

Without prejudice draft conditions
General Conditions

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

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

Approved plans

Plan number	Revision number	Plan title	Drawn by	Date of plan
SK1C.02	J	Site Plan	07/02/25	Marathon Modular
SK1C.02.5	J	Demolition Plan - Ground Floor	07/02/25	Marathon Modular
SK1C02.6	J	Demolition Plan - First Floor	07/02/25	Marathon Modular
SK1C.03	J	Ground Floor Plan	07/02/25	Marathon Modular
SK1C.04	J	First Floor Plan	07/02/25	Marathon Modular
SK1C.05	J	Roof Plan	07/02/25	Marathon Modular
SK1C.06	J	Elevation 1	07/02/25	Marathon Modular
SK1C.07	J	Elevation 2	07/02/25	Marathon Modular
SK1C.09	J	Sections	07/02/25	Marathon Modular
LDA100	2	Landscape Plan	20/03/2025	Studio 151 Landscape Architecture
LDA200	1	Planting Palette	20/03/2025	Studio 151 Landscape Architecture

Approved documents

Document title	Version number	Prepared by	Date of document
Acoustics Report	4	Northrop	22 August 2025
Building Code of Australia Compliance Statement	P240185	Anthony Protas Consulting Pty Ltd	16 October 2024
Bush Fire Assessment	BR-848324-A	Bushfire Planning & Design	17/10/2024
Chemical Safety Management Plan - Science	-	William Carey Christian School	August 2025
Disability Access Compliance Statement	Rev2	Urban Pathways Pty Ltd	4 February 2025
Fire Engineering Concept Design Report	B	LOTE Consulting	23/10/2024
William Carey Christian School Stage 2 Development Flood Impact Assessment	1	Stantec	14 October 2024
Flood Emergency Response Plan - Stage 2 Development, William Carey Christian School	1A	Stantec	14/10/2024
Geotechnical Investigation	36929PErpt	JKGeotechnics	24 September 2024
NCC2022 Section J Design Intent Statement J4-J9	-	Building Sustainability Assessments	2024-10-03
Waste Management Plan	-	-	-

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

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

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

2. (A003) Payment of development contributions

Payment of section 7.11 contributions

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

Facilities	Amount (\$)	Job No.
District Drainage - Land	\$9,617	GL.10000001866.10042
District Drainage - Works	\$1,156	GL.10000001866.10042
Local Trunk Drainage - Prestons West - Land	\$3,495	GL.10000001866.10046
Local Trunk Drainage - Prestons West - Works	\$3,899	GL.10000001866.10046
Streetscape - Land	\$1,249	GL.10000001871.10074
Streetscape - Works	\$250	GL.10000001871.10074
Administration	\$461	GL.10000001872.10073
Professional and Legal Fees	\$533	GL.10000001872.10072

The total contribution payable to Council under this condition is \$20,660 as calculated at the date of this consent, in accordance with Liverpool Contributions Plan 2009.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Liverpool Contributions Plan 2009.

A copy of the development contributions plan is available for inspection at
<https://www.liverpool.nsw.gov.au/trim/documents?RecordNumber=107975.2020-014>.

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

3. (A015) General Terms of Approval

All General Terms of Approval issued by NSW Rural Fire Service and NSW Department of Planning and Environment-Water, shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated 31 July 2025 and 28 August 2025 respectively. A copy of the General Terms of Approval are attached to this decision notice.

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

4. (A025) Comply with EP&A Act

The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2021, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

Condition reason: This condition is imposed to ensure compliance with legislative requirements.

5. (A032) Shoring and adequacy of adjoining property

1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.
2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense—
 1. protect and support the building, structure or work on adjoining land from possible damage

- from the excavation, and
- 2. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.
- 3. This section does not apply if—
 - 1. the person having the benefit of the development consent owns the adjoining land, or
 - 2. the owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.

6. (A040) Compliance with the Building Code of Australia

- 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the *Building Code of Australia*.
- 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 *Home Building Act 1989*, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
- 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 *Building Code of Australia*.
- 4. In subsection (1), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply—
 - 1. to the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
 - 2. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

7. (A050) Works at no cost to Council

All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council.

Condition reason: To ensure fairness, transparency and probity.

8. (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.

Building Work

Before Issue of a Construction Certificate

9. (B010) Design amendments

Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

1. Landscape planting is to be amended to replace *species 1* and *species 2* with plants that are not toxic or spiky and which are native to the Liverpool area. It is recommended that species be selected from Appendix 2 of Part 1 of the DCP.

Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

10. (B075) Fee Payments

Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. The following fees are applicable and payable:

- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
- (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.

These fees are reviewed annually and will be calculated accordingly.

Condition reason: To ensure statutory or associated fees are paid prior to construction commencing.

11. (B081) Site Development Work

Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a CC has been issued.

Condition reason: To prevent unauthorised commencement of building works.

12. (B112) Notification

In the event that Council is not the Principal Certifier (PC), the PC must advise Council, in writing of:

- (a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
- (b) The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contact is entered into for the work to be done by a different licensee, Council must be immediately informed.

Condition reason: To advise Council of the details of licensed contractors or owner-builder for the approved development.

13. (B116) Products banned under the Building Products (Safety) Act 2017

No building products that are banned, or products that are subject to a ban if used in a particular way under the Building Products (Safety) Act 2017 are to be used in the construction of the development.

Condition reason: To ensure no banned products are used for a building's external cladding.

14. (B120) Cladding

Prior to issue of a construction certificate the certifier must be satisfied that all proposed attachments, cladding material and systems forming part of external walls comply with the BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2G2 of BCA Volume 1 for all products/systems proposed.

Condition reason: To ensure that the external cladding installed on a building is compliant.

15. (B125) Erosion and sediment control plan

Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to 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.

16. (B162) Recommendations of Acoustic Report

Before the issue of a construction certificate, the certifier must be satisfied that the recommendations provided in the approved acoustic report are implemented and incorporated into the design and construction of the development, and shown on plans accompanying the construction certificate application.

The construction methodology and plans accompanying the construction certificate application must be assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned acoustic report. The written certification from the suitably qualified acoustic consultant must be submitted to and approved by the certifier before issue of the construction certificate.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Condition reason: To mitigate potential intrusive noise and amenity impacts.

17. (B360) Construction Environmental Management Plan (CEMP)

Prior to issue of a construction certificate, a Construction Environmental Management Plan (CEMP) for the development must be provided to the Principal Certifying Authority for approval. The environmental site management measures must remain in place and be maintained throughout the period of the development. The CEMP must address all environmental aspects of the development's construction phases, and include (where relevant), but not be limited to, the following:

1. Asbestos Management Plan;
2. Project Contact Information;
3. Site Security Details;
4. Timing and Sequencing Information;
5. Site Soil and Water Management Plan;
6. Noise and Vibration Control Plan;
7. Dust Control Plan;
8. Air Monitoring;
9. Odour Control Plan;
10. Health and Safety Plan;
11. Waste Management Plan;
12. Incident management Contingency; and
13. Unexpected Finds Protocol.

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

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

18. (B361) Construction Site Management Plan

Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the principal certifier. The plan must include the following matters:

1. The location and materials for protective fencing and hoardings on the perimeter of the site;
2. Provisions for public safety;
3. Pedestrian and vehicular site access points and construction activity zones;
4. Details of construction traffic management including:
 - 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.

19. (B380) Mechanical Plant and Equipment

Before the issue of a construction certificate, the certifier must be satisfied that mechanical plant and equipment were selected in consultation with a suitably qualified acoustic consultant in accordance with the recommendations of the approved acoustic report.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Condition reason: To mitigate potential intrusive noise and amenity impacts.

20. (B456) On-Site Detention

On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, [prepared by Birzulis, reference number 241023, revision P2, dated 21-03-2025](#)

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

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

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

Condition reason: To ensure fairness, transparency and probity.

21. (B462) Water Quality

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

The Construction Certificate must be supported by:

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

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

Condition reason: To ensure fairness, transparency and probity.

22. (B532) Waste Management Plan requirements

Before the issue of a Subdivision Work Certificate, a waste management plan for the development must

be prepared and provided to the principal certifier. The plan must be prepared in accordance with

1. the Environment Protection Authority's Waste Classification Guidelines as in force from time to time; and
2. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out; and
3. include the following information -
 - the contact details of the person removing waste;
 - an estimate of the type and quantity of waste;
 - whether waste is expected to be reused, recycled or sent to landfill;
 - the address of the disposal location for waste.

A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.

Condition reason: To ensure resource recovery is promoted and local amenity protected during construction.

23. (B950) Non-Standard Condition - Flooding

1. On-site stormwater treatment measures must be provided to ensure that runoff from the development complies with Council's water quality standards. These measures must be capable of capturing gross pollutants and liquid contaminants before discharge to downstream systems. The treatment system must be designed using MUSIC modelling software, and its performance verified using Council's MUSIC Link.
2. An electronic copy of the MUSIC model file must be submitted to Council for detailed assessment and verification.

Condition reason: To ensure fairness, transparency and probity.

Before Building Work Commences

24. (C005) Construction Certificates

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

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

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

25. (C010) Construction Certificates

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

Condition reason: To ensure details and plans for CC are consistent with the approved DA.

26. (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.

27. (C065) Sydney Water

Development plans must be processed and approved by Sydney Water.

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

28. (C070) "DIAL BEFORE YOU DIG"

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Condition reason: To ensure building works do not impact local underground assets.

29. (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 stabilised 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.

30. (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.

During Building Work

31. (D005) Building Work

The building works must be inspected by the Principal Certifier (PC), in accordance with Sections 6.5 of the Environmental Planning & Assessment Act 1979, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

Condition reason: To require stage inspection and approval by the PC in accordance with EP & A Regulation clause 162A.

32. (D010) Building Work

The Principal Certifier (PC) must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the PC, prior to proceeding to the subsequent stages of construction or finalisation of the works.

Condition reason: To require approval to proceed with building work following each critical stage inspection.

33. (D015) Surveys by a registered surveyor

While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:

	Without prejudice draft conditions
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.
34.	<p>(D045) Hours of work</p> <p>Site work must only be carried out between the following times –</p> <p>From 7am to 6pm on Monday to Friday</p> <p>From 8am to 1pm on Saturday</p> <p>Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
35.	<p>(D055) Refuse Disposal</p> <p>Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.</p> <p>Condition reason: To ensure the required site management measures are implemented during construction.</p>
36.	<p>(D061) Craning and Hoardings</p> <p>Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements.</p> <p>Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
37.	<p>(D063) Craning and Hoardings</p> <p>If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public or road reserve area, a separate Road Occupancy Certificate and/or Hoarding approval must be obtained from Liverpool City Council prior to undertaking the works.</p> <p>Condition reason: To ensure the required traffic management measures are implemented during construction.</p>
38.	<p>(D070) Notification of Damage</p> <p>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.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified.</p>
39.	<p>(D096) Disabled Access</p> <p>Access, parking and facilities for persons with disabilities to be provided in accordance with the provisions of the National Construction Code (NCC/BCA).</p> <p>Condition reason: To require any new building, part of a building and the affected part of the existing building to comply with the Premises Standards, National Construction Code (NCC/BCA) and Australian Standard.</p>
40.	<p>(D115) General Site Works - Existing Hydrology</p> <p>Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site.</p> <p>Condition reason: To minimise impacts to adjacent vegetation and habitat.</p>
41.	<p>(D120) General Site Works - Runoff</p> <p>Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and</p>

of a similar rate of flow to present levels.

Condition reason: To minimise impacts to adjacent vegetation and habitat.

42. (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.

43. (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.

44. (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.

45. (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.

46. (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.

47. (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.

48. (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.

49. (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.

50. (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.

51. (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.

52. (D340) Glass Reflectivity

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

Condition reason: To restrict the reflection of sunlight from buildings to surrounding areas and buildings.

53. (D345) Air Conditioning Plant

The plant associated with any air conditioning system is to be located a minimum of 3 metres from any property boundary, to the satisfaction of the Principle Certifier.

Condition reason: To protect the amenity of the neighbourhood.

54. (D426) Soil management

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

1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.
2. All fill material imported to the site must be:
 1. Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*; or
 2. a material identified as being subject to a resource recovery exemption by the NSW EPA;

or

3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* 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.

55. **(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.

56. **(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.

57. **(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.

58. **(D480) Acoustic Report**

The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development.

Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.

59. **(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.

60. **(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.

61. **(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 it shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.

Condition reason: To ensure the required site management measures are implemented during

construction.

62. (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.

63. (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.

64. (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.

65. (D578) Ventilation

The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2).

Condition reason: To ensure fairness, transparency and probity.

66. (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 *Heritage Act 1977*

Condition reason: To ensure fairness, transparency and probity.

67. (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.

68. (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.

69.	<p>(D600) Correct waste separation and removal</p> <p>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.</p>
70.	<p>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.</p> <p>(D605) Containment of site wastes during building</p> <p>All demolition, excavation or construction wastes, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent them from becoming displaced in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.</p> <p>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.</p>
71.	<p>(D650) Noise and vibration - an approved document of this consent</p> <p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved Acoustic report.</p> <p>Condition reason: To protect the amenity of the neighbourhood during construction.</p>
72.	<p>(D666) Record Keeping of Imported Fill</p> <p>Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:</p> <ol style="list-style-type: none"> 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. <p>Condition reason: To ensure fairness, transparency and probity.</p>
Before Issue of an Occupation Certificate	
73.	<p>(E003) Works-as-executed plans and any other documentary evidence</p> <p>Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> 1. All stormwater drainage systems and storage systems; and <p>Condition reason: To confirm the location of works once constructed that will become council assets.</p>
74.	<p>(E005) Certificates</p> <p>The premises must not be occupied until an Occupation Certificate (OC) is issued by the certifier. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.</p> <p>Condition reason: To ensure the development is in accordance with the approval and the use meets health, safety and amenity provisions.</p>
75.	<p>(E009) Clause 64 Upgrade works</p> <p>In accordance with Clause 64 of the Environmental Planning and Assessment Regulation 2021, the levels of fire and safety within the existing building are to be upgraded and the following measures are to be implemented prior to issuing an occupation certificate for the new building or part:</p> <ol style="list-style-type: none"> (a) The minimum fire-resistance levels of all building elements in the existing two-storey building (Block G) located within 18 metres of the proposed development must comply with the requirements of Clauses C2D2 and S5C21 of the <i>Building Code of Australia, Volume 1</i>

(Amendment 1).

Alternatively, the above requirements may be addressed by a Performance Solution by the nominated Principal Certifier.

Condition reason: To enable Council to require fire safety upgrade works in accordance with Clause 64 of the Environmental Planning and Assessment Regulation 2021.

76. (E010) Certificates

All required documentary evidence for the critical stage inspections carried out prior, during and at the completion of construction, must be submitted to Council together with the required registration fee payment.

Condition reason: To ensure the use meets health, safety and amenity provisions.

77. (E020) Acoustic Report

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

Condition reason: To ensure the use meets health and amenity provisions to occupants and/or neighbouring properties.

78. (E026) Removal of Waste Upon Completion

Before the issue of an Occupation Certificate:

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

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

79. (E037) Liverpool City Council clearance - Roads Act/ Local Government Act

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.

Condition reason: To ensure fairness, transparency and probity.

80. (E064) Completion of landscape and tree works

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

Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).

81. (E106) Recommendations of Acoustic Report

Upon completion of works and before the issue of any occupation certificate, written certification prepared by a suitably qualified acoustic consultant must be submitted to and approved by the certifier. The written certification prepared by the suitably qualified acoustic consultant must confirm that the development complies with all requirements and recommendations detailed within the approved acoustic report titled William Carey Christian College Acoustics report, **report reference IB241922-00-AU-RP02, Rev 4, prepared by Northrop dated 22 August 2025**. The acoustic consultant must confirm that the development or use is capable of operating in accordance with the design criteria.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Condition reason: To mitigate potential acoustic impacts by ensuring that the development or use complies with the specified design criteria.

82. (E250) Mechanical Ventilation Certification

Upon completion of works and before the issue of any occupation certificate, a Mechanical Ventilation Certificate of Completion and Performance prepared by a professional engineer or other suitably qualified person must be submitted to certifier for their review and approval. The certification must be

accompanied by details of the tests carried out in relation to ventilation and acoustics and confirm that the systems comply with the approved plans, specifications, Building Code of Australia and Australian Standard AS 1668 Parts 1 and 2.

Condition reason: To facilitate compliance with legislative requirements.

83. (E404) Restriction as to User and Positive Covenant

Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the following shall be registered on the title of the property:

- (a) On-site detention system/s,
- (b) Stormwater pre-treatment system/s

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.

84. (E408) Rectification of Damage

Prior to the issue of an Occupation Certificate, any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council.

Any rectification works within **Bumbera Street** will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

Condition reason: To ensure fairness, transparency and probity.

85. (E436) Dilapidation Report

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

Condition reason: To ensure fairness, transparency and probity.

Occupation and Ongoing use

86. (G050) Goods in Building

All materials and goods associated with the use shall be contained within the building at all times.

Condition reason: To ensure all materials and goods associated with the use are appropriately stored.

87. (G060) Graffiti

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

Condition reason: To protect and preserve the visual amenity of the surrounding public domain

88. (G065) Unreasonable Noise and Vibration

The use of the premises and/or machinery equipment installed must not give rise to offensive noise so as to interfere with the amenity of the neighbouring properties.

Should an offensive noise complaint be received and verified by Liverpool City Council, an acoustic assessment must be undertaken by a suitably qualified acoustic consultant and a report must be submitted to Liverpool City Council for review upon request. Any noise attenuation recommendations approved by Liverpool City Council must be fully implemented and verified in writing by a suitably qualified acoustic consultant.

Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Condition reason: To mitigate potential offensive noise and amenity impacts.

89. (G100) Waste Collection and Management

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

Condition reason: To mitigate potential risks to human health and the environment.

90. **(G165) Storage of Flammable and Combustible Liquids**

Flammable and combustible liquids must be stored in accordance with AS 1940:2017 – The Storage and Handling of Flammable and Combustible Liquids.

Condition reason: To promote safety of persons and prevent damage to property and the environment.

91. **(G170) Storage and Handling of Corrosive Substances**

Corrosive Substances must be stored and handled in accordance with AS 3780-2008 The Storage and Handling of Corrosive Substances.

Condition reason: To promote safe storage and handling of corrosive substances.

92. **(G345) Lighting**

Illumination of the site must be arranged in accordance with the requirements and specifications of AS 4282:2019 - Control of obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby premises.

Condition reason: To mitigate potential lighting impacts and protect the amenity of the surrounding area.

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

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

Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.

94. **(G370) Use of building intruder alarm/s**

Any building intruder alarm/s associated with the development must only be permitted to operate in accordance with Clause 42 of the Protection of the Environment Operations (Noise Control) Regulation 2017.

Condition reason: To mitigate potential acoustic impacts and facilitate compliance with legislative requirements.

95. **(G390) Noise - General**

Noise associated with the use of the premises, including mechanical plant and equipment, must not give rise to any one or more of the following:

- (a) The use of the premises including the cumulative operation of any mechanical plant, equipment, public address system or other amplified sound equipment must not give rise to the emission of 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.
- (b) The operation of any mechanical plant, equipment, public address system or other amplified sound equipment installed on the premises must not cause:
 - i. The emission of noise as measured over a 15 minute period (LAeq (15 minute)) that exceeds the LA90 (15 minute) background noise level by more than 5 dB(A) when measured at the most affected residential boundary. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the NSW Environment Protection Authority's 'Noise Policy for Industry' (2017);
 - ii. An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors;
 - iii. 'offensive noise' as defined by the Protection of the Environment Operations Act 1997; and
 - iv. Transmission of vibration to any place of different occupancy greater than specified in AS 2670.

Condition reason: To mitigate potential intrusive noise and amenity impacts.	
96.	<p>(G393) Acoustic Report</p> <p>An acoustic report prepared by a suitably qualified acoustic consultant must be submitted to Liverpool City Council for its assessment and approval within three (3) months of occupation/completion of the development. The report must include but not be limited to the following information:</p> <ul style="list-style-type: none"> (a) Noise measurements taken during a time of peak occupation at the most affected noise sensitive locations as indicated in the approved acoustic report titled William Carey Christian College Acoustics report, report reference IB241922-00-AU-RP01, Rev 4 prepared by Northrop dated 22 Aug 2025; (b) Verification that noise levels at the most affected receivers comply with all relevant assessment criteria detailed in the abovementioned report; (c) All complaints received from local residents in relation to the operation of the premises/development; and (d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations must be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria. <p>Following written approval from Liverpool City Council, recommendations provided under point d) above must be implemented fully.</p> <p>Note: The 'suitably qualified acoustic consultant' must be a member of the Australian Acoustical Society or employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.</p> <p>Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.</p>
97.	<p>(G395) Managing noise</p> <p>During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent.</p> <p>Condition reason: To protect the amenity of the local area</p>
98.	<p>(G400) Environment</p> <p>The use of the premises must not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities that are a nuisance, injurious or prejudicial to health.</p> <p>Condition reason: To mitigate potential risks to human health and the environment.</p>
99.	<p>(G402) Air Handling System</p> <p>Any liquid discharge from the air handling system resulting from the operation, maintenance and/or cleaning operations are to be disposed of into the sewer system. Discharge into the stormwater disposal system is not permitted.</p> <p>Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
100.	<p>(G950) Non-Standard Condition - Environmental Health</p> <p>The use and operation of the science laboratory must comply with the Chemical Management plan at all times.</p> <p>Condition reason: To ensure fairness, transparency and probity.</p>

Demolition Work Before Demolition Work Commences

101.	<p>(C040) Demolition Works</p> <p>Demolition works shall be carried out in accordance with the following:</p> <ul style="list-style-type: none"> (a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures,
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	<p style="text-align: center;">Without prejudice draft conditions</p> <p>prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.</p> <p>(b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.</p> <p>(c) The handling or removal of any asbestos product from the building/site must be carried out by a SafeWork NSW licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with SafeWork NSW requirements.</p>
	<p>Condition reason: To ensure that the demolition of buildings is carried out without impacting on public and environmental safety.</p>
102.	<p>(C044) Hazardous material survey before demolition</p> <p>Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences.</p> <p>Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint.</p> <p>The report must include at least the following information:</p> <ol style="list-style-type: none"> 1. the location of all hazardous material throughout the site 2. a description of the hazardous material 3. the form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust 4. an estimation of the quantity of each hazardous material by volume, number, surface area or weight 5. a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials 6. identification of the disposal sites to which the hazardous materials will be taken
	<p>Condition reason: To require a plan for safely managing hazardous materials</p>
103.	<p>(C055) Site Facilities</p> <p>Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.</p> <p>Condition reason: To ensure the required site management measures are implemented before the commencement of building work.</p>
104.	<p>(C117) Erosion and sediment controls in place</p> <p>Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
105.	<p>(C126) Environmental Management</p> <p>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:</p> <ol style="list-style-type: none"> 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. <p>Condition reason: To ensure fairness, transparency and probity.</p>

During Demolition Work

106.	(D045) Hours of work
	<p>Site work must only be carried out between the following times –</p> <p>From 7am to 6pm on Monday to Friday</p> <p>From 8am to 1pm on Saturday</p> <p>Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p>
	Condition reason: To protect the amenity of the surrounding area.
107.	(D049) Security Fence
	<p>A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.</p> <p>Note: Fencing is not to be located on Council's reserve area.</p>
	Condition reason: To ensure the required site management measures are implemented during construction.
108.	(D055) Refuse Disposal
	<p>Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.</p>
	Condition reason: To ensure the required site management measures are implemented during construction.
109.	(D076) Handling of asbestos during demolition
	<p>While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:</p> <ol style="list-style-type: none"> 1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material; 2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and 3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.
	Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally
110.	(D130) Removal of dangerous and/or hazardous waste
	<p>All dangerous and/or hazardous material must be removed by a suitably qualified and experienced contractor licensed by SafeWork NSW. The removal of such material must be carried out in accordance with the requirements of SafeWork NSW and the material must be transported and disposed of in accordance with NSW Environment Protection Authority requirements.</p>
	Condition reason: To ensure safe removal and disposal of dangerous and/or hazardous material.
111.	(D180) Waste management
	<p>While site work is being carried out:</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> • 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.

112. **(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.

113. **(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.

114. **(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.

115. **(D426) Soil management**

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

1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.
2. All fill material imported to the site must be:
 1. Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*; or
 2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or
 3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* 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.

116. (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.

117. (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.

118. (D480) Acoustic Report

The construction requirements recommended in the approved acoustic report are to be implemented by the consent holder during the construction of the development.

Condition reason: To ensure human health and amenity is maintained by ensuring the development is not impacted by noise.

119. (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.

120. (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.

121. (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 it shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.

Condition reason: To ensure the required site management measures are implemented during construction.

122. (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.

123. (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.

124. **(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 Envioline 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.

125. **(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.

126. **(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.

127. **(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 Acoustic report.

Condition reason: To protect the amenity of the neighbourhood during construction.

General advisory notes

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

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

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

Dictionary

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

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

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

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

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

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

Council means LIVERPOOL CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means LIVERPOOL LOCAL PLANNING PANEL.

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

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

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

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

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

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

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

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

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