



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-364/2024 PAN-455589
Applicant	THE GRAND LIVERPOOL PTY LTD LEVEL 57, 25 MARTIN PLACE SYDNEY NSW 2000
Description of development	The construction of a 31-storey mixed-use development comprising hotel or motel accommodation, recreational facility (indoor), residential apartments and associated site works.
Property	402 MACQUARIE STREET LIVERPOOL NSW 2170 LOT 100 DP 1250893
Determination:	Consent Authority -
Date of determination	15/12/2024
Date from which the consent operates	15/12/2024
Date on which the consent lapses	15/12/2029

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
DA-100	B	Plan-Site	OLSSON	11/7/2024
DA-120	B	Demolition Plan	OLSSON	31/1/2024
DA-200	I	GA Plan- Basement Level 6	OLSSON	11/4/2024
DA-201	I	GA Plan- Basement Level 5	OLSSON	11/4/2024
DA-202	I	GA Plan- Basement Level 4	OLSSON	11/4/2024
DA-203	I	GA Plan- Basement Level 3	OLSSON	11/4/2024
DA-204	I	GA Plan- Basement Level 2	OLSSON	11/4/2024
DA-205	I	GA Plan- Basement Level 1	OLSSON	11/4/2024
DA-210	I	GA Plan- Level 0 (Ground)	OLSSON	11/4/2024
DA-211	I	GA Plan- Level 1	OLSSON	11/4/2024
DA-212	I	GA Plan- Levels 2-5 (Hotel Rooms)	OLSSON	11/4/2024
DA-213	H	GA Plan- Level 6 (Hotel Rooms)	OLSSON	11/4/2024
DA-214	H	GA Plan- Level 7 (Hotel Rooms)	OLSSON	11/4/2024
DA-215	I	GA Plan- Level 8 (Podium)	OLSSON	11/4/2024
DA-220	H	GA Plan- Levels 9-18 (Apartments)	OLSSON	11/4/2024
DA-221	I	GA Plan- Levels 19-25 (Apartments)	OLSSON	11/4/2024
DA-222	I	GA Plan- Levels 26-29 (Apartments)	OLSSON	11/4/2024
DA-223	H	GA Plan- Level 30 (Roof Terrace)	OLSSON	11/4/2024
DA-224	F	GA Plan- Level Roof	OLSSON	31/1/2024
DA-250	C	Plans - SDA HPS Apartments	OLSSON	19/6/2024
DA-251	C	Plans - Adpatable Apartments	OLSSON	19/6/2024
DA-252	C	Plans - Livable Apartments	OLSSON	19/6/2024
DA-253	C	Plans - Livable Apartments	OLSSON	19/6/2024
DA-300	C	Elevation - Macquarie Street	OLSSON	7/3/2024
DA-310	G	Elevations-North, West	OLSSON	31/1/2024
DA-311	H	Elevations-South, East	OLSSON	31/1/2024
DA-400	H	Sections: AA-BB	OLSSON	31/1/2024
DA-500	D	Materials Schedule	OLSSON	11/7/2024
DA-600	C	Rear Boundary Condition	OLSSON	31/1/2024
DA-611	C	Typical Facade Details 1	OLSSON	11/6/2024
DA-612	C	Typical Facade Details 2	OLSSON	11/6/2024
DA-613	B	Typical Facade Details 3	OLSSON	11/6/2024
DA-620	A	Signage Details 1	OLSSON	19/07/2024
DA-621	A	Signage Details 2	OLSSON	19/07/2024
DA-901	B	Residential Apartment Schedule 1	OLSSON	27/6/2024
DA-902	B	Residential Apartment Schedule 2	OLSSON	27/6/2024

DA-903	B	Residential Apartment Schedule 3	OLSSON	27/6/2024
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Approved documents			
Document title	Version number	Prepared by	Date of document
BASIX Certificate	1756814M	ADP Consulting	23 July 2024
NatHERS Certificate	HR-DPDL6W-01	ADP Consulting	18 Jul 2024
Acoustic Report	2022.063.RE.01 (Revision 4)	Reef Acoustic Consulting	1 July 2024
Noise Management Plan	2022.063.RE.02 (Revision 3)	Reef Acoustic Consulting	1 July 2024
Accessibility Assessment Report	2024/0150 R1.1	Steve Watson & Partners	July 2024
Crime Prevention Through Environmental Design Report	v1.1	HillPDA	June 2024
Detailed Site Investigation	Rev0	Canopy Enterprises Pty Ltd	June 2024
Pedestrian Wind Environment Study	WE250-01F03(REV1)	Windtech	July 5, 2024
Preliminary Plan of Management	Preliminary	HillPDA	June 2024
Stormwater Management Report	SYD2903 (Rev 2)	ADP Consulting : Engineering	1 July 2024
Traffic and Parking Assessment	21388 (Rev F)	Transport and Traffic Planning Associates	July 2024
Waste Management Plan for 402 Macquarie Street, Liverpool NSW	22NL153 - WMP7	Loka Consulting Engineers Pty Ltd	05/07/2024

In the event of any inconsistency between the approved plans and documents, the approved Plans and 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. (A003) Payment of development contributions

Payment of section 7.12 contributions

Before the issue of a construction certificate or prior to issue of an occupation certificate, the applicant must pay a total contribution of \$4,337,045.46 as calculated at the date of this consent to Council under section 7.12 of the EP&A Act in accordance with Liverpool Contributions Plan 2018 - Liverpool City Centre. The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Liverpool Contributions Plan 2018 - Liverpool City Centre.

A copy of the development contributions plan is available for inspection at <https://www.liverpool.nsw.gov.au/trim/documents?RecordNumber=018975.2019-009>.

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.

3. (A015) General Terms of Approval

All General Terms of Approval & Conditions of Consent issued by Transport for NSW shall be complied with prior, during, and at the completion of construction, as required in accordance with the letter dated 17 September 2024. A copy of the letter is attached to this decision notice.

	Condition reason: To ensure General Terms of Approvals are fulfilled in accordance with the relevant agency requirements.
4.	(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.
5.	(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.
6.	(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.
7.	(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.
8.	(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.
9.	(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.
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.	(A065) Maximum capacity signage

	1. This section applies to a development consent, including an existing development consent, for the following uses of a building, if the development consent contains a condition specifying the maximum number of persons permitted in the building— 1. an entertainment venue, 2. a function centre, 3. a pub, 4. a registered club, 5. a restaurant or cafe. 2. It is a condition of the development consent that a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building.
	Condition reason: Prescribed condition under section 73 of the Environmental Planning and Assessment Regulation 2021.
12.	(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.
13.	(A950) General Terms of Approval
	All General Terms of Approval & Conditions of Consent issued by Sydney Water shall be complied with prior, during, and at the completion of construction, as required in accordance with the letter dated 20 September 2024. A copy of the letter is attached to this decision notice.
	Condition reason: To ensure fairness, transparency and probity.
14.	(A951) General Terms of Approval
	All General Terms of Approval & Conditions of Consent issued by Endeavour Energy shall be complied with prior, during, and at the completion of construction, as required in accordance with the letter dated 4/09/2024. A copy of the letter is attached to this decision notice.
	Condition reason: To ensure fairness, transparency and probity.
15.	(A955) General Terms of Approval
	All General Terms of Approval & Conditions of Consent issued by NSW Police shall be complied with prior, during, and at the completion of construction, as required in accordance with the letter dated 16/09/2024. A copy of the letter is attached to this decision notice.
	Condition reason: To ensure fairness, transparency and probity.
16.	(A956) Liquor License Approval
	Prior to the issue of the relevant Occupation Certificate for the Hotel/Motel, a liquor license application is to be made with NSW Liquor and Gaming for the proposed licensed premises. The bar must not operate until approved by Liquor and Gaming NSW and a Liquor License is issued.
	The applicant must notify Council in writing at least seven (7) days prior to the commencement of usage. This notification must be accompanied by written confirmation or a copy of the Liquor License issued by the relevant liquor authority (NSW) to confirm approval is granted for the usage and hours of operation approved by this Development Consent.
	Condition reason: To ensure fairness, transparency and probity.
17.	(A957) Obstacle Lighting
	The building is to be obstacle lit by medium intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 - Aerodromes (MOS Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 139. The obstacle lighting is to be monitored.

Condition reason: To ensure fairness, transparency and probity.

Building Work Before Issue of a Construction Certificate

18. (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.

19. (B009) Housing and Productivity Contribution

Before the issue of the first construction certificate for the development, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$2,036,541.58
Strategic Biodiversity Component	N/A
Total housing and productivity contribution	\$2,036,541.58

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

Condition reason: To require contributions towards the provision of regional infrastructure.

20. (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

21. (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: 1. comply with AS 1158: Lighting for Roads and Public Spaces; 2. comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting 3. lighting must be placed at all entrances to, and exits from the premises 4. lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas; 5. lighting must not interfere with traffic safety; 6. lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and 7. external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance. 8. 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
22.	(B024) Preparation of construction and fit out plans for food and drink premises Before the issue of a construction certificate, detailed plans of all food and beverage preparation, serving and storage areas (including for perishable stock, waste, chemicals and personal belongings) must be prepared by a suitably qualified person. The detailed plans must be prepared in accordance with the following editions in force on the date of determination and provided to the principal certifier: 1. Food Standards Code (Food Safety Standard 3.2.3 – Food Premises and Equipment) 2. Food Act 2003 and Food Regulation 2015 3. Australian Standard 4674:2004: Design, Construction and Fit-out of Food Premises 4. Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage 5. Sydney Water commercial trade wastewater requirements for food premises, and 6. any relevant Water Services Association of Australia codes of practice, guidelines, policies and requirements. Condition reason: To ensure detailed construction and fit out plans are submitted which comply with the relevant standards
23.	(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: 1. Australian Standard 1668: - The use of ventilation and air-conditioning in buildings; and 2. ensure all generate heated air, smoke, fumes, steam or grease vapours do not: 1. cause a nuisance to persons within or nearby to the premises, or 2. 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
24.	(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: 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 approved plans would affect any water supply 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.

25.	(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.
26.	(B050) Liverpool CBD - Communication Conduits The applicant/developer shall supply and install two 50mm white communication conduit with draw wires approximately 300mm behind kerb and gutter connecting multifunction poles. Details can be obtained from Infrastructure and Environment Group of Council. Please contact the Coordinator – Roads and Transport on 1300 36 2170. Condition reason: To ensure fairness, transparency and probity.
27.	(B052) Liverpool CBD - Footpath Paving and Landscaping Works Periphery Type/Core Type paving shall be installed along the entire Carey Street and Macquarie Street frontage/s, as part of this development. Footpath paving and Landscaping works shall be strictly in accordance with the Liverpool CBD Street Tree and Landscape Strategy 2005 and The Liverpool CBD Streetscape and Paving Guidelines 2005 as amended in Implementation Note 12/2015 – Liverpool CBD Paving. Detailed plans are required to be submitted to and approved by Council showing the proposed tree locations, species and planting sizes, paving location and layout, including references to the relevant details and specifications as contained in the abovementioned documents. To ensure that the street tree planting size, quantity and quality is maintained throughout the Liverpool CBD, please contact Council's Land Development Section on 1300 36 2170 for further information. A Section 138 Roads Act Approval for all works within Council's road reserve will be required. Condition reason: To ensure fairness, transparency and probity.
28.	(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.
29.	(B055) S138 Roads Act - roadworks requiring approval of civil drawings

	Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of Civil works (Construction of footpath, kerb and gutter and drainage work, etc) in Macquarie Street, Terminus Street and Carey Street Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice. Note: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate. Condition reason: To ensure fairness, transparency and probity.
30.	(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.
31.	(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.
32.	(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.
33.	(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.
34.	(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.
35.	(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.
36.	(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.
37.	(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.
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.	(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.
40.	(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.
41.	(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.
42.	(B355) Food Premises - Construction

	Before the issue of a construction certificate, the certifier must be satisfied the relevant construction certificate plans demonstrate that the fit-out and construction of the premises complies with the following requirements: • Building Code of Australia • AS4674-2004 – Design, construction and fit-out of food premises • Australia New Zealand Food Standards Code, and • Australian Standard 1668 (Parts 1 & 2) • Plumbing and Drainage Act 2011 and Plumbing and Drainage Regulation 2017 • Sydney Water Commercial Trade Wastewater requirements Condition reason: To mitigate public health risks and ensure compliance with relevant legislative requirements.
43.	(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.
44.	(B361) Construction Site Management Plan Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the principal certifier. The plan must include the following matters: 1. The location and materials for protective fencing and hoardings on the perimeter of the site; 2. Provisions for public safety; 3. Pedestrian and vehicular site access points and construction activity zones; 4. Details of construction traffic management including: 1. Proposed truck movements to and from the site; 2. Estimated frequency of truck movements; and 3. Measures to ensure pedestrian safety near the site; 5. Details of bulk earthworks to be carried out; 6. The location of site storage areas and sheds; 7. The equipment used to carry out works; 8. The location of a garbage container with a tight-fitting lid; 9. 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.
45.	(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.
46.	(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.
47.	(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.
48.	(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.
49.	(B454) Stormwater Concept Plan A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval. (a) 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. (b) Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate. The plan shall indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finish surface levels and sizes of all pipes. (c) Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works. Condition reason: To ensure fairness, transparency and probity.
50.	(B456) On-Site Detention

On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval,

Company	Job No./Drawing No.	Title	Revision/Issue	Date
ADP Consulting	SYD2903 – CE000	Cover Sheet	A	7/06/2024
ADP Consulting	SYD2903 – CE100	Stormwater Management Plan- Basement LG	B	1/07/2024
ADP Consulting	SYD2903 – CE110	Stormwater Management Plan- Basement L2	B	1/07/2024
ADP Consulting	SYD2903 – CE120	Stormwater Management Plan- Basement L1	C	1/07/2024
ADP Consulting	SYD2903 – CE130	Stormwater Management Plan- Ground Floor	B	1/07/2024
ADP Consulting	SYD2903 – CE200	Stormwater Details	A	7/06/2024
ADP Consulting	SYD2903 – CE210	On – Site Detention (OSD) Details	B	1/07/2024
ADP Consulting	SYD2903 – CE300	Water Quality (MUSIC) Plan and Details	A	7/06/2024
ADP Consulting	SYD2903 – CE400	Sediment and Erosion Control Plan	A	7/06/2024
ADP Consulting	SYD2903 – CE410	Sediment and Erosion Details	A	7/06/2024
ADP Consulting	SDY2903	Stormwater Management Report	2	1 July 2024

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the on-site detention system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the on-site detention system has been designed in accordance with Liverpool City Council's Design Guidelines and Liverpool City Council's On-Site Stormwater Detention policy and Technical Specification.

Condition reason: To ensure fairness, transparency and probity.

51. **(B462) Water Quality**

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that details of a stormwater pre-treatment system have been provided on the stormwater plans and that the design meets pollutant retention criteria in accordance Council's Development Control Plan.

The Construction Certificate must be supported by:

- (a) Specification & installation details of the stormwater pre-treatment system
- (b) The approval of an operation and maintenance manual/ schedule for the stormwater pre-treatment system

A copy of the approved operation and maintenance manual/ schedule shall be submitted to Liverpool City Council with notification of the Construction Certificate issue.

Condition reason: To ensure fairness, transparency and probity.

52. **(B506) Section 139 Archaeological Permit**

	Prior to issue of Construction Certificate, a Section 139 Permit under the Heritage Act 1977 is to be applied for and received from Heritage NSW. Condition reason: To ensure fairness, transparency and probity.
53.	(B507) Provision of Section 139 Archaeological Permit to Council Prior to issue of Construction Certificate, a copy of the Section 139 Permit, application and supporting information is to be provided to Councils Heritage Officer. Condition reason: To ensure fairness, transparency and probity.
54.	(B511) Heritage Interpretation Plan Prior to issue of Construction Certificate, a Heritage Interpretation Plan is to be prepared and submitted to Council for approval of Councils Heritage Officer. The Heritage Interpretation Plan is to include: 1. a brief summary of the history of the site 2. a brief description of the site 3. identification of key themes for interpretation 4. target audience of heritage interpretation 5. potential locations for heritage interpretation 6. identified options for interpretation and align with themes, including benchmarking with examples. 7. specifications including materials, text, content, images, colours 8. finalised options 9. compliance with the Burra and ENAME Charters Condition reason: To ensure fairness, transparency and probity.
55.	(B532) Waste Management Plan requirements Before the issue of a Construction Certificate, a waste management plan for the development must be prepared and provided to the principal certifier. The plan must be prepared in accordance with 1. the Environment Protection Authority's Waste Classification Guidelines as in force from time to time; and 2. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out; and 3. include the following information— • the contact details of the person removing waste; • an estimate of the type and quantity of waste; • whether waste is expected to be reused, recycled or sent to landfill; • the address of the disposal location for waste. A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out. Condition reason: To ensure resource recovery is promoted and local amenity protected during construction.
56.	(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.
57.	(B950) Preliminary Public Art Plan A Preliminary Public Art Plan is to be submitted to Liverpool City Council for approval Condition reason: To ensure fairness, transparency and probity.
58.	(B951) Stormwater Management

	Detailed stormwater plan and design calculations must be submitted to and approved by Certifying Authority prior to the issue of any Construction Certificate. Plans must be prepared by a suitably qualified and practicing Hydraulic Engineer and include detailed calculations supported by a DRAINS model. The DRAINS model and input and output files must also be submitted for formal approval to the Certifying Authority. The site surface levels are to be designed so that site surface stormwater is deflected away from buildings and adjoining boundary fences and does not cause nuisance or flooding of those areas for storm events less than a 1% AEP. The site drainage system is proposed to connect and discharge to an existing pipe drainage system in the road, a drainage calculation shall be carried out by a qualified drainage engineer to demonstrate that the drainage system has sufficient capacity to carry the stormwater from the development. A hydraulic grade-line analysis is to be carried out on the proposed drainage line connection to Council's stormwater system. This plan shall also show existing and proposed surface contours within the site and along its boundaries with immediately adjacent properties and shall define overland flow paths for storms which exceed the capacity of the underground pipe system. All pipes located in Council's Road reserve to be minimum 375 diameter RCP Condition reason: To ensure fairness, transparency and probity.
59.	(B952) On-site detention On-site detention (OSD) basin shall be provided to limit the post-development flow to the pre-development level (Reference: Project No. SYD2903, The Grand - Stormwater Management Report, Revision: 3, dated: 01/07/2024, ADP Consulting Pty Ltd). Condition reason: To ensure fairness, transparency and probity.
60.	(B953) Water Quality On-site water quality treatment devices shall be provided to ensure that stormwater runoffs leaving the site comply with Council's water quality standards. The treatment facilities shall capture all gross pollutants and liquid contaminants from the stormwater before discharging to council's stormwater network. Water quality treatment works shall be designed using MUSIC modelling software and the water quality treatment system performance shall be verified using Council's MUSIC link (Reference: Project No. SYD2903, The Grand - Stormwater Management Report, Revision: 3, dated: 01/07/2024, ADP Consulting Pty Ltd). Condition reason: To ensure fairness, transparency and probity.
61.	(B954) Design Amendments - Off-Street Parking Before the issue of a construction certificate, amended Basment Plans are to be submitted to Council for endorsement of the Traffic Engineer. The plans are to address the following: 1. Provide an revised parking arrangement that complies with the updated TfNSW Guide 2024; OR 2. Amend the parking arrangement to comply with the approved concept DA (DA-1262/2024). Condition reason: To ensure fairness, transparency and probity.

Before Building Work Commences

62.	(C001) Deliveries
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	While site work is being carried out, deliveries of material and equipment must only be carried out between— 7am to 6pm on Monday to Friday 8am to 1pm on Saturday Condition reason: To protect the amenity of neighbouring properties.
63.	(C005) Construction Certificates Prior to the commencement of any building works, the following requirements must be complied with: (a) Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979, (b) Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Act, (c) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment, (d) A Principal Certifier (PC) must be appointed to carry out the necessary building inspections and to issue an occupation certificate, and (e) The PC must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given. Condition reason: To require approval to proceed with building work.
64.	(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.
65.	(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.
66.	(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.
67.	(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.
68.	(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.
69.	(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.
70.	(C117) Erosion and sediment controls in place Before any site work commences the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time). Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
71.	(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.
72.	(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.
73.	(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.
74.	(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.
75.	(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 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, that all reasonable steps were taken to obtain access to the adjoining properties. No less than 10 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.
76.	(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.
77.	(C950) Draft Public Art Plan
	Prior to Issue of Construction Certificate the draft Public Art Plan is to be updated and submitted to Liverpool City Council for approval.
	Condition reason: To ensure fairness, transparency and probity.

During Building Work

78.	(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.
79.	(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.
80.	(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.

81.	(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.
82.	(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.
83.	(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.
84.	(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.
85.	(D045) Hours of work Site work must only be carried out between the following times – From 7am to 6pm on Monday to Friday From 8am to 1pm on Saturday Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority. Condition reason: To protect the amenity of the surrounding area.
86.	(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.
87.	(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.
88.	(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.
89.	(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.
90.	(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.
91.	(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.
92.	(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.
93.	(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.
94.	(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.
95.	(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.

96.	(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.
97.	(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.
98.	(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.
99.	(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.
100.	(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.
101.	(D180) Waste management

	While site work is being carried out: 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier detailing the following: • 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.
102.	(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.
103.	(D240) Vegetation - Weeds No known environmental weeds or known invasive plant species shall be included in the landscaping or revegetation. Hygiene practices shall be employed to avoid the spread of invasive plants.
	Condition reason: To limit the spread of weeds.
104.	(D250) Vegetation - Mulch Mulch generated from exotic trees or other weed species cleared shall not be used on site. It shall be removed from the site and disposed of appropriately and in accordance with legislative requirements.
	Condition reason: To limit the spread of weeds.
105.	(D255) Vegetation - Imported Soil or Mulch Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.
	Condition reason: To limit the spread of weeds.
106.	(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.
107.	(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.
108.	(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.
109.	(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.
110.	(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.
111.	(D350) Window Glazing
	The windows of all 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).
112.	(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.
113.	(D426) Soil management
	While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:
	1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier. 2. All fill material imported to the site must be: • Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or • a material identified as being subject to a resource recovery exemption by the NSW EPA; or • a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <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.
114.	(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.
115.	(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.
116.	(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.
117.	(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.
118.	(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.
119.	(D470) Translucent Obscure Glazing The windows of all 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.
120.	(D475) Imported Fill Material During construction the consent holder is to ensure fill imported on to the site is be compatible with the existing soil characteristic for site drainage purposes. Condition reason: To ensure soils introduced onsite do not result in drainage issues.
121.	(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.
122.	(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.
123.	(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.
124.	(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.
125.	(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.
126.	(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.
127.	(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.
128.	(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.
129.	(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.
130.	(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.
131.	(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.
132.	(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.
133.	(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.
134.	(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.
135.	(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.
136.	(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.
137.	(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.

138. **(D829) Food Premises - Construction**

The construction, fit-out and finishes of the premises must comply with the Food Act 2003, Australia New Zealand Food Standards Code and Australian Standard AS 4674-2004 Design, construction and fit-out of food premises. The food premises' construction must include, but not be limited to the following:

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

	material) that is capable of being easily cleaned; (m) All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. NOTE: The lowest shelf must be a minimum of at least 150mm above the floor level; (n) Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage of vermin are not permitted to be formed in the construction of the premises or in the installation of fixtures, fittings and equipment; (o) The hot water service unit must be positioned a minimum of 75mm clear of the adjacent wall surface and mounted a minimum of 150mm above the floor level on a stand of non-corrosive metal construction; (p) A free standing, hands free hand wash basin must be provided in a convenient position within the food preparation and serving areas. The hand wash basin must be provided with hot and cold water supplied through a single outlet and fitted with an approved mixing device to enable hands to be washed under hot running water at a temperature of at least 40°C; (q) A designated food preparation sink; (r) A double bowl sink or two-compartment tub must be provided with hot and cold water supplied through a single spout in the kitchen/food preparation area. Double bowl sink or tubs must be supplied with water of at least: 45°C in one bowl for washing purposes; and 77°C in the other bowl for rinsing purposes in addition to the commercial dishwasher (required for basement level 2 "dish and pot wash" area of commercial kitchen and level 0 "dishwash" area to kitchen). (s) A cleaners sink must be provided. The sink is NOT to be within an area where open food is handled. (t) Discharge of commercial trade wastewater is to be approved by Sydney Water. Before selecting or installing trade wastewater pre-treatment devices at a retail food business, refer to Plumbing for retail food businesses produced by Sydney Water. (u) The grease trap is NOT to be located within an area where food is being handled. (v) Each bar area shall be equipped with a minimum of a rinse/slops sink, dishwasher/glass machine, a designated hand wash facility and nearby access to a cleaners sink//sluice or nearby cleaners room to service multiple bar/food areas available; Condition reason: To mitigate potential risks to human health and facilitate compliance with legislative requirements.
139.	(D950) Public Art Notification is to be provided to Liverpool City Council on commencement of artwork fabrication, delivery and/or installation. Draft Public Art Plan is to be updated and submitted to Liverpool City Council for approval. Condition reason: To ensure fairness, transparency and probity.

Before Issue of an Occupation Certificate

140.	(E005) Occupation Certificates The premises must not be occupied until an Occupation Certificate (OC) is issued by the Principal Certifier. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council via the NSW Planning Portal. Condition reason: To ensure the development is in accordance with the approval and the use meets health, safety and amenity provisions.
141.	(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.
142.	(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.
143.	(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.
	Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.
144.	(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.
145.	(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
146.	(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.
147.	(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.
148.	(E037) Liverpool City Council clearance - Roads Act/ Local Government Act
	Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.
	Condition reason: To ensure fairness, transparency and probity.
149.	(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 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.
150.	(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.
151.	(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).
152.	(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.
153.	(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.
154.	(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.
155.	(E105) Certification of acoustic measures Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent Condition reason: To protect the amenity of the local area
156.	(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 "The Grand Liverpool – 402 Macquarie Street Liverpool NSW 2170 Development Application – Acoustic Report" (Ref: 2022.063.E.01 Rev: 4) prepared by Attila Szabo for Reef Acoustic Consulting dated 1st July 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.

157.	(E108) Residential Car Park Before the issue of an occupation certificate the principal certifier must be satisfied that any 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.
158.	(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.
159.	(E175) Regulated Systems Before the issue of any occupation certificate, the certifier must be satisfied that the installation of any warm water systems and water cooling systems (as defined under the Public Health Act 2010) comply with the Public Health Act 2010, Public Health Regulation 2022, AS/NZS 3666:2011 Air handling and water systems of buildings and the NSW Guidelines for Legionella Control in Cooling Water Systems published by Health Protection NSW and any subsequent revision endorsed by NSW Health. The certifier must ensure an approved registration form is completed and submitted to Liverpool City Council with any relevant fee for the system. Condition reason: To facilitate compliance with legislative requirements.
160.	(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.
161.	(E255) Notice of food business Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW <i>Food Act 2003</i> and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements. Condition reason: To enable council to ensure compliance with the consent when the business is operating
162.	(E272) Trade Waste Agreement for Vehicle Wash Bay/s All vehicle washing is to be conducted in the designated vehicle wash bay/s which shall be connected to the sewer. The discharge of trade wastewater is to be approved by Sydney Water via a permit or written agreement. No wash water or trade wastewater is to enter the stormwater or creek systems. Before the issue of any occupation certificate, copies of the plumber's certificate of compliance and the Trade Waste Agreement issued by Sydney Water for installation of the oil/water separator must be submitted to the certifier.

	Condition reason: To ensure compliance with Sydney Water requirements and to ensure that no substance other than rainwater enters the stormwater system and waterways.
163.	(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.
164.	(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.
165.	(E400) Stormwater Compliance Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the: (a) On-site detention system/s, (b) Stormwater pre-treatment system/s, (c) Basement Carpark pump-out system: 1. Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent, 2. Have met the design intent with regard to any construction variations to the approved design, and 3. Any remedial works required to been undertaken have been satisfactorily completed. Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings. Condition reason: To ensure fairness, transparency and probity.
166.	(E404) Restriction as to User and Positive Covenant Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the following shall be registered on the title of the property: (a) On-site detention system/s, (b) Stormwater pre-treatment system/s, (c) 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.
167.	(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 Macquarie Street, Terminus Street and Carey Street will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing. Condition reason: To ensure fairness, transparency and probity.

168.	(E424) Directional Signage
	Prior to the issue of an Occupation Certificate, directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority.
	Condition reason: To ensure fairness, transparency and probity.
169.	(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.
170.	(E451) Heritage Interpretation
	Heritage Interpretation as outlined in the interpretation plan approved by Councils Heritage Officer is to be implemented in its entirety prior to issue of Occupation Certificate.
	Condition reason: To ensure fairness, transparency and probity.
171.	(E452) Historic Archaeology
	Final Historical Archaeological Assessment, including detailed analysis of finds in accordance with the requirements of the Section 139 permit under the Heritage Act 1977 are to be submitted to Council for review and endorsement by Councils Heritage Officer prior to issue of Occupation Certificate.
	No artefacts are to be removed from the collection or donated to community organisations without prior consent from Council's Heritage Officer.
	Artefacts recovered from site are to be displayed within a publicly accessible area of the development as part of the Heritage Interpretation Plan.
	Condition reason: To ensure fairness, transparency and probity.
172.	(E950) Public Art
	High resolution images of completed artworks and associated landscaping to be provided to Council.
	Final Public Art Plan to be submitted to Liverpool City Council for approval.
	Condition reason: To ensure fairness, transparency and probity.
173.	(E951) Stormwater Management
	A certificate of compliance for the pump out drainage system of the basement level shall be issued to the Certifying Authority by the pump installers stating that the pump out system has been installed to operate in accordance with the Council requirements and approved drawings.
	A maintenance schedule for the stormwater drainage basement pump out system including a sketch plan of the components forming the system shall be submitted to Council.
	Condition reason: To ensure fairness, transparency and probity.

Occupation and Ongoing use

174.	(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.
175.	(G006) Signage during ongoing use

	During ongoing use of the premises: 1. signage of the building street number and building name (where applicable) must be clearly displayed 2. advertising signs must not be placed or displayed on any public space (including the public footpath or street) 3. any approved lighting of signs must comply with Australian Standard AS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting 4. no upward facing light sources can be displayed on signs on the premises. 5. signs must only be illuminated when the premises are in operation and only during the operating hours approved under this consent Condition reason: To protect the amenity of the local area
176.	(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.
177.	(G050) Goods in Building All materials and goods associated with the use shall be contained within the building at all times. Condition reason: To ensure all materials and goods associated with the use are appropriately stored.
178.	(G060) Graffiti During ongoing use of the premises, ensure graffiti is removed from the exterior of the building or associated structures, including any fences, site services and retaining/planter bed walls. Condition reason: To protect and preserve the visual amenity of the surrounding public domain
179.	(G065) Unreasonable Noise and Vibration The use of the premises and/or machinery equipment installed must not give rise to offensive noise so as to interfere with the amenity of the neighbouring properties. Should an offensive noise complaint be received by Liverpool City Council, an acoustic assessment must be undertaken by a suitably qualified acoustic consultant and an acoustic report must be submitted to Liverpool City Council for review. Any noise attenuation recommendations approved by Liverpool City Council must be implemented and then assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned acoustic report. Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm. Condition reason: To mitigate potential offensive noise and amenity impacts.
180.	(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.
181.	(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.
182.	(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.
183.	(G170) Storage and Handling of Corrosive Substances Corrosive Substances must be stored and handled in accordance with AS 3780-2008 The Storage and Handling of Corrosive Substances. Condition reason: To promote safe storage and handling of corrosive substances.
184.	(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.
185.	(G210) Car Parking Management All parking areas shown on the approved plans must be used solely for this purpose. Condition reason: To ensure that adequate parking and loading are provided.
186.	(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.
187.	(G230) Vehicle Access Vehicles entering or leaving the development site should be in forward direction, if practicable. Condition reason: To ensure safety.
188.	(G240) Advertising Advertising matter not approved in conjunction with this decision notice, must not be erected, painted or displayed without the prior approval of Council. Condition reason: To require approval for advertising matter/structures that is not approved as part of this consent.
189.	(G250) Operating hours During ongoing use of the premises, the hours of operation of the restaurant is restricted to: • 6am - 11pm Monday - Sunday During ongoing use of the premises, the hours of operation of the bar is restricted to: • 10am - 3 am Monday - Sunday (subject to separate development application approval) During ongoing use of the premises, the hours of operation for any outdoor dining or bar area is restricted to: • 8am - 10pm Monday - Sunday (subject to separate development application approval) During ongoing use of the premises, the hours of operation for the gym is restricted to: • 6am - 10pm Monday - Sunday (subject to separate development application approval) Condition reason: To protect the amenity of the local area
190.	(G260) Deliveries and waste collection times for food and drink and mixed use developments

	During ongoing use all deliveries, waste and recycling collection carried out by heavy vehicle/vehicles; 1. are undertaken from 8am - 6pm Monday - Saturday; 2. only occur in designated loading and unloading areas on the property; 3. do not occur on the street; 4. do not obstruct other operations; 5. minimise disruption to public spaces; 6. maintain a clear service vehicle dock, car parking spaces and access driveways at all times; and 7. all vehicles must enter and leave in a forward direction. Condition reason: To ensure deliveries to the premises are carried out safely and protect the amenity of the local area
191.	(G263) Additional requirements during operating hours During ongoing use of the premises: 1. All outdoor dining and bar areas are to be fully vacated and closed by 10pm. 2. The preparation and service of food and beverages for outdoor dining and bar areas must cease 30 minutes before the required closing time. 3. The preparation and service of food and beverages for indoor dining and bar areas must cease 30 minutes before the required closing time. Condition reason: To protect the amenity of the local area
192.	(G340) Noise Complaints register The operator must keep a legible record of all complaints received in an up-to date Complaints Register. The Complaints Register must record, but not necessarily be limited to: (a) the date and time, where relevant, of the complaint; (b) the means by which the complaint was made (telephone, mail or email); (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; (d) the nature of the complaint; (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken. (f) allocate an individual "complaint number" to each complaint received. The Complaints Register must be made available for inspection when requested by Liverpool City Council. The industry must be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times. Condition reason: To mitigate potential impacts associated with the development and establish a procedure for responding to enquiries.
193.	(G345) Lighting Illumination of the site must be arranged in accordance with the requirements and specifications of AS 4282:2019 - Control of obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby premises. Condition reason: To mitigate potential lighting impacts and protect the amenity of the surrounding area.
194.	(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.

195.	(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.
196.	(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.
197.	(G390) Noise - General
	Noise associated with the use of the premises, including mechanical plant and equipment, must not give rise to any one or more of the following:
	(a) The use of the premises including the cumulative operation of any mechanical plant, equipment, public address system or other amplified sound equipment must not give rise to the emission of ‘offensive noise’ as defined by the Protection of the Environment Operations Act 1997.
	(b) The operation of any mechanical plant, equipment, public address system or other amplified sound equipment installed on the premises must not cause:
	i. The emission of noise as measured over a 15 minute period (LAeq (15 minute)) that exceeds the LA90 (15 minute) background noise level by more than 5 dB(A) when measured at the most affected residential boundary. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the NSW Environment Protection Authority’s ‘Noise Policy for Industry’ (2017);
	ii. An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors;
	iii. ‘offensive noise’ as defined by the Protection of the Environment Operations Act 1997; and
	iv. Transmission of vibration to any place of different occupancy greater than specified in AS 2670.
	Condition reason: To mitigate potential intrusive noise and amenity impacts.
198.	(G392) Noise Management Plan
	The approved Noise Management Plan must be complied with at all times.
	Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
199.	(G393) Acoustic Report

	An acoustic report prepared by a suitably qualified acoustic consultant must be submitted to Liverpool City Council for its assessment and approval within three (3) months of occupation/completion of the development. The report must include but not be limited to the following information: (a) Noise measurements taken during a time of peak occupation at the most affected noise sensitive locations as indicated in the approved acoustic report titled "The Grand Liverpool – 402 Macquarie Street Liverpool NSW 2170 Development Application – Acoustic Report" (Ref: 2022.063.E.01 Rev: 4) prepared by Attila Szabo for Reef Acoustic Consulting dated 1st July 2024; (b) Verification that noise levels at the most affected receivers comply with all relevant assessment criteria detailed in the abovementioned report; (c) All complaints received from local residents in relation to the operation of the premises/development; and (d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations must be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria. Following written approval from Liverpool City Council, recommendations provided under point d) above must be implemented fully. Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm. Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
200.	(G395) Managing noise During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent. Condition reason: To protect the amenity of the local area
201.	(G400) Environment The use of the premises must not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities that are a nuisance, injurious or prejudicial to health. Condition reason: To mitigate potential risks to human health and the environment.
202.	(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.
203.	(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.
204.	(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.
205.	(G470) Food Premises - Use of Charcoal The use of charcoal for the purposes of heating, cooking or smoking food on the premises is strictly prohibited. Condition reason: To mitigate potential risks to human health and the environment.
206.	(G472) Limitations on food preparation during ongoing use During ongoing use of the premises, food preparation that generates heated air, smoke, fumes, steam or grease vapours must not be undertaken unless mechanical ventilation has been approved and installed under this consent. Condition reason: To ensure the safe operation of the premises and to protect the amenity of adjoining premises and the surrounding area
207.	(G566) Outdoor Areas - (No Amplified Sound Equipment or Music Outside) Music and other amplified sound played on the premises must not give rise to 'offensive noise' as defined by the Protection of the Environment Operations Act 1997. The sound pressure level as measured over a 15 minute period (LAeq (15 minute)) must not exceed 5 dB(A) above the ambient background noise level (LA90 (15 minute)) at the boundary of the premises. Sound amplification equipment and music are not permitted in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises. Condition reason: To mitigate potential acoustic impacts associated with the development.
208.	(G630) Security The recommendations of the Plan of Management prepared by HillPDA, dated June 2024, submitted to Liverpool City Council must be adopted and implemented in regards to security, safety, operational procedures and ongoing consultation with NSW Police, Council and adjoining property owners. Condition reason: To mitigate potential risks to human health and the environment.
209.	(G740) Entertainment Premises - Car Park Area Centre staff and security must manage and direct patrons of the premises to and from the car park area. These staff and security are required to wear fluorescent reflective vests for safety and for easy identification by patrons. Signage must be erected within the premises advising patrons the car park is a "Quiet Area – Residential Area." Condition reason: To mitigate potential acoustic impacts associated with the entertainment premises.
210.	(G745) Entertainment Premises - Management of Patrons Management, staff and security must advise all patrons when leaving the premises of their responsibility to leave the premises in a quiet manner. Condition reason: To mitigate potential acoustic impacts associated with the entertainment premises.
211.	(G748) Entertainment Premises - Smoking Any outdoor smoking area must be adequately controlled by staff and security to ensure there is no disturbance to the amenity of adjoining occupants. The Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016 must be complied with at all times.

	Condition reason: To mitigate potential risks to human health and facilitate compliance with legislative requirements.
212.	(G751) Doors Opening into the Outdoor Area at Licensed Premises Doors opening into the outdoor area at the licensed premises must be fitted with a self-closing mechanism to minimise noise emissions. Condition reason: To mitigate potential acoustic impacts associated with the licensed premises.
213.	(G752) Management of Outdoor Area/s at Licensed Premises Regular patrols of the outdoor area and car park must be undertaken by staff or security guards of the licensed premises to ensure that patrons are not generating noise or disturbance that are likely to adversely affect nearby residents and/or the surrounding locality. Condition reason: To mitigate potential acoustic impacts associated with the licensed premises.
214.	(G755) Entertainment Premises A sign must be displayed in a prominent position in the part of the existing building to be used as an entertainment premises that specifies: (a) the maximum number of persons as specified in the development consent, that are permitted in any part of the building used as an entertainment premises, (b) approved hours of operation, (c) the name, address and telephone number of the council of the area in which the building is located, and (d) the name and business telephone number of an owner or manager of the part of the building used as an entertainment premises. Condition reason: To mitigate potential operational impacts associated with entertainment premises.
215.	(G756) Entertainment No live music or entertainment must be provided at the premises. Condition reason: To mitigate potential acoustic impacts associated with entertainment premises.
216.	(G757) Licensed Premises The LA10* noise level emitted from the licensed premises must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) by more than 5 dB between 7:00am and 12:00 midnight at the boundary of any affected residence. The LA10* noise level emitted from the licensed premises must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) between 12:00 midnight and 7:00am at the boundary of any affected residence. Notwithstanding compliance with the above, the noise from the licensed premises must not be audible within any habitable room in any residential premises or hotel room between the hours of 12:00 midnight and 7:00am. * For the purpose of this condition, the LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises. NOTE: Where this condition is inconsistent with the requirements imposed by Liquor & Gaming NSW, the more stringent condition shall prevail. Condition reason: To mitigate potential acoustic impacts associated with licensed premises.
217.	(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.
218.	(G768) Use of pump/s on residential premises Any pump/s used on the residential premises including but not limited to swimming pool pumps, spa pumps, solar water pumps, rainwater tank pumps and associated equipment must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and must not: (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open): i. before 8:00am or after 8:00pm on any Saturday, Sunday or public holiday; or ii. before 7:00am or after 8:00pm on any other day; or (b) cause “offensive noise” as defined by the Protection of the Environment Operations Act 1997; or (c) emit a sound pressure level as measured over a 15 minute period (LAeq (15 minute)) at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90 (15 minute)) by more than 5 dB(A). Condition reason: To protect the residential amenity of neighbouring properties.
219.	(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.
220.	(G804) Advertising Advertising not approved in conjunction with the decision notice, must not be erected, painted or displayed without the prior approval of Council. Any temporary signage is to be displayed in accordance with Liverpool Local Environmental Plan 2008. Condition reason: To prohibit advertising matter/structures that is not approved as part of this consent.
221.	(G809) Food Business Notification Requirements - Food Business All retail food businesses must notify Liverpool City Council of their food activity details. The food business notification must be completed in the approved form and comprise all information specified in the Food Safety Standards. The completed registration form/s must be submitted to Council prior to the commencement of the business. Condition reason: To address legislative requirements.

222.	(G817) Food Safety Supervisor - Food Business A Food Safety Supervisor must be appointed to the food premises. A copy of the Food Safety Supervisor certificate must be kept onsite and presented to Council's Authorised Officer upon request. Further information can be obtained in the "Guideline to Food Safety Supervisor Requirements" published by the NSW Food Authority. Condition reason: To mitigate potential risks to human health.
223.	(G823) Cool Rooms The cool room and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside of the cool room and freezer adjacent to the door. All metal work and shelving in the cool room and freezer room must be treated to resist corrosion. Condensation from cool rooms and refrigerator motors must discharge to sewer via a tundish with air gap separation in accordance with Sydney Water requirements. The cool room and freezer room must be provided with: 1. A door which can be opened from inside without a key and; 2. An approved alarm device located outside the room but controlled from the inside. Condition reason: To address legislative requirements.
224.	(G824) Appliances and Cool Rooms Appliances used to store potentially hazardous food must have a capacity to keep foods hotter than 60 degrees Celsius, refrigerated foods below 5 degrees Celsius and frozen foods below 18 degrees Celsius and are to be provided with a digital thermometer accurate to 1 degree Celsius that can be easily observed from outside the appliance. Condition reason: To address legislative requirements.
225.	(G950) Linen and mattresses The provision and management of linen must comply with the following: 1. The premises operator must ensure provision of clean linen for the use of each customer; 2. All mattresses must be fitted with washable waterproof mattress protectors. 3. Evidence of a commercial contract to launder linen must be provided to Council upon request. Alternatively, a commercial washing machine capable of washing at a temperature of not less than 70 degrees Celsius must be installed on the premises and provided with hot water at all times. 4. Should linen be laundered onsite, an appropriate clothes dryer is to be made available for the drying of linen and towels. Condition reason: To ensure fairness, transparency and probity.
226.	(G951) Coffee cart The coffee cart in the Hotel Lobby on Level 0 is to fully comply with the requirements of conditions B024, B355, D829. Condition reason: To ensure fairness, transparency and probity.
227.	(G952) Gym operations Provision shall be made for an appropriately located (not in staff only areas), plumbed and drained separate sink with a tap or a bubbler that is in addition to and not located within the bathroom or toilet or a refillable/replaceable water cooler with a stand. Condition reason: To ensure fairness, transparency and probity.
228.	(G953) Gym hygiene Disinfectant wipes and waste receptacles shall be readily available throughout the premises for patrons to wipe down equipment before and after use. Condition reason: To ensure fairness, transparency and probity.
229.	(G954) Separate application for use

The gymnasium/s and bar/s/licenced premises associated with the development shall be subject to submission to (and approval by Council) of a separate development application for the fit out and use of the space.

Condition reason: To ensure fairness, transparency and probity.

Demolition Work Before Demolition Work Commences

232. (C040) Demolition Works

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

- (a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- (b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- (c) The handling or removal of any asbestos product from the building/site must be carried out by a SafeWork NSW licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with SafeWork NSW requirements.

Condition reason: To ensure that the demolition of buildings is carried out without impacting on public and environmental safety.

233. (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.

234. (C117) Erosion and sediment controls in place

Before any site work commences the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).

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

235. (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 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, that all reasonable steps were taken to obtain access to the adjoining properties.

No less than 10 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.

During Demolition Work

236.	(D045) Hours of work Site work must only be carried out between the following times – From 7am to 6pm on Monday to Friday From 8am to 1pm on Saturday Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority. Condition reason: To protect the amenity of the surrounding area.
237.	(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.
238.	(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.
239.	(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.
240.	(D180) Waste management While site work is being carried out: - all waste management must be undertaken in accordance with the waste management plan; and - upon disposal of waste, records of the disposal must be compiled and provided to the 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.
241.	(D426) Soil management

	While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements: 1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier. 2. All fill material imported to the site must be: • Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or • a material identified as being subject to a resource recovery exemption by the NSW EPA; or • a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <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.
242.	(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.
243.	(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.
244.	(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.
245.	(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.
246.	(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.
247.	(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.
248.	(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.
249.	(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.
250.	(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.

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.