

RECOMMENDED CONDITIONS OF CONSENT 2017SSW033

A. THE DEVELOPMENT

Approved Plans

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

Plan Name	Plan Number	Date	Prepared By
Architectural Plans	DA-1101-DA8800	06.08.18	Group GSA
Proposed Covered Access to Loading Dock	A-1112	01.06.18	Group GSA
Tree Removal Plan	L-1001	18/10/2017	Group GSA
Landcape Plan	L-2001	06/08/2018	Group GSA

Report Name	Date	Reference	Prepared By
RSA Report	24 July 2018	18142.02FA	McLaren Traffic
Revised RSA Report	19 September 2018	18142.02FA	McLaren Traffic
Traffic Advice	3 August 2018	TR/10911/jj	Colston Budd rogers & Kafes Pty Ltd
Further Traffic Advice	20 September 2018	TR/10911/jj	Colston Budd rogers & Kafes Pty Ltd
Response to RSA	7 June 2018	TR/10911/jj	Colston Budd rogers & Kafes Pty Ltd
Arborist Impact Assessment	23 May 2018		McArdle Arboricultural Consultancy
Transport and Traffic Planning Associates	24 February 2018	16219	TTPA
Contamination Assessment	March 2017	85600.00	Douglas Partners
BCA Report	23 March 2017	D2016-079	Technical Inner Sight
Acoustic Report	9/03/2017	Revision E	JHA
Waste Water Statement	7 March 2017	7863/CO	Donnelley Simpson Cleary
Operational Waste Management Plan	27 March 2017	Version 1.0	UFD
Waste Management Plan	N/A	N/A	N/A
Asbestos Delineation Report	6 June 2017	85600.00.R.003	Douglas Partners

RMS Conditions

2. All conditions provided by the Roads and Maritime Services in their correspondence dated 6 June 2017 (attached) must be adhered to prior, during, and at the completion of construction.

NSW Police Conditions

3. All conditions provided by the NSW Police Force (attached) must be adhered to prior, during, and at the completion of construction.

Works at no cost to Council

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

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

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

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

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

Fee Payments

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

The following fees are applicable and payable:

- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
- (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.
- (c) *Long Service Levy* payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 109F of the *Environmental Planning & Assessment Act 1979*.

These fees are reviewed annually and will be calculated accordingly.

Road Opening Permit Fee

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

BCA Compliance

8. Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 4 of the EP&A Act means any physical activity involved in the erection of a building and includes but is not limited to, the placement of any site shed/s or builders facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines.
9. For all buildings of Type A and B construction having finishes or claddings other than concrete or masonry, a fire safety report prepared by an accredited C10 fire engineer, must be submitted to the PCA prior to issue of a construction certificate, demonstrating that the proposed external wall cladding material and system for the building complies with the NCC and relevant Australian Standards. The fire safety report is to include evidence of suitability of all proposed external wall cladding materials as per clause A2.2 of the NCC.
10. In accordance with section 4.17 (11) of the *Environmental Planning & Assessment Act 1979* and clause 8.8, 8.10 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:
 - (a) Complying with the Deemed to Satisfy Provisions; or
 - (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

Fire Safety Measures

11. A schedule specifying all of the essential fire safety services, 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.

Accessibility

12. 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

Notification

13. 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.

S138 Roads Act – Minor Works in the public road

14. 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.

Retaining Walls on Boundary

15. 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.
16. 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.

17. 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 Stormwater Drainage, Kerb and Gutter concrete footpath paving in Marsh Parade, Hume Highway, Lang Road.

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

18. On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by prepared by Bonacci Group P/L , reference 2021873 C001, C020, C035, C036, to , revision P1 , dated 14.03.2017

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.

No loading on easements

19. 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

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

The Construction Certificate must be supported by:

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

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

Access, Car Parking and Manoeuvring – General

21. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6, and all cars can enter and exit the site in a forward direction

Calculations of OSD

22. Prior to the issue of any Construction Certificate, additional details and calculations for the proposed OSD and Stormwater systems must be submitted to and approved by Council.

Details must include but are not limited to cross sectional views and plan views of the OSD tanks and associated pits. Plans should also demonstrate how the majority of the site is being directed into the OSD system. Indicate how only clean roof water will be directed to the Rain water tanks proposed.

Pipe Connection to Marsh Parade

23. The proposed pipe connection in Marsh parade must be constructed under the kerb and gutter and the kerb must be removed and replaced as part of the works. These works are subject to a separate application for a 138 permit.

Construction Traffic Management Plan

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

Street Lighting

25. The applicant is to review adequacy of the existing street lighting along the street frontages of the property and, if required, provide street lighting upgrade to P4 along the section of Marsh Parade, close to the development site, to Council's specifications.

Provision of Services

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

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

27. 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.
28. Prior to the issue of a Construction Certificate, the PCA 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.

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

Recommendations of Acoustic Report

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

Mechanical Plant and Equipment

31. 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 'Acoustic Report for Development Application prepared by JHA Services (report no: 160455-RevE) dated 9 March 2017.

Clearance Certificate

32. Following completion of asbestos removal works undertaken by a licensed asbestos removalist occupation must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate confirming the premises is suitable for occupation.

Landscaping

33. Details relating to individual species placement and quantities, consistent with the Council approved Concept Landscape Plan, are to be approved by Council prior to the release of the Construction Certificate.

Traffic

34. A Construction 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, which is 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.
35. A Construction 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 Construction traffic management plan has been approved.

Access and Car Parking Design

36. Detailed design plan of the access driveway, ramp, and car park design, including swept path analysis in accordance with Council's DCP and AS2890 to be submitted to Traffic and Transport Section for review prior to the issue of any Construction Certificate. This is to include all the design amendments recommended in the updated RSA as follows:
1. Modify the driveway splay on the western side of the Marsh Parade as per the road safety audit advice to accommodate a 6.4m SRV turning left out of the site;
 2. A sign to be provided on the departure side of the driveway indicating no left turn for vehicles longer than 6.4m (as shown on the submitted plans). It is noted that as part of an Operational Traffic Management Plan (OTMP) for the site, the occasional truck longer than 6.4m that accesses the site, will be advised that on departure it must turn right onto Marsh Parade (see attached truck paths);
 3. Provide centre line marking on the driveway to provide guidance for cars (excluding trucks) to enter and depart at the same time;
 4. Remove the pedestrian access to Marsh Parade and provide pedestrian access from Hume Highway as indicated in the plan.

Waste Management

37. Collection of waste and recycling must be provided and integrated with the design of the development. The development must comply with the approved Waste Management Plan, as stipulated in Condition 1.

C. PRIOR TO WORKS COMMENCING

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

Building Compliance

38. Where this consent requires both civil 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.
39. Prior to the commencement of any building works, the following requirements must be complied with:
- a) Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.
 - b) Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the Act.
 - c) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.

- d) A Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate; and
- e) 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.

Sediment & Erosion Control

- 40. 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

- 41. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Marsh Parade, Hume Hwy, Lang Road is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 10m either side of the development.

Traffic Control Plan

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

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

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

Site Notice Board

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

Facilities

44. 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*.
45. 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.

Construction Requirements

46. Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements.
47. The applicant/ builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

Waste Classification

48. 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).

Notification of Service Providers

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

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

D. DURING CONSTRUCTION

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

Building Compliance

50. The building works must be inspected by the *Principal Certifying Authority*, in accordance with sections 109E (3) of the *Environmental Planning & Assessment Act 1979* and clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

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

Identification Survey Report

51. 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 received evidence from 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 five (5) working days.

52. 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.

Excavation Works

53. In the event the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the following is to be undertaken at full cost to the developer:
- (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.
 - (c) Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer.

Security Fence

54. 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.

Waste Management Plan

55. 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.

Construction Noise

56. 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.
57. 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.

Hours of Construction Work and Deliveries

58. 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, 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Drainage Connection

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

Termite Protection

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

- (a) The method of protection;

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

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

Car Parking Areas

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

All car parking areas to be appropriately line marked and sign posted in accordance with the approved plans. All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.

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

Traffic Management

62. 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.
63. 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.
64. 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 to prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
65. 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.

Contamination

66. 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).

67. 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.
68. 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.

Site Remediation Works

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

Air Quality

70. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
71. 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.
72. 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.

General Site Works

73. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
74. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

75. 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.
76. 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.
77. 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.
78. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
79. If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public area or road reserve area a construction hoarding must be erected to prevent any substance from, or in connection with the construction site, falling onto a public area as follows:

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

80. 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.

Ventilation

81. The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2)
82. The design, construction, installation and commissioning of the mechanical ventilation systems(s) serving the premises shall be carried out in accordance with Australian Standard 1668 Parts 1 & 2.
83. The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person, and shall be positioned to comply with Section 3.7 of Australian Standard 1668 Part 2 – 1991.

Pollution Control

84. 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.
85. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

86. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
87. Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site.
88. Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels.
89. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.
90. 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.

Earthworks / Filling

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

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

External

92. Externally mounted switchboards for utilities shall not be attached to the street and/or road elevations of the development.
93. 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.
94. The windows of all bathrooms, W.C. and en-suites shall be fitted with translucent/ obscure glazing, and all stair-well windows shall be fixed and are to be provided with obscured/frosted glazing, to the satisfaction of the PCA.

Display of Street Numbers

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

Major Filling/ Earthworks

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

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

Vegetation and Landscaping

97. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
98. 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.
99. 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.
100. Premium quality organic garden soil shall be incorporated into all planting areas in sufficient quantity to achieve optimum plant growing conditions.
101. All garden/planting areas shall be mulched to a depth of not less than 75mm using weed free leaf mulch, wood chip or similar, not pine bark.

Crime Prevention Through Environmental Design

102. The following Crime Prevention Through Environmental Design principles are to be incorporated into the building.
 - (a) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be implemented;
 - (b) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells; and
 - (c) 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.

Skin Penetration

103. The construction, fitout and finishes of the premises shall comply with the requirements of Attachment 4.

Food Premises

104. The construction, fitout and finishes of the premises shall comply with the AS 4674, Food Act 2003 and Regulations thereunder, and the requirements of Attachment 5.

Fencing

105. All common boundary fencing be constructed at the full cost of the developer and with the full agreement of all residents sharing a common boundary with the development site.

E. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

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

Fire Safety Certificate

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

Cladding

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

Building Compliance

108. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.
109. Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon must be provided to Council with the occupation certificate.

Liverpool City Council clearance – Roads Act/ Local Government Act

110. Prior to the issue of any 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.

Works as executed - General

111. Prior to the issue of any 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

112. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:
- a) On-site detention system/s
 - b) Stormwater pre-treatment system/s
 - c) Overland flow path works

- 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 be 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

113. 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
- b) Stormwater pre-treatment system/s

Shall be lodged for registration 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. Evidence of lodgement is to be provided to Liverpool Council. Once restriction has been registered on title evidence must be provided to Liverpool Council of the registration of the restriction on the title of the property within five (5) working days.

114. Prior to the issue of an Occupation Certificate, Liverpool City Council is to be provided with evidence of lodgment of a restriction as to user on the title of the property limiting the use of the accommodation approved in this consent to the following persons:

- (a) Seniors or people who have a disability,
- (b) People who live within the same household with seniors or people who have a disability, and
- (c) Staff employed to assist in the administration of and provision of services to housing provided under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Once restriction has been registered on title evidence must be provided to Liverpool Council of the registration of the restriction on the title of the property within five (5) working days.

Traffic

115. Any required roadworks and signposting is to be completed to Liverpool Council requirements, at no expense to Liverpool Council or Roads and Maritime Services.

Linemarking & Signage

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

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

Accessibility

117. 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

Landscaping

118. 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.

Dilapidation Report

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

Service Providers

120. The following documentation is to be provided prior to the release of the Occupation Certificate:
- a) Written evidence (Section 73 Certificate) is to be submitted to the PCA prior to the issue of the Occupation Certificate.
 - b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
 - c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:
 - The requirements of the Telecommunications Act 1997;
 - For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
 - For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

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

Garbage Services

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

Recommendations of Acoustic Report

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

Rectification of Damage

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

Any rectification works within Marsh Parade, Hume Hwy, Lang Road will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

Dilapidation Report

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

Bonds

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

Concrete Footpath

126. 1.2 metre wide concrete footpath must be provided for the full frontage of the site to Marsh parade, Hume Hwy and Lang Road.

Redundant Vehicular Crossings

127. All redundant Vehicular crossings must be removed and reconstructed as Kerb to Council specifications.

Consolidation

128. All separate Lots must be consolidated.

Waste

129. All solid and liquid waste is to be removed from the site by a registered waste contractor.
130. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.

131. All solid waste stored on site is to be covered at all times.

Traffic

132. An operation traffic management plan (OTMP) is required to be prepared and provided to Council's traffic and Transport Department for review and approval. The OTMP is to demonstrate how the facility minimises car parking demand during shift changes. The OTMP is to be submitted and approved prior to the issue of Occupation Certificate.

F. GENERAL USE CONDITIONS

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

Landscaping

133. 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.

Mail-boxes

134. The mailboxes must not be accessed by universal keys and must each have their own keys for private access.
135. Vegetation must not cover or obstruct natural surveillance to the mailboxes.

Waste Storage Area

136. The care-taker shall be responsible for the returning of the bins on waste collection days to each dwelling.
137. Sufficient space shall be provided within each dwelling for the storage of a minimum of one day's waste and recycling.

Waste Management

138. All waste products associated with the use of the development are to be placed in containers and stored within the building.
139. Waste bins must be stored in designated garbage/ trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.
140. A separate storage area is to be allocated for the holding of bulk waste prior to collection.
141. The disposal of green waste shall be managed by a private contractor.
142. Any bin bay must be:

- (a) Allocated with sufficient space within the bin bay to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector;
- (b) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
 - i. Only recyclable materials accepted by Council are to be placed within the recycling bins;
 - ii. A phone number for arranging disposal of bulky items;
 - iii. Maximum compaction ratio is 2:1.

Noise

143. The use of the premises including music and other activities, and including mechanical plant and equipment, shall not give rise to any one or more of the following:

- (a) Transmission of vibration to any place of different occupancy greater than specified in AS 2670.
- (b) An indoor sound pressure level in any place of different occupancy (and/ or public place) greater than 3dB(A) above the L90 background level or greater than 5db(A) at the boundary of any affected property in any octave band from 31.5Hz to 8,000 Hz centre frequencies inclusive between the hours of 7.00am to midnight daily and 0dB(A) above the L90 background between 12 midnight and 7.00 a.m. the following morning. However, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing, as specified by the equal loudness contours for octave bands of noise, this subclause does not apply to any such frequencies.
- (c) During the period of 12 midnight to 7.00a.m. the use shall be inaudible in any habitable room of any residential premises.
- (d) The emission of an "offensive noise" as defined under the POEO Act.

The method of measurement of vibration in (a) and sound levels in (b), (c) and (d) shall be carried out in accordance with AS 2973 for vibration measurements, AS 1055 for outdoor sound level measurements, and AS 2107 for indoor sound level measurements.

Car Parking

- 144. A total of thirty-five **(35)** off street car parking spaces must be provided at the site at all times as indicated in the approved plans.
- 145. All parking areas shown on the approved plans must be used solely for this purpose.
- 146. All loading and unloading must take place from the designated loading dock. This area is to be clearly marked/signposted for use by delivery vehicles only.
- 147. All line marking and sign posting is to be maintained in good condition at all times, to the satisfaction of Council.

Graffiti

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

Council's Infrastructure

149. 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.

Twelve Month Traffic Review

150. The developer is to carry out a follow up traffic study 12 months after the opening of the facility to review the operation of the proposed vehicular access arrangement to the development off Marsh Parade and its implication on the operations of Marsh Parade and its intersection with the service road running parallel to Hume Highway. Council will review the report and impose on the development to implement additional traffic management measures, if required.

Delivery hours and vehicles

151. Delivery and service vehicles generated by the development are limited to:

Monday to Friday:	7:00am to 5:00pm
Saturdays:	8:00am to 5:00pm
Sundays and Public Holidays	No deliveries

Staff Numbers

152. The proposed facility is limited to a maximum of 41 staff.

Skin Penetration

153. The use and operation of the premises shall comply with the requirements of Schedule 2 (Part 3, Standards for Beauty Salons) of the Local Government (General) Regulation 2005, under the Local Government Act 1993. Guidance may also be obtained from the NSW Health Department's "Skin Penetration Guidelines" and fact sheets.

Operational Management Plan

154. Prior to the use commencing an Operational Management Plan (OMP) is to be prepared and implemented. At a minimum the OMP is to detail how the facility will manage the following;
- (a) Security measures in place to prevent residents of the facility from accessing the public road unsupervised.

G. ADVISORY

- a) Section 8.2, 8.3, 8.4 & 8.5 allows Council to reconsider your proposal. Should you wish to have the matter reconsidered you should make an application under that section with the appropriate fee.
- b) Under Section 8.7 & 8.10 of the Act applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice. The Court's Office is situated at Level 1, 225 Macquarie Street, Sydney (Telephone 9228 8388), and the appropriate form of appeal is available from the Clerk of your Local Court.
- c) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
- d) To confirm the date upon which this consent becomes effective, refer to Section 4.20 of the *Environmental Planning and Assessment Act, 1979*. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
- e) To confirm the likelihood of consent lapsing, refer to Section 4.53 of the Act. Generally consent lapses if the development is not commenced within five years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- f) In accordance with Section 8.8 and 8.10 of the Environmental Planning and Assessment Act 1979, an objector who is dissatisfied with the determination of a consent authority to grant consent to a development application for designated development (including designated development that is integrated development), may, within 28 days after the date on which the application is taken to have been determined, appeal to the Land and Environment Court.
- g) 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.
- h) 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.
- i) "DIAL BEFORE YOU DIG"

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

j) 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.

- 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) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or 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.
- m) 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.
- n) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

ATTACHMENT 2 – NSW RMS CONDITIONS



Transport
Roads & Maritime
Services

6 June 2017

Roads and Maritime Reference: SYD17/00681/01 (A17781202)
Council Ref: DA-290/2017

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

Attention: **Marcus Jennejohn**

Dear Sir/Madam

CONSTRUCTION OF AGED CARE FACILITY – 11-15 LANG ROAD, CASULA

Reference is made to Council's letter dated 11 May 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 submitted application and notes that all access to the site is via Marsh Parade. Therefore Roads and Maritime raises no objection to the application subject to the following conditions being included in any consent issued by Council:

1. Roads and Maritime has previously dedicated a splay corner for road at the intersection of Hume Highway and Lang Road of the subject property, as shown by grey colour on the attached Aerial – "X".

All buildings and structures, together with any improvements integral to the future use of the site area to be wholly within the freehold property (unlimited in height or depth), along the Hume Highway boundary.

2. The redundant driveways on Hume Highway shall be removed and replaced with kerb and gutter to match the existing.
3. The removal of the redundant driveways and reinstatement of kerb and gutter on Hume Highway shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 8849 2495).

Detailed design plans of the proposed gutter crossing are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

Roads and Maritime Services

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

www.rms.nsw.gov.au | 13 22 13

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

4. 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 submitted to 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.

5. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. Details should be submitted to Suppiah.thillai@rms.nsw.gov.au

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

6. The proposed development should be designed such that road traffic noise from Hume Highway is mitigated by durable materials in order to satisfy the requirements for habitable rooms under Clause 102 (3) of *State Environmental Planning Policy (Infrastructure) 2007*.
7. 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
8. All vehicles are to enter and leave the site in a forward direction.
9. All vehicles are to be wholly contained on site before being required to stop.
10. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Hume Highway during construction activities.
11. 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 Hume Highway.

Roads and Maritime has the following comments for Council's consideration in the determination of the application:

1. 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.

2. 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. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

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

Yours sincerely



Rachel Cumming
Senior Land Use Assessment Coordinator
Network Sydney – West Precinct



ATTACHMENT 3 – NSW POLICE CONDITIONS



NSW Police Force

TO: MARCUS JENNEJOHN

RE: LOT 7 DP 28819, LOT 6 DP 28819, LOT 5 DP 28819, LOT 139 DP 26304, LOT 140 DP 26304, DP 26304 CNR LOT 141, LOT 4 DP 28819, LOT 3 DP 28819, LOT 2 DP 28819, DP 577831 CNR LOT 1, LOT 1 DP 28819.
11 LANG ROAD, CASULA NSW 2170, 13 LANG ROAD, CASULA NSW 2170, 15 LANG ROAD CASULA NSW 2170, 76 MARSH PARADE, CASULA NSW 2170, 78 MARSH PARADE, CASULA NSW 2170, 80 MARSH PARADE, CASULA NSW 2170, 536 HUME HIGHWAY, CASULA NSW 2170, 538 HUME HIGHWAY, CASULA NSW 2170, 540 HUME HIGHWAY, CASULA NSW 2170, 542 HUME HIGHWAY, CASULA NSW 2170.

DESC: CONSTRUCTION AND OPERATION OF A RESIDENTIAL AGED CARE FACILITY DEVELOPMENT PURSUANT TO THE STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH DISABILITY) 2004. LIVERPOOL CITY COUNCIL IS THE CONSENT AUTHORITY AND THE SYDNEY SOUTH WEST PLANNING PANEL HAS THE FUNCTION OF DETERMINING THE APPLICATION.

REF: DA – 290/ 2017

I refer to the above Development Application forwarded to myself for a crime risk assessment. I have no objections to this application. However, I do recommend the following:

- During construction stage:
 - o Construction equipment to be locked and secured when not in use/ after hours
 - o Construction site to be locked and secured by fence with a security guard on patrol after hours to prevent theft of construction equipment/s.
 - Display visible signage at entrances to warn of security guards patrolling the location.
- Installing anti theft type mail boxes or mailboxes that cannot be accessed by universal keys to prevent mail/ identity theft (Australian standards AS/NZS 4253:1994)
- Vegetation to not cover/ obstruct natural surveillance of the entrance, mail box areas and public open space
- Lighting to cover the entrance, main walkways, public open space, car park and mail box areas to deter stealing and personal violence related offences
- Access to the basement car park (if private) to be restricted with access given to authorised people (residents/ staff only) to prevent unauthorised access
 - o Display signage reminding users to remove valuables, lock and secure their vehicles.
- Install smoke alarms to meet with NSW legislation (Australian Standards AS3786)
- Display unit/ building numbers and address at the front of the unit at the recommended size to assist in identifying the building
- CCTV cameras covering the main entrance of the building, mail box areas and underground car parking.
 - o Display signs warning of CCTV cameras being used at the location at the main entrance, open public space, mail box areas and entry to basement car park
 - o Register the CCTV cameras with the NSW Police CCT register at:
http://www.police.nsw.gov.au/services/register_my_business_cctv_details

Liverpool Local Area Command

148 George Street, Liverpool NSW 2170

T 02 9765 9499 F 02 9765 9411 W www.police.nsw.gov.au

TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000)

Emergency only

POLICE ASSISTANCE LINE (131 444)

For non emergencies

CRIME STOPPERS (1800 333 000)

Report crime anonymously



NSW Police Force

- All building installations to comply with Australian standards

The New South Wales Police has a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this evaluation, any person who does so acknowledges that:

1. It is not possible to make areas evaluated by the NSW Police absolutely safe for members of the community or their property
2. It is based upon the information provided to the NSW Police at the time the evaluation was made,
3. The evaluation is a confidential document and is for use by the consent authority or organizations referred to on page 1 only,
4. The contents of this evaluation are not to be copied or circulated otherwise than for the purposes of the consent authority or organization referred to on page 1.

The NSW Police hopes that by using the recommendations contained in this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

Should you have any questions or wish to discuss anything in relation to this email, please do not hesitate to contact me on 9765 9499.

Regards,

Tony Ha
Senior Constable
Crime Prevention Officer
Liverpool Local Area Command
9765 9507

Liverpool Local Area Command

148 George Street, Liverpool NSW 2170

T 02 9765 9499 F 02 9765 9411 W www.police.nsw.gov.au

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TRIPLE ZERO (000)

Emergency only

POLICE ASSISTANCE LINE (131 444)

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ATTACHMENT (4)

Skin Penetration

1. A free standing wash hand basin (as distinct from a sink, hair wash basin or the like, and separate from a basin serving toilet facilities) shall be provided within the work area where hair dressing is being carried out. Wash hand basin's shall be fitted with hot & cold potable water supplied under pressure through an approved mixing device which can be adjusted to enable hands being washed under hot running water at a temperature of at least 40C.
2. A wash basin (as distinct from a free standing wash hand basin, kitchen facilities or the like, and separate from a basin serving toilet facilities) shall be provided within the premises. Wash basins shall be fitted with hot & cold potable water supplied under pressure through an approved mixing device which can be adjusted to enable equipment and utensils to be washed under hot running water at a temperature of at least 40C.
3. The walls and floor of the premises are to be constructed with an approved smooth impervious material capable of being easily cleaned.
4. All shelving, benches, fittings and furniture on which appliances and utensils are to be placed shall be constructed of durable, smooth, impervious material capable of being easily cleaned.
5. The wall at the rear of all wash basins shall be finished with glazed tiles or other smooth and impervious material, and be laid from floor level to a height of 450mm above the top of the basin and from the centre of the basin to a distance of 150mm beyond each side of the basin.
6. The premises must be provided with facilities that are adequate for the purpose of keeping appliances and utensils clean.
7. The premises must be provided with washing, drainage, ventilation and lighting facilities that are adequate for the carrying out of the approved activity.
8. The premises shall be provided with facilities that are adequate for the purpose of storing appliances and utensils in a hygienic manner.
9. Suitable receptacles with close-fitting lids shall be provided and maintained in a clean and serviceable condition for the disposal of soiled towels and trade wastes.
10. All appliances in general use shall be disinfected in accordance with the Skin Penetration Guidelines.
11. A sharps container shall be provided for the storage of used disposable needles in the skin penetration.
12. No other disinfectant other than Hospital grade Disinfectant (as expressed in Regulation 23(f)(1) of the Therapeutic Goods and Cosmetic Regulation) is to be used on the premises.

ATTACHMENT (5)

Food Premises

1. All walls (including partition walls) within the kitchen, food preparation, storage and display areas shall be of solid construction (eg., bricks, cement or other approved material). These walls are to be finished with glazed tiles, stainless steel or other approved material adhered directly to the wall to a height of 2 metres above floor level.
2. Walls within the kitchen, food preparation, storage and display areas which are not of solid construction (eg., stud walls) shall be finished in tiles or other approved material from the floor level to the underside of the ceiling.
3. The floors within the kitchen, food preparation, storage and display areas shall be constructed of a suitable material which is non-slip, durable, resistant to corrosion, non-toxic, non-absorbent and impervious to moisture. The floor is to be graded and drain to an appropriate floor waste fitted with a basket arrestor.
4. If the floor in the food preparation and storage areas is constructed of tiles, the joints between the tiles shall be of a material that is non-absorbent and impervious to moisture.
5. The intersection of walls with floors and exposed plinths in the kitchen, food preparation, storage and display areas are to be coved to a minimum radius of 25mm.
6. All plinths are to be constructed of a material which is of solid construction and impervious to moisture. The plinths shall be:
 - (a) at least 75mm high;
 - (b) finished level to a smooth even surface;
 - (c) recessed under fittings to provide a toe space of not more than 50mm;
 - (d) rounded at exposed edges; and
 - (e) coved at the intersection of the floor and wall to a minimum radius of 25mm.
7. The ceiling is to be constructed of a material that is rigid, smooth faced and impervious to moisture. The ceiling over the food preparation, storage and display areas shall be painted with a washable paint of a light colour. The surface finish is to be free of open joints, cracks, crevices or openings (drop ceiling panel is not permitted). The intersections of walls and the ceiling are to be tight jointed, sealed and dust-proof.
8. The drop-in panel ceiling in the food preparation and storage areas shall be replaced with an approved rigid, smooth faced and impervious material which is free of open joints, cracks, crevices or openings. The ceiling is to be painted with a light coloured washable paint.
9. All service pipes and electrical conduits shall be either:
 - (a) concealed in floors, walls, ceiling or concrete plinths, or

- (b) fixed with brackets so as to provide at least
 - i) 25mm clearance between the wall and the pipe/conduit; &
 - ii) 100mm between the floor and the pipe/conduit
 - (c) pipes so installed are not to run underneath fittings.
10. All architraves, skirting boards, picture rails and the like are not permitted within the kitchen, food preparation and storage areas.
 11. All openings in the walls, floors and ceilings through which service pipes and electrical conduits pass through are to be designed and constructed so as to prevent the access of vermin.
 12. The internal and external surfaces, including exposed edges to all benches, counters and shelving in the food preparation, storage, display and serving areas are to be finished with a rigid, smooth faced and non-absorbent material (eg laminate, stainless steel or other approved material) that is capable of being easily cleaned.
 13. All shelving shall be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. NOTE: The lowest shelf shall be a minimum of at least 150mm above the floor level.
 14. The hot water service unit shall be positioned a minimum of 75mm clear of the adjacent wall surface and mounted a minimum of 150mm above the floor level on a stand of non-corrosive metal construction.
 15. A free standing, hands free hand wash basin shall be provided in a convenient position within the food preparation and serving areas. The hand wash basin shall be provided with hot and cold water supplied through a single outlet and fitted with an approved mixing device to enable hands to be washed under hot running water at a temperature of at least 40C.
 16. Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage of vermin are not permitted to be formed in the construction of the premises or in the installation of fixtures, fittings and equipment.
 17. A double bowl sink or two-compartment tub shall be provided with hot and cold water supplied through a single spout in the kitchen/food preparation area. Double bowl sink or tubs shall be supplied with water of at least:
 - (a) 45C in one bowl for washing purposes; and
 - (b) 77C in the other bowl for rinsing purposes, together with a thermometer accurate to 10C.