

Without prejudice draft conditions
General Conditions

1. **(A950) Works not part of this consent**

No consent is expressed or implied for any works over Lot 664 Nemean Road Austral, LOT 664 DP 1260834. Works which originally formed part of the Works in Kind arrangement over this land, no longer form part of this development application.

Condition reason: To ensure fairness, transparency and proberty.

2. **(A002) Approved plans and supporting documentation**

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans

Plan Title	Plan number	Revision	Drawn by	Dated
Architectural DA Cover Page	22108 - DA1.0	D	Clarke Hopkins	06.06.2024
Demolition Plan	22108 - DA2.3	C	Clarke Hopkins	06.06.2024
Site Plan - Overall Works	22108 - DA2.4	D	Clarke Hopkins	06.06.2024
Site Plan - Part 1	22108 - DA2.5	D	Clarke Hopkins	06.06.2024
Site Plan - Part 2	22108 - DA2.6	D	Clarke Hopkins	06.06.2024
Lower Ground Floor Plan	22108 - DA3.1	F	Clarke Hopkins	06.06.2024
Upper Ground Floor Plan	22108 - DA3.2	F	Clarke Hopkins	06.06.2024
Level 1 Floor Plan	22108 - DA3.3	E	Clarke Hopkins	06.06.2024
Roof Plan	22108 - DA3.4	E	Clarke Hopkins	06.06.2024
Building Elevations - Sheet 1	22108 - DA4.1	C	Clarke Hopkins	06.06.2024
Building Elevations - Sheet 2	22108 - DA4.2	C	Clarke Hopkins	06.06.2024
Building Sections - Sheet 1	22108 - DA5.1	C	Clarke Hopkins	06.06.2024
Finishes Schedule	22108 - DA6.1	C	Clarke Hopkins	06.06.2024
Signage Location Site Plan - Part 1	22108 - DA6.2	C	Clarke Hopkins	06.06.2024

Signage Location Site Plan - Part 2	22108 - DA6.3	C	Clarke Hopkins Clarke	06.06.2024
Signage Details - Sheet 1	22108 - DA6.4	C	Clarke Hopkins Clarke	06.06.2024
3D Perspectives - Sheet 1	22108 - DA7.1	C	Clarke Hopkins Clarke	06.06.2024
3D Perspectives - Sheet 2	22108 - DA7.2	C	Clarke Hopkins Clarke	06.06.2024
3D Perspectives - Sheet 3	22108 - DA7.3	C	Clarke Hopkins Clarke	06.06.2024
3D Perspectives - Sheet 4	22108 - DA7.4	C	Clarke Hopkins Clarke	06.06.2024
Landscape Cover Sheet	20230213 - LDA-01	J	Ground Ink	05.06.24
Landscape Masterplan & Existing Tree Plan	20230213 - LDA-02	J	Ground Ink	05.06.24
Tree Planting Strategy	20230213 - LDA-03	J	Ground Ink	05.06.24
Streetscape Landscape Plan	20230213 - LDA-04	J	Ground Ink	05.06.24
Car Park Landscape Plan	20230213 - LDA-05	J	Ground Ink	05.06.24
Piazza Landscape Plan	20230213 - LDA-06	J	Ground Ink	05.06.24
Mall Landscape Plan	20230213 - LDA-07	J	Ground Ink	05.06.24
Landscape Sections	20230213 - LDA-08	J	Ground Ink	05.06.24
Plant Palette	20230213 - LDA-09	J	Ground Ink	05.06.24
Landscape Details	20230213 - LDA-10	J	Ground Ink	05.06.24

Approved documents**Document title Reference number**

Construction & Demolition Waste

Revision A

Management Plan

Operational Waste

Management Plan

4866 Revision D

Traffic Report

12161/3

Response to

TR/12161/mc

Traffic Matters

(Acoustic Report)

20230226.2 Revision 2

Prepared by Dated

Elephants

16/06/2023

Foot

Elephants

14/06/2023

Foot

Colston

June 2023

Budd Rogers

& Kafes

Colston

2 April

Budd Rogers

2024

& Kafes

Acoustic

16/06/2023

Logic

Arboricultural Impact Appraisal	Woolworths_Austral_AIA	Naturally Trees	14 June 2023
Odour Assessment	-	Arboricultural Consulting	
Aboriginal Cultural Heritage Due Diligence Advice	23020	Todoroski Air Sciences	15 June 2023
Bushfire Protection Assessment	B233995-1	Austral Archaeology	9 June 2023
Detailed Site Investigation Report	2301008Rpt01FinalV01_21Apr23	Australian Bushfire Protection Planners	13.06.2023
Remediation Action Plan	2401004Rpt01FinalV02_07Feb24	Geo-Logix	21 April 2023
Geotechnical Report	2301008GTRpt01FinalV02_16Jun23	Geo-Logix	7 February 2024
Crime Prevention Through Environmental Design Report	M220565	Geo-Logix	3 May 2023
ESD Report	SY230401-01 Revision 1	Planning Ingenuity	20 June 2023
Accessibility Design Assessment Report	ADAR_23011_R1.1		
BCA and Fire Safety Assessment Report	BCADAR_23013_R1.1	Northrop	01.05.2023
Access Ramp Review	HHC23011	Hontas Hatzi & Co	16/06/2023
Economic Impact Assessment	-	Hontas Hatzi & Co	16/06/2023
		Hontas Hatzi & Co	3 June 2024
		Location iQ	March 2024

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. (A015) External Agency Requirements

All requirements issued by external agencies, shall be complied with prior, during, and at the completion of construction, as specified in accordance with the requirements as follows:

- NSW Rural Fire Service dated 22 August 2023;
- Sydney Water dated 11 September 2023;
- Endeavour Energy dated 7 September 2023; and
- NSW Police Force dated 14 September 2023.

A copy of these requirements is attached to this decision notice.

Condition reason: To ensure General Terms of Approvals are fulfilled in accordance with the relevant agency requirements.

4. (A025) Comply with EP&A Act

The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2021, 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.

Condition reason: This condition is imposed to ensure compliance with legislative requirements.

5. **(A032) Shoring and adequacy of adjoining property**

1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.
2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense—
 1. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
 2. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.
3. This section does not apply if—
 1. the person having the benefit of the development consent owns the adjoining land, or
 2. the owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.

6. **(A040) Compliance with the Building Code of Australia**

1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the *Building Code of Australia*.
2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the *Home Building Act 1989*, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the *Building Code of Australia*.
4. In subsection (1), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
5. In subsection (3), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
6. This section does not apply—
 1. to the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
 2. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

7. **(A050) Works at no 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.

Condition reason: To ensure fairness, transparency and proberty.

8. **(A060) Erection of signs**

1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
 1. showing the name, address and telephone number of the principal certifier for the work, and
 2. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 3. stating that unauthorised entry to the work site is prohibited.

3. The sign must be—
 1. maintained while the building work, subdivision work or demolition work is being carried out, and
 2. removed when the work has been completed.
4. This section does not apply in relation to—
 1. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 2. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

9. **(A130) Council Wastewater Requirements**

The development must provide for a physical sewerage connection to each created allotment to enable the method of sewage disposal by gravity reticulation mains to either, Sydney Water branch and trunk sewers or Sydney Water point of treatment. Liverpool City Council will not accept any temporary facilities to service the site, including pump-out sewage systems.

Condition reason: To promote orderly development supported by adequate infrastructure.

Building Work Before Issue of a Construction Certificate

10. **(B010) Design amendments**

Before the issue of a construction certificate, the approved plans are to be amended, and other documentation is to be submitted to the satisfaction of Liverpool City Council. The following matters are to be addressed:

1. Preparation of a Connecting to Country strategy during the detailed design stage. This strategy should outline how it will be integrated into the overall design, including its impact on architectural expression, landscape design improvements, and public art strategy. A revised design package reflecting this strategy must be submitted to Council.
2. Detailed public domain design including street layout, footpath, shared path, tree planting and street furniture design.
3. The bicycle parking within the piazza are to be relocated in an area which will not be in the middle of the piazza in the ultimate scenario. Bicycle parking is to be relocated along the southern and/or western periphery of the piazza.
4. Details regarding the rainwater re-use measures and PV systems must be developed and documented during the detailed design stage, in accordance with the ESD Report.
5. Exploration of ways to further activate the corner of Eighth Avenue and Warrawal Avenue to elevate the gateway identity, enhance the street presentation and complement the future open space across the street. This could be achieved by incorporating windows to the BOH on the ground level and entry/exit points on the lower ground, in addition to integrating public artwork onto the building facade.
6. The architectural plans and engineering plans are to align with the landscape plans in regards to tree locations in the carpark, noting an extra tree is located in the architectural plans on the western side and the engineering plans do not specify the location of trees in the carpark.
7. There is concern regarding the suitability of the proposed *Vitis vinifera* for the through-site link at the rear as well as the proposed street trees, it is suggested the applicant conduct an overall review of the proposed plant species and ensure them align with the preferred species outlined in the LGCP DPC Appendix C and suitable for the Western Sydney climate. In regards to street trees, a variety of 2 or more of the following are to be chosen:
 - *Eleocarpus reticulatus* (Blue Berry Ash)
 - *Fraxinus griffithii* (Evergreen Ash)
 - *Tristanopsis Laurina* (Luscious Water Gum)
 - *Lophostemon Confertus* (Brush Box)
8. A detailed landscape plans must be submitted in the detailed design stage, including the public

domain upgrades. The landscape plans must include (but is not limited to):

- A clear legend
- Sections and elevations (where relevant – e.g., boundary fencing, landscaping, streetscape view etc)
- A materials and finishes plan
- A setout plan
- A planting plan
- A planting schedule (preferred species are outlined in the LGCP DPC Appendix C)
- Planting construction drawings (e.g., soil depths, drainage, mulch, staking etc in accordance with Council's specification)
- Landscape specifications.

Evidence of correspondence is to also be made with Council's Public Art Section for the delivery of public art within the development, including the proposed wall art. Discussions will likely influence the design amendments above and are to include but not be limited to:

1. Amendments to the landscape plans to demonstrate the public art or a separate public art plan to be developed;
2. Identification and engagement of local artists for the public artworks, which need to embed meaningful, endemic and relevant public art into the play elements associated with the pocket park;
3. Pre-lodgement investigations, design advice, community engagement, coordination costs, artist fees, cost of material, and construction costs.
4. Stages of delivery of public artworks; and
5. Public art to be durable and permanent;

Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

11. (B020) Equal access to the premises

Before the issue of a construction certificate, plans are to be provided which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier.

Condition reason: To ensure safe and easy access to the premises for people with a disability

12. (B048) Street Lighting

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.

Condition reason: To ensure adequate street lighting is provided for the development.

13. (B054) Retaining Walls

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.
	Condition reason: To ensure fairness, transparency and proberty.
14.	(B055) S138 Roads Act - roadworks requiring approval of civil drawings
	Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of road works in Eighth Avenue, Warrawal Avenue and Auger Street.
	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: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
	Condition reason: To ensure fairness, transparency and proberty.
15.	(B075) Fee Payments
	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. The following fees are applicable and payable:
	(a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
	(b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.
	(c) Long Service Levy – based on 0.25% of the cost of building work where the costing of the CC is \$250,000 or more.
	These fees are reviewed annually and will be calculated accordingly.
	Condition reason: To ensure statutory or associated fees are paid prior to construction commencing.
16.	(B081) Site Development Work
	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.
	Condition reason: To prevent unauthorised commencement of building works.
17.	(B099) Substation
	Should the Electrical Substation be located outside the building envelope, the location and any associated fire separation walls must comply with Integral Energy Substation Design Instruction Document No SDI 104 (Current Version).
	Condition reason: To ensure electrical substations are designed in accordance with the relevant utility and service providers requirements.
18.	(B112) Notification
	In the event that Council is not the Principal Certifier (PC), the PC must advise Council, in writing of:
	(a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
	(b) The name and permit of the owner-builder who intends to do the work.
	If these arrangements are changed, or if a contact is entered into for the work to be done by a different licensee, Council must be immediately informed.
	Condition reason: To advise Council of the details of licensed contractors or owner-builder for the approved development.

19.	(B116) Products banned under the Building Products (Safety) Act 2017
	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.
	Condition reason: To ensure no banned products are used for a building's external cladding.
20.	(B120) Cladding
	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 BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2G2 of BCA Volume 1 for all products/systems proposed.
	Condition reason: To ensure that the external cladding installed on a building is compliant.
21.	(B134) Crime Prevention Through Environmental Design
	The following Crime Prevention through Environmental Design (CPTED) principles are to be incorporated into the building:
	(a) back to base alarm system (only if commercial near residential), (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, (d) 'way finding' signage should be utilised at all major interchanges such as lifts and stair wells, (e) lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting, (f) corrugated ramps to prevent skate boarding activities, (g) glazed tiling, patterned, porous and non solid surfaces reduce the reward for graffiti offenders, (h) any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details, and (i) access to the basement parking levels relating to the residential component of the building shall be controlled via a security controlled device.
	Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the Private Certifier.
	Condition reason: To require details of crime prevention (CPTED) measures to protect the amenity of the surrounding area.
22.	(B135) Provision of Services - Sydney Water
	Prior to the issue of a Construction Certificate, an application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, is to 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, prior to the issue of a Construction Certificate.
	Condition reason: To ensure fairness, transparency and proberty.
23.	(B136) Provision of Services - Endeavour Energy
	Prior to the issue of a Construction Certificate, a 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 Principal Certifier.
	Condition reason: To ensure fairness, transparency and proberty.

24.	(B137) Provision of Services - Telecommunications Prior to the issue of a Construction Certificate, the Principal Certifier shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following requirements of the Telecommunications Act 1997: 1. For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and 2. 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. Condition reason: To ensure fairness, transparency and proberty.
25.	(B149) S138 Roads Act - Minor Works in the public road Prior to the issue of a Construction Certificate, a Section 138 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: (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings), (b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure), or (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 Transport for NSW for classified roads. Condition reason: To ensure fairness, transparency and proberty.
26.	(B156) Waste Storage Room Prior to the issuing of a construction certificate, the principal certifier shall be satisfied that the designated garbage/waste storage area shall comply with the following requirements: 1. The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor; 2. The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and 3. The door to the room must be tight-fitting, self-closing and fitted with mechanical ventilation. Please refer to the Liverpool Development Control Plan 2008 for further information regarding the construction standards for waste storage areas. Condition reason: To ensure compliance with construction requirements and to mitigate risks to human health and the environment.
27.	(B162) Recommendations of Acoustic Report 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. Condition reason: To mitigate potential intrusive noise and amenity impacts.

28. (B355) Food Premises - Construction

Before the issue of a construction certificate, the certifier must be satisfied the relevant construction certificate plans demonstrate that the fit-out and construction of the premises complies with the following requirements:

- Building Code of Australia
- AS4674-2004 – Design, construction and fit-out of food premises
- Australia New Zealand Food Standards Code, and
- Australian Standard 1668 (Part 1 & 2).

Condition reason: To mitigate public health risks and ensure compliance with relevant legislative requirements.

29. (B360) Construction Environmental Management Plan (CEMP)

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

1. Asbestos Management Plan;
2. Project Contact Information;
3. Site Security Details;
4. Timing and Sequencing Information;
5. Site Soil and Water Management Plan;
6. Noise and Vibration Control Plan;
7. Dust Control Plan;
8. Air Monitoring;
9. Odour Control Plan;
10. Health and Safety Plan;
11. Waste Management Plan;
12. Incident management Contingency; and
13. Unexpected Finds Protocol.

The Plan must also incorporate the following items:

- Measures to reduce the consumption of materials and resources during construction.
- The use of recycled or reclaimed materials in construction.
- Construction waste minimisation measures, including opportunities to re-use materials on site.
- Measures to minimise the use of water and maximise water re-use during construction.
- The embodied energy of the main construction materials, options considered to reduce the embodied energy of materials and (if applicable) the reasons for not choosing materials with the least embodied energy.
- Training, monitoring and reporting on the compliance of construction contractors with the requirements of the CEMP.

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

Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

30. (B361) Construction Site Management Plan

Before the issue of a Construction Certificate, a construction site management plan must be prepared, and provided to the certifier. The plan must include the following matters:

1. The location and materials for protective fencing and hoardings on the perimeter of the site;
2. Provisions for public safety;
3. Pedestrian and vehicular site access points and construction activity zones;
4. Details of construction traffic management including:
 1. Proposed truck movements to and from the site;
 2. Estimated frequency of truck movements; and
 3. Measures to ensure pedestrian safety near the site;
5. Details of bulk earthworks to be carried out;
6. The location of site storage areas and sheds;

7. The equipment used to carry out works;
8. The location of a garbage container with a tight-fitting lid;
1. Dust, noise and vibration control measures;
10. The location of temporary toilets;
11. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:
 1. AS 4970 – Protection of trees on development sites;
 2. An applicable Development Control Plan;
 3. An arborist's report approved as part of this consent

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

31. (B380) Mechanical Plant and Equipment

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.

Condition reason: To mitigate potential intrusive noise and amenity impacts.

32. (B400) Road design criteria table

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works and the following criteria:

Road No.	Road Reserve Width	Carriageway Width	Verge	Footpath	ESA
Warrawal Avenue	20m	5.5m (half road)	4.5m	2.5m	2 x 10 ⁶
Eighth Avenue	20m	5.5m (half road)	4.5m	2.5m	2 x 10 ⁶
Auger Street	16m	4.5m (half road)	3.5m	2.5m	3 x 10 ⁵

Condition reason: To ensure fairness, transparency and probity.

33. (B404) Road Safety Audit

A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application.

Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design.

Condition reason: To ensure fairness, transparency and probity.

34. (B408) Access, Car Parking and Manoeuvring - General

The Certifying Authority shall ensure and certify that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development have been designed and are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Council's Development Control Plan.

Condition reason: To ensure that the design of the facilities is in accordance with the required specifications.

35. (B410) Access, Car Parking and Manoeuvring - Detail

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.
	Condition reason: To ensure that the design of the access arrangement, car parking and maneuvering are in accordance with the required specifications including AS2890.
36.	(B414) Bus Stops
	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.
	Condition reason: To ensure the required bus tops are designed in accordance with Disability Discrimination Act 2002.
37.	(B453) No Loading on Easements
	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.
	Condition reason: To ensure fairness, transparency and proberty.
38.	(B456) On-Site Detention
	On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Henry Hymas, reference number 22U24, submitted via the NSW Planning Portal on 12 June 2024.
	The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.
	Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.
	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.
	Condition reason: To ensure fairness, transparency and proberty.
39.	(B462) Water Quality
	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.
	Condition reason: To ensure fairness, transparency and proberty.
40.	(B555) Detailed Design Drawings
	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.
	The size of trucks and truck route accessing and exiting the site will be staged as set out below:

- Stage 1 – New West Road (Warrawal Avenue) along western frontage of site one way southbound. Trucks will be limited to 14.4 metre long semi-trailers and exit the dock via a left turn onto the New West Road and then access Fourth Avenue via Seventh Avenue;
- Stage 2 – New West Road along western frontage of site two way. Truck size increased to 19 metre long semi-trailers with trucks exiting the dock via a right turn onto the New West Road and then access Fourth Avenue via Eighth Avenue; and
- Stage 3 – New West Road connects to Bringelly Road. 19 metre long semi-trailers access the site and exit via a left turn onto the New West Road and then access Bringelly Road via the New West Road.

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.

Condition reason: To ensure that detailed design of the required traffic facilities is submitted and approved.

41. (B560) Road Works

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.

Condition reason: To ensure that works on the public road reserve are approved prior to commencement of works.

42. (B950) Engineering Works

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that engineering plans are consistent with the concept plan/s prepared by Henry Hymas, reference number 22U24, submitted via the NSW Planning Portal on 12 June 2024 and that all engineering works have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

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

1. Public and private roads
2. Stormwater drainage including water quantity and quality treatment measures
3. Interallotment drainage
4. Private access driveways
5. Sediment and erosion control measures
6. Overland flowpaths
7. Flood control measures
8. Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
9. Earthworks
10. Bridges, culverts, retaining walls and other structures
11. Landscaping and embellishment works
12. All works required for conversion of the proposed sediment basin to a bio retention function
13. All works required for the decommissioning temporary OSD systems including pipe removal, basin filling and works to existing pit structures if required

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

Condition reason: To ensure fairness, transparency and proberty.

43. (B951) Other works

The following items are to be taken into consideration when lodging a construction certificate:

1. Provide additional drainage pipe from pit F-2 to F-3.
2. Road drainage system shall be designed to accommodate the flows from catchment upstream to

the site. Details shall be provided on the plans accompanying with a construction certificate.

Condition reason: To ensure fairness, transparency and proberty.

44. (B952) Floodplain Engineering Works

Prior to the Issue of a CC, the following matters are to be incorporated through the detailed design plans, drawings and reports and shall be submitted to Council's Floodplain Engineering Section for review:

1. Existing stormwater flows running through the site shall be captured and managed, and the proposed development shall not have any adverse flooding impact on the adjoining properties.
2. The stormwater pipe system of the proposed development shall have adequate capacity to convey upstream post-development flows.
3. During the 1% AEP storm event, the depth of flooding and velocity*depth on the road shall not be higher than 0.2m and 0.4 m2/s respectively.
4. Stormwater flows generated from the proposed development site shall be attenuated through interim on-site detention (OSD) basin as indicated in the stormwater management report (Ref: 22U24, Civil Engineering Report for Development Application, dated: June 2023), and accompanying design plans (Ref: Drawing No. 22U24_DA_C101, Revision: 05, dated: 04/06/2024; Drawing No. 22U24_DA_C201, Revision: 02, dated: 14/06/2023; and Drawing No. 22U24_DA_C251, Revision: 04, dated: 11/03/2024) by Henry & Hymas Pty Ltd. The OSD shall provide adequate flow attenuation to ensure that the peak post-development discharges from the development site do not exceed peak pre-development discharges for the 20%, 5% and 1% AEP storm events. The design shall demonstrate that the site discharge will drain by gravity to the point of discharge. The OSD basin shall be maintained at the site until the stormwater network up to the creek is established. The OSD cannot be removed without Council's written consent.
5. On-site water quality treatment facilities shall be provided to ensure that stormwater runoff leaving the site complies with Council's water quality standards, as outlined in the stormwater management report (Ref: 22U24, Civil Engineering Report for Development Application, dated: June 2023), and accompanying design plans (Ref: Drawing No. 22U24_DA_C101, Revision: 05, dated: 04/06/2024; Drawing No. 22U24_DA_C201, Revision: 02, dated: 14/06/2023; and Drawing No. 22U24_DA_C251, Revision: 04, dated: 11/03/2024) by Henry & Hymas Pty Ltd. Water quality treatment facilities shall be designed using MUSIC modelling software, and the water quality treatment system performance shall be verified using Council's MUSIC link.
6. Interim streetscape silt trap devices shall be provided at the proposed raingarden locations (marked as "Proposed Raingarden Locations" in Schedule 1 - Austral & Leppington North Precinct DCP, 18 June 2021). The design of silt trap shall be in accordance with interim silt trap device construction details provided in Liverpool Growth Centre Precincts DCP, 18 June 2021 and/or detailed design of streetscape raingarden presented in Development of Streetscape Raingarden Masterplan for Austral and Leppington North.

Condition reason: To ensure fairness, transparency and proberty.

Before Building Work Commences

45. (C005) Construction Certificates

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 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 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 (PC) must be appointed to carry out the necessary building inspections and to issue an occupation certificate, and
- (e) The PC 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.
	Condition reason: To require approval to proceed with building work.
46.	(C012) Commencement of building works
	Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the Environmental Planning and Assessment Act, 1979 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.
	Condition reason: To require approval to proceed with building work.
47.	(C055) Site Facilities
	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.
	Condition reason: To ensure the required site management measures are implemented before the commencement of building work.
48.	(C065) Sydney Water
	Development plans must be processed and approved by Sydney Water.
	Condition reason: To require Sydney Water approval to proceed with building work.
49.	(C070) "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.
	Condition reason: To ensure building works do not impact local underground assets.
50.	(C101) Vegetation - Existing Vegetation
	All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.
	Condition reason: To minimise impacts to adjacent vegetation and habitat.
51.	(C117) Erosion and sediment controls in place
	Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
52.	(C126) Environmental Management
	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: 1. Siltation fencing; 2. Protection of the public stormwater system; and 3. Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place. Condition reason: To ensure fairness, transparency and proberty.
53.	(C155) Work Zone 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. Condition reason: To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
54.	(C158) Construction Traffic Management Plan (CTMP) 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. Condition reason: To ensure that the impact of construction traffic associated with the development on the surrounding road network is minimized.
55.	(C201) Road Occupancy Permit Road occupancy and road opening approvals will be required from Council to undertake works within the existing road reserve. The following applications are available on Council's website and can be lodged online attaching all required documents indicated on the application form. • Road Occupancy Application Form • Road Opening Application Form Condition reason: To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
56.	(C205) Traffic Control Plan Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller. Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times. Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council. Condition reason: To ensure fairness, transparency and proberty.
57.	(C466) Dilapidation report Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Eighth Avenue, Warrawal Avenue and Auger Street is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

58. **(C560) Road Works**

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.

Condition reason: To ensure that works on the public road reserve are approved prior to commencement of works.

During Building Work

59. **(D005) Building Work**

The building works must be inspected by the Principal Certifier (PC), in accordance with Sections 6.5 of the Environmental Planning & Assessment Act 1979, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

Condition reason: To require stage inspection and approval by the PC in accordance with EP & A Regulation clause 162A.

60. **(D010) Building Work**

The Principal Certifier (PC) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PC, prior to proceeding to the subsequent stages of construction or finalisation of the works.

Condition reason: To require approval to proceed with building work following each critical stage inspection.

61. **(D020) Identification Survey Report**

The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the Principal Certifier 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 Principal Certifier 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 Principal Certifier, a copy of the survey shall be provided to Council within three (3) working days.

Condition reason: To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.

62. **(D025) Identification Survey Report**

On placement of the concrete, works again shall not continue until the Principal Certifier has issued a letter stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.

Condition reason: To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.

63. **(D038) Toilet Facilities**

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.

Condition reason: To ensure the required site management measures are implemented during construction.

64.	(D045) Hours of work
	Site work must only be carried out between the following times – For work/civil work/demolition work, including delivery of materials is only permitted on the site from 7:00am to 6:00pm on Monday to Friday For work/civil work/demolition work, including delivery of materials is only permitted on the site from 8:00am to 1:00pm on Saturday Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority. Condition reason: To protect the amenity of the surrounding area.
65.	(D049) Security Fence
	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. Condition reason: To ensure the required site management measures are implemented during construction.
66.	(D055) Refuse Disposal
	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. Condition reason: To ensure the required site management measures are implemented during construction.
67.	(D061) Craning and Hoardings
	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. Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
68.	(D063) Craning and Hoardings
	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 or road reserve area, a separate Road Occupancy Certificate and/or Hoarding approval must be obtained from Liverpool City Council prior to undertaking the works. Condition reason: To ensure the required traffic management measures are implemented during construction.
69.	(D070) Notification of Damage
	The applicant/ builder shall be responsible to report to the Council of 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 and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost. Condition reason: To ensure any damage to public infrastructure is rectified.
70.	(D100) General Site Works - Surface Contours
	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. Condition reason: To protect the amenity of the neighbourhood.
71.	(D105) General Site Works
	All roofwater is to be connected to an approved stormwater system. Condition reason: To ensure environmental impacts and impacts to neighbouring properties are

	minimised.
72.	(D110) General Site Works Stormwater pipeline connections to the street kerb shall be constructed in the following manner: (a) the kerb shall be sawcut on both sides of the proposed pipe outlet. (b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter. (c) the kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb. Condition reason: To ensure any alteration to Council infrastructure is to a suitable standard.
73.	(D115) General Site Works - Existing Hydrology Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site. Condition reason: To minimise impacts to adjacent vegetation and habitat.
74.	(D120) General Site Works - Runoff Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels. Condition reason: To minimise impacts to adjacent vegetation and habitat.
75.	(D125) General Site Works - Sediment The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land. Condition reason: To minimise impacts to adjacent vegetation and habitat.
76.	(D130) Removal of dangerous and/or hazardous waste All dangerous and/or hazardous material must be removed by a suitably qualified and experienced contractor licensed by SafeWork NSW. The removal of such material must be carried out in accordance with the requirements of SafeWork NSW and the material must be transported and disposed of in accordance with NSW Environment Protection Authority requirements. Condition reason: To ensure safe removal and disposal of dangerous and/or hazardous material.
77.	(D140) Car Parking Areas 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. Condition reason: To ensure the facilities are constructed appropriately to comply with the DCP and AS2890.
78.	(D146) Directional Signage 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.

	Condition reason: To ensure that appropriate signs are installed.
79.	(D165) Public Domain Works 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'. Condition reason: To ensure that the development covers all required costs associated with the development.
80.	(D170) Council On Street Assets Council's on-street assets and local road network are to be protected and kept in a serviceable state at all times. At the direction of Council, the applicant/project manager shall undertake remediation works, at no cost to Council and to Council's satisfaction. Condition reason: To ensure that the development covers all required costs associated with the development.
81.	(D180) Waste management While site work is being carried out: 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: 1. The contact details of the person(s) who removed the waste; 2. The waste carrier vehicle registration; 3. The date and time of waste collection; 4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; 5. The address of the disposal location(s) where the waste was taken; 6. 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. If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council. Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
82.	(D205) Vegetation - Existing Vegetation All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas. Condition reason: To minimise impacts to adjacent vegetation and habitat.
83.	(D240) Vegetation - Weeds No known environmental weeds or known invasive plant species shall be included in the landscaping or revegetation. Hygiene practices shall be employed to avoid the spread of invasive plants. Condition reason: To limit the spread of weeds.
84.	(D241) Footpaths Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on both sides of all residential streets, unless where varied by other conditions in this consent. Condition reason: To ensure fairness, transparency and proberty.
85.	(D250) Vegetation - Mulch

	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.
	Condition reason: To limit the spread of weeds.
86.	(D255) Vegetation - Imported Soil or Mulch
	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.
	Condition reason: To limit the spread of weeds.
87.	(D265) Vegetation Clearing - Fauna Protection
	Prior to the removal of each tree, they shall be examined by a qualified ecologist for the presence of hollows, active nests of birds or fauna. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits.
	Condition reason: To minimise harm caused to fauna during vegetation clearing.
88.	(D330) Switchboards
	Switchboards for utilities shall not be attached to the street and/or road elevations of the development.
	Condition reason: To ensure switchboards are sited and positioned away from the public domain.
89.	(D335) External Lighting
	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.
	Condition reason: To protect the amenity of the neighbourhood.
90.	(D340) Glass Reflectivity
	The reflectivity index of glass used in the external facade of the building is not to exceed 20%.
	Condition reason: To restrict the reflection of sunlight from buildings to surrounding areas and buildings.
91.	(D360) Graffiti
	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.
	Condition reason: To protect the amenity of the neighbourhood.
92.	(D426) Soil management
	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:
	1. 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. 2. All fill material imported to the site must be: 1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or 2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or 3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.
	Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported

	to the site is not contaminated and is safe for future occupants.
93.	(D430) Unidentified Contamination Any new information which arises during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination and remediation must be immediately notified in writing to the certifier and Liverpool City Council. A section 4.55 Application under the Environmental Planning and Assessment Act 1979 must be made for any proposed works outside the scope of the approved development consent. Condition reason: To ensure the suitability of land for the development.
94.	(D445) Air Quality Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works. Condition reason: To ensure fairness, transparency and proberty.
95.	(D450) Air Quality During construction where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, the consent holder is to ensure dust is suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the Principal Certifier may direct that work is not to proceed. Condition reason: To ensure site works are managed appropriately and do not result in air pollution.
96.	(D455) Dropped Edge Beam The proposed concrete slab construction must incorporate drop edge beams to ensure any fill is adequately retained within the envelope of the building. The external masonry wall shall extend from the concrete beam at natural ground level. Condition reason: To ensure that all construction work is undertaken to an approved standard and relevant controls.
97.	(D460) Salinity The development shall be carried out in accordance with 'Appendix B' of the Liverpool Growth Precincts Development Control Plan 2013. Soil Testing is to be carried out to enable the site to be classified according to AS2870. Condition reason: To ensure that all construction work is undertaken to an approved standard.
98.	(D465) Air Conditioning The plant associated with any air conditioning system shall not cause any offensive noise as defined under the Protection of the Environment Operations Act 1997. Condition reason: To ensure fairness, transparency and proberty.
99.	(D470) Design Elements The following design and function elements are to be incorporated into the construction of the development: 1. Adequate lighting is to be installed which would provide lighting of the pedestrian through site link and carpark area at all times in the future. Lighting is to be installed which ensures glare and light spill will not impact on surrounding residential and commercial premises. 2. Glazing which fronts Eighth Avenue and the piazza must not be translucent / obscure glazing. Glazing is to be clear to provide passive surveillance of the active frontage. 3. All paving materials must conform with the relevant standards for durability, non-slip textures, strength and surface treatment to withstand use by light automobiles, service vehicles, pedestrians, bicycles and to facilitate the use by elderly and disabled persons. 4. Each retail or commercial tenancy is to be separately metered or sub-metered for services such as water (hot & cold), electricity and gas. Condition reason: To ensure suitable occupant privacy whilst reducing visual impacts to neighbouring properties and public areas.

100.	(D475) Imported Fill Material
	During construction the consent holder is to ensure fill imported on to the site is be compatible with the existing soil characteristic for site drainage purposes.
	Condition reason: To ensure soils introduced onsite do not result in drainage issues.
101.	(D480) Acoustic Report
	The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development.
	Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.
102.	(D552) Implementation of the site management plans
	While site work is being carried out:
	1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and
	2. a copy of these plans must be kept on site at all times and made available to Council officers upon request.
	Condition reason: To ensure site management measures are implemented during the carrying out of site work.
103.	(D553) Erosion & Sediment Control
	Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days.
	Condition reason: To ensure fairness, transparency and proberty.
104.	(D554) Erosion & Sediment Control
	The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
	Condition reason: To ensure fairness, transparency and proberty.
105.	(D555) Erosion Control - Maintenance
	Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.
	Condition reason: To ensure the required site management measures are implemented during construction.
106.	(D560) Erosion Control
	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.
	Condition reason: To ensure the required site management measures are implemented during construction.
107.	(D565) Water Quality
	During construction the consent holder is to ensure all topsoil, sand, aggregate, spoil or any other material that can be moved by water is stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface.
	Condition reason: To ensure site works are managed appropriately and do not result in water pollution.
108.	(D570) Pollution Control - Site Operations
	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.
	Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
109.	(D574) Pollution Control - Truck Movements
	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.
	Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
110.	(D578) Ventilation
	The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2).
	Condition reason: To ensure fairness, transparency and proberty.
111.	(D581) Historic Archaeology
	Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the <i>Heritage Act 1977</i>
	Condition reason: To ensure fairness, transparency and proberty.
112.	(D582) Aboriginal Cultural Heritage - Staff and Contractors
	All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under NSW <i>National Parks and Wildlife Act 1974</i> and the NSW <i>Heritage Act 1977</i> . They are to be informed of what the potential heritage on the site will be and its significance. The site supervisor is to maintain a record of who has completed the heritage induction and this is to be provided to Council prior to Issue of Occupation Certificate.
	Condition reason: To ensure fairness, transparency and proberty.
113.	(D583) Aboriginal Cultural Heritage - Unexpected Finds
	As required by the <i>National Parks and Wildlife Service Act 1974</i> and the <i>Heritage Act 1977</i> , 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 <i>Heritage Act 1977</i> to obtain the necessary approvals/permits from the Heritage Division of the OEH.
	Note: The <i>National Parks and Wildlife Service Act 1974</i> and the <i>Heritage Act 1977</i> 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.
	Condition reason: To ensure fairness, transparency and proberty.
114.	(D584) Skeletal Remains
	In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan

	prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders.
	Condition reason: To ensure fairness, transparency and proberty.
115.	(D590) Public Domain Works - Street Lighting
	Street lights are to be installed in accordance with the Endeavour Energy certified plans to their satisfaction.
	Condition reason: To ensure that the development covers all required costs associated with the development.
116.	(D597) Major Filling/ Earthworks
	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.
	Condition reason: To ensure fairness, transparency and proberty.
117.	(D600) Correct waste separation and removal
	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 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.
	Condition reason: To ensure that separation of waste by type is undertaken in an ongoing basis throughout the building process, and that the wastes are kept separate and not mixed, to facilitate waste management and recycling.
118.	(D605) Containment of site wastes during building
	All demolition, excavation or construction wastes, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent them from becoming displaced in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.
	Condition reason: To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.
119.	(D655) Noise and Vibration requirements
	While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of LESS THAN 5dB above background noise, when measured at a lot boundary of the site.
	Condition reason: To protect the amenity of the neighbourhood during construction.
120.	(D662) Demolition of Septic Tank and Effluent Disposal Area
	Any existing effluent disposal area is to be demolished and back filled with Virgin Excavated Natural Material (VENM).
	Any septic tank, collection well or aerated wastewater treatment system is to be removed or reused in accordance with NSW Advisory Note 3 – Destruction, Removal or Reuse of Septic Tanks, Collection Wells and Aerated Wastewater Treatment Systems and other Sewage Management Facility Vessels available from the NSW Health website (www.health.nsw.gov.au).
	Condition reason: To ensure fairness, transparency and proberty.
121.	(D664) Contamination
	The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).
	Condition reason: To ensure fairness, transparency and proberty.
122.	(D666) Record Keeping of Imported Fill

	Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:
	1. 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; 2. The results of a preliminary contamination assessment carried out on any fill material used in the development. 3. The results of any chemical testing of fill material.
	Condition reason: To ensure fairness, transparency and proberty.
123.	(D668) Traffic Management
	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.
	Where any awnings are proposed over a public footpath, a Public Road Activity Approval is required.
	Condition reason: To ensure fairness, transparency and proberty.
124.	(D670) Construction Traffic Management Plan
	The endorsed Construction Traffic Management Plan is to be implemented during the entire construction phase.
	Condition reason: To ensure fairness, transparency and proberty.
125.	(D672) Street Trees
	The street trees are to be planted in accordance with the approved landscape plan. Each tree is a have a minimum pot size of 200lt or if the approved landscape plan specifies larger, the larger pot size is to be adopted. The tree will need to be formatively pruned so that the tree has a straight trunk clear of any branches to minimum height of 1m above soil level.
	Condition reason: To ensure fairness, transparency and proberty.
126.	(D829) Food Premises - Construction
	The construction, fit-out and finishes of the premises must comply with the Food Act 2003, Australia New Zealand Food Standards Code and Australian Standard AS 4674-2004 Design, construction and fit-out of food premises.
	Condition reason: To mitigate potential risks to human health and facilitate compliance with legislative requirements.

Before Issue of an Occupation Certificate

127. (E001) Payment of development contributions

Payment of section 7.11 contributions

Before the issue of an occupation certificate, the applicant must pay the following contributions to Council for:

Facilities	Amount (\$)	Job No.
Local Community Facilities - Land	\$0	GL.3011210001870.10227
Local Recreation - Land	\$0	GL.3011210001869.10228
Local Recreation - Works	\$0	GL.3011210001869.10229
Local Transport Facilities - Land Residential	\$0	GL.3011210001865.10230
Local Transport Facilities - Works Residential	\$0	GL.3011210001865.10231
Local Transport Facilities - Land Non Residential	\$66,626	GL.3011210001865.10230
Local Transport Facilities - Works Non Residential	\$153,658	GL.3011210001865.10231
Local Drainage Facilities - Land	\$363,980	GL.3011210001866.10232
Local Drainage Facilities - Works	\$509,318	GL.3011210001866.10233
Administration	\$13,326	GL.3011210001872.10234
TOTAL	\$1,106,908	

	The total contribution payable to Council under this condition is \$1,106,908 as calculated at the date of this consent, in accordance with the Liverpool City Council Section 7.11 – Austral and Leppington North Contributions Plan 2021. The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Liverpool City Council Section 7.11 – Austral and Leppington North Contributions Plan 2021. A copy of the development contributions plan is available for inspection on Council's website. Condition reason: To ensure development contributions are paid to address increased demand for public amenities and services or to address increased demand for regional infrastructure or to ensure any planning agreement is finalised at the specified time.
128.	(E005) Certificates The premises must not be occupied until an Occupation Certificate (OC) is issued by the certifier. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council. Condition reason: To ensure the development is in accordance with the approval and the use meets health, safety and amenity provisions.
129.	(E007) Fire Safety Measures A single and complete Fire Safety Certificate certifying the operation of all of the fire safety measures within the building must be submitted to Council with the Occupation Certificate. Condition reason: To ensure an Occupation Certificate is obtained when a change of use (no works) is proposed, and fire safety upgrade works are required under Clause 62 of the Environmental Planning and Assessment Regulation.
130.	(E010) Certificates All required documentary evidence for the critical stage inspections carried out prior, during and at the completion of construction, must be submitted to Council together with the required registration fee payment. Condition reason: To ensure the use meets health, safety and amenity provisions.
131.	(E014) Boundary Adjustment Prior to the issue of an Occupation Certificate, the applicant is to provide evidence that a boundary adjustment been registered for the proposed development due to the roadwork occurring resulting in a change to the site's boundaries. This is to be endorsed by Council and registered with the NSW Land and Property Information Service at no cost to Council. Condition reason: To ensure the property is a legal lot and provided with adequate services prior to use.
132.	(E033) Cladding 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, BCA and relevant Australian Standards. Condition reason: To ensure that the external cladding installed on a building is compliant.
133.	(E035) Completion of public utility services The following documentation must be provided before the issue of an occupation 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 an Occupation Certificate. An Occupation Certificate must not be issued 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. Any temporary facilities to service the site, including pump-out wet-wells are not acceptable. (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.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

134. **(E037) Liverpool City Council clearance - Roads Act/ Local Government Act**

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.

Condition reason: To ensure fairness, transparency and proberty.

135. **(E050) Display of Street Numbers**

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.

Condition reason: To ensure street number of the site is displayed in accordance with the Local Government Act.

136. **(E065) Landscaping**

Upon completion of the approved landscape works associated with the development and prior to the issue of any Occupation Certificate, an Implementation Report is to be submitted to the Principal Certifier 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.

Condition reason: To help ensure landscaping works have been carried to a high standard and in accordance with the original design plans.

137. **(E106) Recommendations of Acoustic Report**

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, report reference 20230226.2, Revision 2, prepared by Acoustic Logic, dated 16/06/2023. 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.

Condition reason: To mitigate potential acoustic impacts by ensuring that the development or use complies with the specified design criteria.

138. **(E108) Loading Dock Doors**

Before the issue of an occupation certificate the principal certifier must be satisfied that the proposed garage/security doors fitted to the loading dock must be independently mounted on rubber pads or otherwise installed to prevent noise and the transmission of noise and vibration through the concrete walls and/or columns.

Condition reason: To mitigate potential offensive noise and amenity impacts.

139. **(E165) Bonds**

A maintenance bond in the form of a bank guarantee or cash bond, shall be lodged with Council. The bond

	shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 12 months from the date of Council's acceptance of final works. Condition reason: To ensure fairness, transparency and proberty.
140.	(E180) Validation Report Before the issue of any occupation certificate, a detailed Validation report must be submitted to the certifier. The Report must be prepared in accordance with: (a) NSW Contaminated Land Planning Guidelines (1998); (b) Relevant EPA guidelines. In particular the Contaminated Land Guidelines – Consultants Reporting on Contaminated Land (NSW EPA 2020); and (c) National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013). The Validation Report must be prepared or reviewed and approved by a suitably qualified environmental consultant. The report's cover or title page of the document must include a personalised electronic seal for either the CEnvP(SC) or CPSS CSAM scheme. The Validation report must verify that the land is suitable for the purposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the approved Remediation Action Plan. Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme. Condition reason: To ensure the suitability of land, mitigate potential risks to human health and the environment and facilitate compliance with legislative requirements.
141.	(E250) Mechanical Ventilation Certification 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 and confirm that the systems comply with the approved plans, specifications, Building Code of Australia and Australian Standard AS 1668 Parts 1 and 2. Condition reason: To facilitate compliance with legislative requirements.
142.	(E255) Notice of food business Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW <i>Food Act 2003</i> and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements. Condition reason: To enable council to ensure compliance with the consent when the business is operating
143.	(E260) Food Premises Final Inspection Before the issue of an occupation certificate, the food premises shall be inspected by an Authorised Officer of Liverpool City Council under the Food Act 2003, to determine compliance with the Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design, Construction and Fit-out of Food Premises. Condition reason: To enable council to ensure compliance with the Food Act 2003 before the business commences
144.	(E312) Decommissioning of On-Site Sewage Management System/s Following the decommissioning of the on-site sewage management system and before the issue of any Occupation Certificate, a certificate certifying that the system was decommissioned in accordance with NSW Health Advisory Note 3 – Destruction, Removal or Reuse of Septic Tanks, Collection Wells and

	Aerated Wastewater Treatment Systems (AWTS) and other Sewage Management Facilities (SMF), must be submitted to Liverpool City Council. A template decommissioning certificate can be found on Liverpool City Council's website www.liverpool.nsw.gov.au Condition reason: To mitigate potential risks to human health and the environment.
145.	(E315) Trolley Systems Prior to the issue of an OC, a lockable or coin operated trolley system must be implemented in order to reduce the effects of unattended trolleys on the amenity of the neighbourhood. Condition reason: To minimise the abandonment of shopping trolleys and to protect the residential amenity of neighbouring properties.
146.	(E320) Secure Mailboxes Mailboxes must be recessed into the building or only accessible from the foyer of the building. A CCTV camera system must be installed providing continuous surveillance of the mailbox area. Condition reason: To ensure the mailboxes provided are easily protected and maintained.
147.	(E400) Stormwater Compliance Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the On-site detention system/s and Stormwater pre-treatment system/s, 1. Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent, 2. Have met the design intent with regard to any construction variations to the approved design, and 3. Any remedial works required to been undertaken have been satisfactorily completed. Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings. Condition reason: To ensure fairness, transparency and proberty.
148.	(E404) Restriction as to User and Positive Covenant Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the following shall be registered on the title of the property: (a) On-site detention system/s, (b) Stormwater pre-treatment system/s, 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. Condition reason: To ensure fairness, transparency and proberty.
149.	(E408) Rectification of Damage 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 Eighth Avenue, Warrawal Avenue and Auger Street will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing. Condition reason: To ensure fairness, transparency and proberty.
150.	(E416) Linemarking & Signage Prior to the issue of an Occupation Certificate and installation of regulatory / advisory linemarking and signage, plans are to be lodged with Liverpool City Council and approved by the Local Traffic Committee. Note: Allow eight (8) weeks for approval by the Local Traffic Committee. Condition reason: To ensure fairness, transparency and proberty.
151.	(E424) Directional Signage

	Prior to the issue of an Occupation Certificate, directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority. Condition reason: To ensure fairness, transparency and proberty.
152.	(E428) Maintenance Bond Prior to the issue of nominate an Occupation Certificate a maintenance bond is to be lodged with Liverpool City Council for road works on Eighth Avenue, Warrawal Avenue and Auger Street. The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and proberty.
153.	(E432) Footpaths Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on both sides of all residential streets, unless where varied by other conditions in this consent. Condition reason: To ensure fairness, transparency and proberty.
154.	(E436) Dilapidation Report Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer. Condition reason: To ensure fairness, transparency and proberty.
155.	(E590) Street Lighting 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 application. All cost associated with street lighting shall be borne by the developer. Condition reason: To ensure adequate street lighting is provided for the development.
156.	(E592) Operational Plan of Management A plan of management shall be prepared addressing the operations of the centre prior to the issue of any Occupation Certificate. To this effect, the plan of management is to include but not limited to the following: • Hours of Operation • Traffic Management Plan • Noise Management Plan • Alcohol Management Plan for Liquor Outlet • Deliveries • Safety and Security Measures Including Security Patrols • Comprehensive Complaint Handling Procedure • Insurances • Lighting • Centre Communications • Centre Cleanliness, Waste Management and Maintenance • Storage and Security of Cleaning and Hazardous Chemicals • Fire Safety and Emergency Evacuation • Administration • Sales and Marketing Condition reason: To ensure fairness, transparency and proberty.
157.	(E950) Engineering Works Prior to the issue of an Occupation Certificate the following compliance documentation shall be submitted to

the Principal Certifier. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifier:

- (a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and a DXF format to Council along with two hard copies of the WAE plans,
- (b) The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding),
- (c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges,
- (d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council,
- (e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries,
- (f) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification,
- (g) Structural Engineer's construction certification of all structures, and
- (h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
 - 1. Compaction reports for road pavement construction,
 - 2. Compaction reports for bulk earthworks and lot regrading,
 - 3. Soil classification for all residential lots, and
 - 4. Statement of Compliance.
- (i) A collation of attribute data is to be provided for all civil works. The data shall be completed in accordance with Councils 'WAE Submission Standard' and the excel template 'Inclusion of Attribute Data'. This standard and excel template can be obtained by contacting Council's Asset Planning & Management Department on 1300 36 2170.

Condition reason: To ensure fairness, transparency and proberty.

158. **(E951) Special Infrastructure Contribution**

The applicant is to make a Special Infrastructure Contribution in accordance with any determination made by

the Minister administering the Environmental Planning and Assessment Act 1979 under Section 7.23 of that Act and is in force on the date of this consent, and must obtain a certificate to that effect from the Department of Planning (Growth Centres Commission) before an occupation certificate is issued in relation to any part of the development to which this consent relates.

Condition reason: To ensure fairness, transparency and proberty.

159. **(E952) Noise Management Plan**

A Noise Management Plan shall be prepared under the supervision of a suitably qualified acoustic consultant. The Noise Management Plan must identify and implement strategies to minimise noise from the proposed development and incorporate: approaches for promoting noise awareness by patrons and staff; training procedures; a complaint lodgement procedure to ensure that members of the public and local residents are able to report noise issues; an ongoing review process and a plan for responding to noise complaints.

The Noise Management Plan shall clearly specify the responsibilities of site personnel in managing noise and include a detailed list of steps taken to manage potential noise impacts. This documentation shall be submitted to the PCA for review and approval prior to issue of an Occupation Certificate.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Condition reason: To ensure fairness, transparency and proberty.

160. **(E953) Through Site Link Easement**

An easement for right of way for pedestrian access, is to be created over the entire pedestrian through site link over the development site, with provision for connectivity to the adjoining Lot 941 DP 2475 (being the site identified for proposed future Council Community Facility). The easement should also provide connectivity between the adjoining site and through the applicant's site between Eighth Avenue and Auger Street. The easement may not be extinguished or altered except with the consent of Liverpool City Council. Note: The final wording of the recital of the easement is to be to Council's satisfaction. Any costs associated with the preparation and checking of the instrument are to be borne by the applicant.

Condition reason: To ensure fairness, transparency and proberty.

Occupation and Ongoing use

161. **(G004) Plan of Management**

The Plan of Management created prior to an OC must be complied with at all times. A copy of the Plan of Management must be kept on-site at all times and be provided to Council officers on request.

Condition reason: To ensure fairness, transparency and proberty.

162. **(G005) Separate Application for Use**

A separate application for development consent shall be lodged with the relevant approval authority for any proposed fit out of a commercial or retail space associated with the subject application (which includes any fixed internal partition wall/display/storage racking/machinery/equipment and the like) that was not approved by this Notice of Determination. This condition does not apply to work or development that is Exempt Development.

Condition reason: To require approval to proceed with building work and/or use of unit/occupancy that are not approved as part of this consent.

163. **(G050) Goods in Building**

All materials and goods associated with the use shall be contained within the building at all times.

Condition reason: To ensure all materials and goods associated with the use are appropriately stored.

164. **(G065) Unreasonable Noise and Vibration**

	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. Condition reason: To mitigate potential offensive noise and amenity impacts.
165.	(G090) Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable). Condition reason: To protect sewerage and stormwater systems.
166.	(G100) Waste Collection and Management Waste and recyclable material must be managed in a satisfactory manner and in accordance with the following: • Waste and recyclable material must be 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 private registered waste contractor. • Waste must not be permitted to accumulate near the waste storage bins. • All bins are to be collected and emptied within the property. Waste bins must not be placed on or emptied from the road or the kerbside. • All drainage points within 20 metres of a location where waste bins are to be collected or stored must be fitted with a fine grade drain cover to prevent the entry of gross pollutants into the drainage system. • If at any time during the operation of the development the volumes of waste generated exceeds the capacity of the bins provided to accommodate those wastes, the either the bin size or the frequency of waste collection must be increased accordingly. Condition reason: To mitigate potential risks to human health and the environment.
167.	(G130) Waste Storage Area Waste bins must be stored in designated garbage/ trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties. Condition reason: To mitigate potential risks to human health and the environment.
168.	(G160) Storage of goods during ongoing use During ongoing use of the premises, all goods must be stored wholly within the premises and must not be stored or displayed outside the premises, including any public place, without council's approval. Condition reason: To ensure fairness, transparency and proberty.
169.	(G165) Storage of Flammable and Combustible Liquids Flammable and combustible liquids must be stored in accordance with AS 1940:2017– The Storage and Handling of Flammable and Combustible Liquids. Condition reason: To promote safety of persons and prevent damage to property and the environment.
170.	(G170) Storage and Handling of Corrosive Substances Corrosive Substances must be stored and handled in accordance with AS 3780-2008 The Storage and Handling of Corrosive Substances.

	Condition reason: To promote safe storage and handling of corrosive substances.
171.	(G190) Parking Spaces A total of 303 car parking spaces and 45 bicycle spaces (15 for employees and 30 for customers) are to be provided on site. In the initial instillation stage it may be appropriate to make available 50 per cent of the required bicycle parking provision with space set aside for 100 per cent of the provision in the event that full demand for bicycle parking is realised. On this basis, 23 bicycle spaces be provided initially (8 employee and 15 customer/visitor). The following parking spaces should be used solely for the purpose it has been provided. 1. Accessible car parking 2. Cycle parking 3. Delivery area 4. Garbage pick-up area Condition reason: To ensure that adequate parking and loading are provided.
172.	(G210) Car Parking Management All parking areas shown on the approved plans must be used solely for this purpose. Condition reason: To ensure that adequate parking and loading are provided.
173.	(G220) Loading Areas All loading and unloading must take place from the designated loading dock/bay. This area is to be clearly marked/signposted for use by delivery vehicles only. The size of trucks and truck route accessing and exiting the loading areas will be staged as set out below: • Stage 1 – New West Road (Warrawal Avenue) along western frontage of site one way southbound. Trucks will be limited to 14.4 metre long semi-trailers and exit the dock via a left turn onto the New West Road and then access Fourth Avenue via Seventh Avenue; • Stage 2 – New West Road along western frontage of site two way. Truck size increased to 19 metre long semi-trailers with trucks exiting the dock via a right turn onto the New West Road and then access Fourth Avenue via Eighth Avenue; and • Stage 3 – New West Road connects to Bringelly Road. 19 metre long semi-trailers access the site and exit via a left turn onto the New West Road and then access Bringelly Road via the New West Road. Appropriate direction and training of truck drivers delivering to the site is to be made to ensure drivers are aware of their obligations when delivering to the site in during these stages. Condition reason: To ensure that adequate parking and loading are provided.
174.	(G230) Vehicle Access Vehicles entering or leaving the development site must be in a forward direction. Condition reason: To ensure safety.
175.	(G240) Advertising Advertising matter not approved in conjunction with this decision notice, must not be erected, painted or displayed without the prior approval of Council. Condition reason: To require approval for advertising matter/structures that is not approved as part of this consent.
176.	(G250) Operating hours The hours of operation of the centre, including the supermarket, retail and commercial uses are limited to 6:00am to 12:00am, 7 days a week and on public holidays (public holidays subject to government regulations). The operation of the loading dock is to only occur between the hours of 7:00am and 10:00pm, 7 days a week.

	Condition reason: To protect the amenity of the local area
177.	(G270) Use of structure The areas labelled in the approved plans as commercial space are only to be used for the purposes which are not considered as retail premises in accordance with the standard instrument. These areas are to be used for purposes such as office or business premises or other related uses which are compatible with the centre and permissible in the zone including but not limited to medical centres and veterinary hospitals and the like. Separate development consent may be required for the fitout of these spaces in accordance with other conditions of this consent. Condition reason: This condition prevents unauthorised use of the approved structure.
178.	(G340) Noise Complaints register The operator must keep a legible record of all complaints received in an up-to date Complaints Register. The Complaints Register must record, but not necessarily be limited to: (a) the date and time, where relevant, of the complaint; (b) the means by which the complaint was made (telephone, mail or email); (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; (d) the nature of the complaint; (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken. (f) allocate an individual "complaint number" to each complaint received. The Complaints Register must be made available for inspection when requested by Liverpool City Council. The use must be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times. Condition reason: To mitigate potential impacts associated with the development and establish a procedure for responding to enquiries.
179.	(G345) Lighting Illumination of the site, including the proposed signage, must be arranged in accordance with the requirements and specifications of AS 4282:2019 - Control of obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby premises. Condition reason: To mitigate potential lighting impacts and protect the amenity of the surrounding area.
180.	(G350) Noise - Spruiking No persons, such as those commonly known as 'spruikers' must operate either with or without sound amplification equipment for the purpose of advertising the use of the premises, the sale and availability of goods, services, entertainment or similar announcements. Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
181.	(G360) Noise - Silent Building Intruder Alarm System Any building intruder alarm installed at the site must be a "silent back to base" type. Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
182.	(G370) Use of building intruder alarm/s Any building intruder alarm/s associated with the development must only be permitted to operate in accordance with Clause 42 of the Protection of the Environment Operations (Noise Control) Regulation 2017.

	Condition reason: To mitigate potential acoustic impacts and facilitate compliance with legislative requirements.
183.	(G390) Noise - General 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, public address system 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. Condition reason: To mitigate potential intrusive noise and amenity impacts.
184.	(G393) Acoustic Report 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, report reference 20230226.2, Revision 2, prepared by Acoustic Logic, dated 16/06/2023; (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 under point d) 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. Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
185.	(G400) Environment The use of the premises must not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities that are a nuisance, injurious or prejudicial to health. Condition reason: To mitigate potential risks to human health and the environment.
186.	(G402) Air Handling System

	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.
	Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
187.	(G410) Landscaping
	Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development.
	If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.
	An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained.
	Condition reason: To require records to be provided, after occupation, documenting that landscaping is appropriately maintained.
188.	(G430) Parking Spaces
	Driveways and car parking spaces must not be used for manufacture, storage or display of goods, materials or equipment.
	The spaces must be available at all times for all cars associated with the development.
	Condition reason: To ensure that neighbouring properties are not adversely affected from any operation on site.
189.	(G809) Food Business Notification Requirements - Food Business
	All retail food businesses must notify Liverpool City Council of their food activity details. The food business notification must be completed in the approved form and comprise all information specified in the Food Safety Standards. The completed registration form/s must be submitted to Council prior to the commencement of the business.
	Condition reason: To address legislative requirements.
190.	(G823) Cool Rooms
	The cool room and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside of the cool room and freezer adjacent to the door. All metal work and shelving in the cool room and freezer room must be treated to resist corrosion.
	Condensation from cool rooms and refrigerator motors must discharge to sewer via a tundish with air gap separation in accordance with Sydney Water requirements.
	The cool room and freezer room must be provided with:
	1. A door which can be opened from inside without a key and;
	2. An approved alarm device located outside the room but controlled from the inside.
	Condition reason: To address legislative requirements.
191.	(G824) Appliances and Cool Rooms
	Appliances used to store potentially hazardous food must have a capacity to keep foods hotter than 60 degrees Celsius, refrigerated foods below 5 degrees Celsius and frozen foods below 18 degrees Celsius and are to be provided with a digital thermometer accurate to 1 degree Celsius that can be easily observed from outside the appliance.
	Condition reason: To address legislative requirements.

Demolition Work Before Demolition Work Commences

192.	(C040) Demolition Works
	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 the PCA and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials. (b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council. (c) The handling or removal of any asbestos product from the building/site must be carried out by a SafeWork NSW 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 SafeWork NSW requirements.
	Condition reason: To ensure that the demolition of buildings is carried out without impacting on public and environmental safety.
193.	(C042) Disconnection of services before demolition work
	Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.
	Condition reason: To protect life, infrastructure and services
194.	(C044) Hazardous material survey before demolition
	Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences.
	Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint.
	The report must include at least the following information:
	1. the location of all hazardous material throughout the site 2. a description of the hazardous material 3. the form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust 4. an estimation of the quantity of each hazardous material by volume, number, surface area or weight 5. a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials 6. identification of the disposal sites to which the hazardous materials will be taken
	Condition reason: To require a plan for safely managing hazardous materials
195.	(C046) Notice of commencement for demolition
	At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:
	1. name 2. address, 3. contact telephone number, 4. licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and 5. the contact telephone number of council and 6. the contact telephone number of SafeWork NSW (4921 2900).
	Condition reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries
196.	(C055) Site Facilities
	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.
	Condition reason: To ensure the required site management measures are implemented before the commencement of building work.
197.	(C117) Erosion and sediment controls in place
	Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
198.	(C466) Dilapidation report
	Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Eighth Avenue, Warrawal Avenue and Auger Street is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.
	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
199.	(C501) Return of existing bins
	Prior to commencing demolition or site clearing works, any existing domestic waste bins that have been issued to 330-350 Eighth Avenue, Austral, must be returned to Liverpool City Council. Please ring Council on 1300 36 2170 to advise that the bins are empty and ready to be removed, so their removal can be noted on Council's rates system.
	Condition reason: To protect against Council-issued residential waste bins being used and potentially damaged by builders using them as site waste bins for waste building materials.
200.	(C502) Remove and destroy refrigerants
	Prior to any works commencing, any air-conditioning or refrigeration systems fitted to the buildings or outbuildings to be demolished, must have the refrigerants present in those systems extracted into a durable, air-tight container by a licensed air-conditioning technician. This container and its contents must be sent intact, for secure destruction, to a facility licensed to destroy such refrigerants. Documentary evidence that this has been completed, if these systems are present, must be sighted by the Principal Certifying Authority and included as part of the Occupation Certificate documentation.
	Condition reason: To ensure that development activities do not result in the liberation of CFC or HFC refrigerants that contribute to global warming and damage the environment, and requires any refrigerants to be captured and destroyed at a facility licensed to do that.

During Demolition Work

201.	(D045) Hours of work
	Site work must only be carried out between the following times – For work/civil work/demolition work, including delivery of materials is only permitted on the site from 7:00am to 6:00pm on Monday to Friday For work/civil work/demolition work, including delivery of materials is only permitted on the site from 8:00am to 1:00pm on Saturday Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	Condition reason: To protect the amenity of the surrounding area.
202.	(D049) Security Fence
	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. Condition reason: To ensure the required site management measures are implemented during construction.
203.	(D055) Refuse Disposal 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. Condition reason: To ensure the required site management measures are implemented during construction.
204.	(D070) Notification of Damage The applicant/ builder shall be responsible to report to the Council of 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 and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost. Condition reason: To ensure any damage to public infrastructure is rectified.
205.	(D075) Demolition Inspections The following inspections are required to be undertaken by Council in relation to approved demolition works: - immediately prior to the commencement of the demolition work, or handling of any building or structure that contains asbestos. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works, Please note that demolition works are not permitted to commence on site until such time as a satisfactory inspection result is obtained from Council, and - 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. Condition reason: To require approval to proceed with demolition work following each stage inspection.
206.	(D076) Handling of asbestos during demolition While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements: - 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; - 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 - Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate. Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally
207.	(D130) Removal of dangerous and/or hazardous waste All dangerous and/or hazardous material must be removed by a suitably qualified and experienced contractor licensed by SafeWork NSW. The removal of such material must be carried out in accordance with the requirements of SafeWork NSW and the material must be transported and disposed of in accordance with NSW Environment Protection Authority requirements. Condition reason: To ensure safe removal and disposal of dangerous and/or hazardous material.
208.	(D180) Waste management While site work is being carried out: all waste management must be undertaken in accordance with the waste management plan;

and

2. upon disposal of waste, records of the disposal must be compiled and provided to the **principal certifier**, detailing the following:

1. The contact details of the person(s) who removed the waste;
2. The waste carrier vehicle registration;
3. The date and time of waste collection;
4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill;
5. The address of the disposal location(s) where the waste was taken;
6. 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.

If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.

Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.

209. **(D205) Vegetation - Existing Vegetation**

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

Condition reason: To minimise impacts to adjacent vegetation and habitat.

210. **(D250) Vegetation - Mulch**

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.

Condition reason: To limit the spread of weeds.

211. **(D265) Vegetation Clearing - Fauna Protection**

Prior to the removal of each tree, they shall be examined by a qualified ecologist for the presence of hollows, active nests of birds or fauna. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits.

Condition reason: To minimise harm caused to fauna during vegetation clearing.

212. **(D426) Soil management**

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:

1. 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**.
2. All fill material imported to the site must be:
 1. Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*; or
 2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or
 3. 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.

	Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.
213.	(D430) Unidentified Contamination Any new information which arises during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination and remediation must be immediately notified in writing to the certifier and Liverpool City Council. A section 4.55 Application under the Environmental Planning and Assessment Act 1979 must be made for any proposed works outside the scope of the approved development consent. Condition reason: To ensure the suitability of land for the development.
214.	(D450) Air Quality During construction where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, the consent holder is to ensure dust is suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the Principal Certifier may direct that work is not to proceed. Condition reason: To ensure site works are managed appropriately and do not result in air pollution.
215.	(D480) Acoustic Report The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development. Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.
216.	(D552) Implementation of the site management plans While site work is being carried out: 1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and 2. a copy of these plans must be kept on site at all times and made available to Council officers upon request. Condition reason: To ensure site management measures are implemented during the carrying out of site work.
217.	(D555) Erosion Control - Maintenance Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass. Condition reason: To ensure the required site management measures are implemented during construction.
218.	(D560) Erosion Control 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. Condition reason: To ensure the required site management measures are implemented during construction.
219.	(D565) Water Quality During construction the consent holder is to ensure all topsoil, sand, aggregate, spoil or any other material that can be moved by water is stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface. Condition reason: To ensure site works are managed appropriately and do not result in water pollution.

220.	(D574) Pollution Control - Truck Movements
	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.
	Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
221.	(D584) Skeletal Remains
	In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders.
	Condition reason: To ensure fairness, transparency and proberty.
222.	(D600) Correct waste separation and removal
	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 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.
	Condition reason: To ensure that separation of waste by type is undertaken in an ongoing basis throughout the building process, and that the wastes are kept separate and not mixed, to facilitate waste management and recycling.
223.	(D605) Containment of site wastes during building
	All demolition, excavation or construction wastes, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent them from becoming displaced in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.
	Condition reason: To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.
224.	(D655) Noise and Vibration requirements
	While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of LESS THAN 5dB above background noise, when measured at a lot boundary of the site.
	Condition reason: To protect the amenity of the neighbourhood during construction.

Remediation Work Before Remediation Work Commences

225.	(C055) Site Facilities
	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.
	Condition reason: To ensure the required site management measures are implemented before the commencement of building work.
226.	(C117) Erosion and sediment controls in place
	Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and

Construction' prepared by Landcom (the Blue Book) (as amended from time to time).

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

227. **(C466) Dilapidation report**

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

Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

During Remediation Work

228. **(D045) Hours of work**

Site work must only be carried out between the following times –

For work/civil work/demolition work, including delivery of materials is only permitted on the site from 7:00am to 6:00pm on Monday to Friday

For work/civil work/demolition work, including delivery of materials is only permitted on the site from 8:00am to 1:00pm on Saturday

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

Condition reason: To protect the amenity of the surrounding area.

229. **(D049) Security Fence**

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.

Condition reason: To ensure the required site management measures are implemented during construction.

230. **(D055) Refuse Disposal**

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.

Condition reason: To ensure the required site management measures are implemented during construction.

231. **(D070) Notification of Damage**

The applicant/ builder shall be responsible to report to the Council of 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 and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost.

Condition reason: To ensure any damage to public infrastructure is rectified.

232. **(D130) Removal of dangerous and/or hazardous waste**

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

Condition reason: To ensure safe removal and disposal of dangerous and/or hazardous material.

233.	(D180) Waste management While site work is being carried out: 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: 1. The contact details of the person(s) who removed the waste; 2. The waste carrier vehicle registration; 3. The date and time of waste collection; 4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; 5. The address of the disposal location(s) where the waste was taken; 6. 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. If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council. Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
234.	(D205) Vegetation - Existing Vegetation All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas. Condition reason: To minimise impacts to adjacent vegetation and habitat.
235.	(D250) Vegetation - Mulch 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. Condition reason: To limit the spread of weeds.
236.	(D265) Vegetation Clearing - Fauna Protection Prior to the removal of each tree, they shall be examined by a qualified ecologist for the presence of hollows, active nests of birds or fauna. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits. Condition reason: To minimise harm caused to fauna during vegetation clearing.
237.	(D425) Site Remediation Works The site must be remediated in accordance with: (a) Remediation Action Plan (2401001Rpt01FinalV02_07Feb24) prepared by Geo-Logix, dated 7 February 2024; (b) State Environmental Planning Policy (Resilience and Hazards) 2021; (c) National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013); and (d) The guidelines in force under the Contaminated Land Management Act 1997. A suitably qualified environmental consultant must be engaged to supervise all aspects of site remediation and validation works in accordance with the approved Remediation Action Plan.

Liverpool City Council must be informed in writing of any proposed variation to the remediation works. Liverpool City Council must approve these variations in writing prior to commencement/recommencement of works.

Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme.

Condition reason: To ensure the suitability of land for the proposed development.

238. **(D426) Soil management**

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:

1. 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**.
2. All fill material imported to the site must be:
 1. Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*; or
 2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or
 3. 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.

Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.

239. **(D430) Unidentified Contamination**

Any new information which arises during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination and remediation must be immediately notified in writing to the certifier and Liverpool City Council.

A section 4.55 Application under the Environmental Planning and Assessment Act 1979 must be made for any proposed works outside the scope of the approved development consent.

Condition reason: To ensure the suitability of land for the development.

240. **(D450) Air Quality**

During construction where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, the consent holder is to ensure dust is suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the Principal Certifier may direct that work is not to proceed.

Condition reason: To ensure site works are managed appropriately and do not result in air pollution.

241. **(D475) Imported Fill Material**

During construction the consent holder is to ensure fill imported on to the site is be compatible with the existing soil characteristic for site drainage purposes.

Condition reason: To ensure soils introduced onsite do not result in drainage issues.

242. **(D480) Acoustic Report**

The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development.

	Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.
243.	(D552) Implementation of the site management plans While site work is being carried out: 1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and 2. a copy of these plans must be kept on site at all times and made available to Council officers upon request. Condition reason: To ensure site management measures are implemented during the carrying out of site work.
244.	(D555) Erosion Control - Maintenance Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass. Condition reason: To ensure the required site management measures are implemented during construction.
245.	(D560) Erosion Control 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. Condition reason: To ensure the required site management measures are implemented during construction.
246.	(D565) Water Quality During construction the consent holder is to ensure all topsoil, sand, aggregate, spoil or any other material that can be moved by water is stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface. Condition reason: To ensure site works are managed appropriately and do not result in water pollution.
247.	(D574) Pollution Control - Truck Movements 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. Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
248.	(D584) Skeletal Remains In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders. Condition reason: To ensure fairness, transparency and proberty.
249.	(D600) Correct waste separation and removal 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 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.

	Condition reason: To ensure that separation of waste by type is undertaken in an ongoing basis throughout the building process, and that the wastes are kept separate and not mixed, to facilitate waste management and recycling.
250.	(D605) Containment of site wastes during building
	All demolition, excavation or construction wastes, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent them from becoming displaced in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.
	Condition reason: To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.
251.	(D655) Noise and Vibration requirements
	While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of LESS THAN 5dB above background noise, when measured at a lot boundary of the site.
	Condition reason: To protect the amenity of the neighbourhood during construction.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the Conditions of development consent: advisory notes to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means LIVERPOOL CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means LIVERPOOL LOCAL PLANNING PANEL.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,
the reuse of stormwater,
the detention of stormwater,
the controlled release of stormwater, and
connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means SYDNEY WESTERN CITY PLANNING PANEL.



NSW RURAL FIRE SERVICE

Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Your reference: (CNR-58948) DA-381/2023
Our reference: DA20230817003614-Original-1

ATTENTION: Robert Micallef

Date: Tuesday 22 August 2023

Dear Sir/Madam,

Development Application

s4.14 - Infill - Commercial Premises

330-350 Eighth Avenue Austral NSW 2179, 101//DP1240685, 940//DP1265677

I refer to your correspondence dated 17/08/2023 seeking advice regarding bush fire protection for the above Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

Asset Protection Zones

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

1. From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth-barked and evergreen trees.
- create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- leaves and vegetation debris should be removed.

2. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

For any queries regarding this correspondence, please contact Surbhi Chhabra on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
**Supervisor Development Assessment & Plan
Built & Natural Environment**

11 September 2023

Our Ref: 205430

Robert Micallef

Liverpool City Council

micallefr@liverpool.nsw.gov.au

RE: Development Application DA-381/2023. at 260 Eighth Avenue, Austral

Thank you for notifying Sydney Water of DA-381/2023. at 260 Eighth Avenue, Austral, which proposes demolition of the existing structures and excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, a public piazza and through-site link with at grade parking. Pylon signage, associated landscaping and public domain works are also proposed. The total GFA of the proposed development is 7,775m². Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development.

Water Servicing

- The proposed development is currently located within the Raby Water Supply Zone (WSZ). This WSZ has limited trunk capacity to service growth.
- Hydraulic modelling results show that the existing DN100 reticulation network in Eight Ave has capacity to service the proposed development at this time. Amplifications or adjustments may be required.
- Capacity will be confirmed and re-assessed during the Section 73 stage.

Wastewater Servicing

- The proposed development is within the existing Bringelly Rd Carrier Section 1 and SP1183 wastewater catchment.
- Amplifications, adjustments, and/or minor extensions may be required.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Further advice and requirements for this proposal are in Attachments 1 & 2. If you require any further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Commercial Growth Manager

City Growth and Development, Business Development Group
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Attachment 1

Section 73 Compliance Certificate

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

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

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

The [Tap in™](#) service provides 24/7 access to a range of services, including:

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

Sydney Water's [Tap in™](#) online service is available at:

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

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.

Out of Scope Building Plan Approval

Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
 - Wastewater pipes larger than 300mm in size
 - Pressure wastewater pipes
 - Drinking water or recycled water pipes
 - Our property boundary
 - An easement in our favour
 - Stormwater infrastructure within 10m of the property boundary.
2. Where the building plan includes:
 - Construction of a retaining wall over, or within the zone of influence of our assets
 - Excavation of a basement or building over, or adjacent to, one of our assets
 - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- our assets will not be damaged during, or because of the construction of the development
- we can access our assets for operation and maintenance
- your building will be protected if we need to work on our assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review.

Tree Planting

Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and *Diagram 5 – Planting Trees* within our [Technical guidelines – Building over and adjacent to pipe assets](#). Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

Attachment 2

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

Trade Wastewater Requirements

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

The permit application should be emailed to Sydney Water's [Business Customer Services](mailto:businesscustomers@sydneywater.com.au) at businesscustomers@sydneywater.com.au

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

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

Backflow Prevention Requirements

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

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

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

Before you install a backflow prevention device:

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

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

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>

Water Efficiency Recommendations

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

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

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

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

Contingency Plan Recommendations

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

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

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

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

For further information please visit the Sydney Water website at:

<https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial-trade-wastewater.html> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.

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-381/2023	CNR-58948	Robert Micallef	17/08/2023	7/09/2023	7/09/2023

Address	Land Title
330 - 350 EIGHTH AVENUE AUSTRAL (also identified as 260 Eighth Avenue)	Lot 940 DP 1265677, Lot 664 DP 1260834

Scope of Development Application or Planning Proposal

Demolition of existing structures, excavation and construction of a commercial development involving the provision of an anchor supermarket, commercial and retail tenancies, public piazza and through-site link, with at-grade parking, Pylon Signage (business identification signage), associated landscaping and public domain works.

Endeavour Energy's G/Net master facility model indicates:

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
☒ Low voltage	☒	☐	☐	☐
☐ High voltage	☐	☐	☐	☐
☒ Transmission voltage	☐	☒	☐	☐
☒ Pole / tower	☒	☒	☐	☐
Underground Cables				
☒ Low voltage	☒	☐	☐	☐
☐ High voltage	☐	☐	☐	☐
☐ Transmission voltage	☐	☐	☐	☐
☐ Streetlight / pillar	☒	☐	☐	☐
Substation				
☐ Pole mounted	☐	☐	☐	☐
☐ Padmount	☐	☐	☐	☐
☐ Indoor	☐	☐	☐	☐
☐ Zone	☐	☐	☐	☐
☐ Transmission	☐	☐	☐	☐
Other: Overhead earth cables and overhead pilot / communications cables.	☐	☒	☐	☐

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c. and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

** Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

***Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.

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

Condition	Advice	Clause No.	Issue	Detail
☒	☐	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
☐	☐	25	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).
☐	☒	26	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.
☐	☒	27	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
☐	☒	28	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
☒	☐	29	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
☐	☐	30	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
☐	☐	31	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
☐	☒	32	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
☐	☒	33	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
☐	☒	34	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.
☐	☐	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
☐	☐	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
☒	☐	37	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Decision				Object

Environmental Services Team

P 133 718 or (02) 9853 6666
E Property.Development@endeavourenergy.com.au

Level 40-42, 8 Parramatta Square, 10 Darcy Street
Parramatta NSW 2150.

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

endeavourenergy.com.au | [!\[\]\(a1f361090ddffdf9a3763af3034ac366_img.jpg\)](#) [!\[\]\(f1eb82a635ce01df8d3081cc85cdb984_img.jpg\)](#) [!\[\]\(a5c48f2834dbd1adccc771532ae6d44a_img.jpg\)](#) [!\[\]\(a227b30232d1768dad72026ab42ee52d_img.jpg\)](#)



**Endeavour
Energy**

**POWER
together**



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past, present and emerging.

Reason(s) for Conditions or Objection (If applicable)

- The Statement of Environmental Effects includes the following advice regarding the easement for 132,000 volt / 132 kilovolt (kV) high voltage overhead power lines which adjoins and affects the site.

LIVERPOOL GROWTH CENTRE PRECINCTS DCP- COMPLIANCE TABLE			
Clause / Control	Requirement	Proposal	Complies?
Liverpool Growth Centre Precinct DCP – Main Body			
2.0 Precinct Planning Outcomes			
2.3.8 Development on and adjacent to electricity and gas easements	1. Subdivision of land that is affected by easements and land adjacent to easements, as shown on the Location of Easements figure in the relevant Precinct Schedule, is to be consistent with the controls in this part of the DCP, and any specific controls in the Precinct Schedule.	The site is adjacent to the existing Electricity Easement. This has been considered as part of the subject application and no part of the proposed building is located over the easement.	Yes

There appears to be no detail provided of the works / activities proposed in the easement.

- All encroachments and / or activities (works) within or affecting an easement, restriction or protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project and even if not part of the Development Application) need to be referred to Endeavour Energy's Easements Officers for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities.

For further information please refer to the attached copies of Endeavour Energy's:

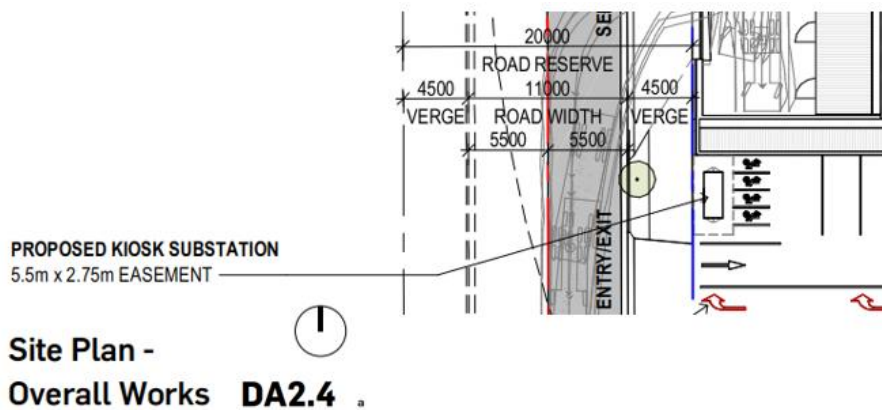
- General Restrictions for Overhead Power Lines.
 - Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.
- Endeavour Energy's Asset Planning & Performance Branch have raised the following concerns.
 - The existing easement for 132 kV feeder 93X Sydney West Bulk Supply Point (BSP) to North Leppington Zone Substation (ZS) is 30 metre width. Developers along the feeder are being advised not to encroach into the easement with anything including roads because potentially the feeder will need to be duplicated to service the Aerotropolis area as it grows to beyond the capacity of the existing network.*

This will be achieved by rebuilding the existing 'H' pole structures to twin monopole structures with minimum 10 metre separation between feeders, thus needing 10 metres from each side of the easement for electrical safety clearances. Endeavour Energy's G/Net master facility model shows a road 'Nemean Rd' built into the easement along the western side, so future poles would need to go into the southbound lane of this encroaching road – unless the road reserve indicated also includes a 3 metre wide footpath area adjacent to the existing poles in which one of the future duplicated feeder's poles could go to achieve the required twin feeder separation.
 - This proposed development cannot create the same issue on the eastern side – the eastern side roads appear to have been correctly built outside of the easement.*
 - The proposed 200 millimetre water main must not be installed within the easement nor anything other utilities etc. required to facilitate the proposed development.*
 - The Essential Services Report includes the following advice with the whether the available electricity services are adequate for the proposed development.*

3. CONCLUSION

- Approximate load of the proposed development is 1905Amps 3 Phase or 1317 kVA 3 Phase.
- A new substation needs to be installed to provide power to the proposed lots. Our understanding is that 1500kVA pad mount substation will be sufficient for the proposed load. Refer to Appendix B on page 9. The construction cost of the works is approximately **\$465k**.
- Augmentation of high voltage and low voltage network is required to loop the new substation into the network.

The following extract of the Site Plan – Overall Works shows provision for a ‘Proposed Kiosk Substation’.



This proposed 11 kilovolt (kV) network connection is not likely to be the required arrangement. This will be advised by Endeavour Energy in due course via the Customer Network Solutions and Asset Planning and Performance Method of Supply (MOS) assessment and advice process.

The 11 kV will need to be extended from existing padmount substation no. 55043 to existing padmount substation no. 53929 via new underground cable and using existing ducts already provisioned by Endeavour Energy via other adjacent development to date. The new padmount substation required to facilitate the development will require Supervisory Control and Data Acquisition (SCADA) automated switchgear as it will be connected across a cross feeder point in the network which are required to be automated.

- Although Endeavour Energy is not necessarily opposed to the Development Application, as the foregoing may substantially impact on the proposed development, it objects to the Development Application. Whilst Council may appropriately condition these matters, Endeavour Energy recommends they be resolved before rather than as conditions of any development consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Subject to the satisfactory resolution of the foregoing, Endeavour Energy will have no further objection to the Development Application. To resolve this matter the applicant will need to make direct contact with Endeavour Energy's Easements Officer, Philip Wilson, via the contact details provided below.

- 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 or augmentation of the existing electricity distribution network may be required. Whilst there are distribution substations in the area which are likely to have some spare capacity sufficient to provide for any additional load from the proposed development, it is not unlimited.

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.

- Endeavour Energy's network asset design policy is generally to progressively underground all new urban 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.
- Any required padmount substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling not located within a public road / reserve) with an appropriate form of property tenure as detailed in the attached copy of Endeavour Energy's 'Land Interest Guidelines For Network Connection'.

Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc. If the substation does not comply with Endeavour Energy's standards, the applicant must request a dispensation.

For further information please also refer to the attached copies of Endeavour Energy's:

- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.
- 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, 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

- The planting of large / deep rooted trees 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.

No planting of trees is allowed in the easement for a padmount substation. Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

Endeavour Energy's G/Net master facility model.

The advice provided regarding the extent of the electricity infrastructure on or near the site is based on a desk top review of Endeavour Energy's G/Net master facility model. This is a computer based geographic information system which holds the data on and is used to map the electricity network. 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. It only shows the Endeavour Energy electricity 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.

Easement (or other form of property tenure).

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

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 and will be generally indicated as 'Condition'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution and in regard to any other underground utilities.

Not all of the matters may be directly or immediately relevant or significant to the Development Application or Planning Proposal. 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. Even if a matter is not indicated a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

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 as for 'Advice', the outcome of the assessment will also be 'Advice'.

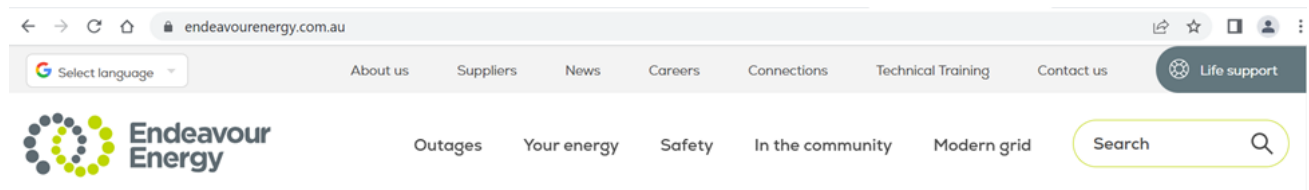
Objection

Endeavour Energy may object to a Development Application if the conditions may substantially impact the proposed development or regarded as a significant risk to the electricity distribution network. Although Council may be able to appropriately condition these matters, Endeavour Energy's recommendation is to address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.

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/> .



To resolve any objection or to seek further advice the following are the main contacts and 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. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Team are able to provide general advice, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s.

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
Easements 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.

Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

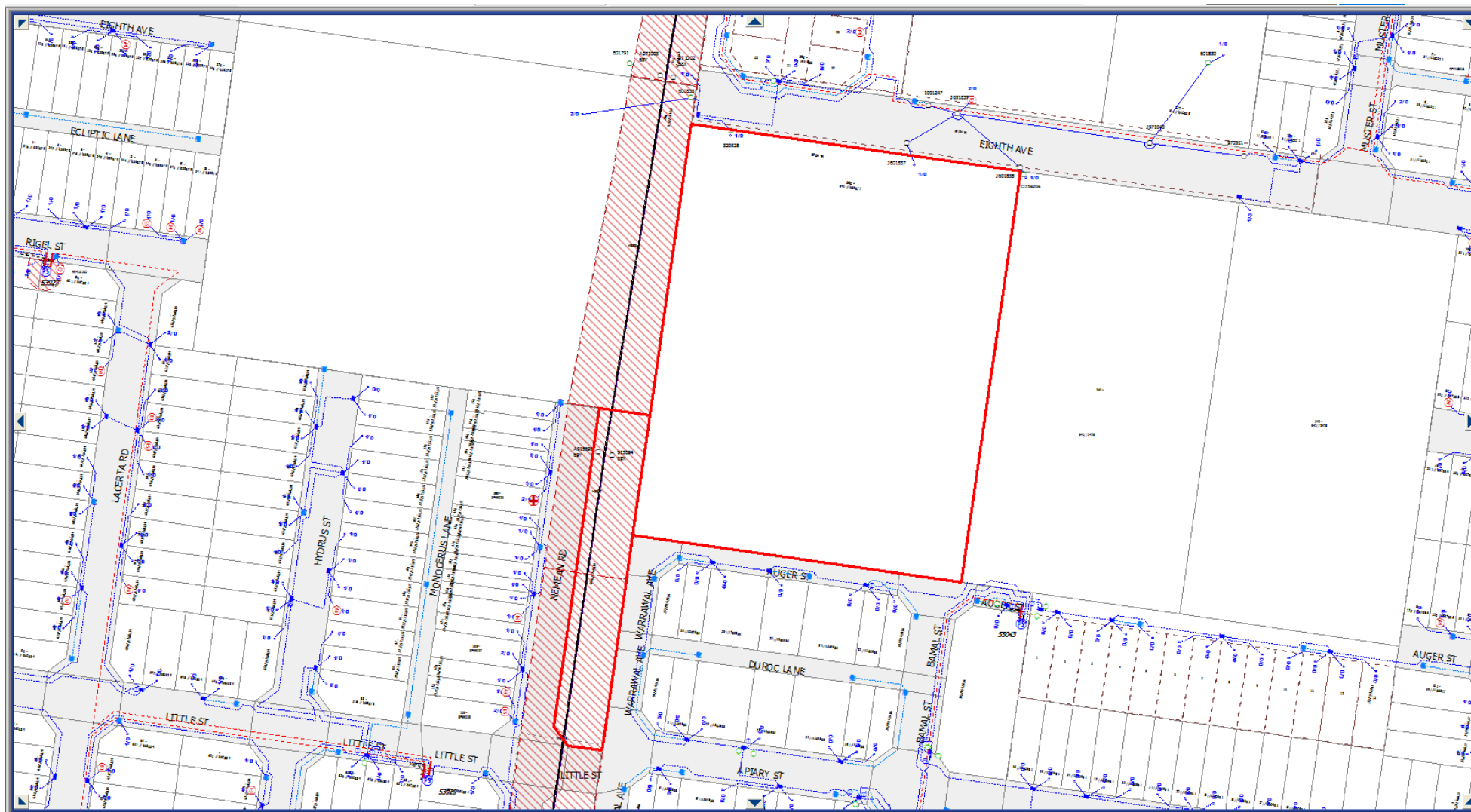
Details of the ASP Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>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

Duty of Care

All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

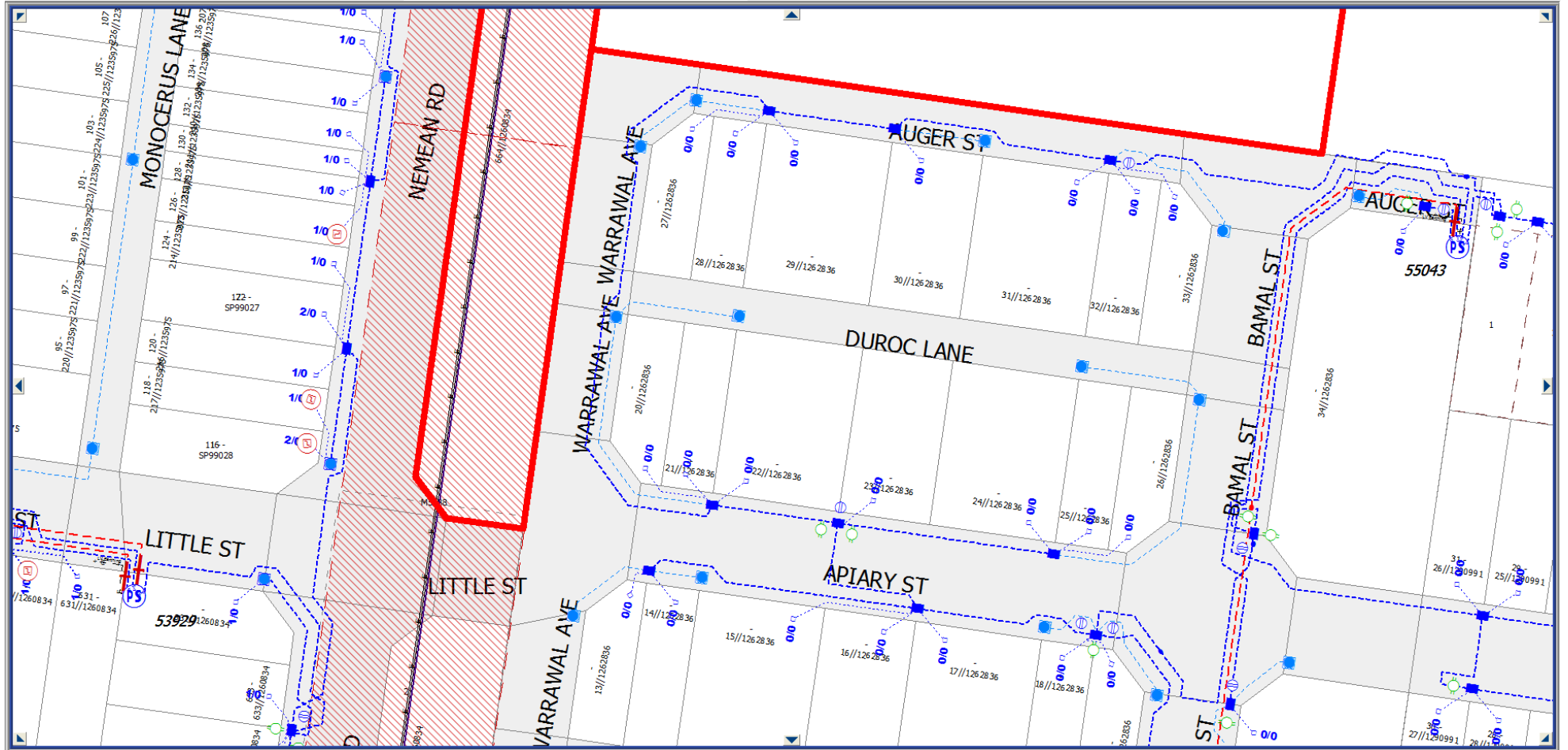
- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance.
- 4) **DO NOT** attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

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



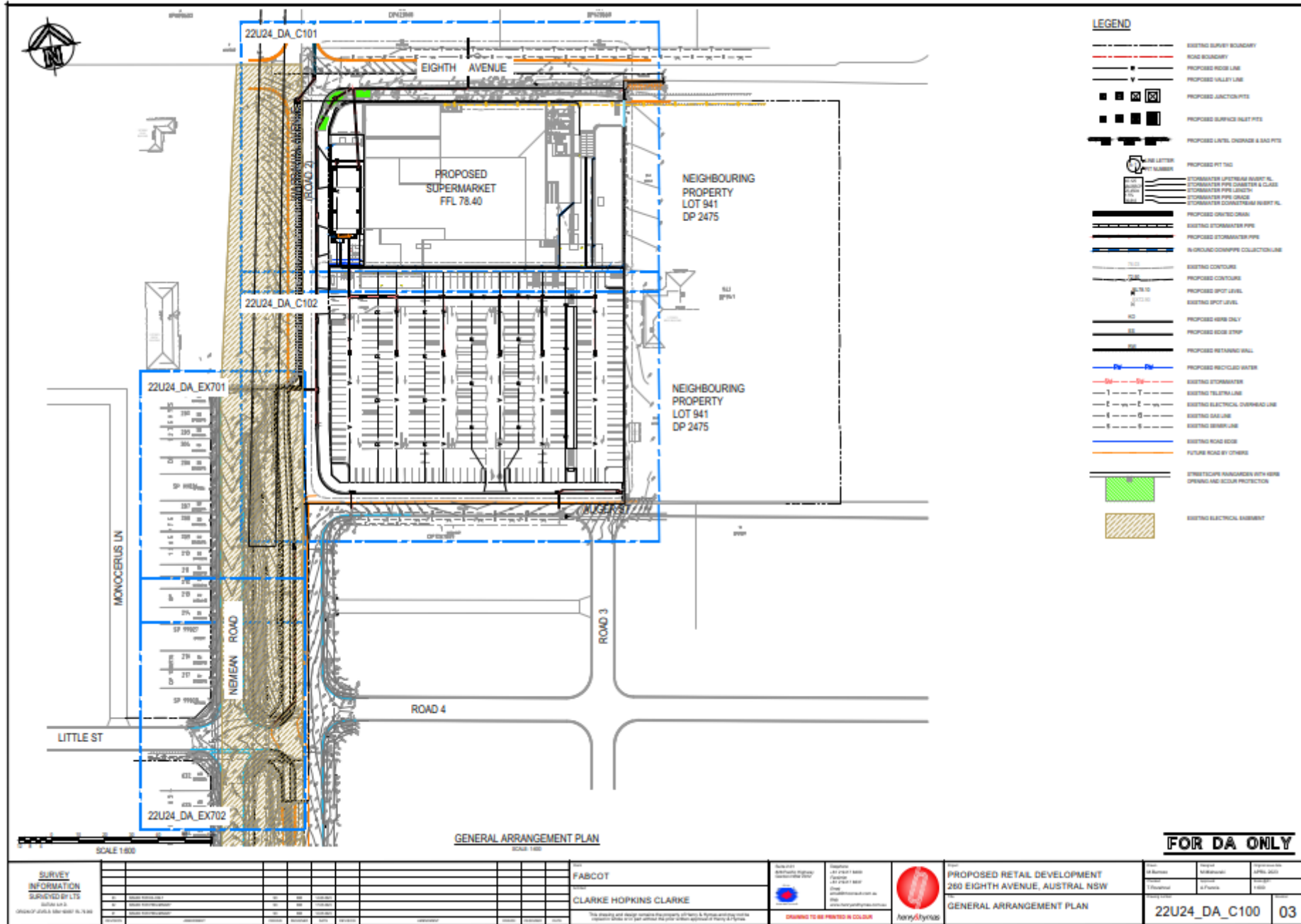
Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of 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).

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



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
	Voltage regulator
	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

General Arrangement Plan



Google Maps Street View





Figure 12 Development to the south of the subject site



NSW Police Force

Development Application Review

RMS Reference:

DA Reference No: DA-381/2023

Council: Liverpool City Council

Property address:

LOT 940 DP 1265677, LOT 664 DP1260834
330-350 EIGHTH AVENUE, AUSTRAL NSW 2179, LOT 664 NEWMEAN ROAD, AUSTRAL NSW 2179

1. Introduction

In line with section 4.15 of the New South Wales Planning & Assessment Act 1979 and the New South Wales Planning Guidelines, the below report has been conducted on Development Application DA-381/2023.

2. Proposed development

DEMOLITION OF EXISTING STRUCTURES, EXCAVATION AND CONSTRUCTION OF A COMMERCIAL DEVELOPMENT INVOLVING THE PROVISION OF AN ANCHOR SUPERMARKET, COMMERCIAL AND RETAIL TENANCIES, PUBLIC PIZZA AND THROUGH-SITE LINK, WITH AT-GRADE PARKING, PYLON SIGNAGE (BUSINESS IDENTIFICATION SIGNAGE), ASSOCIATED LANDSCAPING AND PUBLIC DOMAIN WORKS.

Recommendations

There are no objections to this DA. However, the following recommendations made are:

I am concerned about staff's safety, risk to the client's safety and security (ie. Property thefts, malicious damage), gathering of criminal activities (ie. Assault and Drugs related).

Liverpool City PAC/ Crime Prevention Unit

193 Wilson Rd, Green Valley, NSW 2000

T 02 96071799 **F** 02 96071711 **W** www.police.nsw.gov.au

TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000)

Emergency only

POLICE ASSISTANCE LINE (131 444)

For non emergencies

CRIME STOPPERS (1800 333 000)

Report crime anonymously



NSW Police Force

I am recommending that the follow points be highly considered as part of the applicant development plan:

- Established and emergency access to law enforcement and emergency agencies.
- A panic alarm be in place inside.
- Emergency phones in place.
- A regular security assessment for internal and external of the property.
- Enough parking space and the management erect a signage regarding patrons not to loiter in car parks and avoid making loud noises when entering and exiting the area.
- High level of CCTV coverage the entry and exit of the location, coverage of all in and outside of the buildings (**footage must be kept for 30 days**).
The police are requesting that all blind spots within the complex be covered with CCTV coverage to ensure the business remains a safe and secure location.
- The business must have enough lighting at night. Police recommend that lights be maintained and regularly checked to ensure that there is enough lighting within the centre. All expired lightbulbs are to be replaced immediately when it has stopped working as the lights assist CCTV cameras in capturing clear footage.
- Any overgrown shrubs must be trimmed and maintained.
- Entry and exist points must have a minimum standard lock fitted (if applicable).
- Establish an alarm back to base monitoring system.
- **The development applicant provides a Closed Circuit Television plan & register the CCTV cameras with the NSW Police CCTV register at:**
http://www.police.nsw.gov.au/services/register_my_business_cctv_details

These concerns must be navigated as part of the development.

Disclaimer

The New South Wales Police Force has a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this assessment, any person who does so acknowledges that:

- It is not possible to make all areas evaluated by the NSWPF entirely safe for members of the community or the security of their property.

Liverpool City PAC/ Crime Prevention Unit

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NSW Police Force

- It is based upon the information provided to the NSWPF at the time the assessment was made.
- This assessment is a confidential document and is for use of the consent authority unless otherwise agreed.
- The contents of this assessment are not to be copied or circulated otherwise than for the purposes of the consent authority, unless otherwise agreed.

The NSW Police Force hopes that by using the recommendations contained in this assessment, criminal activity will be reduced and the safety of members of the community and the security of their property will increase. However, it does not guarantee that all risks have been identified, or that the area assessed will be free from criminal activity if its recommendations are followed.

Yours sincerely,

Senior Constable Kee Sisouvath
Liverpool City Police Area Command
Crime Prevention Officer
(02) 9607 1742

14/09/2023

Liverpool City PAC/ Crime Prevention Unit

193 Wilson Rd, Green Valley, NSW 2000

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