

LIVERPOOL CITY COUNCIL

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-171/2024 PAN-419413
Applicant	ALAND B & W PTY LTD 8 GOULD ST STRATHFIELD SOUTH NSW 2136
Description of development	This DA seeks to retain the approved development (DA-1320/2021) to amend three (3) approved residential flat buildings with an amendment to accommodate an additional 41 apartments including 27 affordable housing apartments by applying the incentives in the Housing SEPP 2021 amendments. - Increase in the gross floor area (GFA) by 30% . Amendments to buildings including: - Building A “ increase to 4 storeys ;Building B “ increase to 6 Storeys; and 8 storeys; Building C “ increase to 8 storeys.
Property	LOT 101 SOLDIERS PARADE EDMONDSON PARK NSW 2174 LOT 101 DP 1267563
Determination:	Consent Authority -
Date of determination	26/11/2024
Date from which the consent operates	26/11/2024
Date on which the consent lapses	26/11/2029

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

Reasons for approval

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

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

Rights to appeal

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

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

Peer review (Authorising Officer) sign-off is incomplete

sign-off is incomplete

Person on behalf of the consent authority

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

Terms and Reasons for Conditions

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

General Conditions

1. (A002) Approved plans and supporting documentation

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

Approved plans

Plan number	Revision number	Plan title	Drawn by	Date of plan
DA0006	C	Site Plan	Stanisic Architects	29.02.24
DA1002	D	Level LG (B1) Plan Bld A+B	Stanisic Architects	18.09.24
DA1106	C	Level 1 (G) Plan BLD C	Stanisic Architects	24.09.24
DA1107	D	Level 2 Plan - BLD C	Stanisic Architects	24.09.24
DA1006	D	Level 4 Plan - BLD A+B	Stanisic Architects	18.09.24
DA2101	C	North + South Elevation (BLD C)	Stanisic Architects	24.09.24
DA-2102	C	East + West Elevations + Sections (BLD C)	Stanisic Architects	24.09.24
6712	B	Proposed Plan of Subdivision	SDG Land Development Solutions	30.08.21

Approved documents

Document title	Version number	Prepared by	Date of document
Acoustic Report	20210971.1/2202A/R4/GC	Acoustic Logic	22.2.24
BASIX	173861M	SLR Consulting Pty Ltd	05.3.24
BCA Report	113918	Alex Newberry - Jensen Hughes	22.02.24
Bushfire report		Blackash	26.2.24
CPTD Report	12137	GLN Planning	6.3.24
Flood Risk Report	20240006-L03	SGC	23.2.24
Review of Environmental Reports		EIAustralia	4.11.21
Heritage Impact Report	170386	Artefact	December 2017
Performance Solutions Strategy	113916	James Murch - Jensen Hughes	23.2.24
Stormwater Management Report	20240006-R01	SGC	23.2.24
Traffic Report		Varga Traffic Planning	27.2.24
Traffic Response	23555	Varga Traffic Planning	18.9.24

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

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

	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
2.	(A015) General Terms of Approval All General Terms of Approval issued by (RFS), shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated (27th June 2024). A copy of the General Terms of Approval are attached to this decision notice. Condition reason: To ensure General Terms of Approvals are fulfilled in accordance with the relevant agency requirements.
3.	(A018) Fulfilment of BASIX commitments It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled— 1. BASIX development, 2. BASIX optional development, if the development application was accompanied by a BASIX certificate. Condition reason: Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.
4.	(A025) Comply with EP&A Act The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2021, must be fully complied with at all times. Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council. Condition reason: This condition is imposed to ensure compliance with legislative requirements.
5.	(A032) Shoring and adequacy of adjoining property 1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor. 2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense— 1. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and 2. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation. 3. This section does not apply if— 1. the person having the benefit of the development consent owns the adjoining land, or 2. the owner of the adjoining land gives written consent to the condition not applying. Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.
6.	(A040) Compliance with the Building Code of Australia

	1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the <i>Building Code of Australia</i>. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the <i>Home Building Act 1989</i>, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the <i>Building Code of Australia</i>. 4. In subsection (1), a reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply— 1. to the extent to which an exemption from a provision of the <i>Building Code of Australia</i> or a fire safety standard is in force under the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>, or 2. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.
7.	(A042) Notification of Home Building Act 1989 requirements 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. 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— 1. for work that requires a principal contractor to be appointed— 1. the name and licence number of the principal contractor, and 2. the name of the insurer of the work under the Home Building Act 1989, Part 6, 2. for work to be carried out by an owner-builder— 1. the name of the owner-builder, and 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. 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. 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. Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.
8.	(A050) Works at no cost to Council All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
9.	(A051) In-fill affordable housing

	1. This section applies to development permitted under <i>State Environmental Planning Policy (Housing) 2021</i>, Chapter 2, Part 2, Division 1, other than— 1. development on land owned by the Land and Housing Corporation, or 2. a development application made by, or on behalf of, a public authority. 2. It is a condition of the development consent that before the issue of an occupation certificate for the development— 1. a restriction must be registered, in accordance with the <i>Conveyancing Act 1919</i>, section 88E, against the title of the property relating to the development, which will ensure the requirements of subsection (3)(a) and (b) are met, and 2. evidence of an agreement with a registered community housing provider for the management of the affordable housing component must be given to the Registrar of Community Housing, including the name of the registered community housing provider, and 3. evidence that the requirements of paragraphs (a) and (b) have been met must be given to the consent authority. 3. It is a condition of the development consent that during the relevant period— 1. the affordable housing component must be used for affordable housing, and 2. the affordable housing component must be managed by a registered community housing provider, and 3. notice of a change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the consent authority no later than 3 months after the change, and 4. the registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines. 4. In this section— affordable housing component has the same meaning as in <i>State Environmental Planning Policy (Housing) 2021</i>, section 21. relevant period means a period of 15 years commencing on the day on which an occupation certificate is issued for all parts of the building or buildings to which the development consent relates.
	Condition reason: Prescribed condition under section 82 of the Environmental Planning and Assessment Regulation 2021.
10.	(A060) Erection of signs 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— 1. showing the name, address and telephone number of the principal certifier for the work, and 2. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and 3. stating that unauthorised entry to the work site is prohibited. 3. The sign must be— 1. maintained while the building work, subdivision work or demolition work is being carried out, and 2. removed when the work has been completed. 4. This section does not apply in relation to— 1. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or 2. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
11.	(A130) Council Wastewater Requirements

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

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

Building Work Before Issue of a Construction Certificate

12.	(B005) Adaptable units
	Before the issue of a construction certificate, a report prepared by a suitably qualified consultant must be obtained that demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or documents comply with the provisions of AS 4299 Adaptable Housing Standards.
	Condition reason: To ensure adaptable units are designed in accordance with the Australian Standard.
13.	(B010) Design amendments
	Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:
	1. Amended architectural Plans are required to be prepared and submitted demonstrating storage is provided within each unit and basement as per the ADG. 2. Revised Landscape is required to be prepared and submitted which considered the revised scheme it should include the following; 1. • Outline of the proposed building; • Existing trees (height and location); • Trees to be removed; • Proposed planting (quantity, species and expected mature height); • Proposed Street tree planting; • Paths and paving, (location and materials); • The method of planting and the proposed maintenance program; • and Details of lighting, fencing, seating and paving, where relevant. 3. Bicycle parking to be noted on plans within the basement. 4. Ceiling fans are to be provided within all units including living areas and bedrooms.
	Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.
14.	(B015) Clear public access ways
	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.
	Condition reason: To ensure doors used to house building services and facilities do not obstruct pedestrians and vehicles
15.	(B017) Provision of detailed plans for construction certificate application
	Before the issue of a construction certificate, detailed plans must be prepared by a suitably qualified person and provided to the Certifier that are consistent with the plans and documentation approved under this consent.
	Detailed plans must also show the following:
	1. Car parking facilities 2. Acoustic measures 3. Disability access 4. Pedestrian access 5. Signage location and structures 6. Mechanical ventilation

	Condition reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation
16.	(B018) Provision for Electric Vehicle Charging - New Dwellings Only - 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: - a minimum of one (1) 7 kW (32 A) type 2 electric vehicle charger located in the garage, carport or other parking area, Or - That the electrical distribution board is adjacent to the garage, carport or other parking area, Or - 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 Condition reason: This condition is imposed to ensure the adoption of sustainable transportation practices by the integration of electric vehicle charging infrastructure in all new dwellings..
17.	(B020) Equal access to the premises 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. Condition reason: To ensure safe and easy access to the premises for people with a disability
18.	(B022) External lighting Before the issue of a construction certificate, plans detailing external lighting must be prepared by a suitably qualified person. The lighting plan must be consistent with the approved plans and documents, and the following requirements: - comply with AS 1158: Lighting for Roads and Public Spaces; - comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting - lighting must be placed at all entrances to, and exits from the premises - lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas; - lighting must not interfere with traffic safety; - lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and - external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance. - Relevant council development control plan The lighting plan must be submitted to the certifier: Note – All above documents refer to the version in effect at the time the consent is granted Condition reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area
19.	(B026) Preparation of mechanical ventilation plans Before the issue of a construction certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person. The detailed plans must be in accordance with the following and submitted to the certifier: - Australian Standard 1668: - The use of ventilation and air-conditioning in buildings; and - ensure all generate heated air, smoke, fumes, steam or grease vapours do not: - cause a nuisance to persons within or nearby to the premises, or - cause air pollution as defined under the NSW Protection of the Environment Operations Act 1997 Condition reason: To ensure that detailed professional plans of the approved mechanical ventilation system are submitted before the issue of a construction certificate
20.	(B034) Performance Bond

	Prior to the issue of any Construction Certificate, a performance bond is to be lodged with Liverpool City Council. The value of the bond shall be determined and administered in accordance with Liverpool City Council's Bond Policy. Note: Contact Council's Land Development Section for further information relating to bond requirements. Condition reason: To ensure fairness, transparency and probity.
21.	(B038) Utilities and services Before the issue of a Construction Certificate, written evidence of the following service provider requirements must be provided to the certifier or Council (where a certifier is not required)>: 1. a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; 2. a response from Sydney Water as to whether the plans accompanying the application for a Construction Certificate would affect any Sydney Water Authority infrastructure, and whether further requirements need to be met; 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. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.
22.	(B048) A - Provision of Services - Street Lighting The applicant/developer shall engage the services of an Endeavour Energy accredited ASP Level 3 service provider who shall request Council's Transport Management Team's endorsement of a Public Street Lighting Design Brief. The consultant is to lodge Endorsement of Public Lighting Design Application Form. The application is available on Council website and should be lodged online. Once endorsed, the Designer is to carry out assessment of the existing street lighting and carry out a street lighting improvement design. This is to be submitted to and approved by Endeavour Energy. The upgrade may include undergrounding of existing aerial power lines, communication cables and replacement of existing street light poles with Endeavour Energy approved Macarthur Poles as specified by Council in the public lighting design brief. Condition reason: To ensure adequate street lighting is provided for the development.
23.	(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 probity.
24.	(B055) S138 Roads Act - roadworks requiring approval of civil drawings

	Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of Roads works in Passendale Road and Soldier Parade (Previously known as Bernera Road). Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice. Note: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate. Condition reason: To ensure fairness, transparency and probity.
25.	(B075) Fee Payments Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. The following fees are applicable and payable: (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery. (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve. These fees are reviewed annually and will be calculated accordingly. Condition reason: To ensure statutory or associated fees are paid prior to construction commencing.
26.	(B081) Site Development Work Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a CC has been issued. Condition reason: To prevent unauthorised commencement of building works.
27.	(B095) Long Service Levy Before the issue of a Construction Certificate, the long service levy of 0.25% of the cost of works, as calculated at the date of this consent, 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 the certifier or Council (where a certifier is not required). Condition reason: To ensure the long service levy is paid.
28.	(B099) Substation Should the Electrical Substation be located outside the building envelope, the location and any associated fire separation walls must comply with Integral Energy Substation Design Instruction Document No SDI 104 (Current Version). Condition reason: To ensure electrical substations are designed in accordance with the relevant utility and service providers requirements.
29.	(B112) Notification In the event that Council is not the Principal Certifier (PC), the PC must advise Council, in writing of: (a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or (b) The name and permit of the owner-builder who intends to do the work. If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed. Condition reason: To advise Council of the details of licensed contractors or owner-builder for the approved development.
30.	(B116) Products banned under the Building Products (Safety) Act 2017

	No building products that are banned, or products that are subject to a ban if used in a particular way under the Building Products (Safety) Act 2017 are to be used in the construction of the development. Condition reason: To ensure no banned products are used for a building's external cladding.
31.	(B120) Cladding Prior to issue of a construction certificate the certifier must be satisfied that all proposed attachments, cladding material and systems forming part of external walls comply with the BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2G2 of BCA Volume 1 for all products/systems proposed. Condition reason: To ensure that the external cladding installed on a building is compliant.
32.	(B125) Erosion and sediment control plan Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to <Insert the certifier or Council (where a certifier is not required)>: 1. Council's relevant development control plan, 2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and 3. the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
33.	(B129) Design Verification Statement In accordance with the EP&A Regulation and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Flat Development", the subject development must be undertaken or directed by a 'qualified designer' (i.e., a registered architect under the Architects Act). In this regard, a design verification statement shall be submitted to the Private Certifier (PC). The PC shall ensure that the statement prepared by the qualified designer provides the following: (a) a valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW), (b) that the qualified designer has designed or directed the design of the subject development, and (c) that the plans and specifications lodged with the CC achieve or improve the design quality of the development for which the subject development consent was granted, having regard to the design principles set out in Part 2 of SEPP 65. Note: The design verification statement must provide an explanation of the design in terms of the design quality principles set out in Part 2 of SEPP 65. Condition reason: To require details of the qualified designer (registered architect) in accordance with SEPP 65.
34.	(B134) Crime Prevention Through Environmental Design

	The following Crime Prevention through Environmental Design (CPTED) principles are to be incorporated into the building: (a) back to base alarm system (only if commercial near residential), (b) basement parking areas shall be painted a light colour, (c) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the building, (d) 'way finding' signage should be utilised at all major interchanges such as lifts and stair wells, (e) lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting, (f) corrugated ramps to prevent skate boarding activities, (g) glazed tiling, patterned, porous and non solid surfaces reduce the reward for graffiti offenders, (h) any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details, and (i) access to the basement parking levels relating to the residential component of the building shall be controlled via a security controlled device. Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the Private Certifier. Condition reason: To require details of crime prevention (CPTED) measures to protect the amenity of the surrounding area.
35.	(B135) Provision of Services - Sydney Water Prior to the issue of a Construction Certificate, an application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, is to be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the "building and developing" section of Sydney Water's web site at www.sydneywater.com.au, or telephone 13 20 92. Following receipt of the application, a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the 'Notice of Requirements' must be submitted to the PCA, prior to the issue of a Subdivision Works Certificate. Condition reason: To ensure fairness, transparency and probity.
36.	(B136) Provision of Services - Endeavour Energy Prior to the issue of a Construction Certificate, a written clearance from Endeavour Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development must be submitted to the Principal Certifier. Condition reason: To ensure fairness, transparency and probity.
37.	(B137) Provision of Services - Telecommunications Prior to the issue of a Construction Certificate, the Principal Certifier shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following requirements of the Telecommunications Act 1997: 1. For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and 2. For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications. Condition reason: To ensure fairness, transparency and probity.
38.	(B149) S138 Roads Act - Minor Works in the public road

	Prior to the issue of a Construction Certificate, a Section 138 Roads Act application/s, including payment of fees, shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to: (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings), (b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure), or (c) Road occupancy or road closures. All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications. Note: Approvals may also be required from the Transport for NSW for classified roads. Condition reason: To ensure fairness, transparency and probity.
39.	(B154) On-Site Sewage Management System 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. 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). The relevant approval must be submitted to the certifier before the issue of a construction certificate. Condition reason: To ensure on-site sewage management is sustainable and to facilitate compliance with legislative requirements.
40.	(B156) Waste Storage Room Prior to the issuing of a construction certificate, the principal certifier shall be satisfied that the designated garbage/waste storage area shall comply with the following requirements: 1. The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor; 2. The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and 3. The door to the room must be tight-fitting, self-closing and fitted with mechanical ventilation. Please refer to the Liverpool Development Control Plan 2008 for further information regarding the construction standards for waste storage areas. Condition reason: To ensure compliance with construction requirements and to mitigate risks to human health and the environment.
41.	(B158) Construction Traffic Management Plan (CTMP) A construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Council's Transport Management Section. The CTMP is to be submitted using Assessment of Construction Traffic Management Plan application form. The application is available on Council website and can be lodged online. Comments on the CTMP will be provided and the updated CTMP are to be implemented during construction. A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection by authorised Council officers. Construction shall not commence until the assessed construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction. Condition reason: To ensure that the impact of construction traffic associated with the development on the surrounding road network is minimized.
42.	(B162) Recommendations of Acoustic Report

	Before the issue of a construction certificate, the certifier must be satisfied that the recommendations provided in the approved acoustic report are implemented and incorporated into the design and construction of the development, and shown on plans accompanying the construction certificate application. The construction methodology and plans accompanying the construction certificate application must be assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned acoustic report. The written certification from the suitably qualified acoustic consultant must be submitted to and approved by the certifier before issue of the construction certificate. Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm. Condition reason: To mitigate potential intrusive noise and amenity impacts.
43.	(B185) Surrender of Consent In accordance with Section 4.17 (5) of the Environmental Planning and Assessment Act 1979, Development Consent (insert reference) is to be surrendered prior to the issue of any Construction Certificate or Subdivision Work Certificate. The surrender of the abovementioned Development Consent takes effect when Council receives the required information prescribed by Clause 67 of the Environmental Planning and Assessment Regulation 2021 and a completed form titled "Modification or Surrender of a Consent Form" (available at www.liverpool.nsw.gov.au). Condition reason: To advise Council of any intention to surrender the consent or existing use rights.
44.	(B226) Flooding - PMF Structure The structure shall be constructed from flood compatible building components below the Probable Maximum Flood (i.e. XXXm Australian Height Datum). Condition reason: To ensure structural stability of sensitive development (e.g. schools, senior housing) on flood prone land against forces of flood waters/debris is satisfied in accordance with Part 1.1 of Council's DCP 2008.
45.	(B265) Flooding - Basement 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). Condition reason: 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.
46.	(B270) Flooding - Habitable Floor The lowest habitable floor level shall be no less than half a metre higher than the crest of the driveway entry from the road to the basement. Condition reason: To ensure requirement of Part 1.1 of DCP 2008 is satisfied.
47.	(B275) Flooding - Evacuation 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. Condition reason: To warn of flooding risk and ensure safe & 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.
48.	(B280) Flooding - Car Park Evacuation The car park shall have a suitable warning system, signage and exits to ensure safe evacuation during flooding. Condition reason: To warn of flooding risk and ensure safe & 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.
49.	(B292) Flooding - Driveway

	The driveway providing access from the car park shall be as high as practical and generally rising in the egress direction. Condition reason: To ensure requirement Part 1.1 of Council's DCP for reliable access for pedestrian is satisfied.
50.	(B296) Flooding - Reliable Access Reliable access for pedestrians or vehicles shall be provided from the lowest habitable floor level to a location above the Probable Maximum Flood. Condition reason: To ensure evacuation requirement is in accordance with Part 1.1 of Council's DCP 2008.
51.	(B310) Flooding - Fencing Fencing shall be limited to permeable open type fences. Condition reason: 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.
52.	(B360) Construction Environmental Management Plan (CEMP) Prior to issue of a construction certificate, a Construction Environmental Management Plan (CEMP) for the development must be provided to the Principal Certifying Authority for approval. The environmental site management measures must remain in place and be maintained throughout the period of the development. The CEMP must address all environmental aspects of the development's construction phases, and include (where relevant), but not be limited to, the following: 1. Asbestos Management Plan; 2. Project Contact Information; 3. Site Security Details; 4. Timing and Sequencing Information; 5. Site Soil and Water Management Plan; 6. Noise and Vibration Control Plan; 7. Dust Control Plan; 8. Air Monitoring; 9. Odour Control Plan; 10. Health and Safety Plan; 11. Waste Management Plan; 12. Incident management Contingency; and 13. Unexpected Finds Protocol. The CEMP must be kept on site for the duration of the works and must be made available to Council Officers upon request Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
53.	(B361) Construction Site Management Plan

	Before the issue of a Construction Certificate, a construction site management plan must be prepared, and provided to the certifier of Council (where a certifier is not required)>. The plan must include the following matters: 1. The location and materials for protective fencing and hoardings on the perimeter of the site; 2. Provisions for public safety; 3. Pedestrian and vehicular site access points and construction activity zones; 4. Details of construction traffic management including: 1. Proposed truck movements to and from the site; 2. Estimated frequency of truck movements; and 3. Measures to ensure pedestrian safety near the site; 5. Details of bulk earthworks to be carried out; 6. The location of site storage areas and sheds; 7. The equipment used to carry out works; 8. The location of a garbage container with a tight-fitting lid; 1. Dust, noise and vibration control measures; 10. The location of temporary toilets; 11. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: 1. AS 4970 – Protection of trees on development sites; 2. An applicable Development Control Plan; 3. An arborist's report approved as part of this consent A copy of the construction site management plan must be kept on-site at all times while work is being carried out. Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
54.	(B380) Mechanical Plant and Equipment Before the issue of a construction certificate, the certifier must be satisfied that mechanical plant and equipment were selected in consultation with a suitably qualified acoustic consultant in accordance with the recommendations of the approved acoustic report. Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm. Condition reason: To mitigate potential intrusive noise and amenity impacts.
55.	(B404) Road Safety Audit A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application. Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design. Condition reason: To ensure fairness, transparency and probity.
56.	(B407) Car parking details 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). Condition reason: To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP.
57.	(B408) Access, Car Parking and Manoeuvring - General The Certifying Authority shall ensure and certify that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development have been designed and are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Council's Development Control Plan. Condition reason: To ensure that the design of the facilities is in accordance with the required specifications.

58.	(B410) Access, Car Parking and Manoeuvring - Detail The Certifying Authority shall ensure and certify that: 1. Off street access and parking complies with AS2890.1, 2. Vehicular access and internal manoeuvring have been designed for the longest (B-Double/ Heavy Rigid/ Medium Rigid) vehicle expected to service the development site, in accordance with AS2890.2, 3. Sight distance at the street frontage has been provided in accordance with AS 2890.1, 4. All vehicles can enter and exit the site in a forward direction, and/or 5. Requirements of the Disability Discrimination Act 2002, Disability Standards for Accessible Public Transport and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002, Condition reason: To ensure that the design of the access arrangement, car parking and maneuvering are in accordance with the required specifications including AS2890.
59.	(B414) Bus Stops Possible Bus Stop locations are to be discussed with the local bus companies and are to be designed in accordance with bus company requirements including incorporating the requirements of the Disability Discrimination Act 2002, Disability Standards for Accessible Public Transport and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002. Condition reason: To ensure the required bus tops are designed in accordance with Disability Discrimination Act 2002.
60.	(B452) Stormwater Discharge - Basement Car parks Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS3500.3:2003 and Council's Stormwater Drainage Design Specifications for pump out systems for basement carparks. Condition reason: To ensure fairness, transparency and probity.
61.	(B453) No Loading on Easements Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence. Condition reason: To ensure fairness, transparency and probity.
62.	(B456) On-Site Detention On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, <i>prepared by SGC reference number 20240006 revision A dated 23.02.2024.</i> The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Liverpool City Council's Design Guidelines and Liverpool City Council's On-Site Stormwater Detention policy and Technical Specification. Condition reason: To ensure fairness, transparency and probity.
63.	(B560) Road Works Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme have been approved by Council's Traffic Management Section. Condition reason: To ensure that works on the public road reserve are approved prior to commencement of works.

64.	(B590) Public Domain Works – Street Lighting The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council. All street lighting must comply with the service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy. All cost associated with the installation of street lighting shall be borne by the developer. Condition reason: To ensure adequate street lighting is provided for the development.
65.	(B951) Waste Prior to the issue of a construction certificate, the operational waste management plan (OWMP) is to be amended to include the following details: - A description of how a FOGO/Food Organics service will work in practical terms within the development, when this is introduced in mid-2024. - The provision by the developer of waste sorting bins as part of the kitchen fit-out of each residential unit. - The provision as part of the required waste equipment, of bin lifters for building A and B together, and also for building C. Similarly, powered bin movers for both building A and B together, and also for Building C. This reflects the requirement that each building must have the complete suite of equipment needed to handle waste. - The internal dimensions of all the waste chutes are to be no less than 100mm larger than the maximum dimensions of the waste chute inlet points, to avoid chute blockages - Concrete bin collection pads will be provided as part of the works, behind the kerb at the bin pick-up points on Passendale Road and the future road to be built to the north of building C. These are to be of a size such that all the general waste bulk bins of that building, to be placed together with their short-edge to the kerb. - Residents must not be able to gain access to bulk bin storage or the chute rooms at the base of the waste chutes, these are to be accessed by building staff only. Condition reason: To ensure fairness, transparency and probity.
66.	(B952) Waste Prior to the issue of a construction certificate, all reference in the OWMP to Wheel Out Wheel Back (WOWB) services, or to Council staff or waste contractor's staff coming on to private property to collect bins or waste items, is to be deleted. In place of that, all bins and bulky household waste is to be placed on the kerbside for collection, by agents of the building, in accordance with the conditions below. Condition reason: To ensure fairness, transparency and probity.
67.	(B953) Public Art Prior to the issue of a Construction Certificate the following must be prepared and submitted to Councils Public Arts officer for endorsement: 1. A Public Art Plan is to be submitted to Liverpool City Council public arts officer for approval and artists identified. 2. Public art locations are to be identified on architectural and landscape plans. 3. A local artist is to be engaged in the delivery of public art within the Liverpool Local Government Area Condition reason: To ensure fairness, transparency and probity.
68.	(B954) Contamination Prior to the issue of a Construction Certificate and amended DSI is to be submitted to Councils Environmental Health Team and endorsed, addressing the RE1 Land identified on the site. Condition reason: To ensure fairness, transparency and probity.

Before Building Work Commences

69.	(C001) Deliveries While site work is being carried out, deliveries of material and equipment must only be carried out between— 8am to 5pm on Monday to Friday 8am to 1pm on Saturday Condition reason: To protect the amenity of neighbouring properties.
70.	(C002) Payment of fees Before any site work commences, the following must be paid to Council and written evidence of these payments provided to the principal certifier or Council (where a principal certifier is not required): 1. inspection fees Condition reason: To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property
71.	(C003) Bush fire asset protection zones Before any site work commences, the boundaries of the asset protection zone must be surveyed and marked on the ground by a registered surveyor. Condition reason: To provide a buffer to protect life and property from bush fire attack.
72.	(C006) Survey Requirements Prior to the commencement of building works the proposed building works shall be pegged out by a registered surveyor. For reference during construction, a benchmark shall be identified at the site, preferably on the kerb and gutter where it exists. The peg out report prepared by the registered surveyor shall be forwarded to the Principal Certifier prior to the first inspection. Note: In the event that a kerb and gutter does not exist, a permanent structure shall be used as a benchmark such as a manhole, power/light pole or the top of an existing retaining wall. Note: In the event that a kerb and gutter does not exist, a permanent structure shall be used as a benchmark such as a manhole, power/light pole or the top of an existing retaining wall. Condition reason: To ensure the development is carried out in accordance with relevant approvals and land restrictions.
73.	(C010) Construction Certificates Any Construction Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans. Condition reason: To ensure details and plans for CC are consistent with the approved DA.
74.	(C012) Commencement of building works Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the Environmental Planning and Assessment Act, 1979 means any physical activity involved in the erection of a building and includes but is not limited to, the placement of any site shed/s or builders facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines. Condition reason: To require approval to proceed with building work.
75.	(C039) Construction Requirements 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.

	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
76.	(C055) Site Facilities Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to. Condition reason: To ensure the required site management measures are implemented before the commencement of building work.
77.	(C065) Sydney Water Development plans must be processed and approved by Sydney Water. Condition reason: To require Sydney Water approval to proceed with building work.
78.	(C070) "DIAL BEFORE YOU DIG" Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities. Condition reason: To ensure building works do not impact local underground assets.
79.	(C117) Erosion and sediment controls in place Before any site work commences, the principal certifier or Council (where a principal certifier is not required), must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time). Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
80.	(C125) Erosion and sediment control plan Before site work commences, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifier or Council (where a certifier is not required): 1. Council's relevant development control plan, 2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and 3. the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
81.	(C126) Environmental Management Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum: 1. Siltation fencing; 2. Protection of the public stormwater system; and 3. Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

	Condition reason: To ensure fairness, transparency and probity.
82.	(C149) Driveway Crossing Application In accordance with S138 Roads Act an application/s, including payment of fees shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following: (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings) (b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure) (c) Road occupancy or road closures All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications. Note: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads. Condition reason: To ensure that all construction work is undertaken to an approved standard and related approvals.
83.	(C155) Work Zone A Works Zone application is required if on-street parking is affected with commuter parking and there is insufficient off-street parking space. A Works Zone Application Form is available on Council website and can be lodged online by attaching all required documents indicated on the application form. Condition reason: To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
84.	(C158) Construction Traffic Management Plan (CTMP) A construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Council's Transport Management Section. The CTMP is to be submitted using Assessment of Construction Traffic Management Plan application form. The application is available on Council website and can be lodged online. Comments on the CTMP will be provided and the updated CTMP are to be implemented during construction. A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection by authorised Council officers. Construction shall not commence until the assessed construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction. Condition reason: To ensure that the impact of construction traffic associated with the development on the surrounding road network is minimized.
85.	(C201) Road Occupancy Permit Road occupancy and road opening approvals will be required from Council to undertake works within the existing road reserve. The following applications are available on Council's website and can be lodged online attaching all required documents indicated on the application form. • Road Occupancy Application Form • Road Opening Application Form Condition reason: To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
86.	(C205) Traffic Control Plan

	Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller. Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times. Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
87.	(C250) Notification Notification to surrounding residents is to be undertaken within a 100 metre radius from the site. A letter box drop in the form of an informative pamphlet or the like is to be carried out at least 5 days prior to the event to local residents informing them of the event details and including contact details of the site supervisor for the event. Condition reason: To advise neighbours of the commencement of building works.
88.	(C466) Dilapidation report Before any site work commences, a dilapidation report 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). Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier or Council (where a principal certifier is not required), that all reasonable steps were taken to obtain access to the adjoining properties. No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time. Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
89.	(C560) Road Works Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme have been approved by Council's Traffic Management Section. Condition reason: To ensure that works on the public road reserve are approved prior to commencement of works.

During Building Work

90.	(D005) Building Work The building works must be inspected by the Principal Certifier (PC), in accordance with Sections 6.5 of the Environmental Planning & Assessment Act 1979, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate. Condition reason: To require stage inspection and approval by the PC in accordance with EP & A Regulation clause 162A.
91.	(D010) Building Work The Principal Certifier (PC) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PC, prior to proceeding to the subsequent stages of construction or finalisation of the works. Condition reason: To require approval to proceed with building work following each critical stage inspection.

92.	(D015) Surveys by a registered surveyor 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: 1. All footings / foundations in relation to the site boundaries and any registered and proposed easements 2. At other stages of construction – any marks that are required by the principal certifier. Condition reason: To ensure buildings are sited and positioned in the approved location.
93.	(D020) Identification Survey Report The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the Principal Certifier has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor works continue, until the Principal Certifier has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory. In the event that Council is not the Principal Certifier, a copy of the survey shall be provided to Council within three (3) working days. Condition reason: To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.
94.	(D025) Identification Survey Report On placement of the concrete, works again shall not continue until the Principal Certifier has issued a letter stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels. Condition reason: To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.
95.	(D028) Responsibility for changes to public infrastructure While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority. Condition reason: To ensure payment of approved changes to public infrastructure.
96.	(D030) Security and Safety Adequate lighting is required to be provided at the entrance and main foyer of the building, basement carpark, and mailbox area. Surveillance cameras are required to be installed covering the entrance and exit and main areas of the car park. All openable windows that are located two metres or more above the ground level and have a sill height less than 1.7m above the internal floor level shall be fitted with devices that lock the window opening at less than 12.5m. Condition reason: To contribute to the safety of the public domain.
97.	(D038) Toilet Facilities Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must: (a) be a standard flushing toilet connected to a public sewer, or (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or (c) be a temporary chemical closet approved under the Local Government Act 1993. Condition reason: To ensure the required site management measures are implemented during construction.
98.	(D042) Procedure for critical stage inspections

	While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
99.	(D045) Hours of work Site work must only be carried out between the following times – For work/civil work/demolition work, including delivery of materials is only permitted on the site from 7:00am to 6:00pm on Monday to Friday For work/civil work/demolition work, including delivery of materials is only permitted on the site from 8:00am to 1:00pm on Saturday Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority. Condition reason: To protect the amenity of the surrounding area.
100.	(D049) Security Fence A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction. Note: Fencing is not to be located on Council's reserve area. Condition reason: To ensure the required site management measures are implemented during construction.
101.	(D055) Refuse Disposal Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to. Condition reason: To ensure the required site management measures are implemented during construction.
102.	(D061) Craning and Hoardings Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements. Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
103.	(D063) Craning and Hoardings If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public or road reserve area, a separate Road Occupancy Certificate and/or Hoarding approval must be obtained from Liverpool City Council prior to undertaking the works. Condition reason: To ensure the required traffic management measures are implemented during construction.
104.	(D070) Notification of Damage The applicant/ builder shall be responsible to report to the Council of any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost. Condition reason: To ensure any damage to public infrastructure is rectified.
105.	(D096) Disabled Access Access, parking and facilities for persons with disabilities to be provided in accordance with the provisions of the National Construction Code (NCC/BCA).

	Condition reason: To require any new building, part of a building and the affected part of the existing building to comply with the Premises Standards, National Construction Code (NCC/BCA) and Australian Standard.
106.	(D100) General Site Works - Surface Contours Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners. Condition reason: To protect the amenity of the neighbourhood.
107.	(D105) General Site Works All roofwater is to be connected to an approved stormwater system. Condition reason: To ensure environmental impacts and impacts to neighbouring properties are minimised.
108.	(D110) General Site Works Stormwater pipeline connections to the street kerb shall be constructed in the following manner: (a) the kerb shall be sawcut on both sides of the proposed pipe outlet. (b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter. (c) the kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb. Condition reason: To ensure any alteration to Council infrastructure is to a suitable standard.
109.	(D115) General Site Works - Existing Hydrology Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site. Condition reason: To minimise impacts to adjacent vegetation and habitat.
110.	(D120) General Site Works - Runoff Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels. Condition reason: To minimise impacts to adjacent vegetation and habitat.
111.	(D125) General Site Works - Sediment The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land. Condition reason: To minimise impacts to adjacent vegetation and habitat.
112.	(D130) Removal of dangerous and/or hazardous waste All dangerous and/or hazardous material must be removed by a suitably qualified and experienced contractor licensed by SafeWork NSW. The removal of such material must be carried out in accordance with the requirements of SafeWork NSW and the material must be transported and disposed of in accordance with NSW Environment Protection Authority requirements. Condition reason: To ensure safe removal and disposal of dangerous and/or hazardous material.
113.	(D140) Car Parking Areas

	Car parking spaces and driveways must be constructed of a minimum two coat finish seal or better. All parking spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off-Street Car Parking. All car parking areas are to be appropriately line marked and sign posted in accordance with the Council approved stamped plans. All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage. The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking. Condition reason: To ensure the facilities are constructed appropriately to comply with the DCP and AS2890.
114.	(D146) Directional Signage Directional signage indicating the location of customer parking, “in” and “out”, crossings and directional arrows are to be provided in accordance with the Council approved stamped plans. Condition reason: To ensure that appropriate signs are installed.
115.	(D165) Public Domain Works All works within the road reserve, including the approved sign and line making scheme, are to be carried out by the applicant, at no cost to Council, in accordance with the TfNSW/RMS 'Delineation Guidelines'. Condition reason: To ensure that the development covers all required costs associated with the development.
116.	(D170) Council On Street Assets Council's on-street assets and local road network are to be protected and kept in a serviceable state at all times. At the direction of Council, the applicant/project manager shall undertake remediation works, at no cost to Council and to Council's satisfaction. Condition reason: To ensure that the development covers all required costs associated with the development.
117.	(D180) Waste management While site work is being carried out: 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier or Council (where a principal certifier is not required), detailing the following: 1. The contact details of the person(s) who removed the waste; 2. The waste carrier vehicle registration; 3. The date and time of waste collection; 4. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; 5. The address of the disposal location(s) where the waste was taken; 6. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.

	Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
118.	(D190) Discovery of relics and Aboriginal objects While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered: (a) the work in the area of the discovery must cease immediately; (b) the following must be notified i. for a relic – the Heritage Council; or ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Site work may recommence at a time confirmed in writing by: (a) for a relic – the Heritage Council; or (b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Condition reason: To ensure the protection of objects of potential significance during works.
119.	(D300) Fencing Any gate associated with a front fence shall swing inwards from the property boundary. Condition reason: To preserve pedestrian and vehicle safety in the vicinity of the site.
120.	(D330) Switchboards Switchboards for utilities shall not be attached to the street and/or road elevations of the development. Condition reason: To ensure switchboards are sited and positioned away from the public domain.
121.	(D335) External Lighting Any external lighting is to incorporate full cut-off shielding and is to be mounted so as to not cause any glare or spill over light nuisance within the development, neighbouring properties or road users. Condition reason: To protect the amenity of the neighbourhood.
122.	(D335) External Lighting Any external lighting is to incorporate full cut-off shielding and is to be mounted so as to not cause any glare or spill over light nuisance within the development, neighbouring properties or road users. Condition reason: To protect the amenity of the neighbourhood.
123.	(D340) Glass Reflectivity The reflectivity index of glass used in the external facade of the building is not to exceed 20%. Condition reason: To restrict the reflection of sunlight from buildings to surrounding areas and buildings.
124.	(D345) Air Conditioning Plant The plant associated with any air conditioning system is to be located a minimum of 3 metres from any property boundary, to the satisfaction of the Principle Certifier. Condition reason: To protect the amenity of the neighbourhood.
125.	(D350) Window Glazing The windows of all first floor bathrooms, W.C. and ensuites shall be fitted with translucent obscure glazing to the satisfaction of the Principle Certifier. Condition reason: This condition prevents overlooking of the (private open space, etc) of the adjoining property to the (direction) and will ensure a satisfactory privacy relation between the site and (adjoining property).
126.	(D360) Graffiti

	A graffiti resistant coating shall be applied to any fences or structures that have frontage to a public area, for example a roadway, public reserve etc. Condition reason: To protect the amenity of the neighbourhood.
127.	(D426) Soil management While site work is being carried out, principal certifier or Council (where a principal certifier is not required) must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements: 1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to principal certifier or Council (where a principal certifier is not required). 2. All fill material imported to the site must be: 1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or 2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or 3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA. Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.
128.	(D430) Unidentified Contamination Any new information which arises during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination and remediation must be immediately notified in writing to the certifier and Liverpool City Council. A section 4.55 Application under the Environmental Planning and Assessment Act 1979 must be made for any proposed works outside the scope of the approved development consent. Condition reason: To ensure the suitability of land for the development.
129.	(D445) Air Quality Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works. Condition reason: To ensure fairness, transparency and probity.
130.	(D450) Air Quality During construction where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, the consent holder is to ensure dust is suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the Principal Certifier may direct that work is not to proceed. Condition reason: To ensure site works are managed appropriately and do not result in air pollution.
131.	(D455) Dropped Edge Beam The proposed concrete slab construction must incorporate drop edge beams to ensure any fill is adequately retained within the envelope of the building. The external masonry wall shall extend from the concrete beam at natural ground level. Condition reason: To ensure that all construction work is undertaken to an approved standard and relevant controls.
132.	(D460) Salinity

	The development shall be carried out in accordance with 'Appendix B' of the Liverpool Growth Precincts Development Control Plan 2013. The development shall be carried out in accordance with Part 1, Section 11 'Salinity Risk' of the Liverpool Development Control Plan 2008. Condition reason: To ensure that all construction work is undertaken to an approved standard.
133.	(D465) Air Conditioning The plant associated with any air conditioning system shall not cause any offensive noise as defined under the Protection of the Environment Operations Act 1997. Condition reason: To ensure fairness, transparency and probity.
134.	(D470) Translucent Obscure Glazing The windows of all first floor bathrooms, W.C. and ensuites shall be fitted with translucent obscure glazing to the satisfaction of the Principal Certifier. Condition reason: To ensure suitable occupant privacy whilst reducing visual impacts to neighbouring properties and public areas.
135.	(D480) Acoustic Report The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development. Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.
136.	(D552) Implementation of the site management plans While site work is being carried out: 1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and 2. a copy of these plans must be kept on site at all times and made available to Council officers upon request. Condition reason: To ensure site management measures are implemented during the carrying out of site work.
137.	(D553) Erosion & Sediment Control Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days. Condition reason: To ensure fairness, transparency and probity.
138.	(D554) Erosion & Sediment Control The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material. Condition reason: To ensure fairness, transparency and probity.
139.	(D555) Erosion Control - Maintenance Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass. Condition reason: To ensure the required site management measures are implemented during construction.
140.	(D560) Erosion Control Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.

	Condition reason: To ensure the required site management measures are implemented during construction.
141.	(D565) Water Quality During construction the consent holder is to ensure all topsoil, sand, aggregate, spoil or any other material that can be moved by water is stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface. Condition reason: To ensure site works are managed appropriately and do not result in water pollution.
142.	(D570) Pollution Control - Site Operations During construction, building operations including but not limited to brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like must not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system. Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
143.	(D574) Pollution Control - Truck Movements The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent. Measures must be implemented to prevent tracking of sediment by vehicles onto roads. Vehicle loads must be covered when entering and exiting the site with material. Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
144.	(D578) Ventilation The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2). Condition reason: To ensure fairness, transparency and probity.
145.	(D581) Historic Archaeology Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the <i>Heritage Act 1977</i> Condition reason: To ensure fairness, transparency and probity.
146.	(D582) Aboriginal Cultural Heritage - Staff and Contractors All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under NSW <i>National Parks and Wildlife Act 1974</i> and the NSW <i>Heritage Act 1977</i>. They are to be informed of what the potential heritage on the site will be and its significance. The site supervisor is to maintain a record of who has completed the heritage induction and this is to be provided to Council prior to Issue of Occupation Certificate. Condition reason: To ensure fairness, transparency and probity.
147.	(D583) Aboriginal Cultural Heritage - Unexpected Finds

	As required by the <i>National Parks and Wildlife Service Act 1974</i> and the <i>Heritage Act 1977</i>, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Heritage Division of the Office of Environment and Heritage (OEH) must be notified of the discovery. In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the Heritage Act 1977 to obtain the necessary approvals/permits from the Heritage Division of the OEH. Note: The <i>National Parks and Wildlife Service Act 1974</i> and the <i>Heritage Act 1977</i> impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site. Condition reason: To ensure fairness, transparency and probity.
148.	(D584) Skeletal Remains In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders. Condition reason: To ensure fairness, transparency and probity.
149.	(D590) Public Domain Works - Street Lighting Street lights are to be installed in accordance with the Endeavour Energy certified plans to their satisfaction. Condition reason: To ensure that the development covers all required costs associated with the development.
150.	(D596) Drainage Connection Prior to the connection of private drainage to Council's drainage system, an inspection is to be carried out by Liverpool City Council's Development Engineering Unit. A fee will be charged in accordance with Council's adopted Fees and Charges, and is to be paid prior to the inspection. Condition reason: To ensure fairness, transparency and probity.
151.	(D597) Major Filling/ Earthworks All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works. The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority. Condition reason: To ensure fairness, transparency and probity.
152.	(D600) Correct waste separation and removal All demolition, excavation and construction wastes must be separated as they are generated and kept in separate spoil piles, bays, builder's skips and/or site bins. No wastes other than those noted on the approved waste management plan as being re-used on site, are to be left on site after the completion of the works. Condition reason: To ensure that separation of waste by type is undertaken in an ongoing basis throughout the building process, and that the wastes are kept separate and not mixed, to facilitate waste management and recycling.
153.	(D605) Containment of site wastes during building

	All demolition, excavation or construction wastes, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent them from becoming displaced in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather. Condition reason: To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.
154.	(D650) Noise and vibration - an approved document of this consent 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. Condition reason: To protect the amenity of the neighbourhood during construction.
155.	(D655) Noise and Vibration requirements While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of <5dB (A) above background noise, when measured at a lot boundary of the site. Condition reason: To protect the amenity of the neighbourhood during construction.
156.	(D660) Construction Noise and Vibration Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006). All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP). Condition reason: To protect the amenity of the neighbourhood during construction.
157.	(D664) Contamination The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998). Condition reason: To ensure fairness, transparency and probity.
158.	(D666) Record Keeping of Imported Fill Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works: 1. The course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration; 2. The results of a preliminary contamination assessment carried out on any fill material used in the development. 3. The results of any chemical testing of fill material. Condition reason: To ensure fairness, transparency and probity.
159.	(D668) Traffic Management Applications must be made to Council's Traffic & Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information. Condition reason: To ensure fairness, transparency and probity.
160.	(D670) Construction Traffic Management Plan The endorsed Construction Traffic Management Plan is to be implemented during the entire construction phase. Condition reason: To ensure fairness, transparency and probity.

161.	(D672) Street Trees The street trees to be used can be any or all of the following in the locations as shown on the approved plans; • Eleocarpus reticulatus (Blue Berry Ash) • Fraxinus griffithii (Evergreen Ash) • Tristrianopsis Laurina (Luscious Water Gum) • Lophostemon Confertus (Brush Box) Each tree is to have a minimum pot size of 100lt or if the approved landscape plan specifies larger, the larger pot size is to be adopted. The tree will need to be formatively pruned so that the tree has a straight trunk clear of any branches to minimum height of 1m above soil level. Condition reason: To ensure fairness, transparency and probity.
162.	(D950) Public Art During Construction the following must be adhered to: 1. Public art concept design/s are to be provided to Liverpool City Councils public arts officer for feedback and endorsement. 2. Public art final design/s are to be provided to Liverpool City Councils public arts officer for feedback and endorsement. 3. The Public Art Plan draft is to be completed and submitted to Liverpool City Council public arts officer for feedback and endorsement. 4. Notification is to be provided to Liverpool City Council public arts officer on commencement of artwork fabrication, delivery, and installation. Condition reason: To ensure fairness, transparency and probity.

Before Issue of an Occupation Certificate

163.	(E001) Payment of development contributions
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Payment of section 7.11 contributions

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

Facilities	Amount (\$)	Job No.
Community Facilities - Land	\$57,396	GL.10000001870.10174
Community Facilities - Works	\$55,943	GL.10000001870.10175
Open Space and Recreation - Land	\$693,611	GL.10000001869.10176
Open Space and Recreation - Works	\$138,040	GL.10000001869.10177
Transport and Access - Land	\$446,465	GL.10000001865.10178
Transport and Access - Works	\$142,867	GL.10000001865.10179
Drainage - Land	\$26,642	GL.10000001866.10180
Drainage - Works	\$62,066	GL.10000001866.10181
Technical Study Fees Recoverable	\$2,682	GL.10000001872.10182
Professional Fees	\$8,751	GL.10000001872.10183
TOTAL	\$1,634,464	

The total contribution payable to Council under this condition is \$1,634,464.00 as calculated at the date of this consent, in accordance with Liverpool Contributions Plan 2008 (Edmondson Park).

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Liverpool Contributions Plan 2008 (Edmondson Park).

Note: A Section 7.11 condition may be satisfied through Works-In-Kind (WIK), if an offer is made and accepted in accordance with Council's Development Contributions Land Dedication and WIK Policy. If WIK are approved, Council expects that any WIK agreement will be entered into prior to the issue of a Subdivision Works Certificate (SWC).

Condition reason: To ensure development contributions are paid to address increased demand for public amenities and services or to address increased demand for regional infrastructure or to ensure any planning agreement is finalised at the specified time.

164. **(E002) Outstanding Development Contributions**

Prior to the issue of any occupation certificate all outstanding section 7.11 contributions must be paid as required by Payment of Development Contribution Condition Evidence is to be provided to the satisfaction of the relevant certifying authority that all outstanding contributions have been paid to Council.

Condition reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

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

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

1. All stormwater drainage systems and storage systems; and
2. A copy of the plans must be provided to Council with the **OCCUPATION CERTIFICATE**

Condition reason: To confirm the location of works once constructed that will become council assets.

166. **(E005) Certificates**

The premises must not be occupied until an Occupation Certificate (OC) is issued by the certifier. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.

Condition reason: To ensure the development is in accordance with the approval and the use meets health, safety and amenity provisions.

167.	(E010) Certificates All required documentary evidence for the critical stage inspections carried out prior, during and at the completion of construction, must be submitted to Council together with the required registration fee payment. Condition reason: To ensure the use meets health, safety and amenity provisions.
168.	(E012) Subdivision Certificates Prior to the issue of an Occupation Certificate the PC must be satisfied that the development complies with all the restrictions of any associated registered 88B instrument. Condition reason: To ensure the impact on private and public infrastructure is managed, that benefits/burdens to land are not impacted and preserve amenity.
169.	(E014) Subdivision Certificates No Whole Occupation Certificate shall be issued until such time as the proposed lot of the subdivision is endorsed by a subdivision certificate from council and the plan of subdivision is registered with the Land and Property Information Service. Condition reason: To ensure the property is a legal lot and provided with adequate services prior to use.
170.	(E016) Retaining Walls The construction of the retaining wall/s shown on the approved plans must be completed to the satisfaction of the Principal Certifier, prior to the release of the Whole Occupation Certificate. The required retaining walls shall be completed within 3 months of the initial occupation of the building or part of the building. Condition reason: To ensure the development is in accordance with relevant standards.
171.	(E018) Street Tree Prior to the issue of an Occupation Certificate the PC must be satisfied that the existing street tree is relocated to a new position within the road reserve in the property frontage to the satisfaction of the supervising arborist. Condition reason: To protect and maintain Council infrastructure.
172.	(E020) Acoustic Report Confirmation in writing that the recommended measures were incorporated as required by the report. Condition reason: To ensure the use meets health and amenity provisions to occupants and/or neighbouring properties.
173.	(E022) Post-construction dilapidation report Before the issue of an Occupation Certificate a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier or Council (where a principal certifier is not required), detailing whether: 1. after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and 2. where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent; and 3. a copy of the post-construction dilapidation report must be provided to Council (where Council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s). Condition reason: To identify any damage to adjoining properties resulting from site work on the development site.
174.	(E024) Preservation of survey marks

	Before the issue of an Occupation Certificate, documentation must be submitted by a registered surveyor to the principal certifier or Council (where a principal certifier is not required)>, which demonstrates that: 1. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced; or 2. any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure Condition reason: To protect the State's survey infrastructure.
175.	(E026) Removal of waste upon completion 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 accordance with the approved waste management plan; and 2. written evidence of the waste removal must be provided to the satisfaction of the principal certifier or Council (where a principal certifier is not required). Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.
176.	(E030) Section 73 Sydney Water Certificate A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained and submitted to the Principal Certifier prior to issue of Occupation Certificate. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.
177.	(E032) Pedestrian safety signage Before the issue of an occupation certificate, ensure an appropriate sign(s) is provided and maintained within the site to advise all vehicles to be aware of pedestrians within the shared driveway. Condition reason: To make drivers aware of pedestrians and to ensure the safety of pedestrians using the shared driveway
178.	(E033) Cladding Prior to issuing an occupation certificate the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external wall cladding material and system is consistent with the consent documentation, BCA and relevant Australian Standards. Condition reason: To ensure that the external cladding installed on a building is compliant.
179.	(E035) Completion of public utility services Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier. Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.
180.	(E050) Display of Street Numbers Street numbers must be prominently displayed at the front of the development in a contrasting colour to the building materials and at the front of each individual unit to comply with the Local Government Act 1973, Section 124(8). The number should be a minimum height of 120mm and be visible at night. Condition reason: To ensure street number of the site is displayed in accordance with the Local Government Act.
181.	(E060) BASIX Supporting documentation issued by a suitable qualified person who has installed or carried out the works associated with the BASIX commitments shall be submitted to the Principal Certifier. Condition reason: To ensure the development meets energy and water conservation requirements.
182.	(E064) Completion of landscape and tree works

	Before the issue of an Occupation Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent. Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).
183.	(E065) Landscaping Upon completion of the approved landscape works associated with the development and prior to the issue of any Occupation Certificate, an Implementation Report is to be submitted to the Principal Certifier attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person. Condition reason: To help ensure landscaping works have been carried to a high standard and in accordance with the original design plans.
184.	(E075) Road Works All redundant vehicular crossings shall be removed and replaced with Council's standard kerb and gutter at no cost to Council. The removal and replacement of a standard driveway with standard integral kerb and gutter shall be subject of a driveway application to Council and works supervised by that driveway inspection process. Condition reason: To protect and maintain Council infrastructure to an appropriate standard.
185.	(E100) Design Verification Statement In accordance with the Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Flat Development", the subject development must be undertaken or directed by a 'qualified designer' (i.e., a registered architect under the Architects Act). In this regard, a design verification statement shall be submitted to the Principle Certifier (PC) assessing the development, upon completion of all works subject of this consent and its accompanying CC. The PC shall ensure that the statement prepared by the qualified designer provides the following: (a) a valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW), and (b) that the completed development achieves the design quality of the development as shown in the plans and specifications submitted and approved with the CC, having regard to the design principles set out in Part 2 of SEPP 65. Condition reason: To ensure required building works are completed, in accordance with the approved development and design verification statement as required under SEPP 65, before occupation.
186.	(E106) Recommendations of Acoustic Report Upon completion of works and before the issue of any occupation certificate, written certification prepared by a suitably qualified acoustic consultant must be submitted to and approved by the certifier. The written certification prepared by the suitably qualified acoustic consultant must confirm that the development complies with all requirements and recommendations detailed within the approved acoustic report titled Stage 2 - DA Noise Impact Assessment prepared by Acoustic Logic dated 22 February 2024. The acoustic consultant must confirm that the development or use is capable of operating in accordance with the design criteria. Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm. Condition reason: To mitigate potential acoustic impacts by ensuring that the development or use complies with the specified design criteria.
187.	(E108) Residential Car Park Before the issue of an occupation certificate the principal certifier must be satisfied that the proposed garage/security door fitted to the underground car parking entrance must be independently mounted on rubber pads or otherwise installed to prevent noise and the transmission of noise and vibration through the concrete walls and/or columns. Condition reason: To mitigate potential offensive noise and amenity impacts.

188.	(E140) Flooding
	An evacuation plan shall be developed and maintained, including suitable warning system and exist, to ensure the safe evacuation of people during floods up and including the Probable Maximum Flood.
	Condition reason: To ensure all measures are in place to protect people at the development during floods up to the Probable Maxim Flood.
189.	(E145) Flooding
	A restriction shall be placed on the title of land under to S8.88 of the Conveyance Act confirming that the undercroft is not enclosed.
	Condition reason: To ensure floodwater passage underneath the building is unobstructed and maintained all the time.
190.	(E156) Waste Storage Room
	Prior to the issuing of an occupation certificate, the principal certifier shall be satisfied that the designated garbage/waste storage area shall comply with the following requirements: 1. The room shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor; 2. The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and 3. The door to the room must be tight-fitting, self-closing and fitted with mechanical ventilation. Please refer to the Liverpool Development Control Plan 2008 for further information regarding the construction standards for waste storage areas.
	Condition reason: To ensure compliance with construction requirements and to mitigate risks to human health and the environment.
191.	(E165) Bonds
	A maintenance bond in the form of a bank guarantee or cash bond (\$TBA), shall be lodged with Council. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 12 months from the date of Council's acceptance of final works.
	Condition reason: To ensure fairness, transparency and probity.
192.	(E205) Garbage Services
	The owner/applicant is to enter into a legally binding indemnity with Council to control the access and operation of the garbage service. This shall be inclusive on successive owners in perpetuity. All costs involved are to be borne by the applicant.
	Condition reason: To ensure fairness, transparency and probity.
193.	(E245) Construction and installation of ventilation system
	Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier which demonstrates that the mechanical exhaust ventilation system has been constructed and installed in accordance with the approved plans.
	Condition reason: To ensure the mechanical ventilation system has been constructed and installed as approved
194.	(E250) Mechanical Ventilation Certification
	Upon completion of works and before the issue of any occupation certificate, a Mechanical Ventilation Certificate of Completion and Performance prepared by a professional engineer or other suitably qualified person must be submitted to certifier for their review and approval. The certification must be accompanied by details of the tests carried out in relation to ventilation and acoustics and confirm that the systems comply with the approved plans, specifications, Building Code of Australia and Australian Standard AS 1668 Parts 1 and 2.
	Condition reason: To facilitate compliance with legislative requirements.
195.	(E300) Hanging of Washing on Balconies

	Prior to the issue of an Occupation Certificate, the following restriction as to user must be registered on the title of the property: The hanging of washing, including any clothing, towels, bedding or other article of a similar type of any balcony is not to be visible from any street. The restriction as to user may not be extinguished or altered except with the consent of Liverpool City Council. Condition reason: To ensure required restriction on use is registered on the title (the site), in accordance with Council's requirements, before occupation.
196.	(E320) Secure Mailboxes Mailboxes must be recessed into the building or only accessible from the foyer of the building. A CCTV camera system must be installed providing continuous surveillance of the mailbox area. Condition reason: To ensure the mailboxes provided are easily protected and maintained.
197.	(E400) Stormwater Compliance Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the: - On-site detention system/s, - Stormwater pre-treatment system/s, - Overland flowpath works, - Flood control works, and/or - Basement Carpark pump-out system: - Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent, - Have met the design intent with regard to any construction variations to the approved design, and - Any remedial works required to been undertaken have been satisfactorily completed. Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings. Condition reason: To ensure fairness, transparency and probity.
198.	(E404) Restriction as to User and Positive Covenant Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the following shall be registered on the title of the property: - On-site detention system/s, - Stormwater pre-treatment system/s, - Flood control works, and/or - Basement Carpark pump-out system: The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works. Condition reason: To ensure fairness, transparency and probity.
199.	(E407) Repair of infrastructure Before the issue of an Occupation Certificate: - any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or - if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent. Condition reason: To ensure any damage to public infrastructure is rectified.

200.	(E408) Rectification of Damage Prior to the issue of an Occupation Certificate, any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council. Any rectification works within Passendale Road and Bernera Road will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing. Condition reason: To ensure fairness, transparency and probity.
201.	(E416) Linemarking & Signage Prior to the issue of an Occupation Certificate and installation of regulatory / advisory linemarking and signage, plans are to be lodged with Liverpool City Council and approved by the Local Traffic Committee. Note: Allow eight (8) weeks for approval by the Local Traffic Committee. Condition reason: To ensure fairness, transparency and probity.
202.	(E428) Maintenance Bond Prior to the issue of nominate (an Occupation Certificate/ a Subdivision Certificate) a maintenance bond is to be lodged with Liverpool City Council for ###. The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and probity.
203.	(E432) Footpaths Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots. Condition reason: To ensure fairness, transparency and probity.
204.	(E436) Dilapidation Report Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer. Condition reason: To ensure fairness, transparency and probity.
205.	(E590) Street Lighting in New Subdivisions The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council. Endeavour Energy pole numbers and the date poles were energised are to be submitted to Council's Traffic Management Section prior to submitting OC or SC application. All cost associated with the installation of street lighting shall be borne by the developer. Condition reason: To ensure adequate street lighting is provided for the development.
206.	(E592) Operational Plan of Management A plan of management shall be prepared addressing the Site Servicing Arrangements, particularly that service vans are to attend the site outside the peak drop-off/pick-up hours. The plans shall also ensure parents use the on-site parking provisions when attending the site. A 3-strike policy for those noted as using on-street parking spaces will need to be in place and enforced. A copy of the plan shall be submitted to and endorsed by Council's Transport Management Team prior to the issue of any occupation Certificate. Condition reason: To ensure fairness, transparency and probity.
207.	(E950) Public Art

Prior to Occupation Certificate the following must be submitted to Councils Public Arts Officer for approval:

1. The final Public Art Plan is to be submitted to Liverpool City Council public arts officer for approval.
2. High resolution images, showing the completed artworks and associated landscaping from viewpoints across the public domain are to be submitted to Liverpool City Council public arts officer for approval.

Condition reason: To ensure fairness, transparency and probity.

Occupation and Ongoing use

208.	(G004) Plan of Management
	The approved Plan of Management must be complied with at all times. A copy of the Plan of Management must be kept on-site at all times and be provided to Council officers on request.
	Condition reason: To ensure fairness, transparency and probity.
209.	(G015) Washing on Balconies
	The hanging of washing, including any clothing, towels, bedding or other article of a similar type on any balcony is not to be visible from any street.
	Condition reason: To restrict hanging of washing on balconies visible from any street.
210.	(G020) Connection to reticulated sewerage system
	In the event that a connection to a reticulated sewerage system becomes available within 75 meters from any property boundary, a connection must be established within 12 months of such connection becoming available, and all wastewater generated at the premises directed to the reticulated sewerage system. Certification of connection to the reticulated sewerage system must be submitted to Liverpool City Council.
	Condition reason: To promote orderly development supported by adequate infrastructure.
211.	(G090) Maintenance of wastewater and stormwater treatment device
	During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable).
	Condition reason: To protect sewerage and stormwater systems.
212.	(G100) Waste Collection and Management
	Waste and recyclable material must be managed in a satisfactory manner, covered at all times and not give rise to offensive odour or encourage pest activity. All solid and liquid waste must be removed regularly from the site by a registered waste contractor. Waste must not be permitted to accumulate near the waste storage bins.
	Condition reason: To mitigate potential risks to human health and the environment.
213.	(G130) Waste Storage Area
	Waste bins must be stored in designated garbage/ trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.
	Condition reason: To mitigate potential risks to human health and the environment.
214.	(G160) Storage of goods during ongoing use
	During ongoing use of the premises, all goods must be stored wholly within the premises and must not be stored or displayed outside the premises, including any public place, without council's approval.
	Condition reason: To ensure fairness, transparency and probity.

215.	(G180) Flooding There shall be no storage of materials below the 1% AEP flood plus half a metre freeboard (i.e. XXXm + 0.5m = XXXm Australian Height Datum) which may cause pollution or be potentially hazardous during any flood. Condition reason: To ensure material that may cause pollutions or hazardous is stored at safer locations all the time above the 1% AEP flood plus a half a meter freeboard and requirement of Part 1.1 of Council's DCP 2008 is satisfied.
216.	(G190) Parking Spaces - Assessment Planner The following parking spaces should be used solely for the purpose it has been provided. 1. Unrestricted resident car parking 2. Visitor car parking 3. Accessible car parking 4. Motorcycle parking 5. Cycle parking 6. Delivery area 7. Garbage pick-up area 8. Washing bay Condition reason: To ensure that adequate parking and loading are provided.
217.	(G200) Car Parking/Loading Provisions - A total of 264 off street car parking spaces must be provided in accordance with Council's requirements. The parking spaces shall be allocated as follows: 1. 27 Affordable Parking 2. 39 spaces relating to the 1 bedroom units; 3. 102) spaces relating to the 2 bedroom units; 4. 10 spaces relating to the 3 bedroom units; and 5. 38 spaces designated for visitor parking relating to the residential units. Condition reason: To ensure that adequate parking and loading are provided.
218.	(G220) Loading Areas All loading and unloading must take place from the designated loading dock/bay. This area is to be clearly marked/signposted for use by delivery vehicles only. Condition reason: To ensure that adequate parking and loading are provided.
219.	(G230) Vehicle Access Vehicles entering or leaving the development site should be in forward direction, if practicable. Condition reason: To ensure safety.
220.	(G350) Noise - Spruiking No persons, such as those commonly known as 'spruikers' must operate either with or without sound amplification equipment for the purpose of advertising the use of the premises, the sale and availability of goods, services, entertainment or similar announcements. Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
221.	(G360) Noise - Silent Building Intruder Alarm System Any building intruder alarm installed at the site must be a "silent back to base" type. Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
222.	(G370) Use of building intruder alarm/s Any building intruder alarm/s associated with the development must only be permitted to operate in accordance with Clause 42 of the Protection of the Environment Operations (Noise Control) Regulation 2017. Condition reason: To mitigate potential acoustic impacts and facilitate compliance with legislative requirements.

223.	(G402) Air Handling System Any liquid discharge from the air handling system resulting from the operation, maintenance and/or cleaning operations are to be disposed of into the sewer system. Discharge into the stormwater disposal system is not permitted. Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
224.	(G410) Landscaping Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development. If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed. An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained. Condition reason: To require records to be provided, after occupation, documenting that landscaping is appropriately maintained.
225.	(G468) Smoke-free Requirements The requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016 must be complied with at all times. This development consent does not imply that the development meets the requirements of the aforementioned legislation. In the event that the Applicant and/or Occupier wishes to facilitate smoking within the premises, they must ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016. Condition reason: To mitigate potential risks to human health and facilitate compliance with legislative requirements and relevant standards.
226.	(G767) Use of air conditioner/s on residential premises Any air conditioner/s used on the residential premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and must not: (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open): i. before 8:00am or after 10:00pm on any Saturday, Sunday or public holiday; or ii. before 7:00am or after 10:00pm on any other day; or (b) cause “offensive noise” as defined by the Protection of the Environment Operations Act 1997; or (c) emit a sound pressure level as measured over a 15 minute period (LAeq (15 minute)) at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90 (15 minute)) by more than 5 dB(A). Condition reason: To protect the residential amenity of neighbouring properties.
227.	(G769) Use of heat pump water heater/s on residential premises

	Any heat pump water heater/s used on the residential premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and must not: (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open): i. before 8:00am or after 10:00pm on any Saturday, Sunday or public holiday; or ii. before 7:00am or after 10:00pm on any other day; or (b) cause “offensive noise” as defined by the Protection of the Environment Operations Act 1997; or (c) emit a sound pressure level as measured over a 15 minute period (LAeq (15 minute)) at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90 (15 minute)) by more than 5 dB(A). Condition reason: To protect the residential amenity of neighbouring properties.
228.	(G785) Emergency Evacuation Plans Any fire safety officers appointed to be present during performances must have appropriate training in evacuating persons from the building in the event of a fire or other emergency. Condition reason: (Prescribed condition EP&A Regulation, clause 98C and Schedule 3A)

Demolition Work During Demolition Work

229.	(D070) Notification of Damage The applicant/ builder shall be responsible to report to the Council of any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost. Condition reason: To ensure any damage to public infrastructure is rectified.
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Subdivision Work Before Issue of a Subdivision Work Certificate

230.	(B005) Adaptable units Before the issue of a Subdivision Works Certificate, a report prepared by a suitably qualified consultant must be obtained that demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or documents comply with the provisions of AS 4299 Adaptable Housing Standards. Condition reason: To ensure adaptable units are designed in accordance with the Australian Standard.
231.	(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 probity.
232.	(B081) Site Development Work Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a Subdivision Work Certificate has been issued.

	Condition reason: To prevent unauthorised commencement of building works.
233.	(B125) Erosion and sediment control plan Before the issue of a Subdivision Works Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifier or Council (where a certifier is not required): a) Council's relevant development control plan, b) the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and c) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
234.	(B135) Provision of Services - Sydney Water Prior to the issue of a Subdivision Works Certificate, an application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, is to be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the "building and developing" section of Sydney Water's web site at www.sydneywater.com.au, or telephone 13 20 92. Following receipt of the application, a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the 'Notice of Requirements' must be submitted to the PCA, prior to the issue of a Subdivision Works Certificate. Condition reason: To ensure fairness, transparency and probity.
235.	(B137) Provision of Services - Telecommunications Prior to the issue of a Subdivision Works Certificate, the Principal Certifier shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following requirements of the Telecommunications Act 1997: 1. For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and 2. For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications. Condition reason: To ensure fairness, transparency and probity.
236.	(B149) S138 Roads Act - Minor Works in the public road Prior to the issue of a Subdivision Work Certificate, a Section 138 Roads Act application/s, including payment of fees, shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to: (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings), (b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure), or (c) Road occupancy or road closures. All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications. Note: Approvals may also be required from the Transport for NSW for classified roads. Condition reason: To ensure fairness, transparency and probity.
237.	(B162) Recommendations of Acoustic Report

	Before the issue of a Subdivision Work 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 Subdivision Work Certificate application. The construction methodology and plans accompanying the Subdivision Work 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 Subdivision Work Certificate. Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm. Condition reason: To mitigate potential intrusive noise and amenity impacts.
238.	(B185) Surrender of Consent In accordance with Section 4.17 (5) of the Environmental Planning and Assessment Act 1979, Development Consent (insert reference) is to be surrendered prior to the issue of any Construction Certificate or Subdivision Work Certificate. The surrender of the abovementioned Development Consent takes effect when Council receives the required information prescribed by Clause 67 of the Environmental Planning and Assessment Regulation 2021 and a completed form titled "Modification or Surrender of a Consent Form" (available at www.liverpool.nsw.gov.au). Condition reason: To advise Council of any intention to surrender the consent or existing use rights.
239.	(B404) Road Safety Audit A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Subdivision Work Certificate or Roads Act application. Prior to the issue of the Subdivision Work Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design. Condition reason: To ensure fairness, transparency and probity.
240.	(B453) No Loading on Easements Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence. Condition reason: To ensure fairness, transparency and probity.
241.	(B590) Public Domain Works – Street Lighting The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council. All street lighting must comply with the service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy. All cost associated with the installation of street lighting shall be borne by the developer. Condition reason: To ensure adequate street lighting is provided for the development.

Before Subdivision Work Commences

242.	(C003) Bush fire asset protection zones Before any site work commences, the boundaries of the asset protection zone must be surveyed and marked on the ground by a registered surveyor.
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	Condition reason: To provide a buffer to protect life and property from bush fire attack.
243.	(C005) Subdivision Work Certificates Prior to the commencement of any subdivision works, the following requirements must be complied with: (a) Subdivision Work Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979, (b) Where a Subdivision Work Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Act, (c) A copy of the Subdivision Work Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment, (d) A Principal Certifier (PC) must be appointed to carry out the necessary inspections and to issue a subdivision certificate, and (e) The PC must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given. Condition reason: To require approval to proceed with building work.
244.	(C012) Commencement of building works Subdivision work shall not commence prior to the issue of a Subdivision Works Certificate. Subdivision work as defined under Section 1.4 of the Environmental Planning and Assessment Act, 1979 means any physical activity authorised to be carried out in connection with a subdivision under the conditions of a development consent for the subdivision of land. Condition reason: To require approval to proceed with building work.
245.	(C055) Site Facilities Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to. Condition reason: To ensure the required site management measures are implemented before the commencement of building work.
246.	(C065) Sydney Water Development plans must be processed and approved by Sydney Water. Condition reason: To require Sydney Water approval to proceed with building work.
247.	(C070) "DIAL BEFORE YOU DIG" Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities. Condition reason: To ensure building works do not impact local underground assets.
248.	(C117) Erosion and sediment controls in place Before any site work commences, the principal certifier or Council (where a principal certifier is not required), must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).

	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
249.	(C125) Erosion and sediment control plan Before site work commences, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to <Insert the certifier or Council (where a certifier is not required)>: 1. Council's relevant development control plan, 2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and 3. the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
250.	(C126) Environmental Management Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum: 1. Siltation fencing; 2. Protection of the public stormwater system; and 3. Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place. Condition reason: To ensure fairness, transparency and probity.
251.	(C155) Work Zone A Works Zone application is required if on-street parking is affected with commuter parking and there is insufficient off-street parking space. A Works Zone Application Form is available on Council website and can be lodged online by attaching all required documents indicated on the application form. Condition reason: To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
252.	(C158) Construction Traffic Management Plan (CTMP) A construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Council's Transport Management Section. The CTMP is to be submitted using Assessment of Construction Traffic Management Plan application form. The application is available on Council website and can be lodged online. Comments on the CTMP will be provided and the updated CTMP are to be implemented during construction. A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection by authorised Council officers. Construction shall not commence until the assessed construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction. Condition reason: To ensure that the impact of construction traffic associated with the development on the surrounding road network is minimized.
253.	(C205) Traffic Control Plan

	Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller. Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times. Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
254.	(C250) Notification Notification to surrounding residents is to be undertaken within a 100 metre radius from the site. A letter box drop in the form of an informative pamphlet or the like is to be carried out at least 5 days prior to the event to local residents informing them of the event details and including contact details of the site supervisor for the event. Condition reason: To advise neighbours of the commencement of building works.
255.	(C466) Dilapidation report Before any site work commences, a dilapidation report 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). Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier or Council (where a principal certifier is not required), that all reasonable steps were taken to obtain access to the adjoining properties. No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time. Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

Before Subdivision Work

256.	(D005) Building Work The subdivision works must be inspected by the Principal Certifier (PC), in accordance with Sections 6.5 of the Environmental Planning & Assessment Act 1979, to monitor compliance with the relevant standards of construction, Council's development consent and the subdivision works certificate. Condition reason: To require stage inspection and approval by the PC in accordance with EP & A Regulation clause 162A.
257.	(D010) Building Work The Principal Certifier (PC) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PC, prior to proceeding to the subsequent stages of construction or finalisation of the works. Condition reason: To require approval to proceed with building work following each critical stage inspection.
258.	(D015) Surveys by a registered surveyor

	While subdivision 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: 1. All footings / foundations in relation to the site boundaries and any registered and proposed easements 2. At other stages of construction – any marks that are required by the principal certifier. Condition reason: To ensure buildings are sited and positioned in the approved location.
259.	(D028) Responsibility for changes to public infrastructure While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority. Condition reason: To ensure payment of approved changes to public infrastructure.
260.	(D038) Toilet Facilities Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must: (a) be a standard flushing toilet connected to a public sewer, or (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or (c) be a temporary chemical closet approved under the Local Government Act 1993. Condition reason: To ensure the required site management measures are implemented during construction.
261.	(D042) Procedure for critical stage inspections While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
262.	(D049) Security Fence A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction. Note: Fencing is not to be located on Council's reserve area. Condition reason: To ensure the required site management measures are implemented during construction.
263.	(D055) Refuse Disposal Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to. Condition reason: To ensure the required site management measures are implemented during construction.
264.	(D063) Craning and Hoardings If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public or road reserve area, a separate Road Occupancy Certificate and/or Hoarding approval must be obtained from Liverpool City Council prior to undertaking the works. Condition reason: To ensure the required traffic management measures are implemented during construction.
265.	(D070) Notification of Damage

	The applicant/ builder shall be responsible to report to the Council of any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost. Condition reason: To ensure any damage to public infrastructure is rectified.
266.	(D100) General Site Works - Surface Contours Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners. Condition reason: To protect the amenity of the neighbourhood.
267.	(D110) General Site Works Stormwater pipeline connections to the street kerb shall be constructed in the following manner: (a) the kerb shall be sawcut on both sides of the proposed pipe outlet. (b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter. (c) the kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb. Condition reason: To ensure any alteration to Council infrastructure is to a suitable standard.
268.	(D115) General Site Works - Existing Hydrology Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site. Condition reason: To minimise impacts to adjacent vegetation and habitat.
269.	(D120) General Site Works - Runoff Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels. Condition reason: To minimise impacts to adjacent vegetation and habitat.
270.	(D125) General Site Works - Sediment The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land. Condition reason: To minimise impacts to adjacent vegetation and habitat.
271.	(D130) Removal of dangerous and/or hazardous waste All dangerous and/or hazardous material must be removed by a suitably qualified and experienced contractor licensed by SafeWork NSW. The removal of such material must be carried out in accordance with the requirements of SafeWork NSW and the material must be transported and disposed of in accordance with NSW Environment Protection Authority requirements. Condition reason: To ensure safe removal and disposal of dangerous and/or hazardous material.
272.	(D165) Public Domain Works All works within the road reserve, including the approved sign and line making scheme, are to be carried out by the applicant, at no cost to Council, in accordance with the TfNSW/RMS 'Delineation Guidelines'. Condition reason: To ensure that the development covers all required costs associated with the development.
273.	(D180) Waste management

	While site work is being carried out: 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal of waste, records of the disposal must be compiled and provided to principal certifier, detailing the following: • The contact details of the person(s) who removed the waste; • The waste carrier vehicle registration; • The date and time of waste collection; • A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; • The address of the disposal location(s) where the waste was taken; • The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.
	Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
274.	(D190) Discovery of relics and Aboriginal objects While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered: (a) the work in the area of the discovery must cease immediately; (b) the following must be notified i. for a relic – the Heritage Council; or ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Site work may recommence at a time confirmed in writing by: (a) for a relic – the Heritage Council; or (b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Condition reason: To ensure the protection of objects of potential significance during works.
275.	(D300) Fencing Any gate associated with a front fence shall swing inwards from the property boundary. Condition reason: To preserve pedestrian and vehicle safety in the vicinity of the site.
276.	(D330) Switchboards Switchboards for utilities shall not be attached to the street and/or road elevations of the development. Condition reason: To ensure switchboards are sited and positioned away from the public domain.
277.	(D426) Soil management

	While site work is being carried out, principal certifier or Council (where a principal certifier is not required) must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements: 1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to principal certifier or Council (where a principal certifier is not required). 2. All fill material imported to the site must be: 1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or 2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or 3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA. Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.
278.	(D430) Unidentified Contamination Any new information which arises during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination and remediation must be immediately notified in writing to the certifier and Liverpool City Council. A section 4.55 Application under the Environmental Planning and Assessment Act 1979 must be made for any proposed works outside the scope of the approved development consent. Condition reason: To ensure the suitability of land for the development.
279.	(D445) Air Quality Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works. Condition reason: To ensure fairness, transparency and probity.
280.	(D460) Salinity The development shall be carried out in accordance with 'Appendix B' of the Liverpool Growth Precincts Development Control Plan 2013. The development shall be carried out in accordance with Part 1, Section 11 'Salinity Risk' of the Liverpool Development Control Plan 2008. Condition reason: To ensure that all construction work is undertaken to an approved standard.
281.	(D480) Acoustic Report The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development. Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.
282.	(D553) Erosion & Sediment Control Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days. Condition reason: To ensure fairness, transparency and probity.
283.	(D554) Erosion & Sediment Control

	The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated “spoil” material. Condition reason: To ensure fairness, transparency and probity.
284.	(D560) Erosion Control Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation. Condition reason: To ensure the required site management measures are implemented during construction.
285.	(D570) Pollution Control - Site Operations During construction, building operations including but not limited to brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like must not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system. Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
286.	(D574) Pollution Control - Truck Movements The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent. Measures must be implemented to prevent tracking of sediment by vehicles onto roads. Vehicle loads must be covered when entering and exiting the site with material. Condition reason: To mitigate potential risks to the environment during construction and facilitate compliance with legislative requirements.
287.	(D581) Historic Archaeology Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the <i>Heritage Act 1977</i> Condition reason: To ensure fairness, transparency and probity.
288.	(D582) Aboriginal Cultural Heritage - Staff and Contractors All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under NSW <i>National Parks and Wildlife Act 1974</i> and the NSW <i>Heritage Act 1977</i>. They are to be informed of what the potential heritage on the site will be and its significance. The site supervisor is to maintain a record of who has completed the heritage induction and this is to be provided to Council prior to Issue of Occupation Certificate. Condition reason: To ensure fairness, transparency and probity.
289.	(D583) Aboriginal Cultural Heritage - Unexpected Finds The National Parks and Wildlife Act 1974 protects all Aboriginal Cultural Heritage in New South Wales. Where a proposal has the potential to impact on Aboriginal Cultural Heritage objects and places, whether the presence is known or not, a permit is to be sought from Heritage NSW. In the event that Aboriginal Cultural Heritage objects or places are encountered/discovered, works must cease immediately and Council and Heritage NSW notified. The finds are to be investigated by an experienced archaeologist and no works are to recommence onsite until approved by Heritage NSW and Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
290.	(D590) Public Domain Works - Street Lighting

	Street lights are to be installed in accordance with the Endeavour Energy certified plans to their satisfaction.
	Condition reason: To ensure that the development covers all required costs associated with the development.
291.	(D597) Major Filling/ Earthworks
	All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.
	The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.
	Condition reason: To ensure fairness, transparency and probity.
292.	(D600) Correct waste separation and removal
	All demolition, excavation and construction wastes must be separated as they are generated and kept in separate spoil piles, bays, builder's skips and/or site bins. No wastes other than those noted on the approved waste management plan as being re-used on site, are to be left on site after the completion of the works.
	Condition reason: To ensure that separation of waste by type is undertaken in an ongoing basis throughout the building process, and that the wastes are kept separate and not mixed, to facilitate waste management and recycling.
293.	(D605) Containment of site wastes during building
	All demolition, excavation or construction wastes, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent them from becoming displaced in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.
	Condition reason: To ensure that waste materials from the demolition, excavation or construction are kept appropriately contained on site, irrespective of weather conditions, and do not make their way into the environment as pollutants.
294.	(D660) Construction Noise and Vibration
	Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).
	All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP).
	Condition reason: To protect the amenity of the neighbourhood during construction.
295.	(D664) Contamination
	The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).
	Condition reason: To ensure fairness, transparency and probity.
296.	(D668) Traffic Management
	Applications must be made to Council's Traffic & Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.
	Condition reason: To ensure fairness, transparency and probity.
297.	(D672) Street Trees

The street trees to be used can be any or all of the following in the locations as shown on the approved plans; • Eleocarpus reticulatus (Blue Berry Ash) • Fraxinus griffithii (Evergreen Ash) • Tristiaopsis Laurina (Luscious Water Gum) • Lophostemon Confertus (Brush Box) Each tree is to have a minimum pot size of 100lt or if the approved landscape plan specifies larger, the larger pot size is to be adopted. The tree will need to be formatively pruned so that the tree has a straight trunk clear of any branches to minimum height of 1m above soil level. Condition reason: To ensure fairness, transparency and probity.

Before Issue of a Subdivision Certificate

298.	(F003) Works-as-executed plans and any other documentary evidence Before the issue of a Subdivision Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier: 1. All stormwater drainage systems and storage systems; and 2. A copy of the plans must be provided to Council with the OCCUPATION CERTIFICATE. Condition reason: To confirm the location of works once constructed that will become Council assets.
299.	(F007) Special Infrastructure Contribution (SIC) The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 7.23 of that Act and is in force on the date of this consent, and must obtain a certificate to that effect from the Department of Planning (Growth Centres Commission) before a subdivision certificate, is issued in relation to any part of the development to which this consent relates. Condition reason: To ensure any SIC is finalised at the specified time.
300.	(F015) Linen Plans and 88B Instruments In order to enable a Subdivision Certificate to be issued for submission to the LPI Service, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument (where proposed). Condition reason: To ensure fairness, transparency and probity.
301.	(F020) Linen Plans and 88B Instruments The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release. Condition reason: To ensure fairness, transparency and probity.
302.	(F022) Post-construction dilapidation report

	Before the issue of the Subdivision Certificate a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier or Council (where a principal certifier is not required), detailing whether: 1. after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and 2. where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent; and 3. a copy of the post-construction dilapidation report must be provided to Council (where Council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s). Condition reason:
303.	(F025) Connection to Reticulated Sewer Before the issue of a subdivision certificate, a restriction must be placed on the title of each lot pursuant to S.88B of the Conveyancing Act 1919, requiring the following: (a) If a connection to a reticulated sewerage system becomes available within 75 meters from any property boundary, a connection must be established within 12 months of such connection becoming available. (b) All wastewater generated at the premises must be directed to the reticulated sewerage system. (c) Certification of connection to the reticulated sewerage system must be submitted to Council. Condition reason: To ensure orderly development and appropriate environmental health outcomes.
304.	(F026) Removal of waste upon completion Before the issue of a Subdivision Certificate: 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 2. written evidence of the waste removal must be provided to the satisfaction of the principal certifier or Council (where a principal certifier is not required). Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.
305.	(F030) Linen Plans and 88B Instruments The final plan of subdivision must be supported by an 88B Instrument, approved by Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Council's standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council. Condition reason: To ensure fairness, transparency and probity.
306.	(F035) Linen Plans and 88B Instruments Where common drainage lines or other drainage lines are required, a drainage easement shall be created in accordance with Council's minimum widths as scheduled in Council's Design Specification for Subdivisions (as amended). Condition reason: To ensure fairness, transparency and probity.
307.	(F037) Liverpool City Council clearance - Roads Act/ Local Government Act Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
308.	(F045) Linen Plans and 88B Instruments

	Correct notation concerning easements is required. The prepared 88B Instrument should be forwarded initially to Council. The land value of the easement and costs associated with checking the instrument are to be borne by the applicant. Part 2 of the 88B Instrument shall contain a provision that the easement may not be extinguished or altered without the written consent of Council. Condition reason: To ensure fairness, transparency and probity.
309.	(F080) Linen Plans and 88B Instruments The final plan of subdivision must be supported by an 88B Instrument. This instrument must burden the corner lots, with a restriction as to user that driveway crossings must not be located closer than 6m to the kerb and gutter tangent point. Condition reason: To ensure fairness, transparency and probity.
310.	(F090) Street Trees & Tree Planting Prior to the issue of a Subdivision Certificate, street trees are to be planted or an Outstanding Works Bond for Street Tree planting shall be lodged with Liverpool City Council. The Outstanding Works bond will be refunded once the street trees have been planted to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council. The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and probity.
311.	(F105) Service Providers The following documentation must be provided before the issue of a subdivision certificate: (a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development must be submitted to the certifier before the issue of a Subdivision Certificate. Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells. (b) Notification of arrangement for the development from Endeavour Energy must be submitted to Council. (c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with: i) The requirements of the Telecommunications Act 1997; ii) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and iii) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line must be located underground. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications. Condition reason: To promote orderly development supported by adequate infrastructure.
312.	(F130) Bonds A maintenance bond in the form of a bank guarantee or cash bond (\$TBA), shall be lodged with Council prior to the issue of a subdivision certificate. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 6 months from the date of Council's acceptance of final works. Condition reason: To ensure fairness, transparency and probity.
313.	(F150) Dilapidation Report

	Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer.
	Condition reason: To ensure fairness, transparency and probity.
314.	(F160) Validation Report
	Before the issue of a subdivision certificate, a detailed validation report must be submitted to the certifier. The Report must be prepared in accordance with: 1. NSW Contaminated Land Planning Guidelines (1998); 2. Relevant EPA guidelines. In particular the Contaminated Land Guidelines – Consultants Reporting on Contaminated Land (NSW EPA 2020); and 3. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013). The Validation Report must be prepared or reviewed and approved by a suitably qualified environmental consultant. The report's cover or title page of the document must include a personalised electronic seal for either the CEnvP(SC) or CPSS CSAM scheme. The Validation report must verify that the land is suitable for the purposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the approved Remediation Action Plan. Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme. Condition reason: To ensure the suitability of land, mitigate potential risks to human health and the environment and facilitate compliance with legislative requirements.
315.	(F200) Completion of Subdivision Works
	Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works. Condition reason: To ensure fairness, transparency and probity.
316.	(F205) Street Naming
	Prior to the issue of a Subdivision Certificate, an application for proposed street names must be lodged with and approved by Liverpool City Council and the signs erected on-site. The proposed names must be in accordance with Council's Street Naming Policy. Notes: Allow eight (8) weeks for notification, advertising and approval. Condition reason: To ensure new street names are approved and displayed in accordance with Council's Street Naming Policy.
317.	(F210) Bond for final wearing course
	Prior to the issue of the Subdivision Certificate, a bond for the final layer of outstanding asphalt works (AC Bond) is to be lodged with Liverpool City Council. The final layer of asphalt on all roads shall not to be placed without the written consent of Council (Consent will generally be provided when 80% of the housing within the subdivision has been completed). The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. The final AC layer may be requested by Council where it is deemed appropriate that the final AC layer be undertaken. Condition reason: To ensure fairness, transparency and probity.

318.	(F220) Maintenance Bond Prior to the issue of nominate (an Occupation Certificate/ a Subdivision Certificate) a maintenance bond is to be lodged with Liverpool City Council. The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and probity.
319.	(F240) Footpaths Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on both sides of all residential streets, unless where varied by other conditions in this consent. Condition reason: To ensure fairness, transparency and probity.
320.	(F245) Stormwater Compliance Prior to the issue of an Subdivision Certificate the Principal Certifying Authority shall ensure that the: - On-site detention system/s - Stormwater pre-treatment system/s - Flood control works - Basement Carpark pump-out system - Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent. - Have met the design intent with regard to any construction variations to the approved design. - Any remedial works required to been undertaken have been satisfactorily completed. Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings. Condition reason: To ensure fairness, transparency and probity.
321.	(F250) Restriction as to User and Positive Covenant Prior to the issue of a Subdivision Certificate a restriction as to user and positive covenant relating to the: - On-site detention system/s - Stormwater pre-treatment system/s - Flood control works - Basement carpark pump-out system Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works. Condition reason: To ensure fairness, transparency and probity.
322.	(F407) Repair of infrastructure Before the issue of a Subdivision Certificate: - any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or - if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent. Condition reason: To ensure any damage to public infrastructure is rectified.
323.	(F590) Street Lighting in New Subdivisions

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

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

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

Strata Subdivision Before Issue of a Strata Certificate

324.	(F015) Linen Plans and 88B Instruments
	In order to enable a Subdivision Certificate to be issued for submission to the LPI Service, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument (where proposed).
	Condition reason: To ensure fairness, transparency and probity.
325.	(F020) Linen Plans and 88B Instruments
	The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.
	Condition reason: To ensure fairness, transparency and probity.
326.	(F030) Linen Plans and 88B Instruments
	The final plan of subdivision must be supported by an 88B Instrument, approved by Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Council's standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.
	Condition reason: To ensure fairness, transparency and probity.
327.	(F090) Street Trees & Tree Planting
	Prior to the issue of a Subdivision Certificate, street trees are to be planted or an Outstanding Works Bond for Street Tree planting shall be lodged with Liverpool City Council.
	The Outstanding Works bond will be refunded once the street trees have been planted to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council.
	The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy.
	Condition reason: To ensure fairness, transparency and probity.
328.	(F105) Service Providers

The following documentation must be provided before the issue of a subdivision certificate:

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

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

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

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.



RFS



Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Your reference: (CNR-68361) DA-171/2024
Our reference: DA20240619002477-Original-1

ATTENTION: Nabil Alaeddine

Date: Thursday 27 June 2024

Dear Sir/Madam,

Integrated Development Application
s100B - Subdivision - Subdivision
Somme Avenue Edmondson Park NSW 2174, 101//DP1267563

I refer to your correspondence dated 19/06/2024 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

Asset Protection Zones

Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

1. At the commencement of building works or the issue of a subdivision certificate, whichever comes first, the entire site must be maintained as an Inner Protection Area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

When establishing and maintaining an inner protection area, the following requirements apply:

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

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

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

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



RFS



- leaves and vegetation debris should be removed.

2. A restriction must be placed on the proposed Building C to ensure that the flammable materials are not stored on balconies on the southern and western elevations.

Construction Standards

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

3. Construction of the proposed building C must comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the NASH Standard - *Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

4. Construction of the proposed buildings A and B must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the NASH Standard - *Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

5. Fences and gates must comply with Section 7.6 of *Planning for Bush Fire Protection 2019*. New fences and gates are to be made of either hardwood or non-combustible material. Where a fence or gate is constructed within 6m of a dwelling or in areas of BAL-29 or greater, they must be made of non-combustible material only.

6. A minimum 1.8 metre high radiant heat shield made of non-combustible materials shall be constructed along the western and southern site boundaries of the proposed lot 2. All posts and rails shall be constructed of steel. The bottom of the fence is to be in direct contact with the finished ground level or plinth.

Access – Public Roads

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

7. Unobstructed pedestrian access to the rear of the proposed lot 2 must be provided for life of the development.

Water and Utility Services

Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

8. The provision of water, electricity and gas must comply with Table 5.3c of *Planning for Bush Fire Protection 2019*.



RFS



Landscaping Assessment

The intent of measures is for landscaping. To achieve this, the following conditions shall apply:

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

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

General Advice – Consent Authority to Note

The above general terms of approval are based on the bush fire risk assessment undertaken in the submitted bush fire report(s) prepared by BlackAsh Bushfire Consulting (dated: 15/10/2021 and referenced: J2495) & additional information prepared by BlackAsh Bushfire Consulting & received by the RFS on 27/05/2022 for DA-1320/2021 (RFS reference: DA20220215002931).

Based on the additional information provided on 27/05/2022, the RFS undertook a merit based assessment of the proposed development considering the low risk profile of the hazard, future development of the lots adjoining the hazard, management of the vegetation corridor as a future landscaped urban park to determine compliance with *Planning for Bush Fire Protection (PBP) 2019*.

The bush fire risk assessment and general terms of approval for DA-1320/2021 (RFS reference: DA20220215002931) remain applicable for the subject amendment application.

For any queries regarding this correspondence, please contact Kathryn Murphy on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Services
Built & Natural Environment



RFS



BUSH FIRE SAFETY AUTHORITY

Subdivision – Subdivision

Somme Avenue Edmondson Park NSW 2174, 101//DP1267563

RFS Reference: DA20240619002477-Original-1

Your Reference: (CNR-68361) DA-171/2024

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Nika Fomin

**Manager Planning & Environment Services
Built & Natural Environment**

Thursday 27 June 2024



Department of Planning and Environment



Contact: Department of Planning and Environment-Water

Phone: 1300081047

Email: waterlicensing.servicedesk@dpie.nsw.gov.au

Our ref: IDAS-2024-10303

Your ref: DA-171/2024

24 June 2024

The General Manager
LIVERPOOL CITY COUNCIL
33 MOORE STREET LIVERPOOL 2170

Attention: Nabil Alaeddine

Uploaded to the ePlanning Portal

Dear Sir/Madam

Re: IDAS-2024-10303 - Integrated Development Referral – General Terms of Approval
Dev Ref: DA-171/2024
Description: This DA seeks to retain the approved development (DA-1320/2021) to amend three (3) approved residential flat buildings with an amendment to accommodate an additional 41 apartments including 27 affordable housing apartments by applying the incentives in the Housing SEPP 2021 amendments.
- Increase in the gross floor area (GFA) by 30% . Amendments to buildings including:
- Building A – increase to 4 storeys ;Building B – increase to 6 Storeys; and 8 storeys; Building C – increase to 8 storeys.
Location: Lot 101, DP1267563, SOMME AVENUE EDMONDSON PARK 2174

I refer to your recent referral regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Department of Planning and Environment-Water's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

ADDITIONAL COMMENTS

- A separate groundwater interference/dewatering approval may be required from Water NSW under s.91(3) of the Water Management Act 2000.

Please note Council's statutory obligations under section 4.46 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the department requests these GTA be included (in their entirety) in Council's development consent. Please also note the department requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

The Department of Planning and Environment-Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s4.46 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, the department recommends the following condition be included in the development consent:

The attached GTA issued by the Department of Planning and Environment-Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the department for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.

A completed application must be submitted to the department together with any required plans, documents, application fee and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Applications for controlled activity approval should be made to the department, by lodgement of a Controlled Activity Approval – New approval application on the NSW Planning Portal at:
<https://www.planningportal.nsw.gov.au/>

The Department of Planning and Environment-Water requests that Council provide a copy of this letter to the development consent holder.

The Department of Planning and Environment-Water also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) the EPA Act.

Yours Sincerely



**For
Patrick Pahlow
Team Leader
Licensing and Approvals
Department of Planning and Environment-Water**



General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

Reference Number: IDAS-2024-10303
Issue date of GTA: 24 June 2024
Type of Approval: Controlled Activity
Location of work/activity: Lot 101, DP1267563, SOMME AVENUE EDMONDSON PARK 2174
Waterfront Land: Maxwells Creek
DA Number: DA-171/2024
LGA: LIVERPOOL

The GTA issued by Department of Planning and Environment-Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the Department of Planning and Environment-Water for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
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TC-G001	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment-Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
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TC-G004	A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA-171/2024 provided by Council to Department of Planning and Environment-Water.
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B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment-Water, must be notified in writing to determine if any variations to the GTA will be required.

TC-G005	A. The application for a controlled activity approval must include the following plan(s):
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- Detailed civil construction plans - for works on waterfront land
- Erosion and sediment control plans - for works on waterfront land
- Construction detailed bulk earthworks plans - for works on waterfront land

B. The plan(s) must be prepared in accordance with Department of Planning and Environment-Water's guidelines located on the website

<https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines>



General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by Department of Planning and Environment-Water for integrated development associated with IDAS-2024-10303 as provided by Council:

- Statement of Environmental Effects, Ref. 12137, prepared by GLN Planning Pty Ltd, dated 06/03/2024
- Site and Architectural Plans, Ref. 20117, prepared by Stanistic Architects, dated 29/02/2024
- Stormwater Drainage Design Plans, Ref. 20240006, prepared by S&G Consultants Pty Ltd, Rev. A, dated 23/02/2024

1 May 2024

Chief Executive Officer
Liverpool City Council

Attention: Nabil Alaeddine

DA-171/2024 at SOMME AVENUE EDMONDSON PARK 2174

Dear Sir or Madam

I refer to the referral of 1 May 2024 from the NSW Planning Portal Concurrence and Referral Service regarding request CNR-68361 for Liverpool City Council Development Application DA-171/2024 at SOMME AVENUE EDMONDSON PARK 2174 Lot 101 DP 1267563) to 'Amend three (3) Residential Flat Buildings approved under (DA-1320/2021) to accommodate an additional 41 Apartments including 27 Affordable Housing apartments under the provisions of State Environmental Planning Policy (Housing) 2021. The amendments including an increase in gross floor area by 30% with building A increased to 4 storeys, Building B increased to 6 and 8 Storeys, and Building C increased to 8 Storeys'. Submissions need to be made to Council by 22 May 2024.

Please refer to Endeavour Energy's submission made to Council on 8 March 2022 via the NSW Planning Portal regarding request CNR-35403 for Liverpool City Council Development Application DA-1320/2021 at SOMME AVENUE & CROATIA AVENUE EDMONDSON PARK 2174 (Lot 101 DP 1267563) for Subdivision, construction of extension and new roads and construction of 3 residential flat buildings with basement parking and associated landscaping'. Notwithstanding the proposed modifications, the recommendations and comments provided therein are essentially also applicable to this Development Application. Subject thereto Endeavour Energy has no objection to the Development Application.

The below updated Site Plan from Endeavour Energy's G/Net Master Facility Model shows there is now an easement over the site for low voltage underground cables and a streetlight column. All encroachments, activities and / or works (including subdivision and even if not part of the Development Application) whether temporary or permanent within or affecting an easement, restriction, right of access or protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project) need to be referred to Endeavour Energy's Easements Officers for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities.

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

- General Restrictions for Underground Cables.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.

Please find attached for the applicant's reference copies of Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works, Version 5, December 2022.
- Standard Conditions for Development Applications and Planning Proposals, Version 9, August 2023 which provides some additional and updated information.

For further advice the applicant can call Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 and the following contacts:

- Customer Network Solutions Branch for matters related to the electricity supply or asset removal / relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP). Alternatively contact can be made by email CWAdmin@endeavourenergy.com.au .

The applicant will need to contact Endeavour Energy's Customer Network Solutions Branch if this Development Application:

- Includes any contestable works projects that are outside of any existing approved / certified works.
 - Results in an electricity load that is outside of any existing Supply / Connection Offer requiring the incorporation of the additional load for consideration.
- Easements Officers for matters related to easement management, protected works or other forms of property tenure / interests. Alternatively contact can be made by email Easements@endeavourenergy.com.au .
- Property Branch for matters related to property tenure. Alternatively contact can be made by email network_property@endeavourenergy.com.au (underscore between 'network' and 'property').
- Field Operations Branch for safety advice for building or working near electrical assets in public areas. The site is in the area covered by Hoxton Park Field Service Centre. Alternatively contact can be made by email Construction.Works@endeavourenergy.com.au .

Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified above or in Endeavour Energy's submission to DA-1320/2021 in relation to the various matters. Due to the high number of development application / planning proposal notifications submitted to Endeavour Energy, to ensure a response contact by email to Property.Development@endeavourenergy.com.au is preferred.

Yours faithfully

Cornelis Duba | Development Application Specialist

M 0455250981

E cornelis.duba@endeavourenergy.com.au

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

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

endeavourenergy.com.au |    



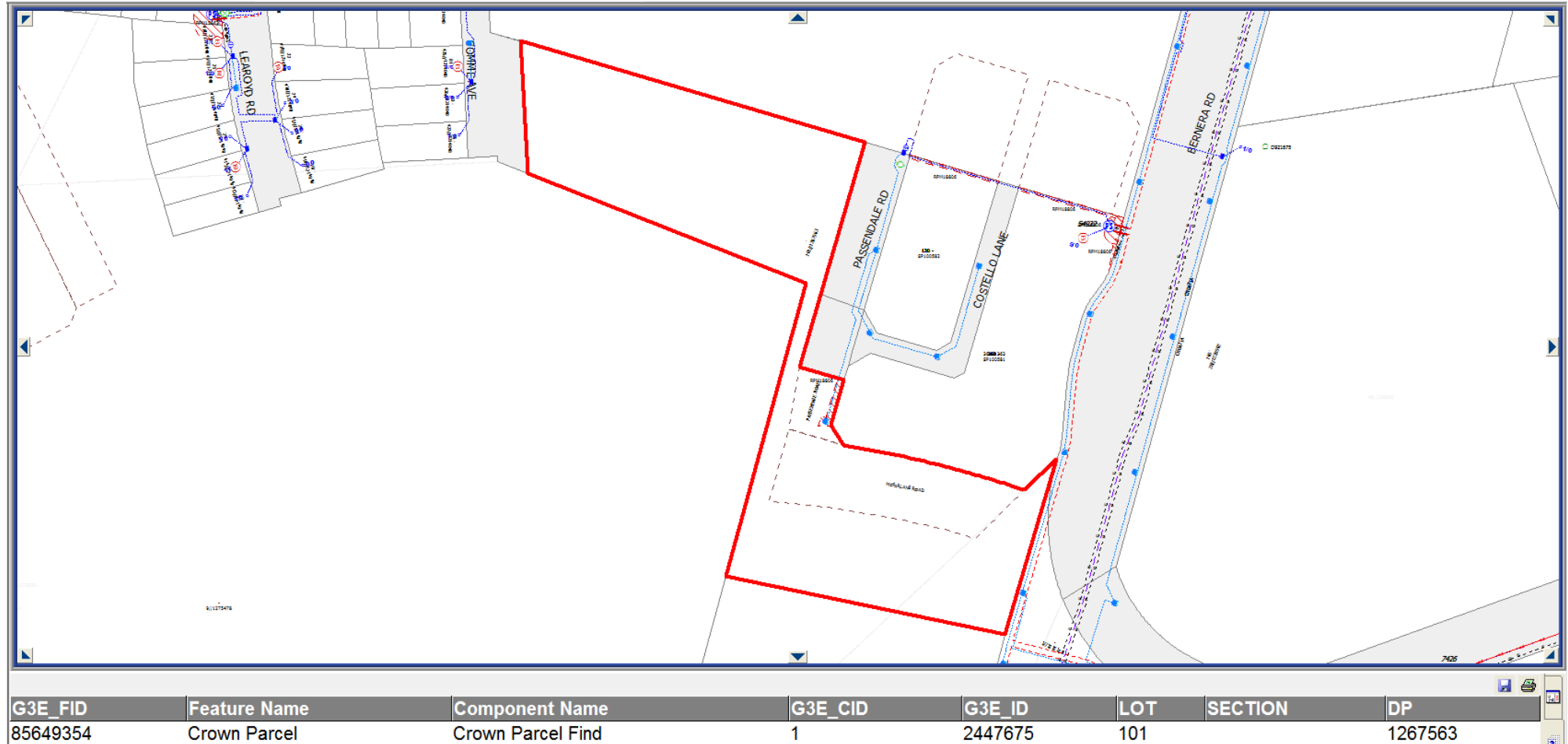
**Endeavour
Energy**

**POWER
together**



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

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



Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan does not constitute the provision of information on underground electricity power lines by network operators under Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).

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

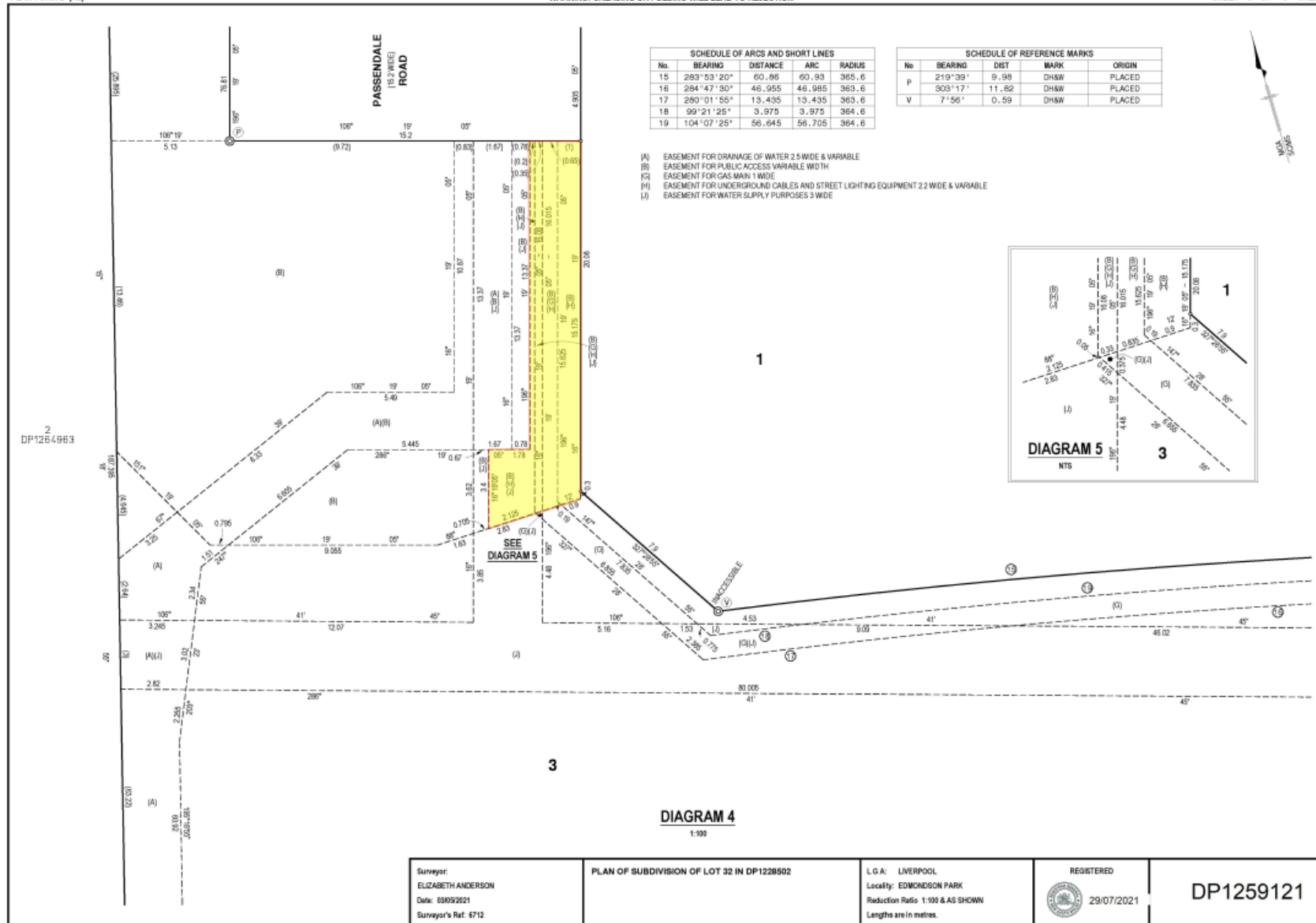
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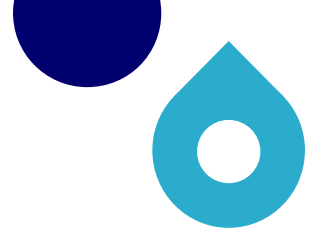
PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

LXVIL

SHEET 3 OF 3 SHEETS





24 May 2024

Our reference: 215018

Nabil Alaeddine

Liverpool City Council

alaeddinen@liverpool.nsw.gov.au

RE: Development Application DA-171/2024 at Lot 101 DP1267563 Somme Avenue, Edmondson Park

Thank you for notifying Sydney Water of DA-171/2024 at Lot 101 DP1267563 Somme Avenue, Edmondson Park, which proposes to amendments of three approved residential flat buildings under DA-1320/2021.

Some of the key changes proposed in the new DA includes:

- An additional 41 apartments including 27 affordable housing apartments, which would contribute to an increase in unit numbers (from 137 to 178 units), GFA (from 12,106.46m² to 15,867.49m²) and building height (21.76m to 27.98m) from the initial approved build forms
- Minor reconfiguration of apartments to accommodate additional lift and access arrangements in Building A, B and C.
- Floor level lowered to Basement 2 and 1 to accommodate increased structural slabs.
- Minor amendments to open space, service parking, waste and egress.

Sydney Water has reviewed the application based on the information supplied and provide the following comments to assist in understanding the servicing needs of the proposed development.

Critical Asset – Wastewater

- Sydney Water identifies critical assets, in the form of DN375 wastewater main, maintenance hole and a vent shaft, traverses within the boundaries of the proposed site.
- Our system shows that the applicant had lodged a Section 73 (S73) case under CN 215018 for the initial approved DA-1320/2021, where development plans of the initial approved DA were attached. Upon reviewing the development plans from proposed DA against that from the CN 215018, minor configurations to the basement levels have been introduced since the initial DA.

- Our preliminary assessment indicates that possible relocation of the existing vent shaft on site might be required to ensure for clearance/protection/access purposes.
- **Detailed assessments of the proposed development would be carried out at an Out of Scope Building Plan Approval (OOSBPA) application stage.**

Water and Wastewater Servicing

- Our preliminary assessment indicates that water servicing should be available for the proposed development.
- Amplifications, adjustments, deviations and/or minor extensions may be required.
- Detailed requirements will be provided at the S73 application stage.

Growth information

Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require **anticipated ultimate and annual growth data** for this development as outlined in the enclosed Growth Data Form.

Next steps

- **The applicant is required to submit an OOSBPA approval with Sydney Water via a Water Servicing Coordinator. It is recommended that the applicant seeks early engagement as soon as possible.**
- Should the Council decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent. Further details of the conditions can be found in **Attachment 1**.
 - Section 73 Compliance Certificate
 - Building Plan Approval (Out of Scope BPA)
- The proponent should complete and return the enclosed Growth Data Form to with their Out of scope application. We request the Growth Data Form to be updated promptly in case of changes or every six months through the case process outlined above.
- Council is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides more information on Infrastructure Contributions.

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

Council can read further advice on requirements for this proposal in Attachments 1 and 2. Should Council require further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Commercial Growth Manager
City Growth and Development
Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Enclosed:

- Sydney Water Development Application Information Sheet (for proponent)
- Sydney Water Growth Data Form

Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's [Technical guidelines – Building over and adjacent to pipe assets](#).

Sydney Water Corporation ABN 49 776 225 038

1 Smith Street, Parramatta, NSW 2150 | PO Box 399, Parramatta, NSW 2124

Telephone 13 20 92 Media (24/7) 8849 5151 sydneywater.com.au

