

**RECOMMENDED CONDITION OF CONSENT**  
**DA-1212/2015**

## **A. THE DEVELOPMENT**

### **Approved Plans**

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

(a) Plans/Reports

<b>Name/Title</b>	<b>Drawing/Reference.</b>	<b>Issue</b>	<b>Date</b>	<b>Prepared by:</b>
Cover Page	2015-24 A000	C	Sep 2016	Gus Fares Architects
Site Analysis	2015-24 A001	C	Sep 2016	Gus Fares Architects
Site Information	2015-24 A002	C	Sep 2016	Gus Fares Architects
Basement Plans/Driveway Section	A101	C	Sep 2016	Gus Fares Architects
Level 0 Plan/Shadow Diagrams	A102	C	Sep 2016	Gus Fares Architects
Typical Floor Plans (Level 1- 3)	A103	C	Sep 2016	Gus Fares Architects
Typical Floor Plans (Level 4 – 8)	A104	C	Sep 2016	Gus Fares Architects
Typical Unit Layouts	A105	C	Sep 2016	Gus Fares Architects
Typical Unit Layouts	A106	C	Sep 2016	Gus Fares Architects
Typical Unit Layouts	A107	C	Sep 2016	Gus Fares Architects
Typical Unit Layouts	A108	C	Sep 2016	Gus Fares Architects
Elevations	A201	C	Sep 2016	Gus Fares Architects
Sections	A202	C	Sep 2016	Gus Fares Architects
Solar Access Study / Cross ventilation Study	A301	C	Sep 2016	Gus Fares Architects
SEPP 65 Design Statement	-	-	08/12/15	Gus Fares Architects
Landscape Concept Plan	GFA L/01	B	16/09/16	ATC
Landscape Concept Plan	GFA L/02	B	16/09/16	ATC
Demolition Plan	2015-24 D101	C	Sep 2016	Gus Fares Architects
Lower Basement Stormwater Drainage Plan	150937 D01	B	21/03/16	Australian Consulting Engineers
Upper Basement Stormwater Drainage Plan	150937 D02	B	21/03/16	Australian Consulting Engineers

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Ground Floor Stormwater Drainage Plan (Sheet 1 of 2)	150937 D03	B	21/03/16	Australian Consulting Engineers
Ground Floor Stormwater Drainage Plan (Sheet 2 of 2)	150937 D04	B	21/03/16	Australian Consulting Engineers
Site Stormwater Drainage Details 1	150937 D05	B	21/03/16	Australian Consulting Engineers
Site Stormwater Drainage Details 2	150937 D06	B	21/03/16	Australian Consulting Engineers
Erosion and Sediment Control Plan & Details	150937 D08	A	16/11/15	Australian Consulting Engineers
Stormwater Quality Report	150937.SQR	1	17/11/15	Australian Consulting Engineers
Arboricultural Assessment And Impact Report	-	-	23/10/15	Horticultural Management Services
Acoustic Report	153120	-	07/12/15	Far West Consulting Engineers
Waste Management Plan	-	-	11/12/15	Gus Fares Architects
Preliminary Site Investigation:	P1505008JR0 1V01	2	10/12/15	Martens Consulting Engineers
Preliminary Geotechnical Assessment:	P1505008JR0 2V01	1	10/12/15	Martens Consulting Engineers

(b) BASIX Certificate No. 670374M\_02, prepared by Gus Fares Architects, dated 22 September 2016

**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.

**Archival Recording**

- The existing dwellings on Lots 2, 3 and 4 in Deposited Plan 13932, known as 19, 21 and 23 Goulburn Street, Liverpool, are a good example of Interwar fibro cottages in Sydney. Prior to commencement of any works on the site, including demolition, alteration or change, archival recording of these dwellings is to be undertaken in accordance with the NSW Heritage Office Guidelines for Archival Recording. The recording shall include their exteriors and their setting as a group on Goulburn Street. You are requested to contact Council's Heritage Officer prior to the commencement of any archival recording.

## **B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions are to be complied with or addressed prior to issue of a Construction Certificate by the Principal Certifying Authority:

### **SECTION 94A PAYMENT (Liverpool Contributions Plan 2007 Liverpool City Centre)**

4. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment represents 2% of the cost of the development and is imposed in accordance with Liverpool Contributions Plan 2007 Liverpool City Centre.

The total contribution is **\$582,636.00**

A breakdown of the contributions payable is provided in the attached payment form.

Contributions will be adjusted at the time of payment in line with the Consumer Price Index (all groups index number for Sydney) using the following formula:

#### **Detailed Site Investigation**

5. A Stage 2 - Detailed Site Investigation is to be conducted in accordance with the recommendations of the Preliminary Contamination Assessment report prepared by Martens Consulting Engineers, Ref. P1505008JR01V01, dated December 2015. This investigation shall give regard to the potential effects of any contaminants on public health, the environment and building structures and shall meet the sampling density outlined in the NSW EPA Contaminated Sites Sampling Design Guidelines (1995);

Where the Stage 2 - Detailed Site Investigation indicates that the site poses unacceptable risks to human health or the environment, a Remedial Action Plan (RAP) shall be prepared by a suitably qualified and experienced Contaminated Land Consultant in accordance with applicable guidelines made or approved by the NSW EPA under the Contaminated Land Management Act 1997. Any recommendations made in the RAP shall be fulfilled prior to the issue of a construction certificate.

#### **Site Development Work**

6. Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a CC has been issued.
7. All aspects of construction 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).

#### **Fire Safety Measures**

8. A schedule specifying all of the proposed essential fire safety services required for the building shall be attached to the CC and submitted to Council, in compliance with the

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provisions of the EP&A Regulation.

### **Traffic Management Plan**

9. 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.
10. The traffic management plan is to be prepared by an accredited designer and submitted to and stamp approved by Council via a standard Section 138 Roads Act Permit application available at Council's customer service counter. The stamped approved Roads Act Permit is to be obtained by the PCA. A copy of the stamped approved Roads Act Permit and traffic management plan is to be available on the works site for inspection at any time by an authorised Council officer.

### **S138 Roads Act – Minor Works in the Public Road**

11. Prior to the issue of a Construction Certificate a S138 Roads Act application/s, including payment of fees shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:
  - Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
  - Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
  - Road occupancy or road closures

All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications.

**Note:** Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.

### **Liverpool CBD – Street Lighting Upgrade**

12. The applicant/developer shall upgrade street lighting system for entire frontage of the development including any side streets. The street light pole shall be multi-function pole including all necessary accessories. The specification and accessories details are to be obtained from Infrastructure and Environment Group of Council. The applicant/developer shall engage services of Endeavour Energy accredited ASP Level 3 service provider to prepare electrical design and obtain certification from Endeavour Energy. The electrical design shall include undergrounding of existing aerial power lines and communication cables for entire frontage of the development including frontage to side streets. The approved design shall be submitted to Council for review and approval prior to any construction works.

### **Liverpool CBD – Communication Conduits**

13. The applicant/developer shall also supply and install two 50mm white communication conduit with draw wires approximately 300mm behind kerb and gutter connecting multifunction poles. Details can be obtained from Infrastructure and Environment Group of Council. Please contact the Coordinator – Roads and Transport on 1300 36 2170.

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**Liverpool CBD – Footpath Paving and Landscaping Works**

14. Periphery Type paving shall be installed along the entire Goulburn Street and Lachlan Street frontages as part of this development. Footpath paving and landscaping works shall be strictly in accordance with Implementation Note 12:2015 “Revision of the Liverpool CBD Streetscape and Paving Guidelines 2005.”

Detailed plans are required to be submitted to and approved by Council showing the proposed tree locations, species and planting sizes, paving location and layout, including references to the relevant details and specifications as contained in the abovementioned document.

To ensure that the street tree planting size, quantity and quality is maintained throughout the Liverpool CBD, please contact Council's Land Development Section on 1300 36 2170 for further information.

A Section 138 Roads Act Approval for all works within Council's road reserve will be required.

15. Trees identified in the approved plans/reports to be retained in Council's road reserve are to be removed and replanted with species consistent with Council's Guidelines.

**Road Safety Audit**

16. A Stage 3 (detailed design) 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 the Construction Certificate or Roads Act application.

Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design.

**On-Site Detention**

17. On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Australian Consulting Engineers, Ref. 150937, Rev. B, dated 21/03/16.

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 a 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.

18. Minimum 375Ø RC pipe shall be provided in Council's Road Reserve.

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### **Stormwater Discharge – Basement Car parks**

19. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system for the basement car park 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.

### **Water Quality**

20. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that details of a stormwater pre-treatment system have been provided on the stormwater plans and that the design meets pollutant retention criteria in accordance Council's Development Control Plan.

The Construction 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 Construction Certificate issue.

### **Access, Car Parking and Manoeuvring**

21. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Liverpool City Council's Development Control Plan.

### **Provision of Services**

22. 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](http://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 PCA.

23. 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 PCA.
24. Prior to the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following:
  - The requirements of the Telecommunications Act 1997:

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- 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.

### **Fee Payments**

25. 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 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.

26. 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 PCA. 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.

### **Notification**

27. 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.

### **Design Verification Statement**

28. In accordance with the EP&A Regulation and State Environmental Planning Policy (SEPP) 65 - Design Quality of Residential Apartment Development, the subject development 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 PCA. The PCA shall ensure that the statement prepared by the qualified designer provides the following:

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- (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.

**Crime Prevention Through Environmental Design**

29. It is recommended that the following Crime Prevention Through Environmental Design (CPTED) principles be incorporated into the building. Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the PCA.
- (a) Back to base alarm systems shall be considered;
  - (b) Basement parking areas shall be painted a light colour;
  - (c) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be considered;
  - (d) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells;
  - (e) 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;
  - (f) Corrugated ramps should be considered to prevent skate boarding activities;
  - (g) Glazed tiling, patterned, porous and non-solid surfaces reduce the reward for graffiti offenders;
  - (h) Any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details;
  - (i) Access to the basement parking levels relating to the residential component of the building shall be controlled via a security controlled device.

**Screening of Balcony Balustrades**

30. A minimum of 50% of the width of all balcony balustrades shall be obscured allowing a maximum 30% transparency.

**Reason:** To ensure hanging of clothing and other items are appropriately screened from the public.

**Adaptable Units**

31. A minimum of 11 units must be capable of being adaptable in accordance with the Australian Standard AS 4299-1995. Certification from an accredited Access Consultant and amended plans (if necessary) are to be provided to the satisfaction of the PCA.



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**Driveway/Services**

32. The applicant is to arrange with the appropriate service provider for any above ground service riser or access point to be constructed clear of any proposed or existing pedestrian footways, and if possible, located in recessed unobtrusive locations. Should any service provider require and/or insist the applicant/developer build a service riser that would create an obstruction and pose a potential safety hazard, then the applicant/developer should refer the request to Council for negotiation directly with the Service Network Authority.

**Recommendations of Acoustic Report**

33. The recommendations provided in the approved acoustic report shall be implemented and incorporated into the design and construction of the development and shall be shown on plans accompanying the CC application.

**C. PRIOR TO WORKS COMMENCING**

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

**Construction Certificates**

34. Detailed Civil engineering plans and specifications relating to the work shall be endorsed with a CC, in accordance with Section 81A of the Act, and a copy registered with Council.
35. Detailed engineering plans and specifications relating to the work shall be endorsed with a CC, in accordance with Section 81A of the EP&A Act, and a copy submitted to Council, with payment of any relevant fees.
36. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works ie., a separate Civil Engineering CC and a separate Building CC.
37. Any CC 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.

**Residential Building Work**

38. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*), must not be commenced until such time as a contract of insurance is in force in accordance with Part 6 of that Act.
39. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced unless the principal certifying authority for the development to which the work relates (not being the council) has given the council 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

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- 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.

40. If arrangements for 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 PCA for the development to which the work relates (not being the Council) has given the council written notice of the updated information.

**Notification/Principal Certifying Authority**

41. The applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the Act.
42. The PCA 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.
43. Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:
- (a) Any excavation, below the base of the footings of a building on an adjoining allotment of land.
  - (b) The notice shall be given seven (7) days prior to the commencement of work.
44. 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.

**Facilities**

45. 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

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- (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*.

**Construction Requirements**

- 46. 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.
- 47. 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.
- 48. 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. Retaining walls on any boundary are to be of masonry construction.
- 49. Structural supporting elements or bracing of the building must be designed and certified by a qualified chartered structural engineer having regards to supporting ground conditions.
- 50. No work or craning shall be undertaken within the adjoining public lands without the prior written consent of Council. In this regard Council may require a Traffic Management Plan to be submitted before giving its approval.

**Demolition Works**

- 51. Demolition works shall be carried out in accordance with the following:
  - a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials,
  - b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council, and
  - c) The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.

**Site Facilities**

- 52. 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

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then that which this approval relates to.

**Site Notice Board**

53. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work, and removed at the completion of work. The sign must state:
- (a) The name, address and telephone number of the principal certifying authority for the work; and
  - (b) The name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - (c) Unauthorised entry to the premises is prohibited.

**Hoarding**

54. A construction hoarding of class B must be erected to prevent any substance from, or in connection with the construction site, falling onto a public area:

This applies, as follows:

- (a) If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or
- (b) If craning of materials is to occur across a public area or road reserve area.

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.

**Notification of Service Providers**

55. 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](http://www.sydneywater.com.au) for more information.

**"DIAL BEFORE YOU DIG"**

56. 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](http://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.

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### **Waste Classification**

57. Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the POEO Act 1997, POEO Waste Regulation 2014 and NSW EPA 'Waste Classification Guideline' (dated November 2014) The classification of the material is essential to determine where the waste may be legally taken. The POEO Act provides for the commission of an offence for both the waste owner and transporters if waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid and non-liquid waste advice should be sought from the DECCW (EPA).

### **Sediment & Erosion Control**

58. 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.

### **Environmental Management**

59. An Environmental Management Plan (EMP) shall be developed and submitted to the Principal Certifying Authority for approval. The EMP shall provide a comprehensive and complete action and implementation plan to ensure that the anthropological and natural environment is not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- (a) Measures to control noise emissions from the site;
- (b) Measures to suppress odours and dust emissions;
- (c) Minimal impact to Water, Air and Land;
- (d) Waste;
- (e) Soil and sediment control measures;
- (f) Measures to identify hazardous and industrial wastes and the procedures for removal and disposal including asbestos;
- (g) Environmental objectives and control strategies
- (h) Environmental monitoring and reporting plan; and
- (i) Community consultation

### **Traffic Control Plan**

60. Prior to commencement of works 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.

### **Dilapidation Report**

61. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Goulburn Street, Lachlan Street and Goulburn Serviceway 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 10m either side of the development.
62. A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

The dilapidation report and survey is to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner of any affected adjoining property.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant **MUST DEMONSTRATE**, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

**Note:** This documentation is for record keeping purposes only, and may be used by the developer or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

63. 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.

## **D. DURING CONSTRUCTION**

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

64. In the case of a class 2, 3 or 4 building, critical stage inspections must be carried out by the appropriate person in accordance with the EP&A Regulation, with Compliance Certificates issued for each inspection. The last critical stage inspection must be carried out by the PCA. The following components of construction are relevant:
  - (a) after excavation for, and before the placement of, any footings, and

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- (b) prior to covering of waterproofing in any wet areas for a minimum of 10% of rooms with wet areas within a building, and
- (c) prior to covering any stormwater drainage connections; and
- (d) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Note: These certificates or documentary evidence must be submitted to Council with any OC issued for the development.

**Identification Survey Report**

65. The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA 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 PCA 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 PCA, a copy of the survey shall be provided to Council within three (3) working days.

On placement of the concrete, works again shall not continue until the PCA 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.

**Hours of Construction Work and Deliveries**

66. 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 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

**Security Fence**

67. 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.

**Demolition Inspections**

68. The following inspections are required to be undertaken by Council in relation to approved demolition works:

- a) Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

Please note that demolition works are not permitted to commence on site until such time as a satisfactory inspection result is obtained from Council.

- b) Immediately following completion of the demolition. Please note that proof of appropriate disposal of demolition materials (including asbestos) may be required at this time in accordance with the approved Waste Management Plan.

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To book an inspection with Council, please call 1300 362 170.

**Disabled Access**

69. Access, parking and facilities for persons with disabilities to be provided in accordance with the provisions of the National Construction Code.

**General Site Works**

70. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
71. All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by WorkCover NSW. The removal of such material shall be carried out in accordance with the requirements of WorkCover NSW. The material shall be transported and disposed of in accordance with DECCW (EPA) requirements.

**Waste Management Plan**

72. 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.

**Contamination**

73. The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act, 1997, State Environmental Planning Policy No. 55 – Remediation of Land, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).
74. All fill introduced to the site must undergo a contaminated site assessment. This assessment may consist of either:
- (a) a full site history of the source of the fill (if known) examining previous land uses or geotechnical reports associated with the source site to determine potential contamination as per the NSW EPA Waste Classification Guidelines (dated November 2014), or
  - (b) clearly indicate the legal property description of the fill material source site;
  - (c) provide a classification of the fill material to be imported to the site in accordance with the NSW EPA Waste Classification Guidelines (dated November 2014).
  - (d) a chemical analysis of the fill where the site history or a preliminary contamination assessment indicates potential contamination or contamination of fill material; and
  - (e) must provide Council with copies of validation certificate verifying the material to be used is free of contaminants and fit for purpose re use in residential, commercial or industrial use.
75. Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:



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- (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.

**Landscaping Works**

- 76. Premium quality organic garden soil shall be incorporated into all planting areas in sufficient quantity to achieve optimum plant growing conditions.
- 77. All garden/planting areas shall be mulched to a depth of not less than 75mm using weed free leaf mulch, wood chip or similar, not pine bark.
- 78. Edging shall be installed to separate all mass planted areas from turf areas. Edging shall consist of brick on a concrete/mortar bed or sawn treated timber to finish level with adjacent turf areas.

**Fencing**

- 79. Any gate associated with a front fence shall swing inwards from the property.
- 80. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
- 81. Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species.

**External**

- 82. Switchboards for utilities shall not be attached to the street and/or road elevations of the development.
- 83. The reflectivity index of glass used in the external facade of the building is not to exceed 20%.

**Graffiti**

- 84. A graffiti resistant coating shall be applied to any fences or structures that have frontage to a public area, for example a roadway, public reserve etc.

**Air Quality**

- 85. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
- 86. 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 PCA may direct that such work is not to proceed.
- 87. 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.

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#### **Water Quality**

88. 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.

#### **Pollution Control**

89. 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.
90. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

#### **Ventilation**

91. The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2).
92. The design, construction, installation and commissioning of the 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.

#### **Car Parking Areas**

93. 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 car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.

The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking.

#### **Traffic Management**

94. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the RTA's Interim Guide to Signs and Markings.
95. If a works zone is required, an application must be made to Council's Transport Planning section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the

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restrictions moved, will need to be made.

96. Notice must be given to Council's Transport Planning section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
97. Applications must be made to Council's Transport Planning section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

**Site Remediation Works**

98. Any new information which comes to light during demolition or 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.

**Erosion and Sediment Control**

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

**Aboriginal Archaeology**

100. If any Aboriginal relics/artefacts are uncovered during the course of any construction works including demolition, work is to cease immediately. Government agencies shall be contacted and no further work shall be undertaken until relevant assessments/approvals/ salvage excavation has been undertaken and permission is given by the relevant authorities to recommence works.

**E. PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

**The following conditions are to be complied with or addressed prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifying Authority:**

**Certificates**

101. The premises must not be utilised until an OC is issued by the PCA. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.
102. The premises must not be utilised until an OC is issued by the PCA. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.
103. All required Compliances Certificates for the critical stage inspections carried out prior, during and at the completion of construction, must be submitted to Council together with the required registration fee payment.
104. A final fire or interim safety certificate is to be attached to any OC, except in the case of

## **RECOMMENDED CONDITION OF CONSENT DA-1212/2015**

a Class 1a or Class 10 building(s). This must include all the “essential fire services” installed in the building.

105. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the PCA.

### **Lot Registration**

106. All separate lots must be consolidated. The OC cannot be issued until the plan of consolidation has been registered as a deposited plan by the LPI Service.

### **Site Contamination Validation Report**

107. Where a Detailed Site Investigation requires remedial works to be undertaken, a copy of the Validation Report shall be submitted to the PCA after completion of the remedial works. This Report shall be prepared with reference to the EPA guidelines, Consultants Reporting on Contaminated Sites, and must:
  - (a) describe and document all works performed;
  - (b) include results of validation testing and monitoring;
  - (c) include validation results of any fill imported on to the site;
  - (d) outline how all agreed clean-up criteria and relevant regulations have been complied with; and
  - (e) include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.

### **Display of Street Numbers**

108. Street numbers 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 to comply with the Local Government Act 1973, Section 124(8). The number should be a minimum height of 120mm and be visible at night.

### **BASIX**

109. Supporting documentation issued by a suitable qualified person who has installed or carried out the works associated with the BASIX commitments shall be submitted to Council.

### **Landscaping**

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

### **Design Verification Statement**

111. In accordance with the Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 - Design Quality of Residential Apartment Development, the subject development 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 PCA assessing the development, upon completion of all works subject of this consent and associated CC. The PCA shall ensure that the statement prepared by the qualified designer provides

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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.

**Liverpool City Council Clearance – Roads Act/ Local Government Act**

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

**Stormwater Compliance**

113. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the on-site detention system, stormwater pre-treatment system and basement carpark pump-out system;
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
  - Meet 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 shall be provided as part of the Works-As-Executed drawings.

**Restriction as to User and Positive Covenant**

114. Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the on-site detention system, stormwater pre-treatment system and 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.
115. Prior to the issue of an Occupation Certificate, the following restriction as to user must be registered on the title of the property:

*"The hanging of washing, including any clothing, towels, bedding or other article of a similar type on any balcony is not to be visible from any street."*

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

**Pump-out System**

116. Stormwater runoff from the proposed driveway to the underground garage shall be via a pump-out system subject to the following conditions:
- a) The pump-out system shall be independent of any gravity drainage lines except at the site property boundary inspection pit where a surface grated inlet pit shall

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- be constructed, from which a connection may be permitted to the gravity stormwater system.
- b) Engineering details and manufacturer's specifications for pumps and switching system shall be submitted for approval prior to issue of construction certificate.
  - c) An 88B positive covenant shall be placed on the property title. This requires the property owner to be responsible for the proper maintenance and repair of the abovementioned pumps, pipes and pit system. Council is the Authority benefited and the property owner is burdened by this restriction. Evidence of the creation of the positive covenant shall be forwarded to Council prior to the issue of an OC.

### **Dilapidation Report**

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

Any rectification works within Council's road reserve will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

### **Recommendations of Acoustic Report**

118. A Compliance Certificate or other documentation deemed suitable to the PCA is to be submitted to the PCA, detailing compliance with the following:
- (a) Certification is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report and that all recommendations have been adopted.

### **Fixed Windows**

119. Windows (excluding ground floor windows) are to be fitted with devices to be locked at 12.5cm when engaged, to prevent children from falling from windows.

### **Anti-theft Mailboxes**

120. Any mail boxes are to be 'anti-theft' not accessed by a universal key.
121. The owner/developer of the site is to contact Liverpool City Council – Sustainable Environment section to determine the required number of waste/garbage bins for the residential component of the development as well as serving requirements. These waste/garbage bins are to be kept at all times within the residential waste/garbage compartment rooms except before and after collection days. Waste/garbage bins are to be returned to the compartment room as soon as practical after waste has been collected.

## **G. CONDITIONS RELATING TO USE**

**The following conditions relate to the ongoing use of the premises:**

### **Car Parking/Loading**

122. A total of 128 off street car parking spaces must be provided, including 10 spaces designated for visitor parking relating to the residential units. 3 of the spaces must be designed and signposted/marked for the specific use of persons with a disability.
123. All parking areas shown on the approved plans must be used solely for this purpose.
124. All loading and unloading must take place from the designated loading dock. This area is to be clearly marked/signposted for use by delivery vehicles only.
125. The operator of the development must not permit the reversing of vehicles onto or away from the road reserve, with the exception of garbage and recycling collection vehicles. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with AS 2890.1 Parking Facilities – Off Street Car Parking.

### **Graffiti**

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

### **Waste Storage Area**

127. Waste bins 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.
128. Any bin bays must be:
  - (a) Provided with mechanical ventilation;
  - (b) Provided with a hose cock for hosing the garbage bin bay and a sewered 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) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
    - (f) Garbage is to be placed wholly within the garbage bins provided;
    - (g) Only recyclable materials accepted by Council are to be placed within the recycling bins;
  - (h) The area is to be kept tidy;
  - (i) A phone number for arranging disposal of bulky items;
  - (j) Graphic illustrative content to be 50%.
  - (k) Bin bay signs are available from Council;

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- (l) 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;
- (m) 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;
- (n) Maximum compaction ratio is 2:1;
- (o) 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.

**Landscaping**

129. 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 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.

An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained.

**Washing on Balconies**

130. The hanging of washing, including any clothing, towels, bedding or other article of a similar type on any balcony is not to be visible from any street.

**H. ADVISORY**

- a) If you are dissatisfied with this notice of determination or the conditions contained within this notice of determination, Section 82A of the Environmental Planning and Assessment Act 1979 gives you the right to request a review of the determination within six months after the date on which the application is taken to have been determined.
- b) If you are dissatisfied with this decision, Section 97AA of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six months after the date on which the application is taken to have been determined.
- c) In accordance with Section 95 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 (5) years of the date of this notice.
- d) The Planning Assessment Commission has not conducted a review of the application.
- e) These conditions are imposed to control development, having regard to Section 79C of the Environmental Planning and Assessment Act 1979.
- f) 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.
- g) 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.



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h) 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.

- i) 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. NSW Police recommend that all mail boxes be only accessible from within a secured area which is lockable.
- j) The obligation to comply with the Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required by other conditions of this consent.
- k) 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 inquiries as to 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 or ground water Salinity.
- l) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- m) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.

## ATTACHMENT 2

### CONTRIBUTIONS PURSUANT TO SECTION 94 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

#### Liverpool Contribution Plan 2007 (Liverpool City Centre)

**Note to the applicant:** When remitting payment as specified in the Conditions of Consent to the approval, this Form must be submitted with your payment.

**These figures have been calculated to the CPI July Quarter 2016 and will be adjusted at the time of payment in accordance with the conditions of consent.**

**APPLICATION NO.:** DA-1212/2015

**APPLICANT:** Mr W Chao

**PROPERTY:** 17-23 Goulburn Street, Liverpool NSW 2170

**PROPOSAL:** Consolidation of four existing lots, demolition of existing structures and tree removal and construction of a nine storey residential flat building comprising a total of 102 units. The development provides a unit mix of 18 x 1 bedroom apartments, 71 x 2 bedroom apartments and 13 x 3 bedroom apartments. The proposal also provides two levels of basement parking.

<u>Facilities</u>	<u>Amount (\$)</u>	<u>Job No.</u>
Central Library Extensions	\$11,195	GL.10000001870.10112
Whitlam Centre Extensions	\$8,268	GL.10000001869.10110
District Community Facility upgrade (Central area)	\$10,673	GL.10000001870.10099
Woodward and Collimore Parks	\$50,227	GL.10000001869.10105
Georges River Foreshore	\$351,591	GL.10000001869.10105
Bigge Park	\$75,341	GL.10000001869.10105
Pioneer Park	\$75,341	GL.10000001869.10105
Access – car parks, bridge link, bus priority	\$0	GL.10000001868.10108

**TOTAL** **\$582,636**

----- OFFICE USE ONLY -----

#### **RECORD OF PAYMENT**

**Total Amount paid:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Receipt No.:** \_\_\_\_\_ **Cashier:** \_\_\_\_\_