

LIVERPOOL CITY COUNCIL

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-380/2023 PAN-343993
Applicant	MORFOSIS ARCHITECTS PTY LTD 8/695 THE HORLSEY DRV SMITHFIELD NSW 2164
Description of development	DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF RESIDENTIAL FLAT BUILDING AND ASSOCIATED LANDSCAPING
Property	28 MCKAY AVENUE MOOREBANK NSW 2170 LOT 16 DP 236405 30 MCKAY AVENUE MOOREBANK NSW 2170 LOT 17 DP 236405
Determination:	Consent Authority -
Date of determination	11/10/2024
Date from which the consent operates	11/10/2024
Date on which the consent lapses	11/10/2029

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this consent.

Peer review (Authorising Officer) sign-off is incomplete

sign-off is incomplete

Person on behalf of the consent authority

For further information, please contact Assessing (Contact Officer) sign-off is incomplete / *sign-off is incomplete*

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

Part A - General conditions

- (A002) Approved plans and supporting documentation**

General Condition



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	Revision	Plan number	Drawn by	Date of plan
Cover Page	C	DA-000	Morfosis Architects Pty Ltd	31/07/24
Site Roof Plan	C	DA-200	Morfosis Architects Pty Ltd	31/07/24
Basement Level 01 Plan	C	DA-201	Morfosis Architects Pty Ltd	31/07/24
Basement Level 02 Plan	B	DA-202	Morfosis Architects Pty Ltd	18/03/24
Ground Floor Plan	C	DA-203	Morfosis Architects Pty Ltd	31/07/24
Level 01 Floor Plan	C	DA-204	Morfosis Architects Pty Ltd	31/07/24
Level 02 Floor Plan	C	DA-205	Morfosis Architects Pty Ltd	31/07/24
Level 03 Floor Plan	C	DA-206	Morfosis Architects Pty Ltd	31/07/24
Level 04 Floor Plan	C	DA-207	Morfosis Architects Pty Ltd	31/07/24
Level 05 Floor Plan	C	DA-208	Morfosis Architects Pty Ltd	31/07/24
Level 06 Floor Plan	C	DA-209	Morfosis Architects Pty Ltd	31/07/24
Roof Plan	C	DA-210	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - GF LVL	C	DA-211	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - LVL 01	C	DA-212	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - LVL 02	C	DA-213	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - LVL 03	C	DA-214	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - LVL 04	C	DA-215	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - LVL 05	C	DA-216	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - LVL 06	C	DA-217	Morfosis Architects Pty Ltd	31/07/24
Detailed Plan - Roof	C	DA-218	Morfosis Architects Pty Ltd	31/07/24
Adaptable Unit Type A Pre Adaption	C	DA-221	Morfosis Architects Pty Ltd	31/07/24
Adaptable Unit Type A Post Adaption	C	DA-222	Morfosis Architects Pty Ltd	31/07/24
Adaptable Unit Type B Pre Adaption	C	DA-223	Morfosis Architects Pty Ltd	31/07/24
Adaptable Unit Type B Post Adaption	C	DA-224	Morfosis Architects Pty Ltd	31/07/24
Typical Facade Detail 1 (Roof)	C	DA-230	Morfosis Architects Pty Ltd	31/07/24
Typical Facade Detail 2 (Balcony)	C	DA-231	Morfosis Architects Pty Ltd	31/07/24
Front Elevation-S & External Finishes Schedule	C	DA-300	Morfosis Architects Pty Ltd	31/07/24
Rear Elevation-N	C	DA-301	Morfosis Architects Pty Ltd	31/07/24
Side Elevation-E	C	DA-302	Morfosis Architects Pty Ltd	31/07/24
Side Elevation-W	C	DA-303	Morfosis Architects Pty Ltd	31/07/24
Sections	C	DA-350	Morfosis Architects Pty Ltd	31/07/24
Ramp Sections	C	DA-352	Morfosis Architects Pty Ltd	31/07/24
Demolition Plan	A	DP 01/01	Morfosis Architects Pty Ltd	14/12/22
Erosion and Sediment Control Plan and Details	B	D06	Loka Consulting Engineers Pty Ltd	24/11/22

Landscape Plans

Document title	Revision	Prepared by	Date c
Landscape Plan - Ground Floor	B	Greenland Design Landscape Architects	22/03/
Landscape Plan - Level 1	B	Greenland Design Landscape Architects	22/03/
Landscape Plan - Level 2	B	Greenland Design Landscape Architects	22/03/
Landscape Plan - Level 3	B	Greenland Design Landscape Architects	22/03/
Landscape Plan - Level 5	B	Greenland Design Landscape Architects	22/03/
Landscape Plan - Roof Terrace	B	Greenland Design Landscape Architects	22/03/
Landscape Details & Specifications	B	Greenland Design Landscape Architects	22/03/

Approved documents

Document title	Reference	Prepared by	Date of document
Waste Management Plan	22NL062 - WMP3	Loka Consulting Engineers Pty Ltd	15/08/24
BASIX Certificate	1764140M	Loka Consulting Engineers Pty Ltd	12/09/24
NatHERS Certificate	#HR-OB9FPK-01	Loka Consulting Engineers Pty Ltd	11/09/24
SEPP 65 - Design Verification Statement	REV A	Morfosis Architects Pty Ltd	31/07/24
Access Report	22NL062-A2	Loka Consulting Engineers Pty Ltd	21/08/24
Traffic Management Report	22NL062-T2	Loka Consulting Engineers Pty Ltd	10/02/23
Traffic Assessment - Proposed Residential Flat Building	23.24.020	Traffic Solutions Pty Ltd	22/03/24
Geotechnical Investigation	20192/1-AA	Geotechnique Pty Ltd	06/07/22
Arboricultural Impact Assessment and Tree Management Plan	Version 1	Horticultural Management Services	25/06/22

In the event of any inconsistency between the approved plans and documents, the approved **<Plans / Documents>** prevail.

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

- (A004) Payment of development contributions**

General Condition



Payment of section 7.11 contributions - Liverpool Contributions Plan 2018 Established Areas

Before the issue of a construction certificate, the applicant must pay the following contributions to Council for:

Community Facilities - works	
Eastern	\$24,577
District Sporting Fields - works	
Eastern	\$82,654
District Passive Open Space - works	
Eastern	\$51,659
Local Passive Open Space - works	
Moorebank	\$72,322
Transport - Bikeways - works	
Eastern	\$9,918
Transport - Traffic management - works	
Eastern	\$28,259
Drainage - works	
Eastern	\$12,489
Administration	\$4,228
TOTAL	\$286,105

The total contribution payable to Council under this condition is **\$286,105.00** as calculated at the date of this consent, in accordance with the Liverpool Contributions Plan 2018 Established Areas.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Liverpool Contributions Plan 2018 Established Areas.

A copy of the development contributions plan is available for inspection at <https://www.liverpool.nsw.gov.au/development/liverpools-planning-controls/contribution-plans>.

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- (A015) Endeavour Energy Requirements**

The development shall comply in full with all requirements outlined within the correspondence prepared by Endeavour Energy dated 10/08/2023 and all conditions contained therein.

General Condition   

 - (A018) Fulfilment of BASIX commitments**

It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—

 - BASIX development,
 - BASIX optional development, if the development application was accompanied by a BASIX certificate.

General Condition (Prescribed)   

 - (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.

General Condition   

 - (A040) Compliance with the Building Code of Australia**

 - 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*.
 - 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.
 - 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*.
 - 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.
 - 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.
 - This section does not apply—
 - 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
 - to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

General Condition (Prescribed)   

 - (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.

General Condition   

 - (A053) Residential flat buildings—social housing providers, public authorities and joint ventures**

 - This section applies to development permitted under *State Environmental Planning Policy (Housing) 2021*, Chapter 2, Part 2, Division 5, other than—
 - development on land owned by the Land and Housing Corporation, or
 - a development application made by a public authority.
 - It is a condition of the development consent that before the issue of an occupation certificate for the development—
 - a restriction must be registered, in accordance with the *Conveyancing Act 1919*, section 88E, against the title of the property relating to the development, which will ensure the requirements in subsection (3)(a) and (b) are met, and
 - evidence of an agreement with a registered community housing provider for the management of the residential flat building must be given to the Registrar of Community Housing, including the name of the registered community housing provider, and
 - evidence that the requirements in paragraph (a) and (b) have been met must be given to the consent authority.
 - It is a condition of the development consent that during the relevant period—
 - 50% of the dwellings to which the development consent relates must be used for affordable housing (the affordable housing dwellings), and
 - the affordable housing dwellings must be managed by a registered community housing provider, and
 - notice of a change in the registered community housing provider who manages the affordable housing dwellings must be given to the Registrar of Community Housing and the consent authority no later than 3 months after the change, and
 - the registered community housing provider who manages the affordable housing dwellings must apply the Affordable Housing Guidelines.
 - In this section—

relevant period means a period of 15 years commencing on the day on which an occupation certificate is issued for all parts of the building or buildings to which the development consent relates.

General Condition (Prescribed)   

 - (A060) Erection of signs**

General Condition (Prescribed)   

- This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 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—
 - showing the name, address and telephone number of the principal certifier for the work, and
 - 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
 - stating that unauthorised entry to the work site is prohibited.
- The sign must be—
 - maintained while the building work, subdivision work or demolition work is being carried out, and
 - removed when the work has been completed.
- This section does not apply in relation to—
 - 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
 - Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

• **(A950) Sydney Water Requirements**

Building Work



The development shall comply in full with all requirements outlined within the correspondence prepared by Sydney Water dated 29/08/2023 and all conditions contained therein.

Part B - Before the issue of the construction or subdivision works certificate

• **(B008) Housing and Productivity Contribution**

Building Work



Before the issue of a relevant construction certificate, the applicant is to make a Housing and Productivity Contribution payment through the NSW Planning Portal.

• **(B010) Design amendments**

Building Work



Before the issue of a construction certificate, amended plans are to be provided to Council for approval by the Senior Development Assessment Planner for approval. The certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

- Amended Architectural plans are to be provided that include the following: i) Fixed site screens are to be provided to the windows and balconies units on the northwestern side of the development that have the potential to overlook the outdoor play area of the Childcare Centre approved under DA-42/2024 on the adjoining two sites to the west of the subject site ii) 1.5 cubic metres of additional storage is to be provided (possibly in the basement) for Unit L5-U2 iii) ceiling fans are to be incorporated in bedrooms and living areas of the units iv) openable windows are to be provided to perimeter bathrooms to improve natural ventilation v) EV charging points are to be provided in the basement area vii) rainwater harvesting infrastructure (including water taps to maintain all landscaping areas) is to be provided to permit stormwater re-use on the site, vii) the location and orientation of the fire hydrant booster shall be revised to minimize their impact on the streetscape. The location of the hydrant booster shall not impede on pedestrian access paths or the required visual site lines of vehicles utilizing the basement driveway.
- Amended landscape plans are to be provided that include i) the removal of planting on the balconies of individual units ii) provides further details on how vine growth over the driveway entrance is facilitated and nominate appropriate species as part of the landscape drawings.

• **(B020) Equal access to the premises**

Building Work



Before the issue of a construction certificate, plans 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.

• **(B038) Utilities and services**

Building Work



Before the issue of a Construction Certificate, written evidence of the following service provider requirements must be provided to the certifier.

- a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity;
- a response from Sydney Water as to whether the approved development would affect any Sydney Water infrastructure, and whether further requirements need to be met;
- other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them.

• **(B048) A - Provision of Services - Street Lighting**

Building Work



The applicant/developer shall engage the services of an Endeavour Energy accredited ASP Level 3 service provider who shall request Council's Transport Management Team's endorsement of a Public Street Lighting Design Brief.

The consultant is to lodge Endorsement of Public Lighting Design Application Form. The application is available on Council website and should be lodged online.

Once endorsed, the Designer is to carry out assessment of the existing street lighting and carry out a street lighting improvement design. This is to be submitted to and approved by Endeavour Energy.

The upgrade may 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.

• **(B054) Retaining Walls on Boundary**

Building Work

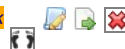


All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing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

• **(B055) S138 Roads Act - roadworks requiring approval of civil drawings**

Building Work



Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of Stormwater Drainage, kerb inlet pit and lintel and 1.5m wide concrete footpath to full site frontage in McKay avenue.

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

Note: 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.

• **(B075) Fee Payments**

Building Work



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:

- 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.
- Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.

These fees are reviewed annually and will be calculated accordingly.

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- **(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.

Building Work   

 - **(B095) Long Service Levy**

Before the issue of a Construction Certificate, Long Service Levy payment is applicable on building work having a value of \$250,000 or more, at the rate of 0.25% of the cost of the works. The required Long Service Levy payment, under the Building and Construction Industry Long Service Payments Act 1986, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the Environmental Planning & Assessment Act 1979.

Building Work   

 - **(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).

Building Work   

 - **(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.

Building Work   

 - **(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.

Building Work   

 - **(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.

Building Work   

 - **(B129) Design Verification Statement**

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

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

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

Building Work   

 - **(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.

Building Work   

 - **(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.sydneypwater.com.au, or telephone 13 20 92.

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

Building Work   

 - **(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.

Building Work   

 - **(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:

 - For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and
 - For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

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

Building Work   

• **(B149) S138 Roads Act - Minor Works in the public road**

Building Work   

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.

• **(B156) Waste Storage Room**

Building Work   

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:

- The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor;
- 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
- 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.

• **(B158) Construction Traffic Management Plan (CTMP)**

Building Work   

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.

• **(B360) Construction Environmental Management Plan (CEMP)**

Building Work   

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:

- Asbestos Management Plan;
- Project Contact Information;
- Site Security Details;
- Timing and Sequencing Information;
- Site Soil and Water Management Plan;
- Noise and Vibration Control Plan; This plan is to incorporate alternate methods of construction that minimise noise and vibration impacts (during the excavation and construction stages) to adjoining uses including the adjacent childcare centre currently under construction to the west of the site. Methods that avoid pile driving in the basement are required. Consideration of the timing of construction activities is also to be included.
- Dust Control Plan;
- Air Monitoring;
- Odour Control Plan;
- Health and Safety Plan;
- Waste Management Plan;
- Incident management Contingency; and
- Unexpected Finds Protocol.

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

• **(B361) Construction Site Management Plan**

Building Work   

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:

- The location and materials for protective fencing and hoardings on the perimeter of the site;
- Provisions for public safety;
- Pedestrian and vehicular site access points and construction activity zones;
- Details of construction traffic management including:
 - Proposed truck movements to and from the site;
 - Estimated frequency of truck movements; and
 - Measures to ensure pedestrian safety near the site;
- Details of bulk earthworks to be carried out;
- The location of site storage areas and sheds;
- The equipment used to carry out works;
- The location of a garbage container with a tight-fitting lid;
- Dust, noise and vibration control measures;
- The location of temporary toilets;
- The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:
 - AS 4970 – Protection of trees on development sites;
 - An applicable Development Control Plan;
 - 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.

• **(B380) Mechanical Plant and Equipment**

Building Work   

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.

• **(B407) Car parking details**

Building Work   

Before the issue of a Construction Certificate, written evidence prepared by a suitably qualified engineer must be obtained that demonstrates, to the certifier's satisfaction, the plans for parking facilities comply with the relevant parts of AS 2890.1 Parking Facilities - Off-Street Carparking and **<Insert part(s), section(s) or clause(s)>** of Council's relevant development control plan (in force as at the date of determination of this consent).

• **(B408) Access, Car Parking and Manoeuvring - General**

Building Work   

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.

• **(B410) Access, Car Parking and Manoeuvring - Detail**

Building Work



The Certifying Authority shall ensure and certify that:

- Off street access and parking complies with AS2890.1,
- 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,
- Sight distance at the street frontage has been provided in accordance with AS 2890.1,
- All vehicles can enter and exit the site in a forward direction, and/or
- 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, **DA No. (insert) Page xx of xxx.**

• **(B452) Stormwater Discharge - Basement Car parks**

Building Work



Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS3500.3:2003 and Council's Stormwater Drainage Design Specifications for pump out systems for basement carparks.

• **(B456) On-Site Detention**

Building Work



On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Loka Consulting Engineers, reference number 22NL062, revision C, dated 19/08/2024

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.

• **(B462) Water Quality**

Building Work



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.

• **(B555) Detailed Design Drawings**

Building Work



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 plans should include, but not be limited to:

- 600mm wide central median on McKay Avenue along the site frontage extended by about 10m past the driveway on the western side to effectively enforce the left in left out arrangement,
- Swept path diagrams are to be provided to demonstrate that vehicles can manoeuvre in and out of the driveway,
- "keep left" sign at both ends of the central median. Note: the narrow vertical sign as proposed by the traffic consultant has been superseded.

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.

• **(B560) Road Works**

Building Work



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.

• **(B590) Public Domain Works – Street Lighting**

Building Work



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

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

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

• **(B952) Non-Standard Condition - Land Development Engineering**

Building Work



Titles and Contents of Non-Standard Conditions

Prior to CC:

- Vehicular crossing shall be perpendicular to the kerb and gutter
- Provide junction pit at the Western corner of the property, connect outlet pipe from OSD to the junction pit then 375mm RCP pipe to proposed kerb inlet pit to clear the vehicular crossing.
- Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in McKay avenue is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 10m either side of the development.
- A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

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

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

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant MUST DEMONSTRATE, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

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

• **(B953) Non-Standard Condition - Land Development Engineering**

Subdivision Work



Titles and Contents of Non-Standard Conditions

Prior to CC:

- Vehicular crossing shall be perpendicular to the kerb and gutter
- Provide junction pit at the Western corner of the property, connect outlet pipe from OSD to the junction pit then 375mm RCP pipe to proposed kerb inlet pit to clear the vehicular crossing.
- Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in McKay Avenue is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 10m either side of the development.
- A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

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

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

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant MUST DEMONSTRATE, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

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

Part C - Before work commences

• **(C005) Construction Certificates**

Building Work

Prior to the commencement of any building works, the following requirements must be complied with:

- Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979,
- Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Act,
- 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,
- A Principal Certifier (PC) must be appointed to carry out the necessary building inspections and to issue an occupation certificate, and
- 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.

• **(C010) Construction Certificates**

Building Work

Any Construction Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.

• **(C012) Commencement of building works**

Building Work

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.

• **(C039) Construction Requirements**

Building Work

Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer. Retaining walls on any boundary are to be of masonry construction or if treated timber is used, all vertical support members (soldiers) shall be of galvanised steel.

• **(C040) Demolition Works**

Demolition Work

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

- (a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- (b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- (c) The handling or removal of any asbestos product from the building/site must be carried out by a 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.
-
- **(C042) Disconnection of services before demolition work** 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.
-
- **(C055) Site Facilities** Building Work   
- 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.
-
- **(C065) Sydney Water** Building Work   
- Development plans must be processed and approved by Sydney Water.
-
- **(C070) "DIAL BEFORE YOU DIG"** Building Work   
- 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.
-
- **(C117) Erosion and sediment controls in place** Building Work   
- Before any site work commences, the principal certifier or Council, 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 stabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
-
- **(C126) Environmental Management** Building Work   
- 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:
- Siltation fencing;
 - Protection of the public stormwater system; and
 - Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.
-
- **(C155) Work Zone** Building Work   
- 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.
-
- **(C158) Construction Traffic Management Plan (CTMP)** Building Work   
- 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.
-
- **(C201) Road Occupancy Permit** Building Work   
- 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
-
- **(C205) Traffic Control Plan** Building Work   
- 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.
-
- **(C250) Notification** Building Work   
- Notification to surrounding residents is to be undertaken within a 100 metre radius from the site. A letter box drop in the form of an informative pamphlet or the like is to be carried out at least 5 days prior to the event to local residents informing them of the event details and including contact details of the site supervisor for the event.
-
- **(C466) Dilapidation report** Building Work   
- A full dilapidation survey and report on the visible and structural condition, with comment on the footings and foundations, of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.
- The dilapidation report, survey and comments are to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner of any affected adjoining property. A copy is also to be provided to the affected adjoining property owner/s.
- All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

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

- a) Undertake as much as possible the survey from the development site, public areas and/or adjoining private property, and
- b) Demonstrate in writing to the satisfaction of the Principal Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

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

-
- **(C501) Return of existing bins** Demolition Work   
Prior to commencing demolition or site clearing works, any existing domestic waste bins that have been issued to (insert address), 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.
-
- **(C502) Remove and destroy refrigerants** Demolition Work   
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.
-
- **(C950) Fire Safety Measures** Building Work   
A schedule specifying all of the essential fire safety services, which are required for the building, shall be attached to the CC and submitted to Council, in compliance with the provisions of the EP&A Regulation.
-

Part D - During work

-
- **(D005) Building Work** 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.
-
- **(D010) Building Work** 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.
-
- **(D015) Surveys by a registered surveyor** Building Work   
While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:
 - All footings / foundations in relation to the site boundaries and any registered and proposed easements
 - At other stages of construction – any marks that are required by the principal certifier.
-
- **(D020) Identification Survey Report** Building Work   
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.
-
- **(D025) Identification Survey Report** Building Work   
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.
-
- **(D028) Responsibility for changes to public infrastructure** Building Work   
While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.
-
- **(D030) Security and Safety** Building Work   
Adequate lighting is required to be provided at the entrance and main foyer of the building, basement carpark, and mailbox area.

Surveillance cameras are required to be installed covering the entrance and exit and main areas of the car park.

All openable windows that are located two metres or more above the ground level and have a sill height less than 1.7m above the internal floor level shall be fitted with devices that lock the window opening at less than 12.5m.
-
- **(D038) Toilet Facilities** Building Work   
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.
-
- **(D042) Procedure for critical stage inspections** Building Work   
While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
-
- **(D045) Hours of work** Building 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.

-
- (D049) Security Fence** Building Work   

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.

 - (D049) Security Fence** Demolition Work   

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.

 - (D055) Refuse Disposal** Building Work   

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.

 - (D061) Craning and Hoardings** Building Work   

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.

 - (D063) Craning and Hoardings** Building Work   

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.

 - (D070) Notification of Damage** Building Work   

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.

 - (D075) Demolition Inspections** Demolition Work   

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

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

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

 - (D076) Handling of asbestos during demolition** Demolition Work   

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.

 - (D077) Site maintenance** **Demolition Work**   

While demolition work is being carried out, the following requirements, as specified in the approved demolition management plan, must be maintained until the demolition work and demolition waste removal are complete:

 - Protective fencing and any hoardings to the perimeter on the site
 - Access to and from the site
 - Construction traffic management measures
 - Protective measures for on-site tree preservation and trees in adjoining public domain
 - Onsite temporary toilets
 - A garbage container with a tight-fitting lid

 - (D096) Disabled Access** Building Work   

Access, parking and facilities for persons with disabilities to be provided in accordance with the provisions of the National Construction Code (NCC/BCA).

 - (D100) General Site Works - Surface Contours** Building Work   

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.

 - (D105) General Site Works** Building Work   

All roofwater is to be connected to an approved stormwater system.

 - (D110) General Site Works** Building Work   

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.

 - (D115) General Site Works - Existing Hydrology** Building Work   

Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site.

 - (D120) General Site Works - Runoff** Building Work   

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.
-

- **(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.

Building Work   

- **(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.

Building Work   

- **(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.

Demolition Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(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'.

Building Work   

- **(D180) Waste management**

While site work is being carried out:

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

Building Work   

- **(D180) Waste management**

While site work is being carried out:

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

Demolition Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(D330) Switchboards**

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

Building Work   

- **(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.

Building Work   

- **(D335) External Lighting**

Building Work   

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.

- **(D340) Glass Reflectivity**

The reflectivity index of glass used in the external facade of the building is not to exceed 20%.

Building Work   

- **(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.

Building Work   

- **(D426) Soil management**

While site work is being carried out, the principal certifying authority must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

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

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(D460) Salinity**

The development shall be carried out in accordance with 'Appendix B' of the Liverpool Growth Precincts Development Control Plan 2013.

The development shall be carried out in accordance with Part 1, Section 11 'Salinity Risk' of the Liverpool Development Control Plan 2008.

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(D552) Implementation of the site management plans**

While site work is being carried out:

 - the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and
 - a copy of these plans must be kept on site at all times and made available to Council officers upon request.

Building Work   

- **(D552) Implementation of the site management plans**

While site work is being carried out:

 - the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and
 - a copy of these plans must be kept on site at all times and made available to Council officers upon request.

Demolition Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(D555) Erosion Control - Maintenance**

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

Building Work   

- **(D560) Erosion Control**

Building Work   

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

- **(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.

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(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).

Building Work   

- **(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 *National Parks and Wildlife Act 1974* and the NSW *Heritage Act 1977*. 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.

Building Work   

- **(D583) Aboriginal Cultural Heritage - Unexpected Finds**

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

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

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

Building Work   

- **(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.

Building Work   

- **(D590) Public Domain Works - Street Lighting**

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

Building Work   

- **(D596) Drainage Connection**

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

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(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.

Demolition Work   

- **(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 **<5dB/ INSERT LESS THAN 5dB>**(A) above background noise, when measured at a lot boundary of the site.

Building Work   

- **(D660) Construction Noise and Vibration**

Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).

Building Work   

All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP).

- (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).

Building Work   

- (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:

 - 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;
 - The results of a preliminary contamination assessment carried out on any fill material used in the development.
 - The results of any chemical testing of fill material.

Building Work   

- (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.

Building Work   

- (D950) Mailboxes**

The mailboxes are to be consistent with the design and colours and materials for the development.

Building Work   

- (D951) External bathroom, WC and ensuite windows**

The windows of all bathrooms, W.C. and ensuites shall be fitted with translucent obscure glazing to the satisfaction of the PCA.

Building Work   

- (D952) Vegetation and Landscaping**

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

Building Work   

- (D953) Waste Storage Area**

Any bin bays must be:

 - (a) Provided with mechanical ventilation;
 - (b) Provided with a hose cock for hosing the garbage bin bay and a sewerage drainage point in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay, it is not to protrude into the space indicated for the placement of bins;
 - (c) Provided with sufficient light to permit usage at night;
 - (d) Allocated with sufficient space within the bin bay to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector;
 - (e) Provided with signage to be prominently displayed in each bin bay, or waste service room, as appropriate indicating that:
 - (i) Garbage is to be placed wholly within the garbage bins provided;
 - (ii) Only recyclable materials accepted by Council are to be placed within the recycling bins;
 - (iii) The area is to be kept tidy;
 - (iv) A phone number to be displayed for arranging disposal of bulky items;
 - (v) 50% of all messages are to be displayed using graphic illustrative content;
 - (vi) Bin bay signs are available from Council;
 - (vii) Signage on how to use any garbage chutes is to be located prominently next to the chute;
 - (viii) Operation, maintenance and cleaning of the garbage compactor and associated equipment is the responsibility of the strata management or body corporate, and not of Council;
 - (ix) Maximum compaction ratio is 2:1;
 - (x) Operation, maintenance and cleaning of the garbage chutes and associated waste cupboards, rooms, or equipment is the responsibility of the strata management or body corporate, and not of Council.

Building Work   

Part E - Before the issue of occupation certificate

- (E003) Works-as-executed plans and any other documentary evidence**

Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:

 - All stormwater drainage systems and storage systems; and
 - The matters that Council require to be documented
 - A copy of the plans must be provided to Council with the Occupation Certificate

Building Work   

- (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.

Building Work   

- (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.

Building Work   

- (E016) Retaining Walls**

The construction of the retaining wall/s shown on the approved plans must be completed to the satisfaction of the Principal Certifier, prior to the release of the Whole Occupation Certificate.

The required retaining walls shall be completed within 3 months of the initial occupation of the building or part of the building.

Building Work   

- (E020) Acoustic Report**

Confirmation in writing that the recommended measures were incorporated as required by the report.

Building Work   

- **(E026) Removal of waste upon completion**

Before the issue of an Occupation Certificate:

 - all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and
 - written evidence of the waste removal must be provided to the satisfaction of the principal certifying authority.

Building Work   

- **(E030) Section 73 Sydney Water Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained and submitted to the Principal Certifier prior to issue of Occupation Certificate.

Building Work   

- **(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.

Building Work   

- **(E035) Completion of public utility services**

Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.

Building Work   

- **(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.

Building Work   

- **(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.

Building Work   

- **(E060) BASIX**

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

Building Work   

- **(E064) Completion of landscape and tree works**

Before the issue of an Occupation Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.

Building Work   

- **(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.

Building Work   

- **(E075) Road Works**

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

Building Work   

- **(E080) Waste Collection - Secondary Dwelling**

Prior to the issue of an occupation certificate, a full domestic waste service is required to be provided to the secondary dwelling. This can be arranged by contacting Liverpool City Council on 1300 362 170.

Building Work   

- **(E100) Design Verification Statement**

In accordance with the Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Flat Development", the subject development must be undertaken or directed by a 'qualified designer' (i.e., a registered architect under the Architects Act). In this regard, a design verification statement shall be submitted to the Principle Certifier (PC) assessing the development, upon completion of all works subject of this consent and its accompanying CC. The PC shall ensure that the statement prepared by the qualified designer provides the following:

 - (a) a valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW), and
 - (b) that the completed development achieves the design quality of the development as shown in the plans and specifications submitted and approved with the CC, having regard to the design principles set out in Part 2 of SEPP 65.

Building Work   

- **(E108) Residential Car Park**

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

Building Work   

- **(E245) Construction and installation of ventilation system**

Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier which demonstrates that the mechanical exhaust ventilation system has been constructed and installed in accordance with the approved plans.

Building Work   

- **(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.

Building Work   

- **(E272) Trade Waste Agreement for Vehicle Wash Bay/s**

All vehicle washing is to be conducted in the designated vehicle wash bay/s which shall be connected to the sewer. The discharge of trade wastewater is to be approved by Sydney Water via a permit or written agreement. No wash water or trade wastewater is to enter the stormwater or creek systems.

Before the issue of any occupation certificate, copies of the plumber's certificate of compliance and the Trade Waste Agreement issued by Sydney Water for installation of the oil/water separator must be submitted to the certifier.

Building Work   

- **(E320) Secure Mailboxes**

Building Work   

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.

- **(E400) Stormwater Compliance**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the:

 - (a) On-site detention system/s,
 - (b) Basement Carpark pump-out system:
 - Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent,
 - Have met the design intent with regard to any construction variations to the approved design, and
 - Any remedial works required to be undertaken have been satisfactorily completed.

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

Building Work

- **(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) Basement Carpark pump-out system:

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.

Building Work

- **(E407) Repair of infrastructure**

Before the issue of an Occupation Certificate:

 - any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or
 - if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.

Building Work

- **(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 McKay Avenue will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

Building Work

- **(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.

Building Work

- **(E420) Entry/ Exit Signage**

Prior to the issue of an Occupation Certificate signage which is clearly visible from the public road shall be placed within the development site.

The signage shall indicate that the ### vehicular access is to be used for ingress purposes only and appropriately signposted "Entry Only". The ### vehicular access is to be used for egress purposes only and appropriately signposted "No Entry".

Building Work

- **(E432) Footpaths**

Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.

Building Work

- **(E436) Dilapidation Report**

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

Building Work

- **(E950) Fire Safety Certificate**

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

Building Work

- **(E951) Rock Anchors**

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

Building Work

- **(E952) Stormwater Devices**

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

Building Work

- **(E953) Basement Pump Out System**

A certificate of compliance for the pump out drainage system of the basement level shall be issued to the Principal Certifier by the pump installers stating that the pump out system has been installed to operate in accordance with the Council requirements and the approved drawings.

Building Work

- **(E954) Basement Pump Out System**

A maintenance schedule for the stormwater drainage basement pump out system including a sketch plan of the components forming the system shall be submitted to Council.

Building Work

Part G - Occupation and ongoing Use

- **(G060) Graffiti**

Building Work

During ongoing use of the premises, ensure graffiti is removed from the exterior of the building or associated structures, including any fences, site services and retaining/planter bed walls.

-
- **(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 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 and then assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned 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.

Building Work   

 - **(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).

Building Work   

 - **(G100) Waste Collection and Management**

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

Building Work   

 - **(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.

Building Work   

 - **(G190) Parking Spaces - Assessment Planner**

The following parking spaces should be used solely for the purpose it has been provided.

 - Unrestricted resident car parking

Building Work   

 - **(G210) Car Parking Management**

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

Building Work   

 - **(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.

Building Work   

 - **(G230) Vehicle Access**

Vehicles entering or leaving the development site should be in forward direction.

Building Work   

 - **(G345) Lighting**

Illumination of the site 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.

Building Work   

 - **(G347) External lighting during ongoing use**

During ongoing use of the premises, all lighting must be operated and maintained in accordance with the approved plans and the requirements of this consent.

Building Work   

 - **(G360) Noise - Silent Building Intruder Alarm System**

Any building intruder alarm installed at the site must be a "silent back to base" type.

Building Work   

 - **(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.

Building Work   

 - **(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.

Building Work   

 - **(G468) Smoke-free Requirements**

The requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016 must be complied with at all times.

This development consent does not imply that the development meets the requirements of the aforementioned legislation. In the event that the Applicant and/or Occupier wishes to facilitate smoking within the premises, they must ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016.

Building Work   

 - **(G767) Use of air conditioner/s on residential premises**

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

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

Building Work   

- **(G768) Use of pump/s on residential premises**

Building Work   

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

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