

MOTT MACDONALD AUSTRALIA PTY LTD
LEVEL 10, 383 KENT ST
SYDNEY NSW 2000

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

**NOTICE OF DETERMINATION OF
A DEVELOPMENT APPLICATION**

Being the applicant in respect of Development Application No. DA-1053/2016 and pursuant to Section 80, 80A & 81 (1) (a) of the *Environmental Planning and Assessment Act 1979*, Notice is hereby given of the determination by Liverpool Council as Consent Authority of the above described Development Application relating to:

APPLICANT:	MOTT MACDONALD AUSTRALIA PTY LTD
LAND:	BINDI EYE, 230 SIXTH AVENUE, AUSTRAL NSW 2179, 50 EDMONDSON AVENUE, AUSTRAL NSW 2179, 60-80 EDMONDSON AVENUE, AUSTRAL NSW 2179 LOT 1067 DP 2475, LOT B DP 416093, DP 416093 Cnr Lot A
PROPOSED DEVELOPMENT:	Integrated development over 2 stages - Subdivision of three lots creating 124 Torrens title residential lots 1 residue lot, construction of 149 dwellings, construction of three roads and three laneways, construction of drainage and stormwater management system, installation of temporary on-site stormwater detention on lot 1, construction of public utility infrastructure, site remediation works with bulk earthworks involving cut and fill, landscaping works and demolition of existing structures, with vegetation removal. Liverpool City Council is the consent authority and the Sydney South West Planning Panel has the function of determining the application
DETERMINATION:	Approved by the Sydney South West Planning Panel at its meeting of 27 July 2017
CONSENT TO OPERATE FROM:	1 August 2017
CONSENT TO LAPSE ON:	1 August 2022 (Unless physically commenced)



ATTACHMENTS:

- 1. Conditions of Approval**
- 2. Section 94 Payment Form**
- 3. Sydney Water Conditions**

Before commencing the development please read the Development Consent carefully and make sure that you understand all the conditions that have been imposed. Please contact Liverpool City Council regarding any enquiry you may have in respect of the following conditions.

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

CONDITIONS:

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

STAGED APPROVAL

STAGE	DEVELOPMENT WORKS	PART REFERENCE	CONDITION REFERENCE
1	Demolition of existing structures, earthworks, site establishment works, road and lane construction and Torrens title subdivision to create 1 residue lot (Lot 1) and 124 residential lots	Parts A – General Conditions Parts B-E and Part J	Part A - Conditions 1 to 3 Part B-E – All Conditions Part J – All
2	Construction of all dwellings	Parts A – General Conditions Parts F-J	Part A – Conditions 1 to 3 Parts F-I – All Conditions Part J - All

A. GENERAL CONDITIONS FOR STAGES 1 AND 2

Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the following plans/reports marked as follows:

Plan Name	Plan Number	Date	Revision	Prepared By
Architectural Plans	DA03-DA-81	7 April 2017	A	MPS Architects
Indicative Dwelling Types	N/A	8 November 2016	A	MPS Architects
Landscape Plans	L/00-L/03	31/10/16	A	ATC
Landscape Plans	TP/00	20/10/2016	A	ATC
Landscape Plans	TP/01	20/10/2016	A	ATC
Landscape Plans	TP/02	20/10/2016	A	ATC
Landscape Plans	TP/03	20/10/2016	A	ATC
Landscape Plans	TP/04	20/10/2016	A	ATC
Landscape Plans	TP/05	21/10/2016	A	ATC
Landscape Plans	TP/06	21/10/2016	A	ATC
Landscape Plans	TP/7	21/10/2016	A	ATC
Landscape Plans	TP/08	24/10/2016	A	ATC
Landscape Plans	TP/09	25/10/2016	A	ATC
Landscape Plans	TP/10	25/10/2016	A	ATC
Landscape Plans	TP/11	25/10/2016	A	ATC
Landscape Plans	TP/12	25/10/2016	A	ATC
Landscape Plans	TP/13	26/10/2016	A	ATC
Landscape Plans	TP/14	26/10/2016	A	ATC
Civil Plans	MMD-369954-C-DR-AB-XX-0001_P3 to MMD-369954-C-DR-AB-XX-0003_P3	08/05/2017	P3	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0010_P4	10/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0020_P5	10/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0030_P4	10/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0031_P4	08/05/2017	P3	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0040_P4	10/05/2017	P4	Mott Macdonald

Civil Plans	MMD-369954-C-DR-AB-XX-0050_P4	08/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0051_P5	10/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0060_P3 to MMD-369954-C-DR-AB-XX-0064_P3	08/05/2017	P3	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0070_P4 to MMD-369954-C-DR-AB-XX-0071_P4	08/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0072_P5 to MMD-369954-C-DR-AB-XX-0073_P5	10/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0075_P3	10/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0080_P4	10/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0090_P2 to MMD-369954-C-DR-AB-XX-0091_P2	08/05/2017	P5	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0100_P3 & MMD-369954-C-DR-AB-XX-0111_P3 & MMD-369954-C-DR-AB-XX-0112_P3	08/05/2017	P3	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0120_P4	08/05/2017	P4	Mott Macdonald
Civil Plans	MMD-369954-C-DR-AB-XX-0130_P6	10/05/2017	P6	Mott Macdonald

Report Name	Date	Reference	Prepared By
Aboriginal Cultural heritage due diligence assessment	24 October 2016	22801	Biosis
Road Traffic Noise Assessment	14 October 2016	TH526-02F02	Renzo Tonin & Associates
Phase 1 Environmental Site Assessment Report – 60-80 Edmondson Avenue	September 2016	1601067-Rpt02FinalV01-22Sept16	Geo-Logix
Phase 1 Environmental Site Assessment Report – 230 Sixth Avenue	July 2016	1601067-Rpt01FinalV01-12July2016	Geo-Logix
Phase 1 Environmental Site Assessment Report – 155 Fifth Avenue and 50 Edmondson Avenue	September 2016	1601067-Rpt03FinalV01-22Sept16	Geo-Logix
Soil Salinity Report	October 2016	1601112Rpt01FinalV01-12Oct16	Geo-Logix
Phase 2 Environmental Site Assessment Report – 60-80 Edmondson Avenue	February 2017	1601114Rpt01FinalV02-28Feb17	Geo-Logix
Phase 2 Environmental Site Assessment Report – 155 Fifth Avenue and 50 Edmondson Avenue	February 2017	1601114Rpt02FinalV02-28Feb17	Geo-Logix
Phase 2 Environmental Site Assessment Report – 230 Sixth Avenue	February 2017	1601114Rpt03FinalV02-28Feb17	Geo-Logix
Soil Delineation Sampling – 60-80 Edmondson Avenue	27 February 2017	1701011Ltr01FinalV01-27Feb17	Geo-Logix
Soil Delineation Sampling – 155 Fifth Avenue and 50 Edmondson Avenue	27 February 2017	1701012Ltr01FinalV01-27Feb17	Geo-Logix
Soil Delineation Sampling – 230 Sixth Avenue	28 February 2017	1701010Ltr01FinalV01-28Feb17	Geo-Logix
Remediation Action Plan	February 2017	1701013Rpt01FinalV01-28Feb17	Geo Logix
Traffic Impact Assessment	November 2016	16140	Transport and Traffic Planning Associates
Demolition Statement	02 November 2016	Revision A	Mott Macdonald

Infrastructure Report	04 November 2016	Revision B	Mott Macdonald
Water Cycle Management Report	04 November 2016	Revision C	Mott Macdonald
Arboricultural Impact Assessment	11 May 2017	N/A	Eco Logical
BASIX Certificate	2 November 2016	772538M	Frys Energywise

except where modified by the undermentioned conditions.

Works at no cost to Council

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

Condition of Approval Sydney Water

3. All conditions issued by Sydney Water, shall be complied with prior, during, and at the completion of construction, as required in accordance with their correspondence dated 13 December 2016. A copy of the conditions are attached to this decision notice.

Conditions for stage 1 - Demolition of existing structures, earthworks, site establishment works, road and lane construction and Torrens title subdivision to create 1 residue lot (Lot 1) and 124 residential lots

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

Fee Payments

4. 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.

5. 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.

Site Development Work

6. 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.

Notification

7. The certifying authority must advise Council, in writing of:
 - (a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
 - (b) The name and permit of the owner-builder who intends to do the work.

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

Traffic Management

8. A traffic management plan is to be submitted to Liverpool City Council's Traffic Committee for approval. Works within the road reserve shall not commence until the traffic management plan has been approved.
9. The traffic management plan is to be prepared by an accredited designer and submitted to and stamp approved by Council via a standard Section 138 Roads Act Permit application available at Council's customer service counter. The stamped approved Roads Act Permit is to be obtained by the PCA. A copy of the stamped approved Roads Act Permit and traffic management plan is to be available on the works site for inspection at any time by an authorised Council officer.

S138 Roads Act – roadworks requiring approval of civil drawings.

10. Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council (being the Roads Authority under the Roads Act), for provision of road, drainage and landscaping construction in Fifth Avenue, Sixth Avenue and Edmondson Avenue

Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

Note:

1. Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.

Construction Certificate for Subdivision Works

11. Prior to the issue of a Construction Certificate for subdivision works the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved civil plans prepared by Mott Macdonald, as detailed in condition 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.

Construction Certificate Drawings

12. The drawings submitted for CC approval are to make allowance for and document:
 - Minimum kerb return radii of 9.0m
 - Standard kerb and gutter installation except in laneways
 - Details of all works required to effect the conversion of the sediment basin to a bio retention function
 - Details of all works required to decommission the temporary bio retention basin.
 - Details of existing overhead services to be undergrounded in Sixth Avenue, Fifth Avenue and Edmondson Avenue
 - Construction of 2.0m width road and associated drainage construction in Edmondson Avenue.
 - Construction of half width road and drainage construction in Fifth and Sixth Avenues
 - Road drainage systems in Edmondson Avenue are to be designed and installed to accommodate flows from a fully developed upstream catchment for the 1 in 5 year ARI event

- The finished bulk earthworks surface levels are to be generally 400mm below future finished floor levels to facilitate the house construction during next stage
- The temporary stormwater tail out in Edmondson Avenue must be designed and constructed in accordance with the requirements of Council
- Positioning of footpath and landscaping elements in Edmondson Avenue are to correspond to that shown in Typical Transit Boulevard LGCDP
- Staging of works and dwelling construction sequencing

Adjoining Owners Consent

13. Prior to the issue of a Construction Certificate adjoining owners written consent will be required for any works or access required on adjoining properties. Council may require easements for access, maintenance or support should permanent structures be required on adjoining properties.

Road design criteria table

14. 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 and the following criteria:

Road No.	Road Reserve Width	Carriageway Width	Verge	Footpath width	ESA
Road 1	16.0m	4.5m (half road)	3.5m	1.5m	3×10^5
Road 2	16.0m	9.0m	3.5m	1.5m (both sides)	3×10^5
Road 3	16.0m	9.0m	3.5m	1.5m (both sides)	3×10^5
Lane 1	7.0m	5.5m	0.5m 1.2m	1.2m (one side)	5×10^4

Lane 2	7.0m	5.5m	0.5m 1.2m	1.2m (one side)	5×10^4
Lane 3	7.0m	5.5m	0.5m 1.2m	1.2m (one side)	5×10^4
Fifth Avenue	20.0m	4.5m (half road)	5.5m	1.5m (one side)	2×10^6
Sixth Avenue	20.0m	4.5m (half road)	5.5m	1.5m one side	2×10^6
Edmondson Avenue	20.0m	2.0m and half road	4.7m	1.5m (one side)	2×10^6

Road Safety Audit

15. A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks 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

16. A stormwater drainage system shall be provided generally in accordance with the stamped approved civil plans prepared by Mott Macdonald, as detailed in condition 1.

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.

Water Quality

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

The Construction Certificate must be supported by:

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

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

Inter-allotment drainage

18. Inter-allotment drainage shall be provided for all lots that are unable to be drained by gravity to the street system. Inter-allotment drainage is to be constructed with a pit located immediately within the lot boundary of each lot created by the subdivision at the lowest point in the line or a maximum pit spacing of 40m.

Flooding

19. Proposed development shall be consistent with Water Cycle Management Study (Nov. 2016, Mott MacDonald) and concept design plans/drawings - Issue P2 dated 04/11/2016.
20. There shall be no loss of floodplain storage volume below the 100year flood due to proposed development. The loss of floodplain storage volume shall be compensated by providing compensatory excavation within the site, i.e. the proposed OSD.

Calculation of loss of floodplain storage volume shall be undertaken using topographic data and the proposed OSD shall be reconfigured as required so that the storage is no lower than calculated loss volume. Details of calculation and basin configuration shall be provided at CC stage, along with necessary plans and drawings.

21. There shall be no adverse flooding impact on adjoining properties with regard to overland/stormwater flows due to proposed works.

Water Cycle Management study and post development overland flood mapping indicates that a portion of adjoining property to the west fronting Sixth Avenue has been adversely affected by overland flooding due to the proposal. This issue shall be assessed and addressed at CC Stage. Revised overland flood mapping and drawings mitigating adverse impact shall be submitted for approval.

22. Existing overland flows from adjoining properties running across the development site shall not be disturbed and be accommodated into proposed major/ minor stormwater system of the development.

Water Cycle Management Study and supporting overland flood mapping indicates that there are several water logged sag areas along the road system on the development which needs to be further assessed and addressed. Revised mapping and drawings addressing the issue shall be submitted for approval at CC stage

23. Water quality improvement measures shall be implemented as proposed to improve water quality discharges leaving from the development site.

C. PRIOR TO WORKS COMMENCING

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

Construction Certificates

24. 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.
25. 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.
26. Any CC that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.
27. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works i.e., a separate Civil Engineering CC and a separate Building CC.

Notification/Principal Certifying Authority

28. The applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the Act.
29. 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.

30. Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:
 - (a) Any excavation, below the base of the footings of a building on an adjoining allotment of land.
 - (b) The notice shall be given seven (7) days prior to the commencement of work.
31. 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.

Facilities

32. 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*.

Construction Requirements

33. The applicant/ builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.
34. Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer. Retaining walls on any boundary are to be of masonry construction.

Demolition Works

35. Demolition works shall be carried out in accordance with the following:

- a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials,
- b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council, and
- c) The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.

Site Facilities

36. 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.

Site Notice Board

37. 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

38. 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”

39. 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.

Reports

40. No work or craning shall be undertaken within the adjoining public lands without the prior written consent of Council. In this regard Council may require a Traffic Management Plan to be submitted before giving its approval.

Waste Classification

41. 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 1997, POEO Waste Regulation 2014 and NSW EPA 'Waste Classification Guideline' (dated November 2014) 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

42. 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.

Traffic Control Plan

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

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

Note:

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

Dilapidation report

44. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Fifth Avenue, Sixth Avenue and Edmondson Avenue is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb

and gutter, footpath, services and street trees and is to extend 40m either side of the development.

Matters to be addressed prior to commencement of Subdivision Works

45. 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 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

46. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Security Fence

47. 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.

Demolition Inspections

48. The following inspections are required to be undertaken by Council in relation to approved demolition works:

- a) Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

Please note that demolition works are not permitted to commence on site until such time as a satisfactory inspection result is obtained from Council.

- b) Immediately following completion of the demolition. Please note that proof of appropriate disposal of demolition materials (including asbestos) may be required at this time in accordance with the approved Waste Management Plan.

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

General Site Works

49. Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels.
50. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.
51. All dangerous and/ or hazardous material shall be removed by a suitably qualified and experienced contractor licensed by WorkCover NSW. The removal of such material shall be carried out in accordance with the requirements of WorkCover NSW. The material shall be transported and disposed of at a licensed waste facility to receive the waste in accordance with NSW EPA requirements. Waste receipts and the "WasteLocate" consignment number shall be provided to the certifying authority confirming that the waste is disposed of in a lawful manner. Note; Waste loads can be tracked via <https://wastelocate.epa.nsw.gov.au/> to ensure waste has reached its intended destination. If the waste load is not delivered, please contact the EPA.

Traffic Management

52. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the RTA's Interim Guide to Signs and Markings.
53. If a works zone is required, an application must be made to Council's Transport Planning section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.
54. Notice must be given to Council's Transport Planning section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
55. Applications must be made to Council's Transport Planning section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

Waste Management Plan

56. 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.

Vegetation

57. All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This

protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.

58. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
59. Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching.
60. 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.
61. 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.

Contamination

62. 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).
63. 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 EPA Waste Classification Guidelines (dated November 2014), 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 EPA Waste Classification Guidelines (dated November 2014).
 - (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.
64. 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

65. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and the accredited certifier immediately after discovery. A Section 96 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

Air Quality

66. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
67. 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.
68. 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.
69. Gaseous emissions from the development shall comply with the requirements of the POEO Act and Regulations there under. Processes producing airborne particulate matter shall incorporate a suitable dust collection system.
70. All woodworking machines shall be fitted with a approved dust collection system and no sawdust or off-cuts shall be burnt on the premises.

Erosion Control

71. 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.
72. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.
73. 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 is 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.

Water Quality

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

Pollution Control

75. 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.

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

Erosion and sediment control

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

Drainage Connection

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

Major Filling/ Earthworks

79. 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.

Soil testing – Subdivisions

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

Waste

81. All solid and liquid waste is to be removed from the site by a registered waste contractor.
82. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.
83. All solid waste stored on site is to be covered at all times.

Environment

84. Demolition works shall not give rise to the emission into the surrounding environment of gases, vapors, ndusts or other impurities which are a nuisances, injuriou or prejudicial to health.
85. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water, to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

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:

SECTION 94 PAYMENT

Liverpool Contributions Plan 2014 Austral and Leppington North

86. 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 above Liverpool Contributions Plan as amended.

The total contribution is **\$ 4,350,000.00**

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

Contributions will be adjusted at the time of payment in line with the Consumer Price Index (all groups index number for Sydney).

SPECIAL INFRASTRUCTURE CONTRIBUTION

87. A special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011.

Information about this special infrastructure contribution can be found on the Department of Planning and Environment's website. Please contact the NSW Department of Planning and Environment regarding arrangements for the making of a payment.

Liverpool City Council clearance – Roads Act/ Local Government Act

88. Prior to the issue of a Subdivision 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.

Completion of subdivision works

89. Prior to the issue of a 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, with the exception of the bonded works listed in condition 109 of stage 1.

Stormwater Compliance

90. Prior to the issue of a Subdivision Certificate the Principal Certifying Authority shall ensure that the:
- a) On-site detention system/s
 - b) Stormwater pre-treatment 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

91. Prior to the issue of a Subdivision Certificate a restriction as to user and positive covenant relating to the:
- a) On-site detention system/s
 - b) Stormwater pre-treatment system/s

Shall be 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

92. Prior to the issue of select a 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 Sixth Avenue, Fifth Avenue and Edmondson Avenue 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

93. Prior to the issue of select a Subdivision 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.
1. Allow eight (8) weeks for approval by the Local Traffic Committee.

Street Naming

94. Prior to the issue of a Subdivision Certificate an application for proposed street names must be lodged with and approved by Liverpool City Council and the signs erected on-site.

The proposed names must be in accordance with Council's Street Naming Policy.

Notes:

Allow eight (8) weeks for notification, advertising and approval

Bond for final wearing course

95. Prior to the issue of the Subdivision Certificate a bond for the final layer of outstanding asphalt works (AC Bond) is to be lodged with Liverpool City Council.

The final layer of asphalt on all roads shall not to be placed without the written consent of Council (Consent will generally be provided when 80% of the housing within the subdivision has been completed).

The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy.

Subdivision Compliance documentation

96. 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: *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) The WAE drawings shall clearly indicate the 1% Annual Exceedence Probability flood lines (local and mainstream flooding).
- c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges.
- d) 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.
- e) 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.
- f) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification.
- g) 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

h) Structural Engineer's construction certification of all structures

Linen Plans & 88B

97. 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.
98. The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.
99. The final plan of subdivision for stage 1 must be supported by an 88B Instrument. This instrument must burden each lot with a restriction as to user that the dwellings to be erected on each lot are to be sited and constructed in accordance with approved plans and notice of determination (Development Consent) issued by Council for Development Application No. **DA-1053/2016**. Any costs associated with the preparation and checking of the instrument are to be borne by the applicant. The preparation of an 88B Instrument will not be required if construction has reached a stage where all brickwork is a minimum 500mm above finished floor level and the construction is in accordance with the development consent and the CC's.
100. 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.
101. 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.
102. 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.
103. On all relevant zero lot line lots an 88B restriction is to be registered creating an easement for maintenance on the adjoining burdened lot of a minimum 900mm on the ground floor and if applicable a minimum 1.2m of the first floor.
104. A Restriction as to User over Proposed residue Lot 1 is to be created under Section 88B of the *Conveyancing Act 1919* in the following terms:

No further development of the lot burdened is to take place unless it is approved by a Development Consent. Such approval is likely to require, but not be restricted to, construction of road and drainage works, the provision of lot fill, and payment of Section 94 Contributions and Special Infrastructure Contributions.

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

Note. The final wording of the recital of the Restriction as to User is to be to Council's satisfaction.

Service Providers

105. The following documentation is to be submitted prior to the issue of a subdivision certificate.
- a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the PCA.
 - b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
 - c) Prior to the issue of a Subdivision Certificate, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with:
 - The requirements of the Telecommunications Act 1997:
 - For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
 - For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

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

Dilapidation Report

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

Bonds

107. A maintenance bond in the form of a bank Guarantee or cash bond (\$TBA), 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 minimum period of 12 months from the date of Council acceptance of final works.

Site Contamination Validation Report

108. 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.

Bond

109. Council will accept the bonding of completed streetscapes pending completion of 80% of dwelling construction for each street. Works to be bonded include
- Landscaping, surface treatments and street trees
 - Concrete footpaths
 - Traffic calming devices
 - Linemarking and signage
 - Final layer of AC
 - Defective workmanship or other uncompleted minor works

The final bond amount is to be calculated and administered in accordance with Council's Development Engineering Bonds Policy. Bond amount is to be submitted prior to issue of Subdivision Certificate.

Conditions for Stage 2 - Construction of all dwellings

F. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

Provision of Services

1. 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.

2. 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.
3. 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

4. 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.

- 5. 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.

Site Development Work

- 6. 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.
- 7. All aspects of construction shall comply with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:
 - (a) Complying with the Deemed to Satisfy Provisions; or
 - (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

Notification

- 8. The certifying authority must advise Council, in writing of:
 - (a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
 - (b) The name and permit of the owner-builder who intends to do the work.

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

- 9. A traffic management plan is to be submitted to Liverpool City Council's Traffic Committee for approval. Works within the road reserve shall not commence until the traffic management plan has been approved.
- 10. The traffic management plan is to be prepared by an accredited designer and submitted to and stamp approved by Council via a standard Section 138 Roads Act Permit application available at Council's customer service counter. The stamped approved Roads Act Permit is to be obtained by the PCA. A copy of the stamped approved Roads Act Permit and traffic management plan is to be available on the works site for inspection at any time by an authorised Council officer.

Recommendations of Acoustic Report

11. The recommendations provided in the approved acoustic report, prepared by Renzo Tonin & Associates, reference TH526-02F02, dated 14 October 2016 shall be implemented and incorporated into the design and construction of the development and shall be shown on plans accompanying the CC application. The recommendations are as follows:

Mechanical Plant & Ventilation

12. Mechanical plant shall be selected in consultation with a suitably qualified and experienced consultant to ensure compliance with the internal noise levels detailed within Acoustic Report 'Road Traffic Noise Assessment' 230 Sixth, 68 & 50 Edmondson Avenues, Austral. (Report No. TH526-02F02 Road Traffic Noise Assessment (r0) prepared by Renzo Tonin & Associates dated 14 October 2016.)

Stormwater Concept Plan

13. A stormwater drainage system shall be provided generally in accordance with the stamped approved civil plans prepared by Mott MacDonald, as detailed in condition 1.

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.

Water Quality

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

The Construction Certificate must be supported by:

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

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

Access, Car Parking and Manoeuvring – General

15. 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, and Liverpool City Council's Development Control Plan.

Inter-allotment drainage

16. Inter-allotment drainage shall be provided for all lots that are unable to be drained by gravity to the street system. Inter-allotment drainage is to be constructed with a pit located immediately within the lot boundary of each lot created by the subdivision at the lowest point in the line or a maximum pit spacing of 40m.

Flooding

17. Proposed development shall be consistent with Water Cycle Management Study (Nov. 2016, Mott MacDonald) and concept design plans/drawings - Issue P2 dated 04/11/2016.
18. There shall be no loss of floodplain storage volume below the 100year flood due to proposed development. The loss of floodplain storage volume shall be compensated by providing compensatory excavation within the site, i.e. the proposed OSD.
19. There shall be no adverse flooding impact on adjoining properties with regard to overland/stormwater flows due to proposed works.
20. Existing overland flows from adjoining properties running across the development site shall not be disturbed and be accommodated into proposed major/ minor stormwater system of the development.
21. Land levels of completed lots shall be no lower than the corresponding 100year flood levels of Bonds Creek.
22. Finished habitable floor levels of buildings shall be no lower than the 100year flood levels plus 0.5m freeboard and shall be consistent with proposed levels shown on plans/drawings.
23. Water quality improvement measures shall be implemented as proposed to improve water quality discharges leaving from the development site

G. PRIOR TO WORKS COMMENCING

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

Construction Certificates

24. 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.

25. 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.
26. Any CC that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.
27. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works ie., a separate Civil Engineering CC and a separate Building CC.

Residential Building Work

28. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*), must not be commenced until such time as a contract of insurance is in force in accordance with Part 6 of that Act.
29. 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 following information:
 - (a) In the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor; and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit,

Note: A certificate supporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part.

30. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates (not being the Council) has given the council written notice of the updated information.

Notification/Principal Certifying Authority

31. The applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the Act.
32. 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.

33. Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:

- (a) Any excavation, below the base of the footings of a building on an adjoining allotment of land.
- (b) The notice shall be given seven (7) days prior to the commencement of work.

34. 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.

Facilities

35. 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*.

Construction Requirements

36. The applicant/ builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

37. Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer. Retaining walls on any boundary are to be of masonry construction.

Site Facilities

38. 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.

Site Notice Board

39. 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

40. 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"

41. 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.

Reports

42. No work or craning shall be undertaken within the adjoining public lands without the prior written consent of Council. In this regard Council may require a Traffic Management Plan to be submitted before giving its approval.

Waste Classification

43. 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 1997, POEO Waste Regulation

2014 and NSW EPA 'Waste Classification Guideline' (dated November 2014) 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

44. 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.

Traffic Control Plan

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

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

Note:

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

Dilapidation report

46. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Fifth Avenue, Sixth Avenue and Edmondson Avenue is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 40m either side of the development.

H. DURING CONSTRUCTION

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

Building Work

47. In the case of a class 1 or 10 building, critical stage inspections must be carried out by the appropriate person in accordance with the EP&A Regulation, with Compliance Certificates issued for each inspection. The last critical stage inspection must be carried out by the PCA. The following components of construction are relevant:

- (a) after excavation for, and prior to the placement of, any footings; and
- (b) prior to pouring any in-situ reinforced concrete building element; and
- (c) prior to covering of the framework for any floor, wall, roof or other building element, and
- (d) prior to covering waterproofing in any wet areas, and
- (e) prior to covering any stormwater drainage connections; and
- (f) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Note: These certificates or documentary evidence must be submitted to Council with any OC issued for the development.

Hours of Construction Work and Deliveries

48. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Security Fence

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.

Termite Protection

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

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

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

Disabled Access

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

General Site Works

52. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

53. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.
54. All dangerous and/ or hazardous material shall be removed by a suitably qualified and experienced contractor licensed by WorkCover NSW. The removal of such material shall be carried out in accordance with the requirements of WorkCover NSW. The material shall be transported and disposed of at a licensed waste facility to receive the waste in accordance with NSW EPA requirements. Waste receipts and the "WasteLocate" consignment number shall be provided to the certifying authority confirming that the waste is disposed of in a lawful manner. Note; Waste loads can be tracked via <https://wastelocate.epa.nsw.gov.au/> to ensure waste has reached its intended destination. If the waste load is not delivered, please contact the EPA.

Traffic Management

55. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the RTA's Interim Guide to Signs and Markings.
56. If a works zone is required, an application must be made to Council's Transport Planning section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.
57. Notice must be given to Council's Transport Planning section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours to prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
58. Applications must be made to Council's Transport Planning section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

Waste Management Plan

59. A Waste Management Plan is to be submitted to and approved by the principal Certifying Authority and 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.

Vegetation

60. All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.

61. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
62. Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching.
63. 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.
64. 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.

Landscaping Works

65. Premium quality organic garden soil shall be incorporated into all planting areas in sufficient quantity to achieve optimum plant growing conditions.
66. All garden/planting areas shall be mulched to a depth of not less than 75mm using weed free leaf mulch, wood chip or similar, not pine bark.

Fencing

67. Any gate associated with a front fence shall swing inwards from the property.

Contamination

68. 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).
69. 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 EPA Waste Classification Guidelines (dated November 2014), 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 EPA Waste Classification Guidelines (dated November 2014).
 - (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.
70. Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:

- (a) The course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration;
- (b) The results of a preliminary contamination assessment carried out on any fill material used in the development.
- (c) The results of any chemical testing of fill material.

Air Quality

- 71. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
- 72. 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.
- 73. 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.
- 74. Gaseous emissions from the development shall comply with the requirements of the POEO Act and Regulations there under. Processes producing airborne particulate matter shall incorporate a suitable dust collection system.
- 75. All woodworking machines shall be fitted with a approved dust collection system and no sawdust or off-cuts shall be burnt on the premises.

Erosion Control

- 76. 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.
- 77. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.
- 78. 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 is 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.

Water Quality

- 79. 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

80. 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.
81. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

Erosion and sediment control

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

Drainage Connection

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

Major Filling/ Earthworks

84. 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.

Soil testing – Subdivisions

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

Waste

86. All solid and liquid waste is to be removed from the site by a registered waste contractor.
87. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.
88. All solid waste stored on site is to be covered at all times.

Environment

89. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water, to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

I. PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

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

Certificates

90. The premises must not be utilised until an OC is issued by the PCA. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.
91. The Principal Certifying Authority (Building) and/or the Accredited Certifier (Subdivision) shall ensure that all compliance certificates required by this development consent are referenced to the condition consent number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.
92. All required Compliances Certificates for the critical stage inspections carried out prior, during and at the completion of construction, must be submitted to Council together with the required registration fee payment.
93. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the PCA.

Display of Street Numbers

94. Street numbers must be prominently displayed at the front of the development in a contrasting colour to the building materials and at the front of each individual unit to comply with the Local Government Act 1973, Section 124(8). The number should be a minimum height of 120mm and be visible at night.

BASIX

95. Supporting documentation issued by a suitable qualified person who has installed or carried out the works associated with the BASIX commitments shall be submitted to Council.

Landscaping

96. Upon completion of the approved landscape works associated with the development and prior to the issue of any OC, an Implementation Report is to be submitted to the PCA attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person.

Recommendations of Acoustic Report

97. 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.

Streetscape Works

98. Prior to issue of an Occupation Certificate for the dwellings, all streetscape works bonded under stage 1 are to be completed.

Dilapidation Report

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

Landscape Works

100. A minimum of **185** street trees shall be planted within the grassed verge of the Council footpath strip in accordance with the approved landscape plans. A minimum of **124** significant Lot Trees are to be planted in accordance with the approved landscape plans. A minimum **1,860** plants/shrubs are to be planted for the proposed residential lots. All plantings stipulated are to be in place prior to the issue of an occupation certificate for any dwelling in Stage 2. Trees shall be positioned 900mm from the kerb and spaced at 10 metre centres. Trees shall be staked, tied and mulched to Council's satisfaction.

It is the contractor's responsibility to establish the location of underground services before digging.

Trees & shrubs shall be maintained in a healthy condition or are to be replaced if serious decline or damage occurs.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Smith', with a stylized flourish at the end.

David Smith
Acting Manager
DEVELOPMENT ASSESSMENT

J. 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 six months after the date on which the application is taken to have been determined.
- b) If you are dissatisfied with this decision, Section 97AA of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six months after the date on which the application is taken to have been determined.
- c) In accordance with Section 95 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five (5) years of the date of this notice.
- d) In accordance with Section 98 of the Environmental Planning and Assessment Act 1979, an objector who is dissatisfied with the determination of a consent authority to grant consent to a development application for designated development (including designated development that is integrated development), may, within 28 days after the date on which the application is taken to have been determined, appeal to the Land and Environment Court.
- e) These conditions are imposed to control development, having regard to 79C of the Environmental Planning and Assessment Act 1979.
- f) The approval of this application does not imply or infer compliance with the Disability Discrimination Act and that the developer should investigate their liability under the Act.
- g) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- h) "DIAL BEFORE YOU DIG" DIAL 1100

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

- i) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

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

- j) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- k) You are advised that the placement of a concrete path around your home may render your home vulnerable to termite attack. To minimise the possibility of any damage, ensure that a minimum of 75mm clearance is provided between the base of the weephole and the level of the path.
- l) The obligation to comply with the Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required by other conditions of this consent.
- m) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential affect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
- n) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- o) 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)

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

Liverpool Contribution Plan 2014 Austral & Leppington North

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 CPI March Quarter 2017 and will be adjusted at the time of payment in accordance with the conditions of consent.

APPLICATION NO.: DA-1053/2016 –

APPLICANT: Mott Macdonald

PROPERTY: 230 Sixth Avenue, 50 Edmondson and 60-80 Edmondson Avenue Austral

PROPOSAL: Subdivision to create 125 lots with 149 dwellings

<u>Facilities</u>	<u>Amount (\$)</u>	<u>Job No.</u>
Liverpool Contributions Plan 2014 ALN		
Local Community Facilities - Land	\$43,413	GL.3011210001870.10190
Local Recreation - Land	\$2,573,800	GL.3011210001869.10191
Local Recreation - Works	\$122,585	GL.3011210001869.10192
Local Transport Facilities - Land	\$109,654	GL.3011210001865.10193
Local Transport Facilities - Works	\$117,530	GL.3011210001865.10194
Local Drainage Facilities - Land	\$627,648	GL.3011210001866.10195
Local Drainage Facilities - Works	\$721,100	GL.3011210001866.10196
Administration	\$34,269	GL.3011210001872.10197
TOTAL	\$4,350,000	

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

RECORD OF PAYMENT

Total Amount paid: _____

Date: _____

Receipt No.: _____ Cashier: _____

Attachment 3: SYDNEY WATER



13 December 2016
George Nehme
Senior Development Planner
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

RE: DA-1053/2016 – 230 Sixth Avenue & 50, 60-80 Edmondson Avenue, Austral

Dear George,

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

- While water servicing is available in the area via the existing rural water supply network and drinking water main in Edmondson Avenue, this system is only able to support a limited amount of growth, after which upgrades of the system will be required.
- Capacity of the system to supply the development will need to be considered against the location and timing of other proposed developments within the Land Release Area.
- As a basic guide, the developer will need to construct drinking water mains across the full road frontage of each lot in the development, complying with the Water Supply Code of Australia WSA 03-2011-3.1 (Sydney Water edition – 2012) and Sydney Water's water network requirements.
- Sydney Water has planned trunk amplifications within the area to be delivered by December 2018.
- Detailed drinking water requirements will be provided at the Section 73 application phase.

Wastewater

- The proposed development site is located within the future Bonds Creek Carrier, Section 2. Sydney Water is currently undertaking Concept Design of this trunk main.
- The current timeframe for delivery of the Bonds Creek Carrier is December 2018.
- Sydney Water has installed the Bringelly Road Carrier, located along Fourth Avenue, which drains to the operational pump station SP1183 on the corner of Fourth Avenue and Eighth Avenue.
- The proposed development site may also drain to the existing Bringelly Road Carrier.
- Sydney Water is in discussion with the developer regarding the preferred wastewater servicing option.



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 at attachment 1 (overleaf). If you require any further information, please contact Manwella Hawell of Urban Growth Strategy on 02 8849 4354 or e-mail manwella.hawell@sydneywater.com.au.

Yours sincerely,

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal stroke.

Greg Joblin
Manager, Growth Strategy



Attachment 1

Sydney Water Servicing

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

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).