



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-21/2025 PAN-502468
Applicant	BUILT DEVELOPMENT GROUP PTY LTD 4/185 CLARENCE ST SYDNEY NSW 2000
Description of development	Stratum subdivision of the site to create the following stratum lots: - Lot 1: Council stratum lot; - Lot 2: Developer hotel stratum; and - Lot 3: Developer commercial stratum lot
Property	CIVIC PLACE 40-52 SCOTT STREET LIVERPOOL NSW 2170 LOT 1 DP 1293937
Determination:	Consent Authority -
Date of determination	7/04/2025
Date from which the consent operates	7/04/2025
Date on which the consent lapses	7/04/2030

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

Reasons for approval

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

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

Rights to appeal

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

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

Peer review (Authorising Officer) sign-off is incomplete

sign-off is incomplete

Person on behalf of the consent authority

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

Terms and Reasons for Conditions

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

General Conditions

1.	(A950) Consistency with the approved DA's on the site (DA-836/2020 and DA-1080/2020) - Traffic and Transport		
	The DA is to be consistent with the traffic and parking related conditions in the approved DA-836/2020 (Phase A) and DA-1080/2020 (Phase B), which relate to each approved component of the Liverpool Civic Place development.		
	Condition reason: To ensure fairness, transparency and probity.		
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.		
	Approved plans		
	Reference	Drawing Title	Date & Issue Prepared by
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Basement Level 4	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Basement Level 3	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Basement Level 2	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Basement Level 1	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Lower Ground Level	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Upper Ground Level (L1)	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Typical Podium Level (L2 – L4)	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Typical Tower Level (L5 – L6)	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Level 7	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Level 8	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Level 9 – 19	20 March 2025, Issue 15 David John Carey
	Plan of Proposed Subdivision of Lot 1 DP 1293937	Level 20	20 March 2025, Issue 15 David John Carey

Plan of Proposed Subdivision of Lot 1 DP 1293937	Level 21	20 March 2025, Issue 15	David John Carey
Plan of Proposed Subdivision of Lot 1 DP 1293937	Roof Level & Above	20 March 2025, Issue 15	David John Carey
Plan of Proposed Subdivision of Lot 1 DP 1293937	Section A – A	20 March 2025, Issue 15	David John Carey
Plan of Proposed Subdivision of Lot 1 DP 1293937	Section B – B	20 March 2025, Issue 15	David John Carey
Plan of Proposed Subdivision of Lot 1 DP 1293937	Section C –C	20 March 2025, Issue 15	David John Carey
-	Liverpool Civic Place Isometric Context Model	Undated Doc Number: 003 Revision: 01	Built Capital Group

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.

Strata Subdivision Before Issue of a Strata Certificate

3.	(F015) Linen Plans and 88B Instruments
	In order to enable a Subdivision Certificate to be issued for submission to the LPI Service, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument (where proposed).
	Condition reason: To ensure fairness, transparency and probity.
4.	(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.
5.	(F030) Linen Plans and 88B Instruments
	The final plan of subdivision must be supported by an 88B Instrument, approved by Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Council's standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.
	Condition reason: To ensure fairness, transparency and probity.
6.	(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.
7.	(F950) Subdivision Certificate

	A separate application must be made to Council to obtain the approval of the plan of subdivision and issue of a Subdivision Certificate under Section 6.15 of the <i>Environmental Planning and Assessment Act 1979</i>. Condition reason: To ensure fairness, transparency and probity.
8.	(F951) Building Management Statement The Finalisation of a Building Management Statement is to be submitted to and approved by Council, prior to the issue of a Subdivision Certificate. Condition reason: To ensure fairness, transparency and probity.
9.	(F952) 8. Registration of Easement relating to approved Phase B Parking and End of Trip Facilities Prior to the issue of a subdivision certificate, revised subdivision plans are required to be submitted to and approved by Council, documenting an easement to be created over the Phase B basement levels, pursuant to Section 88B of the <i>Conveyancing Act 1919</i>, with the Council being the authority to release, vary or modify the easement. Appropriate access to and use of the Phase B basement car, bicycle, motorcycle parking provisions and end of trip facilities is to be provided for the Lot 2 Hotel development and the Lot 3 Commercial office development, as agreed to by Council. Condition reason: To ensure fairness, transparency and probity.
10.	(F953) Floor Space Ratio Restriction A documentary restriction on the use of land must be placed on the Titles of all of the lots in this subdivision pursuant to Section 88B of the <i>Conveyancing Act 1919</i>, created appurtenant to Council, in terms to the satisfaction of Council. The restriction is to limit the total Gross Floor Area of the components of the buildings occupying all lots in the subdivision, taken together, to be no more than that permissible for the entire site by the approvals for Phase A (under DA-836/2020) and Phase B (DA-1080/2020) or by the relevant Environmental Planning Instrument in existence at the time (whichever is the greater), with Council being the authority to release, vary or modify the restriction. Condition reason: To ensure fairness, transparency and probity.

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.