

# LIVERPOOL CITY COUNCIL

## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

<b>Application number</b>	DA-520/2023 PAN-376519
<b>Applicant</b>	CASTLEREAGH STREET DEVELOPMENT PTY LTD 678 PARRAMATTA RD CROYDON NSW 2132
<b>Description of development</b>	Alterations and additions to an approved residential flat building with basement car parking, landscaping and associated site works at 7 – 9 Castlereagh Street & 6-12 Copeland Street, Liverpool. The proposal also includes a change of use to part of the approved ground floor to create a 90 place child care center.
<b>Property</b>	7 CASTLEREAGH STREET LIVERPOOL NSW 2170 LOT A DP 374032 9 CASTLEREAGH STREET LIVERPOOL NSW 2170 LOT B DP 374032 12 COPELAND STREET LIVERPOOL NSW 2170 LOT C DP 374032 10 COPELAND STREET LIVERPOOL NSW 2170 LOT D DP 374032 8 COPELAND STREET LIVERPOOL NSW 2170 DP 433791 PT LOT B 6 COPELAND STREET LIVERPOOL NSW 2170 LOT 2 DP 110597
<b>Determination:</b>	Deferred commencement Approval Consent Authority - Sydney / Regional Planning Panel
<b>Date of determination</b>	13/08/2024
<b>Date on which the consent lapses</b>	13/08/2026

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 deferred commencement consent using the power in section 4.16(3) of the EP&A Act, subject to the conditions set out in this notice.

### Relevant Matters

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matter(s):

Development Consent shall be deferred pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, until the submission to Council of the following:

### Waste

1. The proposed waste solutions provided for the Residential Flat Buildings are not considered appropriate. Alternate solution and redesign, to include the provisions of waste chute on each floor is required.
2. The amended waste solution is to include waste rooms within Basement 1 and a redesign of Basement 1 is to occur to provide the amended design.
3. Clarification is required on the area available in the basement level for the bulky household storage area. Confirmation is required this will be an actual defined storage space, with at least a fence, wide gate and

permanent signage to denote its use. This is to be included within the amended basement design as requested above.

4. The waste solution provided for the childcare centre is not appropriate, in terms of the location of the waste room in the basement level 1 which requires the childcare to carry waste across the public open space forecourt and down the lifts. This is required to be redesigned, and an alternate solution provided which is considered suitable.

5. Clarification is required on how the waste located within the basement will access the waste storage area on the ground floor for collection. This is to be considered within the redesign of the waste solutions on site.

#### **Architectural Plans**

1. Block A is required to provide an additional lift shaft to accommodate the 51 units proposed.

2. Basement plans are required to be amended and resubmitted to Council for approval which take into consideration the required Waste requirements, and lift shaft.

3. Childcare is required to have cavity slider doors for cot rooms.

#### **Public Art**

The developer is required to provide the following to Councils Public Arts Officer:

- 1. Nomination a public artist/s with the relevant skills, experience and local connection/s to Council for Approval.

- 2. A Site-specific Public Art Plan is required to be prepared by the approved nominated public artist/s. The Public Art Plan should include the following:

- Identify the relevant DCP requirements and align where required with the Government Architect Policy etc
- Background of the project
- Identify strategies, masterplans or other to align with project delivery.
- Public Art vision, aligned to construction outcomes and use
- Identify proposed methodology for engaging artist/s
- Professional lead public artist collaboration with local artist
- local professional public artist
- Commission model to be employed; direct, EOI, design competition or combination.
- History of the site and potential narratives
- Update scale site, architectural and/or; landscape plans to identify public art delivery parameters
- Triggers, budget and benchmarking
- schedule of works
- artwork lifespan.

- 3. Amended Plans are required to be prepared to demonstrate the integration of public art into the existing proposed structure and approved by Councils Public Arts Officer. The plans must demonstrate public art on Copeland Street and Castlereagh Street Facades. The plans should also include public art to the lift overrun, Eastern and Western pedestrian entry points and structural columns located in the outdoor play area for the childcare centre.

**Note: The items raised within Part 1, above, are to be addressed within twenty four (24) months of the date shown on Council's determination notice. The consent shall become operative once Council has notified the applicant in writing that the evidence submitted in response to the "Deferred Commencement" conditions is acceptable.**

Evidence of the above relevant matter(s) must be produced to the consent authority, within twenty-four (24) months of the date of the determination, otherwise the consent will lapse.

Under section 76(4) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

The conditions of development consent below apply from the date that this consent operates.

*Note: Section 76(3) of the EP&A Regulation enables a consent authority to specify the period within which the applicant must produce evidence to the consent authority sufficient enough to enable it to be satisfied as to the relevant matter(s) that it requires before a deferred commencement consent can operate. Where a period is specified under section 76(3), a deferred commencement consent will lapse if the applicant has not produced sufficient evidence for the consent authority to be satisfied of the relevant matters on the expiration of the specified period.*

*Where the applicant produces evidence of the relevant matters in accordance with section 76(4) of the EP&A*

*Regulation, the consent authority must notify the applicant whether or not it is satisfied as to the relevant matter(s). If the consent authority has not notified the applicant within 28 days after receiving the applicant's evidence, the consent authority is taken to have notified the applicant that it is not satisfied about the relevant matter(s) on the date on which that period expires, for the purposes of section 8.7 of the EP&A Act (see sections 76(4), (5) and (6) of the EP&A Regulation).*

## 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.

## General Conditions

1.	<div><div><div><div><div><div></div><div><b>(A002) Approved plans and supporting documentation</b></div></div></div><div><div>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</div><div>Approved plans</div><table><tr><td>Plan number</td><td>Revision number</td><td>Plan title</td><td>Drawn by</td><td>Date of plan</td></tr></table><div>Approved documents</div><table><tr><td>Document title</td><td>Version number</td><td>Prepared by</td><td>Date of document</td></tr></table><div>In the event of any inconsistency between the approved plans and documents, the approved <b>&lt;Plans / Documents&gt;</b> prevail.</div><div>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</div><div><b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</div></div></div></div></div>	Plan number	Revision number	Plan title	Drawn by	Date of plan	Document title	Version number	Prepared by	Date of document
Plan number	Revision number	Plan title	Drawn by	Date of plan						
Document title	Version number	Prepared by	Date of document							
2.	<div><div><div><div><div></div><div><b>(A018) Fulfilment of BASIX commitments</b></div></div></div></div></div>									

	<p>It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—</p> <ol style="list-style-type: none"> <li>1. BASIX development,</li> <li>2. BASIX optional development, if the development application was accompanied by a BASIX certificate.</li> </ol>
	<p><b>Condition reason:</b> Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.</p>
3.	<p><b>(A042) Notification of Home Building Act 1989 requirements</b></p>
	<ol style="list-style-type: none"> <li>1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.</li> <li>2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following— <ol style="list-style-type: none"> <li>1. for work that requires a principal contractor to be appointed— <ol style="list-style-type: none"> <li>1. the name and licence number of the principal contractor, and</li> <li>2. the name of the insurer of the work under the Home Building Act 1989, Part 6,</li> </ol> </li> <li>2. for work to be carried out by an owner-builder— <ol style="list-style-type: none"> <li>1. the name of the owner-builder, and</li> <li>2. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.</li> </ol> </li> </ol> </li> <li>3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.</li> <li>4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</li> </ol>
	<p><b>Condition reason:</b> Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
4.	<p><b>(A050) Works at no cost to Council</b></p>
	<p>All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council.</p>
	<p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
5.	<p><b>(A130) Council Wastewater Requirements</b></p>
	<p>The development must provide for a physical sewerage connection to each created allotment to enable the method of sewage disposal by gravity reticulation mains to either, Sydney Water branch and trunk sewers or Sydney Water point of treatment. Liverpool City Council will not accept any temporary facilities to service the site, including pump-out sewage systems.</p>
	<p><b>Condition reason:</b> To promote orderly development supported by adequate infrastructure.</p>

### Building Work Before Issue of a Construction Certificate

6.	<p><b>(B015) Clear public access ways</b></p>
	<p>Before issue of a construction certificate, construction plans must demonstrate that access doors to enclosures for building services and facilities, such as hydrant and sprinkler booster assemblies or the like, except fire stair doors, will not open over the footway or roadway.</p>
	<p><b>Condition reason:</b> To ensure doors used to house building services and facilities do not obstruct pedestrians and vehicles</p>
7.	<p><b>(B018) Provision for Electric Vehicle Charging - New Dwellings Only</b></p>

1.	<p>Prior to the issue of a construction certificate, an electrical plan is to be submitted indicating the provision of a dedicated 32-amp circuit provided in the electricity distribution board for the purpose of vehicle charging and:</p> <ol style="list-style-type: none"> <li>a minimum of one (1) 7 kW (32 A) type 2 electric vehicle charger located in the garage, carport or other parking area, Or</li> <li>That the electrical distribution board is adjacent to the garage, carport or other parking area, Or</li> <li>In instances where the electrical distribution board is not on the wall adjacent to a garage, carport or other parking area, an electrical conduit, pull-string and cover-plate is provided between the electrical distribution board and the vehicle parking area in a manner which permits a vehicle charger to be installed without penetrating any wall, ceiling or floor</li> </ol>
	<p><b>Condition reason:</b> This condition is imposed to ensure the adoption of sustainable transportation practices by the integration of electric vehicle charging infrastructure in all new dwellings..</p>
8.	<p><b>(B020) Equal access to the premises</b></p>
	<p>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.</p>
	<p><b>Condition reason:</b> To ensure safe and easy access to the premises for people with a disability</p>
9.	<p><b>(B022) External lighting</b></p>
	<p>Before the issue of a construction certificate, plans detailing external lighting must be prepared by a suitably qualified person.</p> <p>The lighting plan must be consistent with the approved plans and documents, and the following requirements:</p> <ol style="list-style-type: none"> <li>comply with AS 1158: Lighting for Roads and Public Spaces;</li> <li>comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting</li> <li>lighting must be placed at all entrances to, and exits from the premises</li> <li>lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas;</li> <li>lighting must not interfere with traffic safety;</li> <li>lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and</li> <li>external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance.</li> <li>Relevant council development control plan</li> </ol> <p>The lighting plan must be submitted to the certifier:</p> <p>Note – All above documents refer to the version in effect at the time the consent is granted</p>
	<p><b>Condition reason:</b> To ensure external lighting is provided for safety reasons and to protect the amenity of the local area</p>
10.	<p><b>(B024) Preparation of construction and fit out plans for food and drink premises</b></p>
	<p>Before the issue of a construction certificate, detailed plans of all food and beverage preparation, serving and storage areas for the childcare centre (including for perishable stock, waste, chemicals and personal belongings) must be prepared by a suitably qualified person.</p> <p>The detailed plans must be prepared in accordance with the following editions in force on the date of determination and provided to the principal certifier:</p> <ol style="list-style-type: none"> <li>Food Standards Code (Food Safety Standard 3.2.3 – Food Premises and Equipment)</li> <li>Food Act 2003 and Food Regulation 2015</li> <li>Australian Standard 4674:2004: Design, Construction and Fit-out of Food Premises</li> <li>Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage</li> <li>Sydney Water commercial trade wastewater requirements for food premises, and</li> <li>any relevant Water Services Association of Australia codes of practice, guidelines, policies and requirements.</li> </ol>

	<p><b>Condition reason:</b> To ensure detailed construction and fit out plans are submitted which comply with the relevant standards</p>
11.	<p><b>(B026) Preparation of mechanical ventilation plans</b></p> <p>Before the issue of a construction certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person.</p> <p>The detailed plans must be in accordance with the following and submitted to the certifier:</p> <ol style="list-style-type: none"> <li>1. Australian Standard 1668: - The use of ventilation and air-conditioning in buildings; and</li> <li>2. ensure all generate heated air, smoke, fumes, steam or grease vapours do not: <ol style="list-style-type: none"> <li>1. cause a nuisance to persons within or nearby to the premises, or</li> <li>2. cause air pollution as defined under the NSW Protection of the Environment Operations Act 1997</li> </ol> </li> </ol> <p><b>Condition reason:</b> To ensure that detailed professional plans of the approved mechanical ventilation system are submitted before the issue of a construction certificate</p>
12.	<p><b>(B038) Utilities and services</b></p> <p>Before the issue of a Construction Certificate, written evidence of the following service provider requirements must be provided to <b>the certifier</b> o:</p> <ol style="list-style-type: none"> <li>1. a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity;</li> <li>2. a response from Sydney Water as to whether the development would affect any Sydney Water infrastructure, and whether further requirements need to be met;</li> <li>3. 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.</li> </ol> <p><b>Condition reason:</b> To ensure relevant utility and service providers requirements are provided to the certifier.</p>
13.	<p><b>(B048) A - Provision of Services - Street Lighting</b></p> <p><b>Street Lighting in Liverpool CBD - Street Lighting Upgrade</b></p> <p>The applicant/developer shall engage the services of an Endeavour Energy accredited ASP Level 3 service provider. The consultant is to lodge Endorsement of Public Lighting Design Application Form. The application is available on Council website and can be lodged online.</p> <p>This form is to be used to seek Council requirements for upgrading or installing new street lights at all frontages.</p> <p>Consult Council's Traffic Management Section for streetlight upgrade requirement for infill developments in the existing established areas.</p> <p>The upgrade shall include undergrounding of existing aerial power lines, communication cables and replacement of existing street light poles with Endeavour Energy approved Macarthur Poles as specified by Council in the public lighting design brief.</p> <p><b>Condition reason:</b> To ensure adequate street lighting is provided for the development.</p>
14.	<p><b>(B050) Liverpool CBD - Communication Conduits</b></p> <p>The applicant/developer shall supply and install two 50mm white communication conduit with draw wires approximately 300mm behind kerb and gutter connecting multifunction poles. Details can be obtained from Infrastructure and Environment Group of Council. Please contact the Coordinator – Roads and Transport on 1300 36 2170.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
15.	<p><b>(B052) Liverpool CBD - Footpath Paving and Landscaping Works</b></p>

Periphery Type/Core Type paving shall be installed along the entire (insert street name/s) frontage/s, as part of this development. Footpath paving and Landscaping works shall be strictly in accordance with the Liverpool CBD Street Tree and Landscape Strategy 2005 and The Liverpool CBD Streetscape and Paving Guidelines 2005 as amended in Implementation Note 12/2015 – Liverpool CBD Paving.

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

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

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

**Condition reason:** To ensure fairness, transparency and proberty.

16. **(B054) Retaining Walls on Boundary**

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

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

**Condition reason:** To ensure fairness, transparency and proberty.

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

Prior to the issue of a Construction Certificate for building or subdivision works the Principal Certifier shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of the following within Copeland & Castlereagh Streets, Liverpool site frontages:

1. Periphery Type paving shall be installed along the entire frontage/s, as part of this development. Footpath paving and Landscaping works shall be in accordance with the Liverpool CBD Street Tree and Landscape Strategy 2005 and The Liverpool CBD Streetscape and Paving Guidelines 2005 as amended in Implementation Note 12/2015 – Liverpool CBD Paving, or as otherwise agreed by Council.
2. Any public domain upgrade works required by the development approval.
3. Demolish all existing redundant driveways and laybacks, including construction of kerb and gutter, and reinstatement of the public verge area.
4. Removal of existing and construction of concrete kerb and gutter. (Castlereagh Street).
5. Stormwater drainage works.
6. Pumping water into the Road.
7. Pavement improvement works up to at least the centre line (Castlereagh Street).(eg Mill & AC resheet minimum 50mm).

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.
- Transport for New South Wales (TfNSW) approval is also required (Copeland Street).
- Pavement improvement works are subject to pavement condition investigation and assessment.
- All works shall be undertaken at no cost to Liverpool City Council.

**Condition reason:** To ensure fairness, transparency and proberty.

18.	<p><b>(B075) Fee Payments</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.</li> <li>(b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.</li> </ul> <p>These fees are reviewed annually and will be calculated accordingly.</p> <p><b>Condition reason:</b> To ensure statutory or associated fees are paid prior to construction commencing.</p>
19.	<p><b>(B081) Site Development Work</b></p> <p>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.</p> <p><b>Condition reason:</b> To prevent unauthorised commencement of building works.</p>
20.	<p><b>(B095) Long Service Levy</b></p> <p>Before the issue of a Construction Certificate, the long service levy of must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to <b>the certifier</b>.</p> <p><b>Condition reason:</b> To ensure the long service levy is paid.</p>
21.	<p><b>(B099) Substation</b></p> <p>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).</p> <p><b>Condition reason:</b> To ensure electrical substations are designed in accordance with the relevant utility and service providers requirements.</p>
22.	<p><b>(B112) Notification</b></p> <p>In the event that Council is not the Principal Certifier (PC), the PC must advise Council, in writing of:</p> <ul style="list-style-type: none"> <li>(a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or</li> <li>(b) The name and permit of the owner-builder who intends to do the work.</li> </ul> <p>If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.</p> <p><b>Condition reason:</b> To advise Council of the details of licensed contractors or owner-builder for the approved development.</p>
23.	<p><b>(B116) Products banned under the Building Products (Safety) Act 2017</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure no banned products are used for a building's external cladding.</p>
24.	<p><b>(B134) Crime Prevention Through Environmental Design</b></p>



	<p>The following Crime Prevention through Environmental Design (CPTED) principles are to be incorporated into the building:</p> <ul style="list-style-type: none"> <li>(a) back to base alarm system (only if commercial near residential),</li> <li>(b) basement parking areas shall be painted a light colour,</li> <li>(c) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building,</li> <li>(d) 'way finding' signage should be utilised at all major interchanges such as lifts and stair wells,</li> <li>(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,</li> <li>(f) corrugated ramps to prevent skate boarding activities,</li> <li>(g) glazed tiling, patterned, porous and non solid surfaces reduce the reward for graffiti offenders,</li> <li>(h) any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details, and</li> <li>(i) access to the basement parking levels relating to the residential component of the building shall be controlled via a security controlled device.</li> </ul> <p>Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the Private Certifier.</p> <p><b>Condition reason:</b> To require details of crime prevention (CPTED) measures to protect the amenity of the surrounding area.</p>
25.	<p><b>(B149) S138 Roads Act - Minor Works in the public road</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings),</li> <li>(b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure), or</li> <li>(c) Road occupancy or road closures.</li> </ul> <p>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.</p> <p>Note: Approvals may also be required from the Transport for NSW for classified roads.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
26.	<p><b>(B154) On-Site Sewage Management System</b></p> <p>Before the issue of a construction certificate, an application under Section 68 of the Local Government Act 1993 for an Approval to install / construct / alter an On-site Sewage Management System must be submitted to Liverpool City Council for consideration and approval.</p> <p>The application for Section 68 approval must be accompanied by a Wastewater Report prepared by a suitably qualified consultant and must be designed in accordance with Liverpool City Council's On-site Sewage Management Standard (2021).</p> <p>The relevant approval must be submitted to the certifier before the issue of a construction certificate.</p> <p><b>Condition reason:</b> To ensure on-site sewage management is sustainable and to facilitate compliance with legislative requirements.</p>
27.	<p><b>(B156) Waste Storage Room</b></p>

	<p>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:</p> <ol style="list-style-type: none"> <li>1. The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor;</li> <li>2. The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and</li> <li>3. The door to the room must be tight-fitting, self-closing and fitted with mechanical ventilation.</li> </ol> <p>Please refer to the Liverpool Development Control Plan 2008 for further information regarding the construction standards for waste storage areas.</p> <p><b>Condition reason:</b> To ensure compliance with construction requirements and to mitigate risks to human health and the environment.</p>
28.	<p><b>(B162) Recommendations of Acoustic Report</b></p> <p>Before the issue of a construction certificate, the certifier must be satisfied that the recommendations provided in the approved acoustic report are implemented and incorporated into the design and construction of the development, and shown on plans accompanying the construction certificate application.</p> <p>The construction methodology and plans accompanying the construction certificate application must be assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned acoustic report. The written certification from the suitably qualified acoustic consultant must be submitted to and approved by the certifier before issue of the construction certificate.</p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
29.	<p><b>(B265) Flooding - Basement</b></p> <p>The basement shall be protected from flood inundation up to and including the 1% AEP flood plus 0.1m freeboard (i.e. XXXm + 0.1m = XXXm Australian Height Datum). The driveway ramp shall be consistent with the architectural plan drawing ref:DA-204 prepared by Ian Conry</p> <p><b>Condition reason:</b> To ensure basement car parking is protected from flood inundation up to the 1%AEP flood and requirement of Part 1.1 of DCP 2008 for basement car parking is satisfied.</p>
30.	<p><b>(B275) Flooding - Evacuation</b></p> <p>Suitable warning systems signage and exits shall be provided to ensure the safe evacuation of persons from the basement to the lowest habitable floor level during times of flood.</p> <p><b>Condition reason:</b> To warn of flooding risk and ensure safe &amp; timely evacuation during a flood from basement car park and requirement of Part 1.1 of Council's DCP 2008 for car parking is satisfied.</p>
31.	<p><b>(B280) Flooding - Car Park Evacuation</b></p> <p>The car park shall have a suitable warning system, signage and exits to ensure safe evacuation during flooding.</p> <p><b>Condition reason:</b> To warn of flooding risk and ensure safe &amp; timely evacuation from the car park during a flood and requirement of Part 1.1 of Council's DCP 2008 for car parking is satisfied.</p>
32.	<p><b>(B292) Flooding - Driveway</b></p> <p>The driveway providing access from the car park shall be as high as practical and generally rising in the egress direction.</p> <p><b>Condition reason:</b> To ensure requirement Part 1.1 of Council's DCP for reliable access for pedestrian is satisfied.</p>
33.	<p><b>(B296) Flooding - Reliable Access</b></p> <p>Reliable access for pedestrians or vehicles shall be provided from the lowest habitable floor level to a location above the Probable Maximum Flood.</p>

	<b>Condition reason:</b> To ensure evacuation requirement is in accordance with Part 1.1 of Council's DCP 2008.
34.	<b>(B300) Flooding - Existing Evacuation Strategy</b>
	The development shall be consistent with any relevant flood evacuation strategy or similar plan.
	<b>Condition reason:</b> To ensure evacuation requirement is in accordance with Part 1.1 of Council's DCP 2008.
35.	<b>(B305) Flooding - Sensitive Materials</b>
	Provision shall be made available to store goods sensitive to flood damage above the 1% AEP flood plus half a metre freeboard (i.e. XXXm + 0.5m = XXXm Australian Height Datum) in an event of flooding.
	<b>Condition reason:</b> To ensure material sensitive to flood damages are protected from flooding up to the 1%AEP flood and requirement of Part 1.1 of Council's DCP 2008 is satisfied.
36.	<b>(B310) Flooding - Fencing</b>
	Fencing shall be limited to permeable open type fences.
	<b>Condition reason:</b> To ensure fencing does not obstruct flow of floodwaters up to the 1%AEP flood in accordance Part 1.1 of Council's DCP 2008.
37.	<b>(B355) Food Premises - Construction</b>
	Before the issue of a construction certificate, the certifier must be satisfied the relevant construction certificate plans demonstrate that the fit-out and construction of the premises complies with the following requirements:
	<ul style="list-style-type: none"> <li>• Building Code of Australia</li> <li>• AS4674-2004 – Design, construction and fit-out of food premises</li> <li>• Australia New Zealand Food Standards Code, and</li> <li>• Australian Standard 1668 (Part 1 &amp; 2).</li> </ul>
	<b>Condition reason:</b> To mitigate public health risks and ensure compliance with relevant legislative requirements.
38.	<b>(B360) Construction Environmental Management Plan (CEMP)</b>
	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:
	<ol style="list-style-type: none"> <li>1. Asbestos Management Plan;</li> <li>2. Project Contact Information;</li> <li>3. Site Security Details;</li> <li>4. Timing and Sequencing Information;</li> <li>5. Site Soil and Water Management Plan;</li> <li>6. Noise and Vibration Control Plan;</li> <li>7. Dust Control Plan;</li> <li>8. Air Monitoring;</li> <li>9. Odour Control Plan;</li> <li>10. Health and Safety Plan;</li> <li>11. Waste Management Plan;</li> <li>12. Incident management Contingency; and</li> <li>13. Unexpected Finds Protocol.</li> </ol>
	The CEMP must be kept on site for the duration of the works and must be made available to Council Officers upon request
	<b>Condition reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
39.	<b>(B361) Construction Site Management Plan</b>

	<p>Before the issue of a Construction Certificate, a construction site management plan must be prepared, and provided to PCA. The plan must include the following matters:</p> <ol style="list-style-type: none"> <li>1. The location and materials for protective fencing and hoardings on the perimeter of the site;</li> <li>2. Provisions for public safety;</li> <li>3. Pedestrian and vehicular site access points and construction activity zones;</li> <li>4. Details of construction traffic management including: <ol style="list-style-type: none"> <li>1. Proposed truck movements to and from the site;</li> <li>2. Estimated frequency of truck movements; and</li> <li>3. Measures to ensure pedestrian safety near the site;</li> </ol> </li> <li>5. Details of bulk earthworks to be carried out;</li> <li>6. The location of site storage areas and sheds;</li> <li>7. The equipment used to carry out works;</li> <li>8. The location of a garbage container with a tight-fitting lid;</li> <li>9. Dust, noise and vibration control measures;</li> <li>10. The location of temporary toilets;</li> <li>11. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ol style="list-style-type: none"> <li>1. AS 4970 – Protection of trees on development sites;</li> <li>2. An applicable Development Control Plan;</li> <li>3. An arborist's report approved as part of this consent</li> </ol> </li> </ol> <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p><b>Condition reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
40.	<p><b>(B380) Mechanical Plant and Equipment</b></p> <p>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.</p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
41.	<p><b>(B407) Car parking details</b></p> <p>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 Council's relevant development control plan (in force as at the date of determination of this consent).</p> <p><b>Condition reason:</b> To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP.</p>
42.	<p><b>(B408) Access, Car Parking and Manoeuvring - General</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure that the design of the facilities is in accordance with the required specifications.</p>
43.	<p><b>(B410) Access, Car Parking and Manoeuvring - Detail</b></p>

	<p>The Certifying Authority shall ensure and certify that:</p> <ol style="list-style-type: none"> <li>1. Off street access and parking complies with AS2890.1,</li> <li>2. Vehicular access and internal manoeuvring have been designed for the longest (B-Double/ Heavy Rigid/ Medium Rigid) vehicle expected to service the development site, in accordance with AS2890.2,</li> <li>3. Sight distance at the street frontage has been provided in accordance with AS 2890.1,</li> <li>4. All vehicles can enter and exit the site in a forward direction, and/or</li> <li>5. Requirements of the Disability Discrimination Act 2002, Disability Standards for Accessible Public Transport and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002</li> </ol>
	<p><b>Condition reason:</b> To ensure that the design of the access arrangement, car parking and maneuvering are in accordance with the required specifications including AS2890.</p>
44.	<p><b>(B452) Stormwater Discharge - Basement Car parks</b></p>
	<p>Prior to the issue of a Construction Certificate the Principal Certifier shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS3500.3:2003 and Council's Stormwater Drainage Design Specifications for pump out systems for basement car parks. Additionally, the following is to be addressed:</p> <ol style="list-style-type: none"> <li>1. A confined space danger sign shall be provided at all access points to the pump out storage tank.</li> <li>2. Residential storage areas, lift entry points and services rooms in the basement shall be set a minimum of 100mm above the design top of water level or surface level of the tank (whichever is higher).</li> <li>3. TfNSW concurrence is required to pump water into Copeland Street/Hume Hwy.</li> </ol>
	<p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
45.	<p><b>(B453) No Loading on Easements</b></p>
	<p>Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence.</p>
	<p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
46.	<p><b>(B456) On-Site Detention</b></p>
	<p>On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by MANCE ARRAJ, reference number 2591-S4.55 (SW010, SW020 &amp; SW021, revision C, dated 24/07/2024).</p>
	<p>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.</p>
	<p>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.</p>
	<p>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.</p>
	<p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
47.	<p><b>(B462) Water Quality</b></p>

	<p>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.</p> <p>The Construction Certificate must be supported by:</p> <ol style="list-style-type: none"> <li>Specification &amp; installation details of the stormwater pre-treatment system</li> <li>The approval of an operation and maintenance manual/ schedule for the stormwater pre-treatment system</li> </ol> <p>A copy of the approved operation and maintenance manual/ schedule shall be submitted to Liverpool City Council with notification of the Construction Certificate issue.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
48.	<p><b>(B532) Waste Management Plan requirements</b></p> <p>Before the issue of a Construction Certificate, a waste management plan for the development must be prepared and provided to the principal certifier. The plan must be prepared in accordance with:</p> <ol style="list-style-type: none"> <li>the Environment Protection Authority's Waste Classification Guidelines as in force from time to time; and</li> <li>a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out; and</li> <li>include the following information— <ul style="list-style-type: none"> <li>the contact details of the person removing waste;</li> <li>an estimate of the type and quantity of waste;</li> <li>whether waste is expected to be reused, recycled or sent to landfill;</li> <li>the address of the disposal location for waste.</li> </ul> </li> </ol> <p>A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.</p> <p><b>Condition reason:</b> To ensure resource recovery is promoted and local amenity protected during construction.</p>
49.	<p><b>(B950) Flooding</b></p> <p>A detailed stormwater drainage design prepared by a qualified practicing civil engineer must be provided for assessment. The design shall align with the Concept Stormwater Plan, Rev A dated 19/09/2023 prepared by Mance Arra and shall include all engineering details for collection and disposal of stormwater, existing site levels, finished levels, pipe sizes and grades and water quality treatment trains. The design shall demonstrate that the site stormwater will be discharged to the nominated point of discharge by gravity.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
50.	<p><b>(B951) Flooding</b></p> <p>On-site water quality treatment devices shall be provided to ensure that stormwater runoffs leaving the site comply with Council's water quality standards. The treatment facilities shall capture all gross pollutants and liquid contaminants from the stormwater before discharging to council's stormwater network. Water quality treatment works shall be designed using MUSIC modelling software and the water quality treatment system performance shall be verified using Council's MUSIC link.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
51.	<p><b>(B952) Flooding</b></p> <p>Operation and Maintenance Plan of the water quality treatment device shall be provided to council.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
52.	<p><b>(B953) Waste Management</b></p>

	<p>Prior to the Issuance of a Construction Certificate, the following must be provided to Council's Waste Department:</p> <ol style="list-style-type: none"> <li>1. Clarification of the lighting of the vehicular waste collection bay</li> <li>2. Clarification on the restriction of the vehicular waste collection bay to ensure no other vehicles can occupy, block or utilise the space. Waste Truck drivers must not have to rely on keys or fobs to utilise the collection bay.</li> <li>3. Clarification is required to determine the wings of the driveway crossover will extend beyond the property boundary to assist the Waste Truck from exiting the site.</li> </ol> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
53.	<p><b>(B955) Flooding</b></p> <p><b>Prior to Issue of Construction Certificate</b></p> <ol style="list-style-type: none"> <li>1) The basement shall be protected from inundation of floodwaters for floods up to and including the 1% AEP flood plus 0.1m freeboard. The driveway ramp shall be consistent with architectural plan, drawing ref: DA-204 prepared by Ian Conry.</li> <li>2) On-site water quality treatment devices shall be provided to ensure that stormwater runoffs leaving the site comply with Council's water quality standards. The treatment facilities shall capture all gross pollutants and liquid contaminants from the stormwater before discharging to council's stormwater network. Water quality treatment works shall be designed using MUSIC modelling software and the water quality treatment system performance shall be verified using Council's MUSIC link.</li> <li>3) Operation and Maintenance Plan of the water quality treatment device shall be provided to council.</li> <li>4) Site specific flood emergency response plan and flood evacuation plan shall be provided to council for review. The plan shall include suitable warning systems, signage and exits, to ensure the safe evacuation of people during floods up to and including the Probable Maximum Flood.</li> </ol> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>

### Before Building Work Commences

54.	<p><b>(C039) Construction Requirements</b></p> <p>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.</p> <p><b>Condition reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
55.	<p><b>(C055) Site Facilities</b></p> <p>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 then that which this approval relates to.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented before the commencement of building work.</p>
56.	<p><b>(C117) Erosion and sediment controls in place</b></p> <p>Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p>

	<b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
57.	<p><b>(C155) Work Zone</b></p> <p>A Works Zone application is required if on-street parking is affected with commuter parking and there is insufficient off-street parking space.</p> <p>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.</p> <p><b>Condition reason:</b> To ensure that road occupancy is approved by council to minimise traffic impacts on the road.</p>
58.	<p><b>(C158) Construction Traffic Management Plan (CTMP)</b></p> <p>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.</p> <p>A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection by authorised Council officers.</p> <p>Construction shall not commence until the assessed construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction.</p> <p><b>Condition reason:</b> To ensure that the impact of construction traffic associated with the development on the surrounding road network is minimized.</p>
59.	<p><b>(C201) Road Occupancy Permit</b></p> <p>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.</p> <ul style="list-style-type: none"> <li>• Road Occupancy Application Form</li> <li>• Road Opening Application Form</li> </ul> <p><b>Condition reason:</b> To ensure that road occupancy is approved by council to minimise traffic impacts on the road.</p>
60.	<p><b>(C466) Dilapidation report</b></p> <p>Before any site work commences, a dilapidation report of all infrastructure fronting the development in Castlereagh &amp; Copeland Streets, Liverpool must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier or Council (where a principal certifier is not required). The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20 m either side of the development.</p> <p><b>Condition reason:</b> To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.</p>

### During Building Work

61.	<p><b>(D005) Building Work</b></p> <p>The building works must be inspected by the Principal Certifier (PC), in accordance with Sections 6.5 of the Environmental Planning &amp; Assessment Act 1979, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.</p> <p><b>Condition reason:</b> To require stage inspection and approval by the PC in accordance with EP &amp; A Regulation clause 162A.</p>
62.	<b>(D010) Building Work</b>



	<p>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.</p> <p><b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.</p>
63.	<p><b>(D015) Surveys by a registered surveyor</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>1. All footings / foundations in relation to the site boundaries and any registered and proposed easements</li> <li>2. At other stages of construction – any marks that are required by the principal certifier.</li> </ol> <p><b>Condition reason:</b> To ensure buildings are sited and positioned in the approved location.</p>
64.	<p><b>(D020) Identification Survey Report</b></p> <p>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.</p> <p>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.</p> <p><b>Condition reason:</b> To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.</p>
65.	<p><b>(D025) Identification Survey Report</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.</p>
66.	<p><b>(D038) Toilet Facilities</b></p> <p>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:</p> <ol style="list-style-type: none"> <li>(a) be a standard flushing toilet connected to a public sewer, or</li> <li>(b) have an on-site effluent disposal system approved under the Local Government Act 1993, or</li> <li>(c) be a temporary chemical closet approved under the Local Government Act 1993.</li> </ol> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
67.	<p><b>(D045) Hours of work</b></p> <p>Site work must only be carried out between the following times –</p> <p>From 7am to 6pm on Monday to Friday</p> <p>From 8am to 1pm on Saturday</p> <p>Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p><b>Condition reason:</b> To protect the amenity of the surrounding area.</p>
68.	<p><b>(D049) Security Fence</b></p> <p>A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.</p> <p><b>Note:</b> Fencing is not to be located on Council's reserve area.</p>

	<b>Condition reason:</b> To ensure the required site management measures are implemented during construction.
69.	<p><b>(D055) Refuse Disposal</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
70.	<p><b>(D100) General Site Works - Surface Contours</b></p> <p>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.</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood.</p>
71.	<p><b>(D105) General Site Works</b></p> <p>All roofwater is to be connected to an approved stormwater system.</p> <p><b>Condition reason:</b> To ensure environmental impacts and impacts to neighbouring properties are minimised.</p>
72.	<p><b>(D110) General Site Works</b></p> <p>Stormwater pipeline connections to the street kerb shall be constructed in the following manner:</p> <ul style="list-style-type: none"> <li>(a) the kerb shall be sawcut on both sides of the proposed pipe outlet.</li> <li>(b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter.</li> <li>(c) the kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb.</li> </ul> <p><b>Condition reason:</b> To ensure any alteration to Council infrastructure is to a suitable standard.</p>
73.	<p><b>(D115) General Site Works - Existing Hydrology</b></p> <p>Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site.</p> <p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
74.	<p><b>(D120) General Site Works - Runoff</b></p> <p>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.</p> <p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
75.	<p><b>(D125) General Site Works - Sediment</b></p> <p>The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.</p> <p><b>Condition reason:</b> To minimise impacts to adjacent vegetation and habitat.</p>
76.	<p><b>(D130) Removal of dangerous and/or hazardous waste</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure safe removal and disposal of dangerous and/or hazardous material.</p>
77.	<b>(D140) Car Parking Areas</b>

	<p>Car parking spaces and driveways must be constructed of a minimum two coat finish seal or better.</p> <p>All parking spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities.</p> <p>The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off-Street Car Parking.</p> <p>All car parking areas are to be appropriately line marked and sign posted in accordance with the Council approved stamped plans.</p> <p>All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.</p> <p>The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking.</p> <p><b>Condition reason:</b> To ensure the facilities are constructed appropriately to comply with the DCP and AS2890.</p>
78.	<p><b>(D146) Directional Signage</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure that appropriate signs are installed.</p>
79.	<p><b>(D165) Public Domain Works</b></p> <p>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’.</p> <p><b>Condition reason:</b> To ensure that the development covers all required costs associated with the development.</p>
80.	<p><b>(D170) Council On Street Assets</b></p> <p>Council's on-street assets and local road network are to be protected and kept in a serviceable state at all times. At the direction of Council, the applicant/project manager shall undertake remediation works, at no cost to Council and to Council's satisfaction.</p> <p><b>Condition reason:</b> To ensure that the development covers all required costs associated with the development.</p>
81.	<p><b>(D180) Waste management</b></p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>1. all waste management must be undertaken in accordance with the waste management plan; and</li> <li>2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: <ol style="list-style-type: none"> <li>1. The contact details of the person(s) who removed the waste;</li> <li>2. The waste carrier vehicle registration;</li> <li>3. The date and time of waste collection;</li> <li>4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill;</li> <li>5. The address of the disposal location(s) where the waste was taken;</li> <li>6. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</li> </ol> </li> </ol> <p>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.</p> <p><b>Condition reason:</b> To require records to be provided, during site work, documenting the lawful disposal of waste.</p>

82.	<b>(D335) External Lighting</b>
	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.
	<b>Condition reason:</b> To protect the amenity of the neighbourhood.
83.	<b>(D335) External Lighting</b>
	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.
	<b>Condition reason:</b> To protect the amenity of the neighbourhood.
84.	<b>(D426) Soil management</b>
	While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:
	<ol style="list-style-type: none"> <li>1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>2. All fill material imported to the site must be: <ol style="list-style-type: none"> <li>1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> <li>2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or</li> <li>3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ol> </li> </ol>
	<b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.
85.	<b>(D430) Unidentified Contamination</b>
	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.
	<b>Condition reason:</b> To ensure the suitability of land for the development.
86.	<b>(D450) Air Quality</b>
	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.
	<b>Condition reason:</b> To ensure site works are managed appropriately and do not result in air pollution.
87.	<b>(D455) Dropped Edge Beam</b>
	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.
	<b>Condition reason:</b> To ensure that all construction work is undertaken to an approved standard and relevant controls.
88.	<b>(D460) Salinity</b>

	<p>The development shall be carried out in accordance with 'Appendix B' of the Liverpool Growth Precincts Development Control Plan 2013.</p> <p>The development shall be carried out in accordance with Part 1, Section 11 'Salinity Risk' of the Liverpool Development Control Plan 2008.</p> <p><b>Condition reason:</b> To ensure that all construction work is undertaken to an approved standard.</p>
89.	<p><b>(D565) Water Quality</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in water pollution.</p>
90.	<p><b>(D570) Pollution Control - Site Operations</b></p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.</p>
91.	<p><b>(D574) Pollution Control - Truck Movements</b></p> <p>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.</p> <p>Measures must be implemented to prevent tracking of sediment by vehicles onto roads.</p> <p>Vehicle loads must be covered when entering and exiting the site with material.</p> <p><b>Condition reason:</b> To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.</p>
92.	<p><b>(D578) Ventilation</b></p> <p>The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 &amp; 2).</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
93.	<p><b>(D605) Containment of site wastes during building</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.</p>
94.	<p><b>(D650) Noise and vibration - an approved document of this consent</b></p> <p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood during construction.</p>
95.	<p><b>(D829) Construction Details - Childcare Facility</b></p> <p>The construction, fit-out and finishes of the premises must comply with the Food Act 2003, Australia New Zealand Food Standards Code and Australian Standard AS 4674-2004 Design, construction and fit-out of food premises, Building Code of Australia, Education and Care Services National Regulation 2011, Sydney Water Corporation - Trade Waste Section.</p> <p>The childcare centre construction must include, but not be limited to the following:</p>

- (a) All walls (including partition walls) within the kitchen, food preparation, storage and display areas must be of solid construction (eg., bricks, cement or other approved material). These walls are to be finished with glazed tiles, stainless steel or other approved material adhered directly to the wall to a height of 2 metres above floor level;
- (b) Walls within the kitchen, food preparation, storage and display areas which are not of solid construction (e.g. stud walls) must be finished in tiles or other approved material from the floor level to the underside of the ceiling;
- (c) The floors within the kitchen, food preparation, storage and display areas must be constructed of a suitable material which is non-slip, durable, resistant to corrosion, non-toxic, non-absorbent and impervious to moisture. The floor is to be graded and drain to an appropriate floor waste fitted with a basket arrestor;
- (d) If the floor in the food preparation and storage areas is constructed of tiles, the joints between the tiles must be of a material that is non-absorbent and impervious to moisture;
- (e) The intersection of walls with floors and exposed plinths in the kitchen, food preparation, storage and display areas are to be coved to a minimum radius of 25mm;
- (f) All plinths are to be constructed of a material which is of solid construction and impervious to moisture. The plinths must be:
  - (i) at least 75mm high;
  - (ii) finished level to a smooth even surface;
  - (iii) recessed under fittings to provide a toe space of not more than 50mm;
  - (iv) rounded at exposed edges; and
  - (v) coved at the intersection of the floor and wall to a minimum radius of 25mm.
- (g) The ceiling is to be constructed of a material that is rigid, smooth faced and impervious to moisture. The ceiling over the food preparation, storage and display areas must be painted with a washable paint of a light colour. The surface finish is to be free of open joints, cracks, crevices or openings (drop ceiling panel is not permitted). The intersections of walls and the ceiling are to be tight jointed, sealed and dust-proof;
- (h) The drop-in panel ceiling in the food preparation and storage areas must be replaced with an approved rigid, smooth faced and impervious material which is free of open joints, cracks, crevices or openings. The ceiling is to be painted with a light coloured washable paint;
- (i) All service pipes and electrical conduits must be either:
  - (i) concealed in floors, walls, ceiling or concrete plinths, or
  - (ii) fixed with brackets so as to provide at least:
    - 25mm clearance between the wall and the pipe/conduit; &
    - 100mm between the floor and the pipe/conduit
    - pipes so installed are not to run underneath fittings.
- (j) All architraves, skirting boards, picture rails and the like are not permitted within the kitchen, food preparation and storage areas;
- (k) All openings in the walls, floors and ceilings through which service pipes and electrical conduits pass through are to be designed and constructed so as to prevent the access of vermin;
- (l) The internal and external surfaces, including exposed edges to all benches, counters and shelving in the food preparation, storage, display and serving areas are to be finished with a rigid, smooth faced and non-absorbent material (e.g. laminate, stainless steel or other approved material) that is capable of being easily cleaned;
- (m) All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. NOTE: The lowest shelf must be a minimum of at least 150mm above the floor level;
- (n) The hot water service unit must be positioned a minimum of 75mm clear of the adjacent wall surface and mounted a minimum of 150mm above the floor level on a stand of non-corrosive metal construction;
- (o) A free standing, hands free hand wash basin must be provided in a convenient position within the

food preparation and serving areas. The hand wash basin must be provided with hot and cold water supplied through a single outlet and fitted with an approved mixing device to enable hands to be washed under hot running water at a temperature of at least 40°C;

- (p) Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage of vermin are not permitted to be formed in the construction of the premises or in the installation of fixtures, fittings and equipment;
- (q) A double bowl sink or two-compartment tub must be provided with hot and cold water supplied through a single spout in the kitchen/food preparation area. Double bowl sink or tubs must be supplied with water of at least: 45°C in one bowl for washing purposes; and 77°C in the other bowl for rinsing purposes, together with a thermometer accurate to 1°C.
- (r) A designated food preparation sink;
- (s) A cleaners sink must be provided. The sink is NOT to be within an area where open food is handled (may be in a cleaner's room or laundry);
- (t) A designated toilet with appropriate hand washing facilities for the use of staff who handle food;
- (u) A designated hand washing facility fitted with a single spout capable of delivering a supply of warm running water via a hands free mechanism, preparation/rinse sink and dishwasher to each bottle preparation area. This shall be in addition to any craft sinks;
- (v) A designated hand washing facility fitted with a single spout capable of delivering a supply of warm running water via a hands free mechanism provided within the immediate vicinity of each nappy changing area and a bench type baby bath within one metre from the nappy change bench;
- (w) Adequate, developmentally, and age-appropriate toilet, washing and drying facilities must be provided for children's use. It is important to consider the age and number of children who will require access to the bathroom facilities and whether there are sufficient toilets and hand basins to ensure minimal delay for children requiring their use. Easy access from all indoor and outdoor play areas shall be provided. Also refer to the Building Code of Australia for requirements for new buildings in relation to the number and size of toilet pans and basins.
- (x) Discharge of commercial trade wastewater is to be approved by Sydney Water. Before selecting or installing trade wastewater pre-treatment devices at a retail food business, refer to Plumbing for retail food businesses produced by Sydney Water.
- (y) The grease trap is NOT to be located within an area where food is being handled.

**Condition reason:** To mitigate potential risks to human health and facilitate compliance with legislative requirements.

## Before Issue of an Occupation Certificate

96. (E001) Payment of development contributions

<b>Payment of section 7.12 contributions</b>	
Before the issue of an occupation certificate, the applicant must pay the following contributions to Council for:	
Georges River Foreshore	
Pioneer Park	
Apex Reserve	
Georges River Pedestrian Crossing	
Discovery Park	
Community Facility Upgrade	
Access, Bike facilities and bus priority	
Peripheral Streetscape works	
Footpath widening in City Centre	
The total contribution payable to Council under this condition is \$929,734.00 as calculated at the date of this con	
The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions o	
<b>Condition reason:</b> To ensure development contributions are paid to address increased demand for public amen	
97.	<b>(E002) Outstanding Development Contributions</b>
	Prior to the issue of any occupation certificate all outstanding section 7.11/7.12 contributions must be paid as re
	<b>Condition reason:</b> To ensure development contributions are paid to address the increased demand for public an
98.	<b>(E005) Occupation Certificates</b>
	The premises must not be occupied until an Occupation Certificate (OC) is issued by the certifier. Copies of all c
	<b>Condition reason:</b> To ensure the development is in accordance with the approval and the use meets health, sa
99.	<b>(E010) Certificates</b>
	All required documentary evidence for the critical stage inspections carried out prior, during and at the completic
	<b>Condition reason:</b> To ensure the use meets health, safety and amenity provisions.
100.	<b>(E020) Acoustic Report</b>
	Confirmation in writing that the recommended measures were incorporated as required by the report.
	<b>Condition reason:</b> To ensure the use meets health and amenity provisions to occupants and/or neighbouring pr
101.	<b>(E022) Post-construction dilapidation report</b>
	Before the issue of an Occupation Certificate a post-construction dilapidation report must be prepared by a suita
	1. after comparing the pre-construction dilapidation report to the post-construction dilapidation report require
	2. where there has been structural damage to any adjoining buildings, that it is a result of the work approved
	3. a copy of the post-construction dilapidation report must be provided to Council (where Council is not the pr
	<b>Condition reason:</b> To identify any damage to adjoining properties resulting from site work on the development s
102.	<b>(E026) Removal of Waste Upon Completion</b>
	Before the issue of an Occupation Certificate:
	1. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in a
	2. written evidence of the waste removal must be provided to the satisfaction of the <b>&lt;Insert principal certifi</b>
	<b>Condition reason:</b> To ensure waste material is appropriately disposed or satisfactorily stored.
103.	<b>(E030) Section 73 Sydney Water Certificate</b>
	A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained and submitted to the F
	<b>Condition reason:</b> To ensure relevant utility and service providers requirements are provided to the certifier.
104.	<b>(E032) Pedestrian safety signage</b>
	Before the issue of an occupation certificate, ensure an appropriate sign(s) is provided and maintained within the



	<b>Condition reason:</b> To make drivers aware of pedestrians and to ensure the safety of pedestrians using the shared zone.
105.	<b>(E033) Cladding</b> Prior to issuing an occupation certificate the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external cladding installed on a building is compliant. <b>Condition reason:</b> To ensure that the external cladding installed on a building is compliant.
106.	<b>(E035) Completion of public utility services</b> Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that the required changes to public utility services are completed, in accordance with the relevant legislation. <b>Condition reason:</b> To ensure required changes to public utility services are completed, in accordance with the relevant legislation.
107.	<b>(E037) Liverpool City Council clearance - Roads Act/ Local Government Act</b> Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with the development are completed in accordance with the relevant legislation. <b>Condition reason:</b> To ensure fairness, transparency and probity.
108.	<b>(E050) Display of Street Numbers</b> Street numbers must be prominently displayed at the front of the development in a contrasting colour to the building. <b>Condition reason:</b> To ensure street number of the site is displayed in accordance with the Local Government Act 1993.
109.	<b>(E060) BASIX</b> Supporting documentation issued by a suitable qualified person who has installed or carried out the works associated with the development. <b>Condition reason:</b> To ensure the development meets energy and water conservation requirements.
110.	<b>(E065) Landscaping</b> Upon completion of the approved landscape works associated with the development and prior to the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance with the approved landscape plan. <b>Condition reason:</b> To help ensure landscaping works have been carried to a high standard and in accordance with the approved landscape plan.
111.	<b>(E075) Road Works</b> All redundant vehicular crossings shall be removed and replaced with Council's standard kerb and gutter at no cost to the applicant. <b>Condition reason:</b> To protect and maintain Council infrastructure to an appropriate standard.
112.	<b>(E080) Waste Collection - Secondary Dwelling</b> Prior to the issue of an occupation certificate, a full domestic waste service is required to be provided to the secondary dwelling. <b>Condition reason:</b> To ensure that wastes are correctly stored, disposed of and controlled at all times to maintain the amenity of the local area.
113.	<b>(E090) Swimming Pool Register</b> Land owners are to be aware of their responsibility under the Swimming Pools (Amendment) Act 2012 which requires that all swimming pools be registered on the NSW Swimming Pool Register. Authorised officers may fine pool owners if their pool is not registered on the NSW Swimming Pool Register. The applicant must ensure that the pool is registered on the NSW Swimming Pool Register. <b>Condition reason:</b> To meet legislative requirements.
114.	<b>(E105) Certification of acoustic measures</b> Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance with the approved acoustic report. <b>Condition reason:</b> To protect the amenity of the local area.
115.	<b>(E106) Recommendations of Acoustic Report</b> Upon completion of works and before the issue of any occupation certificate, written certification prepared by a suitably qualified person must confirm that the development or use is capable of operating in accordance with the design criteria. Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by a suitably qualified person. <b>Condition reason:</b> To mitigate potential acoustic impacts by ensuring that the development or use complies with the approved acoustic report.
116.	<b>(E108) Residential Car Park</b>

	<p>Before the issue of an occupation certificate the principal certifier must be satisfied that the proposed garage/sec and/or columns.</p> <p><b>Condition reason:</b> To mitigate potential offensive noise and amenity impacts.</p>
117.	<p><b>(E140) Flooding</b></p> <p>An evacuation plan shall be developed and maintained, including suitable warning system and exist, to ensure th</p> <p><b>Condition reason:</b> To ensure all measures are in place to protect people at the development during floods up to</p>
118.	<p><b>(E156) Waste Storage Room</b></p> <p>Prior to the issuing of an occupation certificate, the principal certifier shall be satisfied that the designated garbage</p> <ol style="list-style-type: none"> <li>1. The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered</li> <li>2. The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor</li> <li>3. The door to the room must be tight-fitting, self-closing and fitted with mechanical ventilation.</li> </ol> <p>Please refer to the Liverpool Development Control Plan 2008 for further information regarding the construction sta</p> <p><b>Condition reason:</b> To ensure compliance with construction requirements and to mitigate risks to human health</p>
119.	<p><b>(E185) Site Audit Statement</b></p> <p>Before the issue of any occupation certificate, a Site Auditor accredited under the Contaminated Land Manager 'Guidelines for the NSW Site Auditor Scheme' (3rd Edition) published by the NSW Environment Protection Auth</p> <p>The Site Audit Statement and Site Audit Report must certify <b>the suitability of the land for the use / suitability of th Statement</b> and Site Audit Report must be submitted to Liverpool City Council, certifier and Appropriate Regulator</p> <p><b>Condition reason:</b> To provide greater certainty for the consent authority by requiring the independent review of</p>
120.	<p><b>(E245) Construction and installation of ventilation system</b></p> <p>Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating com</p> <p><b>Condition reason:</b> To ensure the mechanical ventilation system has been constructed and installed as approved</p>
121.	<p><b>(E250) Mechanical Ventilation Certification</b></p> <p>Upon completion of works and before the issue of any occupation certificate, a Mechanical Ventilation Certificate the tests carried out in relation to ventilation and acoustics and confirm that the systems comply with the approv</p> <p><b>Condition reason:</b> To facilitate compliance with legislative requirements.</p>
122.	<p><b>(E255) Notice of food business</b></p> <p>Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be no</p> <p><b>Condition reason:</b> To enable council to ensure compliance with the consent when the business is operating</p>
123.	<p><b>(E272) Trade Waste Agreement for Vehicle Wash Bay/s</b></p> <p>All vehicle washing is to be conducted in the designated vehicle wash bay/s which shall be connected to the sev</p> <p>Before the issue of any occupation certificate, copies of the plumber's certificate of compliance and the Trade W</p> <p><b>Condition reason:</b> To ensure compliance with Sydney Water requirements and to ensure that no substance off</p>
124.	<p><b>(E300) Hanging of Washing on Balconies</b></p> <p>Prior to the issue of an Occupation Certificate, the following restriction as to user must be registered on the title</p> <p>The hanging of washing, including any clothing, towels, bedding or other article of a similar type of any balcony i</p> <p>The restriction as to user may not be extinguished or altered except with the consent of Liverpool City Council.</p> <p><b>Condition reason:</b> To ensure required restriction on use is registered on the title (the site), in accordance with C</p>
125.	<p><b>(E400) Stormwater Compliance</b></p>

	<p>Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the:</p> <ul style="list-style-type: none"> <li>(a) On-site detention system/s,</li> <li>(b) Stormwater pre-treatment system/s,</li> <li>(c) Basement Carpark pump-out system: <ul style="list-style-type: none"> <li>1. Have been satisfactorily completed in accordance with the approved Construction Certificate and t</li> <li>2. Have met the design intent with regard to any construction variations to the approved design, and</li> <li>3. Any remedial works required to been undertaken have been satisfactorily completed.</li> </ul> </li> </ul> <p>Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
126.	<p><b>(E404) Restriction as to User and Positive Covenant</b></p> <p>Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the follow</p> <ul style="list-style-type: none"> <li>(a) On-site detention system/s,</li> <li>(b) Stormwater pre-treatment system/s,</li> <li>(c) Basement Carpark pump-out system.</li> </ul> <p>The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
127.	<p><b>(E407) Repair of infrastructure</b></p> <p>Before the issue of an Occupation Certificate:</p> <ul style="list-style-type: none"> <li>1. any public infrastructure damaged as a result of the carrying out of work approved under this consent (inc Council; or</li> <li>2. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required a</li> </ul> <p><b>Condition reason:</b> To ensure any damage to public infrastructure is rectified.</p>
128.	<p><b>(E408) Rectification of Damage</b></p> <p>Prior to the issue of an Occupation Certificate, any damage to Council infrastructure not identified in the dilapida</p> <p>Any rectification works within Castlereagh &amp; Copeland Streets, Liverpool will require a Roads Act application. Th</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
129.	<p><b>(E420) Entry/ Exit Signage</b></p> <p>Prior to the issue of an Occupation Certificate signage which is clearly visible from the public road shall be place</p> <p>The signage shall indicate that the ### vehicular access is to be used for ingress purposes only and appropriate</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
130.	<p><b>(E424) Directional Signage</b></p> <p>Prior to the issue of an Occupation Certificate, directional signage and linemarking shall be installed indicating d</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
131.	<p><b>(E432) Footpaths</b></p> <p>Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on or</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
132.	<p><b>(E436) Dilapidation Report</b></p> <p>Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken,</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
133.	<p><b>(E950) Lot Consolidation</b></p> <p>All separate lots must be consolidated, and the new lot must be registered. The applicant shall provide evidence</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
134.	<p><b>(E951) Public Art</b></p>

Prior to the issue of an Occupation Certificate, all works proposed and endorsed in the public art Plan shall be c
<b>Condition reason:</b> To ensure fairness, transparency and proberty.

## Occupation and Ongoing use

135.	<p><b>(G065) Unreasonable Noise and Vibration</b></p> <p>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.</p> <p>Should an offensive noise complaint be received and verified by Liverpool City Council, an acoustic assessment must be undertaken by a suitably qualified acoustic consultant and an acoustic report must be submitted to Liverpool City Council for review. Any noise attenuation recommendations approved by Liverpool City Council must be implemented.</p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential offensive noise and amenity impacts.</p>
136.	<p><b>(G095) Location of mechanical ventilation</b></p> <p>During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed <b>&lt;Insert number&gt;</b> dBA above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises.</p> <p><b>Condition reason:</b> To protect the residential amenity of neighbouring properties.</p>
137.	<p><b>(G100) Waste Collection and Management</b></p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
138.	<p><b>(G130) Waste Storage Area</b></p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
139.	<p><b>(G190) Parking Spaces - Assessment Planner</b></p> <p>The following parking spaces should be used solely for the purpose it has been provided.</p> <ol style="list-style-type: none"> <li>1. Unrestricted resident car parking</li> <li>2. Visitor car parking</li> <li>3. Accessible car parking</li> <li>4. Motorcycle parking</li> <li>5. Cycle parking</li> <li>6. Delivery area</li> <li>7. Garbage pick-up area</li> <li>8. Washing bay</li> </ol> <p><b>Condition reason:</b> To ensure that adequate parking and loading are provided.</p>
140.	<p><b>(G200) Car Parking/Loading Provisions - Residential Flat Building</b></p>

	<p>A total of 194 off street car parking spaces must be provided in accordance with Council's requirements. The parking spaces shall be allocated as follows:</p> <p>a) 25 spaces relating to the childcare component (14 staff and 9 visitors, 2 delivery);</p> <p>a) 14 spaces relating to the 1 bedroom units - minimum;</p> <p>b) 99 spaces relating to the 2 bedroom units - minimum;</p> <p>c) 29 spaces relating to the 3 bedroom units - minimum; and</p> <p>d) 4 service/carwash bays.</p>																		
	<p><b>Condition reason:</b> To ensure that adequate parking and loading are provided.</p>																		
141.	<p><b>(G210) Car Parking Management</b></p> <p>All parking areas shown on the approved plans must be used solely for this purpose.</p> <p><b>Condition reason:</b> To ensure that adequate parking and loading are provided.</p>																		
142.	<p><b>(G220) Loading Areas</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure that adequate parking and loading are provided.</p>																		
143.	<p><b>(G230) Vehicle Access</b></p> <p>Vehicles entering or leaving the development site should be in forward direction, if practicable.</p> <p><b>Condition reason:</b> To ensure safety.</p>																		
144.	<p><b>(G240) Advertising</b></p> <p>Advertising matter not approved in conjunction with this decision notice, must not be erected, painted or displayed without the prior approval of Council.</p> <p><b>Condition reason:</b> To require approval for advertising matter/structures that is not approved as part of this consent.</p>																		
145.	<p><b>(G250) Operating hours</b></p> <p>During ongoing use of the premises, the hours of operation of the <b>Childcare Facility</b> are restricted to:</p> <table><tr><td></td><td>From</td><td>To</td></tr><tr><td>Monday</td><td>7am</td><td>6pm</td></tr><tr><td>Tuesday</td><td>7am</td><td>6pm</td></tr><tr><td>Wednesday</td><td>7am</td><td>6pm</td></tr><tr><td>Thursday</td><td>7am</td><td>6pm</td></tr><tr><td>Friday</td><td>7am</td><td>6pm</td></tr></table> <p>No operations are to occur on Saturday, Sundays and any public holiday.</p> <p><b>Condition reason:</b> To protect the amenity of the local area</p>		From	To	Monday	7am	6pm	Tuesday	7am	6pm	Wednesday	7am	6pm	Thursday	7am	6pm	Friday	7am	6pm
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146.	<p><b>(G263) Additional requirements during operating hours</b></p> <p>During ongoing use of the premises:</p> <p>1. Live or amplified music is not permitted after 5pm</p> <p>2. The preparation and service of food at the premises must cease 30 minutes before the required closing time.</p> <p><b>Condition reason:</b> To protect the amenity of the local area</p>																		
147.	<p><b>(G310) Childcare Centres</b></p> <p>Approval is granted for a maximum of 90 children to be on the premises at one time, in accordance with the following groupings:</p> <p>(a) 16 - 0 – 2 years; - four (4) teachers - 1:4 Ratio.</p> <p>(b) 20 - 2 – 3 years; four (4) teachers 1:5 Ratio and</p> <p>(c) 54 - 3 years and over - six (6) teachers 1:10 Ratio.</p>																		

	<b>Condition reason:</b> To ensure that childcare centres maintain the maximum number of places in each age group approved with this consent.
148.	<p><b>(G320) Childcare Centres</b></p> <p>A maximum number of 14 permanent staff members are permitted to work at the childcare centre at any given time.</p> <p><b>Condition reason:</b> To ensure that childcare centres maintain the maximum number of permanent staff approved with this consent.</p>
149.	<p><b>(G340) Noise Complaints register</b></p> <p>The operator must keep a legible record of all complaints received in an up-to date Complaints Register. The Complaints Register must record, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>(a) the date and time, where relevant, of the complaint;</li> <li>(b) the means by which the complaint was made (telephone, mail or email);</li> <li>(c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</li> <li>(d) the nature of the complaint;</li> <li>(e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</li> <li>(f) allocate an individual "complaint number" to each complaint received.</li> </ul> <p>The Complaints Register must be made available for inspection when requested by Liverpool City Council.</p> <p>The industry must be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times.</p> <p><b>Condition reason:</b> To mitigate potential impacts associated with the development and establish a procedure for responding to enquiries.</p>
150.	<p><b>(G345) Lighting</b></p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential lighting impacts and protect the amenity of the surrounding area.</p>
151.	<p><b>(G360) Noise - Silent Building Intruder Alarm System</b></p> <p>Any building intruder alarm installed at the site must be a "silent back to base" type.</p> <p><b>Condition reason:</b> To mitigate potential acoustic impacts and protect the amenity of the surrounding area.</p>
152.	<p><b>(G370) Use of building intruder alarm/s</b></p> <p>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.</p> <p><b>Condition reason:</b> To mitigate potential acoustic impacts and facilitate compliance with legislative requirements.</p>
153.	<b>(G390) Noise - General</b>

	<p>Noise associated with the use of the premises, including mechanical plant and equipment, must not give rise to any one or more of the following:</p> <p>(a) The use of the premises including the cumulative operation of any mechanical plant, equipment, public address system or other amplified sound equipment must not give rise to the emission of 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.</p> <p>(b) The operation of any mechanical plant, equipment, public address system or other amplified sound equipment installed on the premises must not cause:</p> <ul style="list-style-type: none"> <li>i. The emission of noise as measured over a 15 minute period (LAeq (15 minute)) that exceeds the LA90 (15 minute) background noise level by more than 5 dB(A) when measured at the most affected residential boundary. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the NSW Environment Protection Authority's 'Noise Policy for Industry' (2017);</li> <li>ii. An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors;</li> <li>iii. 'offensive noise' as defined by the Protection of the Environment Operations Act 1997; and</li> <li>iv. Transmission of vibration to any place of different occupancy greater than specified in AS 2670.</li> </ul>
	<b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.
154.	<b>(G392) Noise Management Plan</b>
	The approved Noise Management Plan must be complied with at all times.
	<b>Condition reason:</b> To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
155.	<b>(G393) Acoustic Report</b>
	<p>An acoustic report prepared by a suitably qualified acoustic consultant must be submitted to Liverpool City Council for its assessment and approval within three (3) months of occupation/completion of the development. The report must include but not be limited to the following information:</p> <p>(a) Noise measurements taken during a time of peak occupation at the most affected noise sensitive locations as indicated in the approved acoustic report titled (Report Title), report reference (Project Number/Job Number, Revision) prepared by (Author) dated (date);</p> <p>(b) Verification that noise levels at the most affected receivers comply with all relevant assessment criteria detailed in the abovementioned report;</p> <p>(c) All complaints received from local residents in relation to the operation of the premises/development; and</p> <p>(d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations must be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.</p> <p>Following written approval from Liverpool City Council, recommendations provided under point d) above must be implemented fully.</p> <p>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.</p>
	<b>Condition reason:</b> To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
156.	<b>(G395) Managing noise</b>
	During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent.
	<b>Condition reason:</b> To protect the amenity of the local area

157.	<p><b>(G396) Managing noise with ongoing acoustic treatment</b></p> <p>During ongoing use of the premises, the premises must be operated in accordance with any approved acoustic report.</p> <p>Where the approved acoustic report recommends ongoing acoustic treatments, an acoustic implementation report from a suitably qualified person must be submitted to council within four weeks of the date of the issue of the occupation certificate.</p> <p>The report must confirm the implementation of acoustic treatment and demonstrate the external and internal noise levels satisfy the criteria nominated in accordance with the approved acoustic report.</p> <p><b>Condition reason:</b> To ensure operational noise levels comply with the approved acoustic report and do not unreasonably impact on the amenity of adjoining and nearby premises</p>
158.	<p><b>(G400) Environment</b></p> <p>The use of the premises must not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities that are a nuisance, injurious or prejudicial to health.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
159.	<p><b>(G402) Air Handling System</b></p> <p>Any liquid discharge from the air handling system resulting from the operation, maintenance and/or cleaning operations are to be disposed of into the sewer system. Discharge into the stormwater disposal system is not permitted.</p> <p><b>Condition reason:</b> To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
160.	<p><b>(G410) Landscaping</b></p> <p>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.</p> <p>If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.</p> <p>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.</p> <p><b>Condition reason:</b> To require records to be provided, after occupation, documenting that landscaping is appropriately maintained.</p>
161.	<p><b>(G468) Smoke-free Requirements</b></p> <p>The requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016 must be complied with at all times.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and facilitate compliance with legislative requirements and relevant standards.</p>
162.	<p><b>(G470) Food Premises - Use of Charcoal</b></p> <p>The use of charcoal for the purposes of heating, cooking or smoking food on the premises is strictly prohibited.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health and the environment.</p>
163.	<p><b>(G640) Educational Establishment</b></p> <p>A total of 25 off-street car parking spaces must be provided in accordance with the approved plans comprising the following:</p> <ul style="list-style-type: none"> <li>(a) Staff parking - 14 car parking spaces, and</li> <li>(b) Parent/visitor parking – 9 car parking spaces.</li> <li>(c) Delivery parking - 2 parking spaces.</li> </ul> <p><b>Condition reason:</b> To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP</p>



164.	<p><b>(G644) Educational Establishment</b></p> <p>All staff car parking areas are to be clearly signposted limiting car parking for staff only. The applicant is to cover the costs of installation and maintenance of the signage.</p> <p><b>Condition reason:</b> To ensure staff car parking associated with the development is designed in accordance with the Australian Standard and Council's DCP.</p>
165.	<p><b>(G658) Educational Establishment</b></p> <p>Deliveries and service vehicles generated by the development are limited to 7.30am to 6.00pm, Monday to Friday. Deliveries and service vehicles are to be scheduled to access the site outside of peak am and pm pick up and drop off times to minimise conflict between different vehicle modes, pedestrians and access to car parking spaces.</p> <p><b>Condition reason:</b> To ensure that neighbouring properties are not adversely affected from any operation on site.</p>
166.	<p><b>(G666) Educational Establishment - Music</b></p> <p>The doors and windows of the childcare centre must be closed at all times when used for noise generating activities including but not limited to singing, musical instruments and amplified sound equipment. Such activities are not to be conducted outdoors at any time.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
167.	<p><b>(G668) Educational Establishment - Car Park Signage</b></p> <p>Prominent notices must be installed at the entry and exit to the car park and the building informing people to enter and leave the car park and the building quietly.</p> <p><b>Condition reason:</b> To mitigate potential intrusive noise and amenity impacts.</p>
168.	<p><b>(G767) Use of air conditioner/s on residential premises</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(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): <ul style="list-style-type: none"> <li>i. before 8:00am or after 10:00pm on any Saturday, Sunday or public holiday; or</li> <li>ii. before 7:00am or after 10:00pm on any other day; or</li> </ul> </li> <li>(b) cause "offensive noise" as defined by the Protection of the Environment Operations Act 1997; or</li> <li>(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).</li> </ul> <p><b>Condition reason:</b> To protect the residential amenity of neighbouring properties.</p>
169.	<p><b>(G769) Use of heat pump water heater/s on residential premises</b></p> <p>Any heat pump water heater/s used on the residential premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and must not:</p> <ul style="list-style-type: none"> <li>(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): <ul style="list-style-type: none"> <li>i. before 8:00am or after 10:00pm on any Saturday, Sunday or public holiday; or</li> <li>ii. before 7:00am or after 10:00pm on any other day; or</li> </ul> </li> <li>(b) cause "offensive noise" as defined by the Protection of the Environment Operations Act 1997; or</li> <li>(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).</li> </ul> <p><b>Condition reason:</b> To protect the residential amenity of neighbouring properties.</p>
170.	<p><b>(G809) Food Business Notification Requirements - Food Business</b></p>

	<p>All retail food businesses must notify Liverpool City Council of their food activity details. The food business notification must be completed in the approved form and comprise all information specified in the Food Safety Standards. The completed registration form/s must be submitted to Council prior to the commencement of the business.</p> <p><b>Condition reason:</b> To address legislative requirements.</p>
171.	<p><b>(G817) Food Safety Supervisor - Food Business</b></p> <p>A Food Safety Supervisor must be appointed to the food premises. A copy of the Food Safety Supervisor certificate must be kept onsite and presented to Council's Authorised Officer upon request. Further information can be obtained in the "Guideline to Food Safety Supervisor Requirements" published by the NSW Food Authority.</p> <p><b>Condition reason:</b> To mitigate potential risks to human health.</p>
172.	<p><b>(G823) Cool Rooms</b></p> <p>The cool room and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside of the cool room and freezer adjacent to the door. All metal work and shelving in the cool room and freezer room must be treated to resist corrosion.</p> <p>Condensation from cool rooms and refrigerator motors must discharge to sewer via a tundish with air gap separation in accordance with Sydney Water requirements.</p> <p>The cool room and freezer room must be provided with:</p> <ol style="list-style-type: none"> <li>1. A door which can be opened from inside without a key and;</li> <li>2. An approved alarm device located outside the room but controlled from the inside.</li> </ol> <p><b>Condition reason:</b> To address legislative requirements.</p>
173.	<p><b>(G824) Appliances and Cool Rooms</b></p> <p>Appliances used to store potentially hazardous food must have a capacity to keep foods hotter than 60 degrees Celsius, refrigerated foods below 5 degrees Celsius and frozen foods below 18 degrees Celsius and are to be provided with a digital thermometer accurate to 1 degree Celsius that can be easily observed from outside the appliance.</p> <p><b>Condition reason:</b> To address legislative requirements.</p>
174.	<p><b>(G950) Public Art</b></p> <p>Public Art approved and installed within the built form is required to be maintained throughout the lifecycle of the development, and any degradation or damages should be rectified and or the public art replaced within three (3) months and be consistent with that of the approved Public Art Plan.</p> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
175.	<p><b>(G951) Environmental Health</b></p> <p><b>Linen and Mattresses</b></p> <p>The provision and management of linen for the childcare centre must comply with the following:</p> <ol style="list-style-type: none"> <li>1. The premises operator must ensure provision of clean linen for the use of each child;</li> <li>2. All mattresses must be fitted with washable waterproof mattress protectors.</li> <li>3. Evidence of a commercial contract to launder linen must be provided to Council upon request. Alternatively, a commercial washing machine capable of washing at a temperature of not less than 70 degrees Celsius must be installed on the premises and provided with hot water at all times.</li> <li>4. Should linen be laundered onsite, an appropriate clothes dryer is to be made available for the drying of linen, towels, bibs etc.</li> </ol> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>

## Demolition Work Before Demolition Work Commences

177.	<b>(C040) Demolition Works</b>
	Demolition works shall be carried out in accordance with the following: <ul style="list-style-type: none"> <li>(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.</li> <li>(b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.</li> <li>(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.</li> </ul>
	<b>Condition reason:</b> To ensure that the demolition of buildings is carried out without impacting on public and environmental safety.
178.	<b>(C055) Site Facilities</b>
	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.
	<b>Condition reason:</b> To ensure the required site management measures are implemented before the commencement of building work.
179.	<b>(C117) Erosion and sediment controls in place</b>
	Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
	<b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
180.	<b>(C466) Dilapidation report</b>
	Before any site work commences, a dilapidation report of all infrastructure fronting the development in Castlereagh & Copeland Streets, Liverpool must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier or Council (where a principal certifier is not required). The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20 m either side of the development.
	<b>Condition reason:</b> To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

### During Demolition Work

181.	<b>(D045) Hours of work</b>
	Site work must only be carried out between the following times – From 7am to 6pm on Monday to Friday From 8am to 1pm on Saturday Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	<b>Condition reason:</b> To protect the amenity of the surrounding area.
182.	<b>(D049) Security Fence</b>

	<p>A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.</p> <p><b>Note:</b> Fencing is not to be located on Council's reserve area.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
183.	<p><b>(D055) Refuse Disposal</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
184.	<p><b>(D130) Removal of dangerous and/or hazardous waste</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure safe removal and disposal of dangerous and/or hazardous material.</p>
185.	<p><b>(D180) Waste management</b></p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>1. all waste management must be undertaken in accordance with the waste management plan; and</li> <li>2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: <ol style="list-style-type: none"> <li>1. The contact details of the person(s) who removed the waste;</li> <li>2. The waste carrier vehicle registration;</li> <li>3. The date and time of waste collection;</li> <li>4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill;</li> <li>5. The address of the disposal location(s) where the waste was taken;</li> <li>6. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</li> </ol> </li> </ol> <p>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.</p> <p><b>Condition reason:</b> To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
186.	<p><b>(D335) External Lighting</b></p> <p>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.</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood.</p>
187.	<p><b>(D426) Soil management</b></p>

	<p>While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>2. All fill material imported to the site must be: <ol style="list-style-type: none"> <li>1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> <li>2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or</li> <li>3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ol> </li> </ol> <p><b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
188.	<p><b>(D430) Unidentified Contamination</b></p> <p>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.</p> <p>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.</p> <p><b>Condition reason:</b> To ensure the suitability of land for the development.</p>
189.	<p><b>(D450) Air Quality</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in air pollution.</p>
190.	<p><b>(D565) Water Quality</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in water pollution.</p>
191.	<p><b>(D574) Pollution Control - Truck Movements</b></p> <p>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.</p> <p>Measures must be implemented to prevent tracking of sediment by vehicles onto roads.</p> <p>Vehicle loads must be covered when entering and exiting the site with material.</p> <p><b>Condition reason:</b> To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.</p>
192.	<p><b>(D605) Containment of site wastes during building</b></p>

	<p>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.</p> <p><b>Condition reason:</b> To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.</p>
193.	<p><b>(D650) Noise and vibration – an approved document of this consent</b></p> <p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood during construction.</p>

## Occupation and Ongoing use

194.	<p><b>(G953) Environmental Health</b></p> <p><b>Linen and Mattresses</b></p> <p>The provision and management of linen for the childcare centre must comply with the following:</p> <ol style="list-style-type: none"> <li>1. The premises operator must ensure provision of clean linen for the use of each child;</li> <li>2. All mattresses must be fitted with washable waterproof mattress protectors.</li> <li>3. Evidence of a commercial contract to launder linen must be provided to Council upon request. Alternatively, a commercial washing machine capable of washing at a temperature of not less than 70 degrees Celsius must be installed on the premises and provided with hot water at all times.</li> <li>4. Should linen be laundered onsite, an appropriate clothes dryer is to be made available for the drying of linen, towels, bibs etc.</li> </ol> <p><b>Condition reason:</b> To ensure fairness, transparency and proberty.</p>
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## Remediation Work Before Remediation Work Commences

195.	<p><b>(C117) Erosion and sediment controls in place</b></p> <p>Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p><b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
196.	<p><b>(C466) Dilapidation report</b></p> <p>Before any site work commences, a dilapidation report of all infrastructure fronting the development in Castlereagh &amp; Copeland Streets, Liverpool must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier or Council (where a principal certifier is not required). The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20 m either side of the development.</p> <p><b>Condition reason:</b> To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.</p>

## During Remediation Work

197.	<p><b>(D045) Hours of work</b></p> <p>Site work must only be carried out between the following times –  From 7am to 6pm on Monday to Friday  From 8am to 1pm on Saturday  Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p><b>Condition reason:</b> To protect the amenity of the surrounding area.</p>
198.	<p><b>(D055) Refuse Disposal</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the required site management measures are implemented during construction.</p>
199.	<p><b>(D130) Removal of dangerous and/or hazardous waste</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure safe removal and disposal of dangerous and/or hazardous material.</p>
200.	<p><b>(D180) Waste management</b></p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>1. all waste management must be undertaken in accordance with the waste management plan; and</li> <li>2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: <ol style="list-style-type: none"> <li>1. The contact details of the person(s) who removed the waste;</li> <li>2. The waste carrier vehicle registration;</li> <li>3. The date and time of waste collection;</li> <li>4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill;</li> <li>5. The address of the disposal location(s) where the waste was taken;</li> <li>6. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</li> </ol> </li> </ol> <p>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.</p> <p><b>Condition reason:</b> To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
201.	<p><b>(D426) Soil management</b></p>

	<p>While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>2. All fill material imported to the site must be: <ol style="list-style-type: none"> <li>1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> <li>2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or</li> <li>3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ol> </li> </ol> <p><b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
202.	<p><b>(D430) Unidentified Contamination</b></p> <p>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.</p> <p>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.</p> <p><b>Condition reason:</b> To ensure the suitability of land for the development.</p>
203.	<p><b>(D450) Air Quality</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in air pollution.</p>
204.	<p><b>(D565) Water Quality</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure site works are managed appropriately and do not result in water pollution.</p>
205.	<p><b>(D574) Pollution Control - Truck Movements</b></p> <p>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.</p> <p>Measures must be implemented to prevent tracking of sediment by vehicles onto roads.</p> <p>Vehicle loads must be covered when entering and exiting the site with material.</p> <p><b>Condition reason:</b> To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.</p>
206.	<p><b>(D605) Containment of site wastes during building</b></p>



	<p>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.</p> <p><b>Condition reason:</b> To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.</p>
207.	<p><b>(D650) Noise and vibration – an approved document of this consent</b></p> <p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.</p> <p><b>Condition reason:</b> To protect the amenity of the neighbourhood during construction.</p>

### On Completion of Remediation work

208.	<p><b>(H026) Removal of waste upon completion</b></p> <p>After completion of all site work:</p> <ol style="list-style-type: none"> <li>1. 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</li> <li>2. written evidence of the waste removal must be provided to the satisfaction of the <b>principal certifier</b>.</li> </ol> <p><b>Condition reason:</b> To ensure waste material is appropriately disposed or satisfactorily stored.</p>
209.	<p><b>(H407) Repair of infrastructure</b></p> <p>After completion of all site work:</p> <ol style="list-style-type: none"> <li>1. 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</li> <li>2. 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.</li> </ol> <p><b>Condition reason:</b> To ensure any damage to public infrastructure is rectified.</p>

**General advisory notes**

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

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

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

## Dictionary

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

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

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

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

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

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

**Council** means LIVERPOOL CITY COUNCIL.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

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

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

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

**Local planning panel** means LIVERPOOL LOCAL PLANNING PANEL.

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

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

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

**Stormwater drainage system** means all works and facilities relating to:  
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

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

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

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

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