

LOCAL PLANNING PANEL AGENDA

24 November 2025

MS TEAMS

LIVERPOOL
CITY
COUNCIL



MATTERS FOR THE LOCAL PLANNING PANEL'S DETERMINATION

Monday, 24 November 2025

MS TEAMS

To commence at **11:00 AM**

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Submissions by the applicant and concerned parties will be considered at the meeting. A concerned party is deemed to be a person who has made a written submission in respect to the application. The Panel shall, upon request, hear submissions from persons who identify prior to a meeting that they wish to make a submission to be considered by the Panel. Presentations to the Panel by the applicant and concerned parties shall be restricted to **3 minutes each**. The Panel Chairperson has the discretion to extend the period if considered appropriate.

Should you wish to address the Panel, please advise Amanda Merchant, Panel Support Officer on 8711 7712, by 4pm, Thursday 20 November 2025.

For further information relating to the Local Planning Panel please refer to Council's web page:

[Liverpool Local Planning Panel / Liverpool City Council \(nsw.gov.au\)](https://liverpoolcitycouncil.nsw.gov.au/liverpool-local-planning-panel)

ITEM No.	SUBJECT	PAGE No.
1	DEVELOPMENT APPLICATION DA-94/2025 CONSTRUCTION OF A WAREHOUSING SHED WITH ASSOCIATED OFFICE AND STORAGE BUILDINGS, AT-GRADE CAR PARK AND LANDSCAPING ON FUTURE LOT 6 LOT 29 DP 3403 160 GURNER AVENUE, AUSTRAL	4 - 92

Item Number:	ITEM 01
Application Number:	DA-94/2025
Proposed Development:	Construction of a warehousing shed with associated office and storage buildings, at-grade car park and landscaping on future Lot 6
Property Address	160 Gurner Avenue, Austral
Legal Description:	LOT 29 DP 3403
Applicant:	Richard Carfi
Land Owner:	Anvest Holdings Pty Ltd
Cost of Works:	\$8,968,392
Recommendation:	Approval, subject to conditions of consent and by way of a deferred commencement.
Assessing Officer:	Tamim Omar

1 EXECUTIVE SUMMARY

Council has received a Development Application (DA No. 94/2025) seeking consent for the construction of a warehousing shed with associated office and storage buildings, at-grade car park and landscaping on proposed lot 6 of the subdivision as approved under DA-553/2024 at 160 Gurner Avenue, Austral, Lot 29 DP 3403.

The development site is zoned IN2 – Light Industrial pursuant to State Environmental Planning Policy Precincts—Western Parkland City) 2021 – Chapter 3 Sydney Region Growth Centres – Appendix 4 Liverpool Growth Centres Precinct Plan and the proposed development is permissible with consent.

The application (DA-94/2025) was originally lodged with Council on the 11th of March 2025 for the *“Construction and operation of a resource recovery facility. Annual volume of 98,000 tonnes including the installation of a weighbridge, hardstand, office, processing shed, retaining walls and all associated works shown on plan”*. Accordingly, the application was to be referred to the Sydney Western City Planning Panel as a regionally significant development pursuant to Schedule 6, Clause 5 ‘Private infrastructure and community facilities over \$5 million’ of State Environmental Planning Policy (Planning Systems) 2021.

As the application at the time of lodgement was classified as regionally significant development and determined to be designated development, the development application was advertised between 19 March and 18 April 2025 in accordance with the Liverpool City Council Community Engagement Strategy and Community Participation Plan 2022. 91 submissions were received during the public consultation period objecting to the proposal as a resource recovery facility. The key concerns raised by the community relate to environmental and health risks from air and noise pollution, proximity to sensitive uses including residential area

and schools, lack of adequate road infrastructure and traffic impacts, property values, and adverse impacts on community wellbeing.

It is to be noted however that in the course of the assessment of DA-94/2025, the applicant has amended their proposal and changed the proposal from the 'construction and operation of a resource recovery facility' to the construction of a warehousing shed with associated office, storage building, parking and landscaping. Accordingly, the application was renotified from the 16 October to 30 October 2025. 1 submission was received within this period.

The application is referred to the Liverpool Local Planning Panel (LLPP) in accordance with the *Local Planning Panels Direction – Development Applications and Applications to Modify Development Consent, endorsed by the Minister for Planning and Public Spaces on 6 May 2024*, as the development falls in the categories of contentious development as the original application proposal received greater than 10 individual submissions.

Approval of the application is recommended via a *Deferred Commencement Consent*, as the proposed warehouse development is located on proposed Lot 6 of the industrial subdivision as approved under DA-553/2024. Deferred commencement conditions have been included to ensure completion of the parent subdivision works and registration of the lots prior to the subject consent becoming operational.

The application has been assessed pursuant to the provisions of the Environmental Planning and Assessment (EP&A) Act 1979. Based on the assessment of the application, it is recommended that the application be **approved subject to conditions of consent and by way of a deferred commencement**.

2. SITE DESCRIPTION AND LOCALITY

2.1 The locality

The site and the immediate locality in the north-west district of Austral is in the majority currently semi-rural in nature but is zoned primarily R2 – Low Density Residential and IN2 – Light Industrial under SEPP (Precincts—Western Parkland City) 2021).

There are a number of approved and under construction residential subdivision developments in the immediate locality to the north of the site. Additionally, there have been a number of development applications within the IN2 that have been approved, developed and in some instances refused showing that the zone is actively being developed. The site is in the local catchment of Kemps Creek and its tributary. Kemps Creek is itself a tributary of the Hawkesbury River. The site is therefore within the Nepean-Hawkesbury catchment.

The adjoining properties to the development site are detailed in the following table.

North	DA-17/2022 – Approved: Demolition of buildings, de-watering of dams and removal of trees and building rubble. Torrens title subdivision of land into 81 residential lots, construction of roads, drainage, site earthworks and provision of services in two stages. Stage 1: subdivision into 81 residential lots with on-site detention facilities on lots 26,27,38,39 & 75. Stage 2: decommissioning of on-site detention facilities on lots 26,27,38,39 & 75
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	and reinstate as residential lots. The Development Is Identified as Integrated Development requiring approval from the
East	DA-133/2025 – Under assessment: Industrial 2 lot subdivision, demolition of existing buildings and construction of associated roads. A tail out drain is proposed on 160 Gurner Avenue, Austral which will only be required if 160 Gurner Avenue, Austral does not develop prior to this development or if their development is undertaken at the same time as us.
South	DA-975/2022 – Approved: Industrial 2 lot subdivision, demolition of existing buildings and construction of associated roads. A tail out drain is proposed on 160 Gurner Avenue, Austral which will only be required if 160 Gurner Avenue, Austral does not develop prior to this development or if their development is undertaken at the same time as us.
West	A detached rural residential dwelling exists on the site with no recent development applications being lodged.

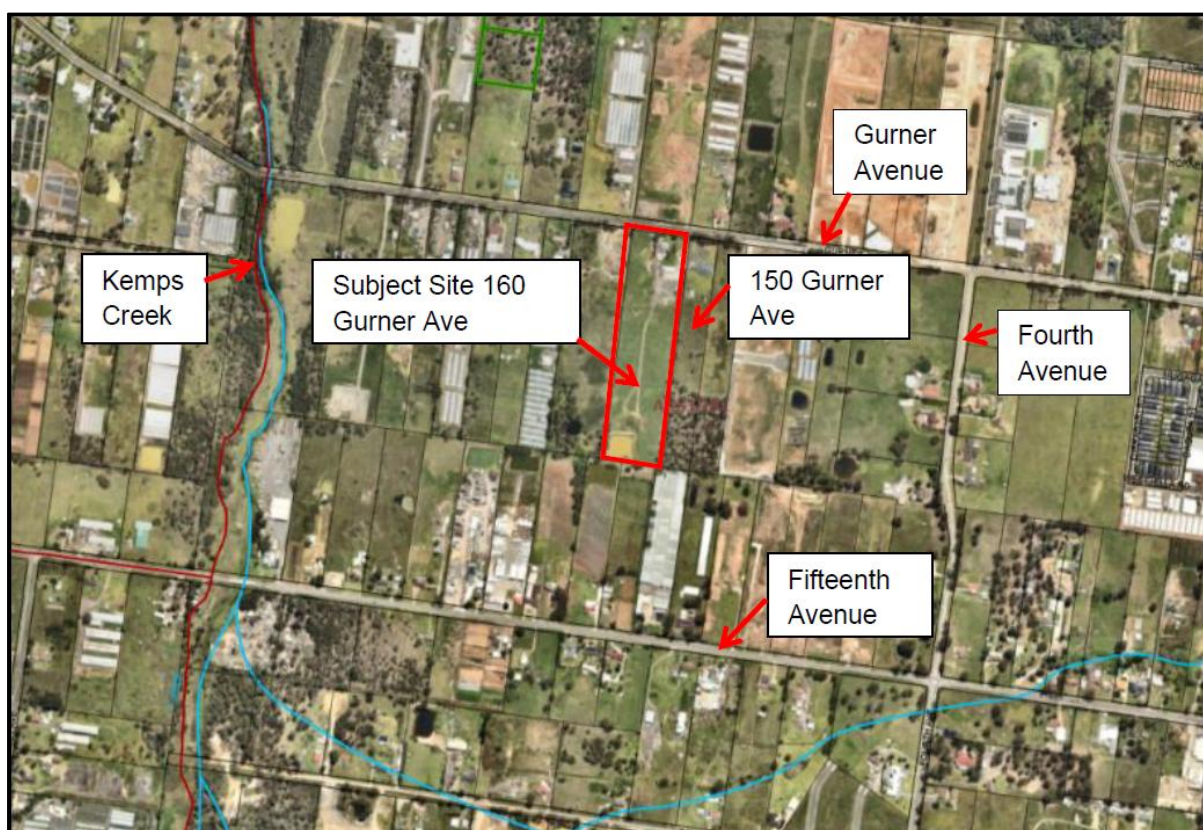


Figure 1: Locality Surrounding the Proposed Development (Source: Geocortex) - Insert Locality map.

2.2 The site

The subject site is currently identified as Lot 29 in DP 2403 and is known as 160 Gurner Avenue, Austral. The overall site is generally rectangular in shape and has a frontage of 100.58m to Gurner Avenue. The site has a depth of 402.36m and an area of 4.047Ha(by

survey). The subject site is currently characterised by a rural residential and agricultural use and is occupied by a dwellings and outbuildings.



Figure 2: Aerial view of the site (Source: Geocortex)

The proposed development is sited on proposed lot 6 of the 8 lot subdivision as approved under DA-553/2024. The parent subdivision approved the following: *demolition of all existing structures, dam dewatering, tree removal and subdivision of land into eight Torrens title industrial lots over two stages including the provision of services, bulk earthworks, construction of roads and stormwater drainage and on-site detention.*

Proposed lot 6 is 13,349sqm with lot frontage of 141.61m to Road 1 and 84.55m to Road 2 and a splay distance of 8.49m.

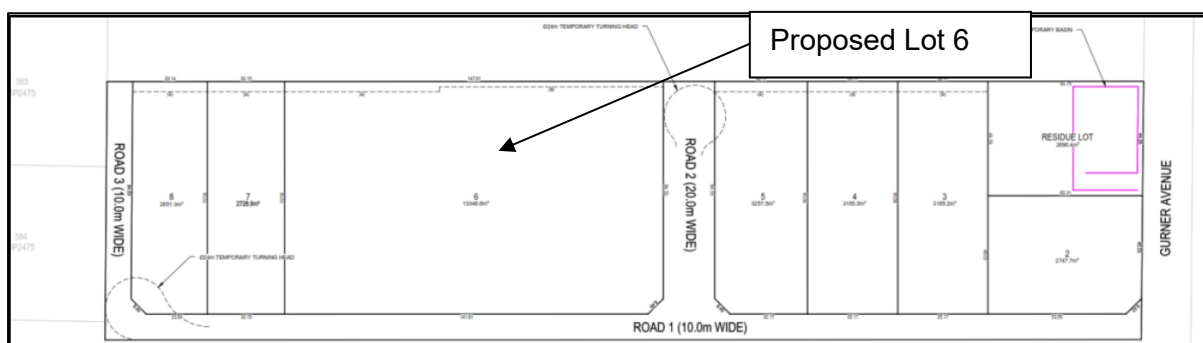


Figure 3: Subdivision layout of DA-553/2024.

3. BACKGROUND/HISTORY

- A pre-lodgement meeting held with Council on the 29th of March 2024. The proposed development at the pre-lodgement meeting was for the construction and operation of

a resource recovery facility. Annual volume of 98,000 tonnes including the installation of a weighbridge, hardstand, office, processing shed and retaining walls etc. Advice was issued to the applicant on the 12th of June 2024.

- The application was lodged via the NSW Planning Portal on three occasions (PAN-476402, PAN-498688 & PAN-509471). The applications were returned as the submitted information was unclear and several supporting documents were missing. The development description on the Pre-DA lodgement form referred to the operation of the facility; however, other documentation indicated that no operational approval was being sought. As the description implied that operational aspects were included, the relevant supporting reports were required but had not been provided. On the basis of inconsistent and conflicting information, Council could not accept the application until the applicant had confirmed the intent of the application and supplied the requested documentation.
- The subject DA was lodged with Council on the 11th of March 2025 for the *“Construction and operation of a resource recovery facility. Annual volume of 98,000 tonnes including the installation of a weighbridge, hardstand, office, processing shed, retaining walls and all associated works shown on plan”*.
- The application was advertised between 19 March and 18 April 2025 in accordance with the Liverpool City Council Community Engagement Strategy and Community Participation Plan 2022. 91 submissions were received during the public consultation period objecting to the proposal as a resource recovery facility. The key concerns raised by the community relate to environmental and health risks from air and noise pollution, proximity to sensitive uses including residential area and schools, lack of adequate road infrastructure and traffic impacts, property values, and adverse impacts on community wellbeing
- A ‘Stop the Clock’ letter was issued on the 26th of March 2025. The letter sought amended documentation and clarification regarding the intent of the application as the documentation submitted with the application included conflicting statements related to the operations of the facility.
- Applicant formally responded via the NSW Planning Panel on the 3rd of April. Information provided confirmed operation of the facility to be inclusive within this DA.
- Request for Further Information issued on 21 May 2025 via the NSW Planning Portal. Applicant formally responded via the NSW Planning Panel on the 20th of June 2025. The RFI contained matters related to Planning, Environmental Health, Engineering and Waste. Additional information was formally provided to Council via the NSW Planning Portal on the 25th of June 2025 following meetings between Council and the applicant regarding clarifications on matters within the RFI.
- The first briefing with the Sydney Western City Planning Panel was held on the 23rd of June 2025. The panel noted that as the development as lodged is considered as designated development, in accordance with Section 45(2)(b)(iii) of Schedule 3 of the Environmental Planning and Assessment Regulation 2021, accordingly an EIS is required to be submitted with the application. The applicant sought leave to provide further information as to why the proposal did not trigger the designated development

triggers as per Section 45 of Schedule 3 of the Environmental Planning and Assessment Regulation 2021.

- The applicant provided confirmation to Council that the intention of the development was to provide a 'cold shell' warehouse development with no specified use. As such, the proposal was requested by the applicant to be amended to a Warehouse or Distribution Centre with the specified use function to be confirmed at a later point via a separate development application.
- A further meeting was held with the Sydney Western City Planning Panel who were informed of the amendment to the proposal to a Warehouse or Distribution centre. The Panel did not oppose the amendments and determined that as the waste management facility aspect had been removed from the development, the proposal no longer triggered Schedule 6 of State Environmental Planning Policy Planning Systems 2021 and was not considered as regionally significant development. Thus, the delegation on the determination of this application would now fall on Council as the consent authority.
- Council renotified all objectors and the community in accordance with the Liverpool City Council Community Engagement Strategy and Community Participation Plan 2022. The application was renotified from the 16th of October to 30 October 2025.
- Accordingly, the assessment was finalized on the basis of the development's new description as a Warehouse or Distribution Centre.

4. DETAILS OF THE PROPOSAL

The proposed development consists of the following:

Construction of a warehousing shed with associated office and storage buildings, at-grade car park and landscaping on future Lot 6.

The proposed development is proposed to consist of the following:

- Single storey office building with kitchen,
- 2 x storage buildings with connecting covered awning
- Warehousing shed with WC/shower block.
- Sealed bitumen car park containing 22 spaces,
- 5 covered stock-pile bays
- Associated solid boundary fencing and landscaping works.

The proponent has not identified the future operator of the facility and as such have indicated a separate 'use' application will be lodged for the facility.

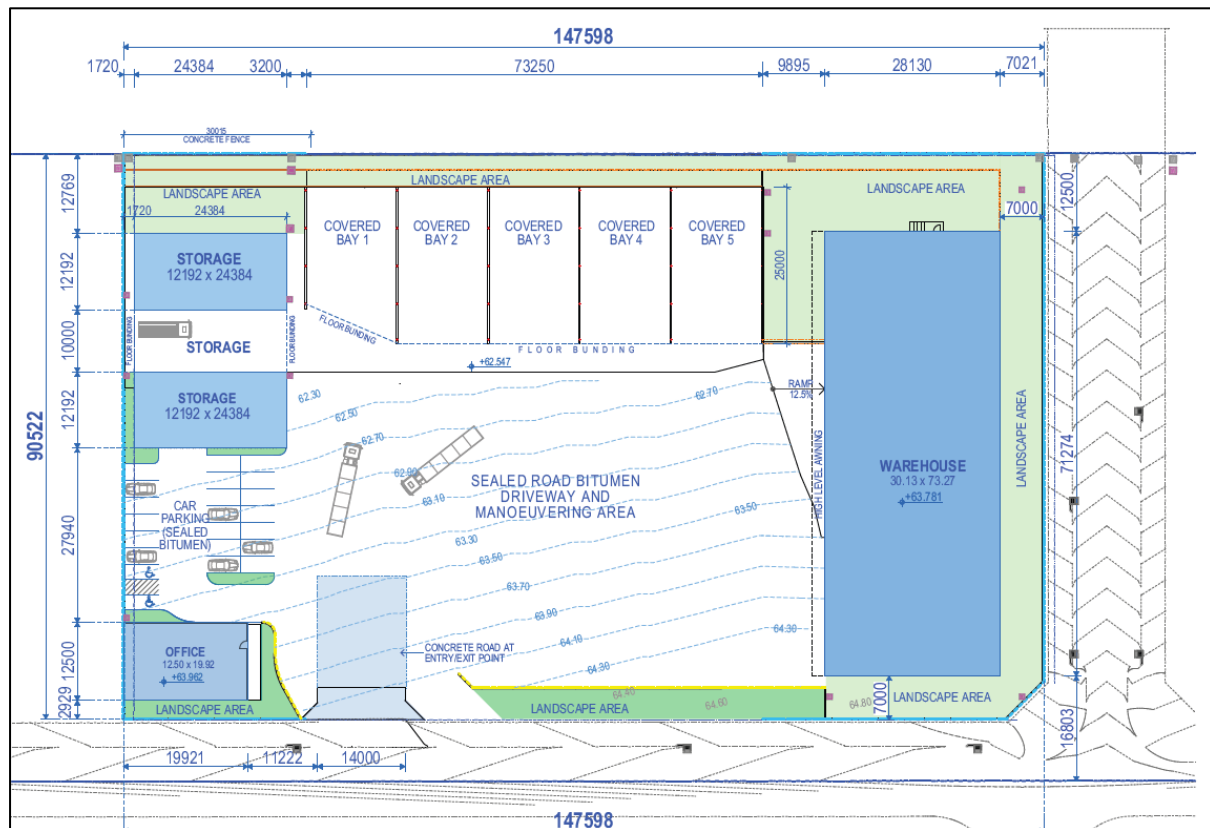


Figure 4: Site Plan

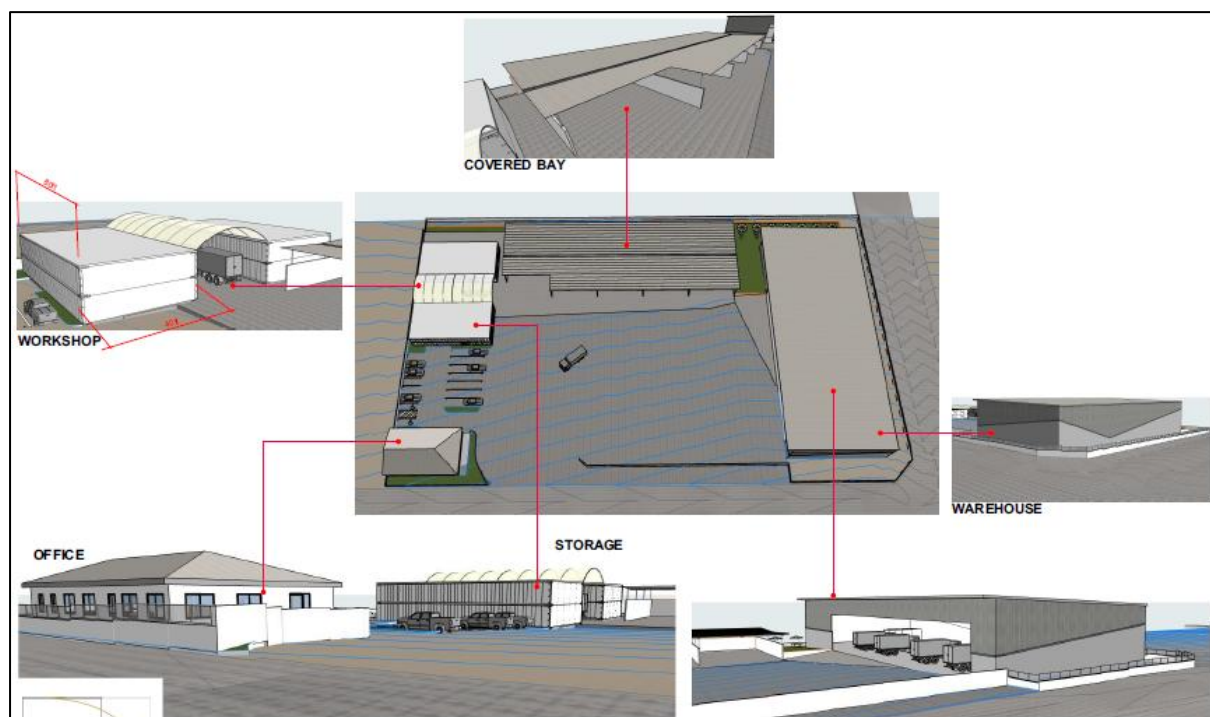


Figure 5: 3D Perspectives

5. STATUTORY CONSIDERATIONS

5.1 Relevant matters for consideration

The relevant planning instruments/policies applicable to the proposed development are as follows:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Precincts—Western Parkland City) 2021
- Liverpool Growth Centre Precincts Development Control Plan 2021

Other Plans and Policies

- N/A

Contributions Plans

- Liverpool Contributions Plan 2014 Austral and Leppington applies to the development site pursuant to Section 7.11 of the EPA & Act. Section 7.11 Contributions have already been levied against the parent subdivision, as such S7.11 Contributions are not applied to the subject development.

6. ASSESSMENT

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.15 Evaluation of the EP&A 1979 and the Environmental Planning and Assessment Regulation 2021, as follows:

6.1 Section 4.15(1)(a)(i) – Any Environmental Planning Instrument

(a) State Environmental Planning Policy (Resilience and Hazards) 2021

The proposal has been assessed under the relevant provisions of SEPP (Resilience and Hazards) 2021 as the proposal involves a change of use of land with the potential under the SEPP 55 (previous) guidelines to be a site that could be contaminated (*agricultural/horticultural activities*). Therefore, under the SEPP 55 (previous) guidelines the subject site is identified as a site that could be contaminated.

The objectives of SEPP (Resilience and Hazards) 2021 are:

- *to provide for a state wide planning approach to the remediation of contaminated land.*
- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

Pursuant to the above SEPP, Council must consider:

- whether the land is contaminated.
- if the land is contaminated, whether it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the proposed use.

As the proposed development is sited on Lot 6 of the subdivision approved under DA-553/2024, site contamination was considered in the parent subdivision.

Under the parent subdivision (DA-553/2024), the applicant submitted a detailed site investigation (DSI) to Council for review (Detailed Site Investigation Job E3213, Revision 1 prepared by Foundation Earth Sciences dated 23/08/2024) . The report was prepared or reviewed by an accredited consultant, that has the necessary qualifications under the Environment Institute of Australia and New Zealand- Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)); or Soil Science Australia- Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. Council's Environmental Health Section confirmed the recommendations within the DSI and concluded that the site is suitable for development subject to conditions.

Based on the prior assessment of the industrial subdivision under DA-553/2024, the relevant objectives and provisions of SEPP (Resilience and Hazards) 2021 are considered satisfied. Therefore, it is considered that the subject site is suitable for the proposed development.

(b) State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land is located within the Hawkesbury Nepean River Catchment and as such the SEPP (Biodiversity and Conservation) 2021 – Chapter 6 Water Catchments is applicable. This chapter generally aims to protect the environment of river systems, including the Hawkesbury Nepean River system by ensuring that impacts of future land uses are considered in a state, regional, and local context.

Note: Chapters 7 – 12 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 were repealed on 21 November 2022 relating to the former catchment areas.

In accordance with the SEPP, when a consent authority determines a development application, the provisions in Part 6.2 - Development in Regulated Catchments are to be considered and consent must not be granted unless the consent authority is satisfied that the matters have been addressed. Accordingly, a table summarising the matters for consideration in determining development applications (Part 6.2) and compliance with such is provided below.

Part 6.2 – Development in Regulated Catchments	
Division 2 – Controls on development generally	Comment
6.6 – Water quality and quantity	Stormwater concept plans were submitted with the application which were consequently reviewed by Council's Land Development Engineering Section. Appropriate conditions of consent have been provided aimed to reduce the impact from the expected storm-water runoff and flow characteristics through the site, on down-stream aquatic ecosystems and to help improve water quality in the catchment from expected stormwater flows.
6.7 – Aquatic ecology	The location of works is not part of an Environmentally Sensitive area. The site is identified as Biodiversity Certified land.
6.8 – Flooding	The site is not affected by flooding.

6.9 – Recreation and public access	The development is unlikely to impact on recreational lands or public access to and around foreshores.
6.10 – Total catchment management	The proposed development has been designed to reduce the likelihood of creating an adverse impact on the Hawksbury Nepean River catchment therefore, no consultation is required.
Division 3 – Controls on development in specific areas	Comment
6.11 – Land within 100m of natural waterbody	The subject site is not located within 100m of any natural watercourse.
6.12 – Riverine scenic areas	Not applicable.
6.13 – Hawkesbury-Nepean conservation area sub-catchments	Not applicable.
6.14 – Temporary use of land in Sydney Harbour Catchment	Not applicable.
Division 4 – Controls on development for specific purposes	Comment
6.15 – Aquaculture	Not applicable
6.16 – Artificial waterbodies	Not applicable
6.17 – Heavy and hazardous industries	Not applicable
6.18 – Marinas	Not applicable
6.19 – Moorings	Not applicable
6.20 – On-site domestic sewerage systems	Not applicable
6.21 – Stormwater management	Stormwater concept plans were submitted and reviewed by Council's Land Development and Floodplain Engineers and are deemed to be acceptable subject to conditions of consent.
6.22 – Waste or resource management facilities	Not applicable
6.23 – Demolition on certain land	No demolition applicable to subject development

It is considered that the proposal satisfies the provisions of State Environmental Planning Policy (Biodiversity and Conservation) 2021, subject to appropriate sedimentation and erosion controls being implemented during construction.

(c) State Environmental Planning Policy Precincts—Western Parkland City) 2021

(i) Zoning

The development site is zoned IN2 – Light Industrial pursuant to State Environmental Planning Policy Precincts—Western Parkland City) 2021 – Chapter 3 Sydney Region Growth Centres – Appendix 4 Liverpool Growth Centres Precinct Plan. An extract of the zoning map is seen in the figure below

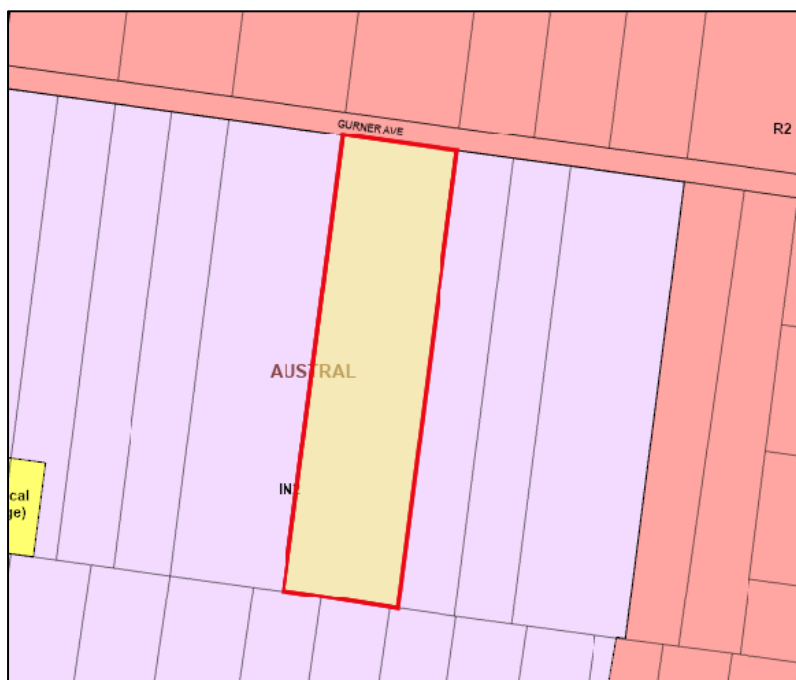


Figure 6: Zoning Map (source: Geocortex)

(ii) Permissibility

The proposed development is best defined by the standard instrument as a Warehouse or Distribution Centre and is identified as a permitted land use with consent within the IN2 Light Industrial Zone under Appendix 4 of the SEPP (Precincts—Western Parkland City) 2021, and is defined as follows:

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.

(iii) Objectives of the zone

The objectives of the IN2 zone are as follows:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

The proposed development provides for a wide range of potential uses which in turn encourages employment opportunities in the locality. Additionally, future use applications can enable the provision of services and facilities required to meet the day to day needs of the community.

(iv) Principal Development Standards

The SEPP (Precincts—Western Parkland City) 2021 contains a number of provisions which are relevant to the proposal. Assessment of the application against the applicable relevant provisions is provided below.

The proposal generally demonstrates compliance with these provisions.

Note: The Liverpool Local Environmental Plan does not apply to this proposal as the land is located within a Growth Centre Precinct, and the SEPP prevails over the LEP. It is instead assessed against the SEPP and the Liverpool Growth Centre Precincts DCP 2021.

Clause	Provision	Proposed	Comment
4.3 Height of buildings	The maximum height of buildings for the site is 13m.	The maximum height of building is 13m.	Complies
4.4 Floor Space Ratio	1:1	Total site area is 13,360m ² Warehouse – 1987sqm. Office – 240sqm. Storage shed 1 – 288.5 Storage shed 2- 288.5 Covered bays not included in calculation as this is a semi enclosed structure. 2804m ² /13360m ² =0.21:1	Complies
6.1 Public Utility Infrastructure	The consent authority must not grant development consent to development on land to which this Precinct Plan applies unless it is satisfied that any public utility infrastructure (supply of water, electricity and disposal/management of sewage) that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required	Sydney Water has confirmed that Water Servicing is available to the subject development due to the delivery of a 300mm amplification watermain along Gurner Avenue. Sydney Water has confirmed that Wastewater servicing is currently unavailable to this property however the Upper South Creek Advanced Water Recycling Centre (AWRC) is currently under construction and available in FY2026. As the development is reliant on a sewer connection, conditions have been added to ensure that sewer is provided to the site prior to a construction certificate.	Complies by conditions

Having regard to the above assessment, the proposal is permitted in the zone and is considered consistent with the objectives of the zone and relevant development standards in the SEPP.

6.2 Section 4.15(1)(a)(ii) - Any Draft Environmental Planning Instrument

There are no draft Environmental Planning Instruments which apply to the development.

6.3 Section 4.15(1)(a)(iii) - Any Development Control Plan

(a) Liverpool Development Control Plan (LDCP) 2008

The application has also been assessed against the relevant controls of the Liverpool Growth Precincts Development Control Plan 2021, particularly *Part 2– Precinct Planning Outcomes and Part 6 – Employment Lands Subdivision and Development Controls*

Overall, the proposal is considered to be generally consistent with the key controls outlined in the Liverpool Growth Centres Precincts Development Control Plan (LGCPDCP) 2021 with the exception of the below items which are considered acceptable on merit. A full assessment can be found within Attachment 1 to this Report.

Control	Requirement	Complies/Comment
6.0 Employment Lands Subdivision and Development Controls		
6.4.1 Setbacks	All buildings in zones to which this part applies are to be set back a minimum of 7m from the front property boundary unless otherwise specified in a Precinct's Schedule. No building or hardstand area (concrete or bitumen pavement) other than a public utility undertaking or a driveway shall be erected within the minimum setback area. All setback areas should be landscaped and maintained in accordance with the landscape provisions in clause 6.3. Pedestrian access should be provided to all landscaped setback areas for maintenance and security purposes	Complies on merit The office is located 3m from the boundary. Sufficient landscaping and single storey nature of building deem this variation to be acceptable on merit. The Warehouse Shed has provided for a 7m setback from both street frontages. Complies Setback areas are landscaped All landscaped areas are considered accessible for maintenance purposes.
6.6.2 Fencing	Front and side boundary fences forward of the building line shall consist of open palisade style fencing.	Complies on merit Solid fencing is proposed for the development for containment and acoustic purposes. Landscaping has been conditioned to be placed in front of the fence line to reduce visual bulk.
6.7.2 Parking	Warehouse premises: 1 space per 70m2 including office space up to 20% of the total building GFA.	Complies on Merit Parking has been calculated based on areas of active uses; in this instance the storage areas and bathroom of the

	(Office space – 240sqm, total GFA- 2804sqm = 8.5%) Car parking is not permitted within the minimum front setback specified in clause 6.4.1. The use of stack parking is not favoured and may only be permitted in special circumstances. Sufficient spaces must be provided for parking for people with disabilities to comply with the requirements of the Building Code of Australia All parking areas shall be constructed of hard-standing, all-weather material, with parking bays and circulation aisles clearly delineated	warehousing shed have been excluded for the purposes of parking calculation. The proposal requires 31.8 car parking spaces based on 1 space per 70sqm on a total GFA of 2804sqm. The development provides 22 parking spaces in lieu of the 32 spaces required under Council's DCP, resulting in a shortfall of 10 spaces. This variation is considered acceptable as the proposal involves a warehouse use, which typically generates lower parking demand given its storage and distribution function and reduced customer visitation. As a defined operator has not been identified in addition to the applicant confirming that a future application for the use component will be lodged, consideration is given to the site layout which provides for adequate internal circulation and loading areas to support operations in addition to adequate space for the provision of additional parking should the future use demand additional parking spaces. On this basis, the deficit in parking is considered acceptable and is not considered to adversely impact the local traffic network. Parking is not located in front setback. No stack parking proposed. Accessible parking provided. 2 spaces provided. Sealed bitumen proposed for parking areas and line marked.
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6.8 Waste Management	Details of proposed waste management are to be provided as part of all development applications for new buildings and for applications proposing a change of use of a building. For larger developments Council may require a Waste Management Plan to be prepared.	Complies on merit A waste management plan was provided with the application when it was originally proposed for a resource recovery facility. As noted within the report, the final intended use of the facility is uncertain and detail as to the specific operations and waste management are to be assessed under the future use application.
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6.4 Section 4.15(1)(a)(iia) - Planning Agreements

There are no Planning Agreements which apply to the development.

6.5 Section 4.15(1)(a)(iv) - The Regulations

The Environmental Planning and Assessment Regulation 2021 includes provisions in which the consent authority can request additional information under Clause 36. A request for information was uploaded to the NSW Planning Portal on the 20th of June 2025 requesting further information on Planning, Environmental Health, Engineering and Waste grounds. The applicant provided information via the NSW Planning Portal on 25 June 2025 in response to the items raised.

As noted in Section 3 of this report, the proposal was amended to remove the resource recovery facility aspect of the development and rather deliver a “cold shell” development in the form of a Warehouse or Distribution Centre with the final end use to be determined at a later stage via a formal and separate development application for the use of the facility.

Accordingly, amended information was provided to Council pursuant to Clause 36 of the Regulations and Council are satisfied that the amended developments meet the statutory controls and is suitable for the site subject to conditions of consent.

The Environmental Planning and Assessment Regulation 2021 also requires the consent authority to consider the provisions of the National Construction Code and Australian Standards. Accordingly, appropriate conditions of consent will be imposed.

6.6 Section 4.15(1)(b) - The Likely Impacts of the Development

Natural and Built Environment

The proposed development is unlikely to create a detrimental impact on the natural environment surrounding the subject site, subject to the imposition of appropriate conditions of consent. The impacts of the development as a warehouse or distribution centre have been carefully considered and appropriate conditions have been applied to ensure the development is suitable for the subject site. Any consideration of an alternative use is subject to a separate and formal development application and the impact on the natural environment will be considered in that application subject to the land use being pursued.

The proposed development is unlikely to create any adverse impacts on the surrounding built environment. The proposed development is considered to be of an appropriate scale and is unlikely to create any detrimental impacts on the adjoining properties or the locality as a whole. The proposal will facilitate industrial development which is not considered an over-development of the site and is consistent with the desired future built character of the locality. The proposal is generally consistent with the regulatory controls imposed under the relevant DCP and will offer a variety of potential land uses to a future operator subject to a separate and formal development application for the specific permitted land use.

It is considered that the proposed development has been designed with sufficient regard to surrounding properties to ensure that any adverse amenity impact is minimized, particularly in terms of visual and acoustic privacy and overshadowing.

Social Impacts and Economic Impacts

The proposal would result in a positive economic impact in the locality through the capital investment value of the development and is unlikely to generate any identifiable detrimental social impacts, being consistent with the desired development type in the locality.

6.7 Section 4.15(1)(c) - The Suitability of the Site for the Development

The proposal generally complies with the relevant planning controls and the site is considered to be suitable for the proposed development.

6.8 Section 4.15(1)(d) - Any submissions made in accordance with the Act or the Regulations

(a) Internal Referrals

The following comments have been received from Council's Internal Departments:

DEPARTMENT	COMMENTS
Building	Approval subject to conditions of consent
Land Development Engineering	Approval subject to conditions of consent
Environmental Health	Approval subject to conditions of consent
Traffic	Approval subject to conditions of consent
Urban Design	Approval subject to conditions of consent

(b) External Referrals

The following comments have been received from external Agencies:

DEPARTMENT	COMMENTS
Rural Fire Service	Approval subject to conditions of consent
Sydney Water	Approval subject to conditions of consent

(c) Community Consultation

Due to the history of the application, the DA was notified on two occasions.

Firstly, at the time of lodgement, the application was classified as regionally significant development and adjudged as designated development. Accordingly, the development application was advertised from 19 March to 18 April 2025 in accordance with the Liverpool City Council Community Engagement Strategy and Community Participation Plan 2022. **91** submissions were received during the public consultation period objecting to the proposal as a resource recovery facility. The key concerns raised by the community relate to environmental and health risks from air and noise pollution, proximity to sensitive uses including residential area and schools, lack of adequate road infrastructure, traffic impacts and property values

As the proposal was amended to a warehousing or distribution facility, and not a resource recovery facility, Council renotified all objectors and the community in accordance with the Liverpool City Council Community Engagement Strategy and Community Participation Plan 2022. The application was renotified from the 16 October to 30 October 2025. **1** submission was received within this period. The submission during the second period of notification related to material pertaining to the development being a resource recovery facility.

On the basis of the two notification periods, the following comments are provided in respect to the concerns raised by surrounding residents during the first round of notification as a resource recovery facility as the second period of notification did not attract comments related to the actual proposal:

ISSUE 1: *Impact on property value and connection to area*

Comment: Council acknowledges the concerns regarding property valuation and connection to the area from residents however this is not a planning consideration prescribed under Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposed development being a warehousing or distribution centre, is a permissible form of development within the IN2 zone and provides additional land use and employment opportunities for the locality.

ISSUE 2: *Proximity to sensitive receivers, schools and residential areas and associated impacts on environment and public health.*

Comment: Council acknowledges concerns raised by the community in response to the previous form of development proposed. It is to be noted that consent is no longer being sought for a resource recovery facility. Consent is sought for the construction of a Warehouse Shed and associated office, storage sheds and landscaping, accordingly the use is restricted to that of a Warehouse and Distribution Centre which is defined as the following:

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.

This is further reinforced by conditions of consent restricting the use only to the above definition. No consent is permitted to operate the premises as a resource or recovery facility. Should the owner of the site choose to operate the premises as a resource recovery facility, a separate formal development application is required to be lodged which will be duly notified to surrounding residents and assessed based on the applicable controls and legislation.

The application has been assessed as a warehouse or distribution centre and considered suitable for the locality given the immediate locality around the subject site is an identified light industrial zone which will support a variety of different land uses.

As such, given the proposal has now changed to a Warehouse or Distribution Centre, the concerns raised in regard to the environment and health are considered non applicable to the present form of development.

ISSUE 3: *Lack of adequate road infrastructure to support further development and associated traffic matters*

Comment: Council acknowledges the concerns relating to inadequate road infrastructure in the locality to support further development with key concerns relating to the capacity of Fifteenth Avenue, Austral. Council's Traffic Engineering Department has reviewed the anticipated operations of the proposed facility and determined that the expected vehicular movements are unlikely to result in any significant impact on the surrounding road network. It is noted that, should a future application be lodged proposing an alternative land use, a detailed Traffic Impact Assessment would be required and assessed at that time.

Council acknowledges that Fifteenth Avenue and the surrounding Austral area has experienced increased traffic volumes as the Local Government Area continues to grow. This growth is being further driven by the release of additional housing precincts across the South West Growth Area to accommodate the expanding population. As these new precincts are progressively developed, traffic volumes in Austral and along Fifteenth Avenue will continue to rise.

6.9 Section 4.15(1)(e) - The Public Interest

The proposed development, as amended, is considered to be in the public interest.

7. DEVELOPMENT CONTRIBUTIONS

Liverpool City Council Section 7.11 – Austral and Leppington North Contributions Plan 2021 applies to the development site pursuant to Section 7.11 of the EPA & Act. Section 7.11 Contributions have already been levied against the parent subdivision (DA-553/2024). As such, S7.11 Contributions are not applied to the subject development.

A special infrastructure contribution condition is also required as the SIC Levy applies to the site. As the SIC is in place in this location, a housing and productivity contribution is not required for the proposed development.

8. CONCLUSION

The application has been assessed having regard to the provisions of Section 4.15 of the EP&A Act 1979, and the Environmental Planning Instruments, including the applicable State Environmental Planning Policies, Liverpool Growth Precincts: Development Control Plan, and the relevant codes and policies of Council.

Based on the assessment of the application, it is recommended that the application be approved subject to 'deferred commencement' consent.

9. RECOMMENDATION

That Development Application DA No 94/2025 be **approved subject to conditions of consent and by way of a deferred commencement.**

ATTACHMENTS

1. DCP Assessment Tables
2. Plans and Documents
3. DA-94/2025 Draft Deferred Commencement Matters + Draft Conditions

Attachment 1 – DA-94/2025

Liverpool Growth Centres Precincts Development Control Plan (LGCPDCP) 2021

The application has also been assessed against the relevant controls of the LGCPDCP 2021.

Assessment against Part 2 – Precinct Planning Outcomes

Control	Requirement	Complies/Comment
2 Precinct Planning Outcomes		
2.2 Indicative Layout Plan	All development applications are to be generally in accordance with the Indicative Layout Plan.	Complies The proposed development is located on proposed lot 6 of DA-553/2024. No amendment to the ILP is proposed under the subject DA.
2.3.1 Flooding	Flood affection of a property to be considered.	Not applicable The site is not mapped as being flood prone land.
2.3.2 Water Cycle Management	Consideration of stormwater and drainage.	Complies by conditions The application was referred to Councils Land Development Engineering Section who reviewed the proposal with the accompanying plans and stormwater management report and had no objections to the proposal subject to the imposition of conditions.
2.3.3 Salinity and Soil Management	To manage and mitigate the impacts of Salinity and Sodicity on the Environment.	Complies by conditions Site is potentially affected by Moderate Salinity. Conditions of consent to be imposed.
2.3.4 Aboriginal and European Heritage	To manage Aboriginal heritage values to ensure enduring conservation outcomes.	N/A The site is not identified as an item of heritage.
2.3.5 Native Vegetation and Ecology	To conserve and rehabilitate the remaining native vegetation and trees within the relevant Precinct.	N/A The site is not identified on the Native Vegetation Protection Map.
2.3.6 Bushfire Hazard Management	Reference is to be made to Planning for Bushfire Protection 2006 in subdivision planning and design and development is to be consistent with Planning for Bushfire Protection 2006.	Complies by conditions A Bushfire Report has been submitted with the application and its recommendation will be imposed as conditions of consent.
2.3.7 Contamination	Minimise the risks to human health and the environment from the are development of potentially contaminated land.	Complies Contamination has been addressed under the parent subdivision DA-533/2024
2.3.8 Development on or Adjacent to Electricity and Gas Easements	Subdivision of land that is affected by easements and land adjacent to easements	N/A The site is not on or adjacent to any electricity or gas easements.
2.3.9 Noise	To minimise the impacts of noise from major transport infrastructure, industrial and employment areas on residential amenity.	Complies by Condition In accordance with Condition A950, the proponent has confirmed that a future development application will be lodged with Council for a specified use

		following the identification of an operator. The subsequent application will address detailed operational noise impacts once the final use and operator-specific activities are known.
2.3.10 Odour assessment and control	To minimise the impacts of odour from industrial uses on residential amenity	Complies by Condition In accordance with Condition A950, the proponent has confirmed that a future development application will be lodged with Council for a specified use following the identification of an operator. The future application will include a detailed assessment of potential odour impacts, informed by the nature of the operations and processes proposed by the identified operator.
2.3.11 Air quality	To preserve air quality, minimise pollution and improve environmental amenity.	Complies by Condition In accordance with Condition A950, the proponent has confirmed that a future development application will be lodged with Council for a specified use following the identification of an operator. The subsequent application will include an air quality assessment that reflects the specific operational activities and emission sources associated with the identified use.
2.4 Demolition	Requirements for demolition.	N/A No demolition is proposed.
2.5 Crime Prevention through Environmental Design	To ensure that the siting and design of buildings and spaces, through casual surveillance, decreases opportunities for crime.	Complies by condition The development as proposed has suitably responded to the principles of CPTED. Due to the nature of the facility, solid fencing has been proposed and a single entry point to the site limiting opportunities for crime and pertinent conditions are applied to the development.
2.6 Earthworks	To minimise cut and fill through site sensitive subdivision, road layout, infrastructure and building design	Complies by Condition This aspect has been reviewed by Council's Land Development Engineers, who have raised no issues to the earthworks, subject to conditions

Assessment against Part 6 – Employment Lands Subdivision and Development Controls

Control	Requirement	Complies/Comment
6.0 Employment Lands Subdivision and Development Controls		
6.2 Subdivision		
6.2.1 Lot Subdivision	Controls related to lot layout	N/A No subdivision proposed
6.2.2 Strata or Community Title Subdivision	Controls related to strata or community title subdivisions	N/A No subdivision proposed

6.2.3 Battle Axe Lots	Controls related to battle axe lot formation	N/A No battle axe lots proposed.
6.3 Landscape Design		
6.3.1 Streetscape and Allotment Frontages	Streets in industrial zones are to be designed and constructed in accordance with the typical cross section at Figure 6-2.	N/A The development is proposed on a lot to be created under DA-553/2024.
6.3.2 Allotment Landscape	A Landscape Plan must be prepared for all new industrial subdivisions and new buildings.	Complies by conditions A landscape plan was submitted with the application. It is noted that Council requires further amendments to the landscaping scheme and as such has conditioned for this accordingly.
6.3.3 Landscaping of Car Parking Areas	Allotment car parking areas are to be effectively landscaped.	Complies The landscaping treatment to the car parking areas detailed in the landscape plan is suitable.
6.3.4 Communal Areas	Development for the purposes of Industries or Light Industries, with a gross floor area greater than 500 square metres, is to provide a communal area for employees. The area shall be suitably landscaped and accessible from the main office component of the development. The communal area is to have a minimum dimension of 3 metres. Solar access to communal open spaces is to be provided. Communal areas must receive a minimum of 2 hours direct sunlight between 11am and 3pm on the 21st of June. Appropriate shading is to be provided, preferably using trees, so that communal spaces are useable during summer.	A communal area is provided on the north-western corner and is located beside the warehousing shed. It has also been conditioned within the Notice of Determination that an additional communal area is to be provided adjacent to the office for the convenience of office staff. This area is appropriately landscaped and measures with dimensions of 12m wide x 38m. Appropriate shading and equipment is provided for future users. The northern aspect also allows for adequate solar provisions to the communal area.
6.4 Built Form and Streetscape		
6.4.1 Setbacks	All buildings in zones to which this part applies are to be set back a minimum of 7m from the front property boundary unless otherwise specified in a Precinct's Schedule. No building or hardstand area (concrete or bitumen	Complies on merit The office is located 3m from the boundary. Sufficient landscaping and single storey nature of building deem this variation to be acceptable on merit. The Warehouse Shed has provided for a 7m setback from both street frontages.

	pavement) other than a public utility undertaking or a driveway shall be erected within the minimum setback area. All setback areas should be landscaped and maintained in accordance with the landscape provisions in clause 6.3. Pedestrian access should be provided to all landscaped setback areas for maintenance and security purposes	Complies Setback areas are landscaped All landscaped areas are considered accessible for maintenance purposes.
6.4.2 Building Design and Siting	Blank building facades facing the primary street frontage are not permitted. Building orientation and siting should respond to natural elements such as topography, wind and sunlight. The layout and orientation of buildings should minimise lengthy or deep areas of car parking along the street front. Buildings should provide effective sun shading for windows, wall surfaces and building entries, (other than loading docks) by the use of design elements such as overhanging eaves and awnings, undercrofts, colonnades and external sun shading devices including screens. Building design should be integrated with landscape elements.	Complies No blank facades proposed. The proposal has been amended to include a variety of finishes and articulation including masonry walls, strip lighting and Colourbond steel to break up the large facades. Complies The building orientation has responded to the site context. Complies Car parking is proposed away from the street front and is located behind the office building. Complies The new buildings provide eaves and awnings to windows to satisfactory shade the building. Complies by conditions The proposed landscape plan demonstrates a suitable integration of landscaping with the functionality of the use. Further amendments to the landscape plan via conditions of consent with further assist in minimising the visual impact of the proposal. Complies

	Building facades should be articulated by elements such as: • external structures, finishes, etchings and recessed patterns; • decorative features, textures and colours; • locating offices and highlighting entries within front facades; • emphasised corner elements (particularly on corner sites), customer entries and service access doors; • protrusions and penetrations in building elements. The building design should consider the amenity of any landscaped or communal areas in adjoining properties. Roof design should be visually interesting and provide for natural lighting, and compatibility with the overall building design.	Articulation via strip lighting and differing materials on processing shed proposed. Offices located within front entry to the site. Complies The built proposed is suitably setback from adjoining properties, with the storage areas set behind adjoining build form. Complies The roof design of the office, amenities and storages is suitable for the purpose.
6.4.3 External Building Materials and Colours	External finishes should be constructed of durable, high-quality and low maintenance materials. Proposed external colours and finishes are to be specified in the Development Application.	Complies External finishes and materials schedule provided. Considered acceptable. No dark roofing proposed to assist with urban heat impact.
6.4.4 Entrance Treatment	Entries to buildings should be clearly visible, well sign posted and lit to pedestrians and motorists. Architectural features are to be provided at ground level giving an entrance element to the building and addressing the primary street frontage.	Complies The entrance to the office building has been designed with a covered porch and via the walkway from carpark area.
6.4.5 Ancillary Buildings, Storage and Services Areas	Ancillary buildings and storage sheds are to be located behind the setback lines and be consistent with the design of the main building. Storage areas should be located within the confines	Complies The amenities block and storage are located behind the office buildings. Complies – storage in buildings proposed and covered bay zones

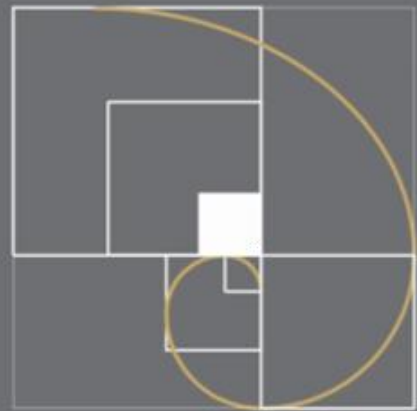
	of the primary building. Appropriate screening must be provided where this can not be achieved. Above ground open storage areas visible from the public domain are not permissible. Waste and recycling areas must be provided in accordance with relevant controls specified by the consent authority. These areas must: • be integrated with the development; • minimise the visibility of these facilities from the street; and • be located away from openable windows to habitable rooms. Barrier free access is to be provided to all shared facilities. Shower and changing facilities must be provided in accordance with the National Construction Code and be accessible to all building users. The following information must be provided at Development Application stage for outdoor storage areas: • Size of outdoor storage area • Maximum storage height • Types of goods, materials and equipment being stored outdoors; and • Details on landscaping and screening structures.	(which will be amended through conditions). Considered Acceptable Landscaping sufficiently screens covered bay structures. Complies Given no defined operator has been identified for the facility and the exact operations will be subject to a future use DA. The exact waste and recycling operations are unknown. However, it is to be noted that due to the design of the facility, waste and recycling facilities are able to be integrated into the built form and are located appropriately away from the public domain or away from openable windows or habitable rooms of the development. Complies by condition Condition of consent will be imposed to ensure that all shared facilities be barrier free. Complies Shower facilities have been indicated on the plan within the warehousing shed. Complies Outdoor storage area provided within covered bays. The covered bays reach a maximum height of 5.1m from FFL. Maximum storage height and types of goods to be stored is to be confirmed in future detailed use application. It is noted that Condition B010 required the partitions within the covered bay to be removed so this remains a singular open storage area.
6.4.6 Development Adjacent to Residential Zoned Land	Industrial development adjacent to residential zoned land is to:	Considered Acceptable subject to condition/s The site is not immediately adjacent to residential zones and is approximately 200m away from the closest zoned residential area. Notwithstanding, due to the proposed use and community

	• Be designed so that heavy vehicle entry and exit points are from side streets or the rear (i.e. streets other than those that separate industrial and residential zoned land). • Present active uses to the property boundary that faces the residential zoned land (e.g. showrooms, offices or administration areas). • Locate and screen noisy aspects of the development away from the residential zoned land, preferably behind buildings. • Have customer and staff vehicle entries to the site on side or rear streets. • Have a landscaped zone at the front property boundary with a minimum depth from the front boundary of 5 metres, landscaped to reduce the visual impact of buildings and on-site activities when viewed from adjoining residential areas. • Have any customer and staff parking at the front of the property set back behind the landscaped zone. • Have a maximum of one free standing business identification sign on the property boundary adjacent to the residential zoned land, with maximum dimensions of 2 metres wide by 3 metres tall,	concerns regarding the development, an assessment is undertaken below: Road access is via a future collector road. There is no interface with residential areas. Active uses can be contained within the warehousing shed and covered bays. Additionally, land to the east of the site is envisioned for future industrial development which will further provide shielding. Whilst no identified user of the facility is identified, it is considered that noisy aspects of any future operations can be located within the warehousing shed and there is a sufficient buffer of 200m to residential areas. Access is proposed via Road 01 which is to be built under DA-553/2024. This road is not considered a main collector road. A 2.9m landscaped barrier is applied in front of the office, this is considered acceptable due to the small scale of the proposed office. The remainder of the site maintains a 5-7m landscaped buffer to the public domain and is considered acceptable. Customer and staff parking located at front of the site and is behind some landscaped area and main office. Signage is not part of this development proposal.
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	oriented perpendicular to the street.	
6.5 Ecologically Sustainable Development	To ensure that developments are environmentally sustainable in terms of energy and water use, and management of waste and discharge.	Considered Acceptable The management of wastewater and stormwater drainage has been assessed Council's internal referral sections. The Land Development Engineering Section assessed the amended stormwater management plans and raised no objections subject to conditions. Council's Environmental Health Section assessed the wastewater system and raised no objections subject to conditions.
6.6 Fencing, Signage and Lighting		
6.6.2 Fencing	Front and side boundary fences forward of the building line shall consist of open palisade style fencing.	Complies on merit Solid fencing is proposed for the development for containment and acoustic purposes. Landscaping has been conditioned to be placed in front of the fence line to reduce visual bulk.
6.6.3 Signage and Lighting	Signage is to relate to the use occurring on the respective property, and should identify the relevant business name.	N/A Signage is not proposed as a part of this development.
6.7 Access and Parking		
6.7.1 Vehicular Access	All developments are to be designed, constructed and operated to comply with Liverpool DCP 2008 (unless this DCP specifies otherwise) and relevant Australian Standards. Adequate vehicular entrance to and exit from the development is to be provided and designed in order to provide safety for pedestrians and vehicles using the site and adjacent roadways.	Complies by Conditions The Traffic Report demonstrates vehicles up to a size of 19m will be able to traverse the site as shown in the provided swept path diagrams. Site access is considered adequate to the future public road network. Access to the road is not considered to be compromised as the fencing at the entry/exit location is not considered to impede vehicular sightlines.
6.7.2 Parking	Warehouse premises: 1 space per 70m² including office space up to 20% of the total building GFA. (Office space – 240sqm, total GFA- 2804sqm = 8.5%)	Complies on Merit Parking has been calculated based on areas of active uses; in this instance the storage areas and bathroom of the warehousing shed have been excluded for the purposes of parking calculation. The proposal requires 31.8 car parking spaces based on 1 space per 70sqm on a total GFA of 2804sqm. The development provides 22 parking spaces in lieu of the 32 spaces required under Council's DCP, resulting in a

		shortfall of 10 spaces. This variation is considered acceptable as the proposal involves a warehouse use, which typically generates lower parking demand given its storage and distribution function and reduced customer visitation. As a defined operator has not been identified in addition to the applicant confirming that a future application for the use component will be lodged, consideration is given to the site layout which provides for adequate internal circulation and loading areas to support operations in addition to adequate space for the provision of additional parking should the future use demand additional parking spaces. On this basis, the deficit in parking is considered acceptable and is not considered to adversely impact the local traffic network.
	Car parking is not permitted within the minimum front setback specified in clause 6.4.1. The use of stack parking is not favoured and may only be permitted in special circumstances. Sufficient spaces must be provided for parking for people with disabilities to comply with the requirements of the Building Code of Australia All parking areas shall be constructed of hard-standing, all-weather material, with parking bays and circulation aisles clearly delineated	Parking is not located in front setback. No stack parking proposed. Accessible parking provided. 2 spaces provided. Sealed bitumen proposed for parking areas and line marked.
6.8 Waste Management	Details of proposed waste management are to be provided as part of all development applications for new buildings and for applications proposing a change of use of a building. For larger developments Council may require a Waste Management Plan to be prepared.	Complies on merit A waste management plan was provided with the application when it was originally proposed for a resource recovery facility. As noted within the report, the final intended use of the facility is uncertain and detail as to the specific operations and waste management are to be assessed under the future use application.

6.9 Safety and Surveillance	Buildings should be designed to overlook public domain areas and provide casual surveillance. Building entrances should be orientated towards the street to ensure visibility between entrances, foyers, car parking areas and the street.	Complies The fencing arrangement alongside the eastern façade nearest to the proposed office building allows for passive surveillance towards Road 01. The office building is orientated towards Road 1 clear sightlines are provided between the public domain. Additionally, the communal open space located toward the north western corner also allows for passive surveillance towards Road 02.
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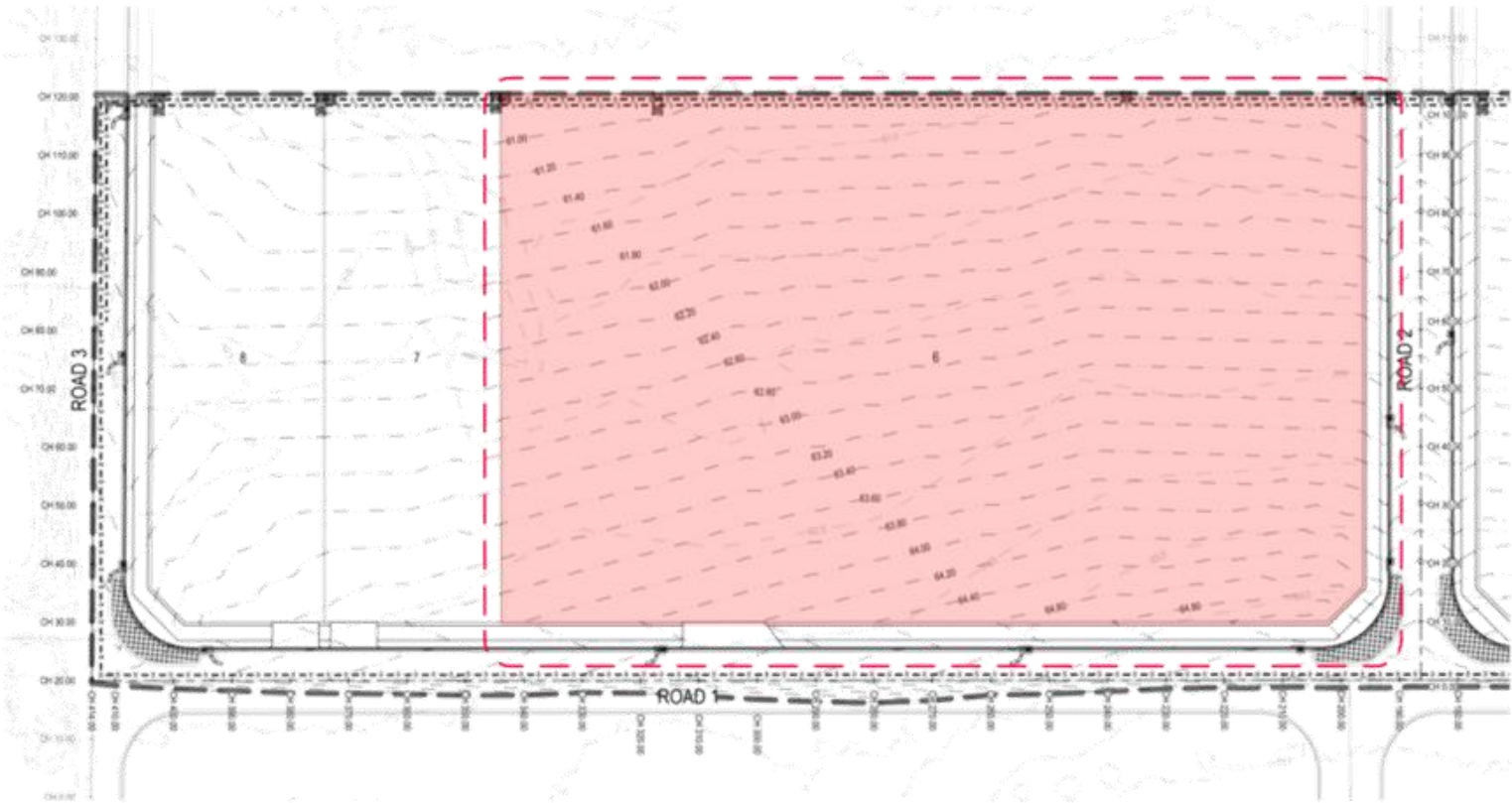
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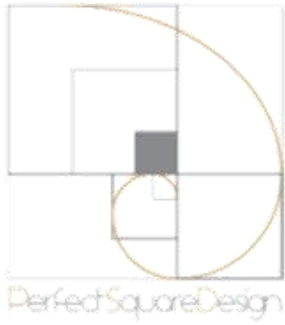
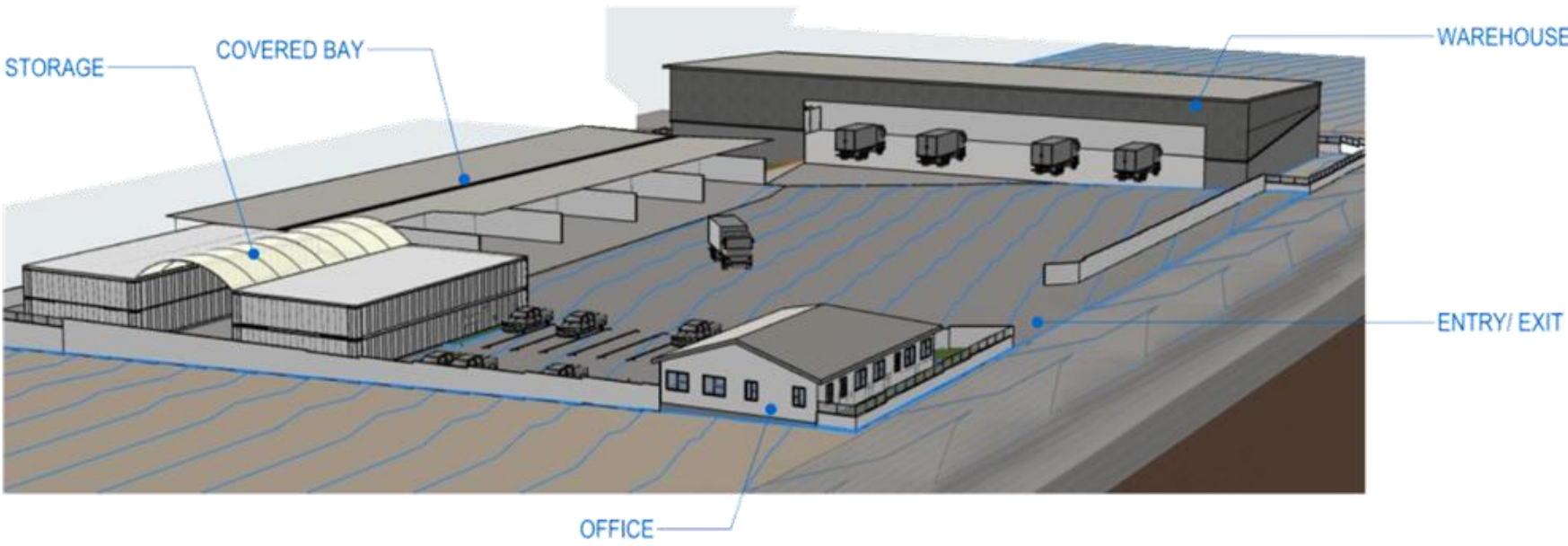
WAREHOUSE AND OFFICE

Lots 6-12 160 Gurner Ave Austral NSW 2179
29/-/DP3403

A1.1	Location Plan, Sheet Index
A1.2	Existing Site Plan
A1.3	Proposed Site Plan
A2.1	Warehouse Plan
A2.2	Warehouse Elevations
A2.3	Warehouse Sections
A2.4	Warehouse Building Height
A3.1	Office Plan
A3.2	Office Elevations, Sections & Glazing Schedule
A4.1	Covered Bay Plan
A5.1	Storage Plan
A6.1	Fence Plan
A6.2	Fence Elevations for Acoustics
A6.3	Fence Elevations for Acoustics
A6.4	Fence Elevations for Acoustics
A6.5	Fence 3D View
A6.6	Fence 3D View
A7.1	Cut & Fill
A8.1	External Finishes & Materials
A9.1	3D
A9.2	3D
A9.3	3D



LOCATION PLAN



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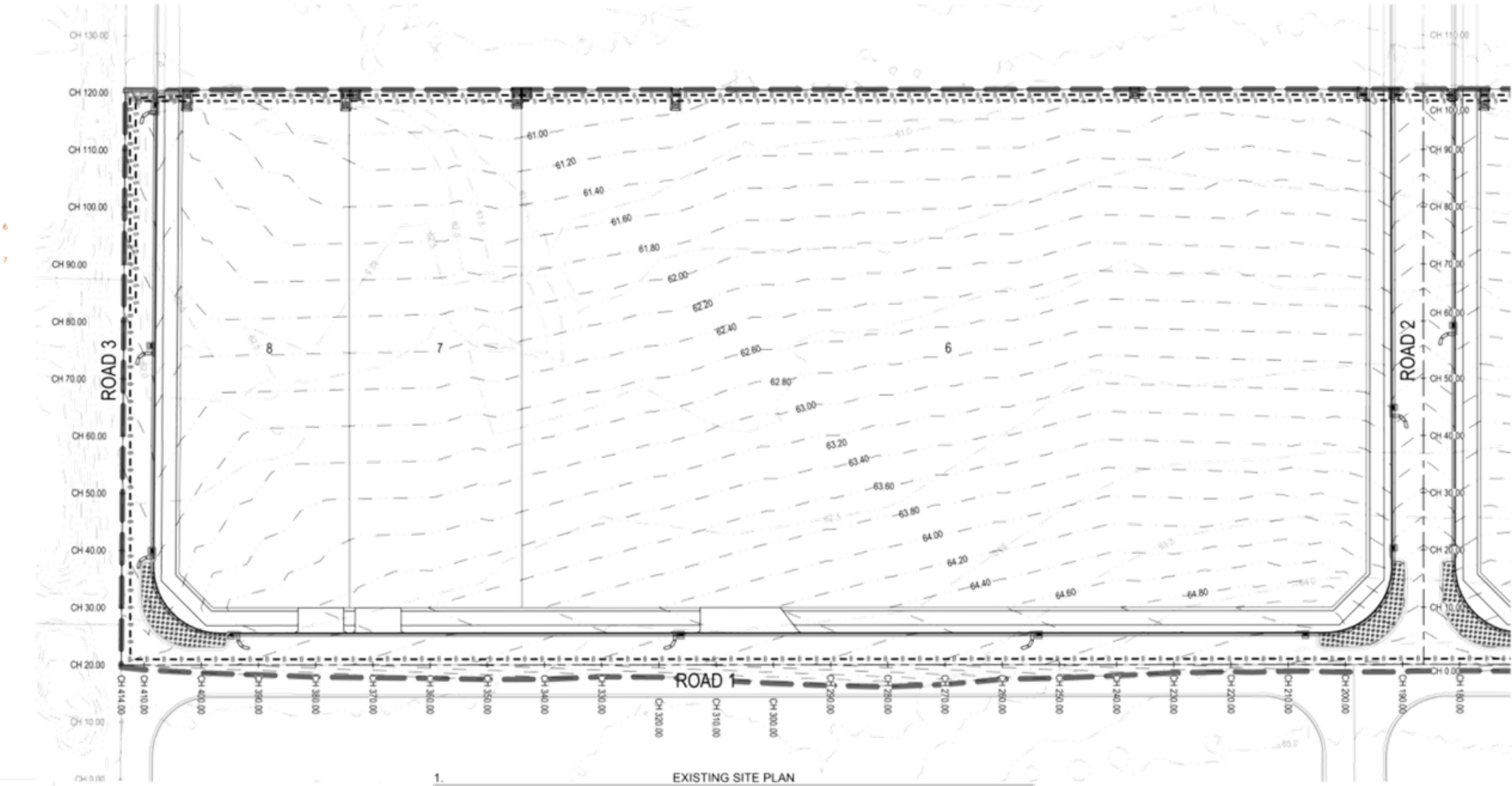
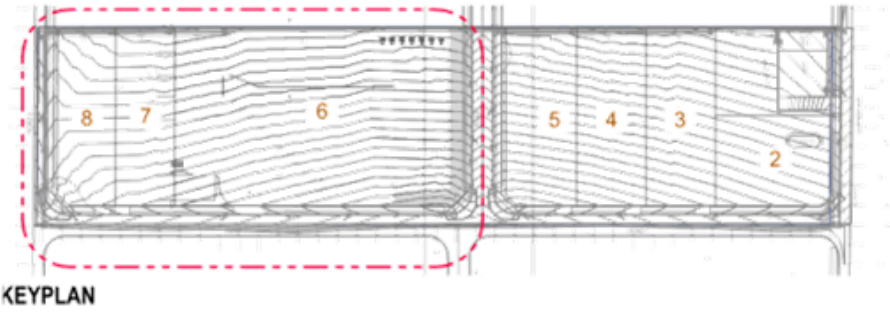
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01	DA FOR CHECKING	18.07	JC	
02	DA FOR CHECKING	09.10	JC	
03	DA REVISION	27.11	JC	
04	DA REVISION	12.05.25	JC	
05	DA REVISION	10.06.25	JC	
06	COUNCIL 891	12.08.25	JC	
07	COUNCIL 891	14.08.25	JC	

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JC	GS	22090	
DATE PUBLISHED	SHEET SIZE	PAGE NO.	
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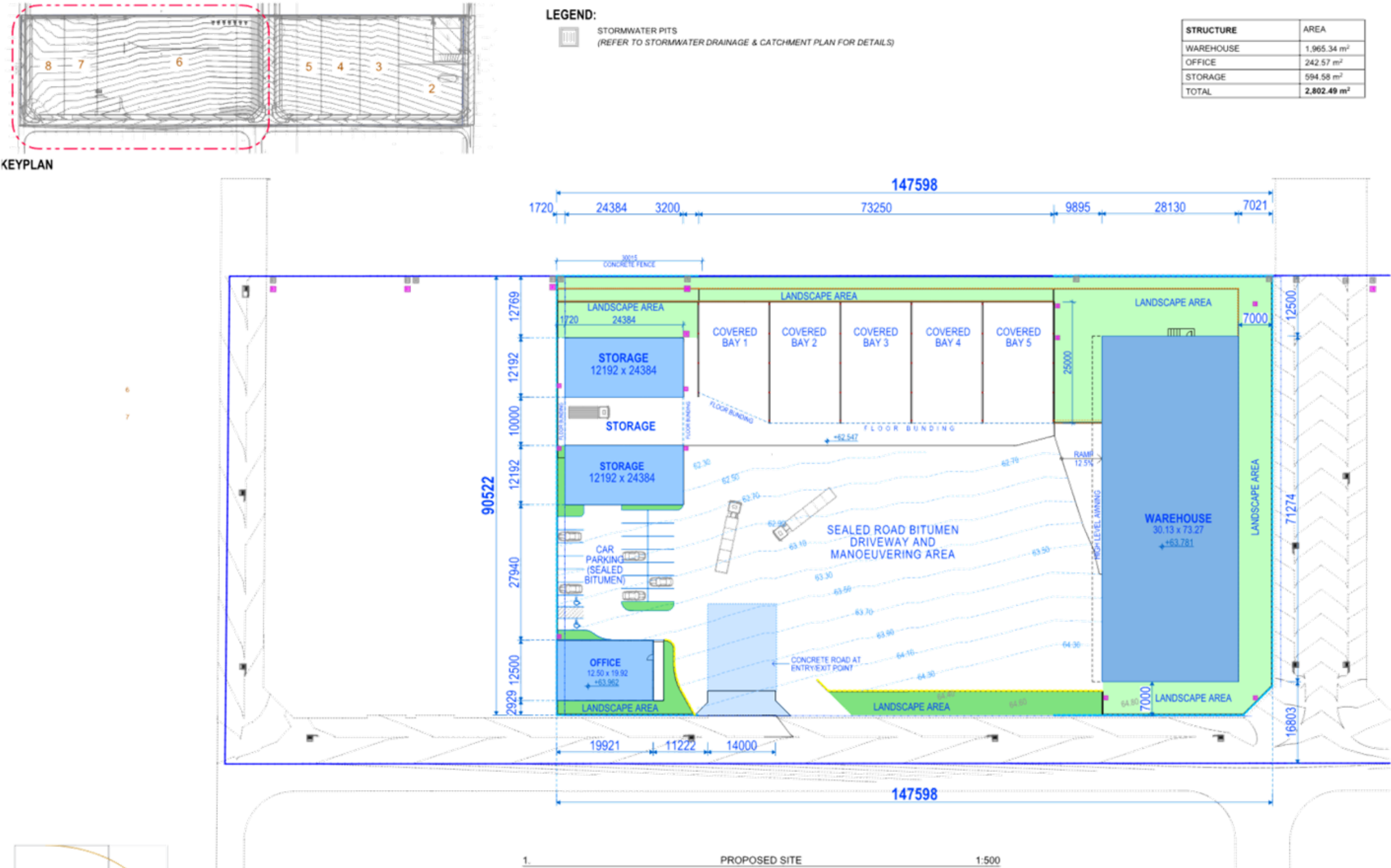


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02	DA FOR CHECKING	03.10	JC				
03	DA REVISION	27.11	JC				
04	DA REVISION	12.05.25	JC				
05	DA REVISION	10.04.25	JC				
06	COUNCIL RR	12.08.25	JC				
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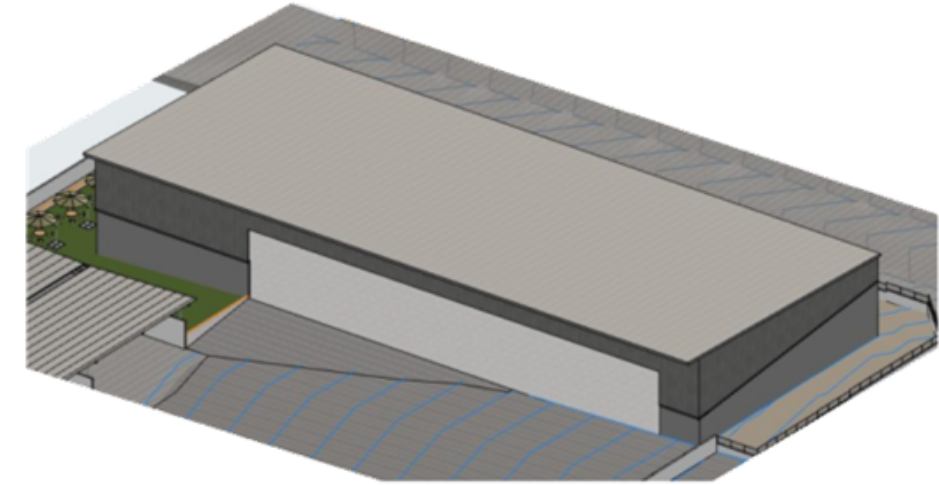
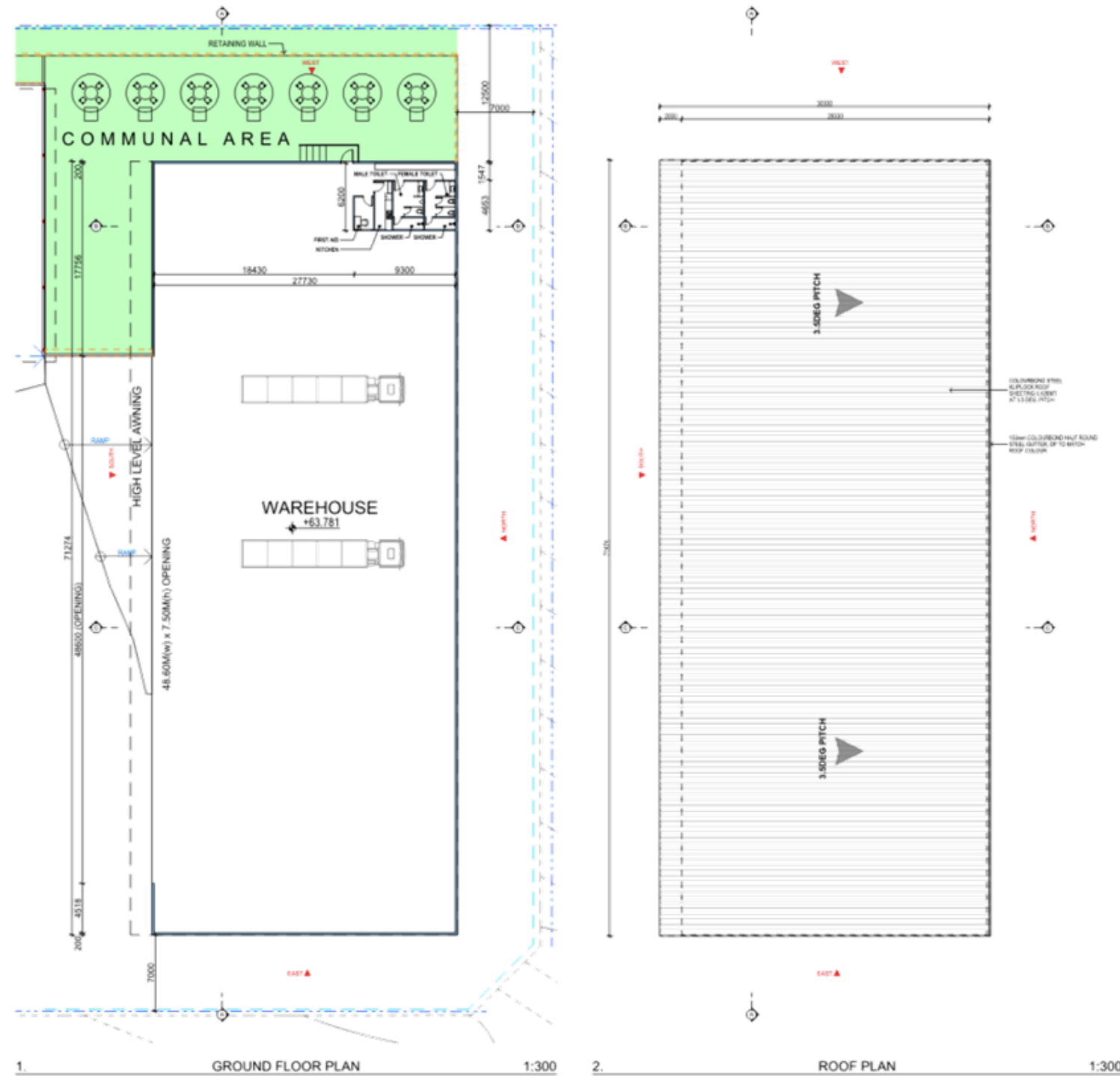
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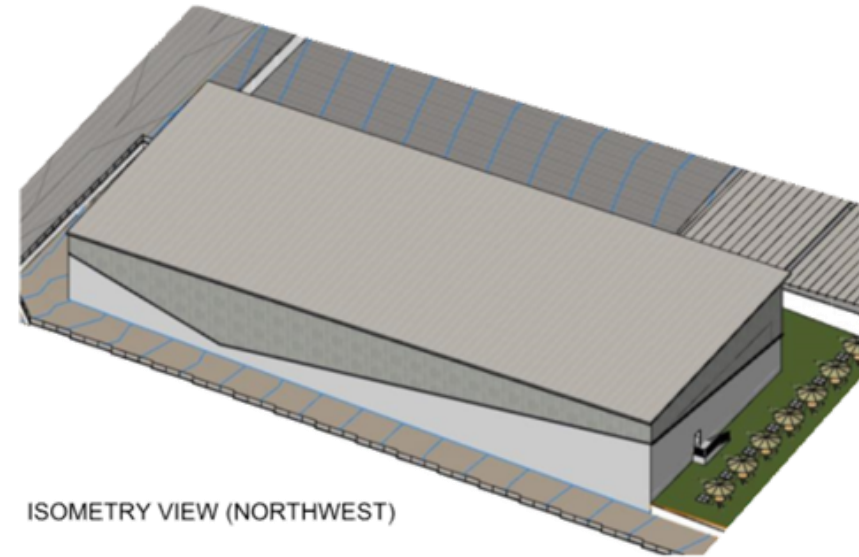
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DRAWN JC	DESIGNED GS	PROJECT NO. 22090	A1.3
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ISOMETRY VIEW (SOUTHEAST)



ISOMETRY VIEW (NORTHWEST)



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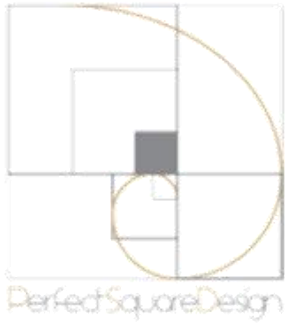
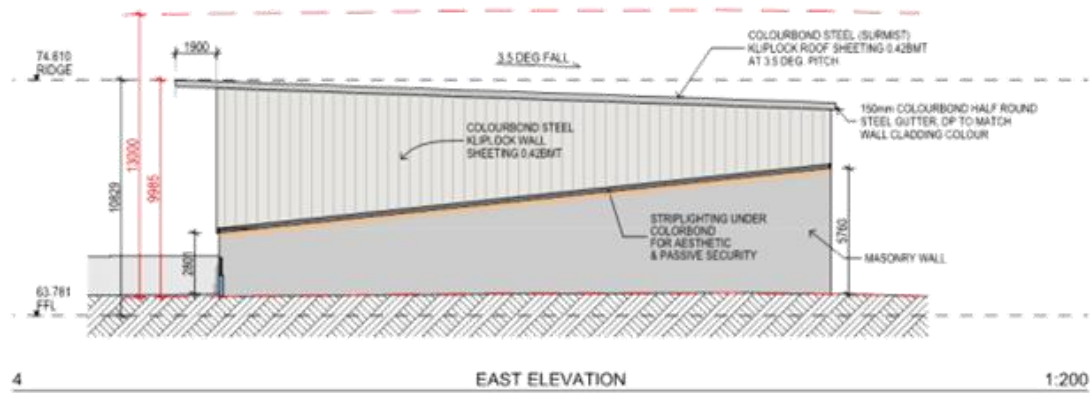
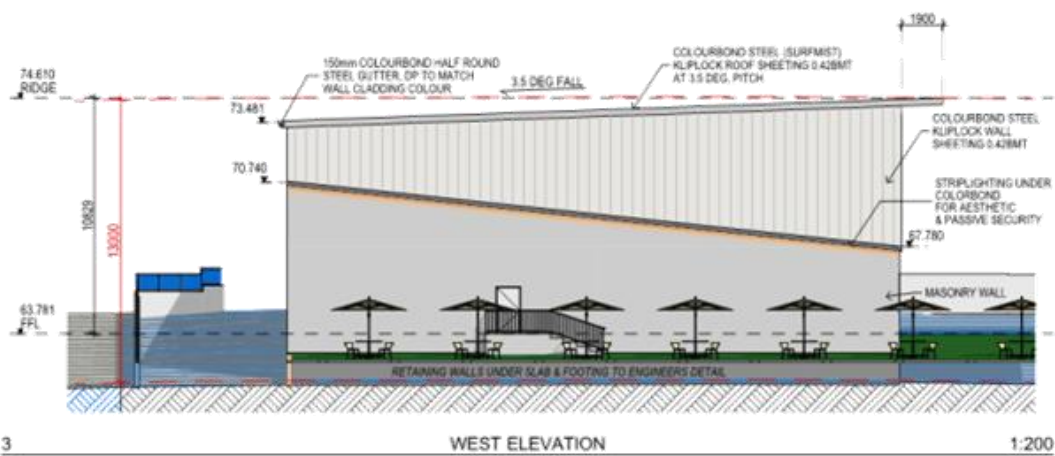
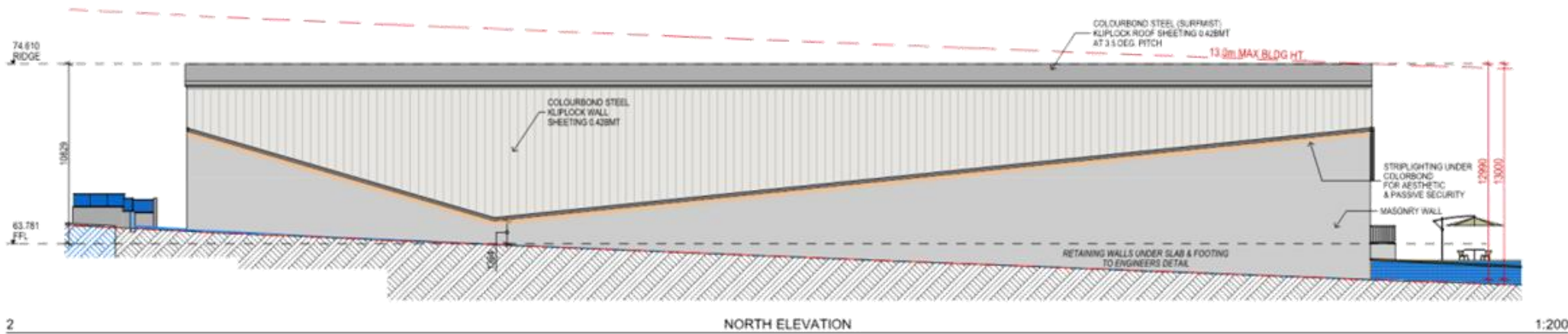
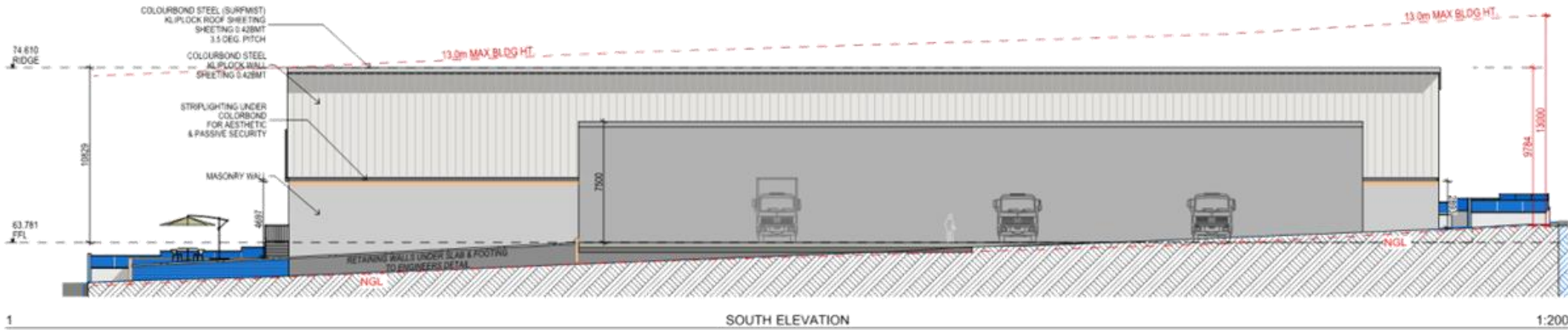
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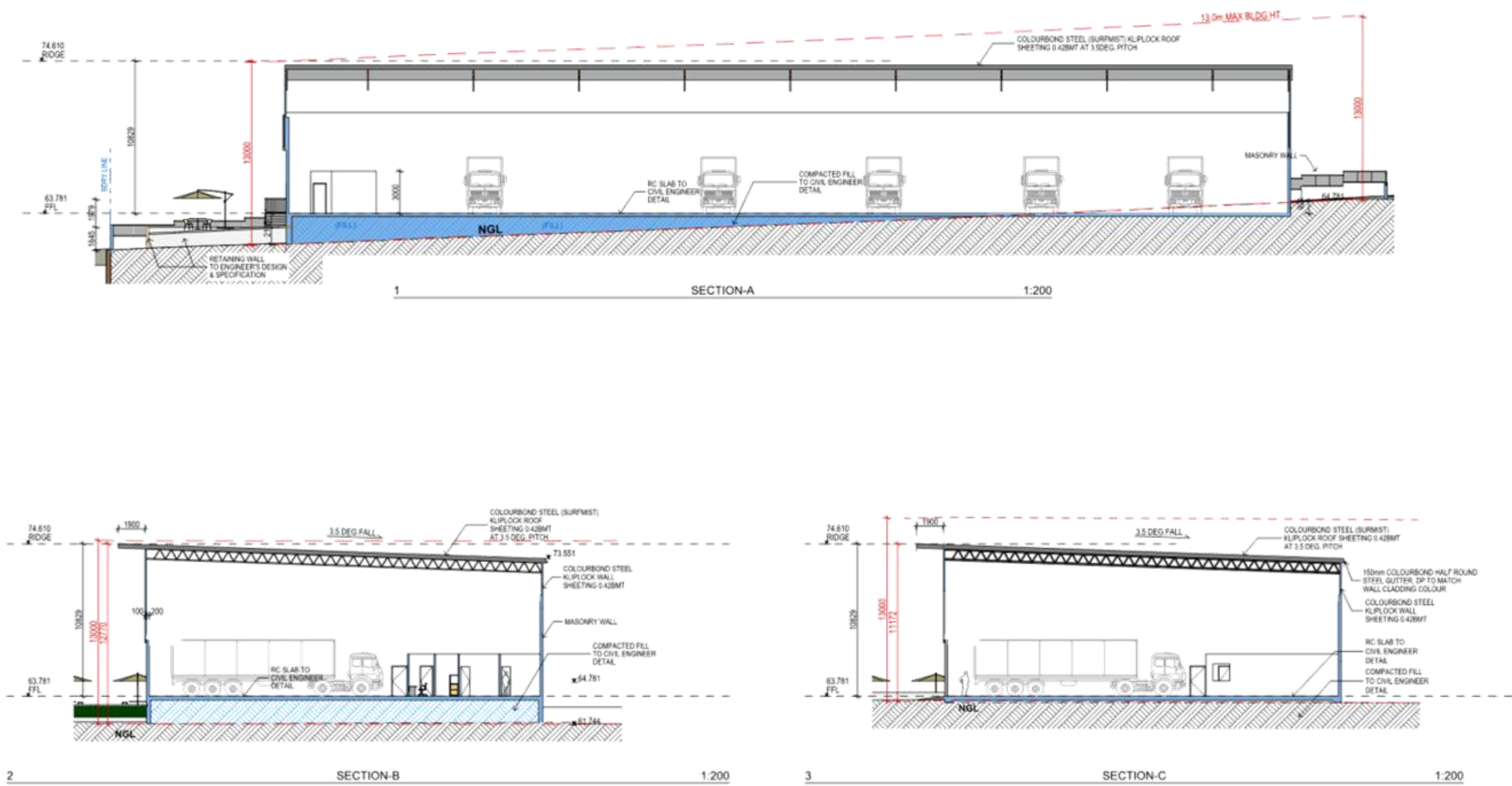
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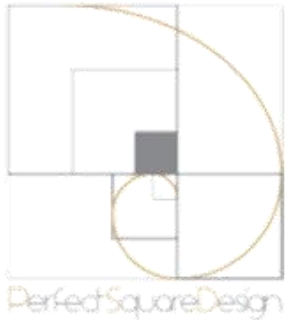
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JC	G5	22090	
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TERMITE CONTROL METHOD
REDSTOP -PIPE PENETRATIONS
DURSBAN PERIMETER SPRAY- PERIMETERS
TO AS NO. 3660
CL 6.59& 6.60



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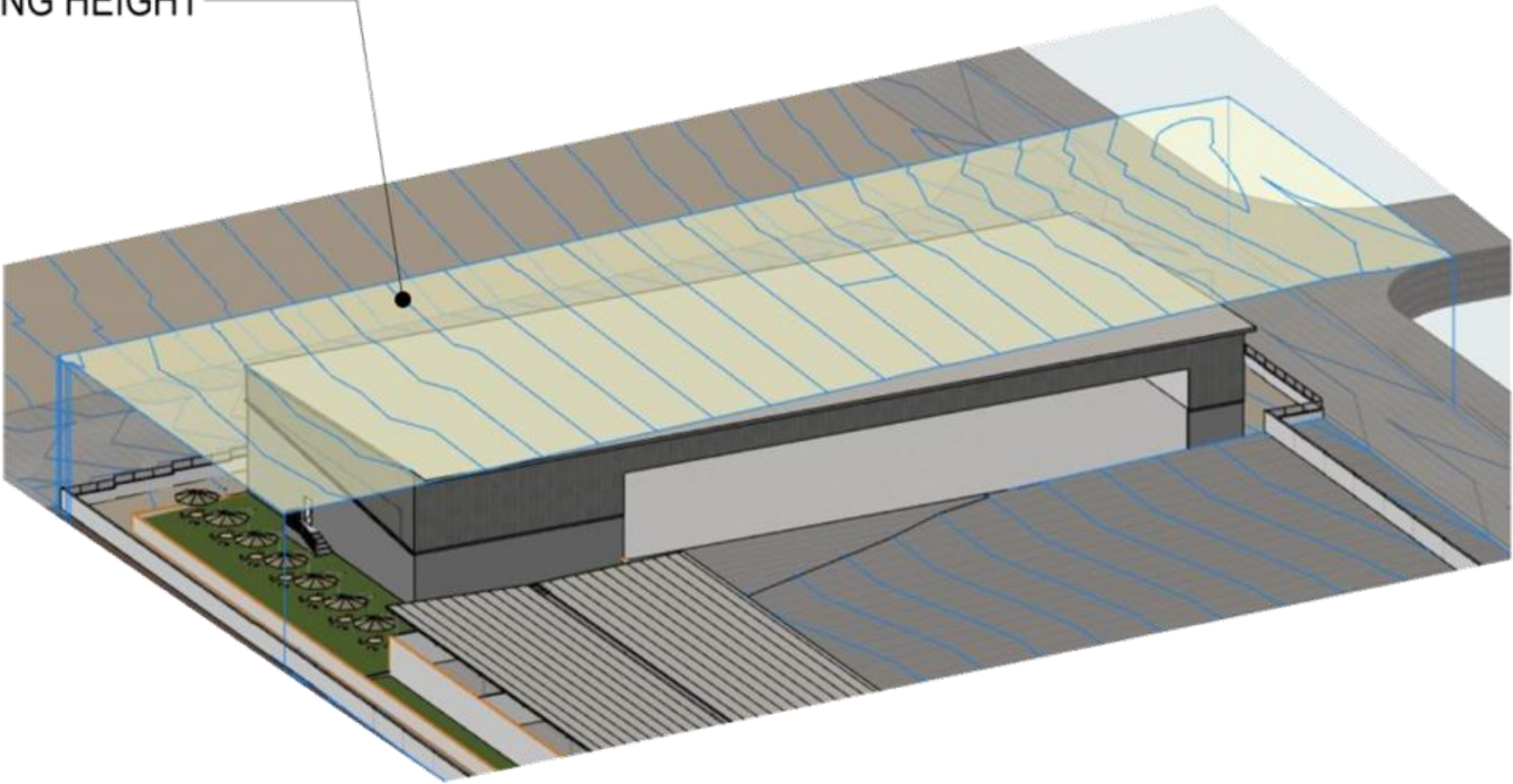
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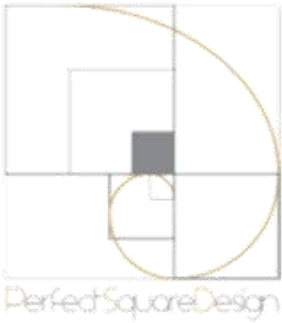
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13m BUILDING HEIGHT



01

BUILDING HEIGHT PLANE



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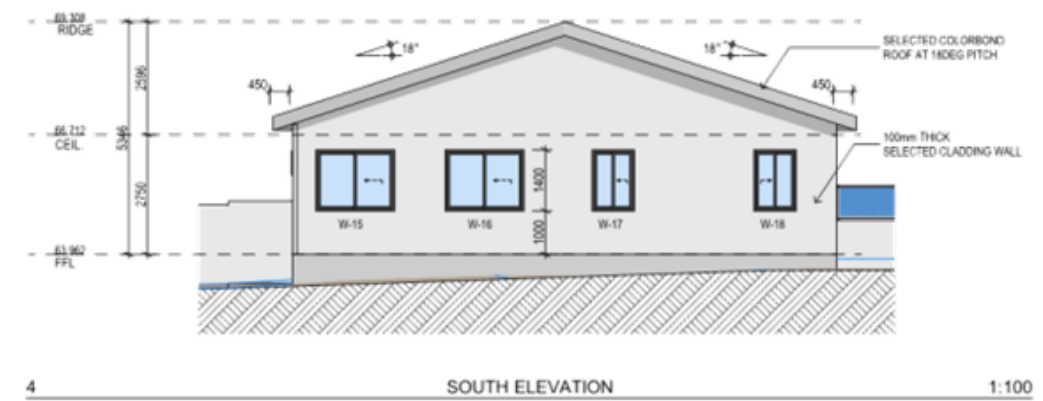
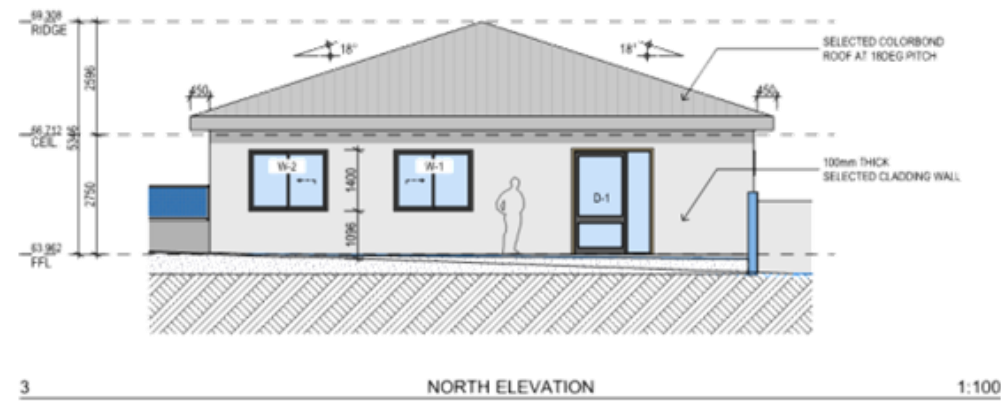
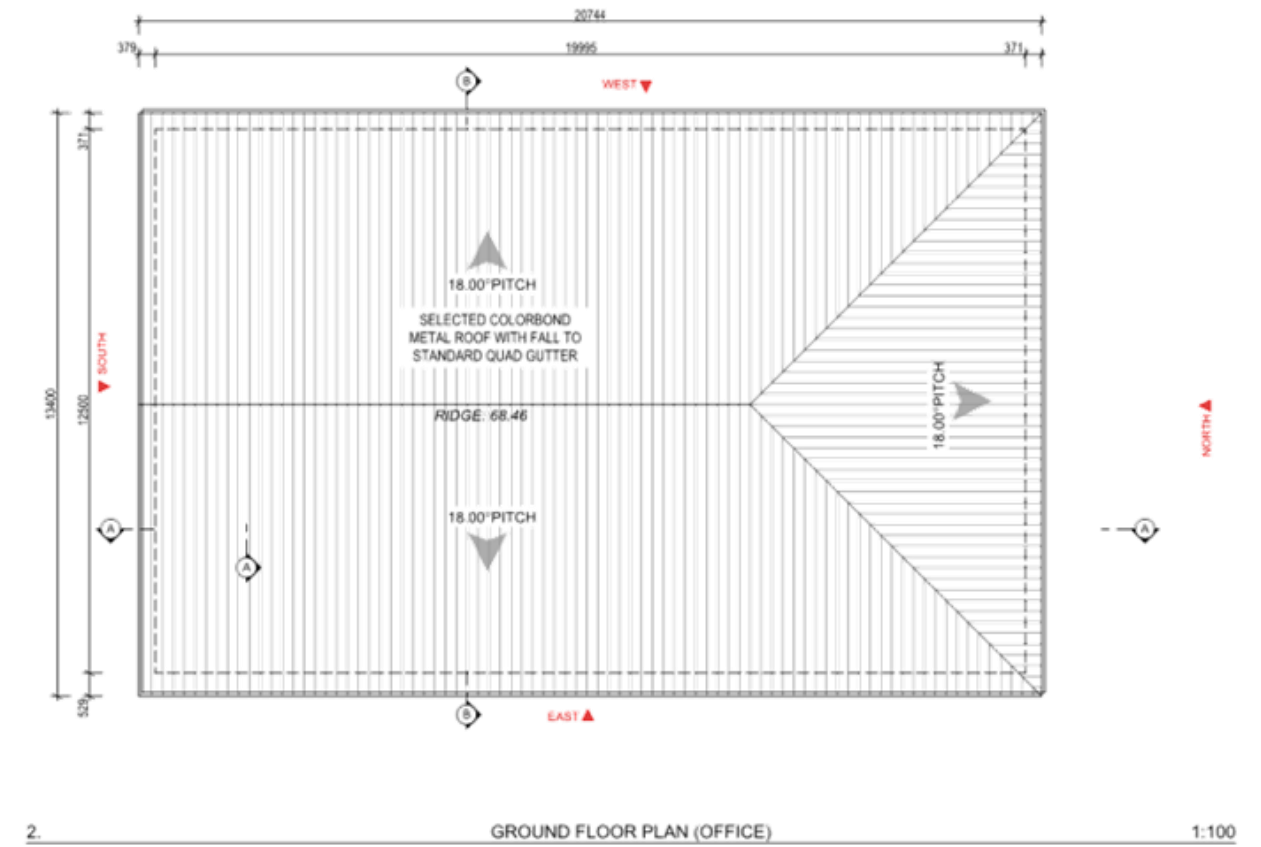
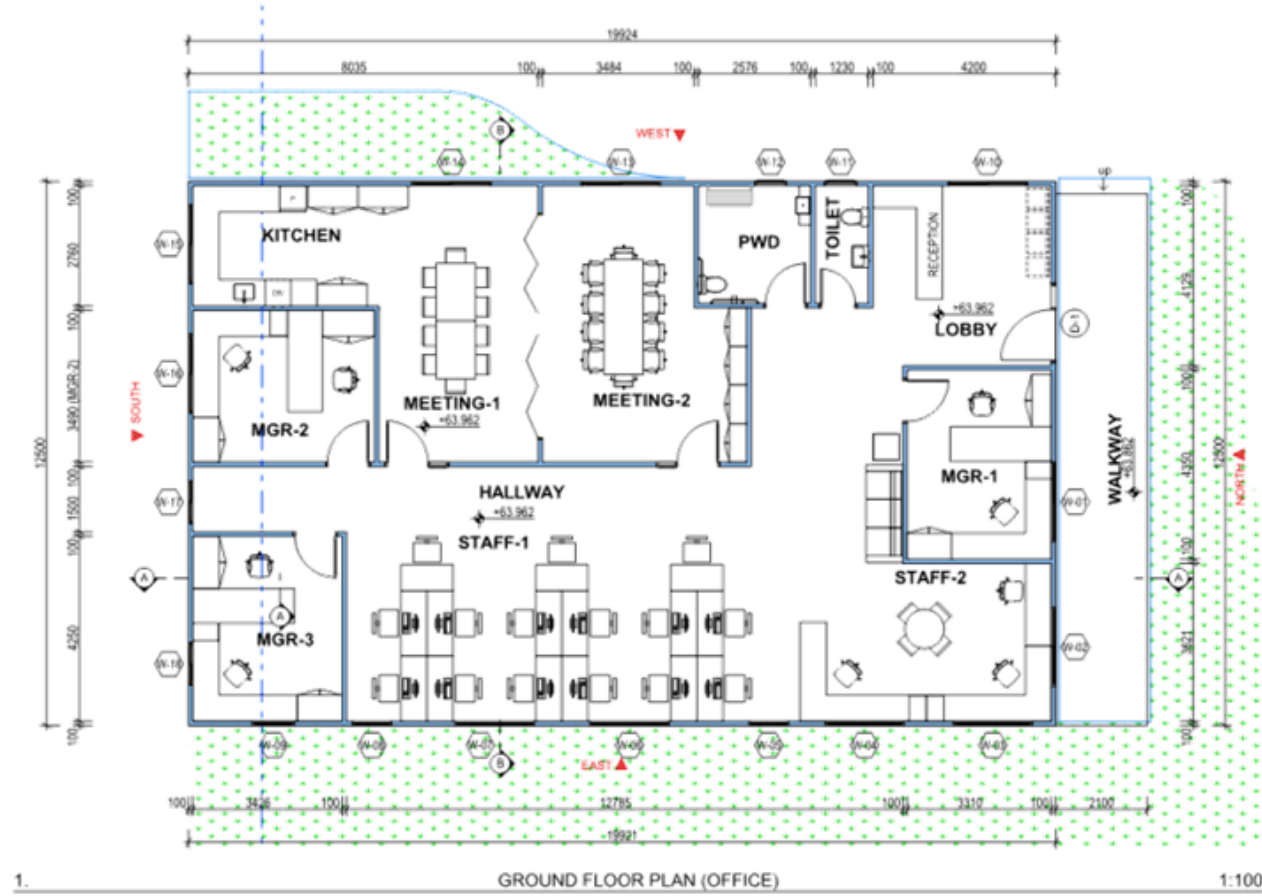


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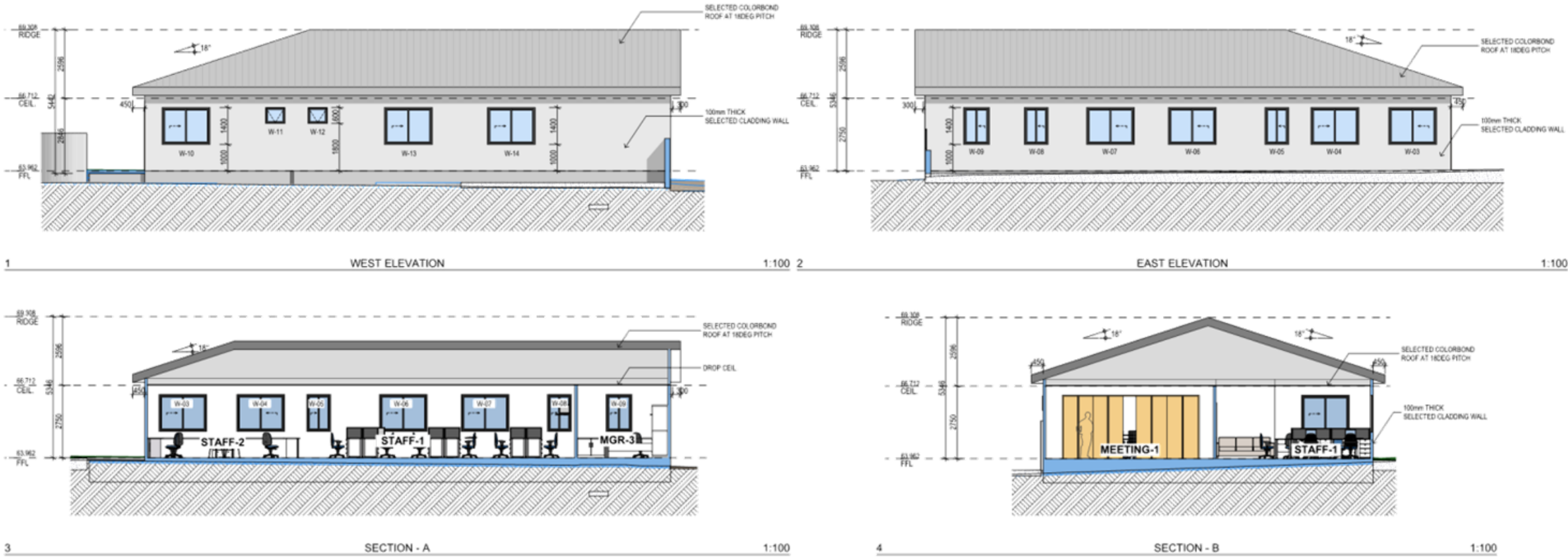
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TERMITE CONTROL METHOD
REDSTOP - PIPE PENETRATIONS
DURBAN PERIMETER SPRAY - PERIMETERS
TO AS NO. 3660
CL 6.59& 6.60

GLAZING SCHEDULE (WINDOW)						
Item#	W x H (mm)	AREA (m2)	Sill ht. (mm)	TYPE	LOCATION	ORIENTATION
W-01	1 810x1 400	2.53	1 000	SLIDING	MGR-1	NORTH
W-02	1 810x1 400	2.53	1 000	SLIDING	STAFF-2	NORTH
W-03	1 810x1 400	2.53	1 000	SLIDING	STAFF-2	EAST
W-04	1 810x1 400	2.53	1 000	SLIDING	STAFF-2	
W-05	900x1 400	1.26	1 000	SLIDING	STAFF-1	
W-06	1 810x1 400	2.53	1 000	SLIDING	STAFF-1	
W-07	1 810x1 400	2.53	1 000	SLIDING	STAFF-1	
W-08	900x1 400	1.26	1 000	SLIDING	STAFF-1	
W-09	970x1 400	1.35	1 000	SLIDING	MGR-3	
W-10	1 810x1 400	2.53	1 000	SLIDING	LOBBY	WEST
W-11	730x600	0.43	1 800	AWNING	TOILET	
W-12	730x600	0.43	1 800	AWNING	PWD	
W-13	1 810x1 400	2.53	1 000	SLIDING	MEETING-2	
W-14	1 810x1 400	2.53	1 000	SLIDING	MEETING-1	
W-15	1 810x1 400	2.53	1 000	SLIDING	KITCHEN	SOUTH
W-16	1 810x1 400	2.53	1 000	SLIDING	MGR-2	
W-17	970x1 400	1.35	1 000	SLIDING	HALLWAY	
W-18	970x1 400	1.35	1 000	SLIDING	MGR-3	

GLAZING SCHEDULE (DOOR)					
ITEM #	W x H (mm)	AREA (m2)	TYPE	LOCATION	ORIENTATION
D-1	1 800x2 400	4.32	SLIDING	LOBBY	NORTH



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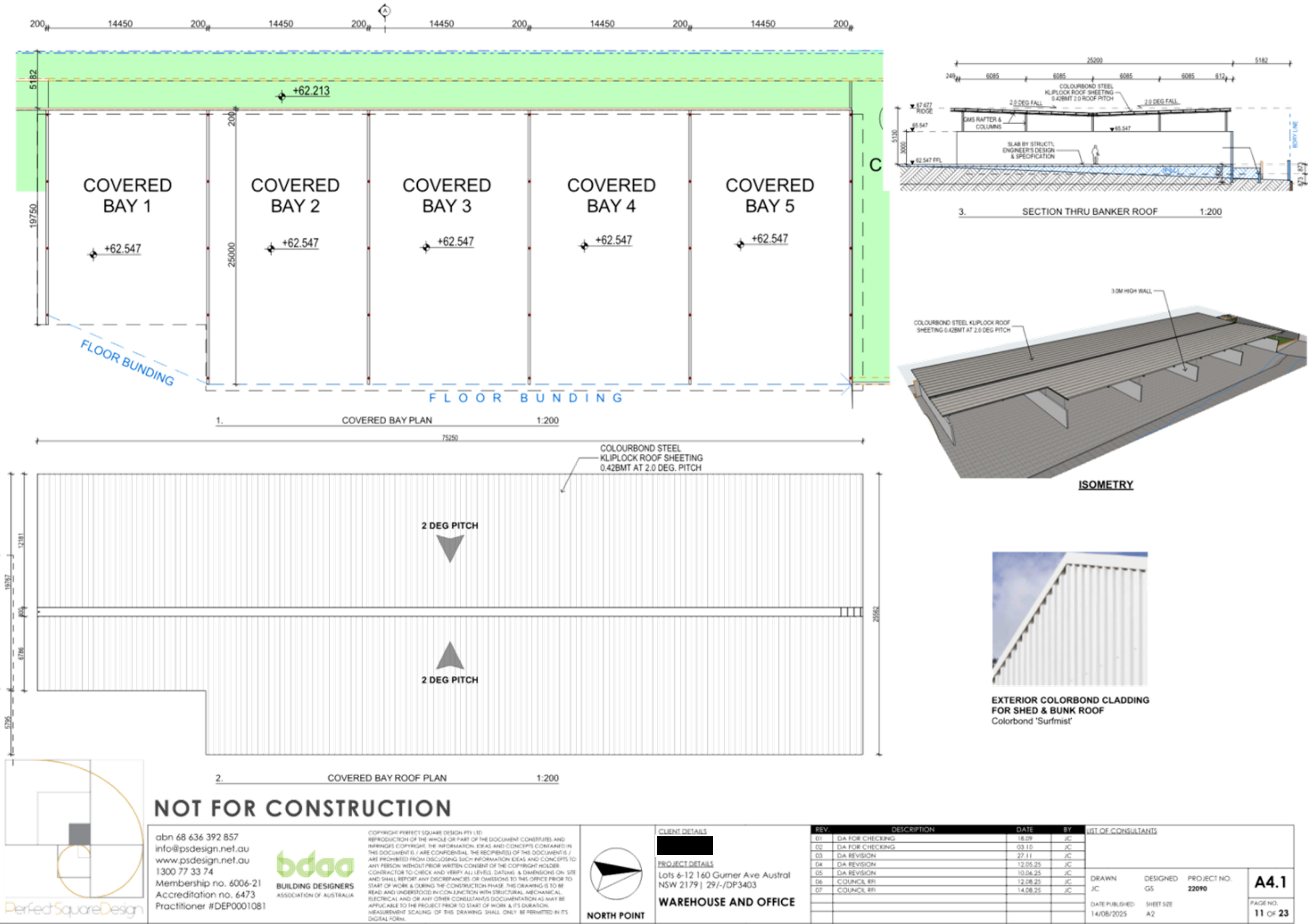


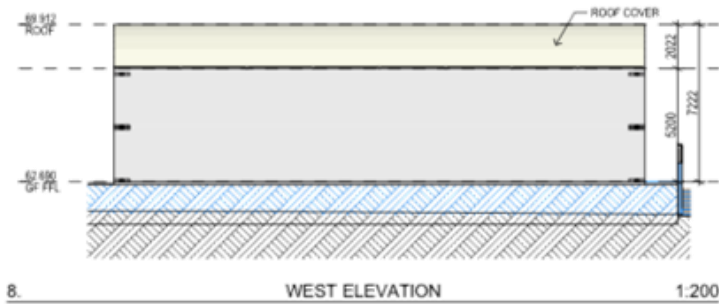
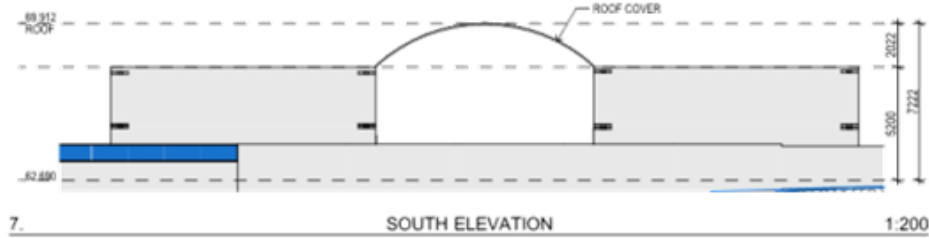
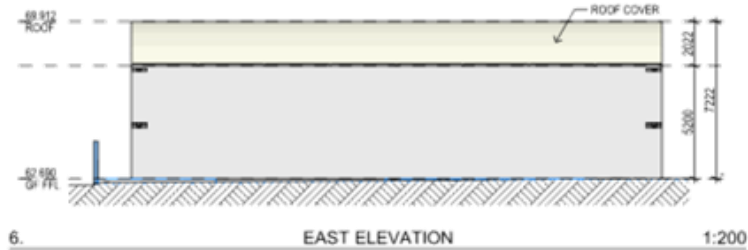
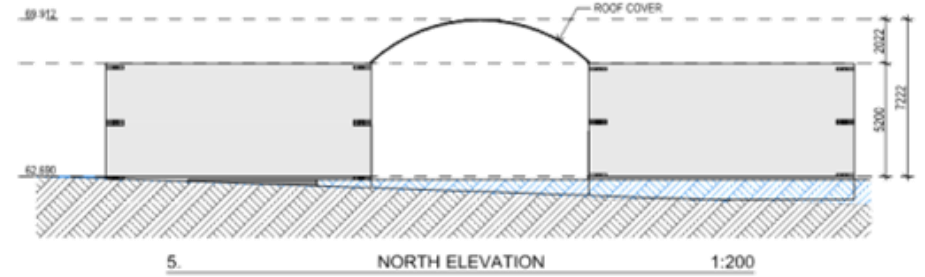
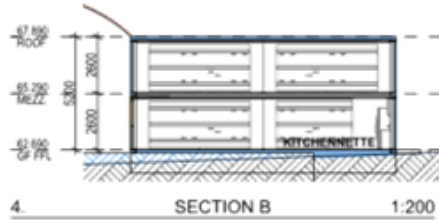
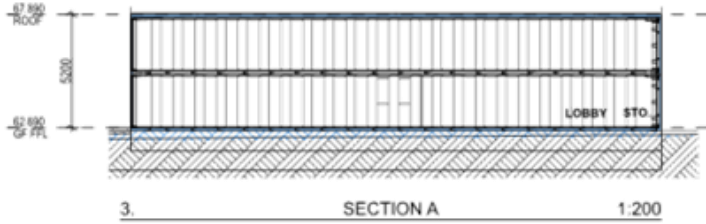
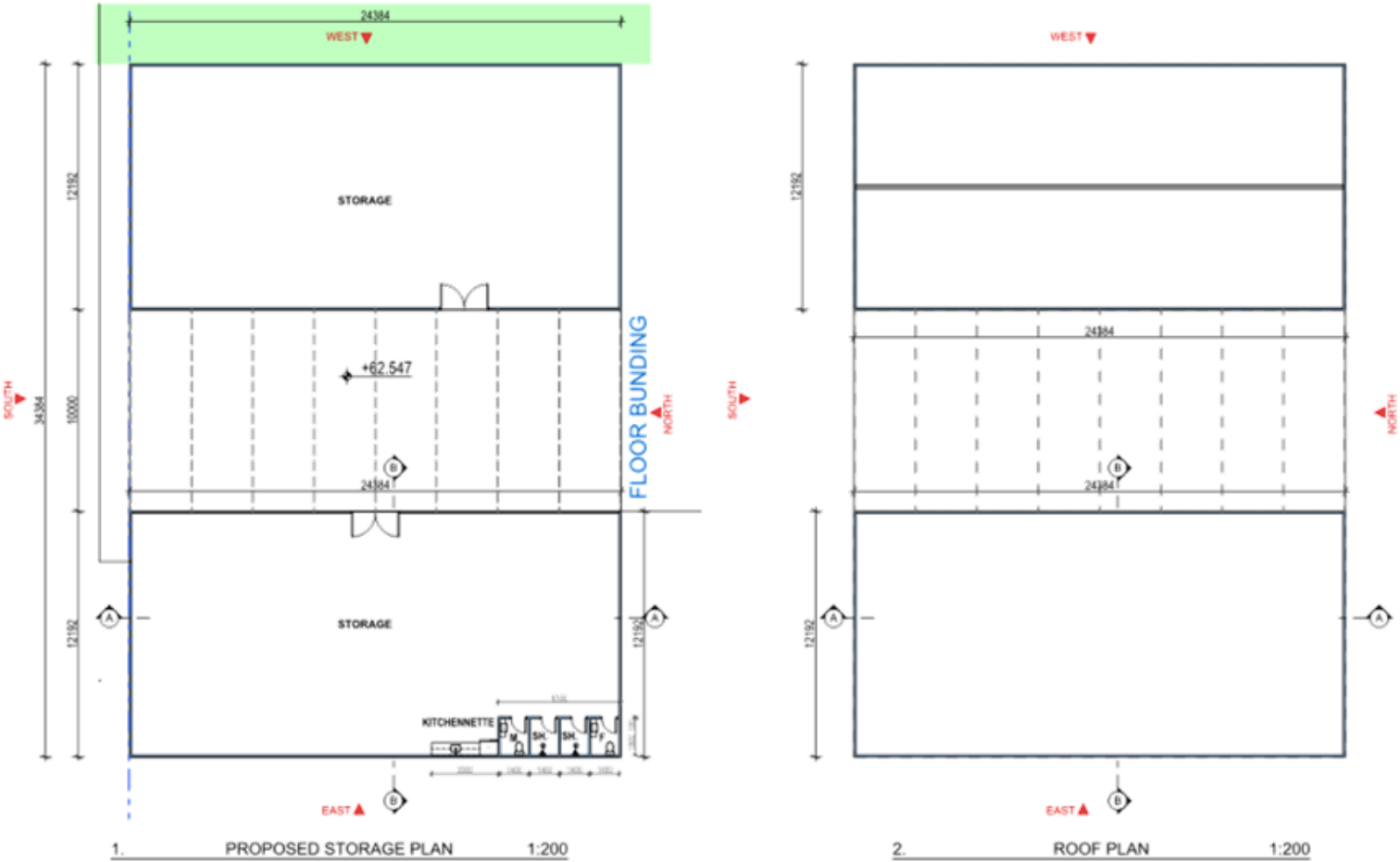
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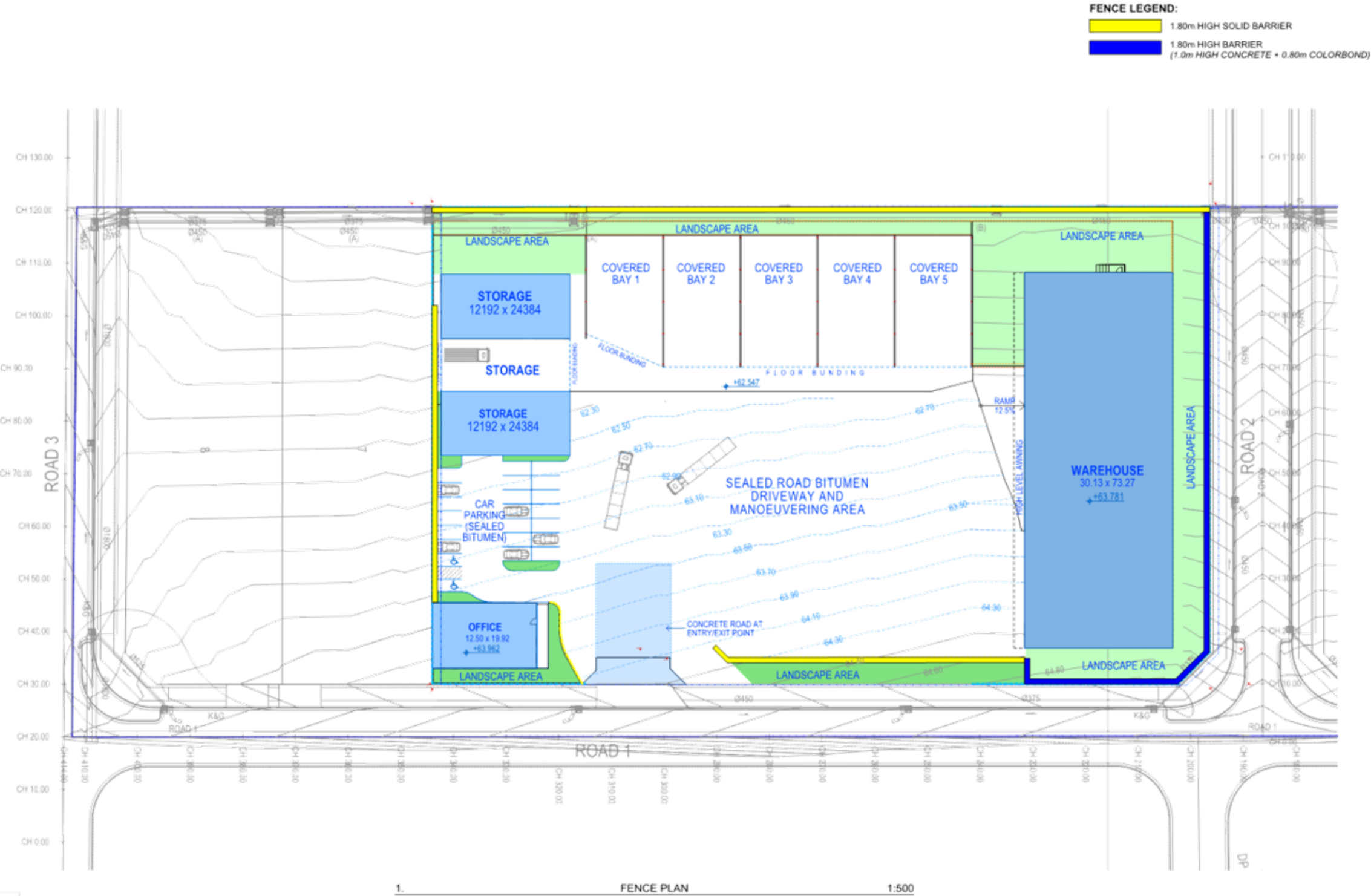
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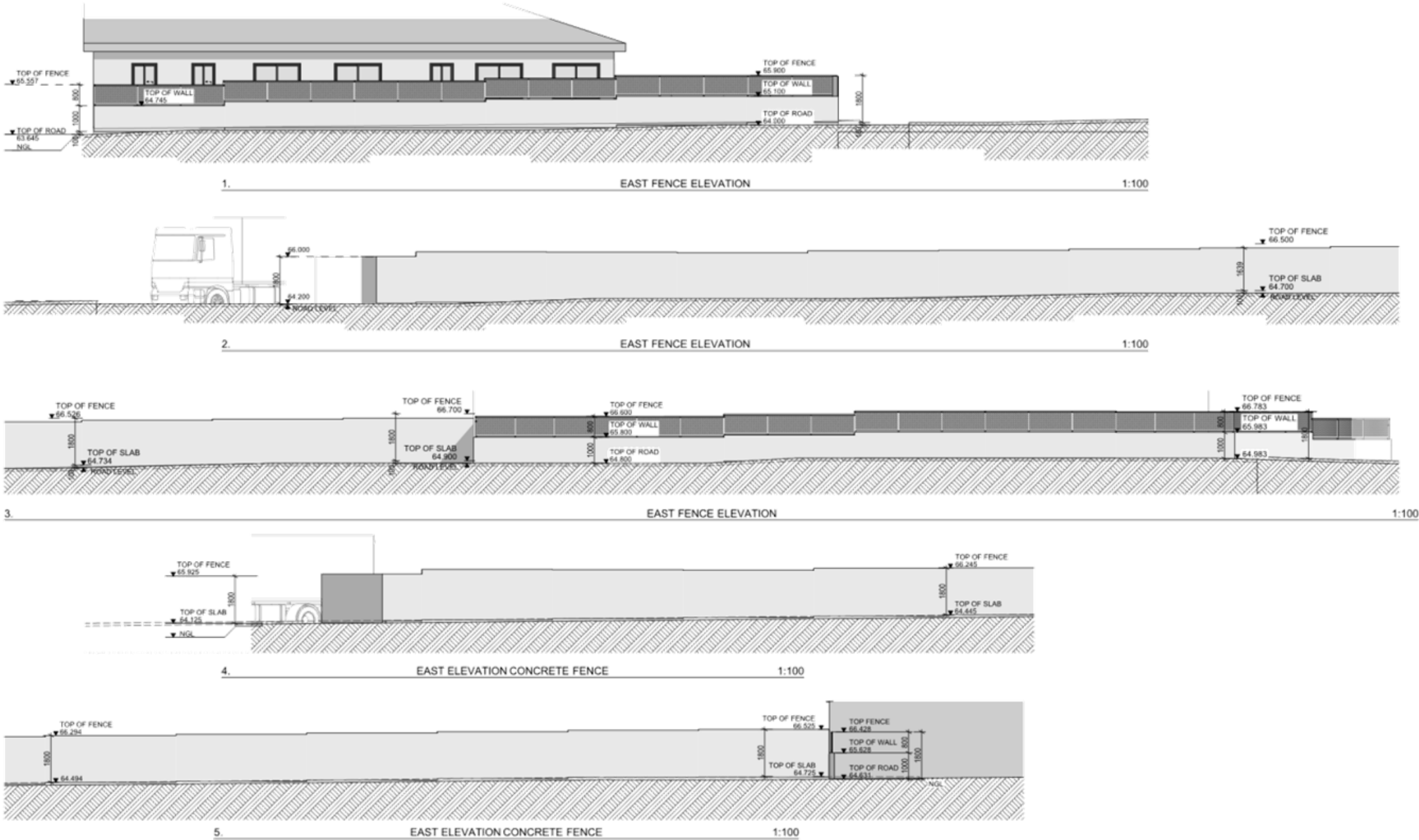
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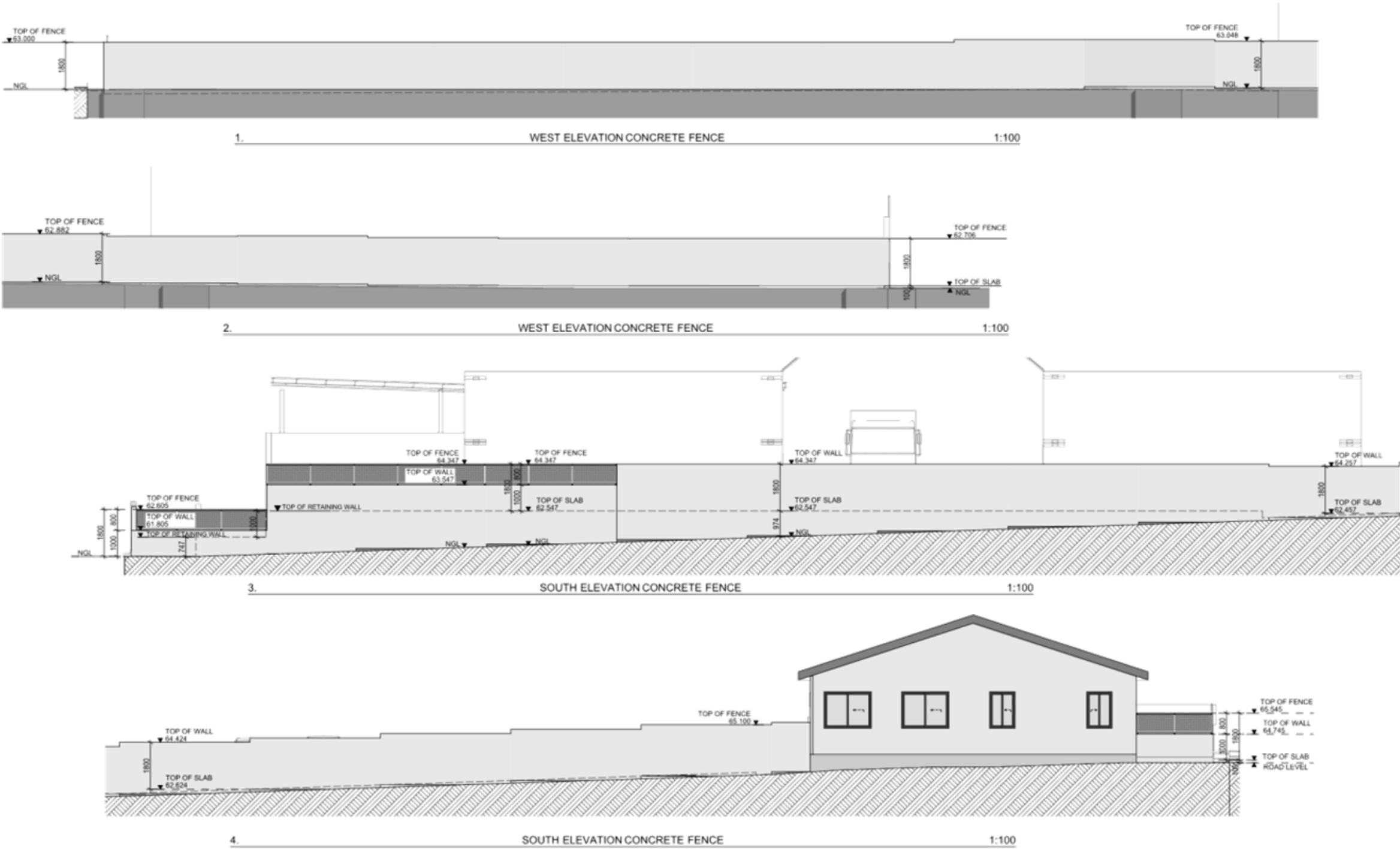
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02	DA FOR CHECKING	03.10	JC	
03	DA REVISION	27.11	JC	
04	DA REVISION	12.05.25	JC	
05	DA REVISION	10.06.25	JC	
06	COUNCIL RR	12.08.25	JC	
07	COUNCIL RR	14.08.25	JC	

DRAWN	DESIGNED	PROJECT NO.	A6.2
JC	GS	22090	
DATE PUBLISHED	SHEET SIZE	PAGE NO.	14 OF 23
14/08/2025	A2		



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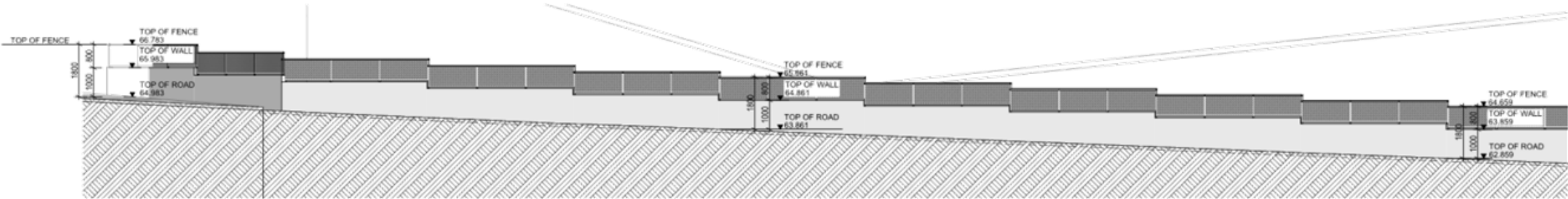
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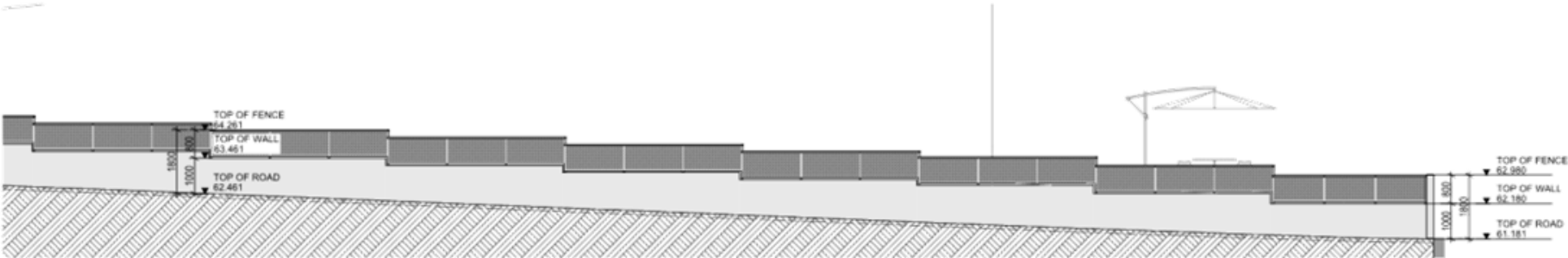
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01	DA FOR CHECKING	18.09	JC	DRAWN JC DESIGNED GS PROJECT NO. 22090 DATE PUBLISHED 14/08/2025 SHEET SIZE A2 PAGE NO. 15 OF 23			
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07	COUNCIL RR	14.08.25	JC				



1.0 NORTH ELEVATION FENCE 1:100



2.0 NORTH ELEVATION FENCE 1:100



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07	COUNCIL RR	14.08.25	JC				
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A 3D architectural rendering of a proposed building design. The building is a long, single-story structure with a light-colored facade and a dark roof. It features a series of windows along its side and a low wall or railing in front. The building is situated on a paved area, and a large, open paved lot is visible in the foreground. In the background, other industrial buildings and structures are visible, including a large building with a flat roof and several smaller structures. The rendering is presented in a perspective view, showing the building's relationship to the surrounding site.

A 3D architectural rendering of a modern building. The building features a large, dark grey, sloped roof that extends over a light grey wall. A long, low, tiered terrace with a glass railing runs along the side of the building. In the foreground, there is a paved area. To the right, a small outdoor seating area with green grass, yellow umbrellas, and tables is visible. The background shows a clear blue sky and some distant structures.



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NORTH POINT

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WAREHOUSE AND OFFICE

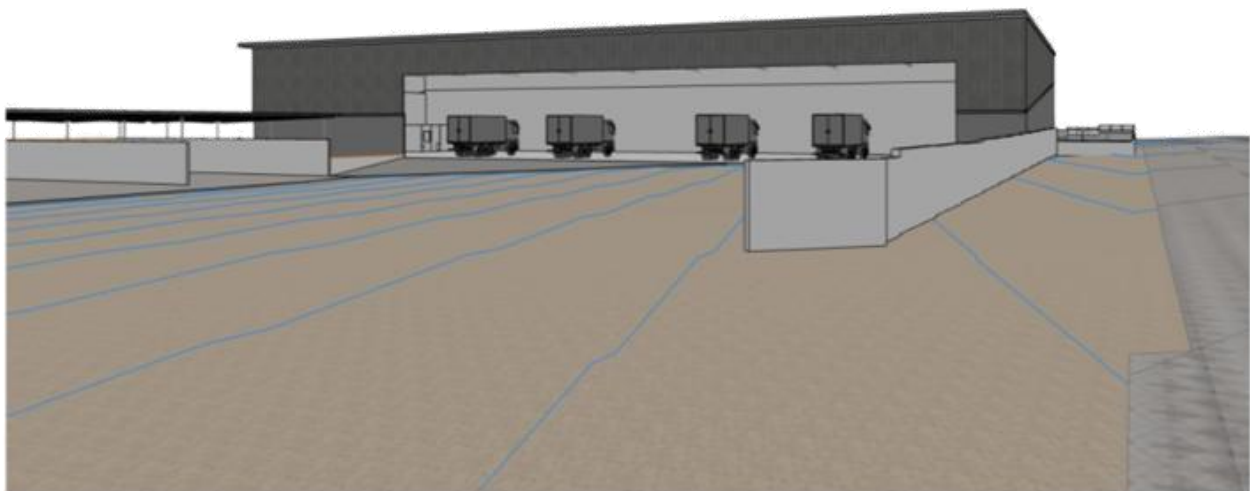
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				14/08/2025	A2		



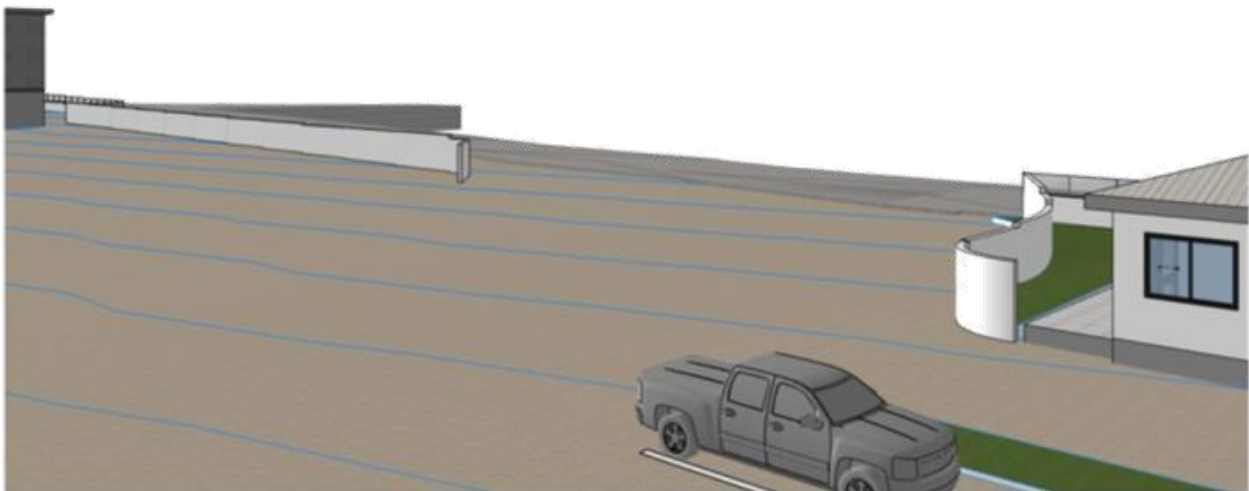
SOUTHWEST VIEW



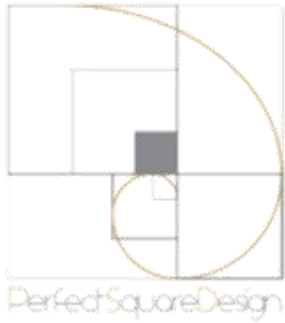
SOUTHEAST VIEW



ENTRANCE VIEW



EXIT VIEW



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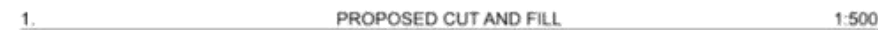
PROJECT DETAILS

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WAREHOUSE AND OFFICE

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07	COUNCIL 891	14.08.25	JC				
				DATE PUBLISHED	SHEET SIZE	PAGE NO.	
				14/08/2025	A2	18 OF 23	

	+100mm ON DRIVEWAY AND MANOEUVUR AREA
	FILL ON STRUCTURES

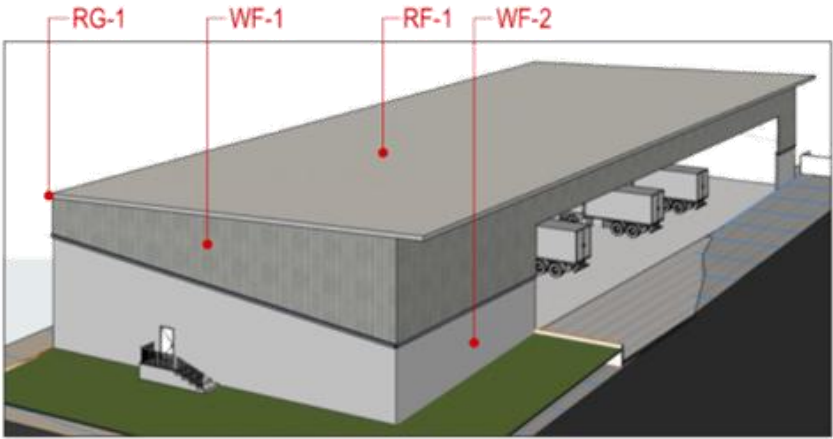


BDA
BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

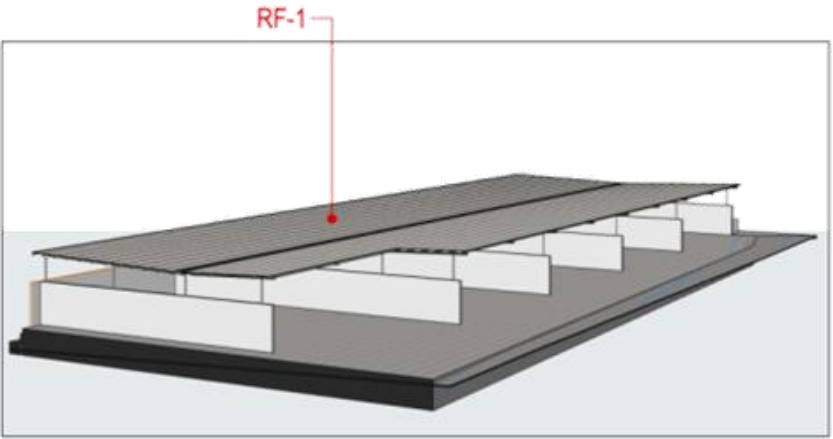


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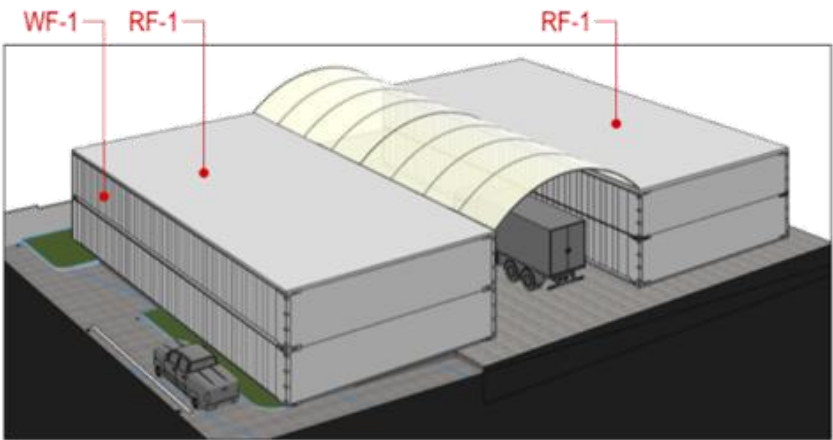
EXTERNAL FINISHES & MATERIALS



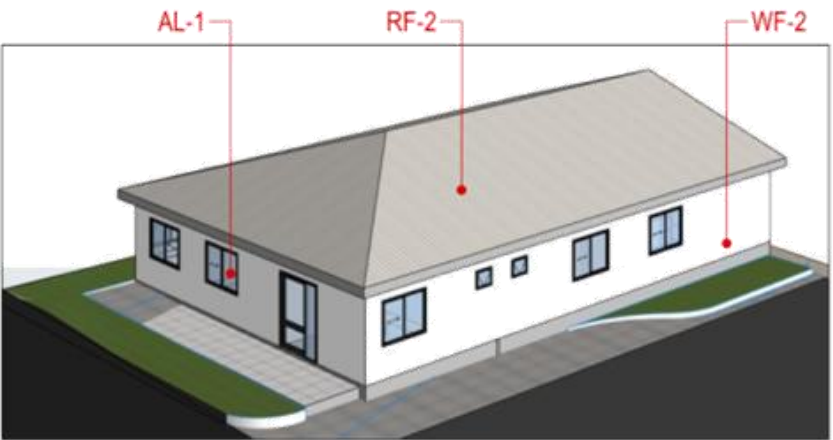
WAREHOUSE



COVERED BAY



STORAGE



OFFICE



RF-1
COLOURBOND STEEL KLIPLOCK
ROOF SHEETING
Colorbond 'Surfmist'



RF-2
COLOURBOND STEEL
ROOF SHEETING
Colorbond 'Surfmist'



WF-1
EXTERIOR COLOURBOND CLADDING
FOR SHED
Colorbond 'Surfmist'



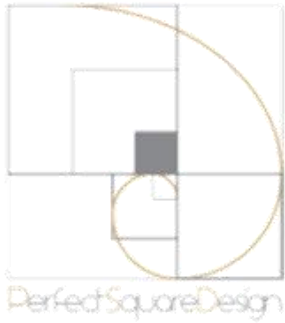
RG-1
COLOURBOND HALF ROUND
STEEL GUTTER
Colorbond 'To match roof colour.'



AL-1
ALUMINIUM WINDOW &
DOOR FRAMES
Colorbond 'Monument'



WF-2
RENDERED WALL PAINT FINISH
Colorbond 'Surfmist'



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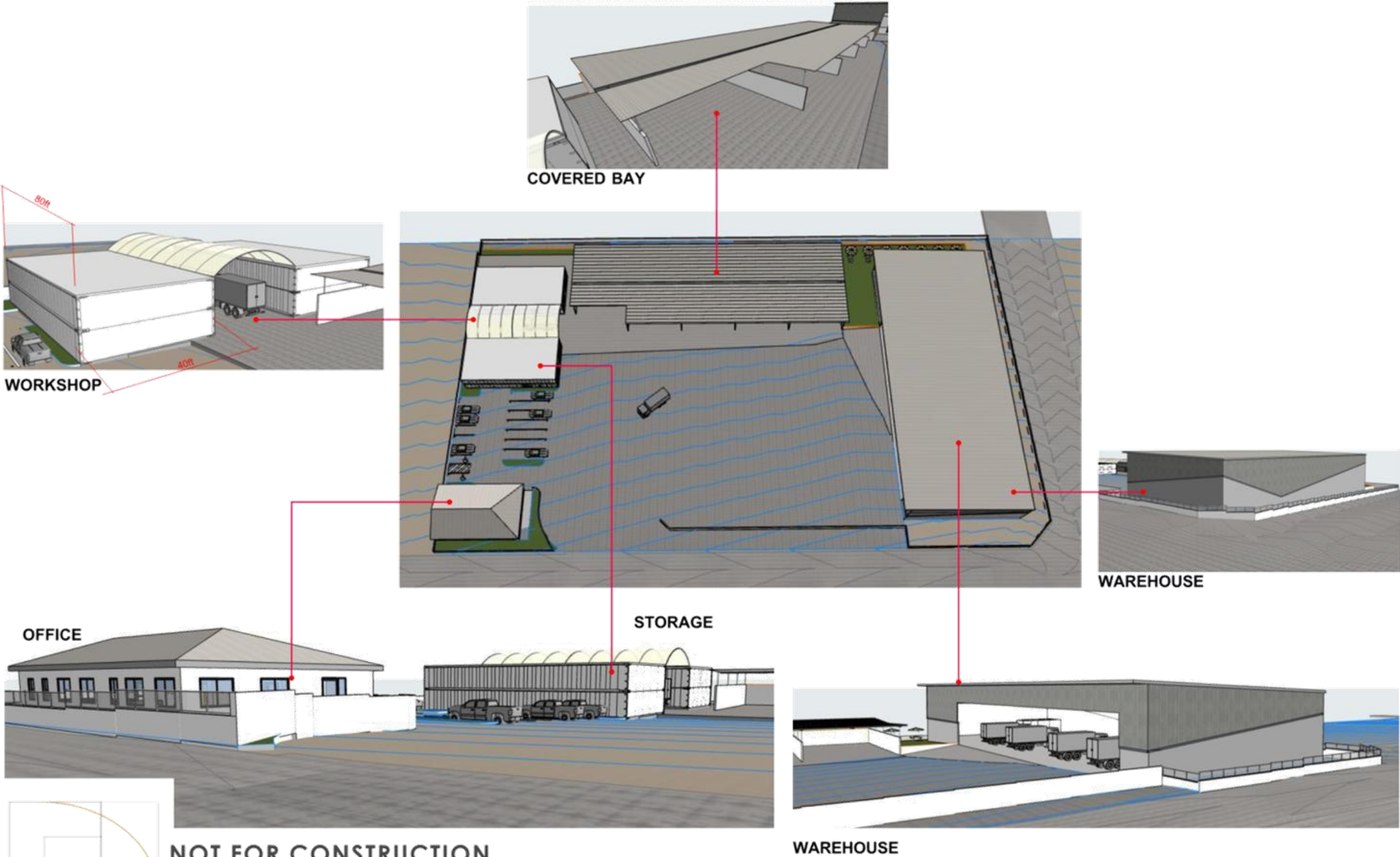


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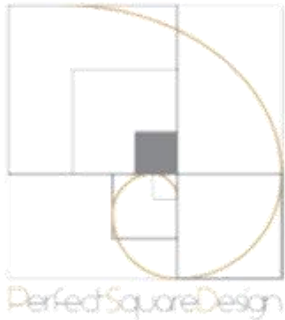
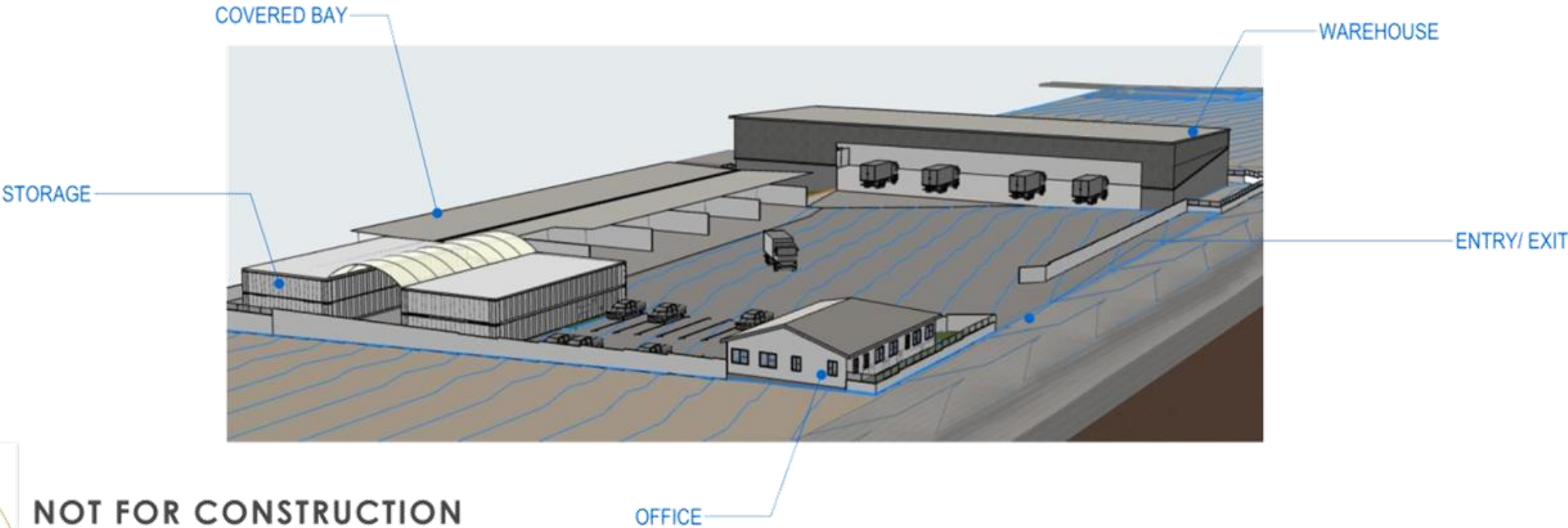
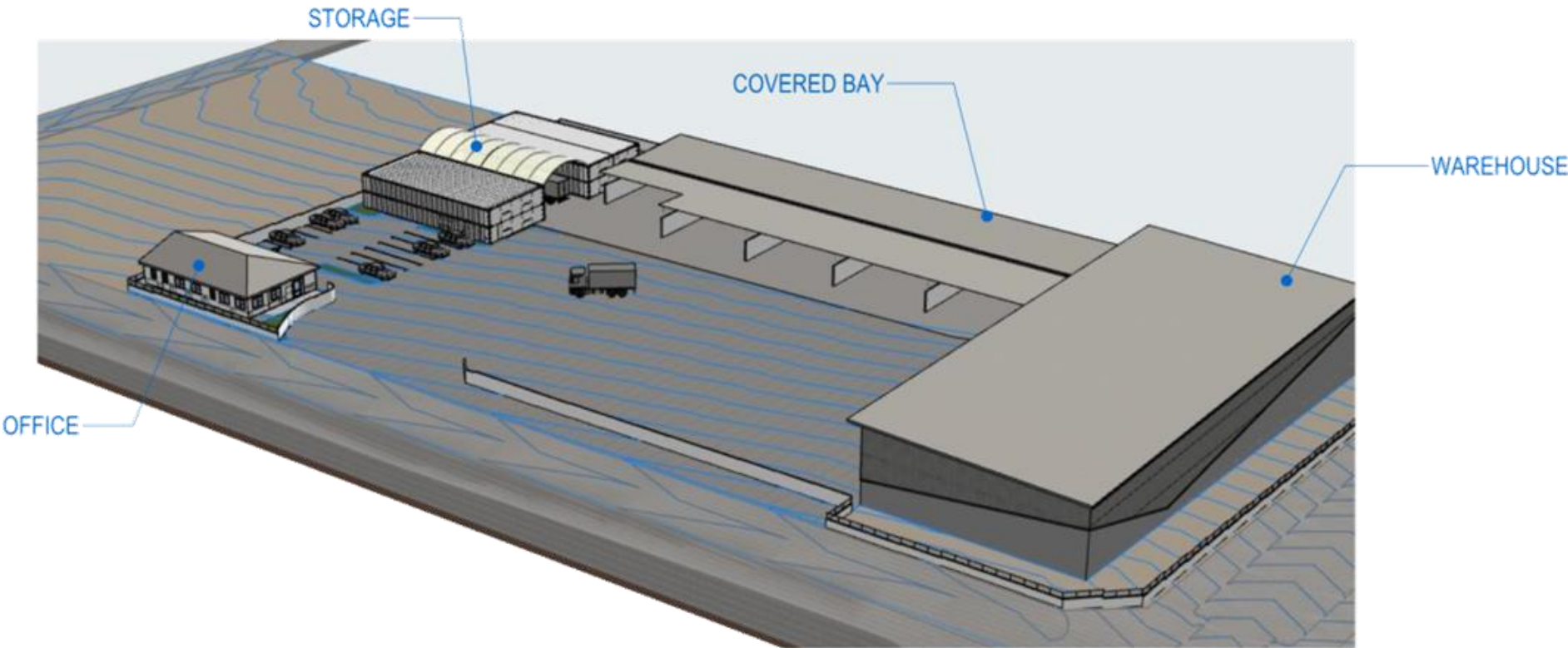
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				DRAWN JC DESIGNED GS PROJECT NO. 22090
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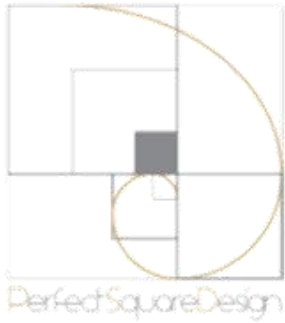
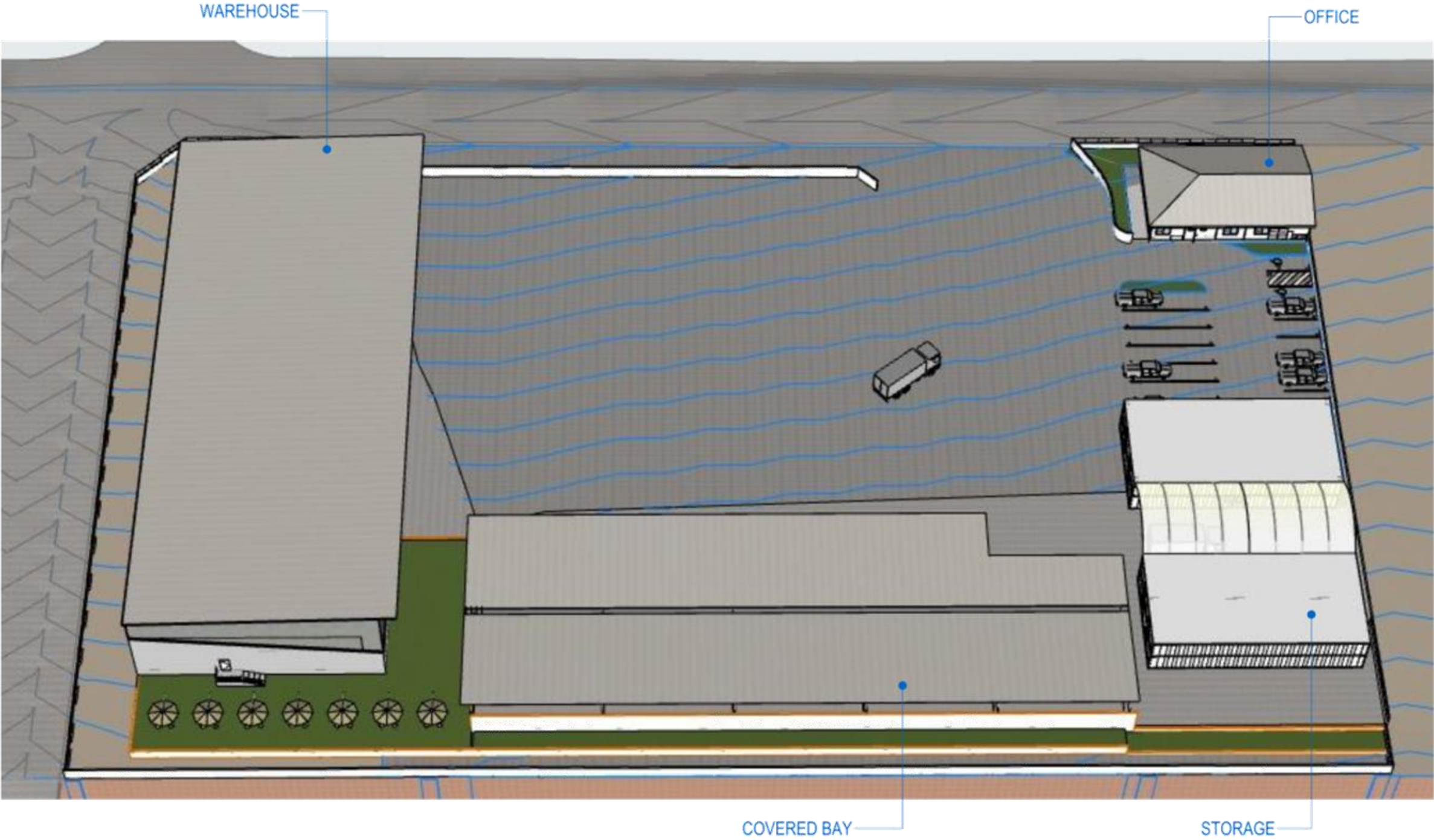
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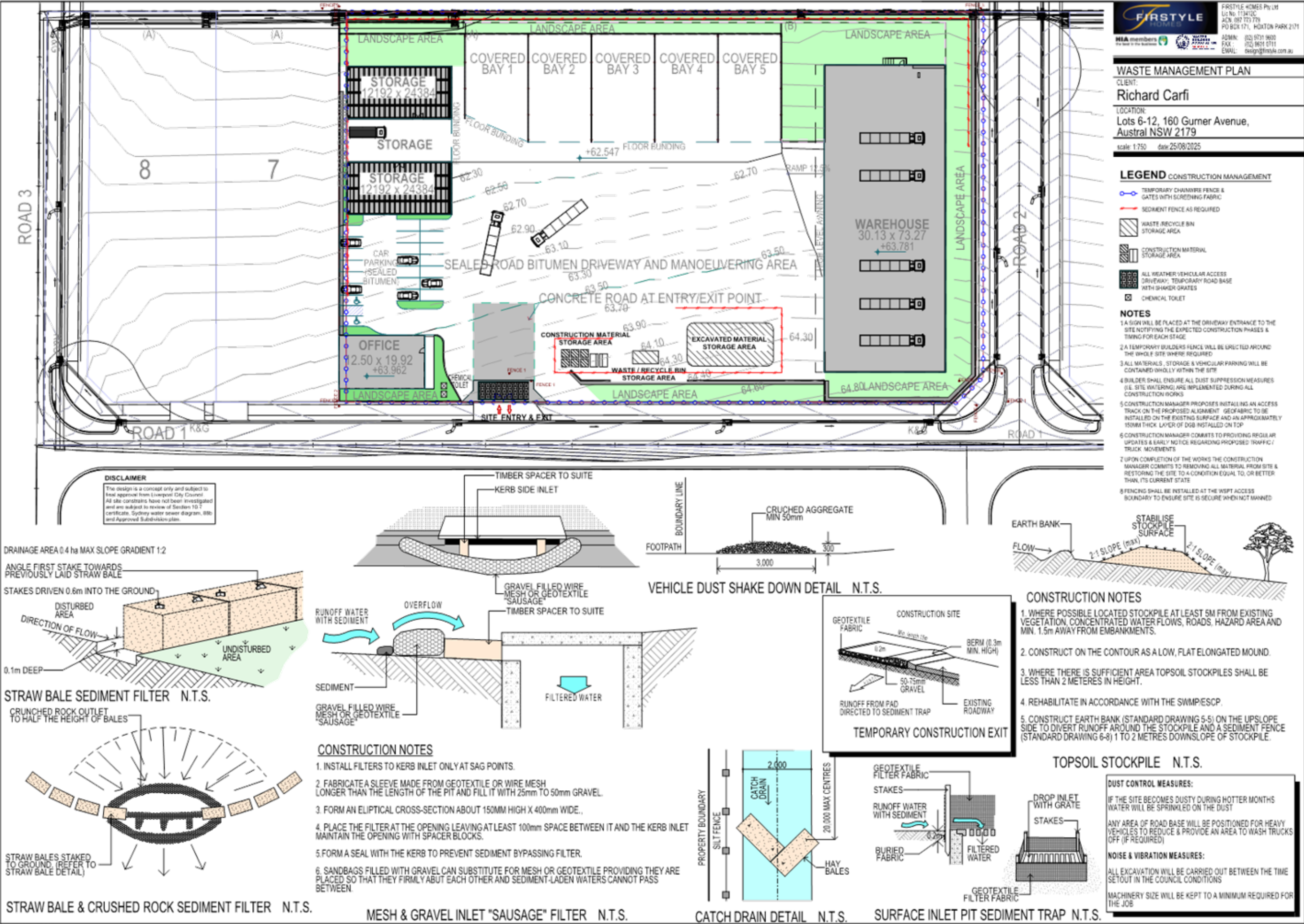


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Lots 6-12 160 Gurner Ave Austral
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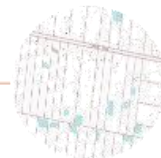
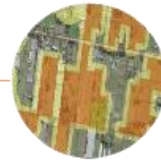
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				DATE PUBLISHED	SHEET SIZE		PAGE NO.
				14/08/2025	A2		23 OF 23





Bush Fire Assessment Report



Proposed warehouse & office:
Proposed Lot 6 in the subdivision of Lot 29 DP 3403

**160 Gurner Avenue,
Austral, NSW 2179.**

20th August 2025
Reference 24-219 R1

LIVERPOOL CITY COUNCIL
NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION
Attachment A: Deferred Matters

Application number	DA-94/2025 PAN-514741
Applicant	CARFI CONSULTING PTY LTD 6A/20-22 WOODRIF ST PENRITH NSW 2750
Description of development	
Property	160 GURNER AVENUE AUSTRAL NSW 2179 LOT 29 DP 3403
Determination:	Deferred commencement Approval Consent Authority - Local Planning Panel
Date of determination	29/10/2025
Date from which the consent operates	29/10/2025
Date on which the consent lapses	29/10/2029
Building Code of Australia building classification	Class 7

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 deferred commencement consent using the power in section 4.16(3) of the EP&A Act, subject to the conditions set out in this notice.

Relevant Matters

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matter(s):

Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, this consent is a *deferred commencement consent* and shall **not operate** until the following matters are satisfied to the written satisfaction of Council:

1. **Completion of Parent Subdivision (DA-553/2024):** All civil, servicing and subdivision works approved under Development Consent **DA-553/2024** must be fully completed in accordance with that consent and any associated endorsed plans, conditions and approved construction certificates.
2. **Issue of Subdivision Certificate:** A Subdivision Certificate for the subdivision approved under **DA-553/2024** must be issued by the consent authority and registered with NSW Land Registry Services.
3. **Lot Registration:** Documentary evidence must be provided to Council confirming that the lot on which this warehouse development is approved has been formally created and registered as a separate legal parcel under the plan of subdivision for **DA-553/2024**.

The consent shall not operate until the above matters are satisfied.

Evidence of the above relevant matter(s) must be produced to the consent authority, within forty-eight (48) months of the date of the determination, otherwise the consent will lapse.

Under section 76(4) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

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.



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-94/2025 PAN-514741
Applicant	CARFI CONSULTING PTY LTD 6A/20-22 WOODRIF ST PENRITH NSW 2750
Description of development	
Property	160 GURNER AVENUE AUSTRAL NSW 2179 LOT 29 DP 3403
Determination:	Deferred commencement Approval Consent Authority - Local Planning Panel
Date of determination	4/11/2025
Date on which the consent lapses	4/11/2029
Building Code of Australia building classification	Class 7

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 deferred commencement consent using the power in section 4.16(3) of the EP&A Act, subject to the conditions set out in this notice.

Relevant Matters

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matter(s):

Refer Attachment A - Related Matters

Evidence of the above relevant matter(s) must be produced to the consent authority, within forty-eight (48) months of the date of the determination, otherwise the consent will lapse.

Under section 76(4) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

The conditions of development consent below apply from the date that this consent operates.

Note: Section 76(3) of the EP&A Regulation enables a consent authority to specify the period within which the applicant must produce evidence to the consent authority sufficient enough to enable it to be satisfied as to the relevant matter(s) that it requires before a deferred commencement consent can operate. Where a period is specified under section 76(3), a deferred commencement consent will lapse if the applicant has not produced sufficient evidence for the consent authority to be satisfied of the relevant matters on the expiration of the specified period.

Where the applicant produces evidence of the relevant matters in accordance with section 76(4) of the EP&A

Regulation, the consent authority must notify the applicant whether or not it is satisfied as to the relevant matter(s). If the consent authority has not notified the applicant within 28 days after receiving the applicant's evidence, the consent authority is taken to have notified the applicant that it is not satisfied about the relevant matter(s) on the date on which that period expires, for the purposes of section 8.7 of the EP&A Act (see sections 76(4), (5) and (6) of the EP&A Regulation).

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) Use of Premises.
	Approval is granted only for the use of the premises as a Warehouse or Distribution Centre . The occupation and use of the premise as any other defined use is prohibited and shall be subject to submission (and approval by Council), of a separate Development Application for its use. Any future application for an alternative use must include all relevant technical documentation and assessments required under applicable legislation, guidelines, and policies.
	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				
Plan number	Revision number	Plan title	Drawn by	Date of plan
A1.1	07	Location Plan, Sheet Index	Perfect Square Design	14.08.2025
A1.2	07	Existing Site Plan	Perfect Square Design	14.08.2025
A1.3	07	Proposed Site Plan	Perfect Square Design	14.08.2025
A2.1	07	Warehouse Plan	Perfect Square Design	14.08.2025
A2.2	07	Warehouse Elevations	Perfect Square Design	14.08.2025
A2.3	07	Warehouse Sections	Perfect Square Design	14.08.2025
A2.4	07	Warehouse Building Height	Perfect Square Design	14.08.2025
A3.1	07	Office Plan	Perfect Square Design	14.08.2025
A3.2	07	Office Elevations, Sections & Glazing Schedule	Perfect Square Design	14.08.2025
A4.1	07	Covered Bay Plan	Perfect Square Design	14.08.2025
A5.1	07	Storage Plan	Perfect Square Design	14.08.2025
A6.1	07	Fence Plan	Perfect Square Design	14.08.2025
A6.2,6.3 & A6.4	07	Fence Elevations for Acoustics	Perfect Square Design	14.08.2025
A6.5 & A6.6	07	Fence 3D View	Perfect Square Design	14.08.2025
A7.1	07	Cut & Fill	Perfect Square Design	14.08.2025
A8.1	07	External Finishes & Materials	Perfect Square Design	14.08.2025
A9.1,A9.2 & A9.3	07	3D (perspectives)	Perfect Square Design	14.08.2025
-	-	Waste Management Plan	FIRSTYLE HOMES Pty Ltd	25/08/2025

Approved documents			
Document title	Version number	Prepared by	Date of document
Bushfire Assessment Report	24-219 R1	Australian Bushfire Consulting Service	20th August 2025

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

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

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

3. **(A015) Rural Fire Service Recommendations**

	All recommendations issued by Rural Fire Service, shall be complied with prior, during, and at the completion of construction, as required in accordance with their correspondence dated 24 April 2025. A copy of these comments is available via the NSW Planning Portal. 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 <i>Building Code of Australia</i>. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the <i>Home Building Act 1989</i>, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the <i>Building Code of Australia</i>. 4. In subsection (1), a reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the <i>Building Code of Australia</i> is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply— 1. to the extent to which an exemption from a provision of the <i>Building Code of Australia</i> or a fire safety standard is in force under the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>, or 2. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.
7.	(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.
9.	(A130) Council Wastewater Requirements
	The development must provide for a physical sewerage connection to the subject premise, prior to the commencement of any works or issue of a construction certificate to enable the method of sewage disposal by gravity reticulation mains to either, Sydney Water branch and trunk sewers or Sydney Water point of treatment. Liverpool City Council will not accept any temporary facilities to service the site, including pump-out sewage systems.
	Condition reason: To promote orderly development supported by adequate infrastructure.
10.	(A953) Waste Collection
	A private waste contractor is to be engaged prior to the release of the Occupation Certificate to manage waste management associated with the use of the facility
	Condition reason: To ensure fairness, transparency and probity.

Building Work Before Issue of a Construction Certificate

11.	(B010) Amendments
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	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. The site plan is to be amended to remove the partitions within the covered bays. Only an open shed structure is permitted. 2. The site plan is to be amended to replace the sealed road bitumen with light coloured concrete due to urban heat island concerns. 3. The site plan is to be amended to introduce a communal open space area adjoining the main office building. 4. The site plan is to be amended to provide for pedestrian access from Road 1 to the office building. 5. The proposed fencing on the northern boundary facing Road 2 and the proposed fencing on the eastern boundary facing Road 1 is to be set back 1m from the property boundary and landscaping is to be provided within this setback to reduce the visual impact on the public domain of the solid concrete fencing. 6. A revised Waste Management Plan is to be submitted outlining, construction and operational phases of the development. Condition reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development.
12.	(B020) Equal access to the premises Before the issue of a construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier. Condition reason: To ensure safe and easy access to the premises for people with a disability
13.	(B038) Utilities and services Before the issue of a Construction Certificate, written evidence of the following service provider requirements must be provided to the Principal Certifying Authority 1. a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; 2. a response from Sydney Water as to whether the development would affect any Sydney Water infrastructure, and whether further requirements need to be met; 3. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.
14.	(B054) Retaining Walls on Boundary All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures. Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a construction certificate must be obtained prior to commencement of works on the retaining wall. Condition reason: To ensure fairness, transparency and probity.
15.	(B056) S68 Local Government Act - Stormwater drainage works

	Prior to the issue of a Construction Certificate, the Principal Certifying Authority and/ or Certifying Authority shall ensure that an application under Section 68 of the Local Government Act, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council for stormwater connection to drainage easement. Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works and best engineering practice. Condition reason: To ensure fairness, transparency and probity.
16.	(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.
17.	(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.
18.	(B095) Long Service Levy Before the issue of a Construction Certificate, the long service levy, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the Principal Certifying Authority. Condition reason: To ensure the long service levy is paid.
19.	(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.
20.	(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.
21.	(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.

22.	(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.
23.	(B134) Crime Prevention Through Environmental Design The following Crime Prevention through Environmental Design (CPTED) principles are to be incorporated into the building: (a) back to base alarm system (b) CCTV for entry/exit points the exterior of the building, (c) lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting, (d) corrugated ramps to prevent skateboarding activities, (e) glazed tiling, patterned, porous and non-solid surfaces reduce the reward for graffiti offenders, (f) any external approved palisade or pool style fencing shall be black in colour, unless otherwise noted on the approved plans/details, and Where necessary, plans shall be amended to reflect incorporation of the principles and/or details of such to be submitted to the Private Certifier. Condition reason: To require details of crime prevention (CPTED) measures to protect the amenity of the surrounding area.
24.	(B135) Provision of Services - Sydney Water Prior to the issue of a Construction Certificate, an application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, is to be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the "building and developing" section of Sydney Water's web site at www.sydneywater.com.au, or telephone 13 20 92. Following receipt of the application, a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the 'Notice of Requirements' must be submitted to the PCA, prior to the issue of a Subdivision Works Certificate. Condition reason: To ensure fairness, transparency and probity.
25.	(B136) Provision of Services - Endeavour Energy Prior to the issue of a Construction Certificate, a written clearance from Endeavour Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development must be submitted to the Principal Certifier. Condition reason: To ensure fairness, transparency and probity.
26.	(B137) Provision of Services - Telecommunications

	Prior to the issue of a Construction Certificate, the Principal Certifier shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following requirements of the Telecommunications Act 1997: 1. For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and 2. For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications. Condition reason: To ensure fairness, transparency and probity.
27.	(B149) S138 Roads Act - Minor Works in the public road Prior to the issue of a Construction Certificate, a Section 138 Roads Act application/s, including payment of fees, shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to: (a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings), (b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure), or (c) Road occupancy or road closures. All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications. Note: Approvals may also be required from the Transport for NSW for classified roads. Condition reason: To ensure fairness, transparency and probity.
28.	(B166) Landscape Plan A detailed landscape plan prepared by a suitably qualified person is to be submitted to Council's Urban Design team prior to the issue of any Construction Certificate. The detailed landscape plan is to incorporate the following requirements and recommendations: 1. The amendments proposed under Condition B010 are to be reflected in an updated landscape plan. 2. Provide detailed cross-sections of key interfaces, such as retaining walls and the street frontages. 3. Provide a detailed design of communal areas as per the DCP requirements, and 4. Provide tree canopy coverage and demonstrate the compliance with the minimum 15% requirement under Council's Tree Management Framework for IN2 zoned land. 5. Specify the materials proposed for all paved areas, particularly within the parking zones and pedestrian pathways. 6. Clarify whether additional plantings are proposed along the western and southern boundaries to provide effective buffer planting for adjoining properties. If so, details should be provided accordingly. 7. Clearly indicate the location and height of all proposed retaining walls, along with appropriate landscaping treatments as required by DCP. Condition reason: To help create a functional and pleasant private open space.
29.	(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.
30.	(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.
31.	(B408) Access, Car Parking and Manoeuvring - General The Certifying Authority shall ensure and certify that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development have been designed and are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Council's Development Control Plan. Condition reason: To ensure that the design of the facilities is in accordance with the required specifications.
32.	(B410) Access, Car Parking and Manoeuvring - Detail

The Certifying Authority shall ensure and certify that: 1. Off street access and parking complies with AS2890.1, 2. Vehicular access and internal manoeuvring have been designed for the longest (B-Double/ Heavy Rigid/ Medium Rigid) vehicle expected to service the development site, in accordance with AS2890.2, 3. Sight distance at the street frontage has been provided in accordance with AS 2890.1, 4. All vehicles can enter and exit the site in a forward direction, and/or Condition reason: To ensure that the design of the access arrangement, car parking and maneuvering are in accordance with the required specifications including AS2890.	
33.	(B453) No Loading on Easements Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence. Condition reason: To ensure fairness, transparency and probity.
34.	(B454) Stormwater Concept Plan A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by GDS, reference number P00774-CI-DA, revision C, dated 18/08/2025 (a) The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. (b) Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works. Condition reason: To ensure fairness, transparency and probity.
35.	(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.

Before Building Work Commences

36.	(C002) Payment of fees Before any site work commences, the following must be paid to Council and written evidence of these payments provided to the principal certifying authority. 1. inspection fees Condition reason: To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property
37.	(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.
38.	(C006) Survey Requirements
	Prior to the commencement of building works the proposed building works shall be pegged out by a registered surveyor. For reference during construction, a benchmark shall be identified at the site, preferably on the kerb and gutter where it exists. The peg out report prepared by the registered surveyor shall be forwarded to the Principal Certifier prior to the first inspection. Note: In the event that a kerb and gutter does not exist, a permanent structure shall be used as a benchmark such as a manhole, power/light pole or the top of an existing retaining wall. Note: In the event that a kerb and gutter does not exist, a permanent structure shall be used as a benchmark such as a manhole, power/light pole or the top of an existing retaining wall. Condition reason: To ensure the development is carried out in accordance with relevant approvals and land restrictions.
39.	(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.
40.	(C012) Commencement of building works
	Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the Environmental Planning and Assessment Act, 1979 means any physical activity involved in the erection of a building and includes but is not limited to, the placement of any site shed/s or builders facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines. Condition reason: To require approval to proceed with building work.
41.	(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.
42.	(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.
43.	(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.
44.	(C117) Erosion and sediment controls in place Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time). Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
45.	(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.
46.	(C155) Work Zone A Works Zone application is required if on-street parking is affected by the proposed development. A Works Zone Application Form is available on Council website and can be lodged online by attaching all required documents indicated on the application form. Condition reason: To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
47.	(C158) Construction Traffic Management Plan (CTMP) A construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Council's Transport Management Section. The CTMP is to be submitted using Assessment of Construction Traffic Management Plan application form. The application is available on Council website and can be lodged online. Comments on the CTMP will be provided and the updated CTMP are to be implemented during construction. A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection by authorised Council officers. Construction shall not commence until the assessed construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction. Condition reason: To ensure that the impact of construction traffic associated with the development on the surrounding road network is minimized.
48.	(C201) Road Occupancy Permit

	Road occupancy and road opening approvals will be required from Council to undertake works within the existing road reserve. The following applications are available on Council's website and can be lodged online attaching all required documents indicated on the application form. • Road Occupancy Application Form • Road Opening Application Form Condition reason: To ensure that road occupancy is approved by council to minimise traffic impacts on the road.
49.	(C205) Traffic Control Plan Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller. Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times. Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council. Condition reason: To ensure fairness, transparency and probity.
50.	(C400) Pre-commencement dilapidation report Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Meranti Road (Road 1) and Macaranga Street (Road 2) is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development. A copy of the report must be provided to the satisfaction of Council, any other owners of public infrastructure and the owners of adjoining and affected private properties. Condition reason: To ensure fairness, transparency and probity.

During Building Work

51.	(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.
52.	(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.
53.	(D015) Surveys by a registered surveyor While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier: 1. All footings / foundations in relation to the site boundaries and any registered and proposed easements 2. At other stages of construction – any marks that are required by the principal certifier. Condition reason: To ensure buildings are sited and positioned in the approved location.
54.	(D020) Identification Survey Report

	The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the Principal Certifier has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor works continue, until the Principal Certifier has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory. In the event that Council is not the Principal Certifier, a copy of the survey shall be provided to Council within three (3) working days. Condition reason: To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.
55.	(D025) Identification Survey Report On placement of the concrete, works again shall not continue until the Principal Certifier has issued a letter stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels. Condition reason: To ensure that the development is carried out in accordance with the conditions of consent and the approved plans.
56.	(D028) Responsibility for changes to public infrastructure While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority. Condition reason: To ensure payment of approved changes to public infrastructure.
57.	(D038) Toilet Facilities Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must: (a) be a standard flushing toilet connected to a public sewer, or (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or (c) be a temporary chemical closet approved under the Local Government Act 1993. Condition reason: To ensure the required site management measures are implemented during construction.
58.	(D042) Procedure for critical stage inspections While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
59.	(D045) Hours of work Site work must only be carried out between the following times – From 7am to 6pm on Monday to Friday From 8am to 1pm on Saturday Site work is not to be carried out outside of these times or on public holidays except where there is an emergency, or for urgent work directed by a police officer or a public authority. Condition reason: To protect the amenity of the surrounding area.
60.	(D049) Security Fence A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction. Note: Fencing is not to be located on Council's reserve area.

	Condition reason: To ensure the required site management measures are implemented during construction.
61.	(D055) Refuse Disposal Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to. Condition reason: To ensure the required site management measures are implemented during construction.
62.	(D061) Craning and Hoardings Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements. Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
63.	(D063) Craning and Hoardings If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public or road reserve area, a separate Road Occupancy Certificate and/or Hoarding approval must be obtained from Liverpool City Council prior to undertaking the works. Condition reason: To ensure the required traffic management measures are implemented during construction.
64.	(D070) Notification of Damage The applicant/ builder shall be responsible to report to the Council of any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site and maintained the area until completion of the construction activities. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to Council's footpath and road carriageway until permanent restoration and repair can be organised with Council at the applicant's cost. Condition reason: To ensure any damage to public infrastructure is rectified.
65.	(D105) General Site Works All roofwater is to be connected to an approved stormwater system. Condition reason: To ensure environmental impacts and impacts to neighbouring properties are minimised.
66.	(D110) General Site Works Stormwater pipeline connections to the street kerb shall be constructed in the following manner: (a) the kerb shall be sawcut on both sides of the proposed pipe outlet. (b) an approved rectangular kerb adaptor shall be installed with the base matching the invert level of the gutter. (c) the kerb shall be reinstated to its original profile using a cement mortar containing an epoxy additive for adherence to the existing kerb. Condition reason: To ensure any alteration to Council infrastructure is to a suitable standard.
67.	(D115) General Site Works - Existing Hydrology Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site. Condition reason: To minimise impacts to adjacent vegetation and habitat.
68.	(D120) General Site Works - Runoff Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels. Condition reason: To minimise impacts to adjacent vegetation and habitat.

69.	(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.
70.	(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.
71.	(D140) Car Parking Areas
	Car parking spaces and driveways must be constructed of a minimum two coat finish seal or better.
	All parking spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities.
	The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off-Street Car Parking.
	All car parking areas are to be appropriately line marked and sign posted in accordance with the Council approved stamped plans.
	All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.
	The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking.
	Condition reason: To ensure the facilities are constructed appropriately to comply with the DCP and AS2890.
72.	(D165) Public Domain Works
	All works within the road reserve, which may include any approved signage and line making scheme, are to be carried out by the applicant, at no cost to Council, in accordance with the TfNSW/RMS 'Delineation Guidelines'.
	Condition reason: To ensure that the development covers all required costs associated with the development.
73.	(D170) Council On Street Assets
	Council's on-street assets and local road network are to be protected and kept in a serviceable state at all times. At the direction of Council, the applicant/project manager shall undertake remediation works, at no cost to Council and to Council's satisfaction.
	Condition reason: To ensure that the development covers all required costs associated with the development.
74.	(D180) Waste management

	While site work is being carried out: - all waste management must be undertaken in accordance with the waste management plan; and - upon disposal of waste, records of the disposal must be compiled and provided to principal certifier, detailing the following: - The contact details of the person(s) who removed the waste; - The waste carrier vehicle registration; - The date and time of waste collection; - A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; - The address of the disposal location(s) where the waste was taken; - The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council. Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
75.	(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: - the work in the area of the discovery must cease immediately; - the following must be notified - for a relic – the Heritage Council; or - 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: - for a relic – the Heritage Council; or - 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.
76.	(D205) Vegetation - Existing Vegetation All existing trees, inclusive of street 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.
77.	(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.
78.	(D245) Vegetation - Rehabilitation Cleared (weed free) native vegetation (timber, small branches and leaf litter) shall be reserved and stockpiled for re-use in rehabilitation works, such as mulching. Condition reason: To ensure that valuable natural resources impacted by the development are utilised.
79.	(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.
80.	(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.
81.	(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.
82.	(D280) Fauna Protection
	To minimise the risk of fauna entrapment, digging and trenching shall be undertaken and completed on the same day where possible. If holes, pits, trenches, or other cavities must be left overnight, they will all be covered with secure boards to ensure that fauna does not get trapped. Before commencing work each day, all excavated areas will be inspected and if fauna is encountered a licenced ecologist or wildlife handler will be utilised to safely remove the trapped fauna and relocate it to a suitable location. Works can continue when the fauna has been safely removed.
	Condition reason: To minimise harm caused to fauna during excavation.
83.	(D330) Switchboards
	Switchboards for utilities shall not be attached to the street and/or road elevations of the development.
	Condition reason: To ensure switchboards are sited and positioned away from the public domain.
84.	(D335) External Lighting
	Any external lighting is to incorporate full cut-off shielding and is to be mounted so as to not cause any glare or spill over light nuisance within the development, neighbouring properties or road users.
	Condition reason: To protect the amenity of the neighbourhood.
85.	(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.
86.	(D360) Graffiti
	A graffiti resistant coating shall be applied to any fences or structures that have frontage to a public area, for example a roadway, public reserve etc.
	Condition reason: To protect the amenity of the neighbourhood.
87.	(D426) Soil management

	While site work is being carried out, 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 principal certifier. 2. All fill material imported to the site must be: 1. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or 2. a material identified as being subject to a resource recovery exemption by the NSW EPA; or 3. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA. Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.
88.	(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.
89.	(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.
90.	(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.
91.	(D460) Salinity The development shall be carried out in accordance with 'Appendix B' of the Liverpool Growth Precincts Development Control Plan 2021. Condition reason: To ensure that all construction work is undertaken to an approved standard.
92.	(D465) Air Conditioning The plant associated with any air conditioning system shall not cause any offensive noise as defined under the Protection of the Environment Operations Act 1997. Condition reason: To ensure fairness, transparency and probity.
93.	(D475) Imported Fill Material During construction the consent holder is to ensure fill imported on to the site is be compatible with the existing soil characteristic for site drainage purposes. Condition reason: To ensure soils introduced onsite do not result in drainage issues.
94.	(D552) Implementation of the site management plans

	While site work is being carried out: - the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and - 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.
95.	(D553) Erosion & Sediment Control Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days. Condition reason: To ensure fairness, transparency and probity.
96.	(D554) Erosion & Sediment Control The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material. Condition reason: To ensure fairness, transparency and probity.
97.	(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.
98.	(D560) Erosion Control Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation. Condition reason: To ensure the required site management measures are implemented during construction.
99.	(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.
100.	(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.
101.	(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.
102.	(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.
103.	(D581) Historic Archaeology Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the <i>Heritage Act 1977</i> Condition reason: To ensure fairness, transparency and probity.
104.	(D582) Aboriginal Cultural Heritage - Staff and Contractors All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under NSW <i>National Parks and Wildlife Act 1974</i> and the NSW <i>Heritage Act 1977</i>. They are to be informed of what the potential heritage on the site will be and its significance. The site supervisor is to maintain a record of who has completed the heritage induction and this is to be provided to Council prior to Issue of Occupation Certificate. Condition reason: To ensure fairness, transparency and probity.
105.	(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.
106.	(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.
107.	(D597) Major Filling/ Earthworks All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works. The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority. Condition reason: To ensure fairness, transparency and probity.
108.	(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.
109.	(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.
110.	(D660) Construction Noise and Vibration Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006). All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP). Condition reason: To protect the amenity of the neighbourhood during construction.
111.	(D664) Contamination The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998). Condition reason: To ensure fairness, transparency and probity.
112.	(D666) Record Keeping of Imported Fill Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works: 1. The course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration; 2. The results of a preliminary contamination assessment carried out on any fill material used in the development. 3. The results of any chemical testing of fill material. Condition reason: To ensure fairness, transparency and probity.
113.	(D668) Traffic Management Applications must be made to Council's Traffic & Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information. Condition reason: To ensure fairness, transparency and probity.
114.	(D670) Construction Traffic Management Plan The endorsed Construction Traffic Management Plan is to be implemented during the entire construction phase. Condition reason: To ensure fairness, transparency and probity.

Before Issue of an Occupation Certificate

115.	(E003) Works-as-executed plans and any other documentary evidence
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	Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier: 1. All stormwater drainage systems and storage systems; and 2. A copy of the plans must be provided to Council with the OCCUPATION CERTIFICATE Condition reason: To confirm the location of works once constructed that will become council assets.
116.	(E005) Occupation Certificates The premises must not be occupied until an Occupation Certificate (OC) is issued by the certifier. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council. Condition reason: To ensure the development is in accordance with the approval and the use meets health, safety and amenity provisions.
117.	(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.
118.	(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.
119.	(E030) Section 73 Sydney Water Certificate A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained and submitted to the Principal Certifier prior to issue of Occupation Certificate. Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development must be submitted to the certifier before the issue of an Occupation Certificate. An Occupation Certificate is not to be issued unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Any temporary facilities to service the site, including pump-out wet-wells are not to be accepted. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.
120.	(E033) Cladding Prior to issuing an occupation certificate the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external wall cladding material and system is consistent with the consent documentation, BCA and relevant Australian Standards. Condition reason: To ensure that the external cladding installed on a building is compliant.
121.	(E035) Completion of public utility services Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier. Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.
122.	(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.
123.	(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).
124.	(E065) Landscaping Upon completion of the approved landscape works associated with the development and prior to the issue of any Occupation Certificate, an Implementation Report is to be submitted to the Principal Certifier attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person. Condition reason: To help ensure landscaping works have been carried to a high standard and in accordance with the original design plans.
125.	(E180) Validation Report Before the issue of any occupation certificate, a detailed Validation report must be submitted to the certifier. The Report must be prepared in accordance with: (a) NSW Contaminated Land Planning Guidelines (1998); (b) Relevant EPA guidelines. In particular the Contaminated Land Guidelines – Consultants Reporting on Contaminated Land (NSW EPA 2020); and (c) National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013). The Validation Report must be prepared or reviewed and approved by a suitably qualified environmental consultant. The report's cover or title page of the document must include a personalised electronic seal for either the CEnvP(SC) or CPSS CSAM scheme. The Validation report must verify that the land is suitable for the purposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the approved Remediation Action Plan. Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme. Condition reason: To ensure the suitability of land, mitigate potential risks to human health and the environment and facilitate compliance with legislative requirements.
126.	(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. Condition reason: To ensure fairness, transparency and probity.
127.	(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.

128.	(E950) Special Infrastructure Contribution
	The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 7.23 of that Act and is in force on the date of this consent, and must obtain a certificate to that effect from the Department of Planning (Growth Centres Commission) before a subdivision certificate, is issued in relation to any part of the development to which this consent relates.
	Condition reason:

Occupation and Ongoing use

129.	(G005) Use of Premises
	No approval is hereby granted for any specified use of the premises other than as a Warehouse or Distribution Centre as defined by the Standard Instrument—Principal Local Environmental Plan (2006 EPI 155a):
	<i>warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.</i>
	Condition reason: To require approval to proceed with building work and/or use of unit/occupancy that are not approved as part of this consent.
130.	(G040) Retail Sales
	No retail sale of goods shall be conducted from the subject premises.
	Condition reason: To prevent unauthorised or prohibited use of the premises.
131.	(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.
132.	(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.
133.	(G130) Waste Storage Area
	Waste bins must be stored in designated garbage/ trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.
	Condition reason: To mitigate potential risks to human health and the environment.
134.	(G160) Storage of goods during ongoing use

	During ongoing use of the premises, all goods must be stored wholly within the premises and must not be stored or displayed outside the premises, including any public place, without council's approval.
	Condition reason: To ensure fairness, transparency and probity.
135.	(G190) Parking Spaces - Assessment Planner
	The following parking spaces should be used solely for the purpose it has been provided.
	1. Staff and Visitor car parking 2. Accessible car parking 3. Motorcycle parking 4. Cycle parking 5. Delivery area 6. Garbage pick-up area 7. Washing bay
	Condition reason: To ensure that adequate parking and loading are provided.
136.	(G210) Car Parking Management
	All parking areas shown on the approved plans must be used solely for this purpose.
	Condition reason: To ensure that adequate parking and loading are provided.
137.	(G220) Loading Areas
	All loading and unloading must take place from the designated loading dock/bay. This area is to be clearly marked/signposted for use by delivery vehicles only.
	Condition reason: To ensure that adequate parking and loading are provided.
138.	(G230) Vehicle Access
	Vehicles entering or leaving the development site should be in forward direction, if practicable.
	Condition reason: To ensure safety.
139.	(G240) Advertising
	Advertising matter not approved in conjunction with this decision notice, must not be erected, painted or displayed without the prior approval of Council.
	Condition reason: To require approval for advertising matter/structures that is not approved as part of this consent.
140.	(G250) Operating hours
	Operating hours of the premises are limited to 7am to 6pm.
	Condition reason: To protect the amenity of the local area
141.	(G340) Noise Complaints register

	The operator must keep a legible record of all complaints received in an up-to date Complaints Register. The Complaints Register must record, but not necessarily be limited to: (a) the date and time, where relevant, of the complaint; (b) the means by which the complaint was made (telephone, mail or email); (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; (d) the nature of the complaint; (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken. (f) allocate an individual "complaint number" to each complaint received. The Complaints Register must be made available for inspection when requested by Liverpool City Council. The industry must be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times. Condition reason: To mitigate potential impacts associated with the development and establish a procedure for responding to enquiries.
142.	(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.
143.	(G347) External lighting during ongoing use During ongoing use of the premises, all lighting must be operated and maintained in accordance with the approved plans and the requirements of this consent. Condition reason: To ensure the safe operation of the premises and protect the amenity of the local area
144.	(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.
145.	(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.
146.	(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.
147.	(G394) Forklifts and Delivery Vehicles To minimise potential noise impacts, all forklifts and delivery vehicles associated with the use must be equipped with smart (self-adjusting) reverse alarms, broadband reverse alarms, combination alarms or other suitable noise reduction technologies instead of tonal reversing alarms. Condition reason: To mitigate potential acoustic impacts and protect the amenity of the surrounding area.
148.	(G400) Environment The use of the premises must not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities that are a nuisance, injurious or prejudicial to health. Condition reason: To mitigate potential risks to human health and the environment.
149.	(G410) Landscaping Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development. If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed. An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained. Condition reason: To require records to be provided, after occupation, documenting that landscaping is appropriately maintained.
150.	(G430) Industrial Driveways and car parking spaces must not be used for manufacture, storage or display of goods, materials or equipment. The spaces must be available at all times for all cars associated with the development. Condition reason: To ensure that neighbouring properties are not adversely affected from any operation on site.
151.	(G780) Emergency Evacuation Plans

An emergency evacuation plan must be prepared, maintained and implemented for any building
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Condition reason: (Prescribed condition EP&A Regulation, clause 98C and Schedule 3A)

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.