

ATTACHMENT 2 – WITHOUT PREJUDICE CONDITIONS

A. THE DEVELOPMENT

Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the following plans with reference to the recommendations of the reports below:

Plans

| Plan Name | Plan Number | Revision | Date | Prepared By |
|--------------------------------------|-------------|----------|----------|-------------|
| COVER SHEET | DA0000 | 2 | 21/09/20 | AJ & C |
| PERSPECTIVE - AERIAL VIEW FROM NORTH | DA0002 | 1 | 22/02/29 | AJ & C |
| PERSPECTIVE - BATHURST STREET VIEW | DA0003 | 1 | 22/02/19 | AJ & C |
| PERSPECTIVE - MEMORIAL AVENUE VIEW | DA0004 | 1 | 22/02/19 | AJ & C |
| PERSPECTIVE - PODIUM VIEW | DA0005 | 1 | 22/02/19 | AJ & C |
| SITE PLAN | DA1001 | 1 | 22/02/19 | AJ & C |
| NORTH ELEVATION STREETSCAPE | DA1002 | 2 | 21/09/20 | AJ & C |
| EAST & WEST STREETSCAPES | DA1003 | 2 | 21/09/20 | AJ & C |
| SITE PLAN - DEMOLITION | DA1004 | 1 | 18/04/19 | AJ & C |
| GROUND FLOOR PLAN | DA2000 | 2 | 21/09/20 | AJ & C |
| BASEMENT 1 | DA2001 | 2 | 21/09/20 | AJ & C |
| BASEMENT 2 | DA2002 | 2 | 21/09/20 | AJ & C |
| BASEMENT 3 | DA2003 | 2 | 21/09/20 | AJ & C |
| LEVEL 1 PLAN | DA2101 | 1 | 22/02/19 | AJ & C |
| LEVEL 2 PLAN | DA2102 | 1 | 22/02/19 | AJ & C |
| LEVEL 3 PLAN | DA2103 | 1 | 22/02/19 | AJ & C |
| LEVEL 4 PLAN | DA2104 | 1 | 22/02/19 | AJ & C |
| LEVELS PLAN | DA2105 | 1 | 22/02/19 | AJ & C |
| LEVEL 6 PLAN | DA2106 | 1 | 22/02/19 | AJ & C |
| LEVEL 7 PLAN | DA2107 | 1 | 22/02/19 | AJ & C |
| LEVEL 8 PLAN | DA2108 | 1 | 22/02/19 | AJ & C |
| LEVELS 9-17 PLAN | DA2109 | 1 | 22/02/19 | AJ & C |
| LEVELS 18-23 PLAN | DA2110 | 1 | 22/02/19 | AJ & C |
| ROOF PLAN | DA2124 | 1 | 22/02/19 | AJ & C |
| NORTH ELEVATION - MEMORIAL AVENUE | DA3101 | 1 | 22/02/19 | AJ & C |
| WEST ELEVATION - CASTLEREAGH STREET | DA3102 | 1 | 22/02/19 | AJ & C |
| SOUTH ELEVATION | DA3103 | 1 | 22/02/19 | AJ & C |

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|---|----------|---|----------|--------|
| EAST ELEVATION - BATHURST STREET | DA3104 | 1 | 22/02/19 | AJ & C |
| EAST AND WEST COURTYARD ELEVATIONS | DA310S | 2 | 21/09/20 | AJ & C |
| MATERIAL BOARD ELEVATIONS | DA3106 | 1 | 21/09/20 | AJ & C |
| MATERIAL ELEVATION | DA3112 | 1 | 21/09/20 | AJ & C |
| SECTION 1 | DA3201 | 1 | 22/02/19 | AJ & C |
| SECTION 2 | DA3202 | 2 | 21/09/20 | AJ & C |
| SECTION 3 AND 4 | DA3203 | 1 | 22/02/19 | AJ & C |
| RESTAURANT SECTION | DA3204 | 1 | 21/09/20 | AJ & C |
| WALL SECTION 1 | DA4101 | 1 | 22/02/19 | AJ & C |
| WALL SECTION 2 | DA4102 | 1 | 22/02/19 | AJ & C |
| ADAPTABLE APARTMENT PLANS | DAS1 01 | 1 | | AJ & C |
| PROJECT SUMMARY | DA8S20 | 2 | 21/09/20 | AJ & C |
| 96-98 CASTLEREAGH ST SOLAR ACCESS | DA8S21 | 1 | 22/02/19 | AJ & C |
| ADG SOLAR ACCESS ANALYSIS | DA8S31 | 1 | 22/02/19 | AJ & C |
| ADG NATURAL VENTILATION ANALYSIS | DA8S32 | 1 | 22/02/19 | AJ & C |
| ADG OPEN SPACE DEEP SOIL | DA8S33 | 2 | 21/09/20 | AJ & C |
| GFA DIAGRAMS | DA8S34 | 1 | 22/02/19 | AJ & C |
| LANDSCAPE COVER PAGE | OC-L-000 | A | 18/02/19 | Oculus |
| LANDSCAPE PLAN - GROUND FLOOR | OC-L-100 | A | 18/02/19 | Oculus |
| LANDSCAPE PLAN - PLAZA | OC-L-101 | A | 18/02/19 | Oculus |
| LANDSCAPE PLAN - LEVEL 01 CENTRAL COURTYARD | OC-L-102 | A | 18/02/19 | Oculus |
| LANDSCAPE PLAN - LEVEL 04 COMMUNAL TERRACE | OC-L-103 | A | 18/02/19 | Oculus |
| LANDSCAPE PLAN - LEVEL 04 TERRACE BALCONY | OC-L-104 | A | 18/02/19 | Oculus |
| LANDSCAPE PLAN - LEVEL 08 TERRACE BALCONY | OC-L-105 | A | 18/02/19 | Oculus |
| LANDSCAPE SECTIONS - LEVEL 01 CENTRAL COURTYARD | OC-L-106 | A | 18/02/19 | Oculus |
| LANDSCAPE SECTIONS - LEVEL 04 COMMUNAL TERRACE | OC-L-107 | A | 18/02/19 | Oculus |
| INDICATIVE PLANT SCHEDULE & IMAGES | OC-L-108 | A | 18/02/19 | Oculus |

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|----------------------------------|----------|---|----------|--------|
| INDICATIVE MATERIALS -PALETTE | OC-L-109 | A | 18/02/19 | Oculus |
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Reference Reports

| Report Name | Reference | Date | Prepared By |
|--------------------------|---------------------|--------------------------------|------------------------------------|
| Geotechnical Report | 92327.01 | December 2018 | Douglas Partners |
| Arborists Report | Version 2 | 13 March 2019 | Arboriculture Australia |
| Tree Management Plan | Version 1 | 13 March 2019 | Arboriculture Australia |
| Traffic Report | N141480 | 25/02/19 | GTA Consultants |
| Access Report | - | 25 th February 2019 | Mark Relf |
| Acoustic Report | SYD-2018-1055-R001E | 11/03/2019 | Acouras Consultancy |
| BCA Report | 180284 | March 2019 | Blackett, Maguire & Goldsmith |
| Remediation Action Plan | E24273.E06 | 19 August 2019 | EI Australia |
| Social Impact Assessment | 4226 | 12 March 2019 | Urbis |
| Wind Assessment | 610.18183-R02 | March 2019 | SLR |
| Waste Management Plan | 18006 Rev E | 22/02/2019 | Elephants Foot Recycling Solutions |

except where modified by the undermentioned conditions and/or the plans/reports that have been submitted in satisfaction of Part 1 of this Development Consent.

Civil matters

2. The following additional information ~~is~~^{are} required to be submitted and approved by Council's Manager of Development Assessment, prior to the issue of any construction certificate.
 - (a) Stormwater plans must be provided to clearly show how the entire site is drained to the proposed WSUD system. Please include all surface inlet pits, downpipes etc. Details are to be submitted and approved by Council.
 - (b) Provide stormwater plan(s) as well as electronic DRAINS model in relation to the proposal:
 - for the basement levels showing how these levels will be drained to Council's System.
 - A suitably designed On-Site Detention system shall be provided within the hydraulic plans.
 - DRAINS model is to be consistent with the submitted stormwater drainage plans

Details are to be reviewed and approved by Council's Manager of Development Assessment prior to the issue of the relevant Construction Certificate.

Evidence shall be submitted to the PCA that the stormwater plans has been reviewed and approved by Council's Manager of Development Assessment.

Design Changes

3. The following additional information and design changes are required to be submitted to the satisfaction of Council (where specified) or the Certifying Authority, prior to the issue of any construction certificate.

- (a) The loading entry to be adjusted to require the loss of one Brushbox (*Lophostemon confertus*) street tree only. Details to be provided prior to issue of the relevant Construction Certificate. Street tree replacement is to be undertaken in accordance with the recommendations of the approved Arborists Report.
- (b) The following additional information is to be submitted to allow for a complete assessment of the landscape plan; Full details and specifications for all components of the landscaping plan, including plant quantities to be provided within the planting schedule, designed by a suitably qualified landscape architect or design professional. The detailed landscape plan is to comply with the planting requirements, pursuant to the Liverpool Development Control Plan 2008, Part 4; Clause 4.2.12 Deep soil zones and site cover, Clause 4.2.12 Public open space and communal open space, Clause 4.2.13 Landscape design and Clause 4.2.14 Planting on Structures. Details to be provided and approved on plans prior to the issue of a Construction Certificate.
- (c) Prior to the issue of a Construction Certificate for above ground works, a public artwork plan shall be submitted to Council's Manager of Development Assessment for review and approval. The public artwork plan shall incorporate public art into the proposed development which includes art to disguise the blank walls of the development facing 60 Memorial Parade and one artwork within the Memorial Avenue Street setback. If the artwork was in the form of a sculpture it could be of a dual use form, providing both artistic merit and a resultant function that would provide shade and weather protection within the plaza area. Indicative plans, design statements, artist statements and evidence that an artist/artists have been employed to undertake works in accordance with this condition are to be provided.

The public art to be installed prior to the release of the Occupation Certificate.

- (d) The ground floor awning on the Bathurst Street and Castlereagh Street frontage is to be extended to provide weather protection to the public footpath. Details to be provided on plans prior to the issue of a Construction Certificate.
- (e) A waste management plan is to be submitted providing details of the proposed management on non-contaminated demolition and construction waste including estimated weights of the different types of materials, whether they will be re-used, recycled or disposed of and what businesses/locations they will be taken to.
- (f) Confirm that the unobstructed clear head-height for the entire path of travel of the waste truck, including the waste bin emptying point, will be not less than 3.6 metres at any point. Provide a swept path diagram that clearly demonstrates that a vehicle of the actual size, weight and turning characteristics of the full-sized, rear lift waste

truck to be used can safely enter the building, execute all required turning moves and exit again in a forward direction.

- (g) The waste management plan is to demonstrate that a sufficient number of 240 litre recycling bins is able to be kept in each level of the tower buildings to service the number of units on each floor. The recommended dimensions of the waste storage area on each floor to accommodate the required bin storage is to be incorporated into floor plans lodged with the Construction Certificate.
- (h) Specifications are required on proposed photovoltaic technology to be used for power supply to common areas.
- (i) Details of rainwater/stormwater capture and reuse including for landscape irrigation is to be provided.
- (j) Show details of high performance glazing with fixed overhangs, to provide sun shading on the lower levels of the building, along Memorial Avenue where western sun exposure will impact internal comfort and amenity. Details to be provided on plans prior to issue of a Construction Certificate.
- (k) Plans shall be submitted that confirm that residential balconies are the required minimum dimension and that where the dimension narrows this is in excess of the minimum area required under ADG.

Utility Providers

- 4. All requirements of Sydney Water and Endeavour Energy, shall be complied with prior, during, and at the completion of construction, as required in accordance with the requirements provided within the attachment to this decision notice.

Works at no cost to Council

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

Compliance with the Environmental Planning & Assessment Act 1979

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

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

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

Provision of Services

- 7. 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.sydneypwater.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.

8. 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.
9. 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.

10. Written approval must be gained from Transgrid stating they have reviewed the proposed engineering design plans and that they consent to the issue of a CC by the PCA.

Fee Payments

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

The following fees are applicable and payable:

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

These fees are reviewed annually and will be calculated accordingly.

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

Site Development Work

13. 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.
14. 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).
15. In accordance with section 80 A (11) of the Environmental Planning & Assessment Act 1979 and clause 98 of the Environmental Planning & Assessment Regulation 2000, it is a prescribed condition that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).

Notification

16. 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.

Fire Safety Measures

17. A schedule specifying all of the essential fire safety services, both existing and proposed, which are required for the building, shall be attached to the CC and submitted to Council, in compliance with the provisions of the EP&A Regulation.
18. The schedule must distinguish between the measures that are currently implemented in the building premises; and
 - (a) The measures that are to be proposed to be implemented in the building premises; and
 - (b) The minimum standard of performance for each measure.

Cladding

19. A fire safety report prepared by an accredited C10 fire engineer, must be submitted to the PCA prior to issue of construction certificate, demonstrating that the proposed external wall cladding material and system for the building complies with the NCC and relevant Australian Standards. The fire safety report is to include evidence of suitability of all proposed external wall cladding materials as per clause A2.2 of the NCC.
20. In accordance with the EP&A Regulation and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Flat Development", the subject development must be undertaken or directed by a 'qualified designer' (i.e., a registered architect under the Architects Act). In this regard, a design verification statement shall be

submitted to the PCA demonstrating that plans lodged in support of the Construction Certificate have been prepared by a qualified designer or registered architect. The PCA shall ensure that the statement prepared by the qualified designer provides the following:

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

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

Crime Prevention Through Environmental Design

21. The following Crime Prevention through Environmental Design (CPTED) principles are to be incorporated into the building. Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the PCA.

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

~~(g) Any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details;~~

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

22. Erosion and sediment control measures shall be designed in accordance with the requirements of Liverpool DCP and Council specifications, and to the satisfaction of the PCA. Approved measures shall be implemented prior to commencement and maintained during construction and until all disturbed areas have been revegetated and established to the satisfaction of the PCA.

Recommendations of Acoustic Report

23. The recommendations provided in the approved acoustic report prepared by Acouras Consultancy, reference SYD-2018-1055-R001E, dated 11/03/19, shall be implemented and incorporated into the design and construction of the development and shall be shown on plans accompanying the CC application.

Construction Noise and Vibration Management Plan (CNVMP)

24. A Construction Noise and Vibration Management Plan is to be prepared by a suitably qualified acoustic consultant in accordance with relevant planning policies, guidelines and standards (whether that be Australian, British or German) and is to include, but not be limited to, the following: Site description
- (a) Nature of the development
 - (b) Staging of construction
 - (c) Hours of construction
 - (d) A quantitative assessment of the airborne and ground-borne noise generated by the work for the proposed development and its impact on nearby receivers
 - (e) A quantitative vibration assessment and the impact to surrounding structures and on nearby receivers
 - (f) Proposed methods to mitigate the noise and vibration impact during the construction works
 - (g) Complaints handling and community liaison procedures. This is to include but not be limited to a complaints register with complainant details, date and time of complaint, nature of complaint and how the complaint was resolved or handled.

Once the noise and vibration impact on the surrounding community and structures is adequately assessed, all necessary action is to be taken to eliminate such impacts as recommended and suggested by the suitably qualified acoustic consultant.

Construction Environmental Management Plan (CEMP)

25. Prior to issue of a construction certificate, a Construction Environmental Management Plan (CEMP) for the development must be provided to the Principal Certifying Authority for approval. The environmental site management measures must remain in place and be maintained throughout the period of the development. The CEMP must address all environmental aspects of the development's construction phases, and include (where relevant), but not be limited to, the following:

- (a) Asbestos Management Plan;
- (b) Project Contact Information;
- (c) Site Security Details;
- (d) Timing and Sequencing Information;
- (e) Site Soil and Water Management Plan;
- (f) Dust Control Plan;
- (g) Air Monitoring;
- (h) Odour Control Plan;
- (i) Health and Safety Plan;
- (j) Waste Management Plan;
- (k) Incident management Contingency; and
- (l) Unexpected Finds Protocol.

The CEMP must be kept on site for the duration of the works and must be made available to Council Officers upon request.

Mechanical Plant

26. Mechanical plant shall be selected in consultation with a suitably qualified and experienced acoustic consultant to ensure compliance with the Acoustic report (Document Reference: SYD-2018-1055-R001E) prepared by Acouras Consultancy dated 11 March 2019.

Wind Effects Report

27. A wind effects report, prepared by a suitably qualified professional is to be submitted to the Principal Certifying Authority prior to the issue of a construction certificate. All recommendations of the report are to be implemented and detailed on any final construction certificate plans.

Traffic Management

28. A 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.
29. Detailed design plans for the access driveway and car park including ramp gradient, swept path analysis, line markings and sign posting shall be in accordance with the DCP and AS2890. Details to be provided on plans and approved prior to the issue of a Construction Certificate.

A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.

30. Consultation is to be undertaken with emergency services (Police, Ambulance, Fire Brigade) to determine any additional needs for the proposal.

Car Parking Facilities

31. Access, facilities and car parking for people with disabilities must be provided in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010, relevant Australian Standards and conditions of consent, to the satisfaction of the Certifying Authority. Details of the required access, facilities and car parking for people with disabilities are to be included in the plans / specifications for the construction certificate.

S138 Roads Act – Minor Works in the public road

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

- Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
- Road occupancy or road closures
- Tree protection, tree pruning and/or tree removal and replanting

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

Note:

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

Liverpool CBD – Street Lighting Upgrade

33. The applicant/developer shall upgrade street lighting system for entire frontage of the development including any side streets. The street light pole shall be multi-function pole including all necessary accessories. The specification and accessories details are to be obtained from Infrastructure and Environment Group of Council. The applicant/developer shall engage services of Endeavour Energy accredited ASP Level 3 service provider to prepare electrical design and obtain certification from Endeavour Energy. The electrical design shall include undergrounding of existing aerial power lines and communication cables for entire frontage of the development including frontage to side streets. The approved design shall be submitted to Council for review and approval prior to any construction works.

Liverpool CBD – Communication Conduits

34. The applicant/developer shall also supply and install two 50mm white communication conduit with draw wires approximately 300mm behind kerb and gutter connecting multifunction poles. Details can be obtained from Infrastructure and Environment Group of Council. Please contact the Coordinator – Roads and Transport on 1300 36 2170.

Liverpool CBD – Footpath Paving and Landscaping Works

35. Periphery Type/ Core Type paving shall be installed along the entire Castlereagh Street, Bathurst Street and Memorial Avenue frontages, as part of this development. Footpath paving and Landscaping works shall be strictly in accordance with the Liverpool CBD Street Tree and Landscape Strategy 2005 and The Liverpool CBD Streetscape and Paving Guidelines 2005.

Detailed plans are required to be submitted to and approved by Council showing the proposed tree locations, species and planting sizes, paving location and layout, including references to the relevant details and specifications as contained in the abovementioned documents.

To ensure that the street tree planting size, quantity and quality is maintained throughout the Liverpool CBD, please contact Council's Land Development Section on 1300 36 2170 for further information.

A Section 138 Roads Act Approval for all works within Council's road reserve will be required.

Stormwater Concept Plan

36. A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, as revised and submitted to Council in satisfaction of Condition 2 of Development Consent No. 262/2019.

(a) The proposed development must be designed so as not have an adverse impact on the stormwater runoff from upstream or adjoining properties. ~~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.~~

- (b) 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.
- (c) 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.

Stormwater Discharge – Basement Car parks

- 37. Prior to the issue of a Construction Certificate 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.

Landscaping

- 38. Amend civil plans are to be provided that remove reference to standard drawings for footpath construction. Footpath paving will need to be in accordance with Council's CBD Paving guidelines as amended, Implementation Note 12:2015 and specific details of pavers/ periphery paving, and planting should be shown on the civil plans and match the landscape plans.

No loading on easements

- 39. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence.

Water Quality

- 40. 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

41. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Liverpool City Council's Development Control Plan.

Dilapidation Report

42. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Memorial Avenue, Castlereagh Street, Bathurst Street and Norfolk Street is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

Dilapidation Report Private Property (Excavation)

43. 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 the issue of any Construction Certificate. 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.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

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.

Note: This documentation is for record keeping purposes only, and may be used by the developer or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

Drainage Pipe Design

44. A detailed drainage pipe design for the new stormwater pipe connecting to Council's kerb stormwater drainage system is to be submitted to Council for review and approval. Detail includes longitudinal section, catchment area hydraulic grade line and pipe flow.

Detailed Design Water Quality

45. Detailed design and drawings of water quality treatment facilities shall be submitted for Council's review and approval. The water quality treatment facilities shall be designed using MUSIC modelling to ensure that stormwater runoffs leaving the site comply with Liverpool City Council's Water Sensitive Urban Design (WSUD) Guideline 2015. Water quality modelling report and a copy of MUSIC model shall be submitted to Council.

WSUD is required to meet stormwater treatment targets identified in Council's DCP including:

- reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%;
- reduce the baseline annual pollutant load for total suspended solids by 85%;
- reduce the baseline annual pollutant load for total phosphorous by 65%; and
- reduce the baseline annual pollutant load for total nitrogen by 45%.

Grated Drain

46. An additional grated drain at the access ramp entry to basement 1 is to be provided and is to be detailed on any relevant Construction Certificate Plans.

Obstacle Lighting

47. Obstacle lighting is to be provided to indicate the presence of the proposed building at night. To ensure consistency and avoid any confusion to pilots, the obstacle lighting is to conform to the standards specified in the section 9.4 of the Manual of Standards Part 139 Aerodromes.

Crane Activity

48. Any crane that exceeds the height of 104.6m AHD is to be assessed and approved by Bankstown Airport Limited prior to the erection of any crane.

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

49. Prior to the commencement of any building works, the following requirements must be complied with:
- (a) A Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979. Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the Act.
 - (b) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.
 - (c) A Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate; and
 - (d) 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.

Residential Building Work

50. 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.
51. 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:

- The name and licence number of the principal contractor; and
- The name of the insurer by which the work is insured under Part 6 of that Act,

(b) in the case of work to be done by an owner-builder:

- the name of the owner-builder, and
- 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.

Notification/Principal Certifying Authority

52. The applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with the Environmental Planning and Assessment Act 1979 (as amended).
53. 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.
54. 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 demolition or remediation works
 - (b) Any excavation, below the base of the footings of a building on an adjoining allotment of land.
 - (c) The notice shall be given seven (7) days prior to the commencement of work.
55. 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

56. 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

57. Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements.
58. 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.
59. Structural supporting elements or bracing of the building must be designed and certified by a qualified chartered structural engineer having regards to supporting ground conditions.

Demolition

60. 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.
 - (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.

- (d) The remediation action plan prepared by EI Australia reference E24273.E06 dated 19 August 2019.

Site Facilities

61. 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

62. 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.

Inspections

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

Notification of Service Providers

64. 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"

65. 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.

Waste Classification

66. 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

67. 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

68. 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.

D. DURING CONSTRUCTION

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

Identification Survey Report

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

In the event that Council is not the PCA, a copy of the survey shall be provided to Council within three (3) working days. On placement of the concrete, works again shall not continue until the PCA has issued a certificate stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.

Excavation Works

70. In the event the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- (a) Protect and support the building, structure or work from possible damage from the excavation, and
 - (b) where necessary, underpin the building, structure or work to prevent any such damage.
 - (c) a and b above does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.
 - (d) 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 manufacturer's details or by a practising structural engineer.
71. Work is not to proceed past the lowest basement level footings until a validation certificate, issued by the site auditor, has been submitted to both Council and the PCA demonstrating that the site has been remediated in accordance with the Remediation Action Plan, prepared by EI Australia reference reference E24273.E06 dated 19 August 2019 and that the site is suitable for the approved uses.

Major Filling/ Earthworks

72. 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.

Council Street Trees

73. No Construction certificate, or commencement of works until Tree protection measures are inspected and signed off by the site arborist. This will be documented presented to the client to be forwarded to the PCA or council.
74. No excavation within any TPZ without overseeing, signing off and certification of adherence to AS 4970 by the site arborist.
75. No mechanical Excavation within any Structural Root Zones. Hand digging only, to be overseen, signed off and certified by the site arborist.

76. Monthly tree inspections, quarterly certification of all trees retained on and around site is to be undertaken by the consulting site arborist.
77. No Occupation Certificate shall be issued unless all tree measures are upheld, and the trees are in a condition consistent to current health.
78. Retain trees 1, 2, 3, 4, 5, 6, and 7 and either 8 or 9 according to AS 4970, and 4373. Pay particular attention to roots, trunk and canopy. All efforts for retention are to be influenced by and exceed methods of protection by AS 4970.
79. Removal of specimens 8 or 9 is to be undertaken in accordance with best practice and code of conduct. Note that this condition and condition 77 are to be read in combination with the intent being that one tree out of tree 8 and 9 is retained and one tree out of tree 8 and 9 is removed.
80. Prior to commencement of works, all tree protection fencing (if necessary) and measures are to be witnessed, documented and certified to ensure they are congruent with AS 4970. Particular efforts are to be made to prune the driveway trees prior to use as a haul road, appropriate location of temporary services, Site Office, Washout and storage.
81. The site arborist is to oversee and document the manual excavation within any of the Tree Protection Zones and sign off that no attrition to any structural roots occur. Should roots greater than 50 mm be encountered, then hand pruning and excavation must be the method deployed by the site arborist.
82. It is prohibited to store materials and wash out chemicals of any kind within the TPZ's. Alternative options are to be discussed prior to engagement.
83. Replacement of the single Brush box (*Lophostemon Confertus*) tree removed in Castlereagh Street is to be replaced with 1 x 75 L Brush box (*Lophostemon Confertus*) specimens. The specimens are to be grown with NATSPEC standards and installed by a L3 Arborist.
84. All excavations, pruning, removals and plant installations or any other work within the TPZ of any tree listed for retention are to be overseen by the site arborist.

Contamination

85. 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).
86. 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.
87. 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

88. All site remediation works and any ancillary or associated work shall be undertaken strictly in accordance with the Remediation Action Plan prepared by EI Australia reference reference E24273.E06 dated 19 August 2019.
89. A site validation report is to be submitted to Council immediately following the remediation of the site.
90. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and the accredited certifier immediately after discovery. A Section 4.55 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

Air Quality

91. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
92. 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.
93. 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.

Erosion Control

94. Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways it shall be removed by

means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilization.

Water Quality

95. 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

96. 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.
97. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

Building Work

98. In the case of a class 2, 3 or 4 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 before the placement of, any footings, and
 - (b) prior to covering of waterproofing in any wet areas for a minimum of 10% of rooms with wet areas within a building, and
 - (c) prior to covering any stormwater drainage connections; and
 - (d) 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.

99. In the case of a class 5, 6, 7, 8 or 9 building, critical stage inspections must be carried out by the appropriate person in accordance with 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 before the placement of, any footings, and
 - (b) prior to covering any stormwater drainage connections; and
 - (c) 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

100. In the case of a swimming pool, 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 the construction of the swimming pool is completed and the barrier (if one is required under the Swimming Pools Act 1992), has been erected and before the pool is filled with water.

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

Hours of Construction Work and Deliveries

101. 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

102. 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

103. 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.
- c) Immediately following the completion and lodgement of the site validation report to Council and the PCA.

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

Termite Protection

104. 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.

Pool Area Design

- 105. The rails of any boundary fencing are to comply with AS 1926.

Disabled Access

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

General Site Works

- 107. 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.
- 108. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.
- 109. 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.

Car Parking Areas

- 110. Car parking spaces and driveways must be constructed of a minimum of two coat finish seal or better. The spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.
- 111. All car parking areas to be appropriately line marked and sign posted in accordance with the approved plans. All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.
- 112. 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.

113. Directional signage indicating the location of customer parking, “in” and “out” crossings and directional arrows are to be provided in accordance with the approved plans.

Traffic Management

114. 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.
115. 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.
116. 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.
117. 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

118. 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

119. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
120. 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.

Landscaping Works

121. Premium quality organic garden soil shall be incorporated into all planting areas in sufficient quantity to achieve optimum plant growing conditions.

External

122. Switchboards for utilities shall not be attached to the street and/or road elevations of the development.

123. Any external lighting is to incorporate full cut-off shielding and is to be mounted so as to not cause any glare or spill over light nuisance within the development, neighbouring properties or road users.
124. The reflectivity index of glass used in the external facade of the building is not to exceed 20%.

Graffiti

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

Ventilation

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

Construction Noise

129. Construction noise shall not exceed the management levels defined within the Interim Construction Noise Guideline published by the NSW Department of Environment and Climate Change dated July 2009.

Erosion and sediment control

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

Drainage Connection

131. 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.

E. 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:

Land Consolidation/Registration

132. All separate lots must be consolidated. The applicant shall provide evidence that the linen plan, for the required lot consolidation endorsed by Council, has been registered with the LPI Service. This is to be provided to Council prior to the release of any OC.

Section 7.12 Payment (Liverpool Contributions Plan 2018 Liverpool City Centre)

133. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment represents 2% or 3% of the cost of the development and is imposed in accordance with Liverpool Contributions Plan 2018 Liverpool City Centre.

The total contribution is **\$3,344,495.00** and will be adjusted at the time of payment in accordance with the contributions plan.

A breakdown of the contribution's payable is provided in the attached payment form. The Contributions Plan may be inspected online at www.liverpool.nsw.gov.au
Payment must be accompanied by the attached form.

Certificates

134. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.
135. An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The requirements of the Environmental Planning & Assessment Act 1979 and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.
136. 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.
137. 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.
138. A final fire or interim safety certificate is to be attached to any OC, except in the case of a Class 1a or Class 10 building(s). This must include all the "essential fire services" installed in the building.
139. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the PCA.

Service Providers

140. Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
141. Prior to the issue of an Occupation Certificate, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with:
- (a) The requirements of the Telecommunications Act 1997:

- (b) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
- (c) 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

Cladding

- 142. Prior to issuing any occupation certificate, the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external wall cladding material and system is consistent with the consent documentation, NCC and relevant Australian Standards.

Road Works and Road Reserve Works

- 143. All traffic related works including intersection improvements works, line-marking and signposting are to be completed to the satisfaction of Council.
- 144. Street lighting on Memorial Avenue, Castlereagh and Bathurst Streets shall be completed to Council's and Endeavour Energy's satisfaction.

Display of Street Numbers

- 145. 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.

Smoke Alarms

- 146. Should the construction of the development (bulkheads etc) reveal that the smoke detectors cannot operate effectively, additional smoke detectors may be required to be installed in order that the detectors effectively protect the occupants of the building in accordance with the provisions of National Construction Code Part 3.7.2.

BASIX

- 147. 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

- 148. 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.

Design Verification Statement

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

Recommendations of Acoustic Report

150. 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 prepared by Acouras Consultancy, reference SYD-2018-1055-R001E , dated 11/03/19, and that all recommendations have been adopted.

Registration of positive covenant

151. A positive covenant is to be created with wording to create an easement for vehicular and pedestrian access from the Castlereagh Street frontage, through the basement of the proposal to benefit the (future) basement levels of land known as; 3 – 5 Norfolk Street Liverpool and; 60 Memorial Avenue Liverpool. The easement must be registered prior to the issue of any Occupation Certificate.

Air Conditioners

152. All air handling, evaporative cooling, humidifying, warm water and water cooling systems installed on the premises shall comply with the Public Health Act 2010, Public Health Regulation 2012 and AS/NZS 3666:2011-Air Handling and water systems of building - Microbial Control:
- (a) All water cooling and warm water systems shall be designed, constructed and installed in accordance with AS 3666.1:1995, the Public Health Act 2010 and Public Health Regulation 2012 before being commissioned.
 - (b) All cooling towers and warm water systems shall be operated and maintained in accordance with AS 3666.2:1995, (or AS 3666.3:2000 subject to prior notification to Council) the Public Health Act 2010, Public Health Regulation 2012.

- (c) A true copy of the annual certificate as stipulated in Clause 9(2) of the Public Health (Microbial) Regulation 2012 that certifies the effectiveness of the process of disinfection used for the water cooling system, shall be submitted to Council prior to the period ending 30 June each year.
- (d) The owner or occupier of the building shall be advised of the need to register and provide particulars of any water cooling, and warm-water systems as required under the provisions of the Public Health Act, 2010 and Regulation thereunder. Registration forms are available from Council.

Liverpool City Council clearance – Roads Act/ Local Government Act

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

Works as executed – General

154. Prior to the issue of an Occupation Certificate, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

Stormwater Compliance

155. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:
- a) On-site detention system/s
 - b) Stormwater pre-treatment system/s
 - c) Basement Carpark pump-out system
 - 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

156. Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the:

- a) On-site detention system/s
- b) Stormwater pre-treatment system/s
- c) Basement carpark pump-out system

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

157. Prior to the issue of an Occupation Certificate any damage [caused by the development](#) 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 Castlereagh Street and Norfolk Street will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

Pump-out system

158. Stormwater runoff from the proposed driveway to the underground garage shall be via a pump-out system subject to the following conditions:

- (a) The pump-out system shall be independent of any gravity drainage lines except at the site property boundary inspection pit where a surface grated inlet pit shall be constructed, from which a connection may be permitted to the gravity stormwater system.
- (b) Engineering details and manufacturer's specifications for pumps and switching system shall be submitted for approval prior to issue of construction certificate.
- (c) An 88B positive covenant shall be placed on the property title. This requires the property owner to be responsible for the proper maintenance and repair of the abovementioned pumps, pipes and pit system. Council is the Authority benefited and the property owner is burdened by this restriction. Evidence of the creation of the positive covenant shall be forwarded to Council prior to the issue of an OC.

Dilapidation Report

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

Restrictions on Title

160. Prior to the issue of an OC, the following restriction as to user must be registered on the title of the property:

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

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

F. CONDITIONS RELATING TO USE

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

Separate Application for Use

161. Each separate commercial (non-residential) unit/occupancy shall be subject to submission (and approval by Council), of a separate Development Application for its use.
162. All solid and liquid waste is to be removed from the site by a registered waste contractor. A record of receipts shall be kept and maintained up to date at all times. Records are to be made available to Council's Officers, upon request.
163. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste. A record of receipts shall be kept and maintained up to date at all times. Records are to be made available to Council's Officers, upon request.
164. Waste and recyclable material generated from the operations of the development shall be managed in a satisfactory manner that does not give rise to offensive odour or encourage pest activity. All waste material shall be regularly removed from the premises. Waste shall not be permitted to accumulate near the waste storage bins.
165. All solid waste stored on site is to be covered at all times.

Waste Storage Area

166. Waste bins must be stored in designated garbage/ trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.
167. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties.
168. Any bin bays must be:
 - (a) Provided with mechanical ventilation;
 - (b) Provided with a hose cock for hosing the garbage bin bay and a sewered drainage point in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay, it is not to protrude into the space indicated for the placement of bins;
 - (c) Provided with sufficient light to permit usage at night;

- (d) Allocated with sufficient space within the bin bay to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector;
- (e) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
- (f) Garbage is to be placed wholly within the garbage bins provided;
- (g) Only recyclable materials accepted by Council are to be placed within the recycling bins;
- (h) The area is to be kept tidy;
- (i) A phone number for arranging disposal of bulky items;
- (j) Graphic illustrative content to be 50%;
- (k) Bin bay signs are available from Council;
- (l) Should garbage chutes be incorporated into the design of the building, signage on how to use the chutes is to be located prominently next to the chute;
- (m) Operation, maintenance and cleaning of the garbage compactor and associated equipment is the responsibility of the strata management or body corporate and not of Council;
- (n) Maximum compaction ratio is 2:1;
- (o) Operation, maintenance and cleaning of the garbage chutes and associated waste cupboards, rooms, or equipment is the responsibility of the strata management or body corporate, and not of Council.

Car Parking/Loading

169. Off street car parking spaces must be provided in accordance with the following;

- (a) 270 residential car spaces inclusive of 12 disabled car spaces
- (b) 27 Visitor spaces inclusive of 1 disabled car space.
- (c) 3 truck bays within the basement for use up to a medium rigid vehicle (MRV).
- (d) 12 commercial spaces inclusive of 2 disabled space.

The parking spaces must be provided in accordance with Council's relevant development control plan. All disabled spaces must be signposted/marked for the specific use of persons with a disability.

170. All parking areas shown on the approved plans must be used solely for this purpose.

171. All loading and unloading must take place from the designated loading dock. This area is to be clearly marked/signposted for use by delivery vehicles only.

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

Landscaping

173. 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.

An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained. The report provided in the 3rd year must indicate how the landscaping has been established so as to ensure it's long term survival.

Pool Area Design

174. The swimming pool shall be fenced in accordance with the provisions of AS1926, prior to the pool being filled with water.
175. All drainage and pool wastes to be discharged in accordance with AS 3500.0

Use of the Premises

176. The operation of the premises shall be conducted so as to avoid unreasonable noise and cause no interference to adjoining or nearby residences.
177. The use of the premises shall not give rise to "offensive noise" as defined under the Protection of the Environment Operations Act 1997.
178. The use of the premises is not to interfere with the amenity of the residential area.

Lighting

179. Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby premises.

Swipe Card Access

180. Swipe card access is to be provided to the communal open space and those areas of basement parking required for residents and residential visitor only. The retail parking space shall be accessible to the general public during business operation.
181. Swipe card access is to be provided to the basement for the usage of the commercial car spaces for any future tenant of the commercial tenancies.

Washing on Balconies

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

Mail-boxes

183. The mailboxes must not be accessed by universal keys and must each have their own keys for private access.

Lighting

184. Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby premises.

G. ADVISORY

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

i) "DIAL BEFORE YOU DIG"

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

j) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- k) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential affect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
- l) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.
- m) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- n) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

ATTACHMENT 2 – SECTION 7.11 PAYMENT FORM**CONTRIBUTIONS PURSUANT TO SECTION 94 OF THE ENVIRONMENTAL
PLANNING & ASSESSMENT ACT, 1979****Liverpool Contribution Plan 2007 – Liverpool City Centre**

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 October 2020 and will be adjusted at the time of payment in accordance with the conditions of consent.

APPLICATION NO: DA-262/2019

APPLICANT: Il capitano investments co/ Brian Mariotti AJ & C Architects

PROPERTY: 77 – 79 BATHURST STREET AND 86 – 94 CASTLEREAGH STREET, LIVERPOOL KNOWN AS LOT 7,8,9,10,11 DP 7451, LOT 4 DP 800326 AND SP 38492 (ALSO KNOWN AS LOT 5 DP 800326)

PROPOSAL: Demolition of existing building and structures, excavation and remediation of the site, construction of a mixed use development comprising a commercial and retail podium including a two level restaurant, a 17 level and 23 level residential tower comprising a total of two hundred and sixty four (264) units, above three (3) levels of basement car parking and associated landscaping and services.

| <u>Facilities</u> | <u>Amount (\$)</u> | <u>Job No.</u> |
|--|---------------------------|-----------------------|
| Georges River Foreshore | \$624,306 | GL.10000001869.10105 |
| Pioneer Park | \$89,187 | GL.10000001869.10105 |
| Apex Reserve | \$44,593 | GL.10000001869.10217 |
| Georges River Pedestrian Crossing | \$111,483 | GL.10000001869.10218 |
| Discovery Park | \$111,483 | GL.10000001869.10219 |
| Community Facility Upgrade | \$267,560 | GL.10000001870.10099 |
| Car parking | \$891,865 | GL.10000001868.10108 |
| Access, bike facilities and bus priority | \$668,899 | GL.10000001865.10220 |
| Peripheral Streetscape works | \$445,933 | GL.10000001865.10221 |
| Footpath widening in City Centre | \$89,187 | GL.10000001865.10222 |
| <u>TOTAL</u> | \$3,344,495 | |

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

RECORD OF PAYMENT

Total Amount paid: _____

Date: _____

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

ATTACHMENT 3 – SYDNEY WATER REQUIREMENTS



27 September 2019

Our Ref: Case 180835

Maddison Spiteri
Council assessing officer
Liverpool City Council
lcc@liverpool.nsw.gov.au

RE: 77 Bathurst Street, LIVERPOOL – DA-262/2019

Dear Maddison,

Thank you for notifying Sydney Water of the proposed demolition of existing building and structures, excavation and remediation of the site, construction of a mixed use development comprising a 4-storey commercial and retail podium including a two level restaurant, two residential towers of 14-storey and 20-storey in height comprising a total of two hundred and sixty four (264) units, above three (3) levels of basement car parking and associated landscaping and services located at 77 Bathurst Street, LIVERPOOL. We have reviewed the proposal and provide the following comments.

Water

- The developer will be required to amplify the existing 150mm drinking water main in Castlereagh Street to a minimum of 200mm.
- The proposed development will be serviced from this new 200mm water main.
- The amplification will be from the existing 500mm trunk main along Memorial Avenue to the full frontage of the site in Castlereagh Street.

Wastewater

- Existing wastewater infrastructure in the area has enough capacity to service the proposed development.
- There are multiple reticulation sewer mains traversing the site which may require deviation or disuse.
- The site may either discharge to the existing 225mm sewer main in Memorial Avenue or the 300mm sewer main in Bathurst Street, subject to the proposed development's effects on the multiple sewer mains traversing the site.

Amplifications, extensions or deviations to the drinking water and wastewater network is required to comply with the Water Services Association of Australia (WSAA) code – Sydney Water edition.

The developer will need to engage a Water Servicing Coordinator (WSC). The WSC will be the applicant's point of contact with Sydney Water. The WSC can answer most questions the applicant might have on Sydney Water's developer process and charges. For a list of authorised Coordinators, either visit www.sydneywater.com.au > Plumbing, building & developing > Developing > Providers > Lists or call 13 20

The developer will be required to submit a concept water and wastewater servicing plan for the site at the section 73 application phase. The concept plan will detail the proposed deviations, disuse, amplification including water and wastewater connection points to the Sydney Water reticulation network.

This advice is not a formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications will be provided once the development is referred to Sydney Water for a Section 73 application.

Further requirements for this proposal are in the attachments. If you require any further information, please contact the Enrique Sarthou of Growth Planning on 02 88496496 or email urbangrowth@sydneywater.com.au

Yours sincerely

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

Cassie Loughlin
Growth Intelligence Manager

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 approved plans must be submitted to the Sydney Water **Tap in™** online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

*The Sydney Water **Tap in™** online self-service replaces our Quick Check Agents as of 30 November 2015.*

The **Tap in™** service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's **Tap in™** online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Attachment 2

Requirements for **Business Customers for Commercial and Industrial Property Developments.**

Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<http://www.sydneywater.com.au/Plumbing/BackflowPrevention/>

Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <http://www.sydneywater.com.au/Water4Life/InYourBusiness/RWTCalculator.cfm>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Contingency Plan Recommendations

Under Sydney Water's [customer contract](#) Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at:

<http://www.sydneywater.com.au/OurSystemsandOperations/TradeWaste/> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.

ATTACHMENT 4 – ENDEAVOUR ENERGY REQUIREMENTS



General Manager
Liverpool City Council

11 September 2019

ATTENTION: Maddison Spiteri

I refer to the below email of 5 September 2019 from NSW Planning, Industry & Environment regarding NSW Government concurrence and referral request CNR-1511 for Liverpool City Council's development application DA-262/2019 at 77 BATHURST STREET LIVERPOOL 2170 [Lots 7,8,9,10,11 DP 7451, Lot 4 DP 800326 and SP 38492 (also known as Lot 5 DP 800326)] for 'Demolition of existing building and structures, excavation and remediation of the site, construction of a mixed use development comprising a 4-storey commercial and retail podium including a two level restaurant, two residential towers of 14-storey and 20-storey in height comprising a total of two hundred and sixty four (264) units, above three (3) levels of basement car parking and associated landscaping and services.'. Submissions need to be made to Council by 26 September 2019.

As shown in the below site plan from Endeavour Energy's G/Net master facility model (and extract from Google Maps Street View) there are:

- No easements over the site benefitting Endeavour Energy (active easements are indicated by red hatching).
- Low voltage overhead power lines to the Castlereagh Street road verge / roadway.
- Low voltage and 11,000 volt / 11 kilovolt (kV) high voltage underground cables to the Bathurst Street and Norfolk Street road verges / roadways.
- Low voltage underground cables to the Memorial Avenue road verge / roadway.

Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan is not a 'Dial Before You Dig' plan under the provisions of Part 5E 'Protection of underground electricity power lines' of the Electricity Supply Act 1995 (NSW).

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



51 Huntingwood Drive, Huntingwood, NSW 2148
PO Box 811, Seven Hills, NSW 1730
T: 133 718

endeavourenergy.com.au
ABN 11 247 365 823

- Network Capacity / Connection

Endeavour Energy has noted that the Statement of Environmental Effects does not appear to address in detail the suitability of the site for the development in regard to whether utility services are available and adequate for the development.

8.7. SUITABILITY OF THE SITE FOR DEVELOPMENT

The site is well suited to accommodate the proposed development for the following reasons:

- The site is in close proximity to existing services and infrastructure. Buses and Liverpool train station are within close proximity to the site.

However Endeavour Energy has noted that as shown in the following extracts of the Architectural Plans that provision has been made for a 'Kiosk Substation' (two padmount substations) to the Castlereagh Street road frontage of the site.



The fact that provision is being made for the substation from Endeavour Energy's perspective is a positive. Endeavour Energy's general requirements is for a padmount substation easement to have a minimum size of 2.75 x 5.5 metres and also have the additional restrictions for fire rating (which usually extends 3 metres horizontally from the base of the substation footing, and 6 metres vertically from the same point and also has regard to any structures etc. attached to the building that may spread a fire) and possibly swimming pools and spas (which in this instance does not appear to be applicable). For further details please refer to the attached copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'

The easement and restriction/s should not affect any adjoining property (unless supported by an appropriate easement / restriction). The substation should be at ground level and have direct access from a public street (unless provided with a suitable easement for right of access). Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure that the substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc.

The proposed substation location on a site will require a detailed assessment to consider these issues. For example, to avoid the creation of restrictions on the adjoining site the development shown in the following extract of Google Maps Street View is of a site at 18 Copeland Street Liverpool required the installation of a fire wall next to the padmount substation. Whilst meeting the fire rating requirements etc. from an aesthetics perspective this is not an attractive outcome and possibly an alternative indoor substation may be considered / warranted.



Fire wall constructed for padmount substation at 18 Copeland Street Liverpool. Source: Google Maps Street View.

Figure 47 from Endeavour Energy's Mains Construction Instruction MCI0006 'Underground distribution: Construction standards manual' explains the fire restriction and the typical effect of screen / fire walls.

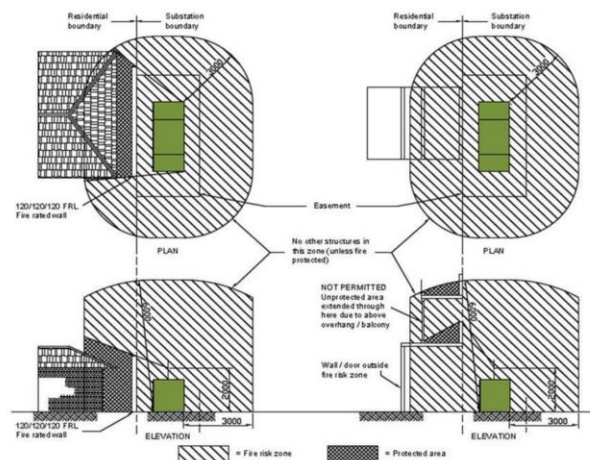


Figure 47 - Typical effect of screen walls

This is also outlined in Endeavour Energy's Mains Design Instructions MDI0028 'Underground distribution network design' and the Australian Standard AS2067: 2016 'Substations and high voltage installations exceeding 1 kV a.c.'. This excludes any constructions with non-fire rated materials being allowed within the fire restriction area.

As a condition of the Development Application consent Council should request the submission of documentary evidence from Endeavour Energy confirming that satisfactory arrangements have been made for the connection of electricity and the design requirements for the substation, prior to the release of the Construction Certificate / commencement of works.

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

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

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

Alternatively the applicant should engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation.. The ASP scheme is administered by NSW Planning, Industry & Environment and details are available on their website via the following link or telephone 13 77 88:

<https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-yourelectricity-service> .

Endeavour Energy is urging applicants /customers to engage with an Electrical Consultant prior to finalising plans to in order to assess and incorporate any required electricity infrastructure eg. should a distribution substation be required on the site, the minimal building setbacks will make it difficult to incorporate a padmount substation on site. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

- Urban Network Design

Endeavour Energy's Company Policy 9.2.5 'Network Asset Design', includes the following requirements for electricity connections to new urban subdivision / development:

5.11 Reticulation policy

5.11.1 Distribution reticulation

In order to improve the reliability performance of and to reduce the operating expenditure on the network over the long term the company has adopted the strategy of requiring new lines to be either underground cables or where overhead is permitted, to be predominantly of covered or insulated construction. Notwithstanding this strategy, bare wire overhead construction is appropriate and permitted in some situations as detailed below.

In areas with the potential for significant overhanging foliage, CCT is used to provide increased reliability as it is less susceptible to outages from wind-blown branches and debris than bare conductors. CCT must only be used in treed² areas as the probability of a direct lightning strike is low. In open areas where the line is not shielded from a direct lightning strike, bare conductors must generally be used for 11kV and 22kV reticulation.

Non-metallic Screened High Voltage Aerial Bundled Cable (NMSHVABC) must be used in areas which are heavily treed and where it is not practicable to maintain a tree clearing envelope around the conductors.

² A "treed" area is one with a substantial number of trees adjacent to the line, in each span. In these situations CCT is used to provide increased reliability as it is less susceptible to outages from wind-blown

5.11.1.1 Urban areas

Reticulation of new residential subdivisions will be underground. In areas of low bushfire consequence, new lines within existing overhead areas can be overhead, unless underground lines are cost justified or required by either environmental or local council requirements.

Where underground reticulation is required on a feeder that supplies a mixture of industrial, commercial and/or residential loads, the standard of underground construction will apply to all types of load within that development.

Where ducting is used, adequate spare ducts and easements must be provided at the outset to cover the final load requirements of the entire development plan.

Extensions to the existing overhead 11kV/22kV network must generally be underground. Bare wire will be used for conductor replacements and augmentations except in treed areas where CCT or NMSHVABC must be used.

Extensions to the existing overhead LV network and augmentations must either be underground or ABC. Conductor replacements greater than 100m in route length must utilise aerial bundled cable.

- Streetlighting

With the significant increase in both vehicular and pedestrian traffic, the streetlighting for the proposed development should be reviewed and if necessary upgraded to comply with the series of standards applying to the lighting of roads and public spaces set out in with Australian/New Zealand Standard AS/NZS 1158: 2010 'Lighting for roads and public spaces' as updated from time to time.

Whilst the determination of the appropriate lighting rests with the road controlling authority, Endeavour Energy as a Public Lighting Service Provider is responsible for operating and maintaining the streetlights on behalf of local councils, Roads and Maritime Services and other utilities in accordance with the NSW Public Lighting Code, January 2006 (Code). Endeavour Energy recognises that well designed, maintained and managed Public Lighting offers a safe, secure and attractive visual environment for pedestrians and drivers during times of inadequate natural light.

For any Code implementation and administration / technical matters please contact Endeavour Energy's Substation Mains Assets Section via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or email mainsenquiry@endeavourenergy.com.au.

- Prudent Avoidance

The electricity network is operational 24/7/365 ie. all day, every day of the year. The electricity industry has adopted a policy of prudent avoidance by doing what can be done without undue inconvenience and at modest expense to avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise which generally increase the higher the voltage ie. Endeavour Energy's network ranges from low voltage (normally not exceeding 1,000 volts) to high voltage (normally exceeding 1,000 volts but not exceeding 132,000 volts / 132 kV).

In practical terms this means that when designing new transmission and distribution facilities, consideration is given to locating them where exposure to the more sensitive uses is reduced and increasing separation distances. These emissions are generally not an issue but with Council's permitting or encouraging development with higher density, reduced setbacks and increased building heights, new development can impact on existing electricity infrastructure.

Where development is proposed in the vicinity of electricity infrastructure, Endeavour Energy is not responsible for any amelioration measures for such emissions that may impact on the nearby proposed development. Endeavour Energy believes that likewise applicants and Council should also adopt a policy of prudent avoidance by the siting of more sensitive uses away from any electricity infrastructure – including any possible future electricity infrastructure required to facilitate the proposed development.

Please find attached a copy of Energy Networks Association's 'Electric & Magnetic Fields – What We Know' which can also be accessed via their website at <https://www.energynetworks.com.au/electric-and-magnetic-fields> and provides the following advice:

Electric fields are strongest closest to their source, and their strength diminishes rapidly as we move away from the source.

The level of a magnetic field depends on the amount of the current (measured in amps), and decreases rapidly once we move away from the source.

Typical magnetic field measurements associated with Endeavour Energy's activities and assets given the required easement widths, safety clearances etc. and having a maximum voltage of 132,000 volt / 132 kV, will with the observance of these separation distances not exceed the recommended magnetic field public exposure limits.

- Earthing

The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations' as updated from time to time. This Standard sets out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth. Inadequate connection to the earth to allow a leaking/fault current to flow into the grounding system and be properly dissipated places persons, equipment connected to the network and the electricity network itself at risk from electric shock, fire and physical injury. Safety Clearances

- Safety Clearances

Endeavour Energy has noted that the Statement of Environmental Effects indicates 'Street alignment from Castlereagh Street is 2.5m, consistent with the Liverpool DCP', being the road frontage of the site with existing overhead power lines. However the Architectural Plans show 'Awning Over' from the building setback to the boundary.

Any building or structure (including fencing, signage, flag poles etc.) whether temporary or permanent must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132kV) as specified in:

- o Australian/New Zealand Standard AS/NZS 7000 – 2016: 'Overhead line design' as updated from time to time.
- o 'Service and Installation Rules of NSW' which can be accessed via the following link to the NSW Planning, Industry & Environment website:

<https://energy.nsw.gov.au/government-and-regulation/legislative-and-regulatory-requirements/service-installation-rules> .

As a guide please find attached a copy of Endeavour Energy Drawing 'Overhead Lines Minimum Clearances Near Structures'.

These distances must be maintained regardless of the Council's allowable building setbacks etc. under its development controls.

Ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kV. Work within the safe approach distances requires an authorised or instructed person with technical knowledge or sufficient experience to perform the work required, a safety observer for operating plant as well as possibly an outage request and/or erection of a protective hoarding.

Endeavour Energy's recommendation is that whenever reasonably possible buildings and structures be located and designed to avoid the need to work within the safe approach distances for ordinary persons eg. not having parts of the building normally accessible to persons in close proximity of the overhead power lines; the use of durable / low maintenance finishes. Alternatively, in some instances the adoption of an underground solution may be warranted ie. particularly for low voltage which can be more readily (in shorter distances) and comparatively economically be undergrounded – which in this instance is likely to be required and could be undertaken as part of the contestable works for the provision of electricity supply to the site.

SafeWork NSW document *Guide to Work Near Overhead Power Lines Code of Practice 2006* states the following when work in proximity to overhead service lines:

TABLE 4

Approach distances for work near low voltage overhead service lines

| Ordinary Persons (m) | | | | |
|----------------------|------------------------------------|---|--|------------------------------|
| Hand held tools | Operation of crane or mobile plant | Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc) | Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc) | Driving or operating vehicle |
| 0.5 | 3.0 | 4.0 | 1.5 | 0.6 |

In addition the developer / builder should consider 'tiger tailing'/matting the overhead service lines to provide a distinct visual of the location of overhead construction ie. these are still not regarded as insulated conductors and safe approach distances need to be maintained.

- Vegetation Management

The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure (including any new electricity infrastructure required to facilitate the proposed development). Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant.

Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access, reduce light levels from streetlights or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy's Vegetation Management program and/or the provisions of the Electricity Supply Act 1995 (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

Endeavour Energy's recommendation is that existing street trees which are of low ecological significance in proximity of overhead power lines be replaced and any proposed planting of new trees within in the proximity of overhead power lines be replaced by an alternative smaller planting to ensure appropriate clearances are maintained whilst minimising the need for future pruning.

In regard to the future padmount substation site required to facilitate the proposed development , please find attached for the applicant's reference a copy Endeavour Energy's 'Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations'.

- Asbestos

Endeavour Energy's G/Net master facility model indicates that the site is in an area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network. Whilst Endeavour Energy's underground detail is not complete within G/Net in some areas, in older communities, cement piping was regularly used for the electricity distribution system and in some instances containing asbestos to strengthen the pipe; for insulation; lightness and cost saving.

When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

The company's potential locations of asbestos to which construction / electricity workers could be exposed include:

- o customer meter boards;
- o conduits in ground;
- o padmount substation culvert end panels; and
- o joint connection boxes and connection pits.

Further details are available by contacting Endeavour Energy's Health, Safety & Environment Assurance Section via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm.

- Dial Before You Dig

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

- Demolition

Demolition work is to be carried out in accordance with Australian Standard AS 2601—2001: 'The demolition of structures' as updated from time to time. All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ie. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. streetlight columns, power poles, overhead power lines and underground cables etc.

- Removal of Electricity Supply

Approval for the permanent disconnection and removal of supply must be obtained from Endeavour Energy's Network Connections Branch (contact via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm) by Accredited Service Providers (ASP) with the relevant class of Authorisation for the type of work being carried out. The work could involve:

- The disconnection and removal of an underground service cable or overhead service line,
- Removal of metering equipment.

The written request must be submitted to Endeavour Energy using Form FPJ4603 'Permission to Remove Service / Metering by Authorised Level 2 Accredited Service Provider' which must be accompanied by Notification of Service Works (NOSW) forms provided as a result of service work activity performed by a Level 2 ASP. The retailer must also provide written agreement for the permanent removal of supply.

For details of the ASP scheme please refer to the above point 'Network Capacity / Connection'.

- Public Safety

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

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

If the applicant has any concerns over the proposed works in proximity of the Endeavour Energy's electricity infrastructure to the road verge / roadway, as part of a public safety initiative Endeavour Energy has set up an email account that is accessible by a range of multiple stakeholders across the company in order to provide more effective lines of communication with the general public who may be undertaking construction activities in proximity of electricity infrastructure such as builders, construction industry workers etc. The email address is Construction.Works@endeavourenergy.com.au .

- Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days. Endeavour Energy's contact details should be included in any relevant risk and safety management plan.

I appreciate that not all the foregoing issues may be directly or immediately relevant or significant to the Development Application. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

Could you please pass on a copy of this submission and the attached resources to the applicant? Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified above in relation to the various matters. Due to the high number of development application / planning proposal notifications submitted to Endeavour Energy, to ensure a response contact by email to property.development@endeavourenergy.com.au is preferred.

Yours faithfully

Cornelis Duba

Development Application Specialist

Network Environment & Assessment

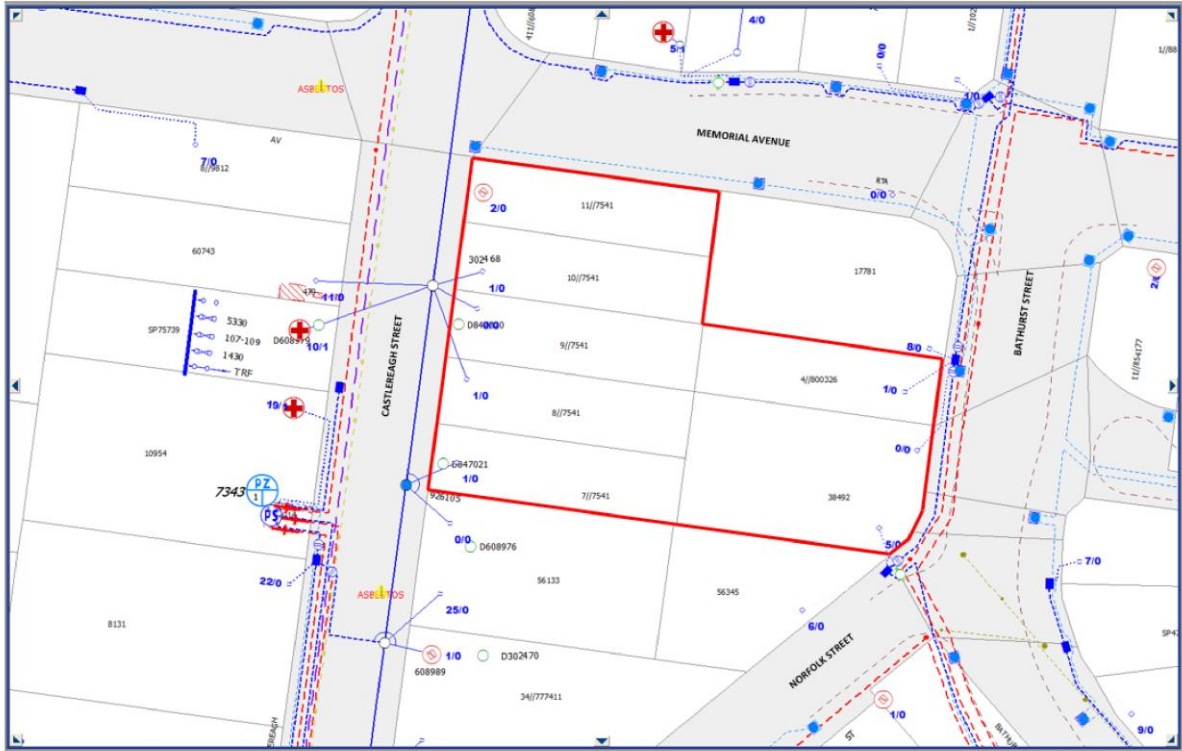
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From: NSW Planning <planning.apps@planning.nsw.gov.au>

Sent: Thursday, 5 September 2019 11:07 AM

To: Property Development <Property.Development@endeavourenergy.com.au>

Subject: NSW Government concurrence and referral request CNR-1511(LIVERPOOL CITY COUNCIL)

○ **Concurrence and referral request**



A request for NSW Government agency consideration of an application DA-262/2019 at 77 BATHURST STREET LIVERPOOL 2170 was submitted to your agency on 05 September 2019 .

Pre-assessment of this application is required.

Please log into the [NSW Planning Portal](#) to progress your assessment of the request, reference number CNR-1511.

You can find general information about the online concurrence and referral system [here](#) or call our help line on 1300 305 695.

This email has been automatically sent through the NSW Planning Portal. Please do not reply to this message. If you have received this email in error, please contact us at planning@planning.nsw.gov.au.