



**Land and Environment
Court**
of New South Wales

Level 4 225 Macquarie Street SYDNEY NSW 2000
Level 4 GPO Box 3565 SYDNEY NSW 2001
DX 264, Sydney

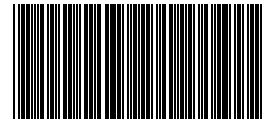
Telephone: 02 9113 8200
Facsimile:
02 91138208

Email: lecourt@justice.nsw.gov.au
Website: <https://www.lec.nsw.gov.au>

ABN: 52 659 114 436

David Galpin
GalpinD@liverpool.nsw.gov.au

Your Ref:



D0001P6Q2A

30 March 2023

NOTICE OF ORDERS MADE

Case number	2022/00176448
Case title	Tribeca Residential Communities No. 5 Pty Ltd v Liverpool City Council

On 30 March 2023 the following orders (and/or directions) were made:

The Court orders that:

- (1) The Appeal is upheld.
- (2) Development Application for construction of 88 lots, including one residue lot, incorporating the construction of 86 dwellings, including 81 attached dwellings, four semi-detached dwellings, one secondary dwelling, and subsequent strata subdivision with road construction, civil works and associated landscaping and street tree planting at the subject site described as Super-Lot 1 and Super-Lot 2 as approved by DA-400/2018, known as 1382 & 1402 Camden Valley Way, Leppington is approved subject to the conditions set out in Annexure A.

For the Registrar

Pipeline Risk Profile and the Measurement Length

In managing HPGTP's and considering land use changes, APA must focus on that area geographically defined by AS2885 as the Measurement Length (**ML**). The ML area is the heat radiation zone associated with a full-bore pipeline rupture. APA is mandated to consider community safety in the ML due to the high consequences of pipeline rupture to life, property and the economy.

The ML is determined by the diameter and the Maximum Allowable Operating Pressure (**MAOP**) of the pipe. APA must consider any changes of land use within the ML area to determine the effect of a new use on the risk profile of the pipeline. For reference, the ML of the Moomba – Sydney Ethane Pipeline is 600m. Note that the ML is a radial dimension, and therefore applies to both sides of the pipe.

Safety Management Study

AS2885 requires a Safety Management Study (**SMS**) to be undertaken whenever the land use classification of land within the ML changes. The purpose of an SMS is to assess the risk associated with a change in land use, including both construction risks and ongoing land use risks. The SMS will also develop appropriate controls to reduce risks to 'as low as reasonably practicable' (**ALARP**). An SMS is not required in this instance.

Sensitive Uses

APA seeks to limit sensitive uses from establishing within the ML so as to retain a high level of compliance with applicable safety standards. AS2885 defines a sensitive use as one which may increase the consequences of failure due to its use by members of the community who may be unable to protect themselves from the consequences of a pipeline failure.

To this end, APA's preferred position is that all land uses listed below be located outside of the ML:

- | | |
|------------------------|-----------------------------|
| • Child care centres | • Place of worship |
| • Detention facility | • Residential care facility |
| • Educational facility | • Retirement facility |
| • Function facility | • Service station |
| • Health care services | • Shop |
| • Hospital | • Shopping centre |
| • Hotel | • Theatre |

Comments

On the basis of the information provided, APA does not object to the proposal given:

Please contact me on 07 3223 3385 or planningnsw@apa.com.au should you wish to discuss the contents of this correspondence.

Yours faithfully



John Lawson
Senior Urban Planner
Infrastructure Planning and Approvals

ATTACHMENT 7 – ENDEAVOUR ENERGY

Development Application and Planning Proposal Review NSW Planning Portal Concurrence and Referral



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Liverpool City Council	DA-143/2022	CNR-36188	Kevin Kim	2/03/2022	23/03/2022	29/03/2022

Address	Land Title
1382-1384 & 1402 CAMDEN VALLEY WAY LEPPINGTON 2179	Lots 9 & 10 DP 27877

Scope of Development Application or Planning Proposal

Construction of 93 dwellings including 67 x attached dwellings and 1 x secondary dwelling, 4 x semi-detached dwellings, and 7 x multi-dwelling housing developments (containing 3 x dwellings each) within approved lots 20 & 21 in DA-400/2018, associated earthworks, roads, stormwater infrastructure, and landscaping. Subdivision of the Site into 81 Torrens title lots, including 1 residue lot, and subsequent Strata subdivision of 7 x multi-dwelling housing developments and 1 x principal and secondary dwelling.

As shown in the below site plan from Endeavour Energy's G/Net master facility model:

There are:

- No easements benefitting Endeavour Energy (active easements are indicated by red hatching).
- Low voltage overhead power lines and underground cables to the road verge / roadway.
- Extended low voltage overhead service conductor coming from the poles on the road verge to customer owned / private poles on the site providing the customer connection points for the existing dwellings.



51 Huntingwood Drive, Huntingwood, NSW 2148
PO Box 811, Seven Hills, NSW 1730
T: 133 718

endeavourenergy.com.au

ABN 11 247 365 823

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by ☒.

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5	Bushfire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	6	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Dial Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Dial Before You Dig 1100 service.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input type="checkbox"/>	<input type="checkbox"/>	20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input type="checkbox"/>	<input type="checkbox"/>	24	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	28	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
<input type="checkbox"/>	<input type="checkbox"/>	29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input type="checkbox"/>	<input type="checkbox"/>	30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'
<input type="checkbox"/>	<input type="checkbox"/>	31	Solar / Generation	Need to assess the performance of the generation system and its effects on the network and other connected customers.
<input type="checkbox"/>	<input type="checkbox"/>	32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and result in the interruption of supply.

Condition	Advice	Clause No.	Issue	Detail
			Other	

Endeavour Energy	
Completed by:	Decision
Cornelis Duba	Approve (with conditions)
Reason(s) for Conditions / Objection (If applicable)	
<ul style="list-style-type: none"> The Servicing Report includes the following. <p>4.2 Proposed Electrical Infrastructure</p> <p>Following a Capacity Planning assessment undertaken by Endeavour Energy, it has been determined that up to two padmount (PM) substations in order the service the development.</p> <p>Feasibility has been completed and a Level 3 Electrical Consultant has been engaged to provide detailed design to ensure the Method of Supply for the proposed development at the site addresses the following design requirements;</p> <ul style="list-style-type: none"> Install HV cable from Camden Valley Way to Sub 1 to service stage 1. Utilise new network installed as part of stage 1, to install Sub 2 in stage 2. <p>Figure 2 – 1382-1402 Camden Valley Way, Leppington – Stage 1 Prelim Electrical Design.</p> <p>The Architectural Plans show provision for a second padmount substation on Proposed Lot 48. The 'INDICATIVE FUTURE STAGE 2 STORY RESIDENTIAL' on Lot 48 appears could encroach the restriction for fire rating required for the substation.</p> <ul style="list-style-type: none"> To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development. Any required padmount substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. 	

- The minimum required safety clearances and controls for buildings and structures and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).
- The planting of large trees to near electricity infrastructure is opposed by Endeavour Energy. The landscape designer will need to consider the proposed plantings achieve Endeavour Energy's vegetation management requirements.
- Not all the conditions / advice marked may be directly or immediately relevant or significant to the Development Application. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

Yours faithfully

Cornelis Duba

Development Application Specialist

Sustainability & Environment

M: 0455 250 981

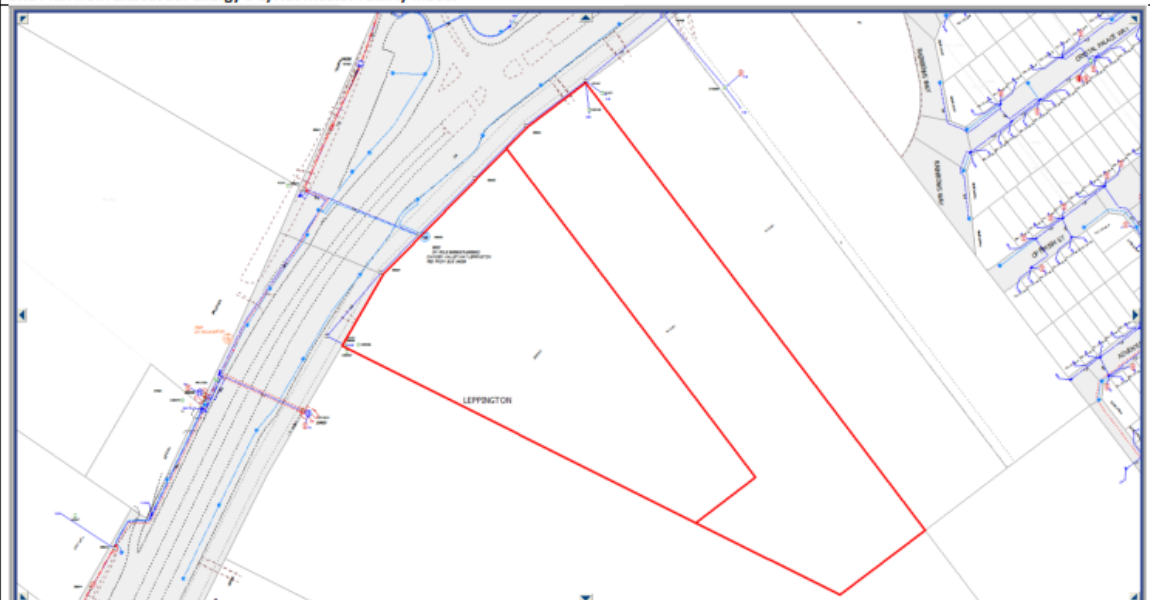
E: cornelis.duba@endeavourenergy.com.au

51 Huntingwood Drive, Huntingwood NSW 2148

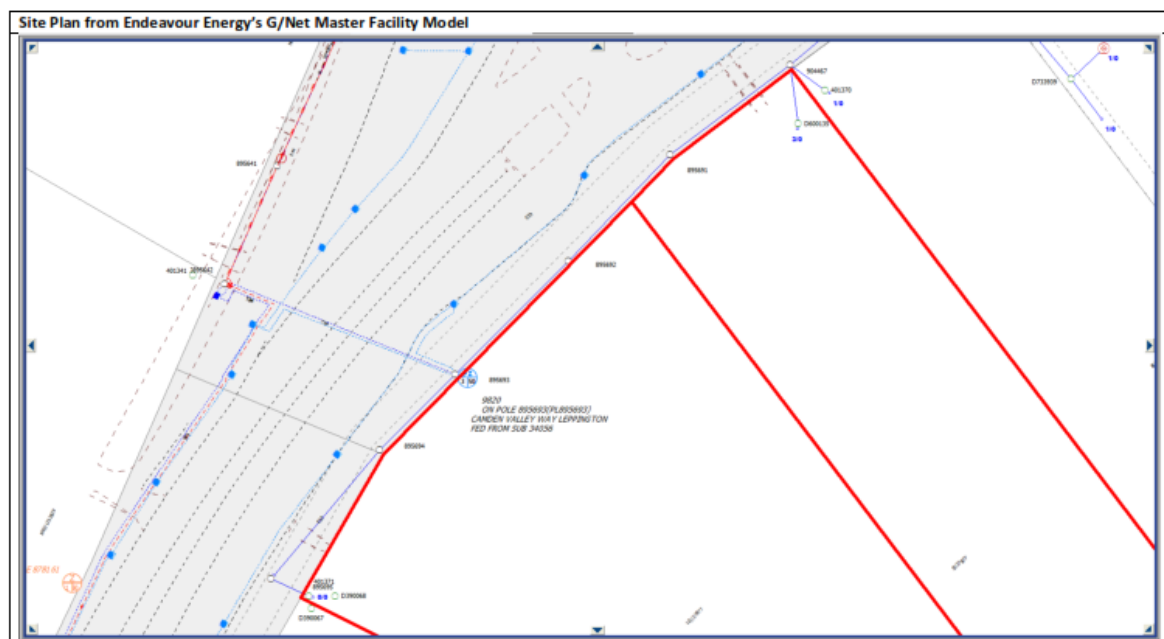
www.endeavourenergy.com.au



Site Plan from Endeavour Energy's G/Net Master Facility Model

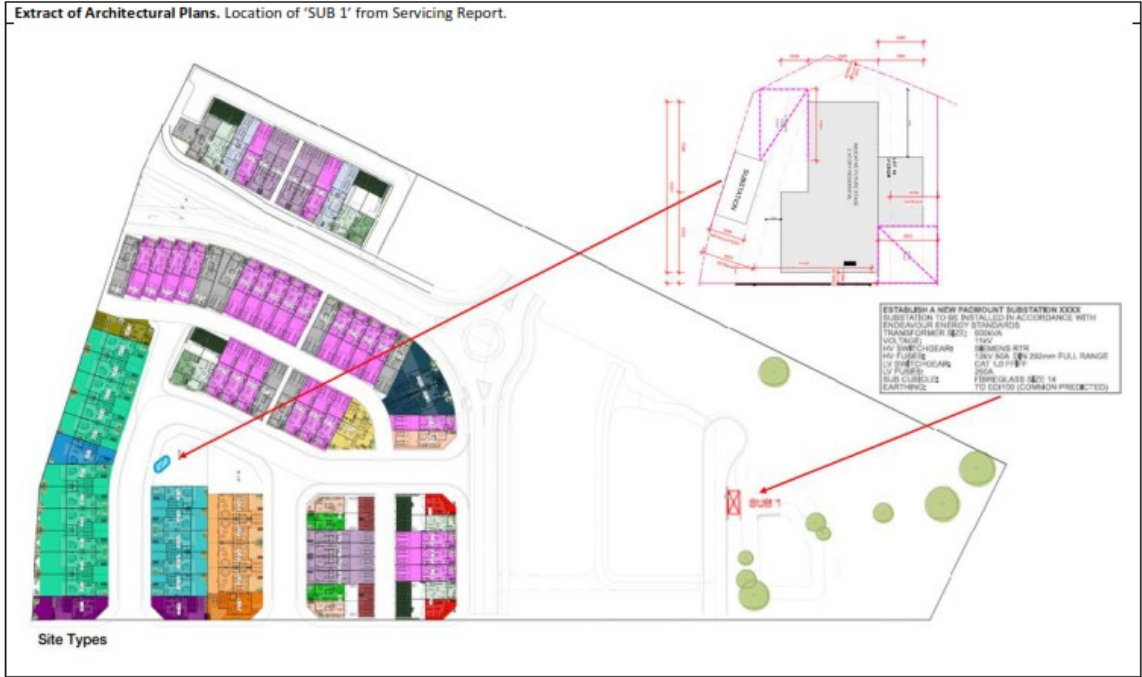


Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan is not a 'Dial Before You Dig' plan under the of Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).



LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Customer connection point
	Low voltage pillar
	Streetlight column
	Life support customer
	Tower
	Pole
	Pole with streetlight
	Customer owned / private pole
	Cable pit
	Subject site





ATTACHMENT 8 – JEMENA



15 August 2022

Liverpool City Council
33 Moore Street
Liverpool NSW 2170

Kevin Kim
Development Assessment Team
kimk@liverpool.nsw.gov.au

Attention Kevin,

Eastern Gas Pipeline
Joint Venture

Jemena Eastern Gas Pipeline (1)
Pty Ltd
ABN 15 068 570 847
Jemena Eastern Gas Pipeline (2)
Pty Ltd
ABN 77 006 919 115

Level 16, 567 Collins Street
Melbourne, VIC 3000
PO Box 16182
Melbourne, VIC 3000
T +61 3 9173 7000
F +61 3 9173 7516
www.jemena.com.au

Property: 1382-1384 Camden Valley Way, Leppington NSW 2179

Reference : CNR 36188

Agency Ref: A-42575

Proposal: DA-148/2022 Construction of 93 dwellings including 67 x attached dwellings and 1 x secondary dwelling, 4 x semi-detached dwellings, and 7 x multi-dwelling housing developments (containing 3 x dwellings each).

Jemena Gas Networks (NSW) Ltd and Jemena Eastern Gas Pipeline 1 Pty Ltd and Jemena Eastern Gas Pipeline 2 Pty Ltd (collectively **Jemena**) has reviewed and assessed the development application referenced above. Jemena has given consideration to the potential safety risks and impacts to and from the Jemena licenced gas pipelines located within proximity of the proposed development.

Subject to the following conditions being imposed on the development, Jemena does not object:

An Encroachment Safety Management Study (Construction SMS) as per AS2885.6 must be conducted to identify all threats posed by construction and ongoing existence of the development with regard to the Eastern Gas Pipeline in this location. All actions arising from this SMS must be addressed and closed. Jemena must provide acceptance of the sign-off report prior to commencement of the development;

It is noted that a SMS would be required to be undertaken by an appropriately qualified professional and Jemena are to be a party to any such study. Any costs associated with convening a SMS will be borne by the applicant/proponent, along with any additional protection measures or mitigation works that will need to be implemented by Jemena or the proponent as required by the findings of the SMS.

If you have any questions or queries, please do not hesitate to contact the undersigned.

Kind Regards

A handwritten signature in black ink, appearing to read "D. Guerrero".

Danny Guerrero
Lands Officer
Jemena

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA-143/2022

Development: Torrens title subdivision of Super Lots 1 and 2 created by DA-400/2018 to create eighty-eight (88) lots, including one (1) residue lot, incorporating the construction of eighty six (86) dwellings, including eighty one (81) x attached dwellings, 4 x semi-detached dwellings, 1 secondary dwelling, and subsequent Strata subdivision with road construction, civil works, earthworks and landscaping, to be carried out over two stages.

Site: Super Lots 1 and 2 approved under DA-143/2022 within Lots 9 and 10 DP 27877, known as 1382, 1384 and 1402 Camden Valley Way, Leppington 2179.

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 30 March 2023

Date from which consent takes effect: Date of determination.

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site”, means the land known as Super Lots 1 and 2 approved under DA-143/2022 within Lots 9 and 10 DP 27877, known as 1382, 1384 and 1402 Camden Valley Way, Leppington 2179.

The conditions of consent are as follows:

APPLICANT: TRIBECA RESIDENTIAL COMMUNITIES No. 5 Pty Ltd

LAND: Lots 9 and 10 DP 27877, known as 1382, 1384 and 1402 Camden Valley Way, Leppington 2179

PROPOSED DEVELOPMENT: Torrens title subdivision of Super lots 1 and 2 created by DA-400/2018 to create eighty-eight (88) lots, including one (1) residue lot, incorporating the construction of eighty six (86) dwellings, including eighty one (81) x attached dwellings, 4 x semi-detached dwellings, 1 secondary dwelling, and subsequent Strata subdivision with road construction, civil works, earthworks and landscaping, to be carried out over two stages.

ATTACHMENT 1 – CONDITIONS OF APPROVAL

Council has imposed the following conditions under the relevant planning instruments and policies.

A. THE DEVELOPMENT

Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the following plans/reports marked as follows, except where modified by the undermentioned conditions.

Plan Name	Plan Number	Date	Revision	Prepared by
Subdivision Plans				
Staging Plan	097-21G L03 [04]	8.12.2022	04	Craig & Rhodes
Subdivision Site Plan	097-21G L07 [02]	8.12.2022	02	Craig & Rhodes
NDA Plan (for Density) Overall	097-21G L04 [05]	12.01.2023	05	Craig & Rhodes
NDA Plan (for Density) Stage 2A & 2B	097-21G L06 [03]	8.12.2022	03	Craig & Rhodes
Civil Engineering Plans				
Coversheet, Locality Plan and Index	097-21C-DA-0001	11.01.2023	B	Craig & Rhodes
General Notes	097-21C-DA-0002	11.01.2023	B	Craig & Rhodes
Legends and Abbreviations	097-21C-DA-0003	11.01.2023	B	Craig & Rhodes
Key Plan	097-21C-DA-0004	11.01.2023	B	Craig & Rhodes
Bulk Earthworks Plan	097-21C-DA-0051	11.01.2023	B	Craig & Rhodes

Site Section Sheet 1 - Bulk Earthworks Plan	097-21C-DA-0061	11.01.2023	B	Craig & Rhodes
Site Section Sheet 2 - Bulk Earthworks Plan	097-21C-DA-0062	11.01.2023	B	Craig & Rhodes
Sheet 1 - Road and Drainage Plan	097-21C-DA-0101	11.01.2023	B	Craig & Rhodes
Sheet 2 - Road and Drainage Plan	097-21C-DA-0102	11.01.2023	B	Craig & Rhodes
Road Typical Sections	097-21C-DA-0151	11.01.2023	B	Craig & Rhodes
Road 01 - Longitudinal Section	097-21C-DA-0201	11.01.2023	B	Craig & Rhodes
Road 02 - Longitudinal Section	097-21C-DA-0202	11.01.2023	B	Craig & Rhodes
Laneway - Longitudinal Section	097-21C-DA-0203	11.01.2023	B	Craig & Rhodes
Temp Road 02 - Longitudinal Section	097-21C-DA-0204	11.01.2023	B	Craig & Rhodes
Vehicle Turning Path Plan	097-21C-DA-0551	11.01.2023	B	Craig & Rhodes
Signage and Line Marking Plan	097-21C-DA-0601	11.01.2023	B	Craig & Rhodes
Interim Catchment Plan	097-21C-DA-0701	11.01.2023	B	Craig & Rhodes
Ultimate Catchment Plan	097-21C-DA-0702	11.01.2023	B	Craig & Rhodes
Temporary OSD/WSUD Basin Plan and Section	097-21C-DA-0751	11.01.2023	B	Craig & Rhodes
Stormwater Drainage Plan	097-21C-DA-0752	11.01.2023	B	Craig & Rhodes
Erosion and Sediment Control Plan	097-21C-DA-0901	11.01.2023	B	Craig & Rhodes
Erosion and Sediment Control Details	097-21C-DA-0902	11.01.2023	B	Craig & Rhodes
Amended Architectural Plans				
Overall Site Plan	20009/DA.00.1	28.01.2022	A	Clarke Hopkins Clarke

Site Plan – Site Types	200091/DA.00.2	28.01.2022	A	Clarke Hopkins Clarke
Site Analysis Plan	200091/DA.00.3	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 1	200091/DA.01.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 1	200091/DA.01.2	22.12.2022	B	Clarke Hopkins Clarke
Level 2 Plans – Zone 1	200091/DA.01.3	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 2	200091/DA.02.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 2	200091/DA.02.2	22.12.2022	B	Clarke Hopkins Clarke
Level 2 Plans – Zone 2	200091/DA.02.3	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 3	200091/DA.03.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 3	200091/DA.03.2	22.12.2022	B	Clarke Hopkins Clarke
Level 2 Plans – Zone 3	200091/DA.03.3	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 4	200091/DA.04.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 4	200091/DA.04.2	22.12.2022	B	Clarke Hopkins Clarke
Level 2 Plans – Zone 4	200091/DA.04.3	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 5	200091/DA.05.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 5	200091/DA.05.2	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 6	200091/DA.06.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 6	200091/DA.06.2	22.12.2022	B	Clarke Hopkins Clarke

Ground Floor Plans – Zone 7	200091/DA.07.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 7	200091/DA.07.2	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 8	200091/DA.08.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 8	200091/DA.08.2	22.12.2022	B	Clarke Hopkins Clarke
Level 2 Plans – Zone 8	200091/DA.08.3	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 9	200091/DA.09.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 9	200091/DA.09.2	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 10	200091/DA.10.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 10	200091/DA.10.2	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 11	200091/DA.11.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 11	200091/DA.11.1	22.12.2022	B	Clarke Hopkins Clarke
Ground Floor Plans – Zone 12	200091/DA.12.1	22.12.2022	B	Clarke Hopkins Clarke
First Floor Plans – Zone 12	200091/DA.12.1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type B	200091/DA.00.B1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type C	200091/DA.00.C1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type D	200091/DA.00.D1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type E	200091/DA.00.E1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type F	200091/DA.00.F1	22.12.2022	B	Clarke Hopkins Clarke

Floor Plan – Type J	200091/DA.00.J1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type K	200091/DA.00.K1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type L	200091/DA.00.L1	22.12.2022	B	Clarke Hopkins Clarke
Floor Plan – Type P	200091/DA.00.P1	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 2	200091/DA.01.6	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 3	200091/DA.02.6	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 1	200091/DA.03.6	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 4	200091/DA.04.6	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 5	200091/DA.05.6	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 6	200091/DA.06.5	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 7	200091/DA.07.6	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 8	200091/DA.08.6	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 9	200091/DA.09.5	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage Calculations - Zone 10	200091/DA.10.5	22.12.2022	B	Clarke Hopkins Clarke
Landscape and Coverage	200091/DA.11.5	22.12.2022	B	Clarke Hopkins Clarke

Calculations - Zone 11				
Landscape and Coverage Calculations - Zone 12	200091/DA.12.5	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 1	200091/DA.01.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 2	200091/DA.02.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 3	200091/DA.03.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 4	200091/DA.04.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 5	200091/DA.05.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 6	200091/DA.06.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 7	200091/DA.07.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 8	200091/DA.08.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 9	200091/DA.09.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 10	200091/DA.10.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 11	200091/DA.11.7	22.12.2022	B	Clarke Hopkins Clarke
Shadow Diagrams - Zone 12	200091/DA.12.7	22.12.2022	B	Clarke Hopkins Clarke
Overall Bin Plan	200091/DA.00.11	22.12.2022	B	Clarke Hopkins Clarke
Group Collection Bin Plan	200091/DA.00.12	22.12.2022	B	Clarke Hopkins Clarke
Artist Impression - Bin Storage	200091/DA.00.13	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 1	200091/DA.01.4	22.12.2022	B	Clarke Hopkins Clarke

Streetscape Elevations - Zone 2	200091/DA.03.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 3	200091/DA.02.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 4	200091/DA.04.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 5	200091/DA.05.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 6	200091/DA.06.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 7	200091/DA.07.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 8	200091/DA.08.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 9	200091/DA.09.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 10	200091/DA.10.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 11	200091/DA.11.4	22.12.2022	B	Clarke Hopkins Clarke
Streetscape Elevations - Zone 12	200091/DA.12.4	22.12.2022	B	Clarke Hopkins Clarke
Type B Elevations & Sections	200091/DA.00.B2	22.12.2022	B	Clarke Hopkins Clarke
Type C Elevations & Sections	200091/DA.00.C2	22.12.2022	B	Clarke Hopkins Clarke
Type D Elevations & Sections	200091/DA.00.D2	22.12.2022	B	Clarke Hopkins Clarke
Type E Elevations & Sections	200091/DA.00.E2	22.12.2022	B	Clarke Hopkins Clarke
Type F Elevations & Sections	200091/DA.00.F2	22.12.2022	B	Clarke Hopkins Clarke
Type J Elevations & Sections	200091/DA.00.J2	22.12.2022	B	Clarke Hopkins Clarke
Type K Elevations & Sections	200091/DA.00.K2	22.12.2022	B	Clarke Hopkins Clarke

Type L Elevations & Sections	200091/DA.00.L2	22.12.2022	B	Clarke Hopkins Clarke
Type P Elevations & Sections	200091/DA.00.P2	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 1	200091/DA.01.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 2	200091/DA.02.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 3	200091/DA.03.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 4	200091/DA.04.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 5	200091/DA.05.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 6	200091/DA.06.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 7	200091/DA.07.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 8	200091/DA.08.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 9	200091/DA.09.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 10	200091/DA.10.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 11	200091/DA.11.4	22.12.2022	B	Clarke Hopkins Clarke
Sections - Zone 12	200091/DA.12.4	22.12.2022	B	Clarke Hopkins Clarke
Landscape Plans				
Landscape Plan – Masterplan	LA00	19.01.2023	C	Taylor Brammer
Landscape Plan – 1/5	LA01	19.01.2023	C	Taylor Brammer
Landscape Plan – 2/5	LA02	19.01.2023	C	Taylor Brammer
Landscape Plan – 3/5	LA03	19.01.2023	C	Taylor Brammer
Landscape Plan – 4/5	LA04	19.01.2023	C	Taylor Brammer

Landscape Plan – 5/5	LA05	19.01.2023	C	Taylor Brammer
Landscape Plan – Street Tree Masterplan	LA06	19.01.2023	C	Taylor Brammer
Landscape Plan – Planting Strategy	LA07	19.01.2023	C	Taylor Brammer
Landscape Plan – Lot Planting Strategy	LA08	21.12.2021	A	Taylor Brammer
Landscape Plan - OSD & Temporary Park	LA09	21.12.2021	A	Taylor Brammer
Landscape Plan - Laneway Sections	LA10	02.11.2022	P1	Taylor Brammer
Landscape Plan - Laneway Options	LA11	07.10.2022	P1	Taylor Brammer
Landscape Plan – Details	LD01	21.12.2021	A	Taylor Brammer
Landscape Plan – Details	LD02	11.11.2021	A	Taylor Brammer
Landscape Plan – Details	LD03	21.12.2021	C	Taylor Brammer
Landscape Plan - OSD Details By Engineer	LD05	21.12.2021	A	Taylor Brammer
Landscape Plan – Details	LD06	15.11.2021	A	Taylor Brammer
Landscape Plan – Fencing Plan	LF01	21.12.2021	C	Taylor Brammer
Landscape Plan – Landscape Sections	LF02	21.12.2021	A	Taylor Brammer

Report Name	Date	Reference	Prepared by
Remediation Action Plan	17 March 2021	Project No. 92255.02	Douglas Partners
Stormwater Management Report	December 2021	Ref No. 097-21-DA-SWMR-A	Craig & Rhodes
Bushfire Hazzard Assessment – Stage 2	9 February 2022	Project No. J2641	Blackash
Waste Management Plan	3 January 2022	Ref No. 097-21	Craig & Rhodes
Traffic and Parking Assessment Report	January 2022	Ref No. 21269	Transport and Planning Associates
Traffic Noise Impact Assessment	27 September 2022	Project No. 20211110.1	Acoustic Logic

Addendum Acoustic Statement	24 October 2022	Project No. 20211110.2	Acoustic Logic
Basix Certificate	9 December 2022	Certificate number: 1263922M_02	Certified Energy 1

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.

General Terms of Approval

- All General Terms of Approval issued by **NSW Rural Fire Service** shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated **28 February 2023**. A copy of the General Terms of Approval is attached to this decision notice.

Requirements of Referral Bodies

- All conditions issued by **Sydney Water** shall be complied with, as required in accordance with their correspondence dated **1 April 2020**. A copy of the correspondence is attached to this determination notice.
- All conditions issued by **Department of Planning and Environment – Water** shall be complied with, as required in accordance with their correspondence dated **16 May 2022**. A copy of the correspondence is attached to this determination notice.
- All conditions issued by **APA Group** shall be complied with, as required in accordance with their correspondence dated **13 April 2022**. A copy of the correspondence is attached to this determination notice.
- All conditions issued by **Endeavour Energy** shall be complied with, as required in accordance with their correspondence dated **02 March 2022**. A copy of the correspondence is attached to this determination notice.
- All conditions issued by **Jemena Eastern Gas Pipeline Pty Ltd** shall be complied with, as required in accordance with their correspondence dated **15 August 2022**. A copy of the correspondence is attached to this determination notice.

Stages of Consent

- This consent approves development with respect to the Stages of Consent, with Stage 2 only able to occur once the road connection on the adjoining site is constructed and dedicated to Council and restriction over the lot is removed.

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with or addressed prior to the issue of a Construction Certificate by the Principal Certifying Authority.

Comply with EP&A Act (General)

10. 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.

Prescribed Condition (General)

11. In accordance with Section 4.16(11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- (a) Complying with the Deemed to Satisfy Provisions; or
- (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

Provision of Services – Endeavour Energy

12. 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 PCA.

Provision of Services – Telecommunications

13. Prior to the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following requirements of the Telecommunications Act 1997:
- a) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation, and
 - b) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

Retaining Walls on Boundary

14. 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 commencements of works on the retaining wall.

S138 Roads Act – roadworks requiring approval of civil drawings

15. If the dedication to Council of Crystal Palace Way has occurred, then prior to the issue of a Construction Certificate for building or subdivision works, the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of Road Works in **Crystal Palace Way**.

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

Note: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.

Fee Payments - Land Development

16. 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. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

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, and
- c) Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the *Environmental Planning & Assessment Act 1979*.

These fees are reviewed annually and will be calculated accordingly.

17. All fees associated with a road opening permit required for the connection, extension or amplification of any services within Council's Road reserve must be paid to Council and receipts provided to the PCA. A separate form must be submitted in conjunction with payment of the fees. The fees include the standard road opening permit fee and any restoration fees that may be required as a result of the works

Notification

18. The certifying authority 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.

S138 Roads Act – Minor Works in the public road

19. Prior to the issue of a Construction Certificate, a Section 138 Roads Act application/s, including payments 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 Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council specifications.

Note: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.

No Loading on Easements

20. 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.

Construction Certificate for Subdivision Works

21. Prior to the issue of a Construction Certificate for subdivision works the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved concept plan/s prepared by **Craig and Rhodes**, reference number **097-21C-DA, revision B** dated **11 January 2023** and that all subdivision works have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

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

- (a) Public and private roads

- (b) Stormwater drainage including water quantity and quality treatment measures
- (c) Interallotment drainage
- (d) Private access driveways
- (e) Sediment and erosion control measures
- (f) Overland flowpaths
- (g) Flood control measures
- (h) Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- (i) Earthworks
- (j) Bridges, culverts, retaining walls and other structures
- (k) Landscaping and embellishment works
- (l) All works required for conversion of the proposed sediment basin to a bio retention function
- (m) All works required for the decommissioning temporary OSD systems including pipe removal, basin filling and works to existing pit structures if required

The Construction Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

Road design criteria table

22. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works and the following criteria:

Road No.	Road Reserve Width	Carriageway Width	Verge	Footpath	ESA
Road 1 & 2	16.0m	9.0m	3.5m	1.5m on both sides	3 x 10 ⁵
Laneway 1, Laneway 2, Laneway 3, Laneway 4	7.0m	5.5m	0.75m	-	3 x 10 ⁵
Temporary Road	Min. 7.0m	6.0m		-	3 x 10 ⁵

On-Site Detention

23. On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by **Craig and Rhodes** reference number **097-21C-DA** revision **B** dated **11 January 2023**.

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

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

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

Water Quality

24. 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.

Road Safety Audit

25. A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application.

Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying

Authority shall ensure that the recommendations of the RSA have been addressed in the final design.

Dilapidation report

26. If the works under DA-400/2018 have been completed and roads dedicated to Council, then prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Sangam Road and Crystal Palace Way is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

Road Design

27. Amend maximum batter to 1:4 in the proposed on all proposed Lots.
28. Amend verge dimension in accordance to Council DCP for Laneway 1 to Laneway 4.
29. Temporary turning heads must be provided at the end of any roads that terminate at this stage of the subdivision or do not have safe and adequate connection to an existing road. The turning head is to have a minimum radius of 8.5m. Details are to be submitted prior to the release of the Construction Certificate.
30. A water quality treatment shall be provided in accordance with Council DCP.
31. Provide a minimum 6m x 6m splay for all intersection lots.
32. Roads 1 & 2 to extend to boundary of the Site following removal of proposed temporary road.
33. All roads longitudinal grade to have a minimum grade of 1%.

Flooding Storage Requirements

34. Flooding conditions of DA-400/2018 shall be fulfilled before commencing the developments proposed under this application.
35. There shall be no loss of flood storage by the proposed development. Interim flood compensatory excavation shall be provided to confirm that there is no net loss of flood storage volume below the 1% AEP flood. The interim flood compensatory excavation area (as indicated within the Super Lot 3 of DA-400/2018) cannot be filled and shall be maintained at the site until the creek enhancement works are completed and Basin B5 is constructed.
36. During the 1% AEP storm event, the depth of flooding and velocity depth on the road shall not be higher than 0.2m and 0.4 m²/s respectively.
37. The proposed development and the ultimate stormwater design of the site shall be consistent with Council's design of water management infrastructures in East Leppington.

38. Interim On-Site Detention (OSD) basin shall be provided to limit the post-development flow to pre-development level (Ref: 097-21-DA-SWMR-A; Proposed Residential Subdivision - 1382-1402 Camden Valley Way, Leppington: Revision: A; dated: 23/12/2021). The OSD basin shall be maintained at the site until Basin B5 is constructed and operational.
39. Interim on-site water quality treatment facilities shall be provided to ensure that stormwater runoffs leaving the site comply with Council's water quality standards (Ref: 097-21-DA-SWMR-A; Proposed Residential Subdivision - 1382-1402 Camden Valley Way, Leppington: Revision: A; dated: 23/12/2021). Interim water quality control measures shall be maintained at the site until Basin B5 including the bio-retention basin CLB2 are constructed, and stormwater networks are established.

Landscaping Design

40. Details and specifications for all elements of the landscaping design including proposed planting locations, pot sizes and quantities for each plant/tree species proposed to be planted in accordance with the approved landscape plans.
41. Detailed design of the proposed road connection with the signalised intersection of Camden Valley Way and Cowpasture Road (South) is to be submitted to, and approved by TfNSW and Council.
42. Detailed design drawings of the proposed local roads, showing the following criteria in accordance with

Austroroads Guides, DCP and AS: 2890, are to be submitted to and approved by Council's Transport Management Section:

- Temporary turning heads to be provided until through road is available.
 - Intersection treatments and pram ramps,
 - Entry thresholds and traffic calming devices,
 - 1.5 m wide foot path, kerb and gutter on local roads,
 - Signs and line markings scheme,
 - Driveway locations.
43. The applicant is to comply with Council's noise criteria and the SEPP (Infrastructure) 2007 noise criteria, subject to recommended treatments for glazing, roof/ceiling materials, external walls and cladding.

C. PRIOR TO WORKS COMMENCING

The following conditions are to be complied with or addressed prior to works commencing on the subject site/s:

Commencement of Building Work (Prior to Works Commencing)

44. Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the EP&A Act 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.

Construction Certificates

45. 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.

Construction Certificates (Prior to works commencing)

46. 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 6.6 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 must be appointed to carry out the necessary building inspections and to issue an occupation certificate.
 - e) The principal certifier 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.

Residential Building Work (Prior to works commencing)

47. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be commenced unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information:
- (a) In the case of work for which a principal contractor is required to be appointed:
 - i) The name and licence number of the principal contractor; and
 - ii) The name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - i) the name of the owner-builder, and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit,

Note: A certificate supporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part.

Construction Environmental Management Plan (CEMP)

48. Prior to issue any Construction Certificate or Subdivision Works 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:

- (a) Asbestos Management Plan;
- (b) Project Contact Information;
- (c) Site Security Details;
- (d) Timing and Sequencing Information;
- (e) Site Soil and Water Management Plan;
- (f) Noise and Vibration Control Plan;
- (g) Dust Control Plan;
- (h) Air Monitoring;
- (i) Odour Control Plan;
- (j) Health and Safety Plan;
- (k) Waste Management Plan;
- (l) Incident management Contingency; and
- (m) Unexpected Finds Protocol.
- (n) Selection of traffic routes to minimise residential noise intrusions;
- (o) Community consultation. Written evidence is to be provided to the PCA that the developer has consulted with the adjoining 'Child Care Centre', in an attempt to minimise impacts of the development on its existing use rights.

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

Sediment & Erosion Control

49. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the *Environment Operations Act 1997* and Landcom's publication "*Managing Urban Stormwater – Soils and Construction (2004)*" – also known as "The Blue Book".

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised

Traffic Control Plan

50. 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.

Construction Noise and Vibration

51. 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).

Matters to be addressed prior to commencement of Subdivision Works

52. Work on the subdivision shall not commence until:
- a) a Construction Certificate (if required) has been issued,
 - b) a Principal Certifying Authority has been appointed for the project, and
 - c) any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

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

“DIAL BEFORE YOU DIG”

53. 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

Waste Classification and Disposal of Contaminated Soil and Material

54. All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and certified consultant, in accordance with the *Protection of the Environment (Waste) Regulation 2014* and related guidelines, in particular the *NSW EPA Waste Classification Guidelines*, prior to off-site disposal.

All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to the Principal Certifying Authority with 30 days of the waste being disposed.

All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

D. DURING CONSTRUCTION

The following conditions are to be complied with or addressed during construction.

Identification Survey Report (During construction)

55. The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA 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 PCA 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.

Identification Survey Report (During construction)

56. On placement of the concrete, works again shall not continue until the PCA has issued a certificate stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.

Excavation (During construction)

57. In the event the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) Protect and support the building, structure or work from possible damage from the excavation, and

- (b) where necessary, underpin the building, structure or work to prevent any such damage.
- (c) a and b above does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.
- (d) Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer.

Site Remediation Works

58. Remediation works must be carried out in accordance with Remediation Action Plan prepared by Douglas Partners (Project ref: 92255.02) dated 17 March 2021. Any variation to the proposed remediation works must be approved in writing by Council or the PCA prior to the commencement of these works. The applicant must inform Council or the PCA in writing of any proposed variation to the remediation works. Council or the PCA must approve these variations in writing prior to commencement of works approved under the development consent.

Note: Cap and contain onsite shall not be used as a preferred remediation strategy within Liverpool City Council.

Soil testing - Subdivisions

59. Soil Testing is to be carried out to enable each lot to be classified according to AS2870 "Residential Slabs and Footings".

Toilet Facilities

60. 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) be connected to 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*.

Sign Notice board (During construction)

61. A sign must be erected and maintained in a prominent position on the site, which contains the following details:
- a) name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable),
 - b) name, address and telephone number of the principal certifier, and

- c) a statement stating that ‘unauthorised entry to the work site is prohibited’.

Refuse Disposal (During construction)

62. 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.

Heritage Cultural heritage Unexpected Finds

63. All Aboriginal Objects are protected by the *National Parks and Wildlife Act 1974*. Consent from the NSW Government is required before undertaking any works which may impact on Aboriginal objects, either listed under the Aboriginal Heritage Information Management System or not. Should a potential Aboriginal Object be identified during groundworks, all works are to cease in the immediate area, and an archaeologist is to be engaged to investigate and undertake any required reporting and permits.

Street Lighting in New Subdivisions

64. The developer shall engage an accredited service provider to submit a Public Lighting Design Brief to Council’s Transport Management Section, to specify design requirements for the provision of street lighting on all new public roads dedicated to Council.

A street lighting design plan prepared by an accredited service provider is to be submitted to and approved by Council’s Transport Management Section and the electricity service provider (currently Endeavor Energy), prior to construction.

The street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council’s Street Lighting policy.

Traffic Conditions

65. The endorsed Construction Traffic Management Plan (CTMP) is to be implemented at all stages.
66. All works within the road reserve are to be at the applicant’s cost and all signage is to be in accordance with the RTA’s Traffic Control at Worksites Manual and the RMS’s Interim Guide to Signs and Markings.
67. Notice must be given to Council’s Transport Management Section of any interruption to pedestrian or vehicular traffic within the road reserve caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner, must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
68. Approval must be obtained from Council’s Transport Management 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.

Major Filling/Earthworks

69. 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/Superintended in consultation with the Principal Certifying Authority.

Hours of Construction Work and Deliveries

70. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

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.

Termite Protection

71. To protect the buildings from subterranean termite, termite barriers must be installed in accordance with AS 3660.1 to the underside and penetrations of the concrete slab floor. In addition a durable notice must be permanently fixed inside the metre box indicating:
- a) The method of protection,
 - b) The date of installation of the system,
 - c) Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label, and
 - d) The need to maintain and inspect the system on a regular basis.

General Site Works – Surface contours

Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

General Site Works – Existing Hydrology

72. Existing hydrological regimes shall be maintained so as not to negatively impact vegetation to be retained on site and downslope/downstream of the site.

General Site Works - Runoff

73. 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.

General Site Works - Sediment

74. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.

Removal of Dangerous and/or Hazardous Waste

75. All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by SafeWork NSW. The removal of such material shall be carried out in accordance with the requirements of SafeWork NSW. The material shall be transported and disposed of in accordance with NSW Environment Protection Authority requirements.

Waste Management

76. The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

Note: Any non-compliance with this requirement will result in penalties being issued.

Landscaping Works – Soil

77. Premium quality organic garden soil shall be incorporate into all planting areas to achieve optimum plant growing conditions.

Contamination

78. 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*, and *Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998)*.

Imported Fill Material

79. Filling material must be limited to the following:
- a) Virgin excavated natural material (VENM)
 - b) Excavated natural material (ENM) certified as such in accordance with Protection of the Environment (Waste) Regulation 2014; and/or
 - c) Material subject to a Waste Exemption under Clause 91 and 92 Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW Environment Protection Authority as being “fit for purpose” with respect to the development subject of this application.

Certificates proving that the material imported is ENM or VENM must be provided to the Principal Certifying Authority prior to filling. Certificates are to be provided to Council officers if and when requested.

Fill imported on to the site must be compatible with the existing soil characteristic for site drainage purposes.

Record Keeping of Imported Fill

80. Records of the following must be submitted to the principal certifying authority monthly and at the completion of earth works:

- a) 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,
- b) the results of a preliminary contamination assessment carried out on any fill material used in the development, and
- c) the results of any chemical testing of fill material.

Unidentified Contamination

81. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be immediately notified to Council and the Principal Certifying Authority in writing.

A Section 4.55 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

Air Quality - Dust Screens

82. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.

Air Quality - Stabilisation

83. Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be 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 Certifying Authority may direct that such work is not to proceed.

Air Quality – Vehicle Movement

84. All vehicles involved in the delivery, demolition or construction process departing from the property shall have their loads fully covered before entering the public roadway.

Erosion Control

85. 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.

Pollution Control – Site Operations

86. Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to water pollution.

Pollution Control – Truck Movements

87. 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.

Historic Archaeology

88. Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.

Skeletal Remains

89. 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.

E. PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifier (PC):

Occupation Certificate (Prior to issue of occupation certificate)

90. The premises must not be utilised until an Occupation Certificate is issued by the principal certifier.

Works as executed – General

91. Prior to the issue of an Occupation Certificate, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

BASIX

92. Supporting documentation issued by a suitable qualified person who has installed or carried out the works associated with the BASIX commitments shall be submitted to Council.

Landscaping

Upon completion of the approved landscape works associated with the development and prior to the issue of any OC, an Implementation Report is to be submitted to the PCA 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.

F. PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifier (PC):

Prior Approval

93. Prior to the Issue of the Subdivision Certificate the applicant shall confirm that Subdivision Certificate for DA-400/2018 (Stage 1) has been released.

Approved Works

94. Prior to issue of a Subdivision Certificate, all conditions relating to the approved consents DA-400/2018 and any subsequent modification applications must be completed in full.

Section 7.11 Payment (Liverpool Contributions Plan 2014 East Leppington Precinct)

95. **As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment is imposed in accordance with Liverpool Contributions Plan 2014 East Leppington Precinct as amended.**

The total contribution is \$2,610,000.00, apportioned across each stage of the development, and will be adjusted at the time of payment in accordance with the contributions plan.

A breakdown of the contributions payable is provided in the attached payment form.

The Contributions Plan may be inspected online at www.liverpool.nsw.gov.au.

Payment must be accompanied by the attached form.

SPECIAL INFRASTRUCTURE CONTRIBUTION

96. A special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011, as in force when this consent becomes operative. Information about this special infrastructure contribution can be found on the Department of Planning and Environment regarding arrangements for the making of a payment.

Completion of Subdivision Works

97. Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works.

Stormwater Compliance

98. Prior to the issue of a Subdivision Certificate the Principal Certifying Authority shall ensure that the:
- a) On-site detention system/s

- b) Stormwater pre-treatment system/s
 - c) Overland flow path works
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.
 - Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.

Restriction as to User and Positive Covenant

99. Prior to the issue of a Subdivision Certificate a restriction as to user and positive covenant relating to the:

- a) On-site detention system/s
- b) Stormwater pre-treatment system/s
- c) Overland flow path works

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

Rectification of Damage

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

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

Linemarking & Signage

101. Prior to the issue of a Subdivision Certificate and installation of regulatory / advisory linemarking and signage, plans are to be lodged with Liverpool City Council and approved by the Local Traffic Committee.

Note: Allow eight (8) weeks for approval by the Local Traffic Committee.

Street Naming

102. Prior to the issue of a Subdivision Certificate, an application for proposed street names must be lodged with and approved by Liverpool City Council and the signs erected on-site.

The proposed names must be in accordance with Council's *Street Naming Policy*.

Notes: Allow eight (8) weeks for notification, advertising and approval.

Outstanding Works Bond for Temporary Access Roads

103. A management plan shall be prepared for the eventual decommissioning of the temporary access road works. The plan is to include the relocation of any temporary services and shall be signed off by the relevant service authorities, which has elected to utilise the temporary access road corridor over lots Lots 54 and 55. A schedule of works with quantities and estimates of construction and restoration, including any temporary services shall be provided.

The Outstanding Works bond will be refunded once an alternate public road access has been provided and the temporary access road works have been decommissioned to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council.

The value of the bonds shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy.

Subdivision Compliance

104. Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority: *Nominate*
- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and a DXF format to Council along with two hard copies of the WAE plans,
 - b) The WAE drawings shall clearly indicate the 1% Annual Exceedence Probability flood lines (local and mainstream flooding),

- c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges,
- d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council,
- e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries,
- f) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification,
- g) Structural Engineer's construction certification of all structures, and
- h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
 - (i) Compaction reports for road pavement construction,
 - (ii) Compaction reports for bulk earthworks and lot regrading,
 - (iii) Soil classification for all residential lots, and
 - (iv) Statement of Compliance.

Linen Plans and 88B Instruments

105. In order to enable a Subdivision Certificate to be issued for submission to NSW Land Registry Services, the applicant is required to lodge a separate application along with one (1) original and ten (10) copies of the proposed plan of subdivision and one (1) original and two (2) copies of the proposed 88b instrument (where proposed).

Linen Plans and 88B Instruments

106. The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.

Linen Plans and 88B Instruments

107. The final plan of subdivision must be supported by an 88B Instrument, approved by Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Council's standards, codes and policies. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.

Linen Plans and 88B Instruments

108. Correct notation concerning easements is required. The prepared 88B Instrument should be forwarded initially to Council. The land value of the easement and costs associated with checking the instrument are to be borne by the applicant. Part 2 of the 88B Instrument shall contain a provision that the easement may not be extinguished or altered without the written consent of Council.

Linen Plans and 88B Instruments

109. The final plan of subdivision is to show the dedication of 6m x 6m cut-off corner to Council.

Linen Plans & 88B (Temporary Access Roads)

110. The Temporary Access Road over lots 54 and 55 shall have a restrictive covenant preventing sale of the land without Council's permission. Council shall not reasonably withhold permission for removal of the covenant over lots 54 and 55 when proper legal access is completed over neighbouring lands and the temporary access road works and services demolished or relocated to Council's satisfaction.

Service Providers

111. The following documentation is to be provided prior to the release of the subdivision certificate:
- a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be submitted to the PCA prior to the issue of a Subdivision Certificate. Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. Council will not accept any temporary facilities to service the site, including pump-out wet-wells.

- b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
- c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:
 - (i) The requirements of the *Telecommunications Act 1997*;
 - (ii) For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
 - (iii) For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line 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 connections of optic fibre technology telecommunications.

Footpaths

- 112. Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.

Bonds

- 113. A maintenance bond in the form of a bank guarantee or cash bond in an amount to be advised by Council, shall be lodged with Council prior to the issue of a subdivision certificate. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 6 months from the date of Council's acceptance of final works.

Traffic Conditions

- 114. Council's on-street assets must be protected at all times. Any damages are to be rectified to Council satisfaction, at no cost to Council.
- 115. All required road works on the proposed roads, traffic calming devices, signage, line markings and street lighting shall be completed to Council's satisfaction, at no cost to Council.

H. ADVISORY

- a) Section 8.2, 8.3, 8.4 & 8.5 allows Council to reconsider your proposal. Should you wish to have the matter reconsidered you should make an application under that section with the appropriate fee.
- b) [Deleted]
- c) In accordance with Section 4.53 of the EP& A Act , unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
- d) To confirm the date upon which this consent becomes effective, refer to Section 4.20 of the EP&A Act. Generally, the consent becomes effective from the determination date shown on the front of this notice. However, if unsure applicants should rely on their own enquiries.
- e) To confirm the likelihood of consent lapsing, refer to Section 4.53 of the EP&A Act. Generally, consent lapses if the development is not commenced within five years of the date of approval. However, if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- f) In accordance with Section 8.8 and 8.10 of the EP&A Act, an objector who is dissatisfied with the determination of a consent authority to grant consent to a development application for designated development (including designated development that is integrated development), may, within 28 days after the date on which the application is taken to have been determined, appeal to the Land and Environment Court.
- g) The approval of this application does not imply or infer compliance with the *Disability Discrimination Act* and that the developer should investigate their liability under the EP& A Act.
- h) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- i) "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.

- j) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility

or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995* (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- k) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential affect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
 - l) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.
 - m) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
 - n) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
-

ATTACHMENT 2 – Section 7.11 Payment Forms
CONTRIBUTIONS PURSUANT TO SECTION 7.11 OF THE ENVIRONMENTAL
PLANNING & ASSESSMENT ACT, 1979
Liverpool Contribution Plan 2015 East Leppington

When remitting payment as specified in the Conditions of Consent to the approval, this Form must be submitted with your payment. **These figures have been calculated to the CPI March Quarter 2021 and will be adjusted at the time of payment in accordance with the conditions of consent.**

APPLICATION NO: DA-143/2022 - Stage 1

APPLICANT: Tribeca Residential Communities No. 5 Pty Ltd

PROPERTY: 1382-1402 Camden Valley Way, Leppington
Lots 9 & 10 DP 27877

PROPOSAL: Torrens title subdivision of Super Lots 1 and 2 created by DA-400/2018 to create eighty-eight (88) lots, including one (1) residue lot, incorporating the construction of eighty six (86) dwellings, including eighty one (81) x attached dwellings, 4 x semi-detached dwellings, 1 secondary dwelling, and subsequent Strata subdivision with road construction, civil works, earthworks and landscaping, to be carried out over two stages.

----- OFFICE USE ONLY -----

RECORD OF PAYMENT

Total Amount paid: _____ **Date:** _____

Receipt No.: _____ **Cashier:** _____

ATTACHMENT 2 – Section 7.11 Payment Forms
CONTRIBUTIONS PURSUANT TO SECTION 7.11 OF THE ENVIRONMENTAL
PLANNING & ASSESSMENT ACT, 1979
Liverpool Contribution Plan 2015 East Leppington

When remitting payment as specified in the Conditions of Consent to the approval, this Form must be submitted with your payment. **These figures have been calculated to the CPI March Quarter 2021 and will be adjusted at the time of payment in accordance with the conditions of consent.**

APPLICATION NO: DA-143/2022 - Stage 2

APPLICANT: Tribeca Residential Communities No. 5 Pty Ltd

PROPERTY: 1382-1402 Camden Valley Way, Leppington
Lots 9 & 10 DP 27877

PROPOSAL: Torrens title subdivision of Super Lots 1 and 2 created by DA-400/2018 to create eighty-eight (88) lots, including one (1) residue lot, incorporating the construction of eighty six (86) dwellings, including eighty one (81) x attached dwellings, 4 x semi-detached dwellings, 1 secondary dwelling, and subsequent Strata subdivision with road construction, civil works, earthworks and landscaping, to be carried out over two stages.

----- OFFICE USE ONLY -----

RECORD OF PAYMENT

Total Amount paid: _____ Date: _____
Receipt No.: _____ Cashier: _____

ATTACHMENT 3 – NSW RURAL FIRE SERVICE (GTAs)

**NSW RURAL FIRE SERVICE**

Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Your reference: CNR-36188 DA-143/2022
Our reference: DA20220302005653-CL55-1

ATTENTION: Nabil Alaeddine

Date: Tuesday 28 February 2023

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
1382-1384 Camden Valley Way Leppington NSW 2179, 10//DP27877, 9//DP27877

I refer to your correspondence dated 07/02/2023 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amended information. General Terms of Approval are now re-issued, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire property must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed

2. At the commencement of building works, if the land immediately southwest of the Site has not been developed for urban purposes and the bushfire hazard removed, a suitable legal mechanism (such as an instrument created pursuant to s88 of the Conveyancing Act 1919) must be created on the neighbouring lot to the southwest (Lot E DP 28997) which requires ongoing management as an Asset Protection Zone (APZ) for a distance of 12 metres from the eastern boundary of the subject lot as shown in Figure 6 of the Bushfire Hazard Assessment prepared by Blackash Bushfire Consulting dated 9 February 2022. The name of authority empowered to release, vary or modify any instrument shall be Liverpool City Council. The APZ must be managed as an inner protection area (IPA) as per the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019* outlined within Condition 1 above.

Construction Standards

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

3. At the commencement of building works, if the land immediately southwest has not been developed for urban purposes and the bushfire hazard removed for a minimum distance of 50 metres, new construction within lots 54, 55, 68, and 69 must comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

4. At the commencement of building works, if the land immediately southwest has not been developed for urban purposes and the bushfire hazard removed for a minimum distance of 50 metres, new construction within lots 53, 56, 67, and 70 must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

5. At the commencement of building works, if the land immediately southwest has not been developed for urban purposes and the bushfire hazard removed for a minimum distance of 50 metres, new construction within lots 1-5, 50-52, 57-59, 61-66, and 71-75, must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

6. At the commencement of building works, if the land immediately northeast has not been developed for urban purposes and the bushfire hazard removed for a minimum distance of 50 metres, new construction within lots 77-82, must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

Access – Public Roads

The intent of measure is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

7. Access roads must comply with the following general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- minimum 5.5m carriageway width kerb to kerb;

- subdivisions of three or more allotments have more than one access in and out of the development;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
- all roads are through roads;
- dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;
- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;
where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access must be provided to an alternate point on the existing public road system;
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating;
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - *Fire hydrant installations System design, installation and commissioning*; and
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.

8. A temporary accessway must be provided along the southern boundary linking the internal access network until such time as the adjoining road network is formally constructed. The temporary accessway must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- property access roads are two-wheel drive, all-weather roads;
- minimum 4m carriageway width;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the crossfall is not more than 10 degrees; and
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads;

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply to community style development property access roads in addition to the above.

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

9. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;

- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

General Advice – Consent Authority to Note

No Bushfire Attack Level (BAL) assessment was provided in the bushfire report supplied with the development application and therefore the NSW RFS has undertaken an independent assessment of the proposal to determine appropriate deemed-to-satisfy BAL construction requirements for each lot.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 19/11/2022.

For any queries regarding this correspondence, please contact Alastair Patton on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Services
Built & Natural Environment



BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
1382-1384 Camden Valley Way Leppington NSW 2179, 10//DP27877, 9//DP27877
RFS Reference: DA20220302005653-CL55-1
Your Reference: CNR-36188 DA-143/2022

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority supersedes the previous Bush Fire Safety Authority DA20220302005653-Original-1 issued on 19/11/2022 and confirms that, subject to the attached reissued General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under s100b of the Rural Fires Act 1997.

Nika Fomin
Manager Planning & Environment Services
Built & Natural Environment

Tuesday 28 February 2023

ATTACHMENT 4 - SYDNEY WATER



1 April 2022

Our Ref: 193851

Kevin Kim
Liverpool City Council
kimk@liverpool.nsw.gov.au

RE: Development Application DA-143/2022 at 1382-1384 Camden Valley Way, Leppington

Thank you for notifying Sydney Water of DA-143/2022 at 1382-1384 Camden Valley Way, Leppington, which proposes the construction of 93 dwellings, associated civil works and the subdivision of the Site into 81 Torrens title. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development. Sydney Water notes the Applicant's Water Servicing Coordinator has submitted a feasibility application for the development under CN 193851. An Advice Letter was issued on 21 October 2021. Please refer to the Advice Letter for further details.

Water Servicing

- Potable water servicing should be available via a DN100 CICL watermain (laid in 1960) on Camden Valley Way.
- Amplifications, adjustments, and/or minor extensions may be required.

Wastewater Servicing

- Our servicing shows that the trunk wastewater system has adequate capacity to service the proposed development.
- Amplifications or extensions to the wastewater network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Further advice and requirements for this proposal are in Attachment 1. If you require any further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "K. Leitch", with a stylized flourish extending to the right.

Kristine Leitch
Commercial Growth Manager
City Growth and Development, Business Development Group
Sydney Water, 1 Smith Street, Parramatta NSW 2150



Attachment 1

Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

The approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's [Tap in™](#) online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.



Out of Scope Building Plan Approval

Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
 - Wastewater pipes larger than 300mm in size
 - Pressure wastewater pipes
 - Drinking water or recycled water pipes
 - Our property boundary
 - An easement in our favour
 - Stormwater infrastructure within 10m of the property boundary.
2. Where the building plan includes:
 - Construction of a retaining wall over, or within the zone of influence of our assets
 - Excavation of a basement or building over, or adjacent to, one of our assets
 - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- our assets will not be damaged during, or because of the construction of the development
- we can access our assets for operation and maintenance
- your building will be protected if we need to work on our assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review.

Tree Planting

Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and *Diagram 5 – Planting Trees* within our [Technical guidelines – Building over and adjacent to pipe assets](#). Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

ATTACHMENT 5 – DEPARTMENT OF PLANNING AND ENVIRONMENT – WATER

Department of Planning and Environment



Contact: Department of Planning and Environment—Water
Phone: 1800 633 362
Email: waterlicensing.servicedesk@dpie.nsw.gov.au

Our ref: IDAS-2022-10215
Your ref: DA-143/2022

16 May 2022

The General Manager
Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Attention: Kevin Kim

Uploaded to the ePlanning Portal

Dear Sir/Madam

Re: IDAS-2022-10215 - Controlled Activity Approval Not Required
Dev Ref: DA-143/2022
Description: Subdivision and construction of a dwellings
Location: Lot 9 and 10 DP 27877, 1382-1384 and 1402 Camden Valley
Way LEPPINGTON 2179

The Department of Planning and Environment—Water has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), a controlled activity approval is not required for the proposed works and no further assessment by this agency is necessary.

Controlled Activity Not Required

The proposed works are not located on waterfront land as defined by the WM Act - The proposed works are greater than 40m from top of bank of the watercourse.

If you have any questions regarding this correspondence, please use NRAR Assist to obtain further information or make an enquiry:

<https://www.nrar.nsw.gov.au/nrar-assist>

Yours Sincerely

Kieran Ball

For
Jeremy Morice
Manager
Licensing and Approvals
Department of Planning and Environment—Water

ATTACHMENT 6 – APA GROUP

Gorodok Pty Limited ABN 30 057 156 751
Level 1, 121 Wharf Street
Spring Hill, QLD 4000
GPO Box 1390, QLD 4001
APA Group | apa.com.au



13 April 2022

APA Ref: 451701
Council Ref: DA-143/2022

Kevin Kim
Liverpool City Council
33 Moore Street
Liverpool NSW 2170

EMAIL OUT: kimk@liverpool.nsw.gov.au

Dear Kevin,

RE: 1382 Camden Valley Way, Leppington – Lot 10 DP27877
Subdivision to create 81 residential lots and construction of 93 dwellings, together with strata subdivision of 7 multi dwelling developments and 1 detached dwellings, with 1 secondary dwelling, together with associated demolition, civil works and road construction

Thank you for your referral request received February 2022 in relation to above development.

APA Group (APA) is Australia's largest natural gas infrastructure business and has direct management and operational control over its assets and investments. APA's gas transmission pipelines span across Australia, delivering approximately half of the nation's gas usage. APA owns and operates over 15,000 km's of high pressure gas transmission pipelines across Australia.

Gorodok Pty Ltd (APA) has one pipeline located approximately 500 metres south of the site and physically separated by the Sydney Upper Water Canal. (see Table 1 for details):

Table 1: Transmission pipelines in the area of consideration

Pipeline	Pipeline Licence	Easement Width (m)	Diameter (mm)	Measurement Length (m)
Moomba to Sydney Ethane	15	6	200	600
Note: measurement length is applied to either side of the pipeline.				

APA's Role

As a Licensee under the *Pipelines Act 1967*, APA is required to operate pipelines in a manner that minimises adverse environmental impacts and protects the public from health and safety risks resulting from operation of our high pressure gas transmission pipelines (HPGTP). Once a HPGTP is in place, APA is required to constantly monitor both the pipeline corridor and also a broader area within which we are required to consider land use changes and development and to assess what such changes means to the risk profile of the HPGTP.

APA has a number of responsibilities and duties to perform under a complex framework of legislation, standards and controls across Federal, State and Local Government landscapes. In particular, the *Pipelines Act 1967*, cites Australian Standard 2885 (**AS2885**) as a mandatory safety standard for the design, construction, operation and maintenance of transmission pipelines. In discharging our regulative responsibilities, APA needs to continuously review what is happening around its assets, what land use changes are occurring and what development is taking place to ensure it remains in a position to comply with applicable operational and safety standards and legislation whilst meeting its commercial obligations and imperatives.

APA Group comprises two registered investment schemes, Australian Pipeline Trust (ARSN 001 678 778) and APT Investment Trust (ARSN 115 585 441), the securities in which are stapled together. Australian Pipeline Limited (ACN 091 344 704) is the responsible entity of those trusts. The registered office is HSBC building, Level 19, 580 George Street, Sydney NSW 2000.

Page 1 of 2

energy. connected.