

DRAFT CONDITIONS 779/2017 (2017SSW058)

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

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 Group GSA for Frasers Property:

Title	Project Number	Drawing Number	Issue	Date
Key Plan/ Masterplan	15005	DA-ST1- 1101 E	E	30/4/2018
A North- Ground Floor Plan	15005	DA-AN-2000	E	9/4/2018
A North-First Floor Plan	15005	DA-AN-2001	E	9/4/2018
A North- Second Floor Plan	15005	DA-AN-2002	E	9/4/2018
A North-Roof Plan	15005	DA-AN-2003	E	9/4/2018
A North- Elevations (Sheet 1)	15005	DA-AN-3000	D	9/4/2018
A North- Elevations (Sheet 2)	15005	DA-AN-3001	D	9/4/2018
A North Section (sheet 1)	15005	DA-AN-3100	D	9/4/2018
A North Section (sheet 2)	15005	DA-AN-3101	D	9/4/2018
A South- Ground Floor Plan	15005	DA-AS-2000	E	9/4/2018
A South-First Floor Plan	15005	DA-AS-2001	E	9/4/2018
A South- Second Floor Plan	15005	DA-AS-2002	E	9/4/2018
A South-Roof Plan	15005	DA-AS-2003	E	9/4/2018
A South- Elevations (Sheet 1)	15005	DA-AS-3000	D	9/4/2018
A South- Elevations (Sheet 2)	15005	DA-AS-3001	D	9/4/2018

A South Section (sheet 1)	15005	DA-AS-3100	D	9/4/2018
A South Section (sheet 2)	15005	DA-AS-3101	D	9/4/2018
B- Ground Floor Plan	15005	DA-B-2000	E	9/4/2018
B- First Floor Plan	15005	DA-B-2001	E	9/4/2018
B- Second Floor Plan	15005	DA-B-2002	E	9/4/2018
B- Roof Plan	15005	DA-B-2003	E	9/4/2018
B-Elevations (Sheet 1)	15005	DA-B-3000	D	9/4/2018
B-Elevation (Sheet 2)	15005	DA-B-3001	D	9/4/2018
B Section (sheet 1)	15005	DA-B-3100	D	9/4/2018
B Section (sheet 2)	15005	DA-B-3101	D	9/4/2018
T-A Ground Floor Plan	15005	DA-TA-2000	D	9/4/2018
T-A First Floor Plan	15005	DA-TA-2001	D	9/4/2018
T-A Roof Plan	15005	DA-TA-2002	D	9/4/2018
T-A- Elevations (Sheet 1)	15005	DA-TA-3000	D	9/4/2018
T-A- Elevations (Sheet 2)	15005	DA-TA-3001	D	9/4/2018
TA Section (sheet 1)	15005	DA-TA-3100	D	9/4/2018
TA Section (sheet 2)	15005	DA-TA-3101	D	9/4/2018
Typical Typology Plans (sheet 1)	15005	DA-ST1 - 2100	B	18/5/2018
Typical Typology Plans (sheet 2)	15005	DA-ST1 - 2101	B	18/5/2018
Typical Typology Plans (sheet 3)	15005	DA-ST1 - 2102	B	18/5/2018
Typical Typology Plans (sheet 4)	15005	DA-ST1 - 2103	B	18/5/2018
Typical Typology Plans (sheet 5)	15005	DA-ST1 - 2104	B	18/5/2018
Overall Streetscape Elevations (sheet 1)	15005	DA-ST1 - 3000	D	9/4/2018

Overall Streetscape Elevations (sheet 2)	15005	DA-ST1 3001	- D	9/4/2018
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(b) Landscape plans prepared by Hassell:

Title	Project Number	Drawing Number	Revision	Date
Drawing Legend & Material Palette	011096_	L_BA0001	A	26/7/2017
Planting Schedule and Planting Palette	011096	LBA0002	B	17/4/2018
Stage 1 Precinct Plan	011096	L_BA0100	B	10/4/2018
General Arrangement Plan Stage 01	011096	L_BA1101	B	10/4/2018
General Arrangement Plan Stage 01	011096	L_BA1102	B	10/4/2018
General Arrangement Plan Stage 01	011096	L_BA1103	B	10/4/2018
Gateway Park Sections	011096	L_BA3001	A	26/7/2017
Local park Sections	011096	L_BA3003	A	26/7/2017
Public Domain Analysis & Principles	011096	L_BA5000	A	26/7/2017
Landscape Private Open Space Analysis	011096	L_BA6001	B	10/4/2018
Landscape Private Open Space Analysis	011096	L_BA6002	B	10/4/2018
Residential Precinct 1 Deep Soil & Permeable Surfaces		SK-04	03	16/7/2018
Residential Precinct 1 – Stage 1 Estimated Mature Tree Canopy Coverage		SK-05	02	11/7/2018
Residential Precinct 1 – Rear Courtyard Design Updates		SK-03	01	14/5/2018

(c) Subdivision plans:

- Plans of Proposed Community Subdivision, prepared by Beveridge Williams incorporating Dunlop Thorpe, Dated 20/7/2018, Reference No. 1601480_5_5 (V7) and 1601480_5_3_1 (V7).

(d) BASIX certificates prepared by WSP Australia Pty Ltd:

Certificate Number	Date
779529M_04	7 June 2018
779568M_04	7 June 2018
779586M_04	7 June 2018
779713M_03	4 December 2017

(e) Reports:

Report Title	Prepared by	Report No.	Issue No.	Date
Traffic Impact Assessment	Ason group	0405	0405r01v1	21/09/2017
Noise Assessment	Wilkinson Murry	16178-R1	A	25/1/2016
Bushfire Protection Assessment	Eco logical Australia	15SUT_3123	2	4/3/2016
Access	Morris goding accessibility consulting		Final v4	21/8/2017
Building Code of Australia Report	Mckenzie group	072393-04BCA	C	24/8/2017
Additional Geotechnical Investigation	GeoEnviro Consultancy Pty Ltd	JG15942A	R6	December 2016
Remediation Action Plan	DLA Environmental Service	DL3550_S003701	1.0	18/11/2015
Waste Management plan for Residential Precincts	GHD	21/25101	3	14/2/2017

General Terms of Approval

- 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 **26 March 2018**. A copy of the General Terms of Approval are attached to this decision notice.

Building work

- Building work shall not commence prior to the issue of the relevant Construction Certificate, unless it is able to be carried out as exempt or complying

development. 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.

Endeavour Energy Comments

4. 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

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

Works at no cost to Council

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

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 94 PAYMENT (Liverpool Contributions Plan 2008 Edmondson Park)

7. 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 **\$2,205,957**.

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 at Council's Administration Centre, 1 Hoxton Park Road, Liverpool or at www.liverpool.nsw.gov.au.

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

Provision of Services

8. 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.

9. 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.

10. Prior to the issue of the relevant 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

11. 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.

12. 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

13. 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.

14. 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

15. 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

16. Prior to issue of a 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.”

Recommendations of Acoustic Report

17. 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.

Bedroom Design

18. The construction certificate plans are required to indicate that all bedrooms in all dwellings and in all blocks of Residential Precinct 1 – Stage 1 shall have a minimum dimension of 3m, excluding wardrobe space.

Ground Floor Town Homes

19. All ground floor town homes in blocks A-North, A-South and B shall be designed to provide the following:

- a) A mechanical ventilation system shall be provided for each ground floor town home. The ventilation system shall be carried out in accordance with the BCA.
- b) All rear access doors to car parking areas for all ground floor town homes shall be acoustically treated to mitigate noise from parking areas. The acoustic treating shall be carried out in accordance with the BCA.

S138 Roads Act – Minor Works in the public road

20. 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.

Retain Walls on Boundary

21. 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

22. 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.

Construction Certificate for Subdivision Works

23. Prior to the issue of the relevant Construction Certificate for subdivision works the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved concept plan/s prepared by Beveridge Williams incorporating Dunlop Thorpe, dated 20/7/2018, Reference Number 1601480_5_5 and 1601480_5_3_1, and that all subdivision works have been designed in accordance with conditions of this consent, Liverpool City Council's

Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

The subdivision works may include but are not limited to the following:

- Public and private roads
- Stormwater drainage including water quantity and quality treatment measures
- Interallotment drainage
- Private access driveways
- Sediment and erosion control measures
- Overland flowpaths
- Flood control measures
- Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- Earthworks
- Bridges, culverts, retaining walls and other structures
- Landscaping and embellishment works

The Construction Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

Stormwater Discharge

24. Stormwater drainage from the site shall be discharged to the street drainage system.

The proposed development and stormwater drainage system shall be designed to ensure no adverse impact on adjoining properties by the diversion, damming or concentration of stormwater flows.

The proposed method of stormwater discharge shall be detailed in the Construction Certificate issued by the Certifying Authority.

Crime Prevention Through Environmental Design

25. 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) Enclosed parking areas shall be painted a light colour;
 - (c) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be considered;
 - (d) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells;
 - (e) Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting;
 - (f) Glazed tiling, patterned, porous and non solid surfaces reduce the reward for graffiti offenders;

- (g) Any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details;
- (h) Access to the enclosed parking levels relating to the residential component of the building shall be controlled via a security controlled device.

Garbage Services

- 26. Dwellings shall be designed to store the allocated domestic waste bins including a 140 Litre MGB and a 240 Litre MGB. These shall be stored within property boundaries. See Fact Sheet: Waste Management Services for Residential Flat Buildings and Multi Dwelling Housing for bin specifications.
- 27. Pavement marking to indicate collection points shall be removed from the Waste Management Plan.
- 28. The developer/owner of the site is to contact Liverpool Council- Waste Management Section to determine the required number of waste and recycle bins for the residential component of the development as well as servicing requirements. 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.

Flood Engineering

- 29. 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.
- 30. On-site water quality management measures shall be undertaken to ensure that stormwater runoffs leaving the site comply with Council's water quality standards.
- 31. 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).
- 32. 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).

Access, Car Parking and Manoeuvring

- 33. Prior to the issue of the relevant Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Liverpool City Council's Development Control Plan.
- 34. Detailed design plans for the proposed Mews, with associated signs and line marking schemes, demonstrating that the design has been prepared in

accordance Australian Standards (AS2890) are to be submitted to Traffic and Transport Section for review and Council's approval. The design is to indicate the following for the proposed Mews:

- a. Mews - a minimum carriageway of 6.0 m for two-way traffic, and 2.5m indented parking bays to accommodate on-street parking.
35. Detailed design plans of the proposed driveways and car parking areas including swept path analysis, demonstrating that the design has been prepared in accordance Austroads Design Guidelines, EPTC DCP and AS2890 are to be submitted to Traffic and Transport Section for review and approval.
36. 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 the relevant Construction Certificate.
37. The design of street lighting at 'P4' Category in accordance with Council's and Endeavour Energy specifications along all the roads, laneways and mews within the development should be submitted to Council Traffic and Transport Section for approval.
38. A road occupancy permit is to be submitted to Council Traffic and Transport Section for any works within the public road reserve.

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

39. Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.
40. 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.
41. 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.
42. Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate.
43. The PCA must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.

44. 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.
45. 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.

Site Development Work

46. 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.

Residential Building Work

47. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the name and licence number of the principal contractor; and the name of the insurer by which the work is insured under Part 6 of that Act.

Site Facilities

48. 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

49. 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.

Site Notice Board

50. 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.

Dilapidation Report

51. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Campbelltown Road is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb

and gutter, footpath, services and street trees and is to extend 20m either side of the development.

Sediment & Erosion Control

52. 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.

Notification of Service Providers

53. 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

54. 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.

Traffic Control Plan

55. 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, and 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.

Waste Classification

56. 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

57. An Environmental Management Plan (EMP) shall be developed and submitted to the Principal Certifying Authority for approval. The EMP shall provide a comprehensive and complete action and implementation plan to ensure that the anthropological and natural environment is not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:
- (a) Measures to control noise emissions from the site;
 - (b) Measures to suppress odours and dust emissions;
 - (c) Selection of traffic routes to minimise residential noise intrusions;
 - (d) Soil and sediment control measures;
 - (e) Measures to identify hazardous and industrial wastes and the procedures for removal and disposal including asbestos; and
 - (f) Community consultation.
58. 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.

Vegetation Protection

59. The recommendations of the approved Flora and Fauna Assessment prepared by Ecological Australia Pty Ltd, project number 17SYD – 7842, version 1, dated August 2017 shall be implemented and maintained during the construction stages.

Matters to be addressed prior to commencement of Subdivision Works

60. 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.

D. DURING CONSTRUCTION

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

Hours of Construction Work and Deliveries

61. 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

62. 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.

Building Inspections

63. 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.
64. 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

65. The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor works continue, until the PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

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

66. 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

67. 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.

Toilet Facilities

68. 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*.

Erosion & Sediment Control

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

Major Filling and Earthworks

70. 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.

Hoarding, Lifting and Craning

71. 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.

72. 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.

Car Parking Areas

73. The spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.

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

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

Road Works

74. If a works zone is required, an application must be made to Council's Traffic and Transport Section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.
75. Notice must be given to Council's Traffic and Transport Section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
76. 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.

Aboriginal Relics/Artefacts

77. 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.

Contamination

78. 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).
79. 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.
80. 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.

NSW Police Conditions

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

Site Remediation Works

85. Remediation works must be carried out in accordance with Remedial Action Plan prepared by DLA Environmental Services (report no: DL3550_S003701) dated November 2015. Any variation to the proposed remediation works must be approved 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.

Note: Cap and contain onsite shall not be used as a preferred remediation strategy within Liverpool City Council.

Notice of Completion of Remediation Work

86. Within thirty (30) days of completion of remediation works notice of the works completed shall be given to Council in accordance with Clause 17(2) of State Environmental Planning Policy No. 55 – Remediation of Land. The notice shall be in writing and prepared and signed by the person who carried out the work. The Notice shall also:

- a) Provide the person's name, address and business telephone number;
- b) Provide details of the person's qualifications to carry out the work;
- c) Specify, by reference to its property description and street address, the land on which the work was carried out;
- d) Provide a map of the location of the land;
- e) State when the work was completed;
- f) Specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment;
- g) Specify the uses of the land immediately before the work started;
- h) Briefly describe the method of remediation used in the work;
- i) Specify the guidelines that were complied with in the work;
- j) Specify the standard of remediation achieved (in the light of the use proposed for the land);
- k) Show in what manner the work (if a category 1 remediation work) complied with the conditions of the relevant development consent; and
- l) State what action must be maintained in relation to the land after the completion of the remediation achieved is to be maintained.

Note: A site audit statement (within the meaning of Part 4 of the Contaminated Land Management Act 1997) may be given in partial compliance with this requirement.

Air Quality

87. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
88. 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.
89. 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.

Water Quality

90. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.

Pollution Control

91. 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.
92. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

Ventilation

93. The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2)
94. The design, construction, installation and commissioning of the mechanical ventilation systems(s) serving the premises shall be carried out in accordance with Australian Standard 1668 Parts 1 & 2.

The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person, and shall be positioned to comply with Section 3.7 of Australian Standard 1668 Part 2 – 2012.

Vegetation Management

95. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
96. Mulch generated from exotic trees or other weed species cleared shall not be used on site. It shall be removed from the site and disposed of appropriately and in accordance with legislative requirements.
97. Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.

Waste Management Plan

98. The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

Note: Any non-compliance with this requirement will result in penalties being issued.

Site Facilities

99. 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.

Street Lighting

100. Street lighting is to be provided for all new and existing streets within the proposed subdivision 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.

Soil testing - Subdivisions

101. Soil Testing is to be carried out to enable each lot to be classified according to AS2870 "Residential Slabs and Footings".

E. PRIOR TO ISSUE OF A SUBDIVISION CERTIFICATE

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

Special Infrastructure Contribution

102. 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.

Completion of subdivision works

103. Prior to the issue of the relevant Subdivision Certificate, the Principal Certifying Authority shall ensure that all 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.

Subdivision Compliance documentation

104. Prior to the issue of the relevant 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: Nominate

- 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) 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.
- c) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification.
- d) 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
- e) Structural Engineer's construction certification of all structures

Linen Plans & 88B

- 105. 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.
- 106. The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release
- 107. The following restriction as to user must be placed over proposed Lots 2, 3, 4 and 17-24 and details shall be submitted with the application for a Subdivision Certificate.
 - a) No CC shall be issued for a building on the lot burdened until on site drainage detention has been designed in accordance with Council's On-Site Detention Policy and Construction Specification.
 - b) No OC for a building shall be issued until the designed on-site detention system has been constructed on the subject lot and a licensed Surveyor prepares a "Work As Executed" plan and is certified as complying with the approved detention design by an appropriate accredited professional engineer.

108. A restriction shall be placed on title that prevents Mews No.3 from being extinguished without approval of Liverpool City Council. Details of this restriction shall be submitted with the application for a Subdivision Certificate.
109. The following restriction as to the user must be registered on the title of property:
- a) 240 litre green waste bins will not be provided to townhouses as no dwellings have lawns or gardens of any significance to warrant this service.
 - b) The four buildings (eight dwellings) in area C North, Five buildings (nine dwellings) in area B and Three buildings (nine dwellings) in area F South will present their bins to kerbside for collection to the nearest road to the north or south of their residences as shown in the Waste Management Plan submitted at the time of development.

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

110. 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 Council's design specification for subdivisions (as amended) unless otherwise agreed by Council.

Service Providers

111. Documentation for the following service providers is required:
- 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.

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

112. 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.
113. 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*.
114. 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.

115. 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.
116. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the PCA.
117. Street numbers must be prominently displayed at the front of dwellings.

S138 Roads Act

118. Prior to the issue of the relevant 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.

Council Infrastructure

119. Council's on-street assets such as footpath should be protected at all times. Any damages should be rectified to Council satisfaction.

Recommendations of Acoustic Report

120. 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

121. 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.

Landscaping

122. 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

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

Strata Laws

124. Strata law(s) shall be formulated to protect and maintain the irrigation of planter boxes within the podium level private open spaces of all town homes within blocks A-North, A-South and B. This shall be endorsed by a suitably qualified landscape consultant and done to the satisfaction of the PCA.
125. Strata law(s) shall be formulated to maintain the approved vegetation within planter boxes at the podium level private open spaces of all town homes within blocks A-North, A-South and B, at all times. This shall done to the satisfaction of the PCA.

G. CONDITIONS RELATING TO USE

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

Car Parking

126. A total of **one-hundred and seventy-two (172)** off street car parking spaces must be provided in accordance with the Edmondson Park Frasers Town Centre Guidelines October 2017 to service Residential Precinct 1 – Stage 1.
127. All parking areas shown on the approved plans must be used solely for this purpose.

Washing on Balconies

128. 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.

NSW Police Conditions

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

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

Parking:

- e) Display signage reminding users to remove valuables, lock and secure their vehicles.

Residential dwellings:

- f) Display unit/ building numbers and address at the front of the unit at the recommended size to assist in identifying the building
- g) Install smoke alarms to meet with NSW legislation (Australian Standards AS3786)
- h) All building installations to comply with Australian standards.

Mailbox:

- i) 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)
- j) Mailboxes to be locked when not in use

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

Note to the applicant:

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

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

APPLICATION NO.:

DA-779/2017

APPLICANT:

Australand Residential Edmondson Park Pty Ltd

PROPERTY:

Lot 100 Campbelltown Road, Edmondson Park

PROPOSAL:

Construction of 104 dwellings with associated car parking and landscape works, the creation of two pocket parks, a local park and Mews No.3, and the community title subdivision of the site.

<u>Facilities</u>	<u>Amount (\$)</u>	<u>Job No.</u>
Community Facilities - Land	\$87,076	GL.10000001870.10174
Community Facilities - Works	\$0	GL.10000001870.10175
Open Space and Recreation - Land	\$1,052,287	GL.10000001869.10176
Open Space and Recreation - Works	\$0	GL.10000001869.10177
Transport and Access - Land	\$677,338	GL.10000001865.10178
Transport and Access - Works	\$238,810	GL.10000001865.10179
Drainage - Land	\$29,783	GL.10000001866.10180
Drainage - Works	\$96,530	GL.10000001866.10181
Technical Study Fees Recoverable	\$5,661	GL.10000001872.10182
Professional Fees	\$18,472	GL.10000001872.10183
TOTAL	\$2,205,957	

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

RECORD OF PAYMENT

Total Amount paid: _____

Date: _____

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

ATTACHMENT 3 – NSW RFS GTA

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: records@rfs.nsw.gov.au

Facsimile: 8741 5433



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

Your Ref: DA-779/2017
Our Ref: D17/3780
DA17102509951 EJ

ATTENTION: Michael Oliveira

26 March 2018

Dear Sir/Madam

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

I refer to your letter dated 26 February 2018 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 and in perpetuity the entire property shall be managed as an inner protection area (IPA) 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'. The proposed buildings shall be located a minimum of 28 metres from the unmanaged vegetation to the west and northwest.

Water and Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. 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'.

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:

3. Construction of buildings located within 28 metres to <100 metres from the unmanaged vegetation to the west, northwest and southeast 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'.

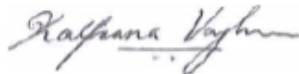
General Advice – consent authority to note

The above conditions relating to asset protection zones and design and construction have been based upon a performance based solution detailed in the correspondence prepared by Ecological Australia Pty Ltd (Dated 9 January 2018, Referenced 15SUT_3123).

This letter is in response to a further assessment of the application submitted and supersedes our previous general terms of approval dated 26 February 2018.

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

Yours sincerely



Kalpana Varghese

Acting Team Leader, Development Assessment and Planning (East)

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 – ENDEAVOUR ENERGY COMMENTS

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).
- Low voltage and 11,000 volt / 11 kV high voltage underground cables to the Soldiers Parade road verge / roadway.
- Low voltage and 11 kV underground cables and underground earth cables to the northern boundary with Lot 1 DP 1215120 / future Henderson Road 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).

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.

The following site plan from Endeavour Energy's G/Net master facility model shows the site is part of a 'Work Polygon' (shown by the coloured highlighting and/or hatching of the lot) indicating enquiries and applications for proposed contestable works projects with Endeavour Energy's Network Connections Branch for electricity supply to the development for urban residential subdivision (Endeavour Energy's reference URS numbers). As such, Endeavour Energy's Network Connections Branch are managing the conditions of supply with the proponent and their authorised service provider (ASP). However the applicant will need to contact Endeavour Energy's Network Connections Branch (via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm) if this Development Application:

- Includes any contestable works projects that are outside of the existing approved / certified works.

- Results in an electricity load that is outside of the existing Supply / Connection Offer requiring the incorporation of the additional load for consideration. This is due to load being based on a desktop assessment using an After Diversity Maximum Demand (AMMD) where demand is aggregated over a large number of customers providing an ADMD for the site / per lot. Depending on the actual development proposed for the site, the ADMD provided may not be sufficient.



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. Larger trees should be planted well away from electricity infrastructure 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 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.

- 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/community/nsw/safety/safety+brochures>

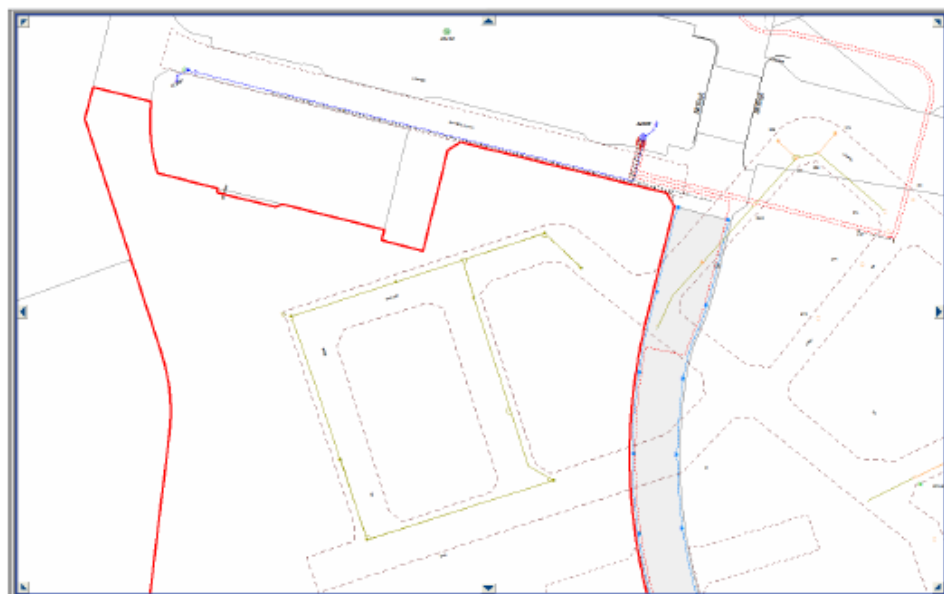
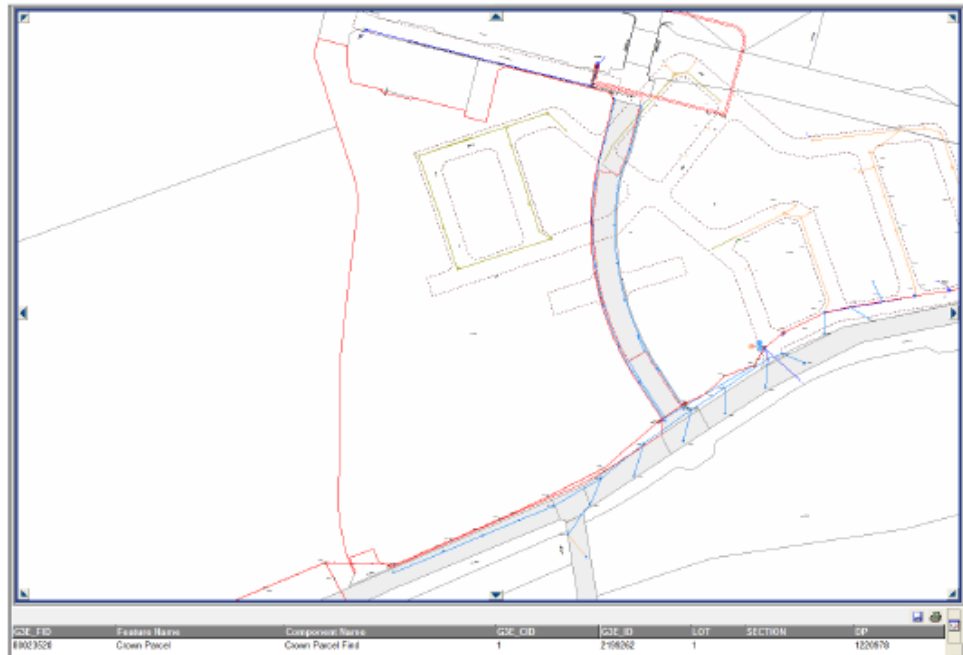
- Emergency Contact

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.

Kind regards
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





ATTACHMENT 5 – RMS COMMENTS



Transport
Roads & Maritime
Services

8 December 2017

Roads and Maritime Reference: SYD17/01470/01 (A19793434)
Council Ref: DA-779/2017

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

Attention: Michael Oliveiro

Dear Sir/Madam

**CONSTRUCTION OF 104 RESIDENTIAL DWELLINGS, STAGE 1 – 1 CAMPBELLTOWN ROAD,
EDMONDSON PARK**

Reference is made to Council's correspondence dated 19 October 2017, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

It is noted that this application is related to the subdivision and road works proposed to be carried out under DA-583/2017 (SYD17/01238).

Roads and Maritime has reviewed the submitted application and raises no objections, subject to the following conditions being placed on any consent issued by Council:

1. The development site is affected by the proposed Campbelltown Road Upgrade Project and future road infrastructure works as shown by pink colour on the attached Aerial – "X" and sketch SR3339. Proposed easements for batter and access are shown by brown colour on the attached sketch SR3339 and SR4917.

The site is also subject to a proposed lease to Roads and Maritime Services as shown by green hatching on the attached Aerial – "X".

All new buildings and structures (including bulk earthworks), together with any improvements integral to the future use of the site, are to be erected clear of the land required for road infrastructure, the identified easements and lease areas (unlimited in height or depth). Access to the easement is not to be denied and the integrity of the easement is not to be compromised.

2. Access is denied across the property boundary to Campbelltown Road, including the period of road works to be undertaken for widening by Roads and Maritime.

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

3. Any noise mitigation works (including foundations) required for the proposed development need to be contained fully within the developer's land, at the developer's cost.
4. A copy of the civil, utility and stormwater authority plans are to be submitted to Roads and Maritime's Project Manager Ms Nanthini Easwaran (Nanthini.EASWARAN@rms.nsw.gov.au or 02 9352 9545) prior to the issue of the Construction Certificate.
5. Detailed design plans and hydraulic calculations of any changes to Roads and Maritime's stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works. Details should be forwarded to suppiiah.thillai@rms.nsw.gov.au

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

6. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Campbelltown Road.
7. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Campbelltown Road during construction activities.
8. Any temporary and/or permanent relocation of utility services adjacent to the Roads and Maritime road corridor requires prior consultation and approval from Roads and Maritime Services.
9. The proponent is required to liaise with Roads and Maritime's Project Manager Ms Nanthini Easwaran (Nanthini.EASWARAN@rms.nsw.gov.au or 02 9352 9545) in relation to construction access, finished road design levels, earthworks for batters, utility plans, drainage and landscaping works adjacent to and/or connecting to Campbelltown Road. The developer is to obtain relevant approval/s from the Project Manager prior to commencing construction work and must be scheduled not to conflict with any Roads and Maritime Services activities.
10. All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime Services, as well as not delay or hinder any road improvement works being undertaken on Campbelltown Road by Roads and Maritime Services and/or relevant contractors.

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

1. The proposed dwelling density is to be consistent with the approved Edmondson Park Concept Plan.
2. Vehicular access to Bemera Road should be restricted.
3. The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) manoeuvring through the site shall be in accordance with AUSTROADS.
4. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate. Please note that construction access arrangements via Campbelltown Road are restricted.

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 'R. Cumming'.

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

