

## RECOMMENDED CONDITIONS OF CONSENT

### A. THE DEVELOPMENT

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

#### GENERAL

1. Development must be carried out generally in accordance with Development Application received 6 June 2013 and subsequent modifications received 5 August 2016 and 3 April 2017, and the following plans as marked and stamped DA-594/2013, DA-594/2013/A and DA-594/2013/B:

**a. Architectural Drawings prepared by Nettleton Tribe and identified as:**

- (i) 10388\_DA-001 Location Plan Revision B
- (ii) 10388\_DA-011 Ground Floor Plan (Lot 204 Warehouse 1) Revision B
- (iii) 10388\_DA-012 Level 1 Plan (Lot 204 Warehouse 1) Revision B
- (iv) 10388\_DA-013 Roof Plan (Lot 204 Warehouse 1) Revision D
- (v) 10388\_DA-015 Basement and Ground Floor Plan Revision B
- (vi) 10388\_DA-016 Office Level 1 & Roof (Lot 204 Warehouse 1) Revision B
- (vii) 10388\_DA-017 Office Fitout Plan (Lot 204 Warehouse 1) Revision A
- (viii) 10388\_DA-020 Elevations (Lot 204 Warehouse 1) Revision D
- (ix) 10388\_DA-030 Sections (Lot 204 Warehouse 1) Revision B
- (x) 10388\_DA-050 Perspective (Lot 204 Warehouse 1) Revision B

**Amended as per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

**b. Architectural Drawings prepared by Nettleton Tribe and identified as:**

- (i) DA-001 Overall Master plan - Revision A
- (ii) DA-002 Lot 204 - Revision A
- (iii) DA-010 WH2 Ground Plan Revision A
- (iv) DA-012 WH2 Roof Plan – Revision A
- (v) DA-013 WH2 Sections – Revision A
- (vi) DA-014 WH2 Elevations – Revision A
- (vii) DA-015 WH2 Office Plan – Revision A
- (viii) DA-016 WH2 Office Elevations – Revision A
- (ix) DA-019 WH2 Perspective Views – Revision A
- (x) DA-020 WH2 Perspective Views – Revision A
- (xi) DA-021 WH2 Perspective Views – Revision A

**Amended per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016**

**c. Landscape Drawings identified as:**

- (i) SS12-2557-000 Cover Sheet - Revision D
- (ii) SS12-2557-101 Landscape Plan - Revision D
- (iii) SS12-2557-102 Sections - Revision D
- (iv) SS12-2557-103 Landscape Elevations - Revision C

- (v) SS12-2557-104 Landscape Details - Revision C
- (vi) SS12-2557-C100 Landscape Plan - Revision D
- (vii) Lot 204 Concept Design Report – Issue D

*Amended per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016*

d. Civil engineering drawings prepared by AECOM and identified as:

- (i) 60275825-drg-C-0001 – Cover sheet and Drawing List - Revision 01
- (ii) 60275825-drg-C-0100 – General Arrangement Plan - Revision 01
- (iii) 60275825-drg-C-0150 – Typical Site Sections - Revision 01
- (iv) 60275825-drg-C-0300 – Drainage Plan - Revision 01
- (v) 60275825-drg-C-0050 – Sediment and Erosion Plan - Revision 01
- (vi) 60275825-drg-C-0051 – Sediment and Erosion Details - Revision 01

e. Civil engineering drawings prepared by Costin Roe Consulting and identified as:

- (i) CO12733.03-DA20 – Erosion and Sediment Control Plan – Issue B
- (ii) CO12733.03-DA30 – Erosion and Sediment Control Details – Issue B
- (iii) CO12733.03-DA40 – Concept Stormwater Plan – Issue B
- (iv) CO12733.03-DA41 – Stormwater Treatment Catchment Plan – Issue B
- (v) CO12733.03-DA45 – Concept Stormwater Drainage Details – Issue B
- (vi) CO12733.03-DA40 – Finished Levels Plan – Issue B

*Amended per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016*

f. Waste Management Plan prepared by AECOM, Job No. 60480578, dated 02-Aug-2016.

*Amended per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016*

g. **Landscape Drawings identified as:**

- (i) **SS12-2557-1000 Cover Sheet (Lot 204 Warehouse 1) Revision A**
- (ii) **SS12-2557-1001 Landscape Plan (Lot 204 Warehouse 1) Revision A**
- (iii) **SS12-2557-1002 Landscape Sections (Lot 204 Warehouse 1) Revision A**
- (iv) **SS12-2557-1003 Landscape Elevation (Lot 204 Warehouse 1) Revision A**
- (v) **SS12-2557-1004 Landscape Details (Lot 204 Warehouse 1) Revision A**
- (vi) **SS12-2557-C1001 Colour Landscape Plan (Lot 204 Warehouse 1) Revision A**
- (vii) **Landscape Concept Plan – Issue E**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

h. Civil engineering drawings prepared by Sparks & Partners and identified as:

- (i) **17028 – DA1.01 – Cover Sheet and Locality Plan (Lot 204 Warehouse 1) Revision 2**
- (ii) **17028 – DA2.01 – Sediment and Erosion Control Plan (Lot 204 Warehouse 1) Revision 2**

- (iii) 17028 – DA2.02 – *Sediment and Erosion Control Details (Lot 204 Warehouse 1) Revision 2*
- (iv) 17028 – DA4.01 – *Stormwater Management Plan Sheet 1 (Lot 204 Warehouse 1) Revision 2*
- (v) 17028 – DA4.02 – *Stormwater Management Plan Sheet 2 (Lot 204 Warehouse 1) Revision 2*
- (vi) 17028 – DA4.03 – *Stormwater Management Plan Basement Sheet 3 (Lot 204 Warehouse 1) Revision 2*
- (vii) 17028 – DA4.04 – *Stormwater Management Plan Roof Sheet 4 (Lot 204 Warehouse 1) Revision 2*

***Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.***

- i. ***Acoustic Assessment prepared by AECOM, Ref: 60480578-LNTV-03\_B, dated 10 March 2017.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.***

except where modified by the undermentioned conditions.

- 2. Consent is granted only for the following:

Stage 1: Concept Masterplan for Industrial Estate; and

Stage 2: Construction of industrial warehouse building, car parking, landscaping, driveway and road.

Development on specific site(s) within the area of the Master plan other than on lot 204 is subject to separate development application(s).

## **EXTERNAL APPEARANCE**

The following conditions have been imposed to provide for a satisfactory appearance of the development.

- 3. Any external glazing is not to have a reflectivity of greater than 20%.

## **LIGHTING**

- 4. All external lighting is to incorporate full cut off shielding and directional glare shielding as necessary so as to minimise light pollution and glare nuisance to adjoining property occupiers and road users.
- 5. Any signage if illuminated is to be internally illuminated, non-flashing and of an intensity that does not create any glare nuisance to neighbouring properties or road users.

## **NATIONAL CONSTRUCTION CODE**

- 6. 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).

## **DISABLED ACCESS**

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

## **B. OPERATIONAL MATTERS**

**These conditions pertain to the use of the site and have been imposed to ensure that the development and its operations do not interfere with the amenity of the surrounding area.**

### **COMPLIANCE WITH OTHER ACTS**

- 8. Use and occupation of the premises must be carried out at all times without nuisance and in particular so as not to breach the provisions of the Protection of the Environment Operations Act 1997. The operation and use of any machinery, plant and/or equipment within, on or in connection with the operation and use of the premises to be carried out so as not cause:
  - (a) Transmission of vibration to any place of different occupancy
  - (b) An Offensive Noise, as defined in the Protection of the Environment Operations Act 1997.
- 9. The development, including all civil works, 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).

### **GENERAL TERMS OF APPROVAL**

- 10. The General Terms of Approval issued by NSW Office of Water, dated 23 August 2013 are to be complied with. A copy of the General Terms of Approval is attached to this decision notice.

### **SITE MANAGEMENT**

- 11. Advertising matter must not be erected, painted or displayed without the prior approval of Council.
- 12. Waste bins must be stored in designated garbage/trade refuse areas that must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas or obstructing the exit of the building.
- 13. Letterboxes are to be provided and are to meet the requirements of Australia Post.
- 14. No washing of trucks or trailers is to occur on site except in approved wash bays.

## THE ENVIRONMENT

The following conditions have been imposed to protect the environment:

15. The development, including construction, must not result in any increase in sediment deposition into any water body, wetland, bushland or Environmentally Significant Land.

## WASTE STORAGE AND DISPOSAL

The following conditions have been imposed to ensure that the development provides adequate waste storage disposal facilities;

16. All waste materials generated as a result of the development are to be disposed of at a facility licensed to receive such waste.

## ACOUSTIC MEASURES

17. All drainage grates within parking and driveway areas are to be mechanically fastened in place through flexible rubber bushes.
18. Subject to traffic committee approval signage instructing truck drivers to exercise noise minimising vehicle operation is to be installed on Campbelltown Road.
19. An external public address system can only be used between 7.00am to 7.00pm.

## HOURS OF OPERATION

20. The facility may operate 24 hours a day 7 days a week.

## C. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications that accompany the Construction Certificate;

### CONTROLLED ACTIVITY APPROVAL

21. Prior to the issue of the Construction Certificate (CC) for the works affected under the Water Management Act 2000, evidence of a Controlled Activity Approval (CAA) is to be provided to Council in accordance with the Office of Water's requirements.

### TRAFFIC

22. The approval of the Roads and Maritime Services (RMS) is to be obtained for the use of B-Double vehicles to and from the site.
23. ***Detailed design plans for the access driveways and car park including swept path analysis, line markings and sign posting in accordance with the DCP and AS2890 is to be submitted to Council Traffic and Transport Section for review. Any structure adjacent to the driveway exit e.g. letterbox shall not be greater than 1.2 m in height, to***

*allow sight distance for motorists exiting the property.*

*Amended per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

- 23a. A Construction Traffic Management Plan (CTMP) prepared by a qualified traffic and transport practitioner detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.**

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

- 23b. A road occupancy permit is to be submitted to Council Traffic and Transport Section for any works within the public road reserve.**

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

- 23c. The design of street lighting at 'V5' Category in accordance with Council's and Endeavour Energy specifications along all the roads fronting the development site should be submitted to Council Traffic and Transport Section for review, if required.**

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

- 24. A signage and linemarking plan along the roads fronting the subject site should be submitted to Council Traffic and Transport Section for approval.**

*Amended per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

## **PLANS**

### **Amendments**

- 24a. The Landscaped area identified as 'Planting Precinct 3' in the approved Landscape Plans (along the Beech Road frontage) is to be embellished by an upgrade to the specification of the landscaping as follows;**

- i. The pot size of all shrub planting is to be increased from 150/200mm to 300mm.*
- ii. All native trees are to be upsized from 75L to 100L.*
- iii. Groundcover and grass planting is to be 150mm pot size with minimum plant densities of 6 per metre squared for groundcover plants and 5 per metre squared for grass plantings.*

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

- 25. Engineering plans will be required defining all physical works necessary on the site and adjacent to it. These plans are to be certified by Council or an accredited certifier and must satisfy the following requirements:**

- i. Council's current Design and Construction specification for subdivisions, and supplementary code,
  - ii. All proposed road and drainage works must adequately match existing infrastructure
  - ii. Council's Trunk Drainage Scheme(s),
  - iii. Council's Development Control Plans.
26. The certifying authority must advise the Council, in writing of the name and contractor licence number of the licensee who has contracted to do or 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, the consent authority is to be immediately informed.

#### **STORMWATER DISCHARGE – BASEMENT CAR PARKS**

**26a. *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.***

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

#### **STORMWATER DISCHARGE – WATER QUALITY**

**26b. *On-site water quality treatment facilities shall be incorporated as indicated in the Stormwater management report by Sparks and Partners Consulting Engineers Pty Ltd (Ref: Integrated Water Cycle Management Report, Electrolux Crossroads, Lot 204 Beech Road (Stage Two), Casula NSW 2170, Revision: 2, dated: 07 March 2017).***

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

#### **MECHANICAL PLANT**

**26c. *Mechanical plant shall be selected in consultation with a suitably qualified and experienced consultant to ensure compliance with the internal noise levels detailed within Acoustic Report 'Warehouse 1 – Precinct A (lot 204) – Crossroads, Casula – Development Application acoustic review' (Ref: 60480578-LTNV-03\_B 4012R001.PG.170117) prepared by AECOM dated 10 March 2017.***

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

#### **VEGETATION MANAGEMENT PLAN**

27. A Vegetation Management Plan is to be prepared for the existing vegetation located along the eastern boundary of the site to Campbelltown Road. The plan is to be submitted to Council for approval.

#### **DESIGN OF THE DEVELOPMENT**

28. Any Construction Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site

layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.

29. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works i.e., a separate Engineering Construction Certificate (for any on-site detention, interallotment drainage, public road works, etc) and a separate Building Construction Certificate (for all works relating to the erection and fit-out of a structure).
30. All roads are to be designed to be graded in such a manner as to provide continuous surface drainage flow paths to appropriate points of discharge. In this context, these are to be into their roads or swales, as appropriate, connecting into the major trunk drainage system.
31. Erosion and sediment control measures shall be designed in accordance with the requirements of Liverpool Development Control Plan 2008 (DCP) and Council specifications, and to the satisfaction of the Principal Certifying Authority (PCA). Approved measures shall be implemented prior to commencement and maintained during construction and until all disturbed areas have been revegetated and established to the satisfaction of the PCA.
32. Detailed engineering plans and specifications relating to the work shall be endorsed with a CC, in accordance with Section 81A of the Environmental Planning and Assessment Act 1979 (EP&A Act), and a copy submitted to Council, with payment of any relevant fees.
33. 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.
34. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works i.e., a separate Civil Engineering CC and a separate Building CC.
35. Retaining walls shall be designed in such a way to ensure that upstream overland flows are not obstructed.

## **DISABLED ACCESS**

The following condition has been imposed to ensure adequate provision is made for disabled access associated with the development;

36. Access, parking and facilities for disabled persons to be provided in accordance with the provisions of the Building Code of Australia 1996.

## **PROVISION OF SERVICES**

The following documentary evidence is to be obtained prior to the issue of any Construction Certificate, whether by Council or an accredited certifier;

37. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. Application must be made through an authorised Water Servicing Coordinator, for details see Customer Service, for details see Customer Service, Urban Development at [www.sydneywater.com.au](http://www.sydneywater.com.au) or telephone 13 20 92.



Following application a "Notice of Requirements" will be forwarded detailing 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.

The Section 73 Certification must be submitted to the PCA prior to release of the linen plan / occupation of the development.

38. A 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 is to be submitted to the PCA prior to the issue of a CC.

## **ELECTRICITY INFRASTRUCTURE & SAFETY**

39. The development and all associated construction work is to comply with the requirements of Endeavour Energy / Transgrid regarding safety clearances from electricity assets and infrastructure of the two authorities.

## **DRAINAGE**

40. If access to a neighbouring property is required; an agreement in writing from the adjoining owners stating that approval is given for the disposal of any downstream drainage and the battering of any cut or filled areas onto their property shall be submitted to Council where such drainage disposal or battering is required.
41. Stormwater is to be collected within the site and conveyed in a pipeline to the appropriate point of discharge as directed by Council and as detailed on the plans approved as part of this development application.
42. A stormwater drainage plan, including hydraulic calculations based on a 1 in 10 year storm (ARI), is required. The plan must show how the stormwater generated by this site and other interallotment overland flow water entering onto this site, is to be collected within the site and conveyed in a suitable pipeline to the most appropriate point of discharge as advised by Council.

This plan shall also show existing and proposed surface contours within the site and along its boundaries with immediately adjacent properties, and shall define overland flow paths for storms that exceed the capacity of the underground pipe system.

43. Alterations to the natural surface contours or absorption characteristics must not impede, increase or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
44. Devices are to be installed on all main stormwater discharge lines, for the purpose of emergency containment of pollutants e.g. fire water, chemicals and oils.

## **EROSION & SEDIMENT CONTROL**

45. Erosion and sediment control measures shall be designed in accordance with the requirements of the Department of Housing 1998 manual "Managing Urban Stormwater – Soils & Construction" and Council specifications, and to the satisfaction of the Principal Certifying Authority. Approved measures shall be implemented prior to commencement and maintained during construction and until all disturbed areas have been revegetated and established to the satisfaction of the Principal Certifying Authority.

## **SALINITY**

46. 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.
47. Any site drainage or landscaping works are not to result in the significant mobilisation of soil salts on or off the site.

## **TRAFFIC & PARKING**

48. The car parking area must have parking designed in accordance with Australian Standard 2890.1.2004 Parking Facilities – Off Street Car Parking.
49. All vehicles entering and exiting at the property boundary must be driven in the forward direction.
50. Appropriate level of lighting must be provided at all the vehicular entry and exit locations.
51. Goods and/or waste or extraneous material must not be stored in the vehicular manoeuvrings and parking areas. Those areas must be kept clear at all times for the free movement of vehicles.
52. The loading and/or unloading of all goods and materials used in conjunction with the development must take place only on the land.
53. All vehicular crossings as shown on the stamped approved plans must be constructed:
  - for the full width of the footpath; and
  - by Council's authorised contractors at the developer's expense.
54. Any existing vehicular crossings rendered unnecessary by this development must be removed and restored at the developer's expense.
55. Any structure adjacent to the driveway exit eg letterbox shall not be greater than 1.2 m in height, to allow sight distance for motorists exiting the property.
56. The applicant must obtain a Section 138 Consent from Council prior to undertaking any works within the road reserve in accordance with the Roads and Maritime Services' Publication 'Traffic Control at Work Sites'.
57. All works within the road reserve are to be at the applicants cost and all signage is to be in accordance with the Roads and Maritime Services' Traffic Control at Worksites Manual and the Roads and Traffic Authority's Interim Guide to Signs and Markings.
58. Any advertising signs, or structures, will conform to the Roads and Maritime Services' Policy on advertisements in "Signs and Markings" Manual Section 3.6 and Council's relevant DCP.
59. If a Works Zone is required application must be made to Councils 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 application to have these moved will need to be made.

60. Application must be made to Councils Transport Planning Section for any Road Closures. The application is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closure and any other relevant information.
61. 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 hour prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
62. The entry driveway is to be widened to allow safe vehicle entry as stated in the traffic report that accompanied the development application.
63. The layout of the proposed car parking areas associated with the subject development, including driveways, aisle widths, grades, parking bay dimensions, and sight distance requirements are to be in accordance with AS 2890.1-2004 and AS 2890.2 -2002.
64. All works / regulatory signposting associated with the proposed development are to be at no cost to the RMS.
65. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.

#### **FIRE SAFETY MEASURES**

The following conditions have been imposed to ensure that adequate fire safety measures are provided.

66. 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 construction certificate and submitted to Council, in compliance with the provisions of the Environmental Planning and Assessment Regulations 2000 (EPAR).

#### **DILAPIDATION**

67. A detailed dilapidation report must be submitted to Council prior to the Issue of a Construction Certificate showing all aspects of the adjoining infrastructure including concrete paths, kerbs, fences etc.

### **D. PRIOR TO ANY WORK COMMENCING ON THE SITE**

**The following conditions are to be complied with prior to any work commencing on the site.**

#### **CONSTRUCTION CERTIFICATES**

68. 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.
69. 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.

70. 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.

## **NOTIFICATION**

71. The applicant shall advise Council of the name, address and contact number of the Principal Certifier, in accordance with Section 81A (4) of the EP&A Act.
72. The Principal Certifier shall advise Council, of the date it is intended to commence the work that is the subject of the “complying development” certificate by completing a “Notice of Commencement of Building or Subdivision Work” form available from Council’s front counter. A minimum period of two (2) working days, notification shall be given.
73. The certifying authority must advise Council, in writing of the name and contractor licence number of the licensee who has contracted to do or intends to do the work.

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

## **PERMIT TO CARRY OUT WORKS**

74. A separate application for a permit to carry out works must be issued by Council to carry out works in Council’s road reserve, pursuant to Section 138 of the Roads Act 1993.

## **TRAFFIC CONTROL PLAN**

- 74a. Prior to commencement of any 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 Maritime Services publication “Traffic Control at Worksites” and certified by an appropriately accredited Roads and Maritime Services Traffic Controller, and submitted to Council and the PCA for approval.**

***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.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.***

## **EROSION & SEDIMENT CONTROL**

75. Before commencement of any works requiring the removal of any ground cover, suitable soil erosion protection measures must be implemented in accordance with Council design and construction specifications and in accordance with the Managing Urban Stormwater Soils and Construction, also known as the Blue Book produced by the NSW Department of Housing guidelines produced. Such measures may include but need not be limited to sediment traps or ponds, diversion banks and silt fencing. All exposed areas of soil must be turfed or seeded

and mulched immediately following completion of earthworks.

## **SITE FACILITIES**

76. Access to the site is to be provided only via the all-weather driveway on the property and is not to be provided from any other site, in accordance with Council's sedimentation and erosion policy.
77. Adequate refuse disposal methods and builders storage facilities are to 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.
78. 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.

## **SITE NOTICE BOARD**

79. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign must state:
  - (a) Unauthorised entry to the premises is prohibited, and
  - (b) The name of the builder or other person in control of the premises and a telephone number at which the builder or other person may be contacted outside working hours.

## **NOTIFICATION OF SERVICE PROVIDERS**

80. Construction Certificate plans as submitted to Council are to be approved by Sydney Water, to verify that the development meets its requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

## **E. DURING CONSTRUCTION WORKS**

**The following conditions are to be complied with whilst works occurring on the site;**

### **LANDFILL**

81. Where site filling is necessary, it must be carried out in accordance with Council's Construction Specification AS3798 Guidelines for Earthworks for Commercial and Residential Development and approved drawings by the accredited certifiers. A minimum of 95% standard compaction must be achieved and certified by a suitably qualified geotechnical engineering consultant. Testing is to be in accordance with Council specifications for "Construction of Subdivisional Roads and Drainage Works".
82. All land where filling in excess of 300mm depth has taken place is to be tested and certified in accordance with Council's Policy for filling by a reputable soil testing authority acceptable to Council.

83. Land fill materials must satisfy the following requirements:

- be Virgin Natural Excavated Material (VENM)
- be free of slag, hazardous, contaminated, putrescible, toxic or radio-active matter
- be free of industrial waste and building debris

## **HOURS OF OPERATION**

84. Construction / civil works are only permitted on the site between the hours of 7am to 6pm Monday to Friday and, 8am to 3pm on Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.
85. Deliveries during construction shall occur only between the hours of 7am and 7pm, Monday to Friday and, between 7am and 7pm on Saturday, and shall not occur at any time on Sundays or Public Holidays.
86. 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.
87. 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.
88. 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.

## **DEMOLITION**

89. Prior to any demolition of any existing building(s) on the land must be investigated for the presence of asbestos. All asbestos must be removed and disposed of in accordance with all regulatory requirements, including those of WorkCover NSW and the Environment Protection Authority.

## **BUILDING WORK**

90. 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

## **TRAFFIC MANAGEMENT**

- 90a. All works within the road reserve are to be at the applicant's cost and all signage is to be in accordance with the RMS Traffic Control at Worksites Manual and the RMS Delineation Guideline.**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

- 90b. If a works zone is required, an application must be made to Council's Traffic and Transport 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.**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

- 90c. Notice must be given to Council's Traffic and Transport 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 to prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

- 90d. Applications must be made to Council's Traffic and Transport 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.**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

- 90e. All redundant vehicular crossings shall be removed and replaced with Council's standard kerb and gutter at no cost to Council. The removal and replacement of a driveway with standard integral kerb and gutter shall be the subject of a driveway application to Council and works supervised by that driveway inspection process.**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

## **SITE CONTAMINATION**

- 91. All dumped rubbish and fibre cement on the site is to be removed from the site as the first stage of site clearance and preparation works. This is to be conducted by an appropriately licensed asbestos contractor, and the ground surface is to be cleared by an Occupational Hygienist prior to commencement of earthworks. All disposal of wastes must be conducted in accordance with the Protection of the Environment Operations Act 1997.**
- 92. 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; or
- (b) a chemical analysis of the fill where the site history or a preliminary contamination assessment indicates potential contamination or contamination of fill material.

93. 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.

#### **AIR QUALITY AND EROSION CONTROL**

- 94. Dust screens are to be erected around the perimeter of the subject land during land clearing, excavation and construction and until such time as the soil is stabilised.
- 95. 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 Council may direct that such work is not to proceed.

#### **WATER QUALITY**

- 96. 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 shall have measures in place in accordance with the approved Soil and Water Management Plan.
- 97. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of landscaping.

#### **SITE MAINTENANCE/RESPONSIBILITIES & POLLUTION CONTROL DURING SITE WORKS**

- 98. Wastewater from the washing of concrete forms or trucks is not to enter the stormwater drainage system.
- 99. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
- 100. The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- 101. 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



adjoining property.

102. All demolition work to be carried out in accordance with the requirements of Australian Standard 2601-1991.
103. Dangerous or hazardous material must be removed and disposed of by qualified persons.

## **VEGETATION**

104. All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.
105. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
106. Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching.
107. Mulch generated from exotic trees or other weed species cleared shall not be used on site. It shall be removed from the site and disposed of appropriately and in accordance with legislative requirements.
108. Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.

## **POLLUTION CONTROL**

109. Wastewater from the washing of concrete forms or trucks shall not enter the stormwater drainage system.
110. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
111. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days.
112. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.
113. Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways it shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner that will prevent its mobilisation.

## **GENERAL SITE WORKS**

114. The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
115. The property must be secured outside the operating hours to prevent unauthorised tipping.

116. 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 adjoining property.
117. Alterations to the natural surface contours or surface absorption characteristics must not impede, increase or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
118. The following compliance certificates will be required to be submitted. The list is indicative only. Other compliance certificates may be required for "one off" components not covered by this list. All compliance certificates are to be submitted by the accredited certifier for the development.
- (a) Pipe work:
    - Trench Excavation (Line, Grade, Location)
    - Bedding (Type, compaction)
    - Pipe work (before backfill)
    - Backfill (compaction)
  - (b) Stormwater Pits:
    - Pit Base
    - Walls
    - Lintel sizes
  - (c) Final inspection
119. The site surface levels are to be designed so that site surface stormwater is deflected away from buildings and neighbours boundary fences and does not cause nuisance or flooding of those areas for storm events less than a 1% AEP.

## **F. PRIOR TO OCCUPATION OF THE BUILDING/PREMISES**

**The following conditions are to be complied with prior to the occupation of the building;**

### **GENERAL**

120. The premises must not be occupied until an occupation certificate is issued by the PCA. Copies of all documents relied upon for the issue at the occupation certificate must be attached to the Occupation Certificate (OC) and registered with Council. These documents shall include surveyor reports and compliance certificate.
121. A final fire or interim safety certificate is to be attached to any OC, except in the case of a Class 1a or Class 10 building(s). This must include all the "essential fire services" installed in the building.
122. Prior to the issue of any OC, a "Work As Executed Plan", prepared by a registered surveyor, must be submitted to and approved by Council clearly showing all aspects of the constructed drainage system. The plan must include:
- Location and surface levels of all pits.
  - Invert levels of the internal drainage line

- Finished floor levels of all structures and car park areas
- The work-as-executed plan information should be shown on a copy of the approved civil works drawings.

123. Prior to the issue of a OC, all stormwater drainage pipes within the proposed road reserve must be inspected using CCTV camera by an experienced operator. Inspections are to be in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Viewing and assessing of the video footage is to be undertaken by the Consulting Engineer and a certified report including the video footage is to be prepared and submitted to Council. Any defects found in the lines will need to be rectified to satisfaction of Council.

**123a. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall Ensure that the basement carpark pump-out system;**

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

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

**123b. Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the 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.**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

**123c. 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.**

**Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.**

124. Two (2) copies, both marked in red of a "Work as Executed" drawing must be submitted to and approved by Council indentifying all features of the physical work as set out in Council's specification.

125. Appropriate level of street lighting at all the vehicular entry and exit locations must be implemented.

126. All required traffic facilities are to be implemented:

127. ***All roadworks, signposting and street lighting are to be completed to Liverpool Council requirements, at no expense to Liverpool Council or Roads and Maritime Services.***

***Amended per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.***

128. Suitable concrete vehicular footpath crossings must be provided at the entrance to and exit from the property. These crossings must be constructed in accordance with Council's standard requirements for heavy-duty industrial vehicular footpath crossing crossings. The section of the vehicular crossing that traverses the road reserve shall be constructed of plain concrete, i.e., no stencil, pattern, coloured concrete etc.
129. Access driveway and adequate turning paths for articulated heavy vehicles must be provided in accordance with Australian Standard AS2890.2-2002 Parking Facilities - Off Street Commercial Vehicle Facilities.
130. The applicant shall arrange for the construction of a 1.2 metre wide by 75mm deep concrete footpath paving together with associated turfing adjustments along the full frontage of the site in Council's road pedestrian way. The construction shall only be carried out to plans and specifications approved by Council and via Roads Act Permit to Carry Out Works. This footpath construction shall be completed (or bonded by agreement with Council) prior to the Issue of the OC by the PCA for building works.
- 130a. ***Council's on-street assets such as footpath should be protected at all times. Any Damages should be rectified to Council satisfaction.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.***

131. A maintenance bond in the form of a bank guarantee or cash bond (Amount to be advised) shall be lodged with Council. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. Council will hold the bond for a minimum period of 6 months from the date of Council's acceptance of final works.

## **FIRE SAFETY**

132. A final fire or interim safety certificate is to be attached to any OC, except in the case of a Class 1a or Class 10 building(s). This must include all the "essential fire services" installed in the building.
133. Annual Fire Safety Statement - The owner of the building must issue an annual fire safety statement in respect of each essential fire safety measure in the building premises and cause a copy of that certificate to be given to Council within 14 days of its receipt by the owner.

The annual fire safety statement must be to the effect that:

- (a) in respect of each essential fire safety measure, such measure has been assessed by a properly qualified person and was found, when it was assessed, to be capable of performing:

- (i) in the case of an essential fire safety measure applicable by virtue of a fire safety schedule, to a standard no less than that specified in the schedule, or
  - (ii) in the case of an essential fire safety measure applicable otherwise than by virtue of a fire safety schedule, to a standard no less than that to which the measure was originally designed and implemented, and
- (b) the building has been inspected by a properly qualified person and was found when it was inspected to be in a condition that did not disclose any grounds for a prosecution under Part 2, Division 7 of the EPAR.

The owner of the building must also cause a copy of the statement (together with a copy of the current fire safety schedule) to be given to the Fire Commissioner and as well cause a further copy of the statement (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

## **IMPLEMENTATION OF TRAFFIC MANAGEMENT PLAN**

134. Prior to the issue of an Occupation Certificate, the Traffic Management plan shall be approved by the Liverpool Local Traffic Committee and all recommendations implemented to the satisfaction of Council.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

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

### **TRAFFIC AND ROAD MAINTENANCE**

135. Council's on-street assets should be protected at all times. Any damages should be rectified to Council satisfaction.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

136. All vehicles must enter in a forward direction and exit in a forward direction.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

137. Traffic signs and pavement markings should be maintained or re-marked when their condition and functional performance have fallen below the satisfactory level in accordance with Australian Standard AS1742 Manual of uniform control traffic devices set.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

### **USE OF PREMISES**

138. The operation of the business shall be conducted so as to avoid unreasonable noise and cause no interference to adjoining or nearby residences.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

139. The use of the premises shall not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act, 1997.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

140. The industry, 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.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

141. The use of the premises shall operate in accordance with the Protection of the Environment Operations Act (POEO) 1997. All activities and operations carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the Protection of the Environment Operations Act 1997.

**Added per application DA-594/2013/A received on 5 August 2016 and approved on 23 September 2016.**

#### **LOT 204 Warehouse 1 Ongoing Conditions of Consent**

- 141a. The garbage storage room identified on the approved plans shall be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hose shall be provided within the room. Garbage rooms shall be vented to the external air by natural or artificial means. The garbage storage room will provide for a designated space for dry recycling facilities.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.***

- 141b. Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.***

- 141c. Noise**

- i) *The operation of the business shall be conducted so as to avoid unreasonable noise and cause no interference to adjoining or nearby residences;*
- ii) *The use of the premises shall not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act, 1997;*
- iii) *Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants;*
- iv) *Appropriate signage shall be located outside the building to encourage patrons to minimise noise when leaving the premises;*
- v) *The use of the premises is not to interfere with the amenity of the residential area;*
- vi) *Trucks with broadband (white noise) reverse buzzers be used as far as possible;*
- vii) *Broadband reverse buzzers be fitted in order to limit noise emission from the site and in turn reduce the risk of annoying residences with a tonal character during any period of the day;*
- viii) *If any complaints are lodged by neighbouring residents, Council may issue a Noise Notice, which may require you to engage the services of a competent acoustic consultant to carry out further noise level tests on the air conditioning unit and then design an appropriate enclosure and/or relocate the unit to suit your purpose.*
- ix) *The industry, 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.*

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

- 141d. *The use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health.*

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

- 141e. *The Warehouse 1 use must be operated in accordance with the recommendations of the approved Acoustic Assessment.*

*Added per application DA-594/2013/B received on 3 April 2017 and approved on XXXXXXXX.*

#### **Car Parking/Loading**

- 141f. *A total of 176 off-street car parking spaces including two (2) of disable spaces are to be retained. All the signage and linemarking are to be maintained to Council’s satisfaction.*

***Added per application DA-594/2013/B received on 3 April 2017 and approved on  
XXXXXXX.***

***141g. All parking areas shown on the approved plans must be used solely for the intended Purpose.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on  
XXXXXXX.***

***141h. All loading and unloading must take place from the designated loading dock. Goods and/or waste or extraneous material must not be stored in the vehicular manoeuvrings and parking areas. Those areas must be kept clear at all times for the free movement of vehicles.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on  
XXXXXXX.***

***141i. The operator of the development must not permit the reversing of vehicles onto or away from 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.***

***Added per application DA-594/2013/B received on 3 April 2017 and approved on  
XXXXXXX.***

## **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 6 months after the date on which the application is taken to have been determined.
- 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 two (2) 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) Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

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

- j) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- k) 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.
- l) 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.
- m) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant. 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.



**Ivan Kokotovic**  
**Senior Development Planner**  
**Development Assessment**

## ATTACHMENT 2: GENERAL TERMS OF AGREEMENT – ROADS AND MARITIME SERVICES



Transport  
Roads & Maritime  
Services

16 May 2017

Our Reference: SYD13/00710/04 (A17501672)  
Council Ref: DA-594/2013/B

The General Manager  
Liverpool City Council  
Locked Bag 7064  
LIVERPOOL BC NSW 1871

Attention: **Ivan Kokotovic**

Dear Sir/Madam,

### **SECTION 96 MODIFICATION APPLICATION TO INDUSTRIAL DEVELOPMENT - PRECINCT A, BEECH ROAD, CASULA**

Reference is made to Council's letter dated 20 April 2017, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with *State Environmental Planning Policy (Infrastructure) 2007*.

Roads and Maritime has reviewed the modification application and raises no objection to the application, provided the following are included in any consent issued by Council:

1. Roads and Maritime has previously resumed and dedicated a strip of land as road along the frontage of the subject property, as shown by grey colour on the attached Aerial – "X".  
  
Lot 21 is also subject to existing easements for stormwater drainage as shown by brown colour on the attached Aerial – "X".
2. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage.
3. The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.
4. 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 prior to the issue of a Construction Certificate.

#### **Roads and Maritime Services**

27-31 Argyle Street, Parramatta NSW 2150 |  
PO Box 973 Parramatta NSW 2150 |

[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) | 131 782

5. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Campbelltown Road.
6. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Campbelltown Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>
7. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

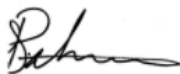
Details should be forwarded to [Suppiah.thillai@rms.nsw.gov.au](mailto:Suppiah.thillai@rms.nsw.gov.au)

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114.

8. Any temporary and/or permanent relocation of utility services adjacent to the Roads and Maritime road corridor requires prior consultation with Roads and Maritime.
9. The proponent is required to liaise with Roads and Maritime (contact Nanthini Easwaran, Project Manager Campbelltown Road on 02 9352 9545) in relation to finished road design levels, drainage and landscaping works adjacent to Campbelltown Road.
10. The proponent is advised that the subject property is within a broad area under investigation for the proposed Cambridge Avenue Upgrade. The concept proposal provides a potential link between the Hume Highway and Cambridge Avenue. This proposal is subject to future investigations which will include appropriate community consultation. The proponent can contact Shubhangi Rampure for further information on 02 8849 2330 or [Shubhangi.RAMPURE@rms.nsw.gov.au](mailto:Shubhangi.RAMPURE@rms.nsw.gov.au).

Any inquiries in relation to this Application can be directed to Malgy Coman on 8849 2413 or [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au).

Yours sincerely



Pahee Rathan  
**A/Senior Land Use Assessment Coordinator**  
**Network Sydney – West Precinct**



