

VM & KTP Holdings Pty Ltd C/- Gran Associates
Level 1, 597 Darling Street
Rozelle NSW 2039

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, Council has granted consent to your Development Application, described as follows:

APPLICANT:	VM & KTP Holdings Pty Ltd C/- Gran Associates
LAND:	20 Hume Highway Warwick Farm 2170 LOT 11 & 12 DP 1204506
PROPOSED DEVELOPMENT:	Construction of a 10-storey residential flat building comprising 28 residential units above two levels of basement car parking, together with vehicle accessed landscaping and associated works. The application is submitted under the State Environmental Planning Policy (Housing) 2021
DETERMINATION:	(Delegated Authority, Sydney Western City Planning Panel at its meeting of 11 December 2023)
CONSENT TO OPERATE FROM:	11 December 2023
CONSENT TO LAPSE ON:	11 December 2028
ATTACHMENTS:	1. Conditions of Approval 2. Section 7.12 Contributions 3. Transport for NSW Requirements 4. Endeavour Energy Requirements

ATTACHEMENT 1: DRAFT CONDITIONS OF CONSENT

Before commencing the development please read the Development Consent carefully and make sure you understand all the conditions that have been imposed. Please contact Council if you have any questions.

DEFINITIONS

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

ATTACHMENT 1 – CONDITIONS OF APPROVAL

Council has imposed the following conditions under the relevant planning instruments and policies.

A. THE DEVELOPMENT

Approved Plans

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

(a) Architectural Plans – Project No. A1911

Plan Name	Plan Number	Date	Revision	Prepared by
Drawing List & Location	Drawing No. DA-000	24/07/2023	C	GRAN Associates
Site Analysis	Drawing No. DA-010	24/07/2023	B	GRAN Associates
Site and Ground Floor Plan	Drawing No. DA-100	24/07/2023	C	GRAN Associates
Typical 01 – 03 Floor Plan	Drawing No. DA-101	24/07/2023	C	GRAN Associates
Level 04 Floor Plan	Drawing No. DA-102	24/07/2023	C	GRAN Associates
Typical 05 – 07 Floor Plan	Drawing No. DA-103	24/07/2023	C	GRAN Associates
Level 08 Floor Plan	Drawing No. DA-104	24/07/2023	C	GRAN Associates
Level 09 Floor Plan	Drawing No. DA-105	24/07/2023	C	GRAN Associates
Roof Garden Floor Plans	Drawing No. DA-106	24/07/2023	C	GRAN Associates
Roof Plan	Drawing No. DA-107	24/07/2023	C	GRAN Associates
Basement Level 1 Plan	Drawing No. DA-110	24/07/2023	C	GRAN Associates
Basement Level 2 Plan	Drawing No. DA-111	24/07/2023	C	GRAN Associates

North Elevation	Drawing No. DA-200	24/07/2023	C	GRAN Associates
East Elevation	Drawing No. DA-201	24/07/2023	C	GRAN Associates
South Elevation	Drawing No. DA-202	24/07/2023	C	GRAN Associates
West Elevation	Drawing No. DA-203	24/07/2023	C	GRAN Associates
Section AA	Drawing No. DA-300	24/07/2023	C	GRAN Associates
Section BB	Drawing No. DA-301	24/07/2023	C	GRAN Associates
Exterior Colours and Finishes	Drawing No. DA-400	24/07/2023	C	GRAN Associates
Adaptable Units 12, 22, 32	Drawing No. DA-500	24/07/2023	C	GRAN Associates
Area Plans & Schedules	Drawing No. DA-600	24/07/2023	C	GRAN Associates
Façade Section Detail 1	Drawing No. DA-610	24/07/2023	A	GRAN Associates
Façade Section Detail 2	Drawing No. DA-611	24/07/2023	A	GRAN Associates

(b) Landscape Plans – Job No. 19/2026

Plan Name	Plan Number	Date	Revision	Prepared by
Landscape Plan	111(21)/255'A'	23 January 2023	A	iScape Landscape Architecture
Rooftop Plan	111(21)/256'A'	23 January 2023	A	iScape Landscape Architecture

(c) Engineering Plans

Plan Name	Job No. / Plan Number	Date	Revision	Prepared by
Stormwater Management Plan - Basement 2	21-144-SW1	27/01/2023	C	Woolcotts Consulting Engineers

Stormwater Management Plan - Basement 1	21-144-SW2	27/01/2023	C	Woolcotts Consulting Engineers
Stormwater Management Plan - Ground Floor	21-144-SW3	27/01/2023	E	Woolcotts Consulting Engineers
Stormwater Drainage Details	21-144-SW4	05/12/2022	B	Woolcotts Consulting Engineers
Sediment and Erosion Control Plan and Details	ES1	08/12/2021	B	Woolcotts Consulting Engineers

(d) **Documents**

Report Name	Date	Reference	Prepared by
Statement of Environmental Effects	December 2021	-	GAT & Associates
BASIX Certificate	15/12/2021	Certificate No. 1217078M	Gradwell Consulting
Acoustic Report	22/12/2021	20210703.1/2212A/R3/LA Revision 3	Acoustic Logic
Detailed (Stage 2) Site Investigation Report	27/11/2023	E34148PTrpt3	JK Environments
SEPP 65 Design Verification Statement	22/12/2021	-	GRAN Associates
Traffic & Parking Impact Assessment	16/22/2021	210367.01FA	McLaren
Waste Management Plan	December 2021	21286	Dickens Solutions

Works at cost to Council

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

TfNSW Concurrence

3. The development shall comply in full with all requirements outlined within the correspondence prepared by Transport for NSW (TfNSW), Reference No. SYD23/00363/03, dated 30 October 2023 (copy attached), and all conditions contained therein.

Endeavour Energy Requirements

4. The development shall comply in full with all requirements outlined within the correspondence prepared by Endeavour Energy, Reference No. CNR-46917, dated 19 October 2022 (copy attached), and all conditions contained therein.

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

Amendments to Architectural Plans

5. Prior to issue of a Construction Certificate, the following modifications to the basement Bulky Waste room and ground floor Bin Storage room are required:
 - (a) The driveway grade for the first 5.13m into site, as shown on the Architectural Site & Ground Floor Plan (Drawing No. DA-100, Revision C) does not correspond with the stormwater drawing, which shows a 1% rise up from the boundary (2m) and then 10% down. The driveway section on the stormwater plan is to protect the basement from any stormwater overflows from the OSD tank. In this regard, the architectural plans shall be amended to correspond with the stormwater plans (SW4).

Details are required in revised plans to the satisfaction of the Certifying Authority.

Comply with EP&A Act

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.

Prescribed Condition

7. In accordance with Section 4.17 (11) of the Environmental Planning & Assessment Act 1979 and clause 98 of the Environmental Planning & Assessment Regulation 2000, it is a prescribed condition that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- (a) Complying with the Deemed to Satisfy Provisions, or
- (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

Access

- 8. Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General requirements for new building work, to the satisfaction of the Certifying Authority.

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

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

The total contribution is **\$382,360** and will be adjusted at the time of payment in accordance with the contributions plan. 50% of the total amount is **\$191,180** and is to be paid prior to the release of any CC (amount to be adjusted at the time of payment in accordance with the contribution 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.

Fee Payments - Land Development

- 10. 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, and
- (c) Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the *Environmental Planning & Assessment Act 1979*.

These fees are reviewed annually and will be calculated accordingly.

Electricity Provision

11. An Accredited Service Provider (ASP) of an appropriate level and class of accreditation shall be engaged to assess the electricity load and the proposed method of supply for the development.

Should a padmount substation be required, it 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'.

In the event that any structures are required to ensure that Endeavour Energy's easement requirements are satisfied, approval shall firstly be obtained from Council.

Notification

12. 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.

Detailed Landscape Design

13. Prior to the issue of Construction Certificate, a detailed design landscape package shall be prepared and submitted to Council's City Design and Public Domain Team and approved by Council's Manager Development Assessment. The detailed design landscape package must incorporate the following:

- Removal of all existing street trees.
- Installation of two (2) new *Eucalyptus maculata* street trees (As per page 273 of the LCC PDMP), with tree pits.
- All proposed street trees are to be minimum 200L in pot size (at the time of installation).
- Street Tree pits with Stratavault structural soil, as trenches, with a minimum 15m³ soil volume for each tree.
- Street tree pits to implement the 'Silva Grate (MCODE: GR2)' tree grate from Street Furniture Australia (or similar, approved by Council's City Design and Public Domain Team), in powder coated 'Interpon Textura Black GN305A'.
- All street tree construction information/details (including dimensions, structural soil, trenches, soil volume, materials, tree grate, tree species and any required relocation of underground services to accommodate the tree trenches).
- Installation of Liverpool City Centre's periphery paving, in accordance with Council's current paving specifications (to be obtained from Council's CDPD team)

- Paving installation around the proposed relocated power pole, to be in accordance with Councils current specifications (to be obtained from Councils CDPD team).
- Reinstallation and embellishment of all concrete kerb and gutter (within the lot frontage) to be in accordance with Council's current specifications (to be obtained from Councils CDPD team). Works to include removal of existing crossovers and laybacks.
- Installation of new crossover (i.e., driveway) paving material, in accordance with Council's current specifications (to be obtained from Councils CDPD).
- Installation one (1) 'Bin' in accordance with Councils current furniture, fixtures, and fittings specifications (to be obtained from Councils CDPD team).

Liverpool CBD – Communication Conduits

14. The applicant/developer shall 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.

Retaining Walls on Boundary

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

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

S138 Roads Act – roadworks requiring approval of civil drawings

16. Prior to the issue of any Construction Certificate for building works the Principal Certifier shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of the following within the Hume Highway, Warwick Farm site frontage:
 - i. Any public domain upgrade works required by the development approval.
 - ii. Demolish all existing driveways and laybacks, including reinstatement of the public verge area.
 - iii. Stormwater drainage works
 - iv. Pumping water into the Road

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

Note:

1. Transport for New South Wales approval.
2. All works shall be undertaken at no cost to Liverpool City Council.

S138 Roads Act – minor works in the public road

17. 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:
- (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
 - (b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
 - (c) Road occupancy or road closures

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

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

Fees – Road Opening

18. 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 Principal Certifying Authority. 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.

Access, Car Parking and Manoeuvring – General

19. 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.

A design drawing demonstrating compliance with TfNSW concurrence, and general terms is to be submitted to Council Transport Management Section and TfNSW for approval.

Access, Car Parking and Manoeuvring – Detail

20. The Certifying Authority shall ensure and certify that:
- 1. Off street access and parking complies with AS2890.1,
 - 2. Vehicular access and internal manoeuvring have been designed for the longest (B-Double/ Heavy Rigid/ Medium Rigid) vehicle expected to service the development site, in accordance with AS2890.2,
 - 3. Sight distance at the street frontage has been provided in accordance with AS 2890.1,
 - 4. All vehicles can enter and exit the site in a forward direction, and/or
 - 5. Requirements of the Disability Discrimination Act 2002, Disability Standards for Accessible Public Transport and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002.

Basement Car Park Certification

21. Submit certification by a qualified professional that the proposed driveway access, aisles and car parking comply with the DCP and Australian Standards, prior to the issue of construction certificate. This is to include the proposed traffic lights system to control the one-way down and up ramp to the basement car park.

Bus Stops

22. Possible Bus Stop locations are to be discussed with the local bus companies and are to be designed in accordance with bus company requirements including incorporating the requirements of the Disability Discrimination Act 2002, Disability Standards for Accessible Public Transport and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002.

Stormwater Discharge – Basement Carparks

23. 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 carparks.
 - (a) Two (2) submersible type pump units shall be designed to operate on an alternate basis.
 - (b) A float shall be provided to ensure that the minimum required water level is maintained within the sump area of the below ground tank. In this regard this float will function as an off switch for the pumps at the minimum water level. The same float shall be set to turn one of the pumps on upon the water level in the tank rising to approximately 300mm above the minimum water level. The pump shall operate until the tank is drained to the minimum water level. A second float shall be provided at a high level. This float shall start the other pump that is not operating and activate an alarm.
 - (c) An alarm system shall be provided with a flashing strobe light and a pump failure warning sign which are to be located at the driveway entrance to the basement level. The alarm system shall be provided with a battery back-up in case of power failure and alert the owners and occupants of the building (including when the building is not occupied) that a pump failure has occurred.
 - (d) A confined space danger sign shall be provided at all access points to the pump out storage tank.
 - (e) Residential storage areas, lift entry points and services rooms in the basement shall be set a minimum of 100mm above the design top of water level or surface level of the tank (whichever is higher).
 - (f) TfNSW concurrence is required to pump water into the Hume Highway.

No loading on easements

24. 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.

On-Site Detention

25. On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Woolacotts, Reference Number 21-144, and as per the following:

Drawing No.	Title	Revision /Issue	Date
SW1	STORMWATER MANAGE PLAN – BASEMENT 2	C	27.01.23
SW2	STORMWATER MANAGE PLAN – BASEMENT 1	C	27.01.23
SW3	STORMWATER MANAGE PLAN – GROUND FLOOR	E	27.01.23
SW4	STORMWATER DRAINAGE DETAILS	B	05.12.22

- i. The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.
- ii. The OSD is to be designed considering submergence from the downstream system.
- iii. An additional access grate for the tank on the east side adjoining the front property boundary is to be shown.
- iv. The outlet pipe connecting into the Council system within Hume Highway is to be minimum 375 diameter RCP, or if a smaller diameter PVC pipe is proposed it is to be concrete encased.
- v. A clear emergency spillway and overland flow path is to be provided from the OSD tank to the street footpath to allow for emergency flows during larger storm event or system failure. The flow path is also to ensure that stormwater will not enter the basement when this occurs.
- vi. Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.
- vii. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Liverpool City Council's Design Guidelines and Liverpool City Council's On-Site Stormwater Detention policy and Technical Specification.

Water Quality

26. 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:

- (a) Specification & installation details of the stormwater pre-treatment system.
- (b) 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.

Dilapidation Report

27. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Hume Highway, Warwick Farm 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 15m either side of the development.

Dilapidation Report Private Property (Excavations)

28. A full dilapidation survey and report on the visible and structural condition, with comment on the footings and foundations, of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Principal Certifier 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, survey and comments are to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner of any affected adjoining property. A copy is also to be provided to the affected adjoining property owner/s.

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

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must:

- a) Undertake as much as possible the survey from the development site, public areas and/or adjoining private property, and
- b) Demonstrate in writing to the satisfaction of the Principal Certifier 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.

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.

Power Pole

29. The existing streetlight/power pole is to be removed and replaced clear of the new driveway vehicular crossing for the development. In this regard written acceptance from the relevant Authority for the relocation of the existing pole, etc., is to be obtained and provided to the Certifier, prior to Issue of any Construction Certificate. A copy of the written acceptance is also to be provided to Council and all cost for any relocation is to be at no cost to Council. All cost for any relocation to be at no cost to Council.

Cladding

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

Products banned under the Building Products (Safety) Act 2017

31. No building products that are banned, or products that are subject to a ban if used in a particular way under the Building Products (Safety) Act 2017 are to be used in the construction of the development.

Site Development Work

32. 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.

Traffic and Parking

33. Detailed design plan for the access driveway and car park including gradient, swept path analysis, line markings and sign posting in accordance with the DCP and AS2890 is to be submitted to Traffic and Transport Section for review. The design is to be accompanied by a design certificate issued by a qualified professional stating that the design complies with the requirements of the DCP and Australian Standards.

Detailed Design Drawings

34. The applicant is to discuss with Council's Traffic Management Section of the traffic requirements prior to undertaking the detailed design of traffic facilities, signs and linemarking in the existing and/or proposed public domain.

Detailed design drawings of the proposed traffic facilities, signs and line markings in the existing and proposed public domain areas are to be submitted to Council for approval using [Approval of Traffic Facilities including Signs and Line Marking Schemes Application Form](#). The application is available on Council website and should be lodged online. The drawings are to be prepared by a suitably qualified person.

The design is to include the proposed traffic lights system to control the one-way down and up ramp to the basement car park.

Submit certification by a qualified professional that the proposed driveway access, aisles and car parking comply with the DCP and Australian Standards. This is to include the proposed traffic lights system to control the one-way down and up ramp to the basement car park.

Traffic Management Plan

35. A traffic management plan is to be submitted to Liverpool City Council's Traffic Committee for approval. Works within the road reserve shall not commence until the traffic management plan has been approved.

Construction Traffic Management Plan (CTMP)

36. A construction traffic management plan (CTMP) prepared by a traffic engineer/project manager is to be submitted to and approved by Liverpool City Council's Transport Management Section. The CTMP is to be submitted via an application form available on Council's website. A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection at any time by an authorised Council officer.

Construction shall not commence until the construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction.

Waste Storage Area

37. Any bin bays must be:
- (a) Provided with mechanical ventilation,
 - (b) Provided with a hose cock for hosing the garbage bin bay and a sewerage drainage point in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay, it is not to protrude into the space indicated for the placement of bins,
 - (c) Provided with sufficient light to permit usage at night,
 - (d) Allocated with sufficient space within the bin bay to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector,
 - (e) Bin bay signs are available from Council,
 - (f) 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, and
 - (g) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
 - (i) Garbage is to be placed wholly within the garbage bins provided,
 - (ii) Only recyclable materials accepted by Council are to be placed within the recycling bins,
 - (iii) The area is to be kept tidy,
 - (iv) A phone number to be displayed for arranging disposal of bulky items; and

- (v) 50% of all messages are to be displayed using graphic illustrative content.

Waste Management

38. Prior to the issue of a Construction Certificate, the waste management plan shall be amended to reflect:
- (a) That the basement bin room is to be accessible only to agents of the building management, there is to be no access by residents.
 - (b) That all waste spaces will be provided with highly visible permanent signage, denoting its use.
 - (c) That the internal dimensions of the waste chute are to be no less than 100mm greater than the dimensions of the waste inlet points, to prevent chute blockages.
 - (d) That a bin tipper, of a capacity suitable for tipping a full 240 litre recycling bin into a larger bulk bin, is to be provided by the developer.
 - (e) That 240 litre recycling transfer bins are to be used to service the individual residential levels only, and will not be tipped directly to the Council contractor's truck.
 - (f) That the storage area for the powered bin mover will have a charging point, if the bin mover is battery operated.
 - (g) All floors and walls within the waste and recycling collection points on each level are to have durable, easily washable finishes.
39. Prior to issue of a Construction Certificate, the basement floor plan shall be amended to show that the bulky household waste room has been provided with a double-leaf access door, and show the locations where the bin mover and bin tipper will be stored.

Provision of Services – Street Lighting

Street Lighting Upgrade

40. The applicant/developer shall engage the services of an Endeavour Energy accredited ASP Level 3 service provider. The consultant is to lodge [Endorsement of Public Lighting Design Application Form](#). The application is available on Council website and can be lodged online.

This form is to be used to seek Council requirements for upgrading or installing new street lights at all frontages.

Consult Council's Traffic Management Section for streetlight upgrade requirement for infill developments in the existing established areas.

The upgrade shall include undergrounding of existing aerial power lines, communication cables and replacement of existing street light poles with Endeavour Energy approved Macarthur Poles as specified by Council in the public lighting design brief.

A street lighting design plan prepared by the accredited service provider is to be submitted to Council for review and to the electricity service provider (currently Endeavor Energy) for approval, prior to construction.

The street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.

Provision of Services – Sydney Water

41. An application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, must be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the “building and developing” section of Sydney Water’s web site at www.sydneywater.com.au, or telephone 13 20 92.

Following receipt of the application, a ‘Notice of Requirements’ will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the ‘Notice of Requirements’ must be submitted to the PCA.

Provision of Services – Endeavour Energy

42. 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.

Provision of Services – Telecommunications

43. 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 requirements of the Telecommunications Act 1997:
 - (a) For a fibre ready facility, the NBN Co’s standard specifications current at the time of installation, and
 - (b) 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.

Design Verification Statement

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

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

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

Site works

- 45. 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.

Road Works

- 46. Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme have been approved by Council's Traffic Management Section.

Crime Prevention Through Environmental Design

- 47. The following Crime Prevention Through Environmental Design principles are to be incorporated into the building.
 - (a) Back to base alarm systems shall be installed;
 - (b) Basement parking areas shall be painted a light colour;
 - (c) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building shall be implemented;
 - (d) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells;
 - (e) Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting; and
 - (f) Access to the parking levels of the building shall be controlled via a security controlled device.

Security Access to car park

- 48. Secure access is to be provided to the basement car park to prevent any unauthorised entry. Details are to be provided with the Construction certificate.

Balcony and courtyard window and door design

- 49. The openings for windows and doors to balconies/courtyards are to be full height so that they extend from the floor to the underside of the slab above. This is to:
 - enable the openings to read as 'panels' of glazing rather than 'hole in the wall' openings

- assist in the proportioning of elevations
- ensure maximum light to the interior of the dwellings
- create a seamless relationship between the balcony / courtyard and the interior

Glazing is to extend full height within the opening. If for some reasons it is not possible to extend the glazing then an opaque material can be introduced into the overall frame so that it still reads as a full height panel.

Erosion and Sediment Control Plan

50. Before the issue of a construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the principal certifier:
- (a) Council's relevant development control plan,
 - (b) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and
 - (c) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).

Recommendations of Acoustic Report

51. Before the issue of a construction certificate, the certifier must be satisfied that the recommendations provided in the approved acoustic report are implemented and incorporated into the design and construction of the development, and shown on plans accompanying the construction certificate application.

The construction methodology and plans accompanying the construction certificate application must be assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned acoustic report. The written certification from the suitably qualified acoustic consultant must be submitted to and approved by the certifier before issue of the construction certificate.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Recommendations of Acoustic Report

52. Before the 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) Noise and Vibration Control Plan;
- (g) Dust Control Plan;
- (h) Air Monitoring;
- (i) Odour Control Plan;
- (j) Health and Safety Plan;
- (k) Waste Management Plan;
- (l) Incident management Contingency; and
- (m) 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 and Equipment

53. Before the issue of a construction certificate, the certifier must be satisfied that mechanical plant and equipment were selected in consultation with a suitably qualified acoustic consultant in accordance with the recommendations of the approved acoustic report.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Waste Management Plan Requirements

54. Before the issue of a construction certificate, a waste management plan for the development must be prepared and provided to the principal certifier. The plan must be prepared in accordance with;
- (a) the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and
 - (b) a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and

The plans shall include the following information at minimum;

- (i) the contact details of the person removing waste,
- (ii) an estimate of the type and quantity of waste,
- (iii) whether waste is expected to be reused, recycled or sent to landfill,
- (iv) the address of the disposal location for waste.

A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.

Vehicle Wash Bays – Trade Waste System

55. Before the issue of a construction certificate, the certifier must be satisfied the relevant construction certificate plans demonstrate that any vehicle wash bay/s are connected to the sewer. This area is to be bunded to prevent wastewater entering the stormwater system.

Sydney Water must be contacted in regards to any requirements they may have and to obtain a Trade Waste Permit for the discharge. Separate approval is required under the Local Government Act 1993 as the Applicant intends to hold or process sewage that is to be subsequently discharged to the public sewer; and

Service Providers

56. The following documentation must be provided before the issue of a construction certificate:

- (a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development must be submitted to the certifier before the issue of a Construction Certificate. Council will not issue a Construction Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells.
- (b) Notification of arrangement for the development from Endeavour Energy must be submitted to Council.
- (c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:
 - (i) The requirements of the Telecommunications Act 1997;
 - (ii) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
 - (iii) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line must 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 connections of optic fibre technology telecommunications.

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

57. Any CC that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.
58. Prior to the commencement of any building works, the following requirements must be complied with:
 - (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*.
 - (b) Where a Construction Certificate is obtained from an accredited certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 6.6 of the Act.
 - (c) 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.
 - (d) A principal certifier must be appointed to carry out the necessary building inspections and to issue an occupation certificate; and
 - (e) The principal certifier 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.

Construction Requirements

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

Notification

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

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

Commencement of Building work

- 61. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the name and licence number of the principal contractor; and the name of the insurer by which the work is insured under Part 6 of that Act.
- 62. Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the EP&A Act means any physical activity involved in the erection of a building and includes but is not limited to, the placement of any site shed/s or builders facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines.

Residential Building Work

- 63. 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 has been given written notice of the following information:
 - (a) In the case of work for which a principal contractor is required to be appointed:
 - (i) The name and licence number of the principal contractor; and
 - (ii) The name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) In the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

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

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

Cladding

- 65. For all buildings of Type A and B construction having finishes or claddings other than concrete or masonry, a fire safety report prepared by an accredited C10 fire engineer, must be submitted to the PCA prior to issue of a 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.

Fire Safety Measures

66. A schedule specifying all of the essential fire safety services, 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.

Site Notice Board

67. 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.

Construction Requirements

68. 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.

Site Facilities

69. 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.

Adequate refuse disposal methods and builder's 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.

Demolition Works

70. Demolition works shall be carried out in accordance with the following:
- (a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601- 2001 The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be

employed to minimise any dust nuisance and the disposal methods for hazardous materials,

- (b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council, and
- (c) The handling or removal of any asbestos product from the building/site must be carried out by an 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) Before demolition work commences the following requirements, as specified in the approved demolition management plan, must be in place until the demolition work and demolition waste removal are complete:
 - (i) Protective fencing and any hoardings to the perimeter on the site
 - (ii) Access to and from the site
 - (iii) Construction traffic management measures
 - (iv) Protective measures for on-site tree preservation and trees in adjoining public domain
 - (v) Onsite temporary toilets
 - (vi) A garbage container with a tight-fitting lid

Waste Management

- 71. Prior to any works commencing, any Council-issued domestic waste bins which may remain on site, must be returned to Liverpool City Council. Please ring Council on 1300 36 2170 to advise if there are bins which are empty and ready to be removed, so their removal can be noted on the rates system.
- 72. The name, address and licence details of the asbestos contractor performing the asbestos removal must be lodged in writing with both the Council and the Principal Certifying Authority.
- 73. If the dwellings to be demolished have air-conditioning or refrigeration systems that must be dismantled, then prior to any works commencing, all refrigerants that remain within those systems must be extracted into a durable, air-tight container by a licensed air-conditioning technician. This container and its contents must be sent to a facility licensed to undertake refrigerant destruction (e.g. Refrigerant Reclaim Australia) and destroyed in accordance with the established procedures, so as to render them environmentally neutral. The written evidence that this has been carried out (if these systems are indeed present), must be sighted by the Principal Certifying Authority and included as part of the documentation for the Occupation Certificate.

Sydney Water

- 74. Development plans must be processed and approved by Sydney Water.

“DIAL BEFORE YOU DIG”

75. 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.

Dilapidation Report

76. Prior to the Commencement of Works, a dilapidation report of all infrastructure fronting the development in Hume Highway, Warwick Farm 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 10m either side of the development.

Waste Classification

77. Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the POEO Act and NSW DECCW, (EPA) 'Environmental Guidelines: Assessment, Classification and Management of Non-Liquid Wastes'. The classification of the material is essential to determine where the waste may be legally taken. The POEO Act provides for the commission of an offence for both the waste owner and transporters if waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid and non liquid waste advice should be sought from the DECCW (EPA).

Sediment & Erosion Control

78. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book". The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

Matters to be addressed prior to commencement of Subdivision Works

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

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

Construction Traffic Management Plan (CTMP)

80. A construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Council's Transport Management Section. The CTMP is to be submitted using [Assessment of Construction Traffic Management Plan application form](#). The application is available on Council website and can be lodged online. Comments on the CTMP will be provided and the updated CTMP are to be implemented during construction.

A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection by authorised Council officers.

Construction shall not commence until the assessed construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction.

Work Zone

81. A Works Zone application is required if on-street parking is affected with commuter parking and there is insufficient off-street parking space.

A [Works Zone Application Form](#) is available on Council website and can be lodged online by attaching all required documents indicated on the application form.

Road Occupancy Permit

82. Applications must be made to Council's Transport Management Section under Section 138 of the NSW Roads Act, for required Road Occupancy permit and Road Opening approval for any road occupancy within public road reserve.

The Road Occupancy permit and Road Opening approval application, is to include Traffic Control Plans including details for pedestrian management, prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Transport for NSW publication "Traffic Control at Worksites" and certified by a suitably qualified person.

The road occupancy permit and road opening approval with approved traffic control measures shall be implemented during construction. A copy of the road occupancy permit and road opening approval shall be available on site at all times. Note: A copy of the road occupancy permit and road opening approval shall accompany the Notice of Commencement to Liverpool City Council.

Traffic Management Plan

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

84. The developer shall seek road occupancy, road opening permits, and works zone approval from Council if required prior to undertaking any works within public road reserve. The application forms are available on Council's website or can requested from the Council's Customer Services.

Traffic Control Plan

85. 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 Work's on Road" and the Roads and Traffic Authority publication "Traffic Control at Worksites" and certified by an appropriately accredited Road 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: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.

Demolition Inspections

86. 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 structure that contains asbestos. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works. Please note that demolition works are not permitted to commence on site until such time as a satisfactory inspection result is obtained from Council.
 - (b) Immediately following completion of the demolition. Please note that proof of appropriate disposal of demolition materials (including asbestos) may be required at this time in accordance with the approved Waste Management Plan.

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

Environmental Management

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

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

Disconnection of services before all demolition work

89. Prior to commencement of works, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.

D. DURING CONSTRUCTION

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

Building Inspections

90. The building works must be inspected by the Principal Certifying Authority, in accordance with sections 6.5 (3) of the Environmental Planning & Assessment Act 1979 and clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.
91. The Principal Certifying Authority must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the Principal Certifying Authority, prior to proceedings to the subsequent stages of construction or finalisation of the works (as applicable).

Identification Survey Report

92. 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.

Construction Requirements

93. 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 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 manufacturers details or by a practising structural engineer.
94. 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.

Hours of Construction Work and Deliveries

95. 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. Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.

Building Work

96. The building works must be inspected by the Principal Certifying Authority, in accordance with Sections 6.5 (3) of the Environmental Planning & Assessment Act 1979 and Clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

97. The Principal Certifying Authority (PCA) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PCA, prior to proceeding to the subsequent stages of construction or finalisation of the works.
98. 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 do 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.

99. 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.

Sign Notice Board

100. A sign must be erected and maintained in a prominent position on the site, which contains the following details:
- (a) name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
 - (b) name, address and telephone number of the principal certifier
 - (c) a statement stating that 'unauthorised entry to the work site is prohibited'.

Excavation

101. 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 person's 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 manufacturers details or by a practising structural engineer.

Toilet Facilities

102. 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) be connected to 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*.

Craning and Hoardings

103. If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public area or road reserve area a construction hoarding must be erected to prevent any substance from, or in connection with the construction site, falling onto a public area as follows:

Such hoarding or barrier must be designed and erected in accordance with Council's guidelines on hoarding construction. Relevant application under the Roads Act approval must be completed and fees paid prior to the construction of a hoarding on Council road reserve area.

104. 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.

Refuse Disposal

105. 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.

Security Fence

106. 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.

Removal of Dangerous and/or Hazardous Waste

107. All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by SafeWork NSW. The removal of such material shall be carried out in accordance with the requirements of SafeWork NSW. The material shall be transported and disposed of in accordance with NSW Environment Protection Authority requirements.

Traffic management

108. 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.

Construction activities affecting adjoining road reserves require submission of a road occupancy application to Council along with traffic control plan/s and public liability insurance. The traffic control plan/s must be prepared by a suitably qualified person and are to be in accordance with the RMS Traffic Control at Worksites Manual, the Austroads Guide to Traffic Management, the RMS Supplements for Austroads Guide to Traffic Management and Australian Standard 1742.

Applications must be made to Council's Transport Management Section for temporary road closures. Applications prepared by a suitably qualified person, are to specify the date and times of proposed closures, traffic control plans, insurances and any other relevant information. This activity may require a seven (7) days advance notice to be installed near the site and/or advertisement in local newspapers and websites to Council's satisfaction.

All works within the road reserve, including the approved sign and line making scheme, are to be carried out at the applicant cost, in and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the TfNSW Delineation RTA's Interim Guideline to Signs and Markings.

109. If a Works Zone is required, an application is to be made to Council's Traffic & Transport Section for approval. The application form can be found at <https://www.liverpool.nsw.gov.au/council/Fees-Forms-Policies-and-Enforcement/forms>. 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.
110. Applications must be made to Council's Traffic & Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

Waste Management Plan

111. 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

Waste Management

112. All demolition, excavation and construction wastes must be separated as they are generated, and kept in separate spoil piles, bays, builder's skips and/or site bins. No wastes, other than those specifically noted on the approved waste management plan as being re-used on site, are to be left on site after the completion of the works.

113. All lightweight or granular demolition, excavation or construction waste, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent it from becoming displaced by the wind in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.

Directional Signage

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

Public Domain Works

115. All works within the road reserve, including the approved sign and line making scheme, are to be carried out by the applicant, at no cost to Council, in accordance with the TfNSW/RMS ‘Delineation Guidelines’.

Public Domain Works – Street Lighting

116. The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council.

All street lighting must comply with the service provider Street Lighting Policy and illumination requirements and Council’s Street Lighting policy.

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

Street lights are to be installed in accordance with the Endeavour Energy certified plans to their satisfaction.

Drainage Connection

117. 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.

General Site Works Surface Contours

118. 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.

General Site Works – Sediment

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

Imported Fill Material

120. Any filling material must be limited to the following:

- (a) Virgin excavated natural material (VENM)
- (b) Excavated natural material (ENM) certified as such in accordance with Protection of the Environment (Waste) Regulation 2014; and/or
- (c) Material subject to a Waste Exemption under Clause 91 and 92 Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW Environment Protection Authority as being “fit for purpose” with respect to the development subject of this application.

Certificates proving that the material imported is ENM or VENM must be provided to the Principal Certifying Authority prior to filling. Certificates are to be provided to Council officers if and when requested.

Fill imported on to the site must be compatible with the existing soil characteristic for site drainage purposes.

Record Keeping of Imported Fill

121. 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, and the results of any chemical testing of fill material.

Major Filling/Earthworks

122. 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.

Air Quality – Dust Screens

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

Air Quality – Vehicle Movement

124. 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.

Erosion and sediment control

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

Erosion Control – Maintenance

126. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.

Water Quality

127. 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 – Truck Movements

128. The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent.

Measures must be implemented to prevent tracking of sediment by vehicles onto roads.

Vehicle loads must be covered when entering and exiting the site with material.

Aboriginal Cultural Heritage – Unexpected Finds

129. As required by the National Parks and Wildlife Service Act 1974 and the Heritage Act 1977, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Heritage Division of the Office of Environment and Heritage (OEH) must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the Heritage Act 1977 to obtain the necessary approvals/permits from the Heritage Division of the OEH.

Note: The National Parks and Wildlife Service Act 1974 and the Heritage Act 1977 impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

Unidentified Contamination

130. 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 immediately notified to Council and the Principal Certifying Authority

in writing. 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.

Road Works (Laybacks)

131. All redundant vehicular crossings shall be removed and replaced with Council's standard kerb and gutter at no cost to Council. The removal and replacement of a driveway with standard integral kerb and gutter shall be the subject of a driveway application to Council and works supervised by that driveway inspection process.

Car Parking Areas

126. Car parking spaces and driveways must be constructed of a minimum two coat finish seal or better.

All parking spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities.

The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off-Street Car Parking.

All car parking areas are to be appropriately line marked and sign posted in accordance with the Council approved stamped plans.

All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.

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

Termite Protection

127. 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.

Ventilation

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

The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person, and shall be positioned to comply with Section 3.7 of Australian Standard 1668 Part 2 – 1991.

External

- 130. Switchboards for utilities shall not be attached to the street and/or road elevations of the development.
- 131. The mailboxes are to be consistent with the design and colours and materials for the development.
- 132. 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.
- 133. The reflectivity index of glass used in the external facade of the building is not to exceed 20%.
- 134. The windows of all bathrooms, W.C. and ensuites shall be fitted with translucent obscure glazing to the satisfaction of the PCA.

Graffiti

- 135. 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.

Construction Requirements

- 136. 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.

Security and Safety

- 137. Adequate lighting is required at the entrances and main foyers or the building, basement carpark, and mailbox area.
- 138. Surveillance cameras are required to be installed covering the entrance and exit and main areas of the car park.

139. The underground car park is required to be locked with access to be provided to residents only.
140. All openable windows that are located two metres or more above the ground level and have a sill height less than 1.7m above the internal floor level shall be fitted with devices that lock the window opening at less than 12.5m.

Vegetation and Landscaping

141. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
142. 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.
143. Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.
144. Premium quality organic garden soil shall be incorporated into all planting areas in sufficient quantity to achieve optimum plant growing conditions.
145. All garden/planting areas shall be mulched to a depth of not less than 75mm using weed free leaf mulch, wood chip or similar, not pine bark.

Waste Storage Area

146. Any bin bays must be:
- (a) Provided with mechanical ventilation;
 - (b) Provided with a hose cock for hosing the garbage bin bay and a sewerage drainage point in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay, it is not to protrude into the space indicated for the placement of bins;
 - (c) Provided with sufficient light to permit usage at night;
 - (d) Allocated with sufficient space within the bin bay to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector;
 - (e) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
 - (i) Garbage is to be placed wholly within the garbage bins provided;
 - (ii) Only recyclable materials accepted by Council are to be placed within the recycling bins;
 - (iii) The area is to be kept tidy;

- (iv) A phone number to be displayed for arranging disposal of bulky items;
- (v) 50% of all messages are to be displayed using graphic illustrative content;
- (vi) Bin bay signs are available from Council;
- (vii) Signage on how to use any garbage chutes is to be located prominently next to the chute;
- (viii) 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;
- (ix) Maximum compaction ratio is 2:1;
- (x) 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.

Handling of asbestos

147. While site work is being carried out, any work involving the removal of asbestos must comply with the following requirements:

1. Only an asbestos removal contractor who holds the required class of asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material;
2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and
3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA online reporting tool WasteLocate.

Waste Management

148. While site work is being carried out:

- (a) All waste management must be undertaken in accordance with the waste management plan, and
- (b) Upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following:
 - (i) The contact details of the person(s) who removed the waste.
 - (ii) The waste carrier vehicle registration.
 - (iii) The date and time of waste collection.
 - (iv) A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill.
 - (v) The address of the disposal location(s) where the waste was taken.

- (vi) The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Soil Management

149. While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:
- (a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.
 - (b) All fill material imported to the site must be:
 - (i) Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, or
 - (ii) a material identified as being subject to a resource recovery exemption by the NSW EPA, or
 - (iii) a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA.

Erosion Control

150. Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.

Pollution Control

151. During construction, building operations including but not limited to brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like must 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.
152. The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent.

Measures must be implemented to prevent tracking of sediment by vehicles onto roads.

Vehicle loads must be covered when entering and exiting the site with material.

Noise and Vibration – an approved document of this consent

153. While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.

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 Certifier (PC):

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.

Landscaping

155. 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.

Fire Safety Certificate

156. A single and complete *Fire Safety Certificate*, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the *Occupation Certificate*.

Occupation Certificates

157. The premises must not be utilised until an Occupation Certificate (OC) is issued by the principal certifier.

Inspections

158. Details of *critical stage* inspections carried out by the principal certifier together with any other certification relied upon must be provided to Council with the occupation certificate.

Certificates

159. 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.

160. Prior to the issue of an Occupation Certificate, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with the requirements of the Telecommunications Act 1997:
- (a) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and
 - (b) 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

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

Liverpool City Council clearance – Roads Act/ Local Government Act

162. 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

163. 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 electronic copies on a USB 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

164. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:
- (a) On-site detention system/s
 - Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.

- Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.

Restriction as to User and Positive Covenant

165. 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

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

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

Any rectification works within **Hume Highway, Warwick Farm** will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

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

Dilapidation Report

168. At completion of works a survey and report must be undertaken and submitted to the Principal Certifier and affected adjoining property owner/s, commenting on the risk of latent damage (if any) to the existing building caused by the excavation and construction activities.

The report and survey is to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner/s of any affected adjoining property. A copy is also to be provided to the affected adjoining property owner/s.

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

If access for undertaking the survey is denied by an adjoining owner, the applicant must:

- Undertake as much as possible the survey from the development site, public areas and/or adjoining private property.
- Demonstrate in writing to the satisfaction of the Principal Certifier 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.

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.

Power Pole

169. Prior to the issue of an Occupation Certificate completion of any required utility relocation because of the new driveway vehicular crossing is to be completed to the satisfaction of the relevant Authority.

Rock Anchors

170. Upon completion of works, any rock anchors used during construction shall be completely de-stressed or removed without damage to Council's assets or to existing utility services. Proof shall be provided in the form of certification from the Qualified Structural or Geotechnical Engineer prior to the issue of an Occupation Certificate.

Basement Pump Out System

171. A certificate of compliance for the pump out drainage system of the basement level shall be issued to the Principal Certifier by the pump installers stating that the pump out system has been installed to operate in accordance with the Council requirements and the approved drawings.
172. A maintenance schedule for the stormwater drainage basement pump out system including a sketch plan of the components forming the system shall be submitted to Council.

Section 73 Sydney Water

173. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained for submission to the PCA prior to issue of Occupation Certificate.

Stormwater Devices

174. The Operation and Maintenance Manual for the stormwater devices shall be submitted to Council.

Display of Street Numbers

175. 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.

Garbage Services

176. Prior to the issue of an Occupation Certificate, if onsite waste and recycling collection is required the following restriction as to user must be registered on the title of the property:

The owner/applicant of any property requiring on site collection of waste and recycling is to enter into a legally binding indemnity with Council to control the access and operation of the waste and recycling service. This shall be inclusive on successive owners in perpetuity. All costs involved are to be borne by the applicant.

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

Waste Management

164. All waste management facilities, equipment (including the bin-lifter, but excluding the waste bins themselves), waste room features and permanent fixed signage will be installed and operational prior to the issue of an Occupation Certificate.

165. A 'restriction as to user' is to be placed on the title of the property at the applicant's expense, which may not be altered or removed without Council's consent, stating:

'The removal and disposal of all green (garden) waste from the property and the lawful disposal of same, is to be carried out by private waste contractors engaged by the strata proprietors. Liverpool Council does not supply green bins or green waste services to this property.'

166. Prior to issue of an Occupation Certificate, all permanent waste signage, and all permanent waste equipment, including chutes and all chute doors and equipment, is to be installed and commissioned.

167. Prior to issue of an Occupation Certificate, both the PCA and Council are to be provided with records of all waste transport and disposal dockets, demonstrating that waste materials from the project, have been disposed of at the waste facilities nominated in the approved waste management plan.

168. Prior to issue of an Occupation Certificate, the building by-laws will be drafted in a manner that places the requirement to correctly separate and dispose of waste upon all residents. The by-laws must ensure that any additional costs incurred by the building as a result of a failure to correctly separate and dispose of waste, or from misuse of, or damage to waste equipment (e.g. chutes and chute hatches), can be recovered from the parties responsible.

Fire Safety Certificate

166. A single and complete *Fire Safety Certificate*, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the *Occupation Certificate*.

Section 7.12 Payment (Liverpool Contributions Plan 2007 Liverpool City Centre)

167. Prior to the issue of any occupation certificate all outstanding section 7.12 contributions must be paid as required by condition 9 of \$382,360. Evidence is to be provided to the satisfaction of the relevant certifying authority that all outstanding contributions have been paid to Council.

Design Verification Statement

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

BASIX

169. 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.

Public Domain Works – Street Lighting

170. The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council. Endeavour Energy pole numbers and the date poles were energised are to be submitted to Council’s Traffic Management Section prior to submitting OC or SC application.

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

Removal of waste upon completion

171. Before the issue of an occupation certificate;
- (a) all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and
 - (b) written evidence of the waste removal must be provided to the satisfaction of the principal certifier.

Recommendations of Acoustic Report

172. Upon completion of works and before the issue of any occupation certificate, written certification prepared by a suitably qualified acoustic consultant must be submitted to and approved by the certifier. The written certification prepared by the suitably qualified acoustic consultant must confirm that the development complies with all requirements and recommendations detailed within the approved Acoustic Report titled “20-22 Hume Highway, Warwick Farm DA Acoustic Assessment (Ref: 0210703.1/2508A/R4/GW) prepared by LA and reviewed by Hanzong (George) Wei for Acoustic Logic Pty Ltd dated

25th August 2023. The acoustic consultant must confirm that the development or use is capable of operating in accordance with the design criteria.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Mechanical Ventilation Certification

173. Alternative ventilation is required to be provided to the habitable rooms of the building to allow for closed windows for acoustic purposes. Upon completion of works and before the issue of any occupation certificate, a Mechanical Ventilation Certificate of Completion and Performance prepared by a professional engineer or other suitably qualified person must be submitted to certifier for their review and approval. The certification must be accompanied by details of the tests carried out in relation to ventilation and acoustics for the building including for the basement carpark and confirm that the systems comply with the approved plans, specifications, Building Code of Australia and Australian Standard AS 1668 Parts 1 and 2.

Noise & Vibration Control – Residential Car Park

174. Before the issue of an occupation certificate the principal certifier must be satisfied that the proposed garage/security door fitted to the underground car parking entrance must be independently mounted on rubber pads or otherwise installed to prevent noise and transmission of noise through the concrete walls and/or columns.

G. CONDITIONS RELATING TO USE

Car Parking / Loading

175. All parking areas shown on the approved plans must be used solely for this purpose.
173. A total of twenty-three (23) car parking spaces (11 for affordable rental housing and 12 for non-affordable housing units), including two spaces for visitors and four (4) accessible parking spaces, must be provided in accordance with the requirements of SEPP (Housing). Seventeen (17) bicycle parking spaces must also be provided.
174. All line marking and sign posting is to be maintained in good condition at all times, to the satisfaction of Council.
175. Visitor/resident parking spaces must not be allocated, sold or leased to an owner, occupier or any other person or entity.
176. 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.
176. All vehicles are to enter and exit the site in a forward direction.

177. Council's on-street assets should be protected at all times. Any damages should be rectified to Council satisfaction.

178. 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

179. 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.

Mail-boxes

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

181. Vegetation must not cover or obstruct natural surveillance to the mailboxes.

Washing on Balconies

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

Lighting

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

Waste Management

184. Under current collection arrangements, the property will be issued by Council with 5 x 660L general waste bins and 5 x 660L recycling bins. These arrangements re bin sizes and types may be subject to change in future, as FOGO waste services are adopted. All other bins, including the 240 litre recycling transfer bins, and the waste separation bins in the kitchens of the units, are to be supplied by the developer.

185. No green waste bins or services will be supplied by Council. All green waste from gardens is to be taken off-site for legal disposal by the garden maintenance contractor.

186. Once the Occupation Certificate has been issued, but at least seven days prior to residents moving in, Council is to be contacted to arrange delivery of the 660 litre waste bins. Please contact Council on 1300 36 2170 to arrange the delivery of the bins.

187. Agents of the building must present the waste bins for emptying to the kerbside of Hume Highway, no earlier than the afternoon before collection. After emptying, all bins must be removed from the kerbside as soon as possible, and no later than 24 hours after collection, and placed back into the basement bin storage room.
188. Waste and recycling bins are to be presented on the kerbside ready for emptying, with wheel locks engaged.
189. Signage is to be prominently displayed in each waste storage area, or waste service room, as appropriate, indicating that:
 - General waste is to be bagged and placed into the waste chute,
 - Recyclable materials accepted by Council are to be placed, loose and unbagged within the recycling bins,
 - The area is to be kept tidy,
 - Graphic illustrative content, showing the materials accepted, is to be at least 50%
 - Any items too large to be placed in the waste chute must be taken by the resident to the basement bulky waste storage room.
190. The powered bin mover provided by the developer, is to be used on all occasions that bins are required to be moved up and down the driveway ramp. This piece of equipment must be maintained according to the manufacturer's instructions, and be available in an operable condition when needed. If this equipment breaks down, it must either be repaired promptly, or replaced as needed. The powered bin mover must be operated only by persons who are trained and insured to use it.
191. The bin tipper is to be used on all occasions when 240 litre recycling bins are required to be decanted into 660 litre bulk bins. This piece of equipment must be maintained according to the manufacturer's instructions, and be available in an operable condition when needed. If this equipment breaks down, it must either be repaired promptly, or replaced as needed.
192. The waste chutes and associated equipment, including all all chute inlet points, must be maintained according to the manufacturer's instructions, and be available in an operable condition when needed. If this equipment breaks down, it must either be repaired promptly, or replaced as needed.
193. Residents must ensure that all materials placed in the yellow-lid recycling bins on each level are acceptable for recycling through that means, and all materials placed in recycling bins must be loose, unbagged and easily separable.
194. Building management is responsible for ensuring that all residents place their bulky household waste items in the room provided for that purpose, and for making pre-booked bulky household waste collections as needed. Household materials can be put out for collection at the kerbside no earlier than 24 hours before a booked clean-up is due.
195. Building management is responsible for providing education, monitoring and feedback to residents on correct waste performance and use of building waste equipment, and instituting corrective actions to address non-conformance where necessary.
196. The 240 litre recycling bins on each level are to be emptied with a frequency that will ensure that residents have adequate free space in the bin to place their recyclables.

197. Waste and recyclable material must be managed in a satisfactory manner, covered at all times and not give rise to offensive odour or encourage pest activity. All solid and liquid waste must be removed regularly from the site by a registered waste contractor. Waste must not be permitted to accumulate near the waste storage bins.

Unreasonable Noise and Vibration

198. The use of the premises and/or machinery equipment installed must not give rise to offensive noise so as to interfere with the amenity of the neighbouring properties.

Should an offensive noise complaint be received and verified by Liverpool City Council, an acoustic assessment must be undertaken by a suitably qualified acoustic consultant and an acoustic report must be submitted to Liverpool City Council for review. Any noise attenuation recommendations approved by Liverpool City Council must be implemented.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Location of Mechanical Ventilation

199. During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed 5dBA above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises.

Location of Mechanical Ventilation

200. During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed 5dBA above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises.

Noise

201. Any building intruder alarm installed at the site must be a "silent back to base" type.
202. Noise associated with the use of the premises, including mechanical plant and equipment, must not give rise to any one or more of the following:
- (a) The use of the premises including the cumulative operation of any mechanical plant, equipment or other amplified sound equipment must not give rise to the emission of 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.
 - (b) The operation of any mechanical plant, equipment, public address system or other amplified sound equipment installed on the premises must not cause:
 - (i) The emission of noise as measured over a 15 minute period (LAeq (15 minute)) that exceeds the LA90 (15 minute) background noise level by more than 5 dB(A)

- when measured at the most affected residential boundary. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the NSW Environment Protection Authority's 'Noise Policy for Industry' (2017);
- (ii) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors;
 - (iii) 'offensive noise' as defined by the Protection of the Environment Operations Act 1997; and
 - (iv) Transmission of vibration to any place of different occupancy greater than specified in AS 2670.

Acoustic Report

203. An acoustic report prepared by a suitably qualified acoustic consultant must be submitted to Liverpool City Council for its assessment and approval within three (3) months of occupation/completion of the development. The report must include but not be limited to the following information:

- (a) Noise measurements taken during a time of peak occupation at the most affected noise sensitive locations as indicated in the approved acoustic report titled (Report Title), report reference (Project Number/Job Number, Revision) prepared by (Author) dated (date);
- (b) Verification that noise levels at the most affected receivers comply with all relevant assessment criteria detailed in the abovementioned report;
- (c) All complaints received from local residents in relation to the operation of the premises/development; and
- (d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations must be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Following written approval from Liverpool City Council recommendations provided above must be implemented fully.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Use of air conditioner/s on residential premises

204. Any air conditioner/s used on the residential premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and must not:

- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8:00am or after 10:00pm on any Saturday, Sunday or public holiday; or

- (ii) before 7:00am or after 10:00pm on any other day; or
- (b) cause “offensive noise” as defined by the Protection of the Environment Operations Act 1997; or
- (c) emit a sound pressure level as measured over a 15 minute period (LAeq (15 minute)) at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90 (15 minute)) by more than 5 dB(A).

Use of pump/s on residential premises

205. Any pump/s used on the residential premises including but not limited to swimming pool pumps, spa pumps, solar water pumps, rainwater tank pumps and associated equipment must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and must not:

- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8:00am or after 8:00pm on any Saturday, Sunday or public holiday; or
 - (ii) before 7:00am or after 8:00pm on any other day; or
- (b) cause “offensive noise” as defined by the Protection of the Environment Operations Act 1997;
- (c) emit a sound pressure level as measured over a 15 minute period (LAeq (15 minute)) at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90 (15 minute)) by more than 5 dB(A).

206. Any heat pump water heater/s used on the residential premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and must not:

- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8:00am or after 10:00pm on any Saturday, Sunday or public holiday; or
 - (ii) before 7:00am or after 10:00pm on any other day; or
- (b) cause “offensive noise” as defined by the Protection of the Environment Operations Act 1997; or
- (c) emit a sound pressure level as measured over a 15 minute period (LAeq (15 minute)) at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90 (15 minute)) by more than 5 dB(A)

Liquid Discharge

207. Any liquid discharge from the air handling system resulting from the operation, maintenance and/or cleaning operations are to be disposed of into the sewer system. Discharge into the stormwater disposal system is not permitted.

Public Areas, Toilets and Bathrooms

208. Public areas, toilets and bathrooms shall be maintained in a clean and hygienic condition free from a build up of waste at all times.

H. 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.

Should you have any queries please contact Nabil Alaeddine on the phone number shown at the top of this page.

ATTACHMENT 2 – SECTION 7.12 PAYMENT FORM

CONTRIBUTIONS PURSUANT TO SECTION 7.12 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

Liverpool Contribution Plan 2018 (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 current CPI Quarter and will be adjusted at the time of payment in accordance with the conditions of consent.

APPLICATION NO.: DA-28/2022

APPLICANT: VM & KTP Holdings Pty Ltd C/- Gran Associates

PROPERTY: Lot 11 & 12 DP 1204506

PROPOSAL: Construction of a 10-storey residential flat building comprising 28 residential units above two levels of basement car parking, together with vehicle access, landscaping and associated works. The application is submitted under the State Environmental Planning Policy (Housing) 2021

<u>Facilities</u>	<u>Amount (\$)</u>	<u>Job No.</u>
Georges River Foreshore	\$97,328	GL.10000001869.10105
Pioneer Park	\$13,904	GL.10000001869.10105
Apex Reserve	\$6,952	GL.10000001869.10217
Georges River Pedestrian Crossing	\$17,380	GL.10000001869.10218
Discovery Park	\$17,380	GL.10000001869.10219
Community Facility Upgrade	\$41,712	GL.10000001870.10099
Car parking	\$0	GL.10000001868.10108
Access, bike facilities and bus priority	\$104,280	GL.10000001865.10220
Peripheral Streetscape works	\$69,520	GL.10000001865.10221
Footpath widening in City Centre	\$13,904	GL.10000001865.10222

TOTAL **\$382,360**

----- OFFICE USE ONLY -----
RECORD OF PAYMENT

Total Amount paid: _____

Date: _____

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

ATTACHMENT 3 – Transport for NSW Requirements

Transport for NSW

30 October 2023

TfNSW Reference: SYD23/00363/03

Nabil Alaeddine
Liverpool City Council
RE: DA-28/2022 | CNR-46917
Locked Bag 7064
Liverpool BC
NSW 1871



FURTHER INFORMATION FOR RESIDENTIAL FLAT BUILDING 20 HUME HIGHWAY, WARWICK FARM

Dear Mr Alaeddine,

Transport for NSW (TfNSW) is in receipt of Council's referral dated 25 October 2023 relevant to the aforementioned proposal, as referred to TfNSW for concurrence in accordance with Section 138 of the Roads Act 1993.

TfNSW has reviewed the information as provided and would provide concurrence to the proposed vehicular crossing on Hume Highway under Section 138 of the Roads Act 1993, subject to Council's approval and the following requirements being included in the development consent:

1. The redundant driveway on the Hume Highway boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on Hume Highway shall be in accordance with TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au.

Detailed design plans of the new driveway, proposed kerb and gutter are to be submitted to TfNSW for approval prior to the issue of a Construction Certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au.

A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.

2. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au.

A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.

3. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au

4. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Hume Highway during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

5. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Hume Highway.

For more information, please contact Zeliha Cansiz, Development Assessment Officer via email at development.sydney@transport.nsw.gov.au

Sincerely,

A handwritten signature in blue ink, appearing to read "David Rohloff".

David Rohloff
Senior Manager Land Use Assessment West and Central
Planning and Programs
Greater Sydney Division

OFFICIAL

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150

PO Box 973 Parramatta CBD NSW 2124

W transport.nsw.gov.au

ATTACHMENT 4 – Endeavour Energy Requirements

Development Application and Planning Proposal Review NSW Planning Portal Concurrence and Referral



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Liverpool City Council	DA-28/2022	CNR-46917	Emmanuel Torres	17/10/2022	7/11/2022	19/10/2022

Address	Land Title
20 - 22 HUME HIGHWAY, WARWICK FARM NSW 2170	Lots 11 & 12 DP 1204506

Scope of Development Application or Planning Proposal
Construction of a 10-storey residential flat building comprising 28 residential units above two levels of basement car parking, together with vehicle accessed landscaping and associated works.

As shown in the below site plan from Endeavour Energy's G/Net master facility model:
<p>There are:</p> <ul style="list-style-type: none"> No easements benefitting Endeavour Energy (active easements are indicated by red hatching). Low voltage overhead power lines (including a pole fitted with a streetlight) and 11,000 volt / 11 kilovolt (kV) high voltage underground cables to the road verge / roadway. Extended low voltage overhead service conductor coming from the pole on the road verge going to a customer owned / private pole on the site providing a temporary builder's supply. Low voltage underground service conductor going to the customer connection point for the speed / red light camera located on the road verge.



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

endeavourenergy.com.au
ABN 11 247 365 823

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by ☒ .

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.

Con- dition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input type="checkbox"/>	<input type="checkbox"/>	24	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	28	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
<input type="checkbox"/>	<input type="checkbox"/>	29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	31	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input type="checkbox"/>	32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Completed by:				Decision
Cornelis Duba				Approve (with conditions)

Reason(s) for Conditions / Decision (If applicable)

- The Statement of Environmental Effects does not appear to address whether the available electricity services are adequate for the proposed development.
- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- An extension and / or augmentation of the existing local network may be required. Whilst there are a number of padmount substations in the area which are likely to have some spare capacity, it is not unlimited and may not be sufficient to facilitate the proposed development.

Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.

- Any required padmount substation 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'.
- Endeavour Energy's network asset design policy is generally to progressively underground all new urban residential developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- The Site and Ground Floor Plan does not show the location of the pole on the road verge. From the following overlay of the Topographical Survey Plan it appears the pole is located in the proposed driveway?



Driveways should be designed to increase the separation to the any electricity infrastructure on the road verge as much as reasonably possible, with 1 metre recommended and a minimum 300 millimetres required to poles for residential development. Failing the foregoing an asset relocation / removal will be required.

For advice / approval of the clearance to the pole the applicant will need to contact Endeavour Energy's Field Operations Branch. The site is in the area covered by Hoxton Park Field Service Centre.

- The minimum required safety clearances and controls for building and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building and structures (whether temporary or permanent), consideration must be given to WorkCover (now SafeWork NSW) 'Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV) and includes the following requirements for work near low voltage overhead power / 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 low voltage 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.

- The planting of large / deep rooted trees to near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.
- Not all the conditions / advice marked may be directly or immediately relevant or significant to the Development Application ie. if a padmount substation is not required on site. 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.

Yours faithfully

Cornelis Duba

Development Application Specialist

Sustainability & Environment

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Condition or Advice

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

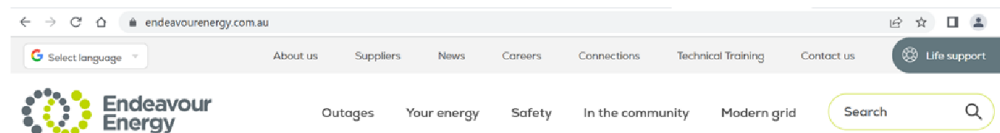
For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement. It will be generally indicated as 'Advice'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is some uncertainty over the extent or location of the underground cables on or near the site, it would then be indicated as 'Condition' and require action to be undertaken by the applicant eg. the use of an underground asset locating device or a certified locator to verify the asset location.

Decision

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked are for 'Advice', the outcome of the assessment will also be 'Advice'.

Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



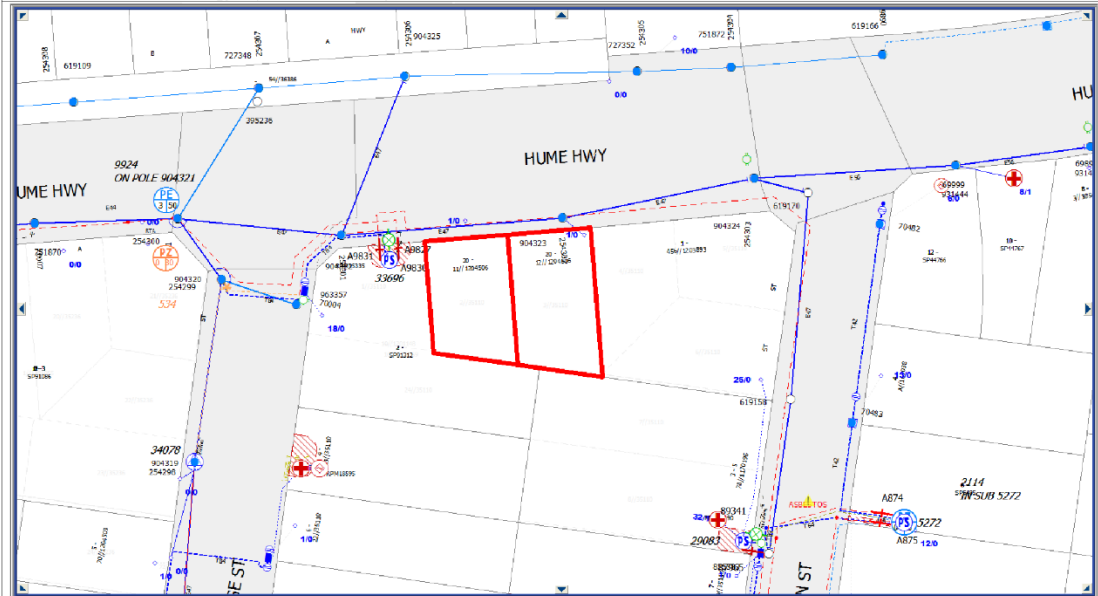
The following contacts can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666.

Branch / Section	Matters	Email
Customer Network Solutions	Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP).	cicadmin@endeavourenergy.com.au
Easement Officers	Easement management or protected works / assets.	Easements@endeavourenergy.com.au
Property	Property tenure eg. the creation or release of easements.	network_property@endeavourenergy.com.au
Field Operations (to the relevant Field Service Centre).	Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).	Construction.Works@endeavourenergy.com.au

Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.

Details of the Accredited Service Provider (ASP) Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-smart/dealing-energy-smart/installing-or-altering-your-electricity-service>.

Site Plan from Endeavour Energy's G/Net Master Facility Model



Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. 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 does not constitute the provision of information on underground electricity power lines by network operators under Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).

LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Customer connection point
	Low voltage pillar
	Streetlight column
	Life support customer
	Tower
	Pole
	Pole with streetlight
	Customer owned / private pole
	Cable pit
	Load break switch
	Recloser
	Proposed removed
	Easement
	Subject site

