

DRAFT CONDITIONS 767/2017 (2017SSW057)

DEFINITIONS

AEP	Annual Exceedance Probability
NCC	National Construction Code (formerly Building Code of Australia)
Council	Liverpool City Council
DCP	Liverpool Development Control Plan 2008
DECC	Department of Environment and Climate Change and Water
CC	Construction Certificate
1% AEP Flood	The 1 in 100 year flood
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
LPI Service	Land and Property Information Service
OC	Occupation Certificate
PCA	Principal Certifying Authority
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RMS	Roads and Maritime Services

PART 1

DEFERRED COMMENCEMENT

Development consent shall be deferred pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, until the submission to Council of:

Sydney Trains Approval/ Certification

1. This consent is not to operate until the Applicant satisfies the Council, within 12 months of the date of this consent, that it has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the Council:

The Applicant shall prepare and provide to Sydney Trains for approval/certification the following final item versions:

- i. Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducting on the site closest to the rail corridor.
- ii. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
- iii. Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
- iv. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land.
- v. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

Note: The issues raised within Part 1, above, are to be addressed within twelve (12) months of the date shown on Council's determination notice. The consent shall become operative once Council has notified the applicant in writing that the information submitted in response to the deferred commencement conditions is acceptable.

PART 2

A. THE DEVELOPMENT

Approved Plans

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

(a) Architectural plans prepared by HDR:

Title	Project Number	Drawing Number	Issue	Date
Basement 2 Overall Plan	0264440 15R	DA10	2	04.05.2018
Basement 1 Overall Plan	0264440 15R	DA11	2	04.05.2018
Ground Floor Overall Plan	0264440 15R	DA12	2	04.05.2018
Ground Mezzanine Overall Plan	0264440 15R	DA88	1	20.08.2018
Level 01 Overall Plan	0264440 15R	DA13	2	04.05.2018
Level 02 / Roof Overall Plan	0264440 15R	DA14	2	04.05.2018
Overall Plan	0264440 15R	DA78	2	20.08.2018
Overall Plan	0264440 15R	DA79	2	20.08.2018
Overall Plan	0264440 15R	DA80	2	20.08.2018
Overall Plan	0264440 15R	DA81	2	20.08.2018
Overall Plan	0264440 15R	DA82	2	20.08.2018
Overall Plan	0264440 15R	DA83	2	20.08.2018
Overall Plan	0264440 15R	DA84	2	20.08.2018
Overall Plan	0264440 15R	DA85	2	20.08.2018
Overall Plan	0264440 15R	DA86	2	20.08.2018
Overall Plan	0264440 15R	DA87	2	20.08.2018
Basement 2 NE Quad	0264440 15R	DA15	2	04.05.2018
Basement 2 SE Quad	0264440 15R	DA16	2	04.05.2018
Basement 1 NE Quad	0264440 15R	DA17	2	04.05.2018
Basement 1 SE Quad	0264440 15R	DA18	2	04.05.2018
Ground Floor NE Quad	0264440 15R	DA19	3	12.07.2018
Ground Floor SE Quad	0264440 15R	DA20	2	04.05.2018

Ground Floor Mezzanine NE Quad	0264440 15R	DA21	1	25.08.2017
Level 01 NE Quad	0264440 15R	DA22	2	04.05.2018
Level 01 SE Quad	0264440 15R	DA23	2	04.05.2018
Level 02 NE Quad	0264440 15R	DA24	2	04.05.2018
Level 02 SE Quad	0264440 15R	DA25	2	04.05.2018
Building 06 Floor Plans 1	0264440 15R	DA26	2	04.05.2018
Building 06 Floor Plans 2	0264440 15R	DA27	2	04.05.2018
Building 06 Elevations	0264440 15R	DA28	2	04.05.2018
Building 06 Sections and Perspectives	0264440 15R	DA29	2	04.05.2018
Building 07 Floor Plans 1	0264440 15R	DA30	2	04.05.2018
Building 07 Floor Plans 2	0264440 15R	DA31	2	04.05.2018
Building 07 Elevations	0264440 15R	DA32	2	04.05.2018
Building 07 Sections and perspectives	0264440 15R	DA33	2	04.05.2018
Building 10 Floor Plans	0264440 15R	DA34	3	13.08.2018
Building 10 Elevations	0264440 15R	DA35	2	04.05.2018
Building 10 Sections and Perspectives	0264440 15R	DA36	2	04.05.2018
Building 11 Floor Plans 1	0264440 15R	DA37	2	04.05.2018
Building 11 Floor Plans 2	0264440 15R	DA38	2	04.05.2018
Building 11 Elevations	0264440 15R	DA39	2	04.05.2018
Building 11 Sections and Perspectives	0264440 15R	DA40	2	04.05.2018
Building 12 Floor Plans 1	0264440 15R	DA41	4	13.08.2018
Building 12 Floor Plans 2	0264440 15R	DA42	3	04.05.2018
Building 12 Elevations	0264440 15R	DA43	3	04.05.2018

Building 12 Sections and perspectives	0264440 15R	DA44	2	04.05.2018
Building 13 Floor Plans 1	0264440 15R	DA45	4	13.08.2018
Building 13 Floor Plans 2	0264440 15R	DA46	4	13.08.2018
Building 13 Elevations	0264440 15R	DA47	3	04.05.2018
Building 13 Sections and Perspectives	0264440 15R	DA48	2	04.05.2018
Context Elevations	0264440 15R	DA49	1	25.08.2017
Context Elevations	0264440 15R	DA50	1	25.08.2017
Streetscape Elevations – NE Quadrant Sheet 1	0264440 15R	DA51	2	11.05.2018
Streetscape Elevations – NE Quadrant Sheet 2	0264440 15R	DA52	3	12.07.2018
Streetscape Elevations – SE Quadrant Sheet 1	0264440 15R	DA53	2	11.05.2018
Streetscape Elevations – SE Quadrant Sheet 2	0264440 15R	DA54	2	11.05.2018
Internal Elevations – NE Quadrant Sheet 1	0264440 15R	DA55	2	11.05.2018
Internal Elevations – NE Quadrant Sheet 2	0264440 15R	DA56	2	11.05.2018
Internal Elevations – SE Quadrant Sheet 1	0264440 15R	DA57	2	11.05.2018
Sections – NE Quadrant	0264440 15R	DA58	2	11.05.2018
Sections – SE Quadrant	0264440 15R	DA59	2	11.05.2018
Universal Unit Plans Sheet 1	0264440 15R	DA70	3	04.05.2018

Universal Unit Plans Sheet 2	0264440 15R	DA71	2	04.05.2018
Universal Unit Plans Sheet 3	0264440 15R	DA72	2	04.05.2018
Material Palette 1 – Retail 01	0264440 15R	DA75	1	25.08.2017
Material Palette 2 – Residential 01	0264440 15R	DA76	1	25.08.2017
Material Palette 3 – Residential 02	0264440 15R	DA77	1	25.08.2017
Proposed Amendments for Through Site Link	0264440 15R	SK990		
Ground Floor Plan NE Quad – Proposed Future Through Site Link – Stage 1	0264440 15R	SK990	4	24.07.2018
Future Through Site Link	0264440 R15	SK992		
Soldiers PDE Market Hall and Services Detail	0264440 R15	SK994	1	17.08.2018

(b) Architectural plans prepared by Buro North Interdisciplinary Design:

Title	Project Number	Drawing Number	Revision	Date
Level Ground – Zone 4	FRAS0001_BN-SI-DWG-DRC-02-GZ		2	10.11.2017
Level Ground – Zone 5	FRAS0001_BN-SI-DWG-DRC-02-GZ		2	10.11.2017
Level Ground – Zone 6	FRAS0001_BN-SI-DWG-DRC-02-GZ		2	10.11.2017
Level Ground – Zone 7	FRAS0001_BN-SI-DWG-DRC-02-GZ		2	10.11.2017
Level Ground – Zone 9	FRAS0001_BN-SI-DWG-DRC-02-GZ		2	10.11.2017

Pedestrian Map (Retail)		S3-01	3	
Pedestrian Map (retail)		S3-02	3	
Pedestrian Directional (Retail)		S4.A-02	3	

(c) Solar Plan prepared by Hames Sharley:

Title	Project Number	Drawing Number	Revision	Date
Conceptual SE Mall Roof Solar Panel Layout and Details	51067	SK005		16.08.2018
3D Perspective – Design Intent	51067			16.08.2018

(d) Landscape plan prepared by Hassell Limited:

Title	Project Number	Drawing Number	Revision	Date
Drawing Index	011096	L001	G	16.08.2018
Drawing Legends	011096	L002	F	04.05.2018
Material and Furniture Palette	011096	L003	F	04.05.2018
Planting Schedule Sheet 01 of 02	011096	L004	F	04.05.2018
Planting schedule Sheet 02 of 02	011096	L005	C	04.05.2018
Town Centre Masterplan	011096	L101	H	02.08.2018
Tree Pit Layout	011096	L102	A	16.08.2018
General Arrangement Ground Floor Sheet 01 of 04	011096	L201	H	02.08.2018
General Arrangement Ground Floor Sheet 02 of 04	011096	L202	I	02.08.2018
General Arrangement Ground Floor Sheet 03 of 04	011096	L203	H	02.08.2018

General Arrangement Ground Floor Sheet 04 of 04	011096	L204	H	02.08.2018
Level 1 North East Podium	011096	L205	I	02.08.2018
Detail Plan Town Square	011096	L301	F	04.05.2018
Detail Plan Main Street and Eat Street	011096	L302	G	16.08.2018
Detail plan B.06 Roof Plan	011096	L303	G	02.08.2018
Site Sections	011096	L304	I	16.08.2018
Site Sections	011096	L305	F	04.05.2018
Eat Street Stair and Ramp Design Update		SK-TC-001	2	26.07.2018
Amended Main Street and Henderson Road Interface		SK-0001	A	24.04.2018
Public Domain Seating Plan		SK-0001	A	23.04.2018
Licensed Dining Zones		SK-0001	A	23.04.2018

(e) Subdivision plan prepared by Beveridge Williams:

Title	Project Number	Drawing Number	Revision	Date
Plan of Proposed Stratum Subdivision	1601480_6			06.09.2017

(f) Stormwater plan prepared by Bonacci Group (NSW) Pty Ltd:

Title	Project Number	Drawing Number	Revision	Date
Drawing Register and Construction Notes	20 21716 01	C001	P1	March 2017
General Arrangement Plan	20 21716 01	C030	P2	March 2017
Site Works and Stormwater Drainage Plan Sheet 1	20 21716 01	C031	P2	March 2017

Site Works and Stormwater Drainage Plan Sheet 2	20 21716 01	C032	P2	March 2017
Roadworks Centreline Setout Plan	20 21716 01	C090	P2	March 2017
Roadworks Longitudinal Sections Sheet 1	20 21716 01	C091	P2	March 2017
Roadworks Longitudinal Sections Sheet 2	20 21716 01	C092	P2	March 2017
Roadworks Cross Sections main Street Sheet 1	20 21716 01	C100	P2	March 2017
Roadworks Cross Sections Main Street Sheet 2	20 21716 01	C101	P2	March 2017
Roadworks Cross Sections Main Street Sheet 3	20 21716 01	C102	P2	March 2017

(g) BASIX certificates:

- i. Building 6: Certificate Number: 837098M_02, Date of Issue: 18 August 2018
- ii. Building 7: Certificate Number: 837232M_03, Date of Issue: 18 August 2018
- iii. Building 10: Certificate Number: 854418M_02, Date of Issue: 18 August 2018
- iv. Building 11: Certificate Number: 837037M_02, Date of Issue: 18 August 2018
- v. Building 12: Certificate Number: 795482M_02, Date of Issue: 18 August 2018
- vi. Building 13: Certificate Number: 837153M_03, Date of Issue: 18 August 2018

(h) Reports:

- i. **Acoustic Report:**
Edmondson Park Town Centre Development Application Noise Assessment, prepared by: Wilkinson Murray Pty Ltd, Report Number: 16178-T, Version C, dated August 2018;

- ii. **Bushfire Report:**
Bushfire Protection Assessment – Proposed residential and commercial subdivision – Edmondson Park Town Centre Stage 1, prepared by: Mark Hawkins - Eco Logical Australia, dated September 2017;
- iii. **Geotechnical and Salinity Report:**
Geotechnical and Salinity Investigation – Proposed Town Centre Precinct – Edmondson Park South Town Centre – Soldiers Parade and Campbelltown Road Edmondson Park NSW 2174, prepared by: GeoEnviro Consultancy Pty Ltd, Reference Number: JC15942A-r1, dated January 2016;
- iv. **Interim Water Management Strategy Report:**
Edmondson Park Frasers Town Centre Western Precinct - Interim Stormwater Management Strategy Report, prepared by: J. Wyndham Prince Consulting Civil Infrastructure Engineers & Project Managers, dated January 2017;
- v. **Operation Waste Management Plan:**
Frasers property Australia Edmondson Park Town Centre Eastern Quadrants – Waste Management Plan, prepared by: GHD, dated January 2018;
- vi. **Construction Management Plan:**
Edmondson Park Town Centre Stage 1 EPTC – Construction Management Plan, prepared by Frasers Property, dated August 2017;
- vii. **Public Art Strategy:**
Edmondson Park Frasers Town Centre Public Art Strategy, prepared by: Queen & Crawford, Frasers Property Australia, dated 11 January 2018;
- viii. **Remediation Action Plan:**
Remediation Action Plan Edmondson Park Town Centre Campbelltown Road Ingleburn NSW 2565, reference number DL3550_S003701, dated November 2015; and
- ix. **Water Cycle Management Letter:**
Edmondson Park Frasers Town Centre Stormwater Management, Prepared by: J. Wyndham Prince Consulting Civil Infrastructure Engineers & Project Managers, dated June 2017.

General Terms of Approval

- 2. All General Terms of Approval issued by NSW Rural Fire Service, shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated **17 November 2017**. A copy of the General Terms of Approval are attached to this decision notice.

Endeavour Energy Comments

- 3. All comments provided by Endeavour Energy shall be complied with prior, during, and at the completion of construction. A copy of the Endeavour Energy comments are attached to this decision notice.

Roads and Maritime Services (RMS) Comments

4. All comments provided by the RMS shall be complied with prior, during, and at the completion of construction unless otherwise agreed with by the RMS. A copy of the RMS comments are attached to this decision notice.

Sydney Water Comments

5. All comments provided by Sydney Water shall be complied with prior, during, and at the completion of construction. A copy of the Sydney Water comments are attached to this decision notice.

Sydney Trains Requirements

6. During all stages of the development, environmental legislation and regulations will be complied with.
7. During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
8. During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
9. The developer shall make provision for easy and ongoing access by rail vehicles, plant and equipment to support maintenance and emergency activities.
10. Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

Works at no cost to Council

11. All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council, unless otherwise noted in a VPA.

Building work

12. Building work shall not commence prior to the issue of the relevant 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.

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

SECTION 7.11 PAYMENT (Liverpool Contributions Plan 2008 Edmondson Park)

13. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment is imposed in accordance with Liverpool Contributions Plan 2008 Edmondson Park as amended.

The total contribution is **\$3,412,590** (the contribution may be made by payment of money or bank guarantee).

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

Capital Works, Administration, Professional and Legal Fees Components

Capital works, Administration, Professional and Legal Fees components will be adjusted quarterly in line with the Consumer Price Index (all groups index number for Sydney) using the following formula:

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

Where:

C = Original contributions as shown on the consent

CPI₂ = Latest "Consumer Price Index: All Groups Index Number" for Sydney available from the Australian Bureau of Statistics at the time that the contribution is to be paid

CPI₁ = Latest "Consumer Price Index: All Groups Index Number" for Sydney available from the Australian Bureau of Statistics as at the time of granting the development consent

Land Component

The value of the land component will be adjusted quarterly in line with the latest average land value estimate published by Council. The average land value estimate will be reviewed on a quarterly basis and determined by averaging residential land values per square metres with the relevant catchment, over the previous quarter.

$$\text{Contribution at the time of payment} = \frac{C \times L_2}{L_1}$$

Where:

C = Original contributions as shown on the consent

L₂ = Latest Average Estimated Land Acquisition Cost per square metre published by the Council at the time that the contribution is to be paid

L₁ = Latest Average Estimated Land Acquisition Cost per square metre published by the Council at the time of granting the development consent

Where a developer undertakes to transfer land or provide a work which is included in the Contributions Plan, the appropriate payments may be reduced accordingly.

The Contributions Plan may be inspected online at www.liverpool.nsw.gov.au.

Payment must be accompanied by the attached form.

Provision of Services

14. 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.
15. Prior to the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following:
 - The requirements of the Telecommunications Act 1997;
 - For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
 - For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

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

Fee Payments

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

The following fees are applicable and payable:

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

These fees are reviewed annually and will be calculated accordingly.

17. 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.

Statutory Compliance

18. The requirements and provisions of the *Environmental Planning & 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.

19. In accordance with section 4.17 (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:
- (a) Complying with the Deemed to Satisfy Provisions; or
 - (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

Disability Access

20. 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

Fire Safety – Cladding

21. Prior to issue of the relevant construction certificate the certifier must be satisfied that all proposed attachments, cladding material and systems forming part of external walls comply with the NCC BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2.2 of the BCA for all products/systems proposed.

Prior to issuing an occupation certificate the principal certifier 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.

Bedroom Design

22. The construction certificate plans are required to indicate that all bedrooms in all dwellings and in each residential flat building have a minimum dimension of 3m, excluding wardrobe space.

Residential Storage

23. The construction certificate plans shall be designed to show storage for all residential apartments in the following arrangements:
- a. 1 Bedroom apartments: 6m³
 - b. 2 Bedroom apartments: 8m³
 - c. 3+ Bedroom apartments: 10m³

A minimum of 50% of the required storage space shall be located within apartments.

Awnings

24. Awnings shall be added to the construction certificate plans for the length of the ground level commercial frontages for residential flat building No.6. The awnings shall continue the glass treatment approved along Main Street. Complying with this condition will not require a Section 4.55 modification application.

Wall over retail car park entry

25. The solid concrete parapet wall, labelled "CON1", over the retail/residential car park entry on the approved plan titled, 'Soldier Parade Market Hall and Services Detail', prepared by HDR, project number 026440 R15, drawing number SK994, revision 1, dated 17 August 2018, shall be amended to be transparent, in the form of a glazed or open balustrade. Complying with this condition will not require a Section 4.55 modification application.

Pedestrian Bridge over Eat Street

26. The construction certificate plans shall be designed to ensure the side elevations of the pedestrian bridge are transparent to allow views to and from this space. The pedestrian bridge shall be designed to have a minimum 4m clearance height from the bottom of the bridge to the finished floor level of Eat Street below. Complying with this condition will not require a Section 4.55 modification application.

Amended Market Hall entry from Main Street

27. The ground level entry to the Market Hall building from Main Street shall be amended to create an 'entry foyer' along this street frontage. The entry shall be recessed or setback from the front building line and be designed to extend over two levels. Complying with this condition will not require a Section 4.55 modification application.

Bicycle Parking

28. The construction certificate plans shall be designed to indicate a total of five-hundred and eighty-five (585) bicycle spaces onsite in the following arrangement:
- a. Residential Bicycle Spaces: 427 (to be provided within storage cages)
 - b. Non-Residential Bicycle Spaces: 65
 - c. Non-Residential Visitors Bicycle Spaces: 93

Play Space in South East Quadrant

29. Construction certificate plans shall be submitted to Council showing the indoor and outdoor play areas within the south-east quadrant designed generally in accordance with the design intent shown in the Play Spaces Strategy prepared by Fiona Robbe Landscape architecture, horticulture and playspace design, dated November 2017, to be approved by of the Manager of Development Assessment.

Design Verification Statement

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

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

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

Crime Prevention Through Environmental Design

31. It is recommended that the following Crime Prevention Through Environmental Design (CPTED) principles be incorporated into the building. Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the PCA.

- (a) Back to base alarm systems shall be considered;
- (b) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be considered;
- (c) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells;
- (d) Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting;
- (e) Glazed tiling, patterned, porous and non-solid surfaces reduce the reward for graffiti offenders;
- (f) Any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details;

- (g) Access to the basement parking levels relating to the residential component of the building shall be controlled via a security controlled device.

S138 Roads Act – Minor Works in the public road

32. Prior to the issue of the relevant Construction Certificate a S138 Roads Act application/s, including payment of fees shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:

- Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
- Road occupancy or road closures

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

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

Retaining Walls on Boundary

33. All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

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

No Loading on Easements

34. Prior to the issue of the relevant 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.

Road design criteria table

35. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, the Frasers Town Centre Public Domain Plan and the following criteria:

Road No.	Road Reserve Width	Carriageway Width	Verge	Footpath (1.5m wide)	ESA
Main Street	20.0m (variable)	11.0m (variable)	4.5m (variable)	2.0m	2 x 10 ⁶

Road Safety Audit

36. A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks for roads to be handed over to Council by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application.

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

Stormwater Concept Plan

37. A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by prepared by Bonacci Group Pty Ltd, reference 202171601, revision P2, dated 09/08/2017.

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 stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate. The plan shall indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finish surface levels and sizes of all pipes.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

Drainage

38. All proposed pipe materials shall be concrete or to Council Specification.
39. Drainage plans for the basement shall be provided to Council for review and approval.

Access, Car Parking and Manoeuvring

40. 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 and AS2890.6.
41. A concept design of a roundabout at the intersection of Soldiers Parade and Greenway shall be submitted to Council to demonstrate that a roundabout can be accommodated.
42. Detailed design plans of the proposed driveways and car park including the swept path analysis, demonstrating that the design has been prepared in accordance Austroads Design Guidelines and AS2890 are to be submitted to Council's Traffic and Transport Section for approval. The design is to include dynamic parking VMS signs installed on the surrounding road network.

43. Public lighting design brief 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.

The street lighting requirement includes installation of multifunction poles in The Greenway, Bernera Road, Main Street and all other streets within the town centre core, and replacement of the existing street lighting columns in Soldiers Parade, with Council approved multifunction poles.

44. 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's Traffic and Transport Section for approval prior to the issue of a Construction Certificate. The CTMP is to outline the need for a Road Occupancy Permit issued by Council or Road Occupancy Permit issued by the Transport Management Centre.

Works within the road reserve shall not commence until the construction traffic management plan has been endorsed by Council's Traffic and Transport Section.

Recommendations of Acoustic Report

45. 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.

Erosion and Sediment Control

46. Erosion and sediment control measures shall be designed in accordance with the requirements of the Liverpool DCP and Council specifications, and to the satisfaction of the 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.

Mechanical Plant

47. Mechanical plant shall be selected in consultation with a suitably qualified and experienced acoustic consultant to ensure compliance with the approved acoustic report titled 'Edmondson Park Town Centre Development Application Noise Assessment' (Report No. 16178-T, Version C) prepared by Wilkinson Murray Pty Limited dated 13th August 2018.

Construction Environmental Management Plan

48. Prior to the issue of a Construction Certificate, a comprehensive Construction Environmental Management Plan shall be prepared by a suitably qualified person. The plan is to determine and outline procedures to ensure all conditions contained within the consent (relating to construction works) and recommendations of referenced reports are adhered to at all times during construction.

Suitable management and control measures are to be included within the Plan to ensure that there are no adverse impacts to the environment and/or human health. These measures are to include but not be limited to:

- a) The final location of security fencing and vehicle access during construction;
- b) Materials to be imported to the site during construction;
- c) Stockpiling of materials and equipment storage;
- d) Noise, vibration and dust mitigation; and
- e) Sediment and erosion control.

A copy of the plan shall be forwarded to Liverpool City Council prior to the issue of the Construction Certificate.

Flooding Conditions

- 49. Overland flows from adjoining areas running through the site shall be managed and the proposed developments shall not have any adverse impact on the adjoining properties.
- 50. On-site water quality management measures shall be undertaken to ensure that stormwater runoffs leaving the site comply with Council's water quality standards.
- 51. Local overland flood management and stormwater quality management shall be undertaken in compliance of the conditions of commitments as prepared by J. Wyndham Prince (Ref: 110223 RP1 Built Form DA - WCM 170824; Edmondson Park Frasers Town Centre – Residential Precinct 1, Stages 1, 2 & 3 Built Form DAs - Stormwater Management; dated: 24 August 2017).
- 52. Interim local overland flood management and stormwater quality management shall be undertaken as indicated in the interim stormwater management strategy by J. Wyndham Prince (Ref: 110223Rpt1C, Interim Stormwater Management Strategy Report, dated: 13 January 2017).

Heritage

- 53. A heritage interpretation plan is to be prepared and issued to Council and approved by the Manager Development Assessment prior to issue of construction certificate for above ground works. The interpretation plan is to include:
 - a. Proposed artwork and designs for the interpretation;
 - b. Locations of where each interpretive element will be located;
 - c. Content including imagery and text;
 - d. Implementation requirements;
 - e. Maintenance and conservation requirements.
 - f. Proposed interpretation within spaces to be handed over to Council are to be clearly identified.

Garbage Services

- 54. On site collection of waste and recycling must be provided and integrated with the design of high density residential development (RFBs and MUDs). This must comply with the specifications detailed in the Fact Sheet: Waste Management Services for Residential Flat Buildings and Multi Dwelling Housing.

55. The developer/owner of the site is to contact Liverpool Council's 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. Waste and recycle bins are to be kept within property boundaries within the residential waste storage areas except before and after collection days. Waste and Recycle bins are to be returned waste storage areas within 24 hours of collection.

Sydney Trains Requirements

56. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
57. If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
58. If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.
59. No rock anchors/bolts are to be installed into Sydney Trains property or easements.
60. Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
61. Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
62. If a crane is to be used at any stage of the proposed works, prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal Certifying Authority shall not issue the

Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

63. Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.
64. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted.

C. PRIOR TO WORKS COMMENCING

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

Construction Certificates

65. Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.
66. 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 6.6 (4) of the Act.
67. 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.
68. Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate.
69. The PCA must advise Council of the intended date to commence work that 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.
70. Detailed Civil engineering plans and specifications relating to the work shall be endorsed with a CC, in accordance with Section 81A of the Act, and a copy registered with Council.
71. 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.
72. 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.

Provision of Services

73. 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.

Roundabout

74. Detailed design of the 2-lane roundabout at Bernera Road/Henderson Road intersection is to be submitted to Council for approval, prior to construction.

Site Development Work

75. Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a CC has been issued.

Site Facilities

76. 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.

Fencing, Hoarding and Scaffolding

77. 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.

78. Prior to the commencement of works appropriate fencing is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
79. No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the proponent will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.

Site Notice Board

80. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work, and removed at the completion of work. The sign must state:

- (a) The name, address and telephone number of the principal certifying authority for the work; and
- (b) The name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
- (c) Unauthorised entry to the premises is prohibited.

Notification of Service Providers

81. 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.

DIAL BEFORE YOU DIG

82. 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.

RailCorps's Land

83. Prior to the commencement of works the Applicant shall peg-out the common property boundary with RailCorp's land. This work is to be undertaken by a registered surveyor.

Joint Inspection - Sydney Trains

84. If required by Sydney Trains, prior to the commencement of works, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

Dilapidation report

85. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Soldier Parade 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 100m either side of the development.

Sediment & Erosion Control

86. 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.

Matters to be addressed prior to commencement of Subdivision Works

87. Work on the subdivision shall not commence until:
- a Construction Certificate (if required) has been issued,
 - a Principal Certifying Authority has been appointed for the project, and
 - any other relevant matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

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

Waste Classification

88. 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).

Environmental Management

89. Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum:
- (a) Siltation fencing;
 - (b) Protection of the public stormwater system; and
 - (c) Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

Traffic Control Plan

90. The developer shall seek road occupancy, road opening permits, and works zone approval from Council if required prior to undertaking any works within public road reserve. The application forms are available on Council's website or can be requested from the Council's Customer Services.
91. Prior to commencement of any works a Traffic Control Plan including details for pedestrian management, 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, shall be submitted to Council and the PCA for approval.

The approved traffic control plan shall be implemented during construction. 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.

D. DURING CONSTRUCTION

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

Hours of Construction Work and Deliveries

92. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 8:00pm Monday to Friday, 7:00am to 5:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Construction Noise

93. 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.

Works in a Rail Corridor

94. No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains.

Building Inspections

95. 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.
96. 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

97. 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 shall works continue, until the PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

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

98. 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.

Protection of adjoining buildings

99. 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.

Excavation – Geotechnical Engineer

100. Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.

Toilet Facilities

101. 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*.

Hoarding, Lifting and Craning

- 102. 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.

- 103. 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.

Erosion and sediment control

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

Street Lighting

- 105. Street lighting is to be provided for all new and existing streets within the proposed site to Liverpool City Council's standards.

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

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

Major Filling/ Earthworks

- 106. 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.

Traffic Control Plan

- 107. The endorsed Traffic Control Plan is to be implemented during the entire construction period.

Road Closures

108. 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.

Car Parking

109. Car parking spaces and driveways must be constructed to 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 the Frasers Town Centre Design Guidelines 2017 and Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.
110. 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.

Pedestrian Activity Area

111. Detailed design of the proposed 40 km/h high pedestrian activity area around the development is to be submitted with the proposed signage plan and traffic calming devices is to be submitted to Council and Liverpool Local Traffic Committee for approval.

General Site Works

112. All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by WorkCover NSW. The removal of such material shall be carried out in accordance with the requirements of WorkCover NSW. The material shall be transported and disposed of in accordance with DECCW (EPA) requirements.
113. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.
114. The Construction Environmental Management Plan shall be complied with at all times.

Contamination

115. 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).
116. 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.

117. 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

118. Remediation and validation works must be carried out in accordance with remediation action plan (Project ID: DL3550, Document Control Number S003701, Version 1.0) prepared by DLA Environmental Services, dated 18 November 2015. Any variation to the proposed remediation works must be issued to Council for approval in writing by Council or the PCA, prior to the commencement of these works. The applicant must inform Council or the PCA in writing of any proposed variation to the remediation works. Council or the PCA must approve these variations in writing prior to commencement of works approved under the development consent.

119. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and the accredited certifier immediately after discovery. A Section 4.55 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

Air Quality

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

121. 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.

122. 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.

Pollution Control

123. 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.
124. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

Ventilation

125. The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2).

Waste Management Plan

126. The Waste Management Plan issued 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.
127. 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.
128. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.
129. 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 which will prevent its mobilisation.
130. 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.

Construction Noise and Vibration

131. Noise and vibration associated with excavation, demolition and construction phases shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).
132. All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan.

133. A Complaints Handling Register shall be maintained for the duration of construction works at the subject premises. The Complaints Register is to be kept by the Site Manager or other suitable staff members and is to include the following:
- a) the date and time, where relevant, of the complaint;
 - b) the means by which the complaint was made (telephone, mail or email);
 - c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) any action(s) taken in response to the complaint, including any follow-up contact with the complainant;
 - f) if no action was taken in relation to the complaint, the reason(s) why no action was taken; and
 - g) Allocate an individual "complaint number" to each complaint received.

The Complaints Register must be made available for inspection when requested by Liverpool City Council.

NSW Police Conditions

- 134. Construction equipment to be locked and secured when not in use/ after hours.
- 135. Installation of hot water systems delayed towards the latter stages to prevent theft.
- 136. Construction site to be locked and secured by fence with a security guard on patrol after hours to prevent theft of construction equipment/s.
- 137. Display visible signage at entrance to warn of security guards patrolling the location.

Graffiti

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

Aboriginal Relics/Artefacts

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

E. PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of the relevant Subdivision Certificate by Council:

Special Infrastructure Contribution

- 140. The applicant may be required to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 94EE of that Act and

is in force on the date of this consent, and must obtain a certificate to that effect from the Department of Planning (Growth Centres Commission) before a subdivision certificate, is issued in relation to any part of the development to which this consent relates.

Operational Traffic Management Plan

141. An Operational Traffic Management Plan (OTMP), including travel routes to the development site, traffic management measures, car parking access and management is to be submitted to Council's Traffic and Transport Section for approval.

Liverpool City Council clearance – Roads Act/ Local Government Act

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

Completion of subdivision works

143. Prior to the issue of the relevant Subdivision Certificate, the Principal Certifying Authority shall ensure that the relevant subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works.

Works as executed - General

144. Prior to the issue of a Subdivision 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

145. Prior to the issue of an Subdivision Certificate the Principal Certifying Authority shall ensure that the Basement Carpark pump-out system(s):
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.
 - Any remedial works required to been undertaken have been satisfactorily completed.
 - Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.

Restriction as to User and Positive Covenant

146. Prior to the issue of the relevant Subdivision Certificate a restriction as to user and positive covenant relating to the Basement carpark pump-out system(s) 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.

Provision of Through Site Link from Henderson Road

147. Prior to the issue of a Subdivision Certificate a restriction shall be registered on the title of the property that requires the Through Site Link from Henderson Road to be instated seven (7) years from the date DA-767/2017 becomes operative. The restriction shall also note that the design and construction of the Through Site Link shall be carried out in accordance with the following plans:

- a. Proposed Amendments for Through Site Link, prepared by HDR, project number 0264440 R15, Drawing Number SK990;
- b. Ground Floor Plan NE Quad – Proposed Future Through Site Link – Stage 1, project number 0264440 15R, Drawing Number SK990, revision 4, dated 24 July 2018; and
- c. Future Through Site Link, project number 026440 R15, drawing number SK992.

The Through Site Link restriction may not be extinguished or altered without the written consent of Liverpool City Council.

148. A Through Site Link bond in the form of a bank guarantee or cash bond (\$TBA at the time of payment), shall be lodged with Council prior to the issue of a Subdivision Certificate. The bond shall cover 200% of the cost of the construction of the Through Site Link indicated in the following plans and will be indexed as per Council's Bond Policy:

- a. Proposed Amendments for Through Site Link, prepared by HDR, project number 0264440 R15, Drawing Number SK990;
- b. Ground Floor Plan NE Quad – Proposed Future Through Site Link – Stage 1, project number 0264440 15R, Drawing Number SK990, revision 4, dated 24 July 2018; and
- c. Future Through Site Link, project number 026440 R15, drawing number SK992.

The bond will be held by Council for a period of 7 years from the operation date of DA-767/2017 or alternatively; upon Council's release of the restriction on title listed in Condition No.147 of DA-767/2017.

Communal Open Space - Access to all Residents

149. Prior to the issue of a Subdivision Certificate a restriction shall be registered on the title of the property that ensure all residents of residential flat buildings No.6, No.7, No.10, No.11, No.12 and No.13 have access to all areas of communal open space associated with these buildings. This restriction cannot be extinguished or altered without the written consent of Liverpool City Council.

Garbage Services

150. Prior to the issue of a Subdivision Certificate, if onsite waste and recycling collection is required the following restriction as to user must be registered on the title of the property:
- The owner/applicant of any property requiring on site collection of waste and recycling is to enter into a legally binding indemnity with Council to control the access and operation of the waste and recycling service. This shall be inclusive on successive owners in perpetuity. All costs involved are to be borne by the applicant.
 - The restriction as to user may not be extinguished or altered except with the consent of Liverpool Council.

Rectification of Damage

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

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

Subdivision Compliance documentation

152. Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:
- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and a DXF format to Council along with two hard copies of the WAE plans.
 - b) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council.
 - c) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.
 - d) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification.

- e) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
- Compaction reports for road pavement construction
 - Compaction reports for bulk earthworks and lot regrading.
 - Soil classification for all residential lots
 - Statement of Compliance
- f) Structural Engineer's construction certification of all structures

Linen Plans & 88B

153. In order to enable a Subdivision Certificate to be issued for submission to the LPI Service, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument if required.
154. The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.
155. The final plan of subdivision must be supported by an 88B instrument to the approval of Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Councils standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.
156. Where common drainage lines or other drainage lines are required, a drainage easement shall be created in accordance with Council's minimum widths as scheduled in councils design specification for subdivisions (as amended).
157. Correct notation concerning easements is required. The prepared 88B Instrument should be forwarded initially to Council. The land value of the easement and costs associated with checking the instrument are to be borne by the applicant. Part 2 of the 88B Instrument shall contain a provision that the easement may not be extinguished or altered without the written consent of Council.

Pump-out system

158. Stormwater runoff from the proposed driveway to the underground garage shall be via a pump-out system subject to the following conditions:
- (a) The pump-out system shall be independent of any gravity drainage lines except at the site property boundary inspection pit where a surface grated inlet pit shall be constructed, from which a connection may be permitted to the gravity stormwater system.
 - (b) Engineering details and manufacturer's specifications for pumps and switching system shall be submitted for approval prior to issue of construction certificate.
 - (c) An 88B positive covenant shall be placed on the property title. This requires the property owner to be responsible for the proper maintenance and repair of the

abovementioned pumps, pipes and pit system. Council is the Authority benefited and the property owner is burdened by this restriction.

Service Providers

159. Written confirmation from the following service providers is required, as follows:
- a) Written evidence (Section 73 Certificate) is to be submitted to the PCA prior to the issue of the subdivision certificate.
 - b) Notification of arrangement for the development from Integral Energy shall be submitted to Council.
 - c) Compliance Certificate for the development from an approved local telecommunications carrier shall be submitted to Council.

Dilapidation Report

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

Bonds

161. A maintenance bond in the form of a bank guarantee or cash bond (\$TBA at the time of payment), shall be lodged with Council prior to the issue of a Subdivision Certificate. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a period of 12 months from the date of Council acceptance of final works.
162. Evidence of the creation of a tree replacement bond in the form of a bank guarantee or cash bond (\$TBA at the time of payment), shall be lodged with Council prior to the issue of a Subdivision Certificate. The bond shall cover the replacement of public domain trees within the town centre core and planted within on-slab planter boxes. The bond or bank guarantee will be held by the proprietor for 5 years and shall be inclusive on successive owners. The amount of the bond shall be approved in writing by the Manager of Development Assessment.

F. PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

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

Certificates

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

164. A single and complete *Fire Safety Certificate* where required, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the *Occupation Certificate*.
165. 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.
166. 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.
167. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the PCA.

Street Numbering

168. Street numbers must be prominently displayed for each residential flat building and at the front of dwellings.
169. Street numbers must be prominently displayed at the front of all commercial and retail tenancies.

Artwork and Green Walls

170. The artistic treatment of the eastern elevation of cinema façade fronting Soldiers Parade, including the lighting and colour scheme, shall be carried out and installed in accordance with the design intent shown by approved plan, 'Streetscape Elevations – SE Quadrant Sheet 1', project number 0264440 15R, drawing number DA53, revision 2, dated 11 May 2018 and subject to the outcomes of the Public Art Strategy.
171. All art work and green walls associated with the public laneway known as "Green Link" and located on the southern elevation of the Market Hall building, shall be installed and completed in accordance with the Public Art Strategy and the design intent shown on the approved plan, "Internal Elevations – SE Quadrant Sheet 1", project number 0264440 15R, drawing number DA57, revision 2, dated 11 May 2018.

Green Wall Management Plan

172. A green wall management plan shall be issued to Council and approved by the Manager of Development Assessment for the green walls within the public laneway known as "Green Link". The green wall management plan shall detail the maintenance, upkeep a replacement of plantings at the site in perpetuity.

Soldiers Parade - ground level service area

173. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the Soldier Parade ground level services area indicated on the approved plan titled, 'Soldier Parade Market Hall and Services Detail', prepared by HDR, project number 026440 R15, drawing number SK994, revision 1, dated 17 August 2018, has been constructed so that all service doors and door frames are matching in finish and

are flush with adjacent walls, and the artwork has been painted along this elevation continuing from the public laneway known as "Green Link".

Liverpool City Council clearance – Roads Act/ Local Government Act

174. 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.

Design Verification Statement

175. In accordance with the Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Flat Development", the subject development must be undertaken or directed by a 'qualified designer' (i.e., a registered architect under the Architects Act). In this regard, a design verification statement shall be submitted to the PCA assessing the development, upon completion of all works subject of this consent and its accompanying CC. The PCA shall ensure that the statement prepared by the qualified designer provides the following:
- (a) A valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW);
 - (b) That the completed development achieves the design quality of the development as shown in the plans and specifications submitted and approved with the CC, having regard to the design principles set out in Part 2 of SEPP 65.

Stormwater Compliance

176. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the Basement Carpark pump-out system(s):
- 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

177. Prior to the issue of the final Occupation Certificate a restriction as to user and positive covenant relating to the Basement carpark pump-out system(s) 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.

Rectification of Damage

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

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

Linemarking & Signage

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

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

Recommendations of Acoustic Report

180. 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.

Site Contamination Validation Report

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

Noise Management Plan for Gym

182. A Noise Management Plan shall be prepared in consultation with a suitably qualified and experienced acoustic consultant for the gym. The Noise Management Plan must identify and implement strategies to minimise noise from the proposed development and incorporate: approaches for promoting noise awareness by patrons and staff; training procedures; a complaint lodgement procedure to ensure that members of the public and local residents are able to report noise issues; an ongoing review process and a plan for responding to noise complaints. The Noise Management Plan shall clearly specify the responsibilities of site personnel in managing noise and include a detailed list of steps taken to manage potential noise impacts. The Noise Management Plan shall be submitted to Liverpool City Council for review and approval prior to the issue of an Interim or Final Occupation Certificate.

Plan of Management for the Loading Dock

183. A Plan of Management for the loading dock shall be prepared by a suitably qualified person. The Plan of Management shall be consistent with the conditions of consent and be submitted to Liverpool City Council for review and approval prior to issue of an Interim or Final Occupation Certificate.

Parking Management System

184. The design of parking management system in the car park is submitted to Council for approval, and is to be installed prior to occupation.

Road Works

185. All roadworks including construction of Greenway Road and Bernera Road, approved intersection treatments and modification of Soldiers Parade, signposting and street lighting shall be completed to the satisfaction Council's Traffic and Transport Section, at full cost to the applicant, unless addressed by a VPA.
186. The approved 2-lane roundabout at Bernera Road/Henderson Road intersection shall be installed to Council's satisfaction.

Heritage

187. All interpretation matter shall be implemented in accordance with the approved interpretation plan. Evidence is to be provided to Council demonstrating compliance with the heritage interpretation plan, prior to issue of Occupation Certificate.
188. Any interpretive structure within a public space is to comply with Engineering Safer by Design standards.
189. Any interpretive structure or signage to be handed over to Council is to be accompanied by a detailed maintenance, repair and conservation manual. All rights to the artwork and final structure are to be handed over to Council to ensure the effective maintenance and management of the structure.

Public Art

190. The public arts strategy is to be implemented prior to issue of occupation certificate of the final stage of the project. Evidence is to be submitted to Council for its consideration and approval by the Manager of Development Assessment prior to issue of the occupation certificate.

Garbage Services

191. The developer/owner of the site is to contact Liverpool Council's 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.

NSW Police Conditions

192. The development shall be consistent with the following requirements of the NSW Police:

Public areas:

- a. Vegetation to not cover/ obstruct natural surveillance of the entrance, mail box areas and public open space.
- b. Lighting to cover the pedestrian areas, public walkways in parks, car park and mail box areas to deter stealing and personal violence related offences.
- c. Display unit/building numbers and address at the front of the unit at the recommended size to assist in identifying the building.
- d. Signage showing park name and park rules displayed clearly at main entrances.

Residential areas:

- e. Display unit/building numbers and address at the front of the unit at the recommended size to assist in identifying the building.
- f. Install smoke alarms to meet with NSW legislation (Australian Standards AS3786).
- g. All building installations to comply with Australian Standards.
- h. Install an emergency help button inside elevators with clearly labelled sign of building's address near the help button.
- i. Plants to not cover/ obstruct natural surveillance of the entrance and mail box areas of the unit to deter mail theft.
- j. Windows above ground level to be fitted with devices to be locked at 12.5cm when it is engaged to prevent children from falling from windows.
- k. Consider using access cards that allow residents to access the lifts to their floor only and provide the following:
 - Register access swipe cards with residents unit number in the building.
 - If building and floors is only accessible by swipe card, supply Liverpool Police with a master key for access into the building and lifts so that police are able to respond to emergency calls.

Please contact Senior Constable HA at ha1ton@police.nsw.gov.au to arrange this.

Landscaping

193. Upon completion of the approved landscape works associated with the development and prior to the issue of the relevant 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.

Lot Registration

194. The proposed lots shall be endorsed by a subdivision certificate and registered with the LPI Service.

Joint Inspection - Sydney Trains

195. If required by Sydney Trains, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

Housing Affordability

196. Evidence shall be provided to the satisfaction of the PCA demonstrating that the developer has provided dwellings within a range of price points within Edmondson Park Frasers Town Centre, including 15% of dwellings suitable for purchase as moderate income housing (defined as 80% to 120% of the average income across NSW).

Note: 15% will be achieved across the entire Town Centre and not specifically in each stage.

Silver Level Universal Design

197. Evidence shall be provided to the satisfaction of the PCA demonstrating that the developer will provide 20% of all dwellings across the Frasers Town Centre site as incorporating Liveable Housing Guideline's silver level universal design features to provide housing that is appropriate for but not limited to seniors.

Note: 20% will be achieved across the entire Town Centre and not specifically in each stage.

G. CONDITIONS RELATING TO USE

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

No Use Approved

198. Use was not sought as a part of DA-767/2017 and has not been approved for any centre-based childcare facility at the site. Any centre based childcare facilities shall be subject to separate applications, with the inclusion of operation hours and fit-out details.

Fit-out

199. The fit-out of the gym and cinema are subject to separate applications for approval.

Hours of Operation

200. The hours of operation for the following premises are limited to:

Cinema

Monday to Sunday and Public Holidays: 7:00am to 1:00am.

Gym

Monday to Sunday and Public Holidays: 7:00am to 12:00am (midnight).

Access to Basement Car Parking – Retail/Commercial

201. Pedestrian access to the retail and commercial basement car parking areas in both the north-east and south-east quadrant, shall be provided from 6:00am to 2:00am or 1 hour before or 1 hour after the first and last tenancy opening times.

Cinema and Gym Operation

202. The operation of the cinema and gym shall be conducted so as to avoid unreasonable noise and cause no interference to adjoining or nearby occupants.
203. The operators of the cinema and gym shall each keep a legible record of all complaints received in a current Complaints Register. The Complaints Register must record, but not necessarily be limited to:
- a) the date and time, where relevant, of the complaint;
 - b) the means by which the complaint was made (telephone, mail or email);
 - c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) any action(s) taken by the operator in relation to the complaint, including any follow-up contact with the complainant;
 - f) if no action was taken in relation to the complaint, the reason(s) why no action was taken; and
 - g) allocate an individual “complaint number” to each complaint received.
204. The cinema and gym Complaints Register must be made available for inspection when requested by Liverpool City Council.

Gym

205. The operation of the gym shall comply with the approved Noise Management Plan at all times.
206. The preparation of food (including processing, cooking and packaging of food) for sale is not permitted at the gym unless with the prior approval of Council.

Inspection Fee

207. Council’s Environmental Health Officers will carry out routine inspections of the premises under the Food Act 2003. Administration and inspection fees will be charged in accordance with Council’s Pricing Policy and Fees and Charges.

Display of Goods

208. All materials and goods associated with the various uses at the site shall be contained within the buildings, with the exception of licenced areas associated with the Eat Street food and drink premises, at all times.

Main Street

209. The Main Street is not to be altered, removed or extinguished without prior approval of Council. Council's approval is required for any traffic management changes on The Main Street.

Car Parking and Loading

210. A total of **one-thousand and twenty-five (1525)** off street car parking spaces must be provided in accordance with the approved basement plans, titled "Basement 2 Overall Plan" and "Basement 1 Overall Plan", prepared by HDR, drawing numbers DA10 and DA 11, project number 0264440, issue 2, dated 4 May 2018. Of the total spaces, **twenty-two (22)** must be designed and signposted/marked as accessible parking spaces for the specific use of persons with a disability.
211. All parking areas shown on the approved plans must be used solely for this purpose.
212. 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.

Operation of Loading Dock

213. The operation of the loading dock shall comply with the approved Plan of Management and conditions of consent at all times.

Deliveries

214. Deliveries and service vehicles including waste collection are limited to 6:00am to 10:00pm, Monday to Sunday.

Vehicle Movements

215. The operator of the development must not permit the reversing of vehicles onto or away from the road reserve, with the exception of garbage and recycling collection vehicles. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with AS 2890.1 Parking Facilities – Off Street Car Parking.

Bicycle Parking

216. A total of **five-hundred and eighty-five (585)** bicycle spaces shall be provided onsite at all times in the following arrangement:
- a. Residential Bicycle Spaces: 427 (to be provided within storage cages)
 - b. Non-Residential Bicycle Spaces: 65
 - c. Non-Residential Visitors Bicycle Spaces: 93

Waste

- 217. All solid and liquid waste is to be removed from the site by a registered waste contractor.
- 218. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.
- 219. All solid waste stored on site is to be covered at all times.
- 220. A permanent record of receipts for the removal of both liquid and solid waste from the site shall be kept and maintained up to date at all times. Such record shall be made available to the Consent Authority and Liverpool City Council's Officers, upon request.
- 221. Waste and recyclable material generated from the operations of the development shall be managed in a satisfactory manner that does not give rise to offensive odour or encourage pest activity. All waste material shall be regularly removed from the premises. Waste shall not be permitted to accumulate near the waste storage bins.

Waste Storage Area

- 222. 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.
- 223. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties.
- 224. Any bin bays must be:
 - (a) Provided with mechanical ventilation;
 - (b) Provided with a hose cock for hosing the garbage bin bay and a sewerage drainage point in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay, it is not to protrude into the space indicated for the placement of bins;
 - (c) Provided with sufficient light to permit usage at night;
 - (d) Allocated with sufficient space within the bin bay to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector;
 - (e) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
 - (f) Garbage is to be placed wholly within the garbage bins provided;
 - (g) Only recyclable materials accepted by Council are to be placed within the recycling bins;
 - (h) The area is to be kept tidy;
 - (i) A phone number for arranging disposal of bulky items;
 - (j) Graphic illustrative content to be 50%;
 - (k) Bin bay signs are available from Council;
 - (l) Operation, maintenance and cleaning of the garbage chutes and associated waste cupboards, rooms, or equipment is the responsibility of the occupier and not of Council.

Noise

225. No persons, such as those commonly known as 'spruikers' shall operate either with or without sound amplification equipment for the purpose of advertising the use of the premises, the sale and availability of goods, services, entertainment or the like.
226. Any alarm installed on the site is to be "silent back to base" type.
227. The use of the premises including music and other activities 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 am 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 7.00am 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.

228. Noise associated with the use of the premises, 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 10.00pm daily and 0dB(A) above the L90 background between 10.00pm and 7.00 am 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) 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) and (c) shall be carried out in accordance with AS 2973 for vibration measurements, AS1055 for outdoor sound level measurements, and AS 2107 for indoor sound level measurements.

Environmental Health

229. 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.

Food Premises – Restaurant/Take-Away/Bakery

230. The use of charcoal for the purposes of heating, cooking or smoking food on the premises is strictly prohibited, unless otherwise approved by Council.

Burning

231. No burning of any materials shall be carried out on site.

Public Address System

232. Any public address system or sound amplifying equipment shall be installed so as to not emit an offensive noise as defined by the Protection of the Environment Act 1997.

Unreasonable Noise and Vibration

233. The cinema and gym including but not limited to the operation of mechanical plant, equipment and patron management shall be undertaken 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, particularly from machinery, plant, 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 acoustic 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 to Liverpool City Council's satisfaction.

Lighting

234. 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 premises.

Air Pollution

235. All activities and operations 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.

NSW Police Conditions

236. The development shall be consistent with the following requirements of the NSW Police at all times:

Mailboxes:

- a. 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).
- b. Mailboxes to be locked when not in use.

Parking:

- c. Display signage reminding users to remove valuables, lock and secure their vehicles.
- d. Installation of speed humps to deter/ prevent traffic related offences in main public areas.
- e. Access to the underground residential carpark to be restricted with access given to authorised people (residents only) to prevent unauthorised access.

Town square area:

- f. Strategically place bollards or fixed planters to prevent vehicles entering high pedestrian areas or vehicles being used as ram to enter into businesses.

CCTV cameras:

- g. Install CCTV cameras in public areas and carpark areas.
- h. Display signs warning of CCTV cameras being used at the location.
- i. Register the CCTV cameras with the free NSW Police CCTV register at:

https://www.police.nsw.gov.au/online_services/register_my_business_cctv_details

Washing on Balconies

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

Traffic Modelling

- 238. The developer is to submit SIDRA traffic modelling and the latest traffic survey data to Council for traffic signal warrant assessment of the proposed traffic signals at Bernera Road and Greenway Intersection within 12 months after the OC being issued for the subject development.

Green Wall Maintenance

- 239. The green walls within the public laneway known as "Green Link" shall be maintained in accordance with the approved Green Wall Management Plan at all times.

Through Site Link

240. Pedestrian access shall be provided to the north-east quadrant from Henderson Road through the Through Site Link upon its completion, during centre opening times.

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) “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 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.
- e) 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.

- f) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential effect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool

City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.

- g) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- h) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.

ATTACHMENT 2 – SECTION 7.11 PAYMENT FORM

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

Liverpool Contribution Plan 2008 Edmondson Park

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

These figures have been calculated to the June 2018 CPI Quarter and will be adjusted at the time of payment in accordance with the conditions of consent.

APPLICATION NO.: DA-767/2017

APPLICANT: *Frasers Property Group*

PROPERTY: Lot 100 Campbelltown Road, Edmondson Park

PROPOSAL: Creation of the town centre core east comprising of commercial floor space at ground and podium levels with 6 RFB's ranging from 6 to 14 storey above; all over two levels of basement parking. The town centre core east includes the creation of a town square, an Eat Street, a public laneway, Main Street and Henderson Lane, with associated landscaping and public domain embellishments, and connection to services with the stratum subdivision of the site.

<u>Facilities</u>	<u>Amount (\$)</u>	<u>Job No.</u>
Community Facilities - Land	\$134,706	GL.10000001870.10174
Community Facilities - Works	\$0	GL.10000001870.10175
Open Space and Recreation - Land	\$1,627,875	GL.10000001869.10176
Open Space and Recreation - Works	\$0	GL.10000001869.10177
Transport and Access - Land	\$1,047,834	GL.10000001865.10178
Transport and Access - Works	\$368,778	GL.10000001865.10179
Drainage - Land	\$46,074	GL.10000001866.10180
Drainage - Works	\$149,857	GL.10000001866.10181
Technical Study Fees Recoverable	\$8,789	GL.10000001872.10182
Professional Fees	\$28,676	GL.10000001872.10183
TOTAL	\$3,412,590	

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

RECORD OF PAYMENT

Total Amount paid: _____

Date: _____

Receipt No.: _____ **Cashier:** _____

ATTACHMENT 3 – NSW RFS

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 1300 NSW RFS
e-mail: pes@rfs.nsw.gov.au

Facsimile: 8741 5433



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

Your Ref: DA-767/2017
Our Ref: D17/3859
DA17103010022 EJ

ATTENTION: Michael Oliveira

17 November 2017

Dear Sir/Madam

Integrated Development for 3/1220978 Lot 1 Campbelltown Road Edmondson Park NSW 2174

I refer to your letter dated 24 October 2017 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the issue of subdivision certificate or commencement of construction, whichever comes first, the subject land and adjoining the South West and North West Quadrants shall continue to be managed to the standard of an asset protection zone (APZ) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

3. Public road access shall comply with Section 4.1.3(1) of 'Planning for Bush Fire Protection 2006', except where modified in Section 5.3 of the submitted bush fire report prepared by Ecological Australia (Dated September 2017, Reference 17HNG_7492).

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

4. Construction of buildings within 100 metres from the unmanaged vegetation to the west shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

General Advice – consent authority to note

As the proposal includes developments that fall within the definition of special fire protection (SFPP) and high density residential developments, a Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'.

For any queries regarding this correspondence please contact Emma Jensen on 1300 NSW RFS.

Yours sincerely



Jason Maslen

Team Leader, Development Assessment and Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.

ATTACHMENT 4 – RMS



Transport
Roads & Maritime
Services

20 November 2017

Roads and Maritime Reference: SYD17/01499/01 (A19799001)
Council Ref: DA-767/2017

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

Attention: Michael Oliveira

Dear Sir/Madam

**STAGE 1 OF EDMONDSON PARK TOWN CENTRE FOR CONSTRUCTION OF RESIDENTIAL
AND COMMERCIAL BUILDINGS AND ASSOCIATED CIVIL WORKS – LOT 1
CAMPBELLTOWN ROAD, EDMONDSON PARK**

Reference is made to Council's correspondence dated 24 October 2017, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

Roads and Maritime has reviewed the submitted application and raises no objection to the Application, provided the proposed residential density and retail and commercial gross floor area is consistent with the approved Edmondson Park Town Centre Concept Plan. Council should be satisfied that the traffic generation from the proposed development will not have a detrimental impact on the local road network.

Please note that traffic signal controls on Bernera Road under DA-1260/2016 (SYD17/00192) still requires approval from Roads and Maritime in accordance with Section 87 of the *Roads Act 1993*.

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

A handwritten signature in black ink, appearing to read 'RCumming'.

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

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

ATTACHMENT 5 – ENDEAVOUR ENERGY

Hello
The General Manager
Liverpool City Council

ATTENTION: Michael Oliveira, Senior Development Planner DEVELOPMENT ASSESSMENT

Dear Sir or Madam

I refer to Council's letter of 24 October 2017 regarding Development Application DA-767/2017 at LOT 1 CAMPBELLTOWN ROAD, EDMONDSON PARK NSW 2174 (LOT 1 DP 1220978) for 'The first stage of the development of the Town Centre Core of Edmondson Park South to provide a mixed use development with ground floor commercial spaces and community uses and construction of a residential and commercial podium with commercial and residential space including six residential flat buildings, all above two levels of basements car parking. Civil engineering works to provide temporary site access, public domain works, landscape works and strata subdivision'. Submissions need to be made to Council by 14 November 2017.

As shown in the below site plan from Endeavour Energy's G/Net master facility model in regards to 'Residential Precinct Stage 1', there are:

- No easements over the site benefitting Endeavour Energy (easements are indicated by red hatching).
- 11,000 volt / 11 kV (constructed at 22,000 volts / 22kV) overhead power lines traversing the site not held under easement, but are protected assets under the Electricity Supply Act 1995 (NSW), Section 53 'Protection of certain electricity works'.
- Low voltage overhead power lines to the road verge / roadway.

Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed). This plan is not a 'Dial Before You Dig' plan under the provisions of Part 5E 'Protection of underground electricity power lines' of the Electricity Supply Act 1995 (NSW).

In regards to the 11 kV (constructed at 22kV) overhead power lines traversing the site not held under easement, as protected assets the owner or occupier of the land cannot take any action by reason of the presence or operation of the electricity works in, on or over the land ie. they cannot remove the electricity infrastructure from the property. These protected assets are managed on the same basis as if an easement was in existence – please refer to the below point 'Easement Management / Network Access'.

In accordance with the attached copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', and as shown in the following extract of Table 1 – 'Minimum easement widths', the the 11 kV (constructed at 22kV) overhead power lines requires a 9 metre minimum easement width ie. 4.5 metres to both sides of the pole / centre line of the power lines.

Table 1 - Minimum easement widths

	Voltage	Asset Type	Construction	Minimum Easement (m)
Overhead Assets	400V-22kV	Bare Construction	All	9
		ABC		
		CCT		

Subject to the following recommendations and comments Endeavour Energy has no objection to the Development Application.

- Network Capacity / Connection

Endeavour Energy has noted the following in the Statement of Environmental Effects:

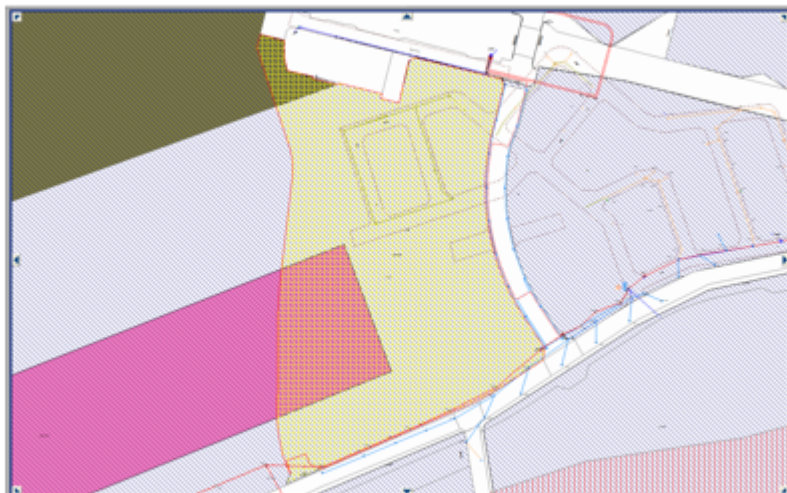
4.21 Utilities and Services

Electricity

An Electrical Services Letter has been prepared by Shelmerdine Consulting Engineers (**Appendix AA**), confirming discussions have occurred with Endeavour Energy to provide power to the precinct via new and existing high voltage feeders and new substations. An application has been made to Endeavour Energy for confirmation of supply to the precinct.

In regards to electricity supply, the availability of supply to the site is based on a wide range of factors eg. the age and design of the network; other development in the locality utilising previously spare capacity within the local network; the progress of nearby / surrounding sites including electricity infrastructure works eg. a smaller and isolated development that may not of its own accord require a padmount substation may require a padmount substation to facilitate the development and from which the spare capacity is made available to subsequent nearby development ie. there is an existing padmount substation located @ 90 m to the east of the site on Lot 1 DP 1122562 (Unity Grammar College), but this may not be designed to accommodate the [padmount substations can vary in load capacity from 315 up to 1,500 kilovolt amperes (kVA)] or have sufficient spare capacity to facilitate the proposed development.

The following site plan from Endeavour Energy's G/Net master facility model shows there are various 'Work Polygons' (shown by the coloured highlighting and/or hatching of the lot) in the vicinity of the site indicating enquiries and applications for contestable works projects with Endeavour Energy's Network Connections Branch for electricity supply. Although Endeavour Energy plans for the expansion and augmentation of its electrical network, applicants should not automatically assume that the presence of existing low voltage service conductors or nearby similar development means that adequate supply is immediately available to facilitate their proposed development. Endeavour Energy's preference is to alert proponents / applicants (and Council) of the potential matters that may arise as further rezoning and redevelopment of non-urban areas continues to occur.



In due course the applicant for the future proposed development of the site will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Given the size of the proposed development, the existing local network will need to be upgraded. Depending on the outcome of the assessment, the required padmount substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:

<http://www.endeavourenergy.com.au/>

Advice on the electricity infrastructure required to facilitate the proposed development can be obtained by submitting a Technical Review Request to Endeavour Energy's Network Connections Branch, the form for which FPJ6007 is attached and further details (including the applicable charges) are available from Endeavour Energy's website under 'Our connection services'. The response to these enquiries is based upon a desktop review of corporate information systems, and as such does not involve the engagement of various internal stakeholders in order to develop a 'Connection Offer'. It does provide details of preliminary connection requirements which can be considered by the applicant prior to lodging a formal application for connection of load.

Alternatively the applicant should engage a Level 3 Accredited Service Provider (ASP) approved to design distribution network assets, including underground or overhead. The ASP scheme is administered by NSW Trade & Investment and details are available on their website via the following link or telephone 13 77 88:

<http://www.resourcesandenergy.nsw.gov.au/energy-supply-industry/pipelines-electricity-gas-networks/network-connections/contestable-works>

As the proposed development is within the South West Growth Centres Greenfield land release it is subject to Endeavour Energy Underground Residential Distribution (URD) policy. Endeavour Energy's Company Policy 9.2.5 'Network Asset Design', includes the following 'Key Requirements' for electricity connections to new residential subdivisions:

5.16 Reticulation policy

5.16.1 Distribution reticulation

In order to improve the reliability performance of and to reduce the operating expenditure on the network over the long term the company has adopted the strategy of requiring new lines to be either underground cables or where overhead is permitted, to be predominantly of covered or insulated construction.

5.16.2 Urban areas

Reticulation of new residential subdivisions will be underground. In non-bushfire prone areas, new lines within existing overhead areas can be overhead, unless underground lines are cost justified or required by local council.

Extensions to the existing overhead 11kV/22kV network must generally be underground.

- Vegetation Management

The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy's Vegetation Management program and/or the provisions of the *Electricity Supply Act 1995* (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

- Dial before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the *Dial before You Dig 1100* service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

- Demolition

Demolition work is to be carried out in accordance with Australian Standard AS2601: The demolition of structures (AS 2601). All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ~~ie, the~~ existing customer service lines will need to be isolated and/or removed

during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. street light columns, overhead power lines, underground cables etc.

- Public Safety

Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynsw/safety/safety+brochures>

- Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.

Could you please pass on the attached resources to the applicant? Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified above in relation to the various matters. As I am working on different projects across the company's franchise area, to ensure a response contact by email is preferred.

Yours faithfully

Cornelis Duba

Development Application Review

Network Environment & Assessment

T: 9853 7896

E: cornelis.duba@endeavourenergy.com.au

51 Huntingwood Drive, Huntingwood, NSW 2148

www.endeavourenergy.com.au



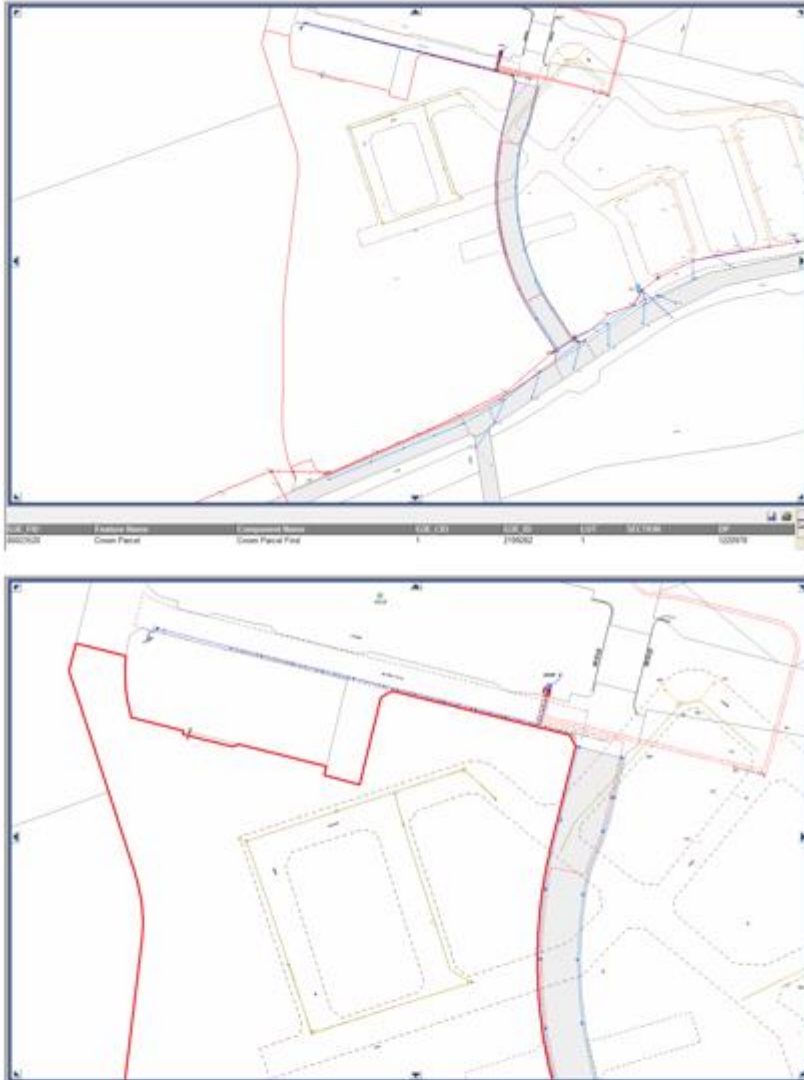




Figure 5 – Aerial photo of the site

ATTACHMENT 6 – SYDNEY WATER



14 November 2017
General Manager
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

Our Ref: 167550/167731

**RE: Lot 1 DP1220978 Campbelltown Road, Edmondson Park
(DA- 583/2017, DA-767/2017)**

Dear Sir/Madam,

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

Water

- Sydney Water is currently delivering a 350mm trunk water main along Croatia Avenue.
- Reticulation network systems will need to be constructed prior to any connections to the trunk main.
- Developments with a building height of 4-8 storeys will need to be connected to a 150mm water main, whereas building height above 8 storeys will need to be connected to a 200mm main.
- Detailed requirements will be provided to the proponent in response to the application for Section 73 Compliance Certificate prior to development commencement.

Wastewater

- Strategic investigation shows that the wastewater systems have adequate capacity to service the proposed development.
- A lead-in main will be required to connect the proposed development site to the 315mm wastewater main in Campbelltown Road.
- The developer is to submit a reticulation design (including long sections and flow schedule with allowances for a fully developed catchment) at the time of Section 73 application.

Sydney Water E-Planning

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

Further advice and requirements for this proposal are in the attachment. If you require any further information, please contact Lulu Huang of Growth Planning and Development on 02 8849 4269 or email lulu.huang@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Paul Mulley".

Paul Mulley
Manager, Growth Planning & Development

Sydney Water Corporation ABN 49 776 225 038

1 Smith St Parramatta 2150 | PO Box 399 Parramatta 2124 | DX 14 Sydney | T 13 20 92 | www.sydneywater.com.au
Delivering essential and sustainable water services for the benefit of the community



Attachment 1

Sydney Water Servicing

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water prior to development commencement. It is recommended that the Council includes this term as a Condition of the DA approval.

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

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

Building Plan Approval

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

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