

DRAFT CONDITIONS DA-83/2023

ATTACHMENT 1. Conditions of Approval

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

A. THE DEVELOPMENT

Approved Plans/ Documents

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:

(a) Plans

Title	Reference No.	Revision/ Issue	Date	Prepared By
*Plan of Subdivision of Lots 2, 3 and 5 in DP 1272931	22-000141-DP Sheet 1 of 5	-	20/01/2023 (submitted 04/06/2024)	Daniel James Hannigan
*Plan of Subdivision of Lots 2, 3 and 5 in DP 1272931	22-000141-DP Sheet 2 of 5	-	20/01/2023 (submitted 04/06/2024)	Daniel James Hannigan
*Plan of Subdivision of Lots 2, 3 and 5 in DP 1272931	22-000141-DP Sheet 3 of 5	-	20/01/2023 (submitted 04/06/2024)	Daniel James Hannigan
*Plan of Subdivision of Lots 2, 3 and 5 in DP 1272931	22-000141-DP Sheet 4 of 5	-	20/01/2023 (submitted 04/06/2024)	Daniel James Hannigan
*Plan of Subdivision of Lots 2, 3 and 5 in DP 1272931	22-000141-DP Sheet 5 of 5	-	20/01/2023 (submitted 04/06/2024)	Daniel James Hannigan
*Precinct 3 Building Envelope & Siting Plan - Precinct 1	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 2	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 3	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 4	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 5	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 6	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 7	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 8	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco
*Precinct 3 Building Envelope & Siting Plan - Precinct 9	MGA94-56 - 021.EP.023	04	22/05/2024	Urbanco

Masterplan	MGA94-56 – 021.EP.017	03	29/05/2024	Urbanco
Precinct 3 Subdivision Plan	MGA94-56 – 021.EP.036	02	29/05/2024	Urbanco

Note: Subdivision Plans and Building Envelope & Siting Plans are required to be amended in accordance with prior to Subdivision Works Certificate conditions within this consent.

- (b) Edmondson Park Streetscapes, prepared by Place Design Group, document no. 2522034, revision 04, dated 31 May 2024;
- (c) Waste Management Plan, prepared by Infrastructure & Development Consulting, dated 28 May 2024;
- (d) Arboricultural Assessment prepared by JMD Design, Version 1, dated October 2023;
- (e) Review of Precinct 3, Lot 5 Detailed Site Investigation, Addendum DSI, and Remedial Action Plan – Campbelltown Road, Edmondson Park, NSW, (Ref: JBS&G 63325 – 140,443) dated 28 February 2023;
- (f) Detailed Site Investigation, prepared by JBS&G, Reference No. 63325/148,699 (Rev 1), dated 8 February 2023;
- (g) Addendum DSI – Additional Investigation Residential Land use- Precinct 3, Edmondson Park, NSW, Reference No. 63325/149,643 (Rev 0), prepared by JBS&G, dated 8 February 2023;
- (h) Remedial Action Plan, prepared by JBS&G Reference no. 63325/149,630 (Rev 1), dated 14 February 2023;
- (i) Interim Audit Advice Letter No. 1 – Remediation Action Plan, prepared by Ramboll Australia, reference no. 318001539, dated 15 February 2023;
- (j) Acoustic Assessment, prepared by Renzo Tonin & Associates, reference no. TM996-01F02 Acoustic Assessment (r2), revision 2, dated 17 January 2023;
- (k) Transport Assessment, prepared by Ason Group, reference no. P1321r01v3, revision 03, dated 18 August 2023;
- (l) Response to Request For Information, prepared by SCT Consulting, dated 29 May 2024;
- (m) Infrastructure Report, prepared by Infrastructure & Development Consulting, project no. 22-514, revision D, dated 28 May 2024;
- (n) Stormwater Management Report, prepared by Infrastructure & Development Consulting, project no. 22-514, revision C, dated 28 May 2024;
- (o) Bushfire Protection Assessment, prepared by Eco Logical Australia, reference no. 22SYD-2235, Version v1, dated 18 January 2023;
- (p) Geotechnical Investigation, prepared by PSM Consult, reference no. PSM4815-004L Rev 3, dated 24 January 2023;
- (q) Heritage Impact Statement, prepared by TKD Architects, project no. 210135, issue A, dated 3 February 2023;
- (r) Urban Design & Place Making Report, prepared by Urbanco, Version B, dated 13 January 2023;
- (s) Flora and Fauna Assessment, prepared by Eco Logical Australia, reference no. 22SYD-2235, Version 2, dated 2 December 2022;
- (t) Biodiversity Assessment, prepared by Eco Logical Australia, reference no. 22SYD-2235, dated 17 June 2022;
- (u) Biodiversity Certification Letter, prepared by Eco Logical Australia, reference no. 22SYD-2235, dated 2 November 2022; and
- (v) Watercourse Validation Letter, prepared by Eco Logical Australia, reference no. 22SYD-2235, dated 14 July 2022.

Works at no cost to Council

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

EP&A Act Compliance

3. The requirements and provisions of the EP&A Act 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.

Council Waste-Water Requirements

4. The development must provide for a physical sewerage connection to each created allotment to enable the method of sewage disposal by gravity reticulation mains to either, Sydney Water branch and trunk sewers or Sydney Water point of treatment. Liverpool City Council will not accept any temporary facilities to service the site, including pump-out sewage systems.

General Terms of Approval

5. All General Terms of Approval issued by the 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 12 May 2023. A copy of the General Terms of Approval is attached to this decision notice, see Attachment 2.

Agency Requirements

6. All relevant comments provided by Transport for NSW shall be complied with prior, during, and at the completion of construction as required in accordance with their correspondence dated 17 January 2024. A copy of the Transport for NSW comments are attached to this decision notice, see Attachment 3.
7. All comments provided by Sydney Water shall be complied with prior, during, and at the completion of construction as required in accordance with their correspondence dated 30 May 2023. A copy of the Sydney Water comments are attached to this decision notice, see Attachment 4.
8. All comments provided by Endeavour Energy shall be complied with prior, during, and at the completion of construction as required in accordance with their correspondence dated 18 April 2023. A copy of the Endeavour Energy comments are attached to this decision notice, see Attachment 5.

B. PRIOR TO ISSUE OF A SUBDIVISION WORKS CERTIFICATE

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

Site Development Work

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

Fee Payments

10. 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/Subdivision Works Certificate/Subdivision Works 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.
- (c) Long Service Levy – based on 0.25% of the cost of building work where the costing of the CC is \$250,000 or more.

These fees are reviewed annually and will be calculated accordingly.

11. 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.

Development Contributions / VPAs

12. Prior to the issue of a subdivision works certificate, the applicant is to consult with Council regarding development contributions and/ or provide an offer to enter into a Voluntary Planning Agreement regarding the proposed subdivision works as well as the pocket park, in accordance with the Part 3A Concept Plan approval for Landcom, under the provisions of Part C of Schedule 2, Condition 1.8 "Development Contributions" under MP10_0118, which requires an offer to enter into a Voluntary Planning Agreement.

Plan Amendments

13. Prior to the issue of a Subdivision Works Certificate, the following plans are to be amended to the satisfaction of Liverpool City Council's Senior Development Assessment Planner, as follows:
 - (a) Subdivision Plans prepared by Daniel James Hannigan;
 - i. Easements for access and maintenance are to be demonstrated on the applicable lots burdening the lots adjacent to where a lot benefits from a zero-lot line.
 - (b) Building envelope plans prepared by Urbanco;
 - i. The upper floors of the BEPs are to demonstrate a 1.5m setback on the side opposing the neighbouring zero lot lines;
 - ii. The front setbacks are able to be reduced to 3m as small lot housing is proposed. Additionally, the articulation zone can be at a 1m setback from the front boundary.
 - iii. A single garage is to be demonstrated for proposed Lot 13, or else relocated to have a double garage off the secondary street frontage.

- iv. Corner lots (Lots 7, 13, 34, 39, 40, 45, 65, 87, 99, 149 & 163) are to be amended to be detailed in accordance with the provisions of Figure 27 of the DCP.
- v. Lots 38/39, 44/45, 86/87, 130, 131, 132/133, 147/148 & 158/159 are to be amended to remove the two zero lots adjoining each other.

Note: For points iii & iv, the location of the private open space may be able to be relocated to the secondary street frontage

Notification

- 14. The Principal 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.

Retaining Walls on Boundary

- 15. All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a construction certificate must be obtained prior to commencement of works on the retaining wall.

No Loading on Easements

- 16. Prior to the issue of a Subdivision Works 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.

S138 Roads Act – Minor Works in the public road

- 17. Prior to the issue of a Subdivision Works Certificate, a Section 138 Roads Act application/s, including payment of fees shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:
 - Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
 - Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
 - Road occupancy or road closures

All works shall be carried out in accordance with the *Roads Act* approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications. Note: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.

S138 Roads Act – roadworks requiring approval of civil drawings.

18. Prior to the issue of a Subdivision Works 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:
- (a) stormwater drainage works in Macdonald Road; and
 - (b) new road connection works in Zouch Road and Macdonald Road.

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 Subdivision Works Certificate.

S68 Local Government Act - Stormwater drainage works

19. Prior to the issue of a Construction Certificate, the Principal Certifying Authority and/ or Certifying Authority shall ensure that an application under Section 68 of the Local Government Act, including the payment of application and inspection fees, has been lodged with, and approved by Liverpool City Council for any stormwater drainage works within neighbouring private properties.

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

Construction Certificate for Subdivision Works

20. Prior to the issue of a Subdivision Works Certificate the Certifier shall ensure that engineering plans are consistent with the concept plan/s prepared by Infrastructure & Development Consulting and as per the following:

Company	Job No./Drawing No.	Title	Revision /Issue	Date
Infrastructure & development consulting	22-514-DA-C100	GENERAL ARRANGEMENT PLAN	E	27.05.24
Infrastructure & development consulting	22-514-DA-C105	NOTES AND LEGENDS SHEET	E	27.05.24
Infrastructure & development consulting	22-514-DA-C130	CUT AND FILL PLAN SHEET 1	F	27.05.24
Infrastructure & development consulting	22-514-DA-C131	CUT AND FILL PLAN SHEET 2	F	27.05.24
Infrastructure & development consulting	22-514-DA-C135	BULK CUT AND FILL SECTIONS SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C135	BULK CUT AND FILL SECTIONS SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C136	BULK CUT AND FILL SECTIONS SHEET 2	E	27.05.24
Infrastructure & development consulting	22-514-DA-C137	BULK CUT AND FILL SECTIONS SHEET 3	E	27.05.24

Infrastructure & development consulting	22-514-DA-C138	BULK CUT AND FILL SECTIONS SHEET 4	E	27.05.24
Infrastructure & development consulting	22-514-DA-C150	ROAD ALIGNMENT CONTROL PLAN SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C151	ROAD ALIGNMENT CONTROL PLAN SHEET 2	E	27.05.24
Infrastructure & development consulting	22-514-DA-C155	TYPICAL ROAD SECTIONS SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C156	TYPICAL ROAD SECTIONS SHEET 2	B D	24.01.23 20.10.23
Infrastructure & development consulting	22-514-DA-C156	TYPICAL ROAD SECTIONS SHEET 3	E	27.05.24
Infrastructure & development consulting	22-514-DA-C160	ROAD LONGITUDINAL SECTIONS SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C161	ROAD LONGITUDINAL SECTIONS SHEET 2	E	27.05.24
Infrastructure & development consulting	22-514-DA-C162	ROAD LONGITUDINAL SECTIONS SHEET 3	E	27.05.24
Infrastructure & development consulting	22-514-DA-C163	ROAD LONGITUDINAL SECTIONS SHEET 4	E	27.05.24
Infrastructure & development consulting	22-514-DA-C164	ROAD LONGITUDINAL SECTIONS SHEET 5	E	27.05.24
Infrastructure & development consulting	22-514-DA-C165	ROAD LONGITUDINAL SECTIONS SHEET 6	E	27.05.24
Infrastructure & development consulting	22-514-DA-C166	ROAD LONGITUDINAL SECTIONS SHEET 7	E	27.05.24
Infrastructure & development consulting	22-514-DA-C170	LANEWAY ALIGNMENT CONTROL PLAN -SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C171	LANEWAY ALIGNMENT CONTROL PLAN -SHEET 2	E	27.05.24
Infrastructure & development consulting	22-514-DA-C175	LANEWAY LONGITUDINAL SECTIONS SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C176	LANEWAY LONGITUDINAL SECTIONS SHEET 2	E	27.05.24
Infrastructure & development consulting	22-514-DA-C200	SITEWORKS PLAN SHEET 1	F	27.05.24
Infrastructure & development consulting	22-514-DA-C201	SITEWORKS PLAN SHEET 2	F	27.05.24
Infrastructure & development consulting	22-514-DA-C202	SITEWORKS PLAN SHEET 3	F	27.05.24
Infrastructure & development consulting	22-514-DA-C203	SITEWORKS PLAN SHEET 4	F	27.05.24
Infrastructure & development consulting	22-514-DA-C204	SITEWORKS PLAN SHEET 5	F	27.05.24
Infrastructure & development consulting	22-514-DA-C205	SITEWORKS PLAN SHEET 6	F	27.05.24
Infrastructure & development consulting	22-514-DA-C206	SITEWORKS PLAN SHEET 7	F	27.05.24
Infrastructure & development consulting	22-514-DA-C207	SITEWORKS PLAN SHEET 8	F	27.05.24
Infrastructure & development consulting	22-514-DA-C208	SITEWORKS PLAN SHEET 9	F	27.05.24
Infrastructure & development consulting	22-514-DA-C209	SITEWORKS PLAN SHEET 10	F	27.05.24
Infrastructure & development consulting	22-514-DA-C210	PAVEMENT PLAN SHEET 1	F	27.05.24
Infrastructure & development consulting	22-514-DA-C211	PAVEMENT PLAN SHEET 2	F	27.05.24

Infrastructure & development consulting	22-514-DA-C215	RETAINING WALL PLAN SHEET 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C216	RETAINING WALL PLAN SHEET 2	E	27.05.24
Infrastructure & development consulting	22-514-DA-C230	TEMPORARY BASIN PLAN 1	E	27.05.24
Infrastructure & development consulting	22-514-DA-C231	TEMPORARY BASIN PLAN 2	E	27.05.24
Infrastructure & development consulting	22-514-DA-C240	DRAINS CATCHMENT PLAN SHEET 1	D	27.05.24
Infrastructure & development consulting	22-514-DA-C241	DRAINS CATCHMENT PLAN SHEET 2	D	27.05.24
Infrastructure & development consulting	22-514-DA-C245	MUSIC CATCHMENT PLAN	D	27.05.24

All subdivision works have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines (where not covered by WSEDN) and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

- i. A copy of the Liverpool City Council Design Certification Report and Design checklist, Annexure DQS-A of Council's Quality Assurance Requirements for Design specification is to be completed and submitted with any Subdivision Works Certificate application.
- ii. Stormwater controls are to ensure that stormwater drainage discharge from the site will not adversely impact on the adjoining and downstream drainage system, and any downstream properties or public places.
- iii. The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is collected within and conveyed through the site, without adverse impact on the development and adjoining properties.
- iv. All known works required for the decommissioning of any works and reinstatement works are to be shown.
- v. All cut and fill batters within the proposed lots shall be located outside the proposed road reserve and provided at a maximum grade of 1 vertical and 5 horizontal. A 0.5m berm within the proposed lot or reserve, located at the boundary alignment, shall be provided to all batters adjoining the road reserve.
- vi. An energy dissipater device must be provided in conjunction with rip rap proposed at the outlet of the drainage line.
- vii. Street trees with details including min 100L pot size. Larger (min 200L) to be provided at intersections to ensure sight lines.
- viii. Concrete footpath paving to be minimum 1.5m wide and 100mm thick with one layer of SL72 reinforcing.
- ix. Pavement DGB base layer to be minimum 150mm thick.
- x. Turfing to full verge area where there is no concrete is required.

- xi. Where required by 'Austroads - Guide to Road Design Part 6: Roadside Design, Safety and Barriers' a safety vehicle barrier shall be provided. Barrier to be certified crash rated.
- xii. Driveways are not to be located closer than 6m to the kerb and gutter tangent point, at each corner intersection in the subdivision.
- xiii. Sharepath kerb ramp width to correspond with the paving.
- xiv. The outlet pipe for proposed Lot 168 is not to pass through the future pocket park.
- xv. Kerb Ramps to be provided at:
 - a) The Road 7 with Zouch Road intersection.
 - b) Within Road 1 near the Road 6 intersection, to permit pedestrian crossing to the Barricks side of the road.
- xvi. Details of how the basin is to be accessed for maintenance purposes shall be included. Details of a childproof barrier required to prevent access to the pond area shall be shown on the submitted plans.
- xvii. The Subdivision Works Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

Road works

- 21. Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme have been approved by Council's Traffic Management Section.

Road design criteria table

- 22. Prior to the issue of a Subdivision Works Certificate the Principal Certifier shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, strictly in accordance with the drawings prepared by Infrastructure & Development Consulting reference number 22-514-DA-C155 to C156 Rev E & C157 Rev C, or as amended by a condition of this consent, and as per the following:

Road No.	Minimum ESA's
Urban Roads	2×10^6
Other Roads	3×10^5

Road Safety Audit

- 23. 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 Subdivision Certificate or Roads Act application.

This is to include the Zouch Road and Road 7 intersection. Should the road safety audit require improvements at the intersection then the applicant is to be required to implement the required improvements at the intersection.

Prior to the issue of the Subdivision Works Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design.

Flooding and stormwater

24. Necessary drainage infrastructure shall be provided for the management of stormwater flow as indicated in the stormwater management strategy by Infrastructure & Development Consulting (IDC) Pty Ltd (Ref: Project Number: 22-514, Stormwater Management Report - Edmondson Park Precinct 3, Revision: C, dated: 28 May 2024).
25. During the 1% AEP storm event, the depth of flooding on the road shall not exceed 0.2 meters, and the product of velocity and depth shall not exceed 0.4 square meters per second.
26. On-site water quality treatment facilities shall be provided to ensure that stormwater runoff leaving the site complies with Council's water quality standards, as outlined in the stormwater management report (Ref: Project Number: 22-514, Stormwater Management Report - Edmondson Park Precinct 3, Revision: C, dated: 28 May 2024) and accompanying design plans (Ref: Drawing Nos. 22-514-DA-C203 & 22-514-DA-C206, Revision: F; Drawing Nos. 22-514-DA-C230 & 22-514-DA-C231, Revision: E; and Drawing No. 22-514-DA-C245, Revision: D; dated: 27/05/2024) by Infrastructure & Development Consulting (IDC) Pty Ltd. The water quality treatment works shall be designed using MUSIC modelling software, and the performance of the water quality treatment system shall be verified using Council's MUSIC link.
27. Gross pollutant traps (GPT) shall be provided at the stormwater outlet leaving the site, as outlined in the stormwater management report (Ref: Project Number: 22-514, Stormwater Management Report - Edmondson Park Precinct 3, Revision: C, dated: 28 May 2024) and accompanying design plans (Ref: Drawing Nos. 22-514-DA-C203 & 22-514-DA-C206, Revision: F; and Drawing Nos. 22-514-DA-C230 & 22-514-DA-C231, Revision: E; dated: 27/05/2024) by Infrastructure & Development Consulting (IDC) Pty Ltd. The GPTs shall be CDS (Continuous Defection Separation) unit and shall comply with Council standards. The GPTs shall be located outside the carriageway and shall have maintenance access from public road.

Water Quality

28. Prior to the issue of a Subdivision Works 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 Subdivision Works Certificate must be supported by:

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

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

Access, Car Parking and Manoeuvring – General

29. The Certifying Authority shall ensure and certify that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development have been designed and are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Liverpool City Council's Development Control Plan.

Inter-allotment Drainage

30. Inter-allotment drainage shall be provided for all lots that are unable to be drained by gravity to the street system. Inter-allotment drainage is to be constructed with a pit located immediately within the lot boundary of each lot created by the subdivision at the lowest point in the line or a maximum pit spacing of 40m.

Engineering Works

31. Prior to the issue of a Subdivision Works Certificate arrangements shall be made with the relevant authority for the relocation of any asset affected by the proposed road connections. Alternatively written acceptance with regard to the proposed location of the road connection and the existing asset, and/or any alternative arrangements, shall be provided to the Certifier. A copy of the written acceptance and/or their requirements is also to be provided to Council. All cost for any relocation to be at no cost to Council.
32. The undergrounding of existing aerial power lines and communications cables for 20 metres either side of the intersection of Road7/Zouch Road shall be submitted to Council for review and approval prior to any construction works. The applicant/developer shall engage the services of Endeavour Energy accredited ASP lever 3 service provider to prepare the electrical design and to obtain certification from Endeavour Energy.
33. The applicant shall submit a geotechnical report from a suitably qualified geotechnical engineer detailing the subsurface profile together with recommendations for earthworks placement, design CBR, pavement design, any required subgrade improvement, anticipated site classification and recommendations for batter slopes and any retaining structures.
34. All services required to adequately service the development are to be shown on the engineering drawings submitted for Subdivision Works Certificate approval including duct configurations, road crossings, water and sewer services, electrical services and light columns positions. Existing services that are to remain are to be adjusted to suit the new levels and works to the satisfaction of the relevant authority.
35. Prior to the issue of a Subdivision Works Certificate for subdivision works the Certifier 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 works required by the development approval and road upgrade works including drainage, street trees, footpath paving and full road width upgrade within Zouch Road, Edmondson Park, from at least 20m north of the future Road 7 intersection to 20 metres south of the Road 7/ Zouch Road intersection. Footpath paving is to be along the eastern side of Zouch Road on the southern side of the intersection.

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:

- (a) Pavement improvement works are subject to pavement condition investigation and assessment.
- (b) Where Liverpool City Council is the Certifier for the development the Roads Act approval for the above works may be issued concurrently with the Subdivision Works Certificate.
- (c) All works shall be undertaken at no cost to Liverpool City Council.

Detailed Design Drawings

36. The applicant is to discuss with Council's Traffic Management Section of the traffic requirements prior to undertaking the detailed design of traffic facilities, signs and linemarking in the existing and/or proposed public domain.

The plans should include, but not be limited to:

- (a) Pedestrian crossing on all four approaches close to the Macdonald Road and General Boulevard intersection (future signalised intersection). Note: the proposed location of the pedestrian crossing on the northern approach (away from the intersection) is not supported.
- (b) Upgrade of Zouch Road fronting the development site from 20 metres north of the Zouch Road/ Road 7 intersection to 20 metres south of the Zouch Road/ Road 7 intersection including paved footpath along the eastern side of Zouch Road on the southern side of this intersection.
- (c) Pedestrian crossing on all approaches to all roundabouts.
- (d) Paved foot paths in accordance with the drawings prepared by Infrastructure & Development Consulting.
- (e) The applicant is to discuss and submit a legally binding instrument or evidence of commitment in agreement with Council's Traffic Management Section to contribute at least 25% of the cost, of the future implementation of the traffic signals at the intersection of the Macdonald Road and General Boulevard.

Detailed design drawings of the proposed traffic facilities, signs and line markings in the existing and proposed public domain areas are to be submitted to Council for approval using [Approval of Traffic Facilities including Signs and Line Marking Schemes Application Form](#). The application is available on Council website and should be lodged online. The drawings are to be prepared by a suitably qualified person.

Construction Traffic Management Plan

37. Prior to the issue of a Subdivision Works Certificate, a construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Liverpool City Council's Traffic & Transport Section. The CTMP is to be submitted via an application form available on Council's website.

All construction vehicles must enter and exit in forward direction, and no construction materials are to be stored on affected road and footpath reserves.

The construction sites must install shakers to prevent mud spilling from the construction sites being transported onto the road network. Any spillage on the public road network must be cleaned as soon as possible.

38. The CTMP is to be prepared by an accredited designer and submitted to and stamp approved by Council via a standard Section 138 Roads Act Permit application. The stamped approved Roads Act Permit is to be obtained by the PCA. A copy of the

stamped approved Roads Act Permit and traffic management plan is to be available on the works site for inspection at any time by an authorised Council officer.

Street Lighting

39. Street lighting is to be provided for all new and existing streets within the proposed subdivision to Liverpool City Council's standards.

The developer shall submit a Public Lighting Design Brief to Council for approval for the provision of street lighting on all new public roads dedicated to Council. A street lighting design plan must be prepared by an accredited service provider for approval prior to the issue of a Subdivision Works Certificate. All street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.

All cost associated with the installation of street lighting shall be borne by the developer.

Public Art

40. Prior to the issue of a Subdivision Works Certificate, the applicant is to consult with Council's Public Art Officer for the delivery of public art within the development including the park/s, in line with the provisions of the 2012 Landcom Edmondson Park Public Art Strategy. In this regard, the applicant is to discuss:
- (a) Amendments to the landscape plans to demonstrate the public art or a separate public art plan to be developed;
 - (b) Identification and engagement of local artists for the public artworks, which need to embed meaningful, endemic and relevant public art into the play elements associated with the pocket park;
 - (c) Pre-lodgement investigations, design advice, community engagement, coordination costs, artist fees, cost of material, and construction costs excluding the cost of land where upon the public artwork is located.
 - (d) Demonstrate how ecologists reports regarding flora/ fauna removal from the site has addressed narratives / themes / material selection of the proposed public artworks
 - (e) Stages of delivery of public artworks in the precinct;
 - (f) Integration of public art in the pocket park to provide additional engagement and passive security measures;
 - (g) Public art to be durable and permanent; and
 - (h) Potential for public art to be implemented in laneways.

Provision of Services – Sydney Water

41. Prior to the issue of a Subdivision Works Certificate, an application to obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994*, is to be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the "building and developing" section of Sydney Water's web site at www.sydneywater.com.au, or telephone 13 20 92.

Following receipt of the application, a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the 'Notice of Requirements' must be submitted to the PCA, prior to the issue of a Subdivision Works Certificate.

Provision of Services – Endeavour Energy

42. 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, prior to the issue of a Subdivision Works Certificate.

Provision of Services – Telecommunications

43. Prior to the issue of a Subdivision Works 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.

Construction Environmental Management Plan (CEMP)

44. Prior to issue of a 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, 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.

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

Dilapidation Report

45. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Macdonald Road, Zouch Road and Campbelltown Road is to be submitted to Liverpool City Council. The report is to include, but be not limited to, the

road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

Dilapidation Report Private Property (Excavations)

46. A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

The dilapidation report and survey is to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner of any affected adjoining property.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant **MUST DEMONSTRATE**, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by the developer or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

Waste Management

47. Before the issue of a Subdivision Works Certificate, a waste management plan for the development must be provided to the PCA. The plan must be prepared:
- (a) in accordance with
 - i. the Environment Protection Authority's Waste Classification Guidelines as in force from time to time; and
 - ii. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out; and
 - (b) include the following information—
 - i. the contact details of the person removing waste;
 - ii. an estimate of the type and quantity of waste;
 - iii. whether waste is expected to be reused, recycled or sent to landfill;
 - iv. the address of the disposal location for waste.

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

C. PRIOR TO ANY WORKS COMMENCING

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

Commencement of work

48. 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 builder's facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines.

Construction Certificates

49. Detailed engineering plans and specifications relating to the work shall be endorsed with a CC, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the EP&A Act, and a copy submitted to Council, with payment of any relevant fees.
50. Any CC 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.
51. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works i.e., a separate Civil Engineering CC and a separate Building CC.

Site Contamination

52. Prior to the commencement of works, an Unexpected Find Protocol is to be prepared and submitted to Council's Environmental Health Unit for approval.

Notification of Service Providers

53. The approved development must be approved through the 'Sydney Water Tap in' service to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. A receipt must be provided to Council.

Please refer to the website www.sydneywater.com.au for more information.

Notification/Principal Certifying Authority

54. The applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 6.12 of the EP&A Act.
55. The PCA must advise Council of the intended date to commence work which is the subject of the 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.
56. Written notice of intention shall be given to the owners or the adjoining allotments of land, outlining the particulars of the work, which involves:
 - (a) Any excavation below the base of the footings of a building on an adjoining allotment of land.
 - (b) The notice shall be given seven (7) days prior to the commencement of work.

57. In the event the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, the following is to be undertaken at full cost to the developer;
- (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage.

Environmental Management

58. Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum:
- (a) Siltation fencing;
 - (b) Protection of the public stormwater system; and
 - (c) Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

Site Notice Board

59. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work and removed at the completion of work. The sign must state:
- (a) The name, address and telephone number of the principal certifying authority for the work; and
 - (b) The name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
 - (c) Unauthorised entry to the premises is prohibited.

Matters to be addressed prior to commencement of Subdivision Works

60. Work on the subdivision shall not commence until:
- (a) a Subdivision Works 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 EP&A Act and *Environmental Planning and Assessment Regulation 2021* 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.

Sediment & Erosion Control

61. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Subdivision Works 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.

“DIAL BEFORE YOU DIG”

62. 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.

Construction Noise

63. Prior to the commencement of any construction works, the Applicant must ensure that the following is available for the life of the Development:
- (a) a postal address to which written complaints may be sent;
 - (b) an email address to which electronic complaints may be transmitted; and
 - (c) a telephone contact line to enable complaints associated with the Development to be registered by the community.

Pre-clearance survey

64. An ecologist is to undertake a pre-clearance survey across the whole impact area and undertake necessary measure to ensure no fauna are harmed in the clearing of vegetation.

Site Facilities

65. Adequate refuse disposal methods and builder's 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.

Facilities

66. Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

Work Zone

67. A Works Zone application is required if on-street parking is affected with commuter parking and there is insufficient off-street parking space.

A Works Zone Application Form is available on Council website and can be lodged online by attaching all required documents indicated on the application form.

Road Occupancy Permit

68. Road occupancy and road opening approvals will be required from Council to undertake works within the existing road reserve. The following applications are available on Council's website and can be lodged online attaching all required documents indicated on the application form.

- Road Occupancy Application Form
- Road Opening Application Form

Traffic Control Plan

69. 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.

70. Road occupancy and road opening approvals will be required from Council to undertake works within the existing road reserve. These application forms are available on Council's website and can be lodged online attaching all required documents indicated on the application form.

Road Works

71. Works within the public road reserve shall not commence until the design drawings including the associated signs and line marking scheme and the CTMP have been approved by Council's Traffic Management Section.

Waste Management

72. Prior to commencing works, any existing Council issued waste bins that have been issued to the development site, must be returned to Liverpool City Council. Please ring Council on 1300 36 2170 to advise that the bins are empty and ready to be removed, so their removal can be noted on Council's rates system.
73. Prior to any works commencing, any air-conditioning or refrigeration systems fitted to the buildings or outbuildings to be demolished, must have the refrigerants present in those systems extracted into a durable, air-tight container by a licensed air-conditioning technician. This container and its contents must be sent intact, for secure destruction, to a facility licensed to destroy such refrigerants. Documentary evidence that this has been completed, if these systems are present, must be sighted by the Principal Certifying Authority and included as part of the Occupation Certificate documentation.

D. DURING CONSTRUCTION

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

Waste Classification and Disposal of Contaminated Soil and Material

74. Where required by the Remediation Action Plan, 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 Operations (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 within 30 days of the waste being disposed of. All waste must be transported by a contractor licenced 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.

Inspections

75. The building works must be inspected by the Principal Certifying Authority, in accordance with section 6.5 of the EP&A Act 1979 and *Clause 61 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.
76. The Principal Certifying Authority must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the Principal Certifying Authority, prior to proceedings to the subsequent stages of construction or finalisation of the works (as applicable).

Security Fence

77. A temporary security fence to SafeWork NSW 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.

Construction Requirements

78. The applicant/ builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

Drainage Connection

79. If the development requires any connection of private drainage to Council's drainage system, an inspection is to be carried out by Liverpool City Council's Development Engineering Unit. A fee will be charged in accordance with Council's adopted Fees and Charges, and is to be paid prior to the inspection.

Hours of Construction Work and Deliveries

80. 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 on Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Construction Noise and Vibration

81. Noise and vibration associated with excavation, demolition and construction activities shall comply with the management levels detailed within the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW (DECC 2009/265) dated July 2009 and acceptable vibration values prescribed within the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).

All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with the approved Construction Environmental Management Plan (CEMP).

82. The approved site-specific Construction Noise, Vibration Assessment and Management Plan shall be implemented, adhered to and maintained at all times during the construction period.

Site Remediation Works

83. The site must be remediated in accordance with:

- (a) Remediation Action Plan (Ref: 63325/149,630 Rev: 1) reviewed by Christine Loise for JBS&G Dated 14 February 2023
- (b) State Environmental Planning Policy (Resilience and Hazards) 2021;
- (c) National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013); and
- (d) The guidelines in force under the Contaminated Land Management Act 1997.

The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation works in accordance with the approved Remedial Action Plan.

Council must be informed in writing of any proposed variation to the remediation works. Council must approve these variations in writing prior to commencement/recommencement of works.

Unidentified Contamination

84. 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.

Contamination

85. The development, including all civil works and demolition, must comply with the requirements of the *Contaminated Land Management Act 1997*, *State Environmental Planning Policy (Resilience and Hazards) 2021*, Chapter 4, and *Managing Land Contamination – Planning Guidelines* (Planning NSW/EPA 1998).

Imported Fill Material

86. 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

87. 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.
 - (c) The results of any chemical testing of fill material.

Removal of Dangerous and/or Hazardous Waste

88. 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 and the material shall be transported and disposed of in accordance with NSW Environment Protection Authority requirements.

Major Filling / Earthworks

89. All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.

Soil testing - Subdivisions

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

Traffic Management

91. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RMS Traffic Control at Worksites Manual and the RMS Interim Guide to Signs and Markings.
92. If a works zone is required, an application must be made to Council's Transport Planning section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.
93. Notice must be given to Council's Traffic and Transport 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 material, concrete pours etc.
94. Applications must be made to Council's Transport Planning 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.
95. The endorsed Construction Traffic Management Plan is to be implemented during the entire construction phase.

Vegetation Removal

96. Native vegetation shall not be cleared from any land that has not been biodiversity certified unless in the area for the basin within Lot 2 as identified in the approved Flora and Fauna Report.
97. Further land clearing of the site within the RE1 zoned land is only permitted where development for the purpose of roads is to be carried out. All other trees within the RE1 zoned land are to be protected to ensure they are not removed or impacted upon during works.

Footpaths

98. Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on all residential streets.

Street Trees

99. The street trees are to be planted in the locations as shown on the approved plans/documents.

Each tree is to have a minimum pot size of 100 litres or if the approved landscape plan specifies larger, the larger pot size is to be adopted. The tree will need to be formatively pruned so that the tree has a straight trunk clear of any branches to minimum height of 1m above soil level.

General Site Works

100. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
101. All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for a period of greater than 14 days.
102. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.
103. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.
104. Dust screens shall be erected and maintained in good repair around the perimeter of the subject land during land clearing, demolition, and construction works.
105. 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.
106. 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 PCA may direct that such work is not to proceed.
107. 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.
108. 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.
109. 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.
110. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.
111. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
112. 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.

Vegetation

113. Prior to the removal of each tree (including dead trees), they shall be examined by a qualified ecologist for the presence of hollows or active nests of birds. The removal of trees with hollows or active nests shall be undertaken under the supervision of a qualified and appropriately licenced ecologist, in a manner recommended by the ecologist to minimise potential harm to fauna. Any native fauna encountered shall be relocated by a qualified ecologist, or member of a wildlife rescue organisation, with necessary permits.
114. The appropriate hygiene measures will be undertaken every morning and afternoon to prevent the spread of phytophthora pathogens. Before works commence all earth working tools and the sole of work boots will be sprayed with a seven (7) parts methylated spirits to three (3) parts water ratio. At the end of the day all earth works equipment, vehicle tyres and work boots will be thoroughly cleaned of all excess mud, sludge, and dirt then a final spray of work equipment will be conducted with the pathogen spray to ensure diseases are unable to spread.
115. All works and activities shall adhere to the approved Flora and Fauna Assessment Report prepared for the site, including all identified mitigation measures.
116. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.
117. Mulch generated from exotic trees or other weed species cleared shall not be used on site. It shall be removed from the site and disposed of appropriately and in accordance with legislative requirements.
118. Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.
119. All existing trees and areas of native vegetation not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.
120. Within the area of land indicated on the approved plans for the development as land avoided for biodiversity, all existing native vegetation and habitat features shall be retained.

Craning and Hoardings

121. If the work is likely to cause pedestrian or vehicular traffic in a public area to be obstructed or rendered inconvenient; or if craning of materials is to occur across a public or road reserve area, a separate Road Occupancy Certificate and/or Hoarding approval must be obtained from Liverpool City Council prior to undertaking the works.

Waste Management Plan

122. The approved Waste Management Plan 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.

123. While site work is being carried out:

- (a) all waste management must be undertaken in accordance with the waste management plan; and
- (b) upon disposal of waste, records of the disposal must be compiled and provided to the PCA detailing the following:
 - i. The contact details of the person(s) who removed the waste;
 - ii. The waste carrier vehicle registration;
 - iii. The date and time of waste collection;
 - iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill;
 - v. The address of the disposal location(s) where the waste was taken;
 - vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.

Waste

- 124. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.
- 125. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water, to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.
- 126. All demolition, excavation and construction wastes must be separated as they are generated and kept in separate spoil piles, bays, builder's skips and/or site bins. No wastes other than those noted on the approved waste management plan as being re-used on site, are to be left on site after the completion of the works.
- 127. All lightweight or granular demolition, excavation or construction waste, e.g. wrapping, packaging materials, bags, insulation, sand, soil etc., must be kept fully enclosed at all times to prevent it from becoming displaced by the wind in strong wind conditions or from washing into sewers, storm drains or creeks, or onto adjacent properties or public land during wet weather.

Aboriginal Heritage

- 128. As required by the *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977*, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Heritage Division of the Office of Environment and Heritage (OEH) must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from the Heritage Division of the OEH.

Note: The *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977* impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

129. All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under NSW *National parks and Wildlife Act 1974* and the NSW *Heritage Act 1977*. They are to be informed of what the potential heritage on the site will be and the significance of the heritage. The site supervisor is to maintain a record of who has completed the heritage induction and this is to be provided to Council prior to Issue of Subdivision Certificate.
130. 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 THE ISSUE OF THE SUBDIVISION CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of a Subdivision Certificate by Council:

Special Infrastructure Contribution

131. 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.

Development Contributions / VPAs

132. As a consequence of this development, Council has identified an increased demand for public amenities and public services. Prior to the issue of a Subdivision Certificate, a Voluntary Planning Agreement is to be agreed to between Council and the applicant, or a Letter of Undertaking or another legally binding instrument is to be provided by Landcom for any outstanding works the subject of this consent and subject to the Voluntary Planning Agreement.

Note: If in the scenario the VPA is withdrawn and/or will not be carried out, Section 7.11 development contributions are payable prior to a Subdivision Certificate. Evidence needs to be provided of an agreement between Council and the applicant acknowledging that a VPA is withdrawn and/or will not occur.

133. Any works required under the VPA incorporating the pocket park, including public art, are to be completed within 12 months and 1 day from the issue of the subdivision certificate which creates the open space lot.

Liverpool City Council clearance – Roads Act/ Local Government Act

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

Completion of Subdivision Works

135. 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.

Site Contamination Validation Report

136. Prior to issue of the subdivision certificate a detailed validation report must be submitted to the Principal Certifying Authority. The Report must be prepared in accordance with:
- (a) NSW Contaminated Land Planning Guidelines (1998);
 - (b) Relevant EPA guidelines. In particular the Contaminated Land Guidelines – Consultants Reporting on Contaminated Land (NSW EPA 2020); and
 - (c) National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013).

The Validation report must verify that the land is suitable for the purposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the approved Remedial Action Plan. The report must also:

- (a) describe and document all works performed,
- (b) include results of validation testing and monitoring,
- (c) include validation results of any fill imported on to the site,
- (d) outline how all agreed clean-up criteria and relevant regulations have been complied with, and
- (e) include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants

The Validation Report must be prepared or reviewed and approved by a suitably qualified and experienced contaminated land consultant.

The report's cover or title page of the document shall include a personalised electronic seal for either the CEnvP(SC) or CPSS CSAM scheme.

Note: 'Suitably qualified and experienced contaminated land consultant' means someone who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme.

Remediation Work - Notice of Completion

137. Within thirty (30) days of completion of remediation work, a notice of completion as required to be provided to Council under Clause 4.14 of *State Environmental Planning Policy (Resilience and Hazards) 2021*, chapter 4, to confirm that the remediation has been carried out in accordance with the Remedial Action Plan, requirement(s) of this

consent, and State Environmental Planning Policy (Resilience and Hazards) 2021, chapter 4.

The notice of completion of remediation work shall be in writing and prepared in accordance with Clause 4.15 of *State Environmental Planning Policy (Resilience and Hazards) 2021*, chapter 4.

Note: A site audit statement (within the meaning of Part 4 of the *Contaminated Land Management Act 1997*) may be given in partial compliance with this requirement.

Occupational Hygienist Report for Asbestos removal

138. On completion of the asbestos removal works, an Occupational hygienist shall provide documentation in the form of an asbestos clearance certificate to the Principal Certifying Authority.

Confirmation of Waste disposal

139. Prior to issue of a Subdivision Certificate, both the PCA and Council are to be provided with records of all waste transport and disposal dockets, demonstrating that all waste materials from the project, have been deposited at the waste facilities nominated in the approved waste management plan.

Stormwater Compliance

140. Prior to the issue of an Subdivision Certificate the Principal Certifying Authority shall ensure that the stormwater pre-treatment system/s:

- Have been satisfactorily completed in accordance with the approved Subdivision Works 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

141. Prior to the issue of a Subdivision Certificate a restriction as to user and positive covenant relating to the stormwater pre-treatment system/s 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.

Linemarking, Signage, and Road and Traffic Management Works

142. Prior to the issue of a Subdivision Certificate all roadworks and traffic management works including installation of regulatory/advisory linemarking, signage, traffic calming devices, temporary turning heads (if applicable) and street lighting are to be completed with plans 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.

143. The kerbsides along both sides of proposed Road 7 through the RE1 zoned land, from Zouch Road to the Roundabout with Roads 1 and 3, are to be signposted with no stopping signs.

Subdivision Compliance documentation

144. 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:
- 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 DWG format and PDF format to Council along with two hard copies of the WAE plans.
 - b) The WAE drawings shall clearly indicate the 1% Annual Exceedance 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) 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:
 - Compaction reports for road pavement construction
 - Compaction reports for bulk earthworks and lot regrading
 - Compaction reports for bedding, haunch and side zones on all stormwater pipe installations
 - Verification of any imported fill material
 - Soil classification for all residential lots
 - Statement of Compliance
 - h) Structural Engineer's construction certification of all structures.

- i) Data on the new public assets shall be submitted to Council. Contact Council for submission requirements.
- j) A collation of attribute data for all civil works. The data shall be completed in accordance with Council's 'WAE Submission Standard' and the excel template 'Inclusion of Attribute Data'. This standard and excel template can be obtained by contacting Council's Asset Planning & Management Department on 1300 36 2170.
- k) Any damage that is identified in the CCTV is to be rectified in consultation with Liverpool City Council. Where rectification works have been carried out, certification is to be provided by the repairer guaranteeing that all repairs exceed the design life of the host pipe. A follow up inspection of the repairs with CCTV footage and a report is to be provided prior to the release of the maintenance bond.

Linen Plans and 88B Instruments

- 145. In order to enable a Subdivision Certificate to be issued for submission to the New South Wales Land Registry Services (LRS), the applicant is required to lodge a Subdivision application to the NSW Planning Portal along with a copy of the proposed plan of subdivision, an administration sheet and a copy of the proposed 88B instrument if it's required.
- 146. The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.
- 147. The final plan of subdivision must be supported by an 88B Instrument, approved by Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Council's standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.
- 148. Where common drainage lines or other drainage lines are required, a drainage easement shall be created in accordance with Council's minimum widths as scheduled in Council's Design Specification for Subdivisions (as amended).
- 149. 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.
- 150. The final plan of subdivision must be supported by an 88B Instrument. This instrument must burden the corner lots, with a restriction as to user that driveway crossings must not be located closer than 6m to the kerb and gutter tangent point.
- 151. A Restriction as to User over Proposed Lots 165, 166, 167, 168, 169, 170, 171, 172 (lot numbering as per approved subdivision plans prepared by Daniel James Hannigan) is to be created under Section 88B of the Conveyancing Act 1919 in the following terms:

'No further development of the lot burdened is to take place unless it is approved by a Development Consent (where required). Such approval is likely to require, but not be restricted to, construction of road and drainage works, the provision of lot fill, site

remediation compliance with the minimum dwelling density (as per the DCP) if residential development is proposed and payment of Section 7.11 Contributions/ any applicable voluntary planning agreement and Special Infrastructure Contributions.'

The restriction as to User may not be extinguished or altered except with the consent of Liverpool City Council.

Note: The final wording of the recital of the Restriction as to User is to be to Council's satisfaction.

152. The final plan of subdivision must be supported by an 88B Instrument. This instrument must burden with a restriction as to user that the dwellings to be erected on each lot on lots requiring a building envelope plan, being proposed Lots 2-5, 7, 8, 11, 13-16, 23, 24, 29, 30, 31, 34-45, 47-53, 58-64, 65-74, 77-87, 89-97, 99-109, 113-116, 119, 124, 127-135, 140-152 & 158-163 (lot numbering as per approved plans in condition 1 prepared by Urbanco), are to be sited and constructed in accordance with the Building Envelope Plans approved prior to the issue of a Subdivision Works Certificate, and notice of determination (Development Consent) issued by Council for Development Application No. 83/2023. Any costs associated with the preparation and checking of the instrument are to be borne by the applicant.
153. Prior to the issue of a subdivision certificate, the 88B Instrument must burden each lot with a restriction that that the acoustic barrier and the dwellings to be erected on each lot are to be constructed in accordance with the recommendations provided in the approved acoustic report titled "Ed Park Precinct 3, Acoustic Assessment", prepared by Renzo Tonin & Associates, reference no. TM996-01F02 Acoustic Assessment (r2), revision 2, dated 17 January 2023 are implemented and incorporated into the design and construction of the residential dwelling, and shown on plans accompanying the construction certificate application.

The construction methodology and plans accompanying the construction certificate application for dwellings must be assessed and certified in writing by a suitably qualified acoustic consultant to verify conformance with the requirements of the aforementioned acoustic report. The written certification from the suitably qualified acoustic consultant must be submitted to and approved by the certifier before issue of the construction certificate. Any costs associated with the preparation and checking of the instrument are to be borne by the applicant.

Zero Lot Easements

154. For any "zero lot" development, the applicant shall create an easement for maintenance and access 900mm wide for single storey development and 1200mm wide for two storey development. The benefitted and burdened lots are identified are to be identified in the linen plans and 88B Instrument.

Street Naming

155. Prior to the issue of a Subdivision Certificate, an application for any proposed street names not approved by the Geographical Names Board NSW, 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.

Street Trees & Plantings

156. Prior to the issue of a Subdivision Certificate, street trees are to be planted or an Outstanding Works Bond for Street Tree planting shall be lodged with Liverpool City Council.

The Outstanding Works bond will be refunded once the street trees have been planted to Council's satisfaction and a separate Maintenance Bond has been lodged with Liverpool City Council.

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

Service Providers

157. 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:

- The requirements of the *Telecommunications Act 1997*;
- For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
- 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 and Roads

158. Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on all residential streets.
159. All new roads are to be dedicated to the public as road in conjunction with the Subdivision Plan.

Rectification of Damage

160. 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 Zouch Road, McDonald Drive and Campbelltown Road will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

Dilapidation Report

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

Street Lighting

162. The approved street lighting designs are to be implemented along all new and existing streets within the proposed development in accordance with Liverpool City Council standards and to the satisfaction of Council. Endeavour Energy pole numbers and the date poles were energised are to be submitted to Council's Traffic Management Section prior to submitting a SC application.

All cost associated with the installation of street lighting shall be borne by the developer.

Bonds

163. A maintenance bond in the form of a bank Guarantee or cash bond, shall be lodged with Council prior to the issue of a Subdivision Certificate. 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 acceptance of final works.

F. ADVISORY

- (a) Sections 8.2, 8.3, 8.4 & 8.5 of the Environmental Planning and Assessment Act 1979 allow you to request the consent authority to review this determination notice if you are dissatisfied with it or the conditions contained within this determination notice. This right must be exercised within six (6) months from the date of this notice with the appropriate fee.
- (b) Under Sections 8.7 & 8.10 of the Environmental Planning and Assessment Act 1979 applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice of determination.
- (c) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, 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 Environmental Planning and Assessment Act, 1979. 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 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 Sections 8.8 and 8.10 of the Environmental Planning and Assessment Act 1979, 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 applicant should investigate their liability under the Act.
- (h) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regard 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 letter box positioning and dimensions.
- (n) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

DRAFT

ATTACHMENT 2 – GENERAL TERMS OF APPROVAL FROM NSW RURAL FIRE SERVICE



NSW RURAL FIRE SERVICE

Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Your reference: CNR-54106 (DA-83/2023)
Our reference: DA20230417001567-Original-1

ATTENTION: Robert Micallef

Date: Friday 12 May 2023

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Subdivision
Campbelltown Road Edmondson Park NSW 2174, 5//DP1272931

I refer to your correspondence dated 25/04/2023 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, 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

Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

1. At the issue of a subdivision certificate and in perpetuity, the Lot 3 DP 1272931 and R1 zoned land 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 inner protection area, 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,
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation,

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

- 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. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

Access – Public Roads

Intent of measures: to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

3. Access roads for subdivision developments must comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*:

- property access roads are two-wheel drive, all-weather roads;
- perimeter roads are provided for residential subdivisions of three or more allotments;
- 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 or turning heads compliant with A3.3. Vehicle turning head requirements of *Planning for Bush Fire Protection 2019*, 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 shall 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.

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

- are two-way sealed roads;
- minimum 8m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

5. Non-perimeter roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- minimum 5.5m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the road cross fall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Water and Utility Services

Intent of measures: 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.

6. 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

This approval is for the subdivision of the land only. Future development applications lodged on lots created within this subdivision may be subject to further assessment under the *Environmental Planning & Assessment Act 1979*.

For any queries regarding this correspondence, please contact Surbhi Chhabra on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Services
Built & Natural Environment



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Subdivision

Campbelltown Road Edmondson Park NSW 2174, 5//DP1272931

RFS Reference: DA20230417001567-Original-1

Your Reference: CNR-54106 (DA-83/2023)

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 confirms that, subject to the 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

Friday 12 May 2023

ATTACHMENT 3 – TRANSPORT FOR NSW REQUIREMENTS

Transport for NSW

17 January 2024

TfNSW Reference: SYD23/00522/04

Council Reference: DA-83/2023 and CNR-54106



Mr. John Ajaka
Chief Executive Officer
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

Attention: Robert Micallef

RESIDENTIAL SUBDIVISION

LOTS 2,3 AND 5 DP 1272931 CAMPBELLTOWN ROAD, EDMONDSON PARK

Dear Mr Ajaka,

Transport for NSW (TfNSW) is in receipt of Council's referral dated 20 November 2023 relevant to the residential subdivision on Campbelltown Road, Edmondson Park. The application was referred to TfNSW in accordance with s2.119 State Environmental Planning Policy (Transport and Infrastructure) 2021. TfNSW advises that:

- Campbelltown Road (classified road) is currently under investigation by TfNSW for potential future upgrades. Whilst this is unfunded and preliminary at this stage, TfNSW advise that Zouch Road / Campbelltown Road will be likely be designated left-in, left-out (LILO) in a future scenario.
- The development's proposed new road connection to Zouch Road was not included as part of the Edmondson Park Concept Plan (EPCP) approval.
- Council will be the relevant Roads Authority for this new road connection to Zouch Road (local road).
- The proposed development access strategy consists of distributing traffic from a new road connection to Macdonald Road (local) and new road connection to Zouch Road. It is TfNSW understanding is that when the new road connection and Macdonald Road meets the Traffic Warrants, traffic signals will be considered at this location as per the EPCP.
- No development traffic will be able to access the proposed development directly via Campbelltown Road, with the historic barracks not accessible for the development's traffic.

After considering the above, TfNSW recommends that the following requirements are included in any Development Consent issued by the relevant Planning Authority:

1. All buildings and structures together with any improvements integral to the future use of the site shall be wholly within the freehold property (unlimited in height or depth), along the Campbelltown Road boundary.
2. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system, new stormwater pits, the discharge into the existing pit or its connection to the existing pit are to be submitted to TfNSW for approval prior to the commencement of any works for any connection to Campbelltown Road (classified road).

Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable, and a performance bond may be required before TfNSW approval is issued.
3. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.
4. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018 for heavy vehicle usage.
5. A Road Occupancy Licence (ROL) should be obtained from TMC for any works that may impact on traffic flows on Campbelltown Road, during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

OFFICIAL

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
PO Box 973 Parramatta CBD NSW 2124

W transport.nsw.gov.au

In addition to the above, TfNSW provides further advisory comment for the Planning Authority's consideration in determining the application and the Applicant to further consider:

- Council as the relevant Roads Authority should be satisfied with the proposed new road connections, design, and operation as part of this development, but also the interim access solutions proposed by the development. As the proposed development will increase the number of vulnerable road users (pedestrians and cyclists), TfNSW recommends that prior to any approval provided on the interim road access arrangement is given, an independent Road Safety Audit (RSA) is undertaken to ensure safe systems approach on the preferred design option.
- TfNSW advise that the proposed future signalisation of the Macdonald Road/General Boulevard will need to be referred formally to TfNSW for approval under section 87 (4) of the *Roads Act, 1993*. TfNSW advises that the Traffic Warrants will need to be met, however advises that the proposed signalisation is near the existing signalised intersection of Campbelltown Road/Macdonald Road, with the issue of the see-through effect potentially needing to be addressed.
- Consideration given to an increased setback to Campbelltown Road frontage of the development to not preclude any future network upgrade of the corridor to support the precinct growth.

For more information, please contact Zeliha Cansiz, Development Assessment Officer by email at development.sydney@transport.nsw.gov.au.

Your sincerely,



Brendan Pegg
Senior Manager Land Use Assessment Western and Central
Planning and Programs, Greater Sydney Division

ATTACHMENT 4 – SYDNEY WATER REQUIREMENTS



30 May 2023

Our Ref: 206509

Robert Micallef
Liverpool City Council
micallefr@liverpool.nsw.gov.au

**RE: Development Application DA-83/2023 at Campbelltown Road, Edmondson Park
(Precinct 3)**

Thank you for notifying Sydney Water of DA-83/2023 at Campbelltown Road, Edmondson Park, which proposes the residential subdivision of the site to create 250 residential allotments, local pocket park, construction of roads, drainage, and stormwater infrastructure. 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.

Water Servicing

- The proposed development is currently located within the Minto Water Supply Zone (WSZ).
- Sydney Water supports the proposal in principle. However, there are constraints in the water system currently supplying the Precinct 3 - 250 lot subdivision site.
- Servicing the proposed 250 lot subdivision will require some water link mains to be **Developer Delivered** outside of the Precinct 3 site. It also requires some significant changes to existing water supply system boundaries. Sydney Water is in the process of updating the supply strategy for this area which will optimise the broader water supply trunk system requirements. The strategy update is expected to be completed by the first quarter of 2024.
- Prior to any staged section 73 applications therefore, the developer is required to lodge a feasibility application for the Precinct to collaborate with SWC on the overall water servicing requirement. This will allow the developer to make an informed decision on the staging in relation to the future water infrastructure requirements.
- A Feasibility application can be lodged via a Water Servicing Coordinator. Please find a link to Water Servicing Coordinators here: [Water servicing coordinators \(sydneywater.com.au\)](http://www.sydneywater.com.au)

Wastewater Servicing

- The proposed development lies in the Hoxton Park SCAMP.
- To service the development, the developer needs to design a reticulation system and connect to DN280 PE sewer main at the western end of the development at the McDonald Rd.
- Reticulation pipes shall be sized and configured according to the relevant WSAA code requirements and be provided to Sydney Water for review.

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, and following the feasibility. 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 long horizontal stroke 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 – ENDEAVOUR ENERGY REQUIREMENTS

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-83/2023	CNR-54106	Robert Micallef	14/04/2023	5/05/2023	18/04/2023

Address	Land Title
ZOUCH ROAD EDMONDSON PARK NSW 2174	Lots 2, 3 & 5 DP 1272931

Scope of Development Application or Planning Proposal

Residential subdivision of the site to create 250 residential allotments, 5 lots for open space and drainage purposes and 1 lot for National Parks and Nature Reserves. Delivery of a local pocket park, construction of associated roadways, drainage and stormwater infrastructure and associated services.

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

There are:

- Low voltage and 11,000 volt / 11 kilovolt (kV) (constructed at 22,000 volt / 22 kV) high voltage overhead power lines, 11 kV high voltage and 33,000 volt / 33 kV high voltage underground cables, underground earth cables and underground pilot cables (carrying protection signals or communications between substations) to the Zouch Road road verge / roadway.
- Low voltage, 11 kV high voltage and 33 kV high voltage underground cables, underground earth cables and underground pilot cables to the Campbelltown Road road verge / roadway.
- Low voltage underground cables (including streetlight columns) to the MacDonald Road road verge / roadway.
- Adjoins Endeavour Energy's Edmondson Park Zone Substation at Zouch Road Ingleburn (Lot 11 DP 1198965) and for which there are associated easements benefitting Endeavour Energy (indicated by red hatching) for:
 - 11 kV high voltage and 33 kV high voltage underground cables, underground earth cables and underground pilot cables.
 - Asset protection zone (APZ) for bush fire. The transfer including easement includes the following.

1.8 The Grantee and its Authorised Users acknowledge and agree that:

- (a) the Easement Site is a temporary site and the Grantor will carry out development works in accordance with the Precinct Plan so that an Asset Protection Zone is no longer required on the Lot Burdened after the proposed playing fields are in use.

POWER
together

Endeavour Energy
ABN 11 247 365 623
T 133 718
51 Huntingwood Drive
Huntingwood NSW 2148
PO Box 811, Seven Hills NSW 1730
endeavourenergy.com.au

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 checked="" 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 checked="" type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input checked="" type="checkbox"/>	<input 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	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	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"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input type="checkbox"/>	9	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 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 checked="" type="checkbox"/>	<input 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 checked="" 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 checked="" type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into to 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 type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<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 checked="" type="checkbox"/>	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input checked="" type="checkbox"/>	<input 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.

Condition	Advice	Clause No.	Issue	Detail
<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 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 voltages of the overhead power lines.
<input type="checkbox"/>	<input checked="" 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	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<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 may result in the interruption of supply.
Completed by:			Decision	
Cornelis Duba			Approve (with conditions)	

Cornelis Duba | Development Application Specialist

M 0455250981

E comelis.duba@endeavourenergy.com.au

51 Huntingwood Drive, Huntingwood NSW 2148. Dharug Country

endeavourenergy.com.au



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past, present and emerging.

Reason(s) for Conditions / Decision (If applicable)

- As an adjoining or nearby owners and occupiers, Endeavour Energy's Edmondson Park Zone Substation being a non-habitable building / site is comparatively less impacted. Whilst Endeavour Energy is not necessarily opposed to the Development Application, it will leave the determination regarding the environmental impact and the appropriate development controls to Council.
- The Statement of Environmental Effects does not appear to address / indicate any potential impacts on adjoining Edmondson Park Zone Substation or the associated easements for underground cables and asset protection zone. From the Plan of Subdivision the residential allotments are not near Edmondson Park Zone Substation or the associated easements.

If any proposed works are likely to affect Edmondson Park Zone Substation prior contact must be made with Endeavour Energy's Field Operations Branch via the contact details below.

All encroachments and /or activities (works) within or affecting an easement (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project and even if not part of the Development Application) need to be referred to Endeavour Energy's Easements Officers for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities within the easement.

For further information please refer to the attached copies of Endeavour Energy's:

- General Restrictions for Underground Cables.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.

Please note however that this does not imply or indicate the granting of permission to any or all of the proposed activities within the easement.

- The Infrastructure Report prepared by Infrastructure & Development Consulting (IDC) January 2023 includes the following addressing whether the available electricity services are adequate for the proposed development.

6 Electricity

6.2 Proposed Infrastructure

The proposed works are likely to include the undergrounding of the existing overhead lines and/or the extension of the existing infrastructure on the northern side of Campbelltown Road.

High voltage supply for the proposed development could be supported by any residual capacity in existing feeders in the vicinity the site. Alternatively, if there is insufficient capacity in the existing feeders, a new feeder could be constructed from the zone substation to the site.

Endeavour Energy's data indicates that the Edmondson Park ZS is forecast to have approximately 15MVA spare capacity in circa 2024. Assuming the load generated by a low/medium density dwelling is generally 5kVA/unit, we would expect a total load of approximately 1MVA for the development. It is therefore apparent that there is sufficient capacity at the ZS to support the proposed development for the site.

Based on the above load requirements it is anticipated that a minimum of three (3) new padmount substations will be required to support the development, with the location of each substation to be confirmed during the subsequent detailed design phase of the proposal.

Once the Development Application has been lodged an Application for Connection of Load will be submitted and a Level 3 ASP will be engaged to provide an electrical design to Endeavour Energy in the form of a Proposed Method of Supply.

- 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.
- An extension and / or augmentation of the existing local network will be required. However the extent of the works required will not be determined until the final load assessment (including possible consideration of the load for any super and residue lots) is completed.

- The required padmount substation/s 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.

For further information please refer to the attached copies of Endeavour Energy's:

- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.

From the plans available in the NSW Planning Portal it does not appear that any provision has been for padmount substations on the site.

- Generally it is the Level 3 ASP's responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc.
- As well as the provision / capacity of distribution substations, other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed.
- Endeavour Energy's network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

No planting of trees is allowed in the easement for a padmount substation. Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

- Endeavour Energy is urging applicants /customers (particularly for large load urban developments) to engage with an Electrical Consultant / ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.
- 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.

Condition or Advice

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

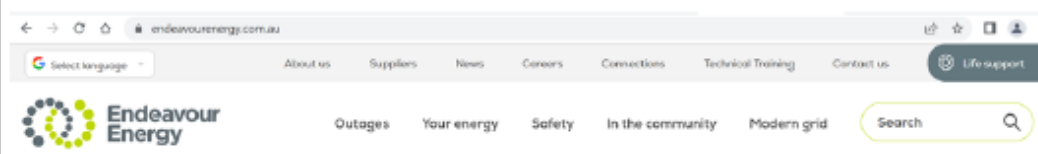
For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement. It will be generally indicated as 'Advice'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is some uncertainty over the extent or location of the underground cables on or near the site, it would then be indicated as 'Condition' and require action to be undertaken by the applicant eg. the use of an underground asset locating device or a certified locator to verify the asset location.

Decision

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked as 'Advice', the outcome of the assessment will also be 'Advice'.

Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



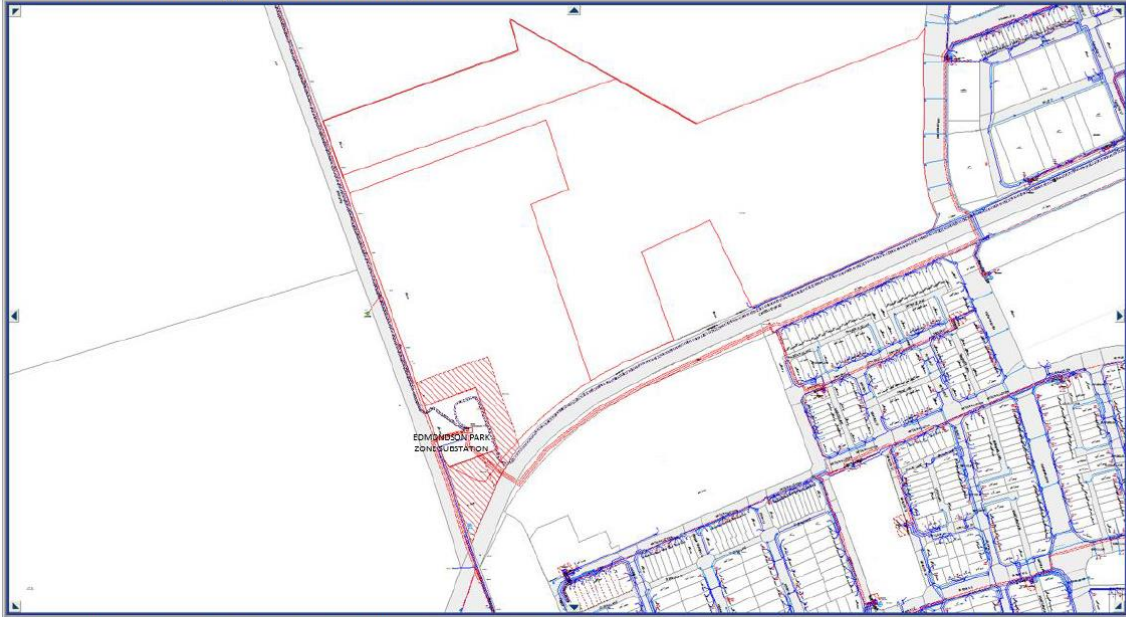
The following contacts can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666.

Branch / Section	Matters	Email
Customer Network Solutions	Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP).	cicadmin@endeavourenergy.com.au
Easement Officers	Easement management or protected works / assets.	Easements@endeavourenergy.com.au
Property	Property tenure eg. the creation or release of easements.	network_property@endeavourenergy.com.au
Field Operations (to the relevant Field Service Centre).	Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).	Construction.Works@endeavourenergy.com.au

Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.

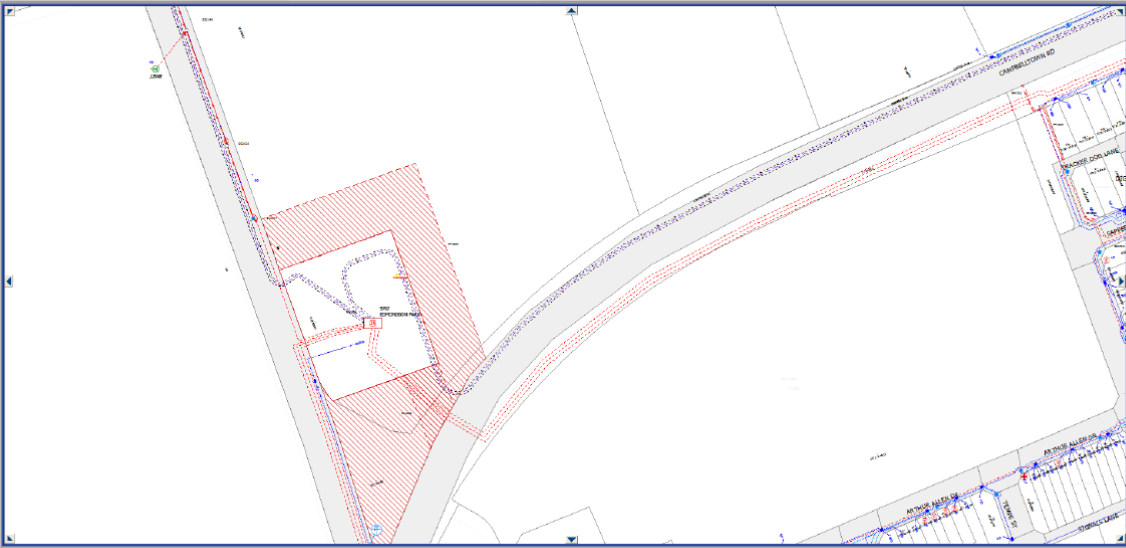
Details of the Accredited Service Provider (ASP) Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

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

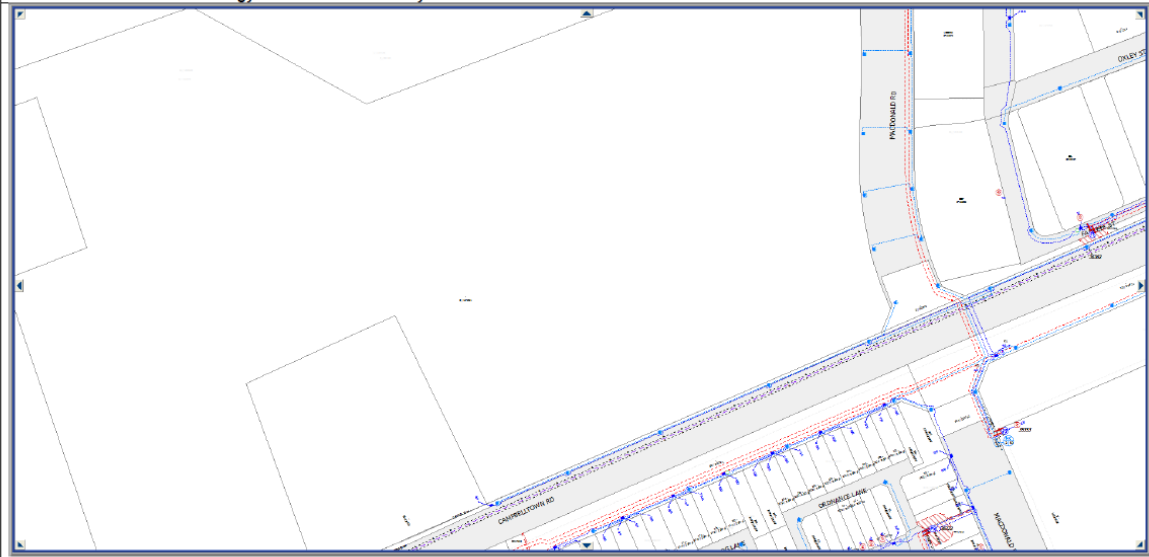


Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of 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 does not constitute the provision of information on underground electricity power lines by network operators under Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).

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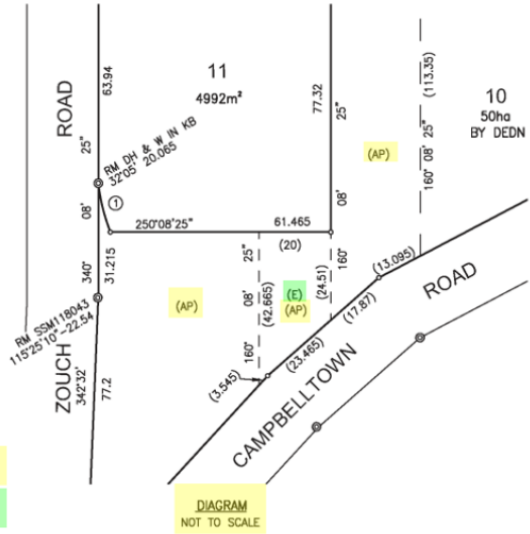
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LEGEND

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

DP1198965



12 Zouch Rd
Denham Court, New South Wales

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Zouch Road
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Brigade H

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Google Maps Street View. Edmondson Park Zone Substation.



Google Maps Street View

