

To: Justin Doyle, David Kitto, Louise Camenzuli, Sydney Western City Planning Panel

From: Nabil Alaeddine, Principal Planner

Date: 20 May 2026

Subject: Update on the assessment of DA-441/2024 and response to File Note provided by the Panel

Reference: 156829.2026

1. Purpose

This memo provides an update on the assessment of DA-441/2024, following the Panel's discussion on 11 May 2026 and the matters identified in the File Note. It also summarises how the updated VPA Letter of Offer (12 May 2026) addresses the issues raised.

2. Background

At the Panel's request, Council has reviewed the updated information provided by the Applicant, including the revised **VPA Letter of Offer** and associated plans. The File Note records that the Panel sought clarification on several matters, including:

- Setback dimensioning from the Mean High Water Mark
- Staging inconsistencies
- Waterfront setback clarity
- Timing of ecological protections
- Delivery of waterfront land dedication

The Applicant has since submitted an updated VPA Offer (12 May 2026) containing revised staging, land dedication details, and updated plans.

3. Response to Panel Matters

3.1 Setback Dimensioning from the Mean High Water Mark

Signature Block

☐ Not Endorsed
☒ Endorsed



Name Nabil Alaeddine

Manager Principal Planner

Date: __20__ / __05__ / __2026__

The Panel requested clear numerical dimensions for the waterfront setback.

- The updated VPA Offer now includes a **50-metre wide strip of land** running parallel to the Mean High Water Mark, identified as **Area C**, to be dedicated to Council at no cost.
- **Condition 20** requires the provision of a **50-metre-wide corridor to the Mean High Water Mark**.

This provides the numerical dimension previously missing and aligns the VPA with the intended environmental corridor width.

3.2 Staging Plan Consistency

The Panel noted inconsistencies between the staging in the earlier VPA and the plans.

The updated VPA Offer includes revised staging diagrams (Annexures 1–3) that now align with the development layout and land dedication sequencing.

Council has reviewed these and confirms that the staging now corresponds with the proposed subdivision sequencing and land delivery obligations.

3.3 Waterfront Setback – Clarity and Extent

The Panel sought clarity on the waterfront setback and its relationship to the VMP and foreshore works.

The updated VPA Offer clarifies:

- The **50m setback** (Area C) is to be dedicated prior to or at the release of the Subdivision Certificate for Sub-Stage 8 or the 370th lot.
- The foreshore embellishment works are detailed in the landscape concept plans (Habit8), including revegetation, shared paths, and riparian corridor protection.

This provides the clarity requested by the Panel.

3.4 Timing of Protections to Ecologically Sensitive Land

The Panel requested confirmation of when ecological protections would commence.

The VPA Offer includes:

- A detailed **Vegetation Management Plan (VMP)** with mapped ecological zones (MZ1–MZ8).
- Staged delivery of environmental corridor works, including early dedication of **C3 land** (Area A) prior to the 120th lot.
- The VMP also forms part of the conditions of consent, and these conditions were provided by the Council's Coordinator Environmental Management following a comprehensive review of the proposal as updated.
- In this regard, the matters raised by the Panel in relation to the VMP are addressed through the finalised revised plan, the VPA requirements, and the conditions of consent, in particular draft conditions 12, 18, 25, 26, 29, 39, 73, 77, 106, 199.

These measures ensure early protection and management of sensitive vegetation.

3.5 Delivery of Waterfront Land Dedication

The Panel sought clarity on the sequencing of the foreshore land (Stage “C”).

The updated VPA Offer confirms:

- **Area C** (50m foreshore strip) and **Area B** (C3 land) are both to be dedicated **prior to or at the release of the Subdivision Certificate for Sub-Stage 8 or the 370th lot**, whichever comes first.
- In addition, **Condition 20** requires the provision of a **50-metre-wide corridor to the Mean High Water Mark**.

This aligns with the Panel's expectation that the foreshore land may be delivered **together with or ahead of** the later stages.

Notwithstanding this, and importantly for the Panel's consideration, Council reserves the right to acquire the land at any stage of the proposal.

4. Additional Matters Raised by the Panel

4.1 Continuity of Waterfront Vegetation

The Panel expressed a desire for continuous vegetation linking to the Voyager Point wetlands.

The updated landscape plans (Habit8) include:

- Riparian corridor revegetation
- Native species planting consistent with PCT 4024 and PCT 4059
- Continuous foreshore planting zones

This meets the Panel's objective for ecological connectivity.

4.2 Pedestrian and Cycle Links to Voyager Point

Council is continuing discussions with the rail agency regarding the under-rail connection. The VPA includes:

- A shared path network (4.0m–2.5m wide)
- A connection to Voyager Point, subject to rail agency approval
- The applicant advised throughout the assessment process, and this was confirmed by TfNSW - Sydney Trains, that both parties are in negotiations to deliver the connection from the site's north-west corner, under the rail corridor, through to the wetlands area as part of a combined proposal.
- TfNSW specifically requested that no condition be imposed requiring the delivery of this connection within a set timeframe, primarily due to the unknown costs and impacts at this stage, and the fact that their internal approval processes will take time.

If approval is not granted, the Applicant will pay Council the value of works to complete the connection.

5. Next Steps

In accordance with the Panel's timeline:

- Updated draft Conditions have been uploaded to the Planning Portal for the Regional Panel and Applicant's review on Friday, 15 May 2026.
- The Applicant will provide a table of any disputed conditions.

Council will continue to liaise with the Secretariat to finalise the assessment package.

6. Recommendation

That the Panel **notes the updates** provided in this memo and the Applicant's revised VPA Offer, and that the matter proceeds to finalisation subject to the remaining steps outlined above.



Nabil Alaeddine
Principal Planner

Attachment - Draft Conditions of Consent as
Follows

Without prejudice draft conditions
General Conditions

1. **(A001) Stages of Consent**

This consent approves the following development:

Stage	Development Works	Part Reference	Condition References
1	59 Residential Lots	All Parts	All conditions as relevant to the stage
2	35 Residential Lots	All Parts	All conditions as relevant to the stage
3	40 Residential Lots	All Parts	All conditions as relevant to the stage
4	Part A – 47 Residential Lots Part B – 25 Residential lots	All Parts	All conditions as relevant to the stage
5	66 Residential Lots	All Parts	All conditions as relevant to the stage
6	50 Residential Lots	All Parts	All conditions as relevant to the stage
7	40 Residential Lot	All Parts	All conditions as relevant to the stage
8	67 Residential lots	Concept	All conditions as relevant to the stage
9	33 Residential Lots	Concept	All conditions as relevant to the stage

Totalling the delivery of 362 Residential lots.

A Separate Development Application is required to be submitted to Liverpool City Council for Stage 8 and Stage 9, as identified within the Concept Approval and associated works identified under the Voluntary Planning Agreement letter of offer.

The development consent includes the following matters:

- (a) The issue of Certificates and substantial; works commencing for the subdivision works at any time within the 5-year lapse date of this consent.
- (b) The issue of a Subdivision Certificate once all subdivision works and any dedications are completed, and only upon works under the VPA have been commenced and restrictions placed on the subject land as required by this consent.
- (c) No Dwellings are approved under this application. A Separate Development Application is required to be submitted to Liverpool City Council, addressing the requirements under the Concept Conditions of Consent.

Condition reason: To ensure all parties are aware of the scope and stages of the development.

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

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

(a) Architectural, Landscape and Subdivision Plans

Document Name	Dated	Reference	Prepared by
Concept Engineering Plans of Proposed Subdivision – Stages 1-7' Lot 1 in D.P.875804 Heathcote Road & Pleasure Point Road, Pleasure Point	30/10/2025	300362 – C E N G – 001 – 907 revision D	ADW Johnson
Staging Plan	30/10/2025	Revision E	ADW Johnson
Landscape Concept	03/04/2025	Issue M	Habit8
Landscape Plans PLEASURE POINT ENTRY STATEMENT AND ENTRY ROAD 54 PLEASURE POINT ROAD HOLSWORTHY NSW PTY LTD LANDSCAPE CONCEPT	25.03.2025	ISSUE J	Habit8
Aboriginal Cultural Heritage Assessment Report	02/09/2025	J202439	McCardle Cultural Heritage
Biodiversity Development Assessment Report	14/04/2025	Rev 02	AEP
Detailed Site Investigation Report	18/07/2024	CH15360D240199	CHEC
Remedial Action Plan	18/02/2025	CH1530-D250045	CHEC
Stream and Riparian Management Plan	September 2024	B	ADW Johnson
Water Cycle Management Plan	14/03/2025	300362	ADW Johnson
Stormwater Management Plan Addendum	14/03/2025	300362	ADW Johnson
Bushfire Hazard Assessment RFI letter response	05/09/2025 10/04/2025	240556 240556B	Building Code and Bushfire Hazard Solutions
Residential Subdivision Traffic Assessment RFI letter response	04/09/2024 20/02/2025	23459	TTPP
Vegetation Management Plan	03/04/2025	24017	RESTORE
Acoustic Report	28/08/2024	Issue 3	Renzo Tonin
Geotechnical Investigation Report	22/07/2024	GG11472.001B , Rev: B	Green Geotechnics
Waste Management Plan	September 2024	--	ADW Johnson

(b) Supporting Documentation

Document Name	Dated	Reference	Prepared by
VPA letter of offer	21/08/2025		GLN Planning
Urban Design Documentation	09/09/2024	C	ADW Johnson
Koala Assessment Letter	4/2/2026	Rev02	AEP

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

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

3. **(A009) Housing and productivity contribution for concept only development applications**

A housing and productivity contribution (HPC) to be payable for each stage of development on the site to which this development consent relates if such a contribution is otherwise required for that stage of development under a Ministerial planning order under Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 at the time the development consent for the stage is granted.

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

4. **(A015) General Terms of Approval**

All General Terms of Approval issued by the following listed Agencies, shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated. A copy of the General Terms of Approval are attached to this decision notice.

1. Department of Planning and Environment - Water - 30th January 2025
2. Department of Fisheries - 18th of November 2024
3. Transport for NSW - 30th June 2025
4. Sydney Water- 27 November 2024
5. Endeavour Energy- 28 October 2024
6. Rural Fire Service - 5th of September 2025
7. Heritage NSW - 14th of August 2025

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

5. **(A020) Staged Approval**

A subsequent development application is required to be submitted to Liverpool City Council for Stages 8 and 9 of the Concept Proposal.

Condition reason: To require approval to proceed with subsequent stage of the development.

6. **(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.

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.	(A050) Works at no cost to Council All roadworks, drainage works and dedications, required to affect the consented development, being Stages 1 - Stage 7, shall be undertaken at no cost to Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
9.	(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.
10.	(A070) Public Art

	Public art shall be designed to activate and enhance the development for users of the site as well as active and passive audiences from the public domain. Public art within the Liverpool LGA is to be designed and delivered in accordance with Council's endorsed Public Art Policy and; 1. Aligns with required planning instruments relevant to the site; 2. Employ appropriate scale and size in relation to the built form; 3. Address bulk facades visible from the public domain; 4. Utilise endemic narratives; 5. Engage local artists, through lead or collaborative commission, in the design and development of public art; 6. Are designed and fabricated as permanent, lasting the lifetime of the construction; 7. Consider specific recommendations and or benchmarking provided by Council or negotiate alternative deliverables. Condition reason: To ensure fairness, transparency and probity.
11.	(A130) Council Wastewater Requirements The development must provide for a physical sewerage connection to each created allotment to enable the method of sewage disposal by gravity reticulation mains to either, Sydney Water branch and trunk sewers or Sydney Water point of treatment. Liverpool City Council will not accept any temporary facilities to service the site, including pump-out sewage systems. Condition reason: To promote orderly development supported by adequate infrastructure.
12.	(A968) Landscaping and Public Domain Works 1. Dedication of the land zoned RE1 Public Recreation along the Georges River foreshore in line with the Voluntary Planning Agreement Letter Of Offer. 2. Detailed landscape plans for the public domain are to be prepared by an AILA registered Landscape Architect and be provided to Council for approval for each subsequent development application and consistent with the Concept Vegetation Management Plan prepared by Restore. Any landscaping in river corridor or wildlife corridor should be in accordance with a revised VMP. 3. The proposed bike lane, space allocation for bike lanes and all associated active transport infrastructure identified within the Concept Application should be clearly identified on all public domain and landscape plans and are to be provided as part of future Development Applications for Council approval Condition reason: To ensure fairness, transparency and probity.
13.	(A954) Non-Standard Condition - Traffic and Transport <u>Signalisation of the intersection of Pleasure Point Road and Heathcote Road</u> The applicant shall enter into an agreement with TfNSW (and Council) regarding the signalisation of the intersection of Pleasure Point Road and Heathcote Road, including funding and timing, prior to issue of an Subdivision Works Certificate. Condition reason: To ensure fairness, transparency and probity.
14.	(A959) Non-Standard Condition - Environmental Health Restriction as to User - Acoustic Report The final plan of subdivision must be supported by an 88B Instrument. This instrument must burden each lot with a restriction that that the acoustic barrier and the dwellings to be erected on each lot are to be constructed in accordance with the recommendations provided in the approved acoustic report titled "PLEASURE POINT DEVELOPMENT Subdivision DA Acoustic Assessment" (Ref: TN79702F02 Rev: 3) prepared by MSK and reviewed by TT for Renzo Tonin Renzo & Associates dated 28th July

2024 are implemented and incorporated into the design and construction of the residential dwelling, 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. Any costs associated with the preparation and checking of the instrument are to be borne by the applicant.

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 ensure fairness, transparency and probity.

15. **(A956) Retaining Wall requirements**

The following matters are to be addressed for the design of any retaining walls within the development:

1. Any retaining walls on corners or where the retaining walls are visible from public streets must be of decorative masonry construction and no greater than 1.2m in height.
2. All internal retaining walls not visible from the public road can be as proposed within the approved plans.

Condition reason:

16. **(A962) Access Constraints Road No.7**

The plans must address access limitations for waste collection vehicles at the dead end of Road No.7, which services Lots 396, 395, 394, 393, 392, and 366. To ensure safe and uninterrupted servicing, the applicant must either amend the plans to include 'No Stopping on Collection Days' signage at the end of the road or redesign the road to remove the deadend configuration such as by incorporating an enlarged turning head while still accommodating driveway access and maintaining the required 2.3 metres of unobstructed kerbside presentation space for each lot.

Condition reason:

17. **(A963) Provision of Bin Presentation Space**

Plans must ensure that permanent obstructions such as driveways, trees, or infrastructure do not interfere with the allocation of 2.3 metres of kerbside presentation space for each of Lots 132, 131, and 130, to facilitate compliant bin servicing.

Plans to retain a total of 6.9 metres of unobstructed kerbside presentation space is available on Road no.10 near Lots 333, 354, and 353 to allow for the placement of three sets of bins (one per lot) on collection days.

Condition reason:

18. **(A965) Non-Standard Condition - Flora and Fauna**

To following matters are required to be addressed with the submission of amended information as specified.

1. Mitigation measures from the BDAR will be adhered to, including:
 - No barbed wire is to be used within the site. Land subject to the VMP should allow for movement of fauna through the VMP managed areas.
 - For the clearing phase, retained vegetation will be delineated by safety bunting flags, fencing and signage indicating environmental protection zone, which will still allow fauna to egress the development area as needed. Following the completion of clearing works, permanent delineation features such as logs should be installed to protect the retained vegetation

during operational phase of the development.

- A staged approach to clearing is to be undertaken to provide fauna the opportunity to disperse outside the area of impact. Staging is to include; Phase
 - 1 Clearing: Under scrubbing (where necessary); Phase 2
 - Clearing: Removal of non-habitat trees;
 - Phase 3 Clearing: Removal of habitat and connecting trees;
- All clearing works within Phase 1, 2 and 3 are to be undertaken in consultation with the Project Ecologist;
- In order to mitigate impacts related to the displacement of resident fauna, all works should be timed to avoid critical life cycle events such as breeding;
- Prior to clearing of any vegetation, an ecologist is to inspect the area for any signs of resident fauna requiring attention, and in particular nesting birds and arboreal mammals. Where such is identified, appropriate strategies are to be developed and instigated to minimise impacts;
- Civil Construction staff are to be inducted into pre-clearing and clearing protocols, and to identify environmental features for protection;
- All clearing works to be attended by a suitable equipped and experienced ecologist to deal appropriately with any displaced fauna species;
- Clearing should occur in a direction from previously disturbed lands towards retained vegetation;
- All hollow-bearing features will be sectionally lowered by tree climbers (where safe to do so);
- Any fauna rescued during vegetation clearing is to be assessed for injuries, and subsequently released into retained vegetation; this may require holding fauna until dusk for release in accordance with relevant animal ethics licencing and standards. If any fauna is injured during vegetation clearing, they are to be taken promptly to a nearby veterinarian or suitable wildlife carer contact;
- Installation of nest boxes within the retained lands prior to construction to mitigate the removal of Hollow Bearing Trees within the development footprint and provide supplementary roosting / nesting habitat for resident fauna species that utilise such features;
- Any suitable hollows recovered during clearing works should be reconditioned into suitable hollows and installed in retained lands in addition to the manufactured nest boxes;
- Where installation of replacement or additional nest features is required, preference should be given to installation of chainsaw hollows or Hollow Hog habitat features as a mitigation measure for removal of hollows within the development over manufactured boxes.
 - Replacement at a ratio of 2:1 would be acceptable where chainsaw hollows or HollowHog features are installed in retained lands.
 - A ratio of 2:1 with salvaged hollows and/or nest boxes to be installed if augmented hollows are not proposed in order to ensure no net loss of hollow resources. Nest boxes are to be installed in retained habitat within the site. Nest boxes are to be installed by qualified ecologists and according to the Habisure system (Franks & Franks 2006) or similar.
 - All manufactured boxes are to be industry best-practice including either marine or hardwood plywood with a minimum thickness of 15mm. Boxes will have hinged lids to enable maintenance of the boxes. Installation methods are to be used that will not inhibit growth of the host tree;
 - All cleared native vegetation is to be mulched on site and spread to help stabilise any exposed soil and minimise offsite movement of biomass. Fallen timber and hollow logs identified to be retained to be relocated into the retained lands;
- Live mulch and topsoil of local provenance is an ideal resource to assist rehabilitation of conservation lands;
- Native plantings will be incorporated in the landscape design of the proposed development site to provide future resources for native fauna in the area;
- Implement hygiene protocols for machinery and workers to prevent the spread of weeds and pathogens outside the development site;
- Best practice erosion and sedimentation (ERSED) and dust suppression control methods are to be adopted, monitored and maintained throughout any vegetation clearing works, particularly for downstream areas, within the north of the site. Such are to be in accordance with "Soils and Construction-Managing Urban Stormwater" published by Landcom;
- Incorporation of Water Sensitive Urban Design (WSUD) principles within stormwater infrastructure is to occur to minimise downstream hydrology changes; and,
- Any bushfire protection measures in the form of Asset Protection Zones (APZs) or defendable space are to be incorporated within the development footprint to avoid requirements for additional vegetation removal in surrounding areas.

- Landscaping within the development will utilise indigenous native species suitable for future fauna use.
- Civil Construction staff to be inducted into preclearing and clearing protocols, and to identify environmental features for protection. During operation, such impacts will be mitigated through the introduction of fencing between the VMP lands and proposed roads, low-speed limits as well as speed limiting devices.
- Standard local speed limits should apply which would limit traffic noise.
- Dust levels during operations managed according to an approved CEMP:
 - Daily monitoring of dust generated by construction activities; and,
 - Dust suppression measures (setting maximum speed limits and application of dust suppressants) will be implemented during construction works to limit dust on site.
 - Optimal construction methods as per an approved CEMP will reduce instances of light spill. Such measures will include limiting use of lights where necessary and directing lights in such a way as to limit impact on adjacent vegetated lands.
 - Permanent lighting shall be designed to minimise light spill into surrounding vegetation, particularly VMP lands.
- As per an approved CEMP:
- Appropriate handling of mulch created from the removal of exotic vegetation;
- Appropriate cleaning of all construction equipment to limit the risk of weed seed and fragments to adjacent retained areas;
- Chemical and manual treatment of weeds where applicable; and,
- Appropriate management of weeds within landscaping areas.
- Activities on the Site will be managed in accordance with an approved CEMP and designed to limit the amount of rubbish and waste onsite through good housekeeping practices.

2. Prior to the issue of any Subdivision Certificate, the applicant must submit a Koala Habitat Interface Plan to Council's Ecologist and Planning Officer for review and approval. The plan must be prepared in conjunction with a suitably qualified ecologist and must address the following matters:

(a) Fencing and Boundary Structures

- A fencing and boundary structure plan showing:
 - existing fencing to be retained along the interface with adjacent land;
 - proposed replacement fencing or boundary features along the southern boundary with Heathcote Road and the western boundary adjoining the railway corridor.

(b) Koala-Sensitive Road Design and Traffic Controls

Location and design of Koala warning signage.

Proposed internal speed limits to reduce vehicle strike risk.

- Locations of speed control devices, including speed bumps or equivalent measures.

(c) Pet Management Control

- VMP Lands and the foreshore area must be designated as an on-leash area for domestic pets.
- Signage must be installed at all pedestrian access points entering VMP lands and the foreshore area to enforce pet management requirements.

(d) Other management and monitoring actions to help protect and manage Koalas

Condition reason: To ensure fairness, transparency and probity.

(A967) Design Requirements for Dwellings - All Stages

1. Setbacks

	a) Front setback • Ground Floor = 4.5m • First floor and Other Roads = 5.5m • Secondary Setback = 2.5m b) <u>Side Setbacks</u> • Single Storey = 0.9m • Second Storey = 1.2m • Living Room Doors = 0.9m c) Rear Setbacks • Single Storey = 4m • Second Storey = 7m • Living Room Doors = 4m 2. <u>Landscaping</u> • Minimum of 50% of the front setback is to be provided as Landscaping and must at a minimum of 3x3m and be able to accommodate a deep-rooted trees. • 25% of the rear yard is to be preserved for landscaping and deep-rooted trees. 3. <u>Private Open Space</u> Lots of the following lot sizes are required to provide at minimum the following Private Open Space (POS) requirements: a) 400sqm - 599sqm = 70sqm Private Open Space b) 600sqm and greater = 80sqm Private Open Space Condition reason: To ensure fairness, transparency and probity.
20.	(A967) Design Requirements for Dwellings – Stages 8-9 The riverfront vegetated corridor is to maintain a minimum width of 50 metres from the mean high water mark (MHWM), and the layout of all Lots in Stages 8-9 must ensure compliance with this requirement. Condition reason: To ensure adequate environmental protection.
21.	(A969) Building Envelopes Detailed Building Envelope Plans must be prepared and submitted to Council's Development Assessment team for review and approval. The Plan is to: • Identify allotments that do not achieve orderly development, including any irregular or constrained lots (i.e., lots that contain potential or approved easements, covenants, or similar constraints). • Demonstrate that an appropriate built form can be accommodated on each affected allotment, having regard to site constraints, amenity, and compliance with relevant planning controls. • Clearly delineate building envelopes for all affected lots to ensure future development maintains consistency with the approved subdivision layout and achieves acceptable urban design outcomes. The Building Envelope Plan must be endorsed by Council prior to the issue of any Subdivision Certificate of any building works on the affected lots. Building Envelope Plans should be submitted for review by Development Assessment, which identifies, highlights which allotments are not orderly, and building envelope plans should be prepared to demonstrate that an appropriate built form can be achieved on that lot. Condition reason: To ensure fairness, transparency and probity.
22.	Contamination

Any future Development Application is required to adopt the recommendations of the submitted and approved Detailed Site Investigation and Remediation Action Plan Ref. CH1530-D250045. This may have potential to result in the requirement for a Remediation Action Plan for the proposed development. The relevant assessments are to be undertaken by a suitably qualified and experienced contaminated land consultant with regard to the potential effects of any contamination on public health, the environment and building structures and shall meet the sampling density outlined in the NSW EPA Contaminated Sites Sampling Design Guidelines (1995).

23.

Landscape Management Plan

Unless otherwise restricted by bushfire considerations, the landscaping proposals for the western playground must be amended to contain native canopy covers, lower canopy, shrub, grasses, vines and scramblers suitable to koala habitat / local ecological communities.

Condition reason: To ensure landscaping enhances koala habitat values while remaining compatible with bushfire protection requirements.

Building Work Before Issue of a Construction Certificate

23.	(B070) Public Art Prior to the issue of a Subdivision Works Certificate the following is to be submitted, through the nominated planner, to Liverpool City Council Public Arts Officer for approval and endorsement. A Preliminary Public Art Plan including: 1. Planning controls; 2. Initial proposed locations; 3. Scale to bulk; 4. Project timeline; 5. Identified current and/or future audiences; 6. The role and benefit role, benefit; 7. Benchmarking. Condition reason: To ensure fairness, transparency and probity.
24.	(B505) Heritage Management Plan Prior to issue of Subdivision Works Certificate, the applicant shall prepare a Heritage Management Plan (HMP) for each Stage, to ensure construction impacts on Aboriginal or non-Aboriginal heritage will be appropriately avoided, minimised and managed. The HMP shall include the mitigation and protection measures included in the Statement of Heritage Impact. The plan shall be submitted to and approved by the Manager Development Assessment prior to commencement of works. The applicant shall ensure that the HMP is implemented during demolition and construction. Condition reason: To ensure fairness, transparency and probity.

Before Building Work Commences

25	(C085) Vegetation A revised Vegetation Management Plan is to be submitted to Council and approved by the Manager Environment prior to works commencing. All works identified within the approved Vegetation Management Plan that are required to occur prior to works commencing shall be implemented by person or persons with appropriate knowledge, qualifications and experience in current best practices of indigenous vegetation rehabilitation and management. All works shall adhere to the Vegetation Management Plan, including the specified timeframes Condition reason: To ensure that the Vegetation Management Plan is adhered to
26.	(C109) Biodiversity Management Plan (a) A Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan. (b) The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans. (c) The Biodiversity Management Plan must identify areas of land that are to be retained as outlined in the BDAR. (d) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR. (e) The Biodiversity Management Plan must identify all measures proposed in the BDAR to mitigate and manage impacts on biodiversity, including performance measures for each commitment. Condition reason: To specify offsetting obligations in accordance with DPIE guidelines.

Without prejudice draft conditions
During Building Work

27.	(D205) Vegetation - Existing Vegetation
	All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.
	Condition reason: To minimise impacts to adjacent vegetation and habitat.
28.	(D220) Vegetation - Technical Report
	All works and activities shall adhere to the approved Biodiversity Development Assessment Report prepared for the site, including all identified mitigation measures.
	Condition reason: To ensure that the Biodiversity Assessment Report is adhered to.
29.	(D225) Vegetation - Monitoring Report
	All works identified within the approved Vegetation Management Plan shall be implemented by person or persons with appropriate knowledge, qualifications and experience in current best practices of indigenous vegetation rehabilitation and management. The timeframes, actions and works specified within the Vegetation Management Plan shall be adhered to.
	A monitoring report shall be submitted to Council following completion of the primary planting the subject of the Vegetation Management Plan. Following the primary planting phase and submission of the first monitoring report, maintenance relating to the works the subject of the approved Vegetation Management Plan shall be undertaken. Monitoring reports shall be submitted to Council at 6 monthly intervals following primary planting to demonstrate that all Vegetation Management Plan actions have been completed and that performance targets specified within the Vegetation Management Plan have been met.
	Condition reason: To ensure that the Vegetation Management Plan is adhered to.
30.	(D235) Vegetation - Fauna Habitat
	Within the area of land indicated on the approved plans for the development as land avoided for biodiversity, all existing native vegetation and habitat features shall be retained.
	Condition reason: To ensure that impacts to areas to be retained are avoided.
31.	(D240) Vegetation - Weeds
	No known environmental weeds or known invasive plant species shall be included in the landscaping or 1. Hygiene practices shall be employed to avoid the spread of invasive plants.
	Condition reason: To limit the spread of weeds.
32.	(D245) Vegetation - Rehabilitation
	Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching.
	Condition reason: To ensure that valuable natural resources impacted by the development are utilised.
33.	(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.
34.	(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.

35.	(D265) Vegetation Clearing - Fauna Protection
	Prior to the removal of each tree, they shall be examined by a qualified ecologist for the presence of hollows, active nests of birds or fauna. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits.
	Condition reason: To minimise harm caused to fauna during vegetation clearing.
36.	(D550) Implementation of the Biodiversity Management Plan
	While work is being carried out, the commitments and measures set out in the approved Biodiversity Management Plan must be implemented at all times. Works must not encroach into areas of retained native vegetation and habitat. A copy of the approved plan is kept on site at all times and made available to council officers upon request.
	Condition reason: To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction
37.	(D587) Aboriginal Cultural Heritage - Post Commencement Consent
	Where during construction the requirement for an Aboriginal Heritage Impact Permit is identified. Liverpool City Council is to be notified and provided a copy of the Aboriginal Cultural Heritage Assessment and Aboriginal Cultural Heritage Impact Permit.
	Condition reason: To ensure fairness, transparency and probity.
38.	(D703) Landscaping
	The Landscape plan shall be verified by a suitably qualified bushfire consultant confirming compliance with the provisions of "Planning for Bushfire Protection" November 2019.
	Condition reason: To ensure that landscape does not increase the impact from bushfires.

Occupation and Ongoing use

39.	(G420) Vegetation Maintenance Period
	All works identified within the approved Vegetation Management Plan shall be implemented by person or persons with appropriate knowledge, qualifications and experience in current best practices of indigenous vegetation rehabilitation and management. The timeframes, actions and works specified within the Vegetation Management Plan shall be adhered to.
	A monitoring report shall be submitted to Council following completion of the primary planting the subject of the Vegetation Management Plan. Following the primary planting phase and submission of the first monitoring report, a minimum two year maintenance period relating to the works the subject of the approved Vegetation Management Plan shall be undertaken. The maintenance period shall be extended if performance targets specified within the Vegetation Management Plan have not been met. Monitoring reports shall be submitted to Council at 6 monthly intervals following primary planting. A final report shall also be submitted to Council upon completion of the maintenance period to demonstrate that all Vegetation Management Plan actions have been completed and that performance targets specified within the Vegetation Management Plan have been met.
	Condition reason: To ensure that the Vegetation Management Plan is adhered to.
40.	(G425) Vegetation and Habitat Protection
	Within the area of land indicated on the approved plans for the development as land avoided for biodiversity, all existing native vegetation and habitat features shall be retained.
	Condition reason: To ensure that impacts to areas to be retained are avoided.

Subdivision Work Before Issue of a Subdivision Work Certificate

41.	(B010) Design amendments
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	Before the issue of a Subdivision Works Certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents: - Updated Landscape Plan detailing the following: - Provide recreation for families and other residents in the form of connected open space areas, playgrounds, sports courts, pathways and passive elements that include the First Nations and multi-cultural fabric of the area. - Updated Public Domain Plan detailing the following: - Open Space and Recreation Masterplan. This would include the area along the foreshore of the Georges River with proposed open space and recreation, both active and passive. - Updated Subdivision lot layout plans that ensure no lots are less than 400sqm in total lot size. Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.
42.	(B034) Performance Bond Prior to the issue of any Subdivision Work Certificate, a performance bond is to be lodged with Liverpool City Council as per the Councils Bond Policy. The value of the bond shall be determined and administered in accordance with Liverpool City Council's Bond Policy. Note: Contact Council's Land Development Section for further information relating to bond requirements. Condition reason: To ensure fairness, transparency and probity.
43.	(B035) Payment of security deposits Before the issue of a Subdivision Works Certificate for each stage, the applicant must: - make payment for a security deposit to the consent authority; and - if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid. Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
44.	(B038) Utilities and services Before the issue of a Subdivision Work Certificate for each Stage, written evidence of the following service provider requirements must be provided to the certifier : - a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; - a response from Sydney Water as to whether the plans accompanying the application for a Subdivision Works Certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met; - other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.
45.	(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.

46. **(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.

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

Prior to the issue of a Subdivision Works Certificate for subdivision works for Stage 1, requiring upgrade of Pleasure Point Road, the Certifier shall ensure that a S138 Roads Act application, including the payment of application fee, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of public domain works required by the development approval within the existing road reserve, including:

1. Connection of new roads to existing public roads.
2. Half Road construction including road reserve widening, concrete path paving, kerb and guttering (Pleasure Point Road site frontage. Stage 1).
3. Demolish all existing driveways and laybacks, construction of kerb and gutter, and reinstatement of the public verge area (site frontage).
4. Stormwater drainage works (site frontage).
5. Traffic calming measures for the protection of wildlife.
6. An off-road share path to be provided connecting Road No.1 to Heathcote Road (Pleasure Point Road site frontage)
7. Heathcote Rd/Pleasure point Rd intersection signalisation and associated works. Refer to TfNSW letter dated 28 November 2024 Ref SYD24/01137/01 & CNR-75002 and the following is also to be addressed:
 - Written evidence of a Works Authorisation Deed (WAD) executed with Transport for NSW (TfNSW) and
 - A copy (in pdf format) of the detailed construction drawings approved by TfNSW for all works within any classified road reserve.
 - Undergrounding of existing aerial power lines and communications cables.
 - Street Trees to be provided in accordance with Council's requirements.

Note:

1. Where Liverpool City Council is the Principal Certifier for the development the Roads Act approval for the above works may be issued concurrently with the Subdivision Works Certificate.
2. All works shall be undertaken at no cost to Liverpool City Council.
3. Regulatory and advisory linemarking and signage plans are to be completed and shall be lodged with Liverpool City Council and approved by the Local Traffic Forum (LTF).
4. 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.

Condition reason: To ensure fairness, transparency and probity.

48. **(B056) S68 Local Government Act - Stormwater drainage works**

Prior to the issue of a Subdivision Work Certificate for each Stage, the Principal Certifying Authority and/ or Certifying Authority shall ensure that an application under Section 68 of the Local Government Act, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council.

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

Condition reason: To ensure fairness, transparency and probity.

49. **(B066) Biodiversity Management Plan**

	(a) A Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan. (b) The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans. (c) The Biodiversity Management Plan must identify areas of land that are to be retained as outlined in the BDAR. (d) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR. (e) The Biodiversity Management Plan must identify all measures proposed in the BDAR to mitigate and manage impacts on biodiversity including performance measures for each commitment.
	Condition reason: To specify offsetting obligations in accordance with DPIE guidelines.
50.	(B095) Long Service Levy Before the issue of a Subdivision Works Certificate, the long service levy, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the certifier.
	Condition reason: To ensure the long service levy is paid.
51.	(B125) Erosion and sediment control plan Before the issue of a Subdivision Works Certificate for each stage, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifier: 1. Council's relevant development control plan, 2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and 3. the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).
	Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
52.	(B149) S138 Roads Act - Minor Works in the public road Prior to the issue of a Subdivision Works Certificate for each Stage, 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. (d) Traffic Calming measure for the protection of wildlife. 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.
53.	(B162) Recommendations of Acoustic Report

Before the issue of a Subdivision Works Certificate for each Stage, 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.

54. **(B168) Subdivision Work Certificate**

Prior to the issue of a Subdivision Works Certificate for subdivision works for each stage, the Certifier shall ensure that engineering plans are consistent with the approved concept plan/s prepared by adw Johnson, reference number 300362 revision D and dated 06.06.2025, and that all subdivision works have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

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

- (a) Public and private roads
- (b) Stormwater drainage including water quantity and quality treatment measures
- (c) Interallotment drainage
- (d) Private access driveways
- (e) Sediment and erosion control measures
- (f) Overland flowpaths
- (g) Flood control measures
- (h) Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- (i) Earthworks
- (j) Bridges, culverts, retaining walls and other structures
- (k) Landscaping and embellishment works
- (l) All works required for the decommissioning of any temporary works (eg turning areas, On-site Stormwater Detention (OSD) / Water Quality systems etc) and reinstatement works for the ultimate scenario are to be shown.

The following is also to be addressed:

1. A copy of the Liverpool City Council Design Certification Report and Design checklist, Annexure DQS-A of Council's *Quality Assurance Requirements for Design specification* is to be completed and submitted with any Subdivision Works Certificate application.
2. If works are required on a neighbouring property, including temporary works, a written consent from property owner/s is to be obtained.
3. Stormwater quantity controls are to ensure that stormwater drainage discharge from the site will not adversely impact on the adjoining and downstream drainage system, and any downstream properties or public places.
4. Basin No.1 spillway is to be designed to convey emergency overflows into the Road No. 2 future public road verge area.

5. The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff generated within upstream properties (up to 1 in 100yr storm event) is collected and conveyed through the site without adverse impact on the development and/or adjoining properties.
6. Flush paver thresholds to be provided with textured banding constructed on a concrete base and edge strip (if not adjoining concrete kerb or gutter). Typical sections are to be provided. (Refer to Western Sydney design guidelines). Textured banding is to be provided with '**AdbriMasonry – Charcoal coloured 'UNIPAVE 80' in a standard (smooth) finish, to be laid in a 90-degree herringbone pattern**'.
7. Reinforcement bars to be provided to all cast in-situ pits.
8. Provide turfing to full verge area where there is no concrete.
9. Show subsoil drainage near road kerb, to areas where street drainage is not proposed within a road.
10. Where possible roads are to be designed to avoid the need for concrete dish crossing.
11. All cut and fill batters within the proposed lots shall be located outside the proposed road reserve and provided at a maximum grade of 1 vertical and 8 horizontal, or maximum length of 2m for steeper grades. A 0.5m berm within the proposed lot or reserve, located at the boundary alignment, shall be provided to all batters adjoining the road reserve.
12. For each stage a temporary turning area is required at the end of all roads, where direct connection to a dedicated public road is not available at the end point.
13. Kerb ramps associated with a sharepath are to be 2.5m wide and match the sharepath.
14. Where connection is not to an existing public piped system, a stormwater drainage outlet structure is required at the approved point of discharge. All stormwater discharge into the adjoining watercourse shall be in accordance with the NSW Office of Water guidelines and shall not impact on existing stormwater flows within the water course (ie not increase flood levels).
15. Bicycle safe fencing requirements to be assessed and included as part of the detailed design.
16. Access arrangements to allow safe access/egress for Council maintenance vehicles to each basin and beyond shall be detailed, including demonstrating gradients, and child proof barriers.
17. Scour protection/energy dissipater device must be provided at the outlet of the drainage structure and/or line. Any stormwater discharge into the adjoining watercourse is to be in accordance with the NSW Office of Water guidelines and not adversely impact existing stormwater flows within the water course.
18. Where known, show approved street names on the drawings.
19. All services required to adequately service the development are to be shown on the engineering drawings submitted for Subdivision Works Certificate approval including duct configurations, road crossings, water and sewer services, electrical services and light columns positions. Existing services that are to remain are to be adjusted to suit the new levels and works to the satisfaction of the relevant authority.
20. Stormwater details and calculations shall be submitted to ensure all pipe sizes will have adequate capacity to convey future upstream post development flows.
21. A kerb ramp is required at the connection of the 2.5m shared path to the existing Willowie Way roadway.

	22. The Subdivision Work Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon. 23. Prior to the issue of a Subdivision Works Certificate for building works arrangements shall be made with the relevant authority for the relocation of any asset affected by the proposed development. Alternatively written acceptance regarding the proposed location of the existing asset and the proposed, and/or any alternative arrangements, shall be provided to the Principal Certifier. A copy of the written acceptance and/or their requirements is also to be provided to Council. All cost for any relocation to be at no cost to Council. 24. The undergrounding of existing aerial power lines and communications cables for the entire site frontage of the development site on Pleasure Point Road Avenue shall be submitted to Council for review and approval prior to any construction works. The applicant/developer shall engage the services of Endeavour Energy accredited ASP lever 3 service provider to prepare the electrical design and to obtain certification from Endeavour Energy. 25. The applicant shall submit a geotechnical report from a suitably qualified geotechnical engineer detailing the subsurface profile together with recommendations for earthworks placement, design CBR, pavement design, any required subgrade improvement, anticipated site classification and recommendations for batter slopes and any retaining structures.
	Condition reason: To ensure fairness, transparency and probity.
55.	(B322) Inter-allotment Drainage
	Inter-allotment drainage shall be provided for all lots in each stage that are unable to be drained by gravity to the street system. Inter-allotment drainage is to be constructed with a pit located immediately within the lot boundary of each lot created by the subdivision at the lowest point in the line or a maximum pit spacing of 40m.
	Condition reason: To ensure fairness, transparency and probity.
56.	(B360) Construction Environmental Management Plan (CEMP)
	Prior to issue of a Subdivision Works Certificate for each Stage, 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. 14. Flora and Fauna Management Plan 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.
57.	(B361) Construction Site Management Plan

Before the issue of a Subdivision Works Certificate for each stage, 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:
 - Proposed truck movements to and from the site;
 - Estimated frequency of truck movements; and
 - 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:
 - AS 4970 – Protection of trees on development sites; An
 - applicable Development Control Plan;
 - An arborist's report approved as part of this consent

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

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

58. **(B400) Road design criteria table**

Prior to the issue of a Subdivision Works Certificate the Certifier shall ensure that all proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, the approved drawings prepared by adw Johnson, reference number 300362 revision D and dated 06.06.2025, and subject to the following:

1. ESA's:
 - a) Collector – 2×10^6 min
 - b) Local/other - 3×10^5 min
2. Road sections as per drawings CENG 201 & 202, and as varied below:

Road No.	Road Reserve Width	Travel Lane	Parking Bay	Verge	Concrete Footpath min width	ESA's
Pleasure Point Rd (South of Road 1) half road	New with road widening on the development side	3.0m	2.1m	4.0m	2.5m	2×10^6 min
Pleasure Point Rd (North of Road 1) half road	New with road widening on the development side	2.75m	2.1m	3.15m	1.5m	3×10^5 min

Note: Road Reserve widening, with boundary adjustment, is required along the full site frontage of Pleasure Point Road.

3. Unless otherwise shown as 2.5m wide shared path on the approved plans, a 1.5m wide concrete footpath is required along the whole of Road 1.

Condition reason: To ensure fairness, transparency and probity.

59. **(B404) Road Safety Audit**

	A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application. Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design. Condition reason: To ensure fairness, transparency and probity.
60.	(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.
61.	(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 vehicle expected to service the development site including Council's waste collection trucks, 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.
62.	(B414) Bus Stops Possible Bus Stop locations are to be discussed with the local bus companies and are to be designed in accordance with bus company requirements including incorporating the requirements of the Disability Discrimination Act 2002, Disability Standards for Accessible Public Transport and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002. Condition reason: To ensure the required bus tops are designed in accordance with Disability Discrimination Act 2002.
63.	(B453) No Loading on Easements Prior to the issue of a Subdivision Works Certificate for each stage the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence. Condition reason: To ensure fairness, transparency and probity.
64.	(B454) Stormwater Concept Plan A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval prepared by adw Johnson, reference number 300362 revision D and dated 06.06.2025, (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 Subdivision Works Certificate for each stage, the Certifier shall ensure that the OSD system has been designed in accordance with Liverpool City Council's Design Guidelines and Liverpool City Council's On-site stormwater detention (OSD) policy and Technical

	Specification (Latest revision).
	Condition reason: To ensure fairness, transparency and probity.
65.	(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: - Specification & installation details of the stormwater pre-treatment system - 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.
66.	(B532) Waste Management Plan requirements Before the issue of a Subdivision Work Certificate for each stage, a waste management plan for the development must be prepared and provided to the principal certifier. The plan must be prepared in accordance with - the Environment Protection Authority's Waste Classification Guidelines as in force from time to time; and - 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 - 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.
67.	(B555) Detailed Design Drawings The applicant is to undertake detailed design of traffic facilities, signs and linemarking in the existing and/or proposed public domain. The plans should include, but not be limited to: - a priority-controlled arrangement for the Pleasure Point Road / Internal Collector Road (Road No. 1) intersection whereby the collector road is given priority over the north approach of Pleasure Point Road, - speed reduction measure (speed hump etc) on Pleasure Point Road at its northern approach to the intersection with the internal collector road 3.2m wide trafficable lanes and 2.5m wide bus bays on the internal collector road Detailed design drawings of the proposed traffic facilities, signs and line markings in the existing and proposed public domain areas are to be submitted to Council for approval using Approval of Traffic Facilities including Signs and Line Marking Schemes Application Form. The application is available on Council website and should be lodged online. The drawings are to be prepared by a suitably qualified person. NOTE: It is advised that the applicant discuss with Council's Traffic Management Section of the traffic requirements prior to preparation of the detailed design drawings. Condition reason: To ensure that detailed design of the required traffic facilities is submitted and

	approved.
68.	(B560) Road Works Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme have been approved by Council's Traffic Management Section. Condition reason: To ensure that works on the public road reserve are approved prior to commencement of works.
69.	(B950) Non-Standard Condition - Flooding Prior to Issue of Subdivision Works Certificate - Proposed development shall be in accordance with the following DA documentation: - Pleasure Point Stormwater Management Plan Addendum (14 March 2025, ADW Johnson) - Water Cycle Management Plan (August 2024, ADW Johnson) - Stream and Riparian Management Plan (August 2024, ADW Johnson) - Concept Engineering Plans (Sheets 1001 to 1801 (67 sheets), Rev E of 30/10/2025, ADW Johnson) - Concept civil engineering plans Rev E (Sheets CENG-001 to CENG 907 (152 Sheets) dated 30/10/2025, ADW Johnson) - The riparian corridor of the Georges Rive shall be preserved. The development footprint shall be located outside the 40m riparian corridor. - The development must be located entirely outside the high flood risk flood area of the Georges River floodplain. Any work within the medium flood risk area must comply with Floodplain management requirement under DCP 2008, including provision of flood compensatory storage for loss of flood storage volume. - The natural watercourse traversing centrally through the site must be preserved. All development shall be undertaken in accordance with NRAR guidelines. - The natural watercourse traversing centrally through the site must be preserved. All development shall be located outside within its riparian corridor. - Existing overland flows from the southern catchment through the site shall not be disturbed and accommodated into the proposed stormwater system up to the 1%AEP storm event, consistent with the DA proposal. - There shall be no adverse flooding impact on adjacent upstream land resulting from the development, where external overland flow crosses the site. Any adverse impact must be mitigated to pre-development condition through appropriate mitigation measures. - Areas of increased ponding as identified at upstream sag points near Heathcote Road and the proposed park between Road 1 and Road 7, must be mitigated. Options such as upsizing pit and pipe capacities at inlets should be considered. Updated plans detailing these mitigation measures with hydraulic analysis must be submitted for approval at CC stage. - All bio-retention basins shall be located outside the 1%AEP flood of the adjacent watercourse and the Georges River. - Design and sizing of major/minor stormwater system shall account for external and full developed internal catchments flows up to the 1%AEP event. - Major system (proposed roads) shall consider overland flows, both from external and developed internal catchment, for storm events up to the 1%AEP with flood depth not exceeding 0.2m and shall comply with velocityxdepth <0.4m²/s safety criteria. - Finished ground levels of sub-divided lots shall be no lower than the 1%AEP flood levels of the Georges River. Finished habitable floors of future dwellings must be no lower than the 1%AEP flood level plus 0.5m freeboard. - The bio-retention basins 1 to 5 shall treat stormwater pollutants from the development before discharging into the receiving waters and shall achieve the Council's stormwater treatment targets. Gross Pollutant Traps (GPT) must be installed upstream of each basin prior to stormflow discharge. The water quality treatment measures, both bio-retention basins and GPTs should be

designed using MUSIC modelling software. Treatment performance shall be verified using the Council's MUSIC link. The following should be considered:

- GPTs should be CDS (continuous Deflection Separation) type and located outside the carriageway.
- Adequately sized maintenance access must be provided for all bio-retentions basins and GPTs.
- Proposed local maintenance access gates to be replaced with vehicle bollards.
- Basin 2 should incorporate an extended a 2.5m wide pathway to run around the end of the basin and back to the road.

14. The western catchment, which drains toward the existing developed areas of the west, must be managed by an On-Site Detention (OSD) system and/or integrated into Basin 1. The post-development discharge from this catchment must not exceed pre-development flows for storm events up to the 1% AEP. Detailed design, hydrologic and hydraulic modelling, and result files must be submitted at CC stage for assessment.
15. Erosion and sediment control measures, including sediment basins, must be installed during construction of all the development stages to prevent downstream pollution and protect the Georges River.
16. Detailed design plans and drawings for the proposed stormwater system must be provided at CC Stage for approval, including all bio-retention basins and modification works to the central watercourse. The stormwater from site shall drain to the nominated point of discharge by gravity. The design shall include all engineering details relevant to collection and disposal of stormwater, existing site levels, finished levels, pipe sizes and grades and water quality treatment trains. Hydrologic/hydraulic modelling analysis for the stormwater system & OSD with results including electronic copies of DRAINSs and MUSIC models shall be provided at CC stage for review and approval.

Condition reason: To ensure fairness, transparency and probity.

70. **(B951) Non-Standard Condition - Waste Contractor and Facility Details**

Prior to the commencement of any works on-site, the applicant must provide Council with the name and details of the waste contractor responsible for transporting the generated waste, as well as the nominated recycling and/or landfill facilities where this waste will be taken. This information should align with the estimated volumes presented in the Waste Management Plan for Phases 1 and 2.

Condition reason: To ensure fairness, transparency and probity.

73. **Vegetation Management Plan**

The Vegetation Management Plan must be updated to include monitoring and adaptive management strategies for pest species and Koala and approved by Council.

Condition reason: To ensure ongoing protection of koalas and native vegetation through effective monitoring and adaptive management of pest species

Before Subdivision Work Commences

74. **(C005) Subdivision Work Certificates**

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

- (a) Subdivision Work Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979, for each Stage of Development.
- (b) Where a Subdivision Work Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Act,
- (c) A copy of the Subdivision Work Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment,
- (d) A Principal Certifier (PC) must be appointed to carry out the necessary inspections and to issue a subdivision certificate, and
- (e) The PC must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.

Condition reason: To require approval to proceed with building work.

75. (C027) Matters to be addressed prior to commencement of Subdivision Works

Work on the subdivision shall not commence until:

- (a) a Subdivision Works Certificate (if required) has been issued, for each stage of development,
- (b) a Principal Certifier has been appointed for the project, and
- (c) any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

A Notice of Commencement is to be submitted to Liverpool City Council two (2) days prior to commencement of engineering works or clearing associated with the subdivision.

Condition reason: To ensure fairness, transparency and probity.

76. (C055) Site Facilities

Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

Condition reason: To ensure the required site management measures are implemented before the commencement of building work.

77. (C085) Vegetation

A revised Vegetation Management Plan is to be submitted to Council and approved by the Manager Environment prior to works commencing.

All works identified within the approved Vegetation Management Plan that are required to occur prior to works commencing shall be implemented by person or persons with appropriate knowledge, qualifications and experience in current best practices of indigenous vegetation rehabilitation and management. All works shall adhere to the Vegetation Management Plan, including the specified timeframes

Condition reason: To ensure that the Vegetation Management Plan is adhered to

78. (C109) Biodiversity Management Plan

	(a) A Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan. (b) The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans. (c) The Biodiversity Management Plan must identify areas of land that are to be retained as outlined in the BDAR. (d) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR. (e) The Biodiversity Management Plan must identify all measures proposed in the BDAR to mitigate and manage impacts on biodiversity, including performance measures for each commitment. Condition reason: To specify offsetting obligations in accordance with DPIE guidelines.
79.	(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.
80.	(C126) Environmental Management Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum: 1. Siltation fencing; 2. Protection of the public stormwater system; and 3. Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place. Condition reason: To ensure fairness, transparency and probity.
81.	(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.
82.	(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.

83.	(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.
84.	(C466) Dilapidation report Before any site work commences: 1. a dilapidation report of all infrastructure fronting the development in Heathcote and Pleasure Point Roads, Lillipilli Drive and Willowie Way is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development. 2. a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier or Council (where a principal certifier is not required). Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier or Council (where a principal certifier is not required), that all reasonable steps were taken to obtain access to the adjoining properties. No less than 5 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time. Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

Before Subdivision Work

85.	(D015) Surveys by a registered surveyor While subdivision work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier: 1. All footings / foundations in relation to the site boundaries and any registered and proposed easements 2. At other stages of construction – any marks that are required by the principal certifier. Condition reason: To ensure buildings are sited and positioned in the approved location.
86.	(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.
87.	(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.
88.	(D042) Procedure for critical stage inspections While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
89.	(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.
90.	(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.
91.	(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.
92.	(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.
93.	(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.
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.	(D165) Public Domain Works
	All works within the road reserve, including the approved sign and line making scheme, are to be carried out by the applicant, at no cost to Council, in accordance with the TfNSW/RMS 'Delineation Guidelines'.
	Condition reason: To ensure that the development covers all required costs associated with the development.
100.	(D170) Council On Street Assets
	Council's on-street assets and local road network are to be protected and kept in a serviceable state at all times. At the direction of Council, the applicant/project manager shall undertake remediation works, at no cost to Council and to Council's satisfaction.
	Condition reason: To ensure that the development covers all required costs associated with the development.
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 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.	(D195) Tree protection during work While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: 1. the construction site management plan submitted to the PC. 2. the relevant requirements of AS 4970 Protection of trees on development sites; 3. Council's relevant development control plan (in force as at the date of determination of this consent); and 4. any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.
	Condition reason: To protect trees during the carrying out of site work.
104.	(D205) Vegetation - Existing Vegetation All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas. Condition reason: To minimise impacts to adjacent vegetation and habitat.
105.	(D220) Vegetation - Technical Report All works and activities shall adhere to the approved Biodiversity Development Assessment Report prepared for the site, including all identified mitigation measures. Condition reason: To ensure that the Biodiversity Assessment Report is adhered to.
106.	(D225) Vegetation - Monitoring Report All works identified within the approved Vegetation Management Plan shall be implemented by person or persons with appropriate knowledge, qualifications and experience in current best practices of indigenous vegetation rehabilitation and management. The timeframes, actions and works specified within the Vegetation Management Plan shall be adhered to. A monitoring report shall be submitted to Council following completion of the primary planting the subject of the Vegetation Management Plan. Following the primary planting phase and submission of the first monitoring report, maintenance relating to the works the subject of the approved Vegetation Management Plan shall be undertaken. Monitoring reports shall be submitted to Council at 6 monthly intervals following primary planting to demonstrate that all Vegetation Management Plan actions have been completed and that performance targets specified within the Vegetation Management Plan have been met.

	Condition reason: To ensure that the Vegetation Management Plan is adhered to.
107.	(D235) Vegetation - Fauna Habitat
	Within the area of land indicated on the approved plans for the development as land avoided for biodiversity, all existing native vegetation and habitat features shall be retained.
	Condition reason: To ensure that impacts to areas to be retained are avoided.
108.	(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.
109.	(D241) Footpaths
	Construction of footpaths should be in accordance with the locations within the approved plans and be a minimum 1.5m wide by 100m thick (one layer of SL72 reinforcing mesh) concrete path.
	Condition reason: To ensure fairness, transparency and probity.
110.	(D245) Vegetation - Rehabilitation
	Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching.
	Condition reason: To ensure that valuable natural resources impacted by the development are utilised.
111.	(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.
112.	(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.
113.	(D265) Vegetation Clearing - Fauna Protection
	Prior to the removal of each tree, they shall be examined by a qualified ecologist for the presence of hollows, active nests of birds or fauna. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits.
	Condition reason: To minimise harm caused to fauna during vegetation clearing.
114.	(D270) Phytophthora Control
	The appropriate hygiene measures will be undertaken every morning and afternoon to prevent the spread of phytophthora pathogens. Before works commence all earth working tools and the sole of work boots will be sprayed with a seven (7) parts methylated spirits to three (3) parts water ratio. At the end of the day all earth works equipment, vehicle tyres and work boots will be thoroughly cleaned of all excess mud, sludge, and dirt then a final spray of work equipment will be conducted with the pathogen spray to ensure diseases are unable to spread.
	Condition reason: To minimise the spread of disease and pathogens.
115.	(D275) Hygiene and contamination
	Imported mulch and soils will be certified and free of any disease and pathogens and tested to ensure they meet the standards of drainage, particle size, purity, and consistency.
	Condition reason: To minimise the spread of disease and pathogens.
116.	(D280) Fauna Protection

	To minimise the risk of fauna entrapment, digging and trenching shall be undertaken and completed on the same day where possible. If holes, pits, trenches, or other cavities must be left overnight, they will all be covered with secure boards to ensure that fauna does not get trapped. Before commencing work each day, all excavated areas will be inspected and if fauna is encountered a licenced ecologist or wildlife handler will be utilised to safely remove the trapped fauna and relocate it to a suitable location. Works can continue when the fauna has been safely removed. Condition reason: To minimise harm caused to fauna during excavation.
117.	(D300) Fencing Any gate associated with a front fence shall swing inwards from the property boundary. Condition reason: To preserve pedestrian and vehicle safety in the vicinity of the site.
118.	(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.
119.	(D425) Site Remediation Works The site must be remediated in accordance with: - Remediation Action Plan "Remedial Action Plan Property Lot 1 in DP875804 & Lot 2 in DP817692 Pleasure Point, NSW" (Ref: D250045 Rev: 1.2) prepared by J. Gross and reviewed by R. Case dated 18th February 2025; - State Environmental Planning Policy (Resilience and Hazards) 2021; - National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013); and - The guidelines in force under the Contaminated Land Management Act 1997. A suitably qualified environmental consultant must be engaged to supervise all aspects of site remediation and validation works in accordance with the approved Remediation Action Plan. Liverpool City Council must be informed in writing of any proposed variation to the remediation works. Liverpool City Council must approve these variations in writing prior to commencement/ recommencement of works. Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme. Condition reason: To ensure the suitability of land for the proposed development.
120.	(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: - 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. - 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.
121.	(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.
122.	(D445) Air Quality Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works. Condition reason: To ensure fairness, transparency and probity.
123.	(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.
124.	(D460) Salinity 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.
125.	(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.
126.	(D550) Implementation of the Biodiversity Management Plan While work is being carried out, the commitments and measures set out in the approved Biodiversity Management Plan must be implemented at all times. Works must not encroach into areas of retained native vegetation and habitat. A copy of the approved plan is kept on site at all times and made available to council officers upon request. Condition reason: To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction
127.	(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.
128.	(D553) Erosion & Sediment Control

	Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days. Condition reason: To ensure fairness, transparency and probity.
129.	(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.
130.	(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.
131.	(D560) Erosion Control Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation. Condition reason: To ensure the required site management measures are implemented during construction.
132.	(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.
133.	(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.
134.	(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.
135.	(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.

136.	(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.
137.	(D583) Aboriginal Cultural Heritage - Unexpected Finds The National Parks and Wildlife Act 1974 protects all Aboriginal Cultural Heritage in New South Wales. Where a proposal has the potential to impact on Aboriginal Cultural Heritage objects and places, whether the presence is known or not, a permit is to be sought from Heritage NSW. In the event that Aboriginal Cultural Heritage objects or places are encountered/discovered, works must cease immediately and Council and Heritage NSW notified. The finds are to be investigated by an experienced archaeologist and no works are to recommence onsite until approved by Heritage NSW and Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
138.	(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.
139.	(D590) Public Domain Works - Street Lighting Street lights are to be installed in accordance with the Endeavour Energy certified plans to their satisfaction. Condition reason: To ensure that the development covers all required costs associated with the development.
140.	(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.
141.	(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.
142.	(D598) Soil testing - Subdivisions Soil Testing is to be carried out to enable each lot to be classified according to AS2870 "Residential Slabs and Footings". Condition reason: To ensure fairness, transparency and probity.
143.	(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.
144.	(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.
145.	(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 under the Construction Environmental Management Plan. Condition reason: To protect the amenity of the neighbourhood during construction.
146.	(D660) Construction Noise and Vibration Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006). All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP). Condition reason: To protect the amenity of the neighbourhood during construction.
147.	(D662) Demolition of Septic Tank and Effluent Disposal Area

	Any existing effluent disposal area is to be demolished and back filled with Virgin Excavated Natural Material (VENM). Any septic tank, collection well or aerated wastewater treatment system is to be removed or reused in accordance with NSW Advisory Note 3 – Destruction, Removal or Reuse of Septic Tanks, Collection Wells and Aerated Wastewater Treatment Systems and other Sewage Management Facility Vessels available from the NSW Health website (www.health.nsw.gov.au). Condition reason: To ensure fairness, transparency and probity.
148.	(D664) Contamination The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998). Condition reason: To ensure fairness, transparency and probity.
149.	(D666) Record Keeping of Imported Fill Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works: 1. The course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration; 2. The results of a preliminary contamination assessment carried out on any fill material used in the development. 3. The results of any chemical testing of fill material. Condition reason: To ensure fairness, transparency and probity.
150.	(D668) Traffic Management Applications must be made to Council's Traffic & Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information. Condition reason: To ensure fairness, transparency and probity.
151.	(D670) Construction Traffic Management Plan The endorsed Construction Traffic Management Plan is to be implemented during the entire construction phase. Condition reason: To ensure fairness, transparency and probity.
152.	(D672) Street Trees The street trees to be used can be any or all of the following in the locations as shown on the approved plans; • Eleocarpus reticulatus (Blue Berry Ash) • Tristrianopsis Laurina (Luscious Water Gum) • Lophostemon Confertus (Brush Box) Each tree is to have a minimum pot size of 100lt or if the approved landscape plan specifies larger, the larger pot size is to be adopted. The tree will need to be formatively pruned so that the tree has a straight trunk clear of any branches to minimum height of 1m above soil level. Condition reason: To ensure fairness, transparency and probity.

Before Issue of a Subdivision Certificate

153.	(F003) Works-as-executed plans and any other documentary evidence Before the issue of a Subdivision Certificate, works-as-executed plans for each stage, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier: 1. All stormwater drainage systems and storage systems; and
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	2. A copy of the plans must be provided to Council with the SUBDIVISION CERTIFICATE
	Condition reason: To confirm the location of works once constructed that will become Council assets.
154.	(F015) Linen Plans and 88B Instruments
	In order to enable a Subdivision Certificate to be issued for submission to the New South Wales Land Registry Services (LRS), the applicant is required to lodge a Subdivision Application to the NSW Planning Portal along with a copy of the proposed plan of subdivision, an administration sheet and a copy of the proposed 88B instrument if it's required.
	Condition reason: To ensure fairness, transparency and probity.
155.	(F020) Linen Plans and 88B Instruments
	The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.
	Condition reason: To ensure fairness, transparency and probity.
156.	(F026) Removal of waste upon completion
	Before the issue of a Subdivision Certificate:
	1. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and 2. written evidence of the waste removal must be provided to the satisfaction of the principal certifier.
	Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.
157.	(F030) Linen Plans and 88B Instruments
	The final plan of subdivision for each stage must be supported by an 88B Instrument, approved by Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Council's standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.
	Condition reason: To ensure fairness, transparency and probity.
158.	(F035) Linen Plans and 88B Instruments
	Where common drainage lines or other drainage lines are required, a drainage easement shall be created in accordance with Council's minimum widths as scheduled in Council's Design Specification for Subdivisions (as amended).
	Condition reason: To ensure fairness, transparency and probity.
159.	(F037) Liverpool City Council clearance - Roads Act/ Local Government Act
	Prior to the issue of a Subdivision Certificate for each stage, 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.
160.	(F045) Linen Plans and 88B Instruments
	Correct notation concerning easements is required. The prepared 88B Instrument should be forwarded initially to Council. The land value of the easement and costs associated with checking the instrument are to be borne by the applicant. Part 2 of the 88B Instrument shall contain a provision that the easement may not be extinguished or altered without the written consent of Council.
	Condition reason: To ensure fairness, transparency and probity.
161.	(F070) Linen Plans and 88B Instruments
	A Restriction as to User over Proposed Lots (Lot 2 DP 817692) is to be created under Section 88B of the Conveyancing Act 1919 in the following terms:

	No further development of the lot burdened is to take place unless it is approved by a Development Consent which includes Stage 8 and Stage 9 works identified under the Concept Approval and VPA. Such approval is likely to require, but not be restricted to, construction of road and drainage works, the provision of lot fill, and payment of Section 7.11 Contributions and Special Infrastructure Contributions. The Restriction as to User may not be extinguished or altered except with the consent of Liverpool City Council. Note: The final wording of the recital of the Restriction as to User is to be to Council's satisfaction. Condition reason: To ensure fairness, transparency and probity.
162.	(F072) Linen Plans and 88B Instruments The Subdivision Plan is additionally to show: 1. A corner splay at the intersection of Heathcote Road with Pleasure Point roads to accommodate the connection of the share path to Heathcote Road. This is to be dedicated as public road. 2. All new roads dedicated to the public as road. 3. Minimum 0.9m wide easements for maintenance and access where external walls of dwellings will be/are on the zero lot boundary, and on the low side where a retaining wall is on a lot boundary. Condition reason: To ensure fairness, transparency and probity.
163.	(F073) Linen Plans & 88B (Temporary Access Roads) Documents shall be submitted to Council giving effect to the creation of a Restriction as to User on title, created under Section 88B of the Conveyancing Act 1919 in the following terms: 1. For the Lots containing temporary fire trails, the fire trails shall remain in place until such time as the local road network is realised, with through connection to the existing dedicated roads to the west, and written approval is obtained from Council. 2. Steeper lots (ie greater than gradient of 15%) to provide Geotechnical reports from a suitably qualified and practicing geotechnical engineer, advising of the compatibility of the lot with the proposed dwelling type, and identifying any special footing requirements. 3. Temporary stormwater pre-treatment systems (sediment basins) constructed on a lot, shall remain in place until such time as approved by Council in writing (ie once 80% of lots in that stage have been developed to Occupation Certificate). Also preventing the sale of the land, without Council's permission, on the same lots. 4. Restricting driveway crossing to proposed corners Lots to not be located closer than 6m to the kerb and gutter tangent point, at each corner intersection in the subdivision. Wording of the restriction shall be in accordance with Council's standards and specifications, stormwater drainage policies and to the Council's satisfaction, and is to be registered in conjunction with the Subdivision Plan. The restriction as to user may not be extinguished or altered except with the consent of Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
164.	(F090) Street Trees & Tree Planting Prior to the issue of a Subdivision Certificate, street trees are to be planted or an Outstanding Works Bond for Street Tree planting shall be lodged with Liverpool City Council. The Outstanding Works bond will be refunded once the street trees have been planted to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council. The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and probity.
165.	(F092) Temporary Turning Heads Prior to the issue of a Subdivision Certificate, a management plan shall be prepared for the eventual decommissioning of the temporary turning heads. The plan is to include the demolition of all sacrificial

	works, the construction of any footpath, kerb and gutter and the embellishment of the verge. A schedule of works with quantities and estimates of construction and restoration, including any temporary services shall be provided by a registered quantity surveyor. The Outstanding Works bond will be refunded once the road reserve has been restored to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council. The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and probity.
166.	(F105) Service Providers The following documentation must be provided before the issue of a subdivision certificate: (a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development must be submitted to the certifier before the issue of a Subdivision Certificate. Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells. (b) Notification of arrangement for the development from Endeavour Energy must be submitted to Council. (c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with: i) The requirements of the Telecommunications Act 1997; ii) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and iii) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line must be located underground. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications. Condition reason: To promote orderly development supported by adequate infrastructure.
167.	(F130) Bonds A maintenance bond in the form of a bank guarantee or cash bond, shall be lodged with Council prior to the issue of a subdivision certificate for each stage. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 6 months from the date of Council's acceptance of final works. Condition reason: To ensure fairness, transparency and probity.
168.	(F135) Certificates Prior to the issue of an Subdivision Certificate for each stage, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with the requirements of the Telecommunications Act 1997: (a) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and (b) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

	Condition reason: To ensure utility services are completed, in accordance with the relevant agency requirements, before the issue of a Subdivision Certificate.
169.	(F150) Dilapidation Report Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer. Condition reason: To ensure fairness, transparency and probity.
170.	(F160) Validation Report Before the issue of a subdivision certificate, a detailed validation report must be submitted to the certifier. The Report must be prepared in accordance with: 1. NSW Contaminated Land Planning Guidelines (1998); 2. Relevant EPA guidelines. In particular the Contaminated Land Guidelines – Consultants Reporting on Contaminated Land (NSW EPA 2020); and 3. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013). The Validation Report must be prepared or reviewed and approved by a suitably qualified environmental consultant. The report's cover or title page of the document must include a personalised electronic seal for either the CEnvP(SC) or CPSS CSAM scheme. The Validation report must verify that the land is suitable for the purposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the approved Remediation Action Plan. Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme. Condition reason: To ensure the suitability of land, mitigate potential risks to human health and the environment and facilitate compliance with legislative requirements.
171.	(F162) Remediation Work - Notice of Completion Within thirty (30) days of completion of remediation work, a notice of completion as required to be provided to Council under Clause 4.14 of State Environmental Planning Policy (Resilience and Hazards) 2021, chapter 4, to confirm that the remediation has been carried out in accordance with the Remedial Action Plan, requirement(s) of this consent, and State Environmental Planning Policy (Resilience and Hazards) 2021, chapter 4. The notice of completion of remediation work shall be in writing and prepared in accordance with Clause 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021, chapter 4. Note: A site audit statement (within the meaning of Part 4 of the Contaminated Land Management Act 1997) may be given in partial compliance with this requirement. Condition reason: To ensure fairness, transparency and probity.
172.	(F170) Site Audit Statement Before the issue of a subdivision certificate for each Stage, a Site Auditor accredited under the Contaminated Land Management Act 1997 must be engaged to issue a Section A1 / A2 Site Audit Statement in accordance with the Contaminated Land Management Act 1997 and approved Guidelines made thereunder including the 'Guidelines for the NSW Site Auditor Scheme' (3rd Edition) published by the NSW Environment Protection Authority dated October 2017. The Site Audit Statement and Site Audit Report must certify the suitability of the land for the use / suitability of the land for the use subject to compliance with either an active or passive environmental management plan. Conditions on the Site Audit Statement must form part of the consent. The Section A1 / A2 Site Audit Statement and Site Audit Report must be submitted to Liverpool City Council, certifier and Appropriate Regulatory Authority for their acceptance before the issue of a subdivision

	certificate.
	Condition reason: To provide greater certainty for the consent authority by requiring the independent review of contaminated site assessments, remediation and validation reports by an accredited site auditor.
173.	(F180) Decommissioning of On-Site Sewage Management System/s Following the decommissioning of the on-site sewage management system and before the issue of a subdivision certificate, a certificate must be submitted to Liverpool City Council certifying that the system was decommissioned in accordance with NSW Health Advisory Note 3 – Destruction, Removal or Reuse of Septic Tanks, Collection Wells and Aerated Wastewater Treatment Systems (AWTS) and other Sewage Management Facilities (SMF). A template decommissioning certificate can be found on Councils website www.liverpool.nsw.gov.au Condition reason: To mitigate potential risks to human health and the environment.
174.	(F190) Voluntary Planning Agreement Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer. Prior to the issue of any Subdivision Certificate for Stage 1 of the development, the Applicant must enter into and execute a Voluntary Planning Agreement (VPA) with Council in relation to this development consistent with the agreed Voluntary Planning Agreement Letter of Offer. The VPA must make provision for the dedication of land, works and/or monetary contributions for the development in accordance with the Concept Plan and staged Development Applications. Upon execution, the VPA will satisfy the developer contribution requirements for the staged development under this consent. Condition reason: To ensure fairness, transparency and probity.
175.	(F200) Completion of Subdivision Works Prior to the issue of a Subdivision Certificate for each stage, the Principal Certifier shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works. Condition reason: To ensure fairness, transparency and probity.
176.	(F205) Street Naming Prior to the issue of a Subdivision Certificate for each stage, an application for proposed street names must be lodged with and approved by Liverpool City Council and the signs erected on-site. The proposed names must be in accordance with Council's Street Naming Policy. Allow eight (8) weeks for notification, advertising and approval. Condition reason: To ensure new street names are approved and displayed in accordance with Council's Street Naming Policy.
177.	(F210) Bond for final wearing course Prior to the issue of the Subdivision Certificate for each stage, a bond for the final layer of outstanding asphalt works (AC Bond) is to be lodged with Liverpool City Council. The final layer of asphalt on all roads shall not to be placed without the written consent of Council (Consent will generally be provided when 80% of the housing within the subdivision has been completed). The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. The final AC layer may be requested by Council where it is deemed appropriate that the final AC layer be undertaken. Condition reason: To ensure fairness, transparency and probity.
178.	(F215) Outstanding Works Bond for Stormwater Pre-Treatment Systems Prior to the issue of the Subdivision Certificate for each stage, an Outstanding Works Bond for the

	construction, landscaping and implementation of the stormwater pre-treatment is to be lodged with Liverpool City Council. The Outstanding Works bond will be refunded once the stormwater pre-treatment treatment system works have been completed to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council. The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and probity.
179.	(F216) Outstanding Works Bond for Temporary OSD/Stormwater Pre-Treatment Systems Prior to the issue of a Subdivision Certificate for each Stage, a bond shall be lodged with Liverpool City Council for: 1. Decommissioning of any temporary works within public areas, and completion of any new public works. 2. Construction of Street Tree planting within the public roads. It will be retained until the street trees have been planted (after 80% of lots have been developed) to Council's satisfaction. 3. Outstanding works. The value of the bonds shall be determined and administered in accordance with Liverpool City Council's Bond Policy. Prior to the issue of the Subdivision Certificate an Outstanding Works Bond for the decommissioning of any temporary works within public areas shall be lodged with Liverpool City Council. The Outstanding Works bond will be refunded once the temporary works have been decommissioned to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council. The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. Condition reason: To ensure fairness, transparency and probity.
180.	(F217) Outstanding Works Bond for Temporary Access Roads Prior to the issue of a Subdivision Certificate for each Stage a management plan shall be prepared, submitted to and accepted by Liverpool City Council for the decommissioning of any temporary works (such as swale drains, turning areas) demonstrating the means of transitioning to the ultimate scenario. Condition reason: To ensure fairness, transparency and probity.
181.	(F220) Maintenance Bond Prior to the issue of nominate (an Occupation Certificate/ a Subdivision Certificate) a maintenance bond is to be lodged with Liverpool City Council. The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Condition reason: To ensure fairness, transparency and probity.
182.	(F225) Linemarking & Signage Prior to the issue of a Subdivision Certificate for each stage, the installation of regulatory / advisory linemarking and signage, plans are to be completed. Signage and Linemarking plans shall be lodged with Liverpool City Council and approved by the Local Transport Forum (LTF). Condition reason: To ensure fairness, transparency and probity.
183.	(F230) Rectification of Damage Prior to the issue of a Subdivision 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 Heathcote & Pleasure Point Roads, Lillipilli Drive and Willowie Way 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.
184.	(F235) Subdivision Compliance

Prior to the issue of a Subdivision Certificate for each Stage, the following compliance documentation shall be submitted to the Principal Certifier. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifier

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

Condition reason: To ensure fairness, transparency and probity.

185. **(F240) Footpaths**

Prior to the issue of a Subdivision Certificate for each Stage, construction of concrete path as per the approved drawings.

Condition reason: To ensure fairness, transparency and probity.

186. **(F245) Stormwater Compliance**

Prior to the issue of a Subdivision Certificate for each Stage the Principal Certifier shall ensure that the:

- (a) Stormwater systems (including on-site stormwater detention system and pre-treatment system/s
- (b) Overland flow path works
- (c) Flood control works

	(d) Interallotment drainage works 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.
187.	(F250) Restriction as to User and Positive Covenant Prior to the issue of a Subdivision Certificate a restriction as to user and positive covenant relating to the: (a) On-site stormwater detention system/s (b) Stormwater pre-treatment system/s (c) Overland flow path works (d) Flood control works Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works. Condition reason: To ensure fairness, transparency and probity.
188.	(F260) Occupational Hygienist Report for Asbestos removal On completion of the asbestos removal works an Occupational hygienist shall provide documentation in the form of an asbestos clearance certificate to the Principal Certifying Authority. Condition reason: To ensure fairness, transparency and probity.
189.	(F335) Verification of biodiversity management commitments Before the issue of an occupation or subdivision certificate, provide a report prepared by a suitably qualified person verifying that all commitments and harm minimisation measures required by the approved Biodiversity Management Plan (or biodiversity management measures in the Construction Site Management Plan) have been satisfied. Condition reason: To ensure that the required biodiversity management measures to avoid and minimise biodiversity impacts were implemented prior to the issue of an occupation or subdivision certificate
190.	(F407) Repair of infrastructure Before the issue of a Subdivision Certificate for each Stage: - any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or - if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent. Condition reason: To ensure any damage to public infrastructure is rectified.
191.	(F590) Street Lighting in New Subdivisions The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council. Endeavour Energy pole numbers and the date poles were energised are to be submitted to Council's Traffic Management Section prior to submitting OC or SC application. All cost associated with the installation of street lighting shall be borne by the developer. Condition reason: To ensure adequate street lighting is provided for the development.
192.	(F950) Non-Standard Condition - Land Development Engineering Prior to the issue of a Subdivision Certificate for each Stage, all works associated with a S138 Roads Act approval or S68 Local Government Act approval associated with the development works shall be inspected and signed off by Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.

Occupation and Ongoing use

193.	(G150) Ongoing Biodiversity Management Plan
	During ongoing use, all commitments in the approved Biodiversity Management Plan must be met.
	Condition reason: To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during and following the occupation of the site

Land Subdivision Before Issue of an Subdivision Certificate

194.	(F008) Housing and Productivity Contribution								
	Before the issue of a subdivision certificate, the applicant is to make a Housing and Productivity Contribution payment through the NSW Planning Portal.								
	Condition reason: To ensure fairness, transparency and probity.								
195.	(F011) Housing and Productivity Contribution for concept DA including the Stages of development								
	Before the issue of the first subdivision certificate for the relevant residential subdivision Stage, a housing and productivity contribution (HPC) is required to be made for the first stage of the development authorised by this consent, as set out in the table below.								
	Stage 1 -								
	<table border="1"> <thead> <tr> <th>Housing and productivity contribution</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Housing and productivity contribution (base component)</td><td>\$752,527.19</td></tr> <tr> <td>Strategic Biodiversity Component</td><td>-</td></tr> <tr> <td>Total housing and productivity contribution</td><td>\$752,527.19</td></tr> </tbody> </table>	Housing and productivity contribution	Amount	Housing and productivity contribution (base component)	\$752,527.19	Strategic Biodiversity Component	-	Total housing and productivity contribution	\$752,527.19
Housing and productivity contribution	Amount								
Housing and productivity contribution (base component)	\$752,527.19								
Strategic Biodiversity Component	-								
Total housing and productivity contribution	\$752,527.19								
	Stage 2 -								
	<table border="1"> <thead> <tr> <th>Housing and productivity contribution</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Housing and productivity contribution (base component)</td><td>\$467,085.84</td></tr> <tr> <td>Strategic Biodiversity Component</td><td>-</td></tr> <tr> <td>Total housing and productivity contribution</td><td>\$467,085.84</td></tr> </tbody> </table>	Housing and productivity contribution	Amount	Housing and productivity contribution (base component)	\$467,085.84	Strategic Biodiversity Component	-	Total housing and productivity contribution	\$467,085.84
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Strategic Biodiversity Component	-								
Total housing and productivity contribution	\$467,085.84								
	Stage 3 -								
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	Stage 4 -								
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	Stage 5 -								
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Housing and productivity contribution	Amount								
Housing and productivity contribution (base component)	\$856,324.04								
Strategic Biodiversity Component	-								
Total housing and productivity contribution	\$856,324.04								

Stage 6 -

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$648,730.34
Strategic Biodiversity Component	-
Total housing and productivity contribution	\$648,730.34

Stage 7 -

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$518,984.27
Strategic Biodiversity Component	-
Total housing and productivity contribution	\$518,984.27

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.

In addition to the HPC required by this condition, a HPC may be payable for development consent for a stage of development on the site to which this consent relates if such a contribution is otherwise required for that stage of development at the time the development consent for the stage is granted.

A HPC for a stage of development is to be calculated in accordance with the Ministerial planning order that applies to that stage under Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979.

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

196. **(F335) Verification of biodiversity management commitments**

Before the issue of an occupation or subdivision certificate, provide a report prepared by a suitably qualified person verifying that all commitments and harm minimisation measures required by the approved Biodiversity Management Plan (or biodiversity management measures in the Construction Site Management Plan) have been satisfied.

Condition reason: To ensure that the required biodiversity management measures to avoid and minimise biodiversity impacts were implemented prior to the issue of an occupation or subdivision certificate

Demolition Work During Demolition Work

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

All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be

	retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.
	Condition reason: To minimise impacts to adjacent vegetation and habitat.
198.	(D220) Vegetation - Technical Report
	All works and activities shall adhere to the approved Biodiversity Development Assessment Report prepared for the site, including all identified mitigation measures.
	Condition reason: To ensure that the Biodiversity Assessment Report is adhered to.
199.	(D225) Vegetation - Monitoring Report
	All works identified within the approved Vegetation Management Plan shall be implemented by person or persons with appropriate knowledge, qualifications and experience in current best practices of indigenous vegetation rehabilitation and management. The timeframes, actions and works specified within the Vegetation Management Plan shall be adhered to.
	A monitoring report shall be submitted to Council following completion of the primary planting the subject of the Vegetation Management Plan. Following the primary planting phase and submission of the first monitoring report, maintenance relating to the works the subject of the approved Vegetation Management Plan shall be undertaken. Monitoring reports shall be submitted to Council at 6 monthly intervals following primary planting to demonstrate that all Vegetation Management Plan actions have been completed and that performance targets specified within the Vegetation Management Plan have been met.
	Condition reason: To ensure that the Vegetation Management Plan is adhered to.
200.	(D235) Vegetation - Fauna Habitat
	Within the area of land indicated on the approved plans for the development as land avoided for biodiversity, all existing native vegetation and habitat features shall be retained.
	Condition reason: To ensure that impacts to areas to be retained are avoided.
201.	(D245) Vegetation - Rehabilitation
	Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching.
	Condition reason: To ensure that valuable natural resources impacted by the development are utilised.
202.	(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.
203.	(D265) Vegetation Clearing - Fauna Protection
	Prior to the removal of each tree, they shall be examined by a qualified ecologist for the presence of hollows, active nests of birds or fauna. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits.
	Condition reason: To minimise harm caused to fauna during vegetation clearing.
204.	(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.
205.	(D550) Implementation of the Biodiversity Management Plan
	While work is being carried out, the commitments and measures set out in the approved Biodiversity

Management Plan must be implemented at all times. Works must not encroach into areas of retained native vegetation and habitat.

A copy of the approved plan is kept on site at all times and made available to council officers upon request.

Condition reason: To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction

Remediation Work Before Remediation Work Commences

206. (C103) Staged credit requirement conditions for concept development Ecosystem

Ecosystem credit retirement conditions – Stage 1

Before site work commences within the area identified as **Stage 1**:

1. the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 1** must be retired to offset the residual impacts of that stage of the development; and
2. evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 1

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3619-Sydney Hinterland Enriched Sandstone Bloodwood Forest	16	yes	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater.	Credits from the Sydney Hinterland Dry Sclerophyll Forests <50% or higher
			Or	
			From an IBRA subregion within 100km of the outer edge of the impact site	

Ecosystem credit retirement conditions – Stage 2

Before site work commences within the area identified as **Stage 2**:

1. the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 2** must be retired to offset the residual impacts of that stage of the development; and
2. evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 2

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3619-Sydney Hinterland Enriched Sandstone	1	yes	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and	Credits from the Sydney Hinterland Dry Sclerophyll Forests

Ecosystem credit retirement conditions – Stage 3

Before site work commences within the area identified as **Stage 3**:

1. the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 3** must be retired to offset the residual impacts of that stage of the development; and
2. evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 3

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3619-Sydney Hinterland Enriched Sandstone Bloodwood Forest	7	yes	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater. Or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the Sydney Hinterland Dry Sclerophyll Forests <50% or higher

Ecosystem credit retirement conditions – Stage 4A

Before site work commences within the area identified as **Stage 4A**:

1. the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 4A** must be retired to offset the residual impacts of that stage of the development; and
2. evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 4A

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3619-Sydney Hinterland Enriched Sandstone Bloodwood Forest	9	yes	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater. Or From an IBRA subregion within 100km of the outer edge of the impact site.	Credits from the Sydney Hinterland Dry Sclerophyll Forests <50% or higher
4059-Sydney Hinterland Sandy Creekflat Shrub Forest	1	no	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater. Or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the Coastal Floodplain Wetlands >=90% or higher

Ecosystem credit retirement conditions – Stage 4B

Before site work commences within the area identified as **Stage 4B**:

1. the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 4B** must be retired to offset the residual impacts of that stage of the development; and
2. evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 4B

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3619-Sydney Hinterland Enriched Sandstone Bloodwood Forest	7	yes	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater. Or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the Sydney Hinterland Dry Sclerophyll Forests <50% or higher

Ecosystem and species credit retirement conditions – Stage 5

Before site work commences within the area identified as **Stage 5**:

1. the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 5** must be retired to offset the residual impacts of that stage of the development; and
2. the class and number of species credits identified in the table of species credits required to be retired – like-for-like – **Stage 5** must be retired to offset the residual impacts of that stage of the development; and
3. evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 5

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3616-Sydney Hinterland Grey Gum Transition Forest	1	no	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater. Or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the Sydney Hinterland Dry Sclerophyll Forests >=50% and <70% or higher
3619-Sydney Hinterland Enriched Sandstone Bloodwood Forest	6	yes	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater. Or	Credits from the Sydney Hinterland Dry Sclerophyll Forests <50% or higher

			From an IBRA subregion within 100km of the outer edge of the impact site	
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Table of species credits required to be retired – like for like- threatened ecological community – Stage 5

Impacted species credit species	Number of species credits	IBRA subregions from which credits can be used to offset the impacts from development	Species that can be used to offset the impacts from the development
Myotis macropus / Southern Myotis	1	Anywhere in NSW	Myotis macropus / Southern Myotis

Ecosystem credit retirement conditions – Stage 6

Before site work commences within the area identified as **Stage 6**:

- the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 6** must be retired to offset the residual impacts of that stage of the development; and
- evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 6

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3619-Sydney Hinterland Enriched Sandstone Bloodwood Forest	6	yes	Sydney Cataract, Burragorang, Cumberland, Illawarra, Moss Vale and Pittwater. Or From an IBRA subregion within 100km of the outer edge of the impact site	Credits from the Sydney Hinterland Dry Sclerophyll Forests <50% or higher

Ecosystem and species credit retirement conditions – Stage 7

Before site work commences within the area identified as **Stage 7**:

- the class and number of ecosystem credits identified in the table of ecosystem credits required to be retired – like-for-like – non-threatened ecological community – **Stage 7** must be retired to offset the residual impacts of that stage of the development; and
- the class and number of species credits identified in the table of species credits required to be retired – like-for-like – **Stage 7** must be retired to offset the residual impacts of that stage of the development; and
- evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of Ecosystem credits required to be retired – like for like- non-threatened ecological community – Stage 7

Impacted Plant Community Type	Number of Ecosystem Credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development
3619-Sydney	3	yes	Sydney Cataract, Burragorang,	Credits from the Sydney

	Hinterland Enriched Sandstone Bloodwood Forest		Cumberland, Illawarra, Moss Vale and Pittwater. Or From an IBRA subregion within 100km of the outer edge of the impact site	Hinterland Dry Sclerophyll Forests <50% or higher
Table of species credits required to be retired – like for like- threatened ecological community – Stage 7				
	Impacted species credit species	Number of species credits	IBRA subregions from which credits can be used to offset the impacts from development	Species that can be used to offset the impacts from the development
	Myotis macropus / Southern Myotis	1	Anywhere in NSW	Myotis macropus / Southern Myotis
207.	Condition reason: To ensure that species credits are retired (or Biodiversity Conservation Fund payments made) at appropriate stages of the development (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).			
208.	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways. (C126) Environmental Management Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum: - Siltation fencing; - Protection of the public stormwater system; and - Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.			
209.	Condition reason: To ensure fairness, transparency and probity. (C466) Dilapidation report Before any site work commences: - a dilapidation report of all infrastructure fronting the development in Heathcote and Pleasure Point Roads, Lillipilli Drive and Willowie Way is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development. - a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier or Council (where a principal certifier is not required). Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier or Council (where a principal certifier is not required), that all reasonable steps were taken to obtain access to the adjoining properties. No less than 5 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			

Without prejudice draft conditions
council are provided with the dilapidation report.

Without prejudice draft conditions
During Remediation Work

210.	(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.
211.	(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.
212.	(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.
213.	(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.
214.	(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.
215.	(D180) Waste management While site work is being carried out: - all waste management must be undertaken in accordance with the waste management plan; and - upon disposal of waste, records of the disposal must be compiled and provided to principal certifier, detailing the following: - The contact details of the person(s) who removed the waste; The - waste carrier vehicle registration; - The date and time of waste collection; - A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; - The address of the disposal location(s) where the waste was taken; - The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.

	Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
216.	(D205) Vegetation - Existing Vegetation All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas. Condition reason: To minimise impacts to adjacent vegetation and habitat.
217.	(D220) Vegetation - Technical Report All works and activities shall adhere to the approved Biodiversity Development Assessment Report prepared for the site, including all identified mitigation measures. Condition reason: To ensure that the Biodiversity Assessment Report is adhered to.
218.	(D225) Vegetation - Monitoring Report All works identified within the approved Vegetation Management Plan shall be implemented by person or persons with appropriate knowledge, qualifications and experience in current best practices of indigenous vegetation rehabilitation and management. The timeframes, actions and works specified within the Vegetation Management Plan shall be adhered to. A monitoring report shall be submitted to Council following completion of the primary planting the subject of the Vegetation Management Plan. Following the primary planting phase and submission of the first monitoring report, maintenance relating to the works the subject of the approved Vegetation Management Plan shall be undertaken. Monitoring reports shall be submitted to Council at 6 monthly intervals following primary planting to demonstrate that all Vegetation Management Plan actions have been completed and that performance targets specified within the Vegetation Management Plan have been met. Condition reason: To ensure that the Vegetation Management Plan is adhered to.
219.	(D235) Vegetation - Fauna Habitat Within the area of land indicated on the approved plans for the development as land avoided for biodiversity, all existing native vegetation and habitat features shall be retained. Condition reason: To ensure that impacts to areas to be retained are avoided.
220.	(D245) Vegetation - Rehabilitation Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching. Condition reason: To ensure that valuable natural resources impacted by the development are utilised.
221.	(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.
222.	(D265) Vegetation Clearing - Fauna Protection Prior to the removal of each tree, they shall be examined by a qualified ecologist for the presence of hollows, active nests of birds or fauna. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits. Condition reason: To minimise harm caused to fauna during vegetation clearing.
223.	(D280) Fauna Protection

	To minimise the risk of fauna entrapment, digging and trenching shall be undertaken and completed on the same day where possible. If holes, pits, trenches, or other cavities must be left overnight, they will all be covered with secure boards to ensure that fauna does not get trapped. Before commencing work each day, all excavated areas will be inspected and if fauna is encountered a licenced ecologist or wildlife handler will be utilised to safely remove the trapped fauna and relocate it to a suitable location. Works can continue when the fauna has been safely removed. Condition reason: To minimise harm caused to fauna during excavation.
224.	(D300) Fencing Any gate associated with a front fence shall swing inwards from the property boundary. Condition reason: To preserve pedestrian and vehicle safety in the vicinity of the site.
225.	(D425) Site Remediation Works The site must be remediated in accordance with: - Remediation Action Plan "Remedial Action Plan Property Lot 1 in DP875804 & Lot 2 in DP817692 Pleasure Point, NSW" (Ref: D250045 Rev: 1.2) prepared by J. Gross and reviewed by R. Case dated 18th February 2025; - State Environmental Planning Policy (Resilience and Hazards) 2021; - National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013); and - The guidelines in force under the Contaminated Land Management Act 1997. A suitably qualified environmental consultant must be engaged to supervise all aspects of site remediation and validation works in accordance with the approved Remediation Action Plan. Liverpool City Council must be informed in writing of any proposed variation to the remediation works. Liverpool City Council must approve these variations in writing prior to commencement/ recommencement of works. Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme. Condition reason: To ensure the suitability of land for the proposed development.
226.	(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: - 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. - 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.
227.	(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.
228.	(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.
229.	(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.
230.	(D550) Implementation of the Biodiversity Management Plan While work is being carried out, the commitments and measures set out in the approved Biodiversity Management Plan must be implemented at all times. Works must not encroach into areas of retained native vegetation and habitat. A copy of the approved plan is kept on site at all times and made available to council officers upon request. Condition reason: To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works, demolition and construction
231.	(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.
232.	(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.
233.	(D560) Erosion Control Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation. Condition reason: To ensure the required site management measures are implemented during construction.
234.	(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.

235.	(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.
236.	(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.
237.	(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.
238.	(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.
239.	(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 under the Construction Environmental Management Plan. Condition reason: To protect the amenity of the neighbourhood during construction.
240.	(D660) Construction Noise and Vibration Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006). All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP). Condition reason: To protect the amenity of the neighbourhood during construction.

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.

DRAFT

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.