement

In accordance with the Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Apartment Development", the residential flat buildings on Lot 216 must be undertaken or directed by a 'qualified designer' (i.e., a registered architect under the Architects Act). In this regard, a design verification statement shall be submitted to the PC assessing the development, upon completion of all works subject of this consent and its accompanying CC. The PC shall ensure that the statement prepared by the qualified designer provides the following:

- (a) A valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW);
- (b) That the completed development achieves the design quality of the development as shown in the plans and specifications submitted and approved with the CC, having regard to the design principles set out in Part 2 of SEPP 65.

128. Fire Safety Certificate

A single and complete Fire Safety Certificate, certifying the installation and operation of all of the fire safety measures within the relevant building must be submitted to Council with the Occupation Certificate for each residential building.

129. Display of Street Numbers

Street/address number must be prominently displayed at the front of the development in a contrasting colour to the building materials and at the front of each individual unit.

130. Cladding

Prior to issuing an occupation certificate the Principal Certifier must be satisfied that suitable evidence has been provided to demonstrate that the relevant external wall cladding material and system is consistent with the consent documentation, NCC and relevant Australian Standards.

131. Rectification of Damage

Prior to the issue of an OC any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council.

Any rectification works within Ardennes Avenue, Hoffmans Road and Okinawa Road will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

132. Road dedication at no cost to the Council

The dedication of road within Lot 117 shown in the Plan of Subdivision of Lot 117 in DP 1245022 and subsequent registration shall be at no cost to Council.

133. Linemarking & Signage

Prior to the issue of a relevant Occupation Certificate, the installation of regulatory / advisory line marking and signage, plans are to be lodged with Liverpool City Council and approved by the Local Traffic Committee.

Allow eight (8) weeks for approval by the Local Traffic Committee.

134. Bonds

A maintenance bond in the form of a bank Guarantee or cash bond (determined by the Council in accordance with its published policy) shall be lodged with Council prior to the issue of a Subdivision Certificate. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 12 months from the date of Council acceptance of final works.

135. Washing on Balconies

Prior to the issue of an OC, the following restriction as to user must be registered on the title of the relevant property:

"Any balcony must not be used for the hanging of washing, including any clothing, towels, bedding or other article of a similar type other than to the extent that it is not visible from any street"

The restriction as to user may not be extinguished or altered except with the consent of Liverpool City Council.

H. PRIOR TO ISSUE OF ANY SUBDIVISION CERTIFICATE

136. Subdivision Compliance documentation

Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifier. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifier:

- a) Work as Executed (WAE) drawings of all civil works required under this consent as part of the relevant stage. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in DWG format and PDF format to Council along with two hard copies of the WAE plans.
- b) The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding).
- c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges.
- d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council.
- e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.
- f) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification.
- g) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
 - Compaction reports for road pavement construction
 - Compaction reports for bulk earthworks and lot regrading.
 - Soil classification for all residential lots
 - Statement of Compliance
- h) Structural Engineer's construction certification of all structures.

137. Green waste

A 'public positive covenant' is to be placed on the title of Lot 216 that comprise the development at the applicant's expense, which may not be altered or removed without Council's consent, stating:

"All green waste must be removed from the property by the property maintenance contractors appointed by the owner and then disposed of lawfully."

138. Street Naming

Prior to the issue of a Subdivision Certificate an application for proposed street name must be lodged with and approved by Liverpool City Council and the signs erected on-site.

The proposed names must be in accordance with Council's Street Naming Policy.

Notes: Allow eight (8) weeks for notification, advertising and approval.

139. Linen Plans & 88B

In order to enable a Subdivision Certificate to be issued for submission to the LRS, the applicant is required to lodge a separate application along with one (1) original and four (4) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument if required.

The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.

140. Linen Plans & 88B

The following restriction as to user must be placed over proposed Lot 216. Details shall be submitted with the application for a Subdivision Certificate.

- (a) No CC shall be issued for a building on the lot burdened until on site drainage detention has been designed in accordance with Council's On-Site Detention Policy and Construction Specification.
- (b) No OC for a building shall be issued until the designed on-site detention system has been constructed on the subject lot and a licensed Surveyor prepares a "Work As Executed" plan and is certified as complying with the approved detention design by an appropriate accredited professional engineer.

141. Linen Plans & 88B

Where common drainage lines or other drainage lines are required, a drainage easement shall be created in accordance with Council's minimum widths as scheduled in councils design specification for subdivisions (as amended).

142. Linen Plans & 88B

Correct notation concerning easements is required. The prepared 88B Instrument should be forwarded initially to Council. The land value of any required easement and costs associated with checking the instrument are to be borne by the applicant. Part 2 of the 88B Instrument shall contain a provision that any such easement may not be extinguished or altered without the written consent of Council.

143. Linen Plans & 88B

Prior to the issue of the Subdivision Certificate an Outstanding Works Bond for the decommissioning of the temporary OSD/Water Quality systems including pipe removal, basin filling and works to existing pit structures shall be lodged with Liverpool City Council.

The Outstanding Works bond will be refunded once the OSD/stormwater pre-treatment treatment system works have been decommissioned to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council.

The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy.

144. Linen Plans & 88B

The following restriction as to user shall be placed over proposed Lots **201 to 214**. Details shall be submitted with the application for a Subdivision Certificate.

- a) *No CC shall be issued for a building on the lot burdened until the On-Site Detention system is designed strictly in accordance with the plans prepared by *..... reference number *..... Revision *..... dated *.....*

Note: * to be completed once plans have been submitted and approved by Council (see condition no. 143)

The restriction as to user may not be extinguished or altered except with the consent of Liverpool City Council.

Note. The final wording of the recital of the Restriction as to User is to be to Council's satisfaction.

145. Linen Plans & 88B

The final plan subdivision is to be supported by an 88B instrument. This instrument must burden proposed lots (**213 and 215**) with the following restrictions as to user:

- *Any footings for future developments on the burdened lot must be designed in accordance report prepare by Ground Technologies Pty Ltd reference number GTE3242-ENG1 Date 22/08/2020.*

The restriction as to user may not be extinguished or altered except with the consent of Liverpool City Council.

Note. The final wording of the recital of the Restriction as to User is to be to Council's satisfaction.

146. On-Site Stormwater Detention Design Plans

Detailed on-site stormwater detention design plans for Lots 201 - 214 including a stormwater management report shall be submitted to Council for approval prior to issue of a subdivision certificate

147. Linen Plans & 88B

The final plan subdivision is to be supported by an 88B instrument. This instrument must burden proposed lot (**214**) with the following restrictions as to user:

- *The temporary OSD basin shall remain in place until 80% of the dwellings on Lots 201-213 have been constructed with individual OSD systems.*

The restriction as to user may not be extinguished or altered except with the consent of Liverpool City Council.

Note. The final wording of the recital of the Restriction as to User is to be to Council's satisfaction.

148. **Service Providers**

The following documentation is to be provided prior to the release of a Subdivision Certificate.

- a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be submitted to the PC prior to the issue of a Subdivision Certificate.

Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment.

- b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
- c) Compliance Certificate for the development from an approved local telecommunications carrier shall be submitted to Council.

149. **Completion of subdivision works**

Prior to the issue of a Subdivision Certificate, the Principal Certifier shall ensure that all subdivision works required by this consent (as required under the staging in Part A of this consent) have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works.

I. GENERAL CONDITIONS

The following general conditions shall be complied with at all times:

150. **Landscaping**

Landscaping shall be maintained in accordance with the approved plan in a healthy state and in perpetuity by the existing or future owners and occupiers of the relevant part of the development. If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.

151. **Mail-boxes**

The mailboxes must not be accessed by universal keys and must each have their own keys for private access.

Vegetation must not cover or obstruct natural surveillance to the mailboxes.

152. Vegetation - Soil

All solid waste stored on site is to be covered at all times. Furthermore, all solid and liquid waste is to be removed from the site by a registered waste contractor.

153. Waste

After the issue of the Occupation Certificate for the residential flat buildings on Lot 216 but prior to the residents moving in, Council must be contacted to deliver all the required 660 litre domestic waste bins and to establish the servicing requirements. Please ring Council on 1300 36 2170 to arrange the bin delivery. Any other bins that may be required for the storage or transport of waste around this development must be privately supplied and maintained

154. Waste

After the issue of the Occupation Certificate for the residential flat buildings on Lot 216, but prior to residents commencing moving in, the Mobile Bin Towing Device and trailer must be delivered to site, commissioned and safely stored.

155. Waste Storage Capacity

Sufficient space shall be provided within each dwelling for the storage of a minimum of one day's waste and recycling.

160. Garbage Collection

Waste bins will be presented to the kerbside collection points by contractors of the strata for the residential flat buildings on Lot 216, the bins will be emptied by Council's waste contractor, and will be replaced in the waste storage rooms no later than two (2) hours after collection

156. Waste Bin Location

Bins are to be presented to the designated waste collection points by agents of the building management, bins will be emptied by Council's waste contractors and the bins will be replaced promptly in the waste storage areas.

157. Waste – Bulky Waste

A separate storage area is to be allocated for the holding of bulk waste prior to collection for the residential flat building on Lot 216.

The building management for the residential flat buildings must ensure that residents are informed that bulky household waste is to be stored in the basement waste storage rooms of their respective buildings and give the required contact numbers and procedure for arranging access to these storage areas. No bulky household waste is to be placed by residents at the the kerbside. Bulky household waste will be collected only by means of a pre-booked collection made with Liverpool Council.

158. Waste

Movement of waste bins from the basement waste rooms for the residential flat buildings on Lot 216 up to ground level for storage/emptying must be carried out by means of appropriate bin tugs or tractors. The provision, fitting and maintenance of any bin hitches used to facilitate

the movement of waste bins, and the provision and maintenance of any bins used to transfer waste within the development will remain the responsibility of the developer, or, once the development is complete, the strata.

159. Waste - Mobile Bin Towing Device (MBTD)

The Mobile Bin Towing Device (MBTD) and trailer which are to be supplied by the developer for the residential flat buildings on Lot 216 must be used on all occasions when the waste bins are being brought up or down the driveway ramp. The manual movement of waste bins up and down the driveway ramp is not permitted. The MBTD and trailer must be kept maintained in a safe and operable state by the proprietors of the property, and be stored securely when not in use in a location where they cannot be accessed by the residents.

If at any future time the three residential flat buildings are to be separated into different strata, which do not have any obligation to share equipment and resources, additional Mobile Bin Towing Devices and trailers must be supplied so that each strata has one of each of these.

160. Waste Signage

Permanent signage for the household bulky waste storage areas for the residential flat buildings on Lot 216 must indicate:

- 1) That the area is for the storage of bulky household waste only;
- 2) That residents should contact building management to arrange for the storage of unwanted items there prior to disposal.

161. Waste – Bin bays

Waste bins for the residential flat buildings on Lot 216 must be stored in designated garbage/trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.

Operation, maintenance and cleaning of the garbage chutes and associated waste cupboards, rooms, or equipment is the responsibility of the building management.

Signage is to be prominently displayed in each waste storage area, or waste service room, as appropriate, indicating that:

1. Garbage is to be placed wholly within the garbage bins provided,
2. Only recyclable materials accepted by Council are to be placed within the recycling bins,
3. The area is to be kept tidy,
4. A phone number for arranging disposal of bulky items, and
5. Graphic illustrative content to be 50%.

162. Noise

The use of the dwellings including music, mechanical plant and equipment and the like shall not give rise to the emission of "offensive noise" as defined under the Protection of the Environment Act 1997.

163. Car Parking (RFB)

A total of 127 off-street residential car parking spaces, and 25 visitor spaces for the residential flat buildings on Lot 216 must be provided for the development in the following manner;

Buildings A

A total of 53 spaces are to be provided. A minimum of 5 spaces are to be dedicated for people with a disability in accordance with the approved plans. A minimum of 9 spaces are to be allocated for visitor spaces.

Buildings B

A total of 46 spaces are to be provided. A minimum of 4 spaces are to be dedicated for people with a disability in accordance with the approved plans. A minimum of 7 spaces are to be allocated for visitor spaces.

Buildings C

A total of 53 spaces are to be provided. A minimum of 5 spaces are to be dedicated for people with a disability in accordance with the approved plans. A minimum of 9 spaces are to be allocated for visitor spaces

161. Traffic – Vehicle Movements

That all vehicles enter and leave in forward direction at all times.

164. Traffic – line Marking

All line marking and sign posting is to be maintained in good condition at all times, to the satisfaction of Council.

165. Graffiti

Any graffiti carried out on the property shall be removed, within 48 hours, at full cost to the owner/occupier of the site.

166. Council's Infrastructure

Council's infrastructure shall be protected at all times. Any damages shall be rectified by the developer, to Council's satisfaction and at no cost to Council.

J. ADVISORY

- a) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
- b) To confirm the date upon which this consent becomes effective, refer to Section 4.20 of the *Environmental Planning and Assessment Act, 1979*. Generally the consent becomes effective when it is registered on the NSW planning portal. However if unsure applicants should rely on their own enquiries.
- c) The approval of this application does not imply or infer compliance with the Disability Discrimination Act and that the developer should investigate their liability under the Act.
- d) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- e) "DIAL BEFORE YOU DIG"

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

- f) The Liverpool City Council Local Government Area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity Reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent enquiries as to the appropriate protection against the current and future potential effect of salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and ground water salinity.
- g) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- h) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties.
- i) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for

prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- j) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.

ATTACHMENT 1 – [SPARE]

ATTACHMENT 2 – APA REQUIREMENTS

Gorodok Pty Limited ABN 30 057 156 751
Level 1, 121 Wharf Street
Spring Hill, QLD 4000
GPO Box 1390, QLD 4001
APA Group | apa.com.au



20 January 2020

APA Reference: 444740
Your Reference: DA-723/2019

Emmanuel Torres
Liverpool City Council
33 Moore Street
Liverpool NSW 2170

EMAIL OUT: torrese@liverpool.nsw.gov.au

Dear Emmanuel,

RE: Staged development - Site Remediation, Subdivision of Existing Allotment into a Torrens Title Subdivision of 17 small Residential lots and 1 residential super lot, the construction of Roads and associated Civil Works, the construction of three x four (4) storey residential flat buildings comprising 99 units (36 x 1-bedroom units, 51 x 2-bedroom units, and 12 x 3-bedroom units) and a two level basement carpark
Ardennes Avenue, Edmondson Park
Lot 117 on DP1245022

Thank you for your referral request received on 2 January 2020 in relation to the proposed development.

APA has statutory obligations to ensure our pipelines are maintained and operated in accordance with Australian Standard 2885. The development is located approximately 133 metres south-west of the pipeline at the closest point. Therefore APA has no concerns regarding any direct impact on the pipeline, as a result of the development and construction activity.

The proposed development is within the pipeline measure length (area of consequence). However, APA would not object to the proposal given the development is not for a sensitive land use as defined under AS2885, "use by members of the community who may be unable to protect themselves from the consequences of a pipeline failure" such as an aged care facility, child care centre etc and does not change the land use classification under AS2885.

Should any physical works within 3 metres of the existing pipeline be necessary APA must approve them through our Third Party Works Authorisation process. This process will ensure all works are undertaken in a safe manner and do not physically impact on the pipeline. If you are seeking to undertake works on property containing a pipeline, or are seeking details on the physical location of the pipeline, please contact Dial Before You Dig on 1100 or APA directly at APAprotection@apa.com.au.

APA Group comprises two registered investment schemes, Australian Pipeline Trust (ARSN 091 678 778) and APT Investment Trust (ARSN 115 585 441), the securities in which are stapled together. Australian Pipeline Limited (ACN 091 344 704) is the responsible entity of those trusts. The registered office is HSBC building, Level 19, 580 George Street, Sydney NSW 2000.

For any further enquiries relating to this correspondence, please feel free to contact myself on (07) 3223 3385 or the Infrastructure Planning & Protection team at planningnsw@apa.com.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'BA', followed by a long horizontal line.

Ben Setchfield
Senior Urban Planner
Infrastructure Planning and Protection

ATTACHMENT 3 – JEMENA REQUIREMENTS

23 July 2020



Liverpool City Council
33 Moore Street
Liverpool NSW 2170

Jemena Gas Networks
(NSW) Ltd
ABN 87 003 004 322

Emmanuel Torres
Development Assessment Team
torrese@liverpool.nsw.gov.au

Level 14
99 Walker St
North Sydney NSW 2060
PO Box 1220
North Sydney NSW 2060
T +61 2 9867 7000
F +61 2 9867 7010
www.jemena.com.au

Dear Emmanuel,

Reference :DA- 723/2019

Property: Lot 301 DP1238463 - Ardennes Avenue,
Edmondson Park NSW 2174

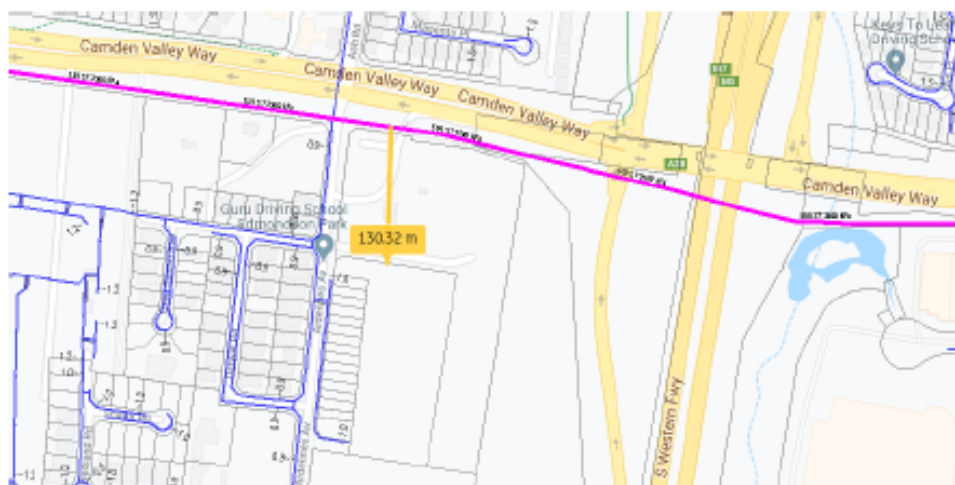
Proposal: – Staged development - Site Remediation, Subdivision of Existing Allotment into a Torrens Title Subdivision of 17 small Residential lots and 1 residential super lot, the construction of Roads and associated Civil Works, the construction of three x four (4) storey residential flat buildings comprising 99 units (36 x 1-bedroom units, 51 x 2-bedroom units, and 12 x 3-bedroom units) and a two level basement

Jemena Asset Management Pty Ltd on behalf of Jemena Gas Networks (NSW) Ltd (collectively Jemena) has reviewed and assessed the DA with respect to safety and impacts on the Jemena primary gas main located to the north of the proposed development.

Jemena confirms that it has no objections to the proposed development application in proximity to its high pressure gas main.

In pre- assessing the development application, Jemena can confirm that it operates a high pressure main within the road reserve of Camden Valley Way approximately 130 metres away from the proposed development site:

- Sydney Primary Loop (West Hoxton TRS to Liverpool PV)



The Sydney Primary Loop is a significant gas main that in part, conveys gas from trunk pipelines at the 'City Gates', to the Jemena Gas Network (JGN) which provides gas to Sydney costumers.

The Sydney Primary Loop gas main is operated in accordance with Australian Standard - AS2885. The primary main operates at pressures greater than 3,500 kPa. Under AS2885 requirements, Jemena takes its rights and obligations under these instruments seriously as they relate to ensuring the ongoing safety and integrity of its mains/ pipelines and the community at large.

Duty of care exists to ensure there is no compromise to the integrity of the Jemena assets during this procedure due to the existing ground conditions that currently exist.

In addition, Jemena has consider the implications of the development adjacent to high pressure pipelines transporting dangerous goods in NSW as communicated in the ISEPP clause 66C and more recently the Planning Circular PS 18-010. Whilst the Sydney Primary Main is not considered a regulated pressure pipeline as defined under the Pipelines Act 1967, Jemena has undertaken a holistic review of the interface between its high pressure gas mains and land use within the heat radiation contours within Sydney's urban growth corridors. Jemena has shared its position with the Liverpool City Council in communications dated 19.12.2018. The Edmondson Park location is seeing additional development to the urban community and Jemena can confirm that the DA-723/2019 under review contains land use adjoining high pressure mains which are consistent with the advices contained within previous Jemena advices.

If you have any questions or quires, please do not hesitate to contact the undersigned.

Kind Regards



Luke Duncan
Property Officer
Gas Distribution
