

## RECOMMENDED CONDITIONS OF CONSENT

### CONDITIONS:

The following conditions have been imposed to achieve the objectives of the relevant planning instruments and policies.

## PART 1

### A. THE DEVELOPMENT

#### Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the accompanying plans and reports listed below and stamped DA-377/2016, except where modified by the undermentioned conditions or marked in red by Council:

#### (a) Architectural Plans

Description	Drawing No.	Rev. No.	Date	Prepared by
Cover Sheet	P2171 A00	N/A	01/02/2017	Algorry Zappia & Assoc. P/L
Site Plan and Development Data	P2171 A03	F	01/02/2017	Algorry Zappia & Assoc. P/L
Basement 1 and 2	P2171 A04	F	01/02/2017	Algorry Zappia & Assoc. P/L
Ground and Level 1 Plan	P2171 A05	F	01/02/2017	Algorry Zappia & Assoc. P/L
Level 2 and 3 Plan	P2171 A06	F	01/02/2017	Algorry Zappia & Assoc. P/L
Level 4 and 5 Plan	P2171 A07	F	01/02/2017	Algorry Zappia & Assoc. P/L
Level 6 and 7 Plan	P2171 A08	F	01/02/2017	Algorry Zappia & Assoc. P/L
Level 8 and 9 Plan	P2171 A09	F	01/02/2017	Algorry Zappia & Assoc. P/L
Elevations – East/West	P2171 A11	E	01/02/2017	Algorry Zappia & Assoc. P/L
Elevations – North/South	P2171 A12	E	01/02/2017	Algorry Zappia & Assoc. P/L
Sections	P2171 A13	E	01/02/2017	Algorry Zappia & Assoc. P/L
Colours and Finishes	P2171 A21	E	01/02/2017	Algorry Zappia & Assoc. P/L
Demolition Plan	P2171 A22	E	23.05.16	Algorry Zappia & Assoc. P/L

#### (b) Landscape Plan

Description	Drawing No.	Revision No.	Date	Prepared by
Landscape Plan 1	16042 DA1-2	F	30/01/2017	Vision Dynamics P/L
Landscape Plan 2	16042 DA2-2	F	30/01/2017	Vision Dynamics P/L

(c) Reports

Description	Reference No.	Date	Prepared by
Waste Management Report	Rev B	21/04/2016	Elephant's Foot waste Compactors Pty Ltd

(d) BASIX certificate number 716917M\_02

**Amendments to Plans**

2. The following amendments shall be incorporated into the proposed development in order to achieve compliance with the provisions of the Liverpool Development Control Plan 2008 in respect to apartment mix. Details of these amendments shall be submitted to and approved by the Manager Development Assessment of Liverpool City Council prior to the issue of a Construction Certificate.
  - i. Unit 8 (a 1-bedroom apartment) on the first floor of Building A be deleted and transformed into part of Unit 5 (a 2-bedroom apartment) and part of Unit 7 (a 2-bedroom apartment). In doing so, Units 5 and 7 are transformed into 3-bedroom apartment each.
  - ii. Unit 9 (a 1-bedroom apartment) on the first floor of Building B be deleted and transformed into part of Unit 6 (a 2-bedroom apartment) and part of Unit 8 (a 2-bedroom apartment). In doing so, Units 6 and 8 are transformed into 3-bedroom apartment each.
  - iii. Unit 13 (a 1-bedroom apartment) on the second floor of Building A be deleted and transformed into part of Unit 10 (a 2-bedroom apartment) and part of Unit 12 (a 2-bedroom apartment). In doing so, Units 10 and 12 are transformed into 3-bedroom apartment each.
  - iv. Unit 14 (a 1-bedroom apartment) on the second floor of Building B be deleted and transformed into part of Unit 11 (a 2-bedroom apartment) and part of Unit 13 (a 2-bedroom apartment). In doing so, Units 11 and 13 are transformed into 3-bedroom apartment each.
  - v. Unit 18 (a 1-bedroom apartment) on the third floor of Building A be deleted and transformed into part of Unit 15 (a 2-bedroom apartment) and part of Unit 17 (a 2-bedroom apartment). In doing so, Units 15 and 17 are transformed into 3-bedroom apartment each.
  - vi. Unit 19 (a 1-bedroom apartment) on the third floor of Building B be deleted and transformed into part of Unit 16 (a 2-bedroom apartment) and part of Unit 18 (a 2-bedroom apartment). In doing so, Units 16 and 18 are transformed into 3-bedroom apartment each.
3. The south facing terraces of the ground floor apartments (Unit 2 on the southern side of Building A and Units 2 and 3 on the southern side of Building B) where they face the southern boundary shall be reduced to a maximum depth of 1m so as to provide additional landscaped/common area along the southern boundary of the development. A pedestrian access path shall be provided in this area to provide a continuous pedestrian link from Tindall Avenue to the communal open space provided between Building A and Building B.

Amended architectural and landscape plans reflecting the required changes shall be submitted to and approved by the Manager Development Assessment of Liverpool City Council prior to the issue of a Construction Certificate.

#### **Requirements of Sydney Water**

4. The development must comply with the requirements of Sydney Water in their correspondence dated 20 June 2016 (attached).

#### **Works at no Cost to Council**

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

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

**The following conditions shall be complied with prior to issue of a CC**

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

6. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment represents 3% of the cost of the development and is imposed in accordance with Liverpool Contributions Plan 2007 Liverpool City Centre.

The total contribution is **\$459,040**.

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:

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$$\text{Contribution at the time of payment} = \frac{C \times CPI_2}{CPI_1}$$

**Where:**

**C** = Original contributions as shown on the consent

**CPI<sub>2</sub>** = Latest "Consumer Price Index: All Groups Index Number" for Sydney available from the Australian Bureau of Statistics at the time that the contribution is to be paid

**CPI<sub>1</sub>** = "Consumer Price Index: All Groups Index Number" for Sydney available from the Australian Bureau of Statistics as at the time of granting the development consent

The Contributions Plan may be inspected online at [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au).

Please note. Payment must be accompanied by the attached form.

#### **Construction Certificates**

7. Any CC that may be issued in association with this development consent must ensure that any certified plans and designs are consistent (in terms of site layout, site levels, building

location, size, external configuration and appearance) with the approved Development Application plans.

### **Fee Payments**

8. 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 DA/CC. The following fees are applicable:
- (a) Damage Inspection Fee;
  - (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve; and
  - (c) Long Service Levy – based on 0.35% of the cost of building work.

These fees are reviewed annually and will be calculated accordingly.

### **Access Report**

9. Prior to the issue of a Construction Certificate, an Access Report prepared by an accredited Access Consultant shall be submitted to the Principal Certifying Authority certifying that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).

### **Compliance with the National Construction Code**

10. 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).

### **Notification**

11. 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.

### **Fire Safety Measures**

12. A schedule specifying all of the essential fire safety services, both existing and proposed, which are required for the building, shall be attached to the CC and submitted to Council, in compliance with the provisions of the EP&A Regulation.

The schedule must distinguish between the measures that are currently implemented in the building premises; and

- (a) The measures that are to be proposed to be implemented in the building premises; and
- (b) The minimum standard of performance for each measure.

### **S138 Roads Act – Minor Works in the public road**

13. 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:

- 1. Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.

### **Street Lighting Upgrade**

14. The applicant/developer shall upgrade street lighting system for entire frontage of the development including George Street and Tindall Avenue. 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.

### **Communication Conduits**

15. 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.

### **Footpath Paving and Landscaping Works**

16. Periphery Type/ Core Type paving shall be installed along the entire George Street frontage, as part of this development. Footpath paving and Landscaping works shall be strictly in accordance with the Liverpool CBD Street Tree and Landscape Strategy 2005 and The Liverpool CBD Streetscape and Paving Guidelines 2005 as per revision dated December 2015.

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 documents.

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.

### **Retaining Walls on Boundary**

17. All retaining walls shall be of masonry construction and must be wholly within the property boundary, 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 certificate must be obtained prior to commencement of works on the retaining wall.

### **S138 Roads Act – roadworks requiring approval of civil drawings.**

18. Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council (being the Roads Authority under the Roads Act), for provision of Kerb & Gutter, Footpath Construction & Stormwater construction in George Street.

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:

1. 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 Construction Certificate.

### **On-Site Detention**

19. On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by SGC, reference 20160053 SW-01 to SW-07, revision B, dated 26.09.2016.

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.

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

20. 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 car parks.

### **No loading on easements**

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

### **Water Quality**

22. 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 – General**

23. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that sight distances, 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. All vehicles must be able to enter and exit the site in a forward direction.

### **Provision of Services**

24. 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.

25. 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.
26. 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
  - 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.

27. 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.

### **Site Development Work**

28. 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.

### **Design Verification Statement**

29. 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:
  - (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.

### **Traffic**

30. Detailed design plans, including turning paths analysis, of the proposed basement car park are to be submitted to Council for approval.
31. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval.
32. The applicant shall request from Council's Traffic and Transport Section the appropriate lighting categories required for the development. The lighting category provided to the applicant from Council will be consistent with the requirements of Australian Standard AS/NZS 1158 – Road Lighting. The design shall be prepared by a level 3 service provider.
33. On completion of the road lighting design plans, the plans and a schedule of annual charges shall be forwarded to Council's Transport Planning Section for their acceptance of the ongoing maintenance charges. These plans shall include a statement by the designer certifying that the design meets Council's specification and all requirements of AS/NZS 1158. CC's for the development shall not be issued prior to Council providing this letter of acceptance.
34. This letter of acceptance and approved plans shall then be submitted to Endeavour Energy for their approval and certification for connection to their public lighting network.
35. OC shall not be issued prior to Council receiving a compliance certificate from Endeavour Energy stating that the applicant has made the necessary arrangements with Endeavour Energy for the provision of the approved public lighting works.

## **C. PRIOR TO COMMENCEMENT OF WORKS**

**The following conditions shall be complied with prior to commencement of works:**

### **Construction Certificates**

36. 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.

### **Notification of the Principal Certifying Authority**

37. The applicant shall advise Council of the name, address and contact number of the PCA, in accordance with Section 81A (4) of the Act.
38. 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.
39. 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.
40. 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.

### **Site Facilities**

41. 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.
42. 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.
43. 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.

### **Site Notice Board**

44. 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;
  - (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.

### **Notification of Service Providers**

45. 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 easement, 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.

## **Sediment & Erosion Control**

46. 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.

## **Dilapidation report**

47. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in George Street and Tindall Avenue 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.
48. 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.

## **Waste Classification**

49. 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 and NSW DECCW, (EPA) 'Environmental Guidelines: Assessment, Classification and Management of Non-Liquid Wastes'. 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).

## **Demolition Works**

50. Any 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.
  - (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.

## **Traffic Management Plan**

51. 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.
52. 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.

## **D. DURING CONSTRUCTION**

**The following conditions shall be complied with during construction:**

### **Erosion and sediment control**

53. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
54. 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
  - (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.

55. In the case of a class 5, 6, 7, 8 or 9 building, critical stage inspections must be carried out by the appropriate person in accordance with 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
- (b) prior to covering any stormwater drainage connections; and
- (c) 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**

56. 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.

### **Demolition Inspections**

57. 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 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.

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

58. 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 at a licensed waste facility to receive the waste in accordance with NSW EPA requirements. Waste receipts and the "WasteLocate" consignment number shall be provided to the certifying authority confirming that the waste is disposed of in a lawful manner. Note; Waste loads can be tracked via <https://wastelocate.epa.nsw.gov.au/> to ensure waste has reached its intended destination. If the waste load is not delivered, please contact the EPA.

### **Security Fence**

59. 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.

### **Hours of Construction Work**

60. 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 on Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council

### **Construction Noise**

61. 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;
62. 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.

### **Car Parking Areas**

63. 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.
64. 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.
65. 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.

66. Directional signage indicating the location of customer parking, “in” and “out” crossings and directional arrows are to be provided in accordance with the approved plans.

### **Traffic Management**

67. 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.
68. 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 restrictions moved, will need to be made.
69. 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.
70. 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.

### **General Site Works**

71. 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.
72. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
73. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
74. 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.
75. 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.
76. 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.
77. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated “spoil” material.

78. All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.
79. 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.

#### **Trees within the Road Reserve**

80. In accordance with Council's Tree Management Policy, the trees to be planted within the road reserve are to be *Sapium sebiferum*, *Syzygium* species or *Eleocarpus reiculatus*.

#### **External**

81. Switchboards for utilities shall not be attached to the elevations of the development that are visible from the street.
82. 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.

#### **Contamination**

83. 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).
84. 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 DECCW 'Waste Classification Guidelines' April 2008; 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 DECCW 'Waste Classification Guidelines' April 2008.
  - (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.
85. Records of the following must be submitted to the principal certifying authority 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.



86. Any imported soil (fill) must be assessed by a qualified environmental consultant, prior to importation, to ensure suitability for the proposed use. In addition, the imported fill must not contain asbestos and ash, be free of unusual odour, not be discoloured and not acid sulphate soil or potential acid sulphate soil. The imported fill should either be virgin excavated natural material (VENM) or excavated natural material (ENM).
87. Any new information which comes to light during remediation, 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. A Section 96 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

### **Crime Prevention Through Environmental Design**

88. The following Crime Prevention Through Environmental Design principles are to be incorporated into the building.
- (a) Back to base alarm systems shall be installed;
  - (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 implemented;
  - (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; and
  - (f) Access to the parking levels of the building shall be controlled via a security controlled device.

### **Endeavour Energy Requirements**

89. An application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply shall be submitted to Endeavour Energy. Depending on the outcome of the assessment, any required padmount or indoor / chamber substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy.

Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm.

### **Waste Management Plan**

90. 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.

91. 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 re commence works.

#### **Disabled Access**

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

#### **Aboriginal Relics/Artefacts**

93. 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 re commence works.

#### **Salinity**

94. All building materials utilised below dampcourse level or water proof membranes are to be resistant to damage from salt damp. Dampcourses and water proof membranes are to have a high resistance to construction damage, are to be themselves resistant to damage from salt damp and are not to be bridged in any manner by porous materials.

### **E. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

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

#### **Liverpool City Council clearance – Roads Act/ Local Government Act**

95. 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.

#### **Certificates**

96. The premises shall 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.
97. A final fire or interim safety certificate is to be attached to any OC. This must include all the “essential fire services” installed in the building.

#### **Landscaping**

98. 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.

## **Works as executed - General**

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

An original set of works-as-executed drawings and copies 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.

## **Stormwater Compliance**

100. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:

- a) On-site detention system/s
- b) 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.

## **Restriction as to User and Positive Covenant**

101. Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the (a) On-site detention system/s and (b) 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.

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

*"A static compaction unit for waste management shall be provided and maintained at all times within the waste storage area"*

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

103. Prior to the issue of an OC, 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 of 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

## **Rectification of Damage**

104. Prior to the issue of an Occupation Certificate 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 George Street will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

## **Pump-out system**

105. 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 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.

## **Design Verification Statement**

106. 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 its accompanying CC. The PCA 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.

## **Waste Management**

107. 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.

## **Service Providers**

108. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the PCA.
109. Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
110. Prior to the issue of an occupation certificate, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with:
  - (a) The requirements of the Telecommunications Act 1997;
  - (b) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
  - (c) 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

## **BASIX**

111. 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.

## **Land Consolidation/Registration**

112. All separate lots must be consolidated. The applicant shall provide evidence that the linen plan, for the required lot consolidation endorsed by Council, has been registered with the LPI Service. This is to be provided to Council prior to the release of any Occupation Certificate.

## **Affordable Rental Housing**

113. Prior to the issue of an Occupation Certificate, a restriction shall be registered, before the date of the issue of the Occupation Certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919*, that will ensure that:
  - (a) For 10 years from the date of the issue of an OC:
    - i) As per the approved 'Infill Affordable Housing Plan', a minimum of 20% of the gross floor area of the development is used for the purposes of affordable housing; and
    - ii) All accommodation that is used for affordable housing will be managed by a registered community housing provider.

## **Community Housing Provider**

114. Details regarding the Community Housing Provider which will manage the affordable housing component of the development shall be submitted to the satisfaction of Council's Community Planning Department prior to the issue of an Occupation Certificate.

## **Accessibility**

115. 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.

## **F. GENERAL CONDITIONS**

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

### **Car Parking Requirements**

116. Parking spaces shall be allocated as follows:
- (a) A minimum of 98 parking spaces for residents;
  - (b) A minimum of 9 parking spaces for visitors;
  - (c) A minimum of 3 parking spaces for a carwash/service bay; and
  - (d) A minimum of 5 parking spaces for motorcycles.
117. All parking areas shown on the approved plans must be used solely for this purpose.
118. No vehicles are permitted to reverse onto the road reserve. 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.
119. All line marking and sign posting is to be maintained in good condition at all times, to the satisfaction of Council.

### **Landscaping**

120. 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.

### **Noise and Environmental Emissions**

121. 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.
122. The use of the site shall not give rise to the emission into the surrounding environment of gases, vapours, dusts, odours or other impurities which are a nuisance, injurious or prejudicial to health.

## **Waste Management**

123. Waste bins must be stored in the designated garbage refuse area, which must be kept clean and tidy at all times. Bins must not be stored or allowed to overflow into parking, driveway or landscaped areas, must not obstruct the exit of the building, must not leave the site onto neighbouring public or private properties and must be adequately secured.
124. All garbage rooms 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; and
  - (d) Provided 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.

## **Graffiti**

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

## **Washing on Balconies**

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

## **Council's Infrastructure**

127. 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.

# **G. 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. Any review must be completed within 6 months after the date on which the application is taken to have been determined. If you intended on seeking a review, ensure you allow sufficient time for the review to be completed by Council.
- b) If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 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 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 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.
- h) "DIAL BEFORE YOU DIG" DIAL 1100

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.

- 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) 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 affect 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.

## Sydney Water Requirements



20 June 2016

Mr Brad Harris  
Senior Development Planner  
Development Assessment  
Liverpool City Council  
Locked Bag 7064  
Liverpool NSW 1871

**RE: 24-26 George Street, Liverpool (DA-377/2016)**

Dear Mr Harris,

Thank you for notifying Sydney Water of the proposed development listed above. We have reviewed the application and provide the following comments for your consideration.

**Water**

- The drinking water main available for connection is the 100mm main in George Street. This drinking main will require amplification to service the proposed development.
- Detailed requirements will be provided at the Section 73 application phase.

**Wastewater**

- The wastewater main available for connection is the 150mm wastewater main located within the property.
- Where proposed works are in close proximity to a Sydney Water asset, the developer may be required to carry out additional works to facilitate there development and protect the wastewater main. Subject to the scope of development, servicing options may involve adjustment/deviation and or compliance with the Guidelines for building over/adjacent to Sydney Water assets.
- Detailed wastewater requirements will be provided at the Section 73 application phase.

**Sydney Water E-Planning**

Sydney Water has an email address for planning authorities to submit statutory or strategic planning documents for review. This email address is [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

If you require any further information, please contact Beau Reid of Urban Growth Strategy on 02 8849 4357 or e-mail [beau.reid@sydneywater.com.au](mailto:beau.reid@sydneywater.com.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Greg Joblin".

Greg Joblin  
Manager, Growth Strategy

## Attachment 1

### **Sydney Water Servicing**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

### **Building Plan Approval**

You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. Water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see Plumbing, building and developing then Building over or next to assets).