

Condition with proposed amendment	Comment
<p>5. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment is imposed in accordance with Liverpool Contributions Plan 2018 Established Areas as amended. The total contribution is \$325,495.00 and will be adjusted at the time of payment in accordance with the contributions plan. 50% of the total amount is \$162,747.50 and is to be paid prior to construction (amount to be adjusted at the time of payment in accordance with the contribution plan).</p>	<p>Council's contribution plan does not apply to development "for the purposes of public infrastructure provided by or on behalf of State Government or the Council". While the proposal is not traditional "infrastructure", it will provide a significant public benefit. Accordingly, LAHC requests that the requirement for Section 7.11 contributions be removed.</p>
<p>6. The amendments on the approved GA Plans Ground Level Plan prepared by :Turner, Drawing No: A-110-008, Revision M, Dated 13/04/2021 shall be incorporated into construction drawings, which incorporate the following:</p> <ul style="list-style-type: none"> The bin kerbside presentation zone marked in red is to be landscaped area. 	<p>As discussed in our email dated 2 June 2021, it is requested that this condition be removed. The current kerbside presentation zone location is considered more appropriate due to site^{height} line considerations.</p> <p>Also see proposed change to condition 17 below.</p>
<p>10. The NSW Land and Housing Corporation must advise Liverpool City Council must advise Council, in writing of:</p> <p>(a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or</p> <p>(b) The name and permit of the owner-builder who intends to do the work.</p> <p>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.</p>	
<p>12. Prior to the commencement of works 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 Liverpool City Council (being the Roads Authority under the Roads Act), for provision of the following within the site frontage 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, best engineering practice, for provision of the following within the site frontage:</p> <ul style="list-style-type: none"> Demolish all existing driveways and laybacks, including reinstate kerb, gutter and footpath verge (site frontage) Minimum 1.5m wide concrete footpath paving (site frontage) Minimum 2.5m wide concrete footpath paving (Mannix Parade), with a pram ramp to suit Removal of existing and construction of concrete kerb and gutter (Mannix Parade). Removal of existing and construction of a bus stop including shelter. <p>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, best engineering practice.</p> <p>Note: All works shall be undertaken at no cost to Liverpool City Council.</p>	<p>Clause 5 of Schedule 2 of the savings, transitional and other provisions of the Roads Act 1993 provides that a Public Authority, such as LAHC, does not require consent from a Road Authority to exercise its functions in respect of an unclassified road that is not a Crown road.</p> <p>LAHC accepts installing of footpath along Mannix Pde and McGirr Pde in front of the proposed lot 273 on the development side of the road where no footpath already exists. LAHC also accepts widening of the existing footpath on Mannix Pde. However, it is requested that the requirement for the bus stop upgrade and kerb upgrade to Mannix Pde be removed as this will impose unanticipated cost on LAHC.</p> <p>Any changes to the crossing and laybacks, <u>and provision of a</u></p>

Commented [DG1]: Requirements already noted above

	footpath along the frontage of the proposed lot 272 will be incorporated into works as part of any future development proposal.
15. Detailed design plan for the access driveway and car park including swept path analysis, gradient, line markings and sign posting generally in accordance with the DCP and AS28090 shall be submitted to Traffic and Transport Section prior to construction commencement to ensure that the proposal is in accordance with the DCP and AS2890 . This needs to include the provision of an appropriate traffic management system consisting of traffic signals, signage and waiting bays on the basement and ground levels to effectively manage the ingress/egress of vehicles, as proposed in the traffic report accompanying the DA due to the inability of the proposed ramp to accommodate two-way traffic flow.	
16. Street lighting is to be provided to the site frontage. The developer shall submit a Public Lighting Design Brief to Council for approval for the provision...	Amendment made to remove the need to obtain the further approval of Council and thereby recognise LAHC's position as a Crown authority, in accordance with DPIE (formerly Planning NSW) Circular D6 – Crown Development Applications and Conditions of Consent.
17. Prior to construction, a revised operational waste management plan (OWMP) must be submitted to Council, clearly demonstrating: a) That the bin presentation zone for the waste bins currently shown on the site itself, at the northern boundary, adjacent to the driveway, is to be deleted. b) That a new bin presentation area, of concrete construction, is to be built immediately behind the kerb of McGirr Street, of a size and configuration capable of taking 8 x 660 litre waste bins together. c) That the new bin presentation area referred to above, will meet the requirements of the current Australian Road Rules NSW in regard to its proximity to the McGirr Parade bus stop. Also, that the bin loading activities of a 10 metre long, rear-loading waste truck, parked next to the bin presentation area, will create no conflict with either the access to the driveway of the building, or to the safe arrival and departure of buses from the bus stop. This is to be demonstrated to the satisfaction of Council's Traffic section. d) That the 'No Parking' Zone to be established along the McGirr Parade street frontage will operate from 5am to 9am daily to facilitate waste collection and remove the likelihood of conflict with parked vehicles. e) That the management of the building, assisted by their agents on site, are to be responsible for educating all residents about correct waste separation and disposal, for ongoing monitoring and provision of feedback to building residents on their waste disposal, for taking corrective actions if recycling bins are being contaminated, and ensuring that all information and administrative procedures are in place to direct residents to store their bulky household wastes in the dedicated area provided within the building.	As discussed in our email dated 2 June 2021, it is requested that the current bin presentation area remain in place due to sight line considerations. The amendment to (c) is made to remove the need to obtain the further approval of Council and thereby recognise LAHC's position as a Crown authority, in accordance with DPIE (formerly Planning NSW) Circular D6 – Crown Development Applications and Conditions of Consent.
18. Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council's Traffic and Transport Section for approval prior to construction. The CTMP is to outline the need for a Road Occupancy	Amendment made to remove the need to obtain the further approval of Council and thereby recognise LAHC's position as a Crown authority, in accordance with DPIE

Permit issued by Council or Road Occupancy Permit issued by the Transport Management Centre.	(formerly Planning NSW) Circular D6 – Crown Development Applications and Conditions of Consent.
23. Prior to the issue of a construction commencement of construction works, the Certifying Authority shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS3500.3:2003 and Council's Stormwater Drainage Design Specifications for pump out systems for basement car parks.	
29. Prior to Construction, the Certifying Authority shall ensure that an application under Section 68 of the Local Government Act, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council for connection to the Kerb Inlet Pit.	Pursuant to S.69 of the Local Government Act 1993, S.68 does not require the Crown to obtain the approval of a Council to do anything that is incidental to the erection or demolition of a building. Deletion of this condition is therefore requested.
<p>39. The following Crime Prevention Through Environmental Design principles are to be incorporated into the building and the construction documentation:</p> <p>a) — Back to base alarm systems shall be installed;</p> <p>b) — Basement parking areas shall be painted a light colour;</p> <p>c) — CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be implemented;</p> <p>d) — 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells;</p> <p>e) — Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting; and</p> <p>f) — Access to the parking levels of the building shall be controlled via a security controlled device.</p>	<p>It is requested that the requirement for alarm and CCTV be removed. These are beyond LAHC specifications.</p>
<p>32. Prior to construction, 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. Prior to construction stormwater plans must be supported by:</p> <ul style="list-style-type: none"> • Specification & installation details of the stormwater pre-treatment system • The approval of an operation and maintenance manual/ schedule for the stormwater pre-treatment system <p>A copy of the approved operation and maintenance manual/ schedule shall be submitted to Liverpool City Council with notification of construction.</p>	Amendment made to remove the need to obtain the further approval of Council and thereby recognise LAHC's position as a Crown authority, in accordance with DPIE (formerly Planning NSW) Circular D6 – Crown Development Applications and Conditions of Consent.
<p>34. A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Certifying Authority for approval prior to construction. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth. The dilapidation report and survey is to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner of any affected adjoining property.</p>	Amendment made to remove the need to obtain the further approval of Council and thereby recognise LAHC's position as a Crown authority, in accordance with DPIE (formerly Planning NSW) Circular D6 – Crown Development Applications and Conditions of Consent.

<p>All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.</p> <p>In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.</p>		
<p>39. The following Crime Prevention Through Environmental Design principles are to be incorporated into the building and the construction documentation.</p> <p>a) Back to base alarm systems shall be installed;</p> <p>b) Basement parking areas shall be painted a light colour;</p> <p>c) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be implemented;</p> <p>d) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells;</p> <p>e) Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting; and</p> <p>f) Access to the parking levels of the building shall be controlled via a security controlled device.</p>	<p><u>It is requested that the requirement for alarm and CCTV be removed. CCTV has privacy implications for the tenants.</u></p>	
<p>41. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be commenced unless NSW Land and Housing Corporation has given the Liverpool City Council written notice of name and licence number of the principal contractor; and the name of the insurer by which the work is insured under Part 6 of that Act.</p>	<p>Pursuant to Section 103E of the Home Building Act 1989, the Land & Housing Corporation is exempt from Part 6 (Insurance) of that Act.</p>	
<p>54. The site must be remediated in accordance with the approved Remediation Action Plan. The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation works in accordance with the approved Remedial Action Plan. Council must be informed in writing of any proposed variation to the remediation works. Council must approve these variations in writing prior to commencement/ recommencement of works.</p>	<p>Amendment made to remove the need to obtain the further approval of Council and thereby recognise LAHC's position as a Crown authority, in accordance with DPIE (formerly Planning NSW) Circular D6 – Crown Development Applications and Conditions of Consent.</p>	
<p>55. Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover SafeWork authority requirements.</p>		
<p>59. If any asbestos materials are discovered during the excavation process, they must be handled and wrapped in accordance with the legislation, regulations and safe work practices established by WorkCover SafeWork NSW and the NSW EPA, and must be disposed of only at a landfill that is licensed to take such waste.</p>		
<p>61. A temporary security fence to WorkCover SafeWork Authority requirements is to be provided to the property during the course of construction.</p>		
<p>76. Car parking spaces and driveways must be constructed of a minimum of two coat finish seal or better. The spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces</p>	<p>Parking is for residents only.</p>	

<p>must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.</p> <p>All car parking areas to be appropriately line marked and sign posted in accordance with the approved plans.</p> <p>All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.</p> <p>The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking</p>		
<p>82. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and the accredited certifier immediately after discovery. A Section 4.55 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.</p>	<p>Reference to a Section 4.55 Application is not considered relevant to site contamination and remediation.</p>	
<p>91. 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.</p>	<p>Amendment made to remove the need to obtain the further approval of Council and thereby recognise LAHC's position as a Crown authority, in accordance with DPIE (formerly Planning NSW) Circular D6 – Crown Development Applications and Conditions of Consent.</p>	
<p>100. Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Certifying Authority:</p> <p>(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 final civil works 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: ...</p>	<p>Pursuant to Section 6.28 (previously S.109R) of the EP&A Act, the Land & Housing Corporation, as a Crown authority, is authorised to certify its own building works as complying with the state's building laws (ie. the Building Code of Australia). A Construction Certificate is not required for Crown building work pursuant to Section 6.7(2)(b) of the Act.</p>	
<p>106. The following documentation is to be provided prior to the release of the subdivision certificate)</p> <p>a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be submitted to the NSW Land and Housing Corporation prior to the issue of a Subdivision Certificate.</p> <p>Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells.</p> <p>b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.</p> <p>c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:</p> <p>i. The requirements of the Telecommunications Act 1997;</p>	<p>The requested documents will not be available for the proposed lot 272 given this lot is being left cleared and not developed <u>at this time</u>. <u>Provision of these certificates can be addressed as a requirement for any future proposed development of lot 272.</u></p>	

<p>ii. For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and</p> <p>iii. For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.</p> <p>Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications.</p> <p>For the proposed lot 272, certification can be provided that the services have been disconnected correctly in lieu of other certificates requested in the clause.</p>	
<p>108. Construction of minimum 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving to the site frontage of the proposed lot 273 on both sides of all residential access roads and both sides of all collector and distributor roads.</p> <p>Note: A 2.5m wide <u>path</u> is required to Mannix Parade and a \$138 Roads Act application, including the payment of application and inspection fees is required.</p>	<p>LAHC accepts renewing footpaths directly in front of the development on proposed lot 273 but <u>prefers considers it more appropriate</u> to defer installing a footpath along Hinkler Ave in front of the proposed lot 272 as those improvement works will be included in <u>the</u> future redevelopment of that lot.</p> <p>Clause 5 of Schedule 2 of the savings, transitional and other provisions of the Roads Act 1993 provides that a Public Authority, such as LAHC, does not require consent from a Road Authority to exercise its functions in respect of an unclassified road that is not a Crown road.</p>
<p>109. Documents shall be submitted to Council giving effect to the creation of a Restriction as to User for the provision of an on-site stormwater detention (OSD) system and stormwater pre-treatment system. The restriction shall require proposed lots 272 and 273 to provide an OSD system and stormwater pre-treatment system with the construction of any structure on the site. Wording of the restriction shall be in accordance with Council's standards and specifications for stormwater drainage and is to be registered in conjunction with the Subdivision Plan.</p>	<p>This condition is not applicable to the proposed lot 272 given it will be left cleared and undeveloped <u>at this time</u>.</p>
<p>110. A 6m x 6m splay corner at the intersection of McGirr Parade with Hinkler Avenue and Mannix Parade. This is to be dedicated as road to Liverpool City Council.</p>	<p>It is requested that this condition be removed. A splay currently exists at the corners of McGirr Pde <u>and with</u> Mannix Ave <u>and Hinkler Ave</u>. <u>Beyond demolition, there is no imminent plan to redevelop the proposed lot 272.</u> <u>The request for the splay at the corner of Hinkler Ave and McGirr Pde would be incorporated as part of future development of lot 272.</u></p>
<p><u>114. Occupation of the development shall not occur until evidence has been provided to NSW Land and Housing Corporation by the Building Contractor and copies provided to Liverpool City Council demonstrating that all conditions of consent have been complied with.</u></p>	

<p>119. Prior to Occupation the following Crime Prevention Through Environmental Design principles are to be incorporated into the building:</p> <ul style="list-style-type: none"> — (a) Back to base alarm systems shall be installed; (b) Basement parking areas shall be painted a light colour; — (c) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be implemented; (d) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells; (e) Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting; and (f) Access to the parking levels of the building shall be controlled via a security controlled device. 	<p>It is requested that the requirement for alarm and CCTV be removed.</p>
<p>128. Prior to occupation a 6m x 6m splay corner at the intersection of McGirr Parade with Hinkler Avenue and Mannix Parade is to be dedicated as road to Liverpool City Council on a plan of subdivision registered with the Land & Property Information Division of the Land & Property Management Authority. The dedication of road and subsequent registration shall be at no cost to Council.</p>	<p>It is requested that this condition be removed. A splay currently exists at the corner of McGirr Pde and Mannix Ave. Beyond demolition, there is no imminent plan to redevelop the proposed lot 272. The request for the splay at the corner of Hinkler Ave and McGirr Pde would be incorporated as part of future development of lot 272.</p>
<p>131. 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 the NSW Land and Housing Corporation and a copy provided to Council.</p>	
<p>132. All separate lots shall be consolidated. The applicant shall provide evidence that the linen plan for the required lot consolidation, endorsed by Council, has been registered with the Land Titles Office. This shall be provided to Council prior to occupation.</p>	<p>Existing lots are subject to proposed subdivision. It is therefore requested that this condition be deleted.</p>
<p>136. The operator of the development must not permit the reversing of vehicles onto or away from the road reserve. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with AS 2890.1 Parking Facilities – Off Street Car Parking.</p>	<p>The first sentence of the draft condition is not considered to be enforceable.</p>
<p>144. Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development. If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.</p>	<p>The maintenance of the landscaping will be included in the building management agreement for the building.</p>
<p>150. The hanging of washing, including any clothing, towels, bedding or other article of a similar type on any balcony shall not be visible from any street. Washing, including any clothing, towels, bedding or any other article of a similar type, must not be draped directly over balcony balustrades.</p>	<p>As discussed in our email dated 2 June 2021, we request that this condition be reworded to allow for clothes drying racks on balconies as per LAHC standard specifications.</p>