

**LIVERPOOL CITY COUNCIL
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ATTACHMENT 1 – LIVERPOOL CITY COUNCIL STANDARD CONDITIONS

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

A. THE DEVELOPMENT

Approved Plans

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

Plan Name	Prepared By	Issue	Drawing/ Sheet no.	Job No.	Date
Civil Services Erosion and Sediment Control Plan & Details	JHA	P3	C-DA500	230024	07.12.23
Site Plan – Demolition	Hayball	7	DA00.03	2635	06.12.23
Site Plan – Proposed	Hayball	7	DA00.04	2635	06.12.23
Roof Plan	Hayball	6	DA01.02	2635	06.12.23
External Elevations 1	Hayball	6	DA01.03	2635	06.12.23
External Elevations 2	Hayball	6	DA01.04	2635	06.12.23
Sections 1	Hayball	6	DA01.05	2635	06.12.23
Ground Floor Plan	Hayball	8	DA01.01	2635	06.12.23
Indicative Signage	Hayball	3	DA01.11	2635	19.02.24
Landscape Plan	The Garden Markers	-	2 of 5	SCH01	6.12.23
Planting Plan	The Garden Markers	-	4 of 5	SCH01	6.12.23

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Details01/ Materials & Specs	The Garden Markers	-	5 of 5	SCH01	6.12.23

Supporting Documents:

- a) Operational Plan of Management prepared by Sydney Catholic Early Childhood Services
- b) Operational Plan of management – Annexures (1 to 9) prepared by Sydney Catholic Early Childhood Services
- c) DA Acoustic Assessment Report prepared by Cundall, Job no. 1038303, ref, 1038303-RPT-AS-002, Revision B, dated 19 June 2023
- d) Waste Management plan prepared by Barker Ryan Stewart Pty Ltd, dated December 2023
- e) Operational Noise Management Plan prepared by Cundall, Job no. 1038303, Revision A, dated 07 December 2023
- f) Detailed Site Investigation prepared by Reditus Consulting Pty Ltd, project no. 22282, version 2, dated 30 May 2023
- g) Remedial Action Plan prepared by Reditus Consulting Pty Ltd, project no. 22282, version 2, dated 7 December 2023
- h) Geotechnical Investigation Report prepared by Fortify Geotech, reference JS/S1747, dated 30 May 2023
- i) Crime Prevention through Environmental Design Assessment prepared by Barker Ryan Stewart Pty Ltd, dated June 2023
- j) Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, dated 5 June 2023
- k) Air Quality Assessment prepared by SLR, ref. 610.31152-R01, version -v1.1, dated June 2023
- l) Traffic and Parking Impact Assessment Report prepared by Barker Ryan Stewart Pty Ltd, dated 7 June 2023

Sydney Water Requirements

- 2. The development is to comply with all relevant requirements issued by Sydney Water, dated 22 September 2023 (attachment 3).

Endeavour Energy Requirements

- 3. The development is to comply with all relevant requirements issued by Endeavour Energy, dated 30 August 2023 (attachment 4).

Works at no cost to Council

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

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Comply with EP&A Act

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

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

National Construction Code

6. In accordance with Section 4.17(11) of the *Environmental Planning & Assessment Act 1979* and clause 69 of the *Environmental Planning & Assessment Regulation 2021*, it is a prescribed condition that all building work must be carried out in accordance with the applicable *Performance Requirements of the National Construction Code*. Compliance with the Performance Requirements can only be achieved by:
- (a) Complying with the Deemed to Satisfy Provisions, or
 - (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision,
 - (c) or a combination of (a) and (b).

Products banned under the Building Products (Safety) Act 2017

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

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

Fee Payments - Land Development

8. Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

The following fees are applicable and payable:

- a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery,

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- b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve, and
 - c) Long Service Levy payment is applicable on building work having a value of \$250,000 or more, at the rate of 0.25% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the *Environmental Planning & Assessment Act 1979*.

These fees are reviewed annually and will be calculated accordingly.

- 9. 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.

SECTION 7.12 PAYMENT (Liverpool Contributions Plan 2018 – Established Areas)

- 10. Because this development will result in increased demand for public amenities and public services, you are required to make a payment under the Liverpool Contributions Plan 2018 (Established Areas) as amended.

The total contribution is \$70, 243 and will be adjusted at the time of payment in accordance with the contributions plan.

The attached payment form contains a breakdown of the required contribution.

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

Payment must be accompanied by the attached form (Attachment 2).

Site Development Work

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

Notification

- 12. The certifying authority must advise Council, in writing of:

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

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- (b) The name and permit of the owner-builder who intends to do the work.

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

S138 Roads Act – Minor Works in the public road

13. Prior to the issue of a Construction Certificate a S138 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:
- a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
 - b) Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
 - c) Road occupancy or road closures

All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications.

Note: Approvals may also be required from the Transport for New South Wales (TfNSW) for classified roads.

Fence Details

14. Prior to the issue of a Construction Certificate, detailed design plans and materials for the centre-based childcare facility's fence are required to be submitted for Council's Senior Development Assessment Planner's approval demonstrating the safety and security of the children.

Reason: To ensure that any outdoor space used by children are enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.

Floodplain Requirements

15. The development shall provide water quality treatment system. The system shall be designed using MUSIC modelling software and the water quality treatment system performance shall be verified using Council's MUSIC link.

Recommendations of Acoustic Report

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

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

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

Tree Protection Measures

17. Before any site work commences, the Principal Certifier is to ensure Tree protection measures are put in place in accordance with the recommendations of the Arborist report prepared by Naturally Trees (Andrew Scales), dated 5 June 2023. The Principal Certifier is to be satisfied that the measures for Tree protection detailed in the construction site management plan are in place.

Access for people with a disability

18. Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General requirements for new building work, to the satisfaction of the Certifying Authority.

Access, Car Parking and Manoeuvring

19. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Liverpool City Council's Development Control Plan.

Construction Environmental Management Plan (CEMP)

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

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- 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

Road Safety Audit

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

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

Mechanical Plant and Equipment

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

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

Food Premises - Construction

23. Before the issue of a construction certificate, the certifier must be satisfied the relevant construction certificate plans demonstrate that the fit-out and construction of the premises complies with the following requirements:
- a) Building Code of Australia
 - b) AS4674-2004 – Design, construction and fit-out of food premises
 - c) Australia New Zealand Food Standards Code, and

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- d) Australian Standard 1668 (Part 1 & 2).

No Loading on Easements

24. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the foundations of proposed structures adjoining the drainage and/ or services easement have been designed clear of the zone of influence.

Cladding

25. Prior to issue of a construction certificate the certifier must be satisfied that all proposed attachments, cladding material and systems forming part of external walls comply with the NCC BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2.2 of the BCA for all products/systems proposed.

Products banned under the Building Products (Safety) Act 2017

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

Fire Safety Measures

27. A schedule specifying all of the essential fire safety services, which are required for the building, shall be attached to the CC and submitted to Council, in compliance with the provisions of the EP&A Regulation.

The schedule must distinguish:

- (a) The measures that are to be proposed to be implemented in the building premises, and
- (b) The minimum standard of performance for each measure.

Centre-based child care facility

28. The PCA shall ensure that the construction certification drawings meet the requirements of the *Education and Care Services National Regulations*.

C. PRIOR TO WORKS COMMENCING

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

Demolition Works

29. Demolition works shall be carried out in accordance with the following:

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- a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by PCA and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
 - b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
 - c) The handling or removal of any asbestos product from the building/site must be carried out by a SafeWork NSW licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with SafeWork NSW requirements.

Disconnection of services before demolition work

- 30. Before demolition work commences, all services (relating to the structures to be demolition), such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.

Building Work

- 31. Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 1.4 of the Environmental Planning and Assessment Act, 1979 means any physical activity involved in the erection of a building and includes but is not limited to, the placement of any site shed/s or builders facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines.

Construction Certificates

- 32. Prior to the commencement of any building works, the following requirements must be complied with:
 - (a) Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979,
 - (b) Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 4.19, 6.6, 6.7, 6.12, 6.13, 6.14 of the Act,
 - (c) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment,
 - (d) A Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate, and

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- (e) The PCA must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.

Construction Certificates

- 33. 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.

DIAL BEFORE YOU DIG

- 34. 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 Requirements

- 35. Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer.

On-Site Detention

- 36. On-Site Detention shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by JHA, reference number 230024, revision P3, dated 06/06/2023.

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

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

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

Land Development Engineer

37. Existing stormwater outfall to be a minimum of 225 diameter.

Tree Protection Measures

38. While site, the Principal Certifier is to ensure Tree protection measures are put in place in accordance with the recommendations of the Arborist report prepared by Naturally Trees (Andrew Scales), dated 5 June 2023.

Access, Car Parking and Manoeuvring - General

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

Dilapidation Report

40. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Heathcote Road is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 20m either side of the development.

Traffic Control Plan

41. The developer shall seek road occupancy, road opening permits, and works zone approval from Council if required prior to undertaking any works within public road reserve. The application forms are available on Council's website or can requested from the Council's Customer Services.
42. 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.

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Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.

Road Occupancy Permit

43. Applications must be submitted to and approved by Council's Transport Management Section, under Section 138 of the NSW Roads Act, for any works within or occurring from the public road reserve.

Approval is issued via a Road Occupancy Permit and/or Road Opening Approval, which can be located on Council's Website.

The Road Occupancy Permit and Road Opening Approval applications are to include Traffic Control Plans, also detailing pedestrian management, prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Transport for NSW publication "Traffic Control at Worksites" and must be certified by a suitably qualified person.

The Road Occupancy Permit and Road Opening Approval, with approved traffic control measures, shall be implemented during the associated construction activities. A copy of the Road Occupancy Permit and Road Opening Approval shall be available on site at all times.

It is the responsibility of the applicant to ensure adequate time is allowed for Council to assess and issue approval for any permits. All minimum assessment periods are included on the applicable forms.

Note: A copy of the road occupancy permit and road opening approval shall accompany the Notice of Commencement to Liverpool City Council.

Construction Traffic Management Plan

44. A construction traffic management plan (CTMP) prepared by a suitably qualified person is to be submitted to and endorsed by Liverpool City Council's Transport Management Section for endorsement. The CTMP is to be submitted via an application form available on Council's website.

A copy of the endorsed CTMP and traffic control plans are to be available on the works site for inspection at any time by an authorised Council officer.

Construction shall not commence until the construction traffic management plan has been endorsed. The endorsed CTMP is to be implemented during construction.

45. 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.

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Sydney Water

46. 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.

Waste Classification and Disposal of Contaminated Soil and Material

47. All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and certified consultant, in accordance with the Protection of the Environment 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.

Waste Classification

48. Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the POEO Act and NSW DECCW, (EPA) 'Environmental Guidelines: Assessment, Classification and Management of Non-Liquid Wastes'. The classification of the material is essential to determine where the waste may be legally taken. The POEO Act provides for the commission of an offence for both the waste owner and transporters if waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid and non-liquid waste advice should be sought from the DECCW (EPA).

Notification

49. Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:
- (a) Any excavation, below the base of the footings of a building on an adjoining allotment of land, and
 - (b) The notice shall be given seven (7) days prior to the commencement of work.

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Site Facilities

50. 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.

Sign Notice Board

51. A sign must be erected and maintained in a prominent position on the site, which contains the following details:
- (a) name, address, contractor license number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
 - (b) name, address and telephone number of the *Principal Certifying Authority*
 - (c) a statement stating that 'unauthorised entry to the work site is prohibited'.

Sediment & Erosion Control

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

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

Excavation

53. In the event the development involves an 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

54. 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;

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- (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.

Toilet Facilities

55. 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*.

D. DURING CONSTRUCTION

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

Implementation of the site management plans

56. While site work is being carried out:
- a) the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and
 - b) a copy of these plans must be kept on site at all times and made available to Council officers upon request.

Hours of Construction Work and Deliveries

57. 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, 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Construction Noise and Vibration

58. 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 accordingly.

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Building Work

59. 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.
60. 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 proceeding to the subsequent stages of construction or finalisation of the works.

Identification Survey Report

61. The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor works continue, until the PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.
62. In the event that Council is not the PCA, a copy of the survey shall be provided to Council within three (3) working days.
63. On placement of the concrete, works again shall not continue until the PCA has issued a certificate stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.

Excavation

64. In the event the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (a) protect and support the adjoining premises from possible damage from the excavation,
 - (b) where necessary, underpin the adjoining premises to prevent any such damage, and
 - (c) a and b above does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.
 - (d) retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage

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measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer.

Craning and Hoarding

65. 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 area or road reserve area a construction hoarding must be erected to prevent any substance from, or in connection with the construction site, falling onto a public area.

Such hoarding or barrier must be designed and erected in accordance with Council's guidelines on hoarding construction. Relevant application under the Roads Act approval must be completed and fees paid prior to the construction of a hoarding on Council road reserve area.

Site Facilities

66. Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

Security Fence

67. A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction. Note. Fencing is not to be located on Council's reserve area.

Car Parking Areas

68. All parking spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities.

The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off-Street Car Parking.

69. All car parking areas are to be appropriately line marked and sign posted in accordance with the Council approved stamped plans. All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.

The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking.

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Traffic

70. Where a work zone is required, an application must be submitted to and approved by Council's Transport Management 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 temporarily altered will need to be submitted to and approved by Council's Liverpool Local Traffic Committee.
71. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the RTA's Interim Guide to Signs and Markings.
72. Applications must be made to Council's Traffic & Transport Section for temporary road closures. Applications prepared by a suitably qualified person, are to specify the date and times of proposed closures, traffic control plans, insurances and any other relevant information. This activity may require a seven (7) days advance notice to be installed near the site and/or advertisement in local newspapers and websites to Council's satisfaction.
73. The endorsed Construction Traffic Management Plan is to be implemented during the construction.

Public Domain Works

74. 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.

All street lighting must comply with the 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.

Notification of Damage

75. 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.

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Removal of Dangerous and/or Hazardous Waste

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

Site Remediation Works

77. The site must be remediated in accordance with:

- a) Remediation Action Plan (Project No.: 22282, Version 2) prepared by Reditus, dated 7 December 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.

A suitably qualified environmental consultant must be engaged to supervise all aspects of site remediation and validation works in accordance with the approved Remediation Action Plan.

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

Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme.

Unidentified Contamination

78. 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

79. 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

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and Hazards) 2021, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).

Imported Fill Material

80. Any 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

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

- (a) the course (including the address and owner of the source site), nature and quantity of all incoming loads including the date, the name of the carrier, and the vehicle registration,
- (b) the results of a preliminary contamination assessment carried out on any fill material used in the development, and
- (c) the results of any chemical testing of fill material.

Waste Management

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

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

83. 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 are to be buried on

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site. 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.

84. 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.

Earthworks

85. 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.

Aboriginal Relics/Artefacts

86. If any Aboriginal relics/artefacts are uncovered during the course of any construction works including demolition, work is to cease immediately. Government agencies shall be contacted and no further work shall be undertaken until relevant assessments/approvals/ salvage excavation has been undertaken and permission is given by the relevant authorities to recommence works.

Food Premises – Construction

87. The construction, fit-out and finishes of the premises must comply with the Food Act 2003, Australia New Zealand Food Standards Code and Australian Standard AS 4674-2004 Design, construction and fit-out of food premises.

External

88. Switchboards for utilities shall not be attached to the street and/or road elevations of the development.
89. Any external lighting is to incorporate full cut-off shielding and is to be mounted so as to not cause any glare or spill over light nuisance within the development, neighbouring properties or road users.
90. The reflectivity index of glass used in the external facade of the building is not to exceed 20%.

Air Quality

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

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92. 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.
93. During construction where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, the consent holder is to ensure dust is suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the Principal Certifier may direct that work is not to proceed.

Pollution Control – Site Operations/ Truck Movements

94. During construction the consent holder is to ensure 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 the discharge of materials into Council's stormwater drainage system.
95. 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.

Ventilation

96. The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2).
97. To ensure that adequate provision is made for ventilation of the building, the design, construction, installation and commissioning of the mechanical ventilation systems(s) shall be carried out in accordance with Australian Standard 1668 Parts 1 & 2.

The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person and shall be positioned to comply with AS 1668 Part 2, Section 3.7.

Erosion Control

98. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
99. 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.

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100. Sediment and erosion control measures are to be adequately maintained during the works until the establishment of grass.
101. Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways it shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.

Water Quality

102. 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.

Environmental Controls

103. 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.
104. 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.
105. No known environmental or noxious weeds or known invasive plant species shall be included in any landscaping/revegetation.
106. 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.
107. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
108. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.

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E. PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

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

Certificates

- 109. The premises (Centre-based childcare centre) must not be utilised until an Occupation Certificate is issued by the Principal Certifying PCA. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.
- 110. A single and complete Fire Safety Certificate, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the Occupation Certificate.
- 111. Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon must be provided to Council with the occupation certificate.
- 112. The Principal Certifying Authority shall ensure that all compliance certificates required by this development consent are referenced to the condition consent number. The Compliance Certificate is to state that the works as constructed comply fully with the required condition of consent being acted on by the certifier.

Section 73 Compliance Certificate – Sydney Water

- 113. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained for submission to the PCA prior to issue of Occupation Certificate.

Certificates

- 114. Prior to the issue of an Occupation Certificate, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with the 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

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Liverpool City Council clearance – Roads Act/ Local Government Act

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

Rectification of Damage

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

Any rectification works within Heathcote 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

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

Recommendations of Acoustic Report

118. Upon completion of works and prior to the issue of an Interim or Final Occupation Certificate, written certification prepared by a suitably qualified acoustic consultant shall be submitted to and approved by the Principal Certifying Authority (PCA). The written certification prepared by the suitably qualified acoustic consultant shall confirm that the development complies with all requirements and recommendations detailed within the approved acoustic assessment titled Holsworthy Early Learning Centre, Reference no. 1038303-RPT-AS-002, Job no. 1038303 prepared by Cundall dated 19 June 2023. The acoustic consultant shall confirm that the development or use is capable of operating in accordance with the design criteria.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses membership with the Australian Acoustical Society or is employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Validation Report

119. Before the issue of any occupation certificate, a detailed Validation report must be submitted to the certifier. The Report must be prepared in accordance with:
- a) NSW Contaminated Land Planning Guidelines (1998);
 - b) Relevant EPA guidelines. In particular the Contaminated Land Guidelines – Consultants Reporting on Contaminated Land (NSW EPA 2020); and

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- c) National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013).

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

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

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

Note: The 'suitably qualified environmental consultant' must be certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme.

Notification of Food Premises

120. The food business is required to notify Council of the food business details. The PCA is to ensure a Liverpool City Council approved registration form is completed and submitted to the Council with any relevant fee.

Notice of food business

121. Before the issue of an occupation certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW *Food Act 2003* and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements.

Mechanical Ventilation Certification

122. Upon completion of works and prior to the issue of an Interim or Final Occupation Certificate, a Mechanical Ventilation Certificate of Completion and Performance prepared by a professional engineer or other suitably qualified person shall be submitted to the Principal Certifying Authority (PCA) for their review and approval. The certification shall be accompanied by details of the tests carried out in relation to ventilation and acoustics and confirm that the systems comply with the approved plans, specifications, Building Code of Australia and Australian Standard AS 1668 Parts 1 and 2.

Noise Management Plan

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123. A Noise Management Plan shall be prepared under the supervision of a suitably qualified acoustic consultant. The Noise Management Plan must identify and implement strategies to minimise noise from the proposed development and incorporate: approaches for promoting noise awareness by patrons and staff; training procedures; a complaint lodgement procedure to ensure that members of the public and local residents are able to report noise issues; an ongoing review process and a plan for responding to noise complaints.

The Noise Management Plan shall clearly specify the responsibilities of site personnel in managing noise and include a detailed list of steps taken to manage potential noise impacts. This documentation shall be submitted to the PCA and Council for review and approval prior to issue of an Interim or Final Occupation Certificate.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses Australian Acoustical Society membership or are employed by an Association of Australasian Acoustical Consultants (AAAC) member firm.

Cladding

124. Prior to issuing an occupation certificate the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external wall cladding material and system is consistent with the consent documentation, NCC and relevant Australian Standards.

Stormwater Compliance

125. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the on-site detention system/s:
- a. Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent,
 - b. Have met the design intent with regard to any construction variations to the approved design, and
 - c. Any remedial works required to be 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

126. Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the On-site detention 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.

Landscaping

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127. Upon completion of the approved landscape works associated with the development and prior to the issue of any OC, an Implementation Report is to be submitted to the PCA attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person.

F. CONDITIONS RELATING TO USE

The following conditions relate to the ongoing use of the premises:

Unreasonable Noise and Vibration

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

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

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

Loading Areas

129. During ongoing use of the centre-based childcare facility, all loading and unloading must take place from the designated service bay. This area is to be clearly marked/signposted for use by delivery/ service vehicles only between 10:00am to 3:00pm, Monday to Friday.

Waste Collection and Management

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

Waste Storage

131. All solid waste stored on site is to be covered at all times and is to be removed from the site by a licensed contractor. Collection of waste is prohibited between 10pm and 7am.

Childcare Centres – Children

132. Approval is granted for a maximum of (insert number of children) children to be on the premises at one time, in accordance with the following groupings:

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- a) 16 Children: 0 – 2 years;
- b) 20 Children: 2 – 3 years; and
- c) 40 Children: 3 years and over.

Childcare Centres – Staff

133. A maximum number of 14 permanent staff members are permitted to work at the childcare centre at any given time

Childcare Centres – Hours of Operation

134. The hours of operation of the Centre-based childcare facility are limited to:
- a) Monday to Friday: 7am to 6pm;
 - b) No operation is to take place on Saturday, Sunday or Public Holidays.

Noise Complaints register

135. The operator must keep a legible record of all complaints received in an up-to date Complaints Register. The Complaints Register must record, but not necessarily be limited to:
- a) the date and time, where relevant, of the complaint;
 - b) the means by which the complaint was made (telephone, mail or email);
 - c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.
 - f) allocate an individual “complaint number” to each complaint received.

The Complaints Register must be made available for inspection when requested by Liverpool City Council.

The industry must be operated in accordance with the approved Noise Management Plan and Complaints Handling Procedure at all times.

Lighting

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

Noise - Silent Building Intruder Alarm System

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

Use of building intruder alarm/s

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

Noise - General

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

Noise Management Plan

140. The approved Noise Management Plan must be complied with at all times.

Acoustic Report

141. An acoustic report prepared by a suitably qualified acoustic consultant must be submitted to Liverpool City Council for its assessment and approval within three (3) months of occupation/completion of the development. The report must include but not be limited to the following information:

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- a) Noise measurements taken during a time of peak occupation at the most affected noise sensitive locations as indicated in the approved acoustic report titled Holsworthy Early Learning Centre DA Acoustic Assessment Report, Reference no. 1038303-RPT-AS-002, Job no. 1038303 prepared by Cundall dated 19 June 2023, and Holsworthy Early Learning Centre Operational Noise Management Plan, Reference no. 1038303-RPT-AS-003, Job no. 1038303 prepared by Cundall dated 07 December 2023
 - b) Verification that noise levels at the most affected receivers comply with all relevant assessment criteria detailed in the abovementioned report;
 - c) All complaints received from local residents in relation to the operation of the premises/development; and
 - d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations must be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Following written approval from Liverpool City Council, recommendations provided under point d) above must be implemented fully.

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

Environment

142. The use of the premises must not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities that are a nuisance, injurious or prejudicial to health.

Landscaping

143. Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.

An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained.

Plan of Management

144. The approved Operational Plan of Management, prepared by Sydney Catholic Early Childhood Services is to be complied with at all times.

Signage and Advertising

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145. No signs other than the business identification signage proposed under this consent shall be displayed on or outside the premises.
146. Advertising not approved in conjunction with the decision notice, must not be erected, painted or displayed without the prior approval of Council.

Graffiti

147. Any graffiti carried out on the property shall be removed, within 48 hours, *or 5 business days following the public holidays*, at full cost to the owner/occupier of the site.

G. 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) 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.
- g) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- h) 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

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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.

- i) 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.
- j) 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.
- k) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- l) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

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Attachment 2 – Section 7.12 Payment Form

**CONTRIBUTIONS PURSUANT TO SECTION 7.12 OF THE ENVIRONMENTAL
PLANNING & ASSESSMENT ACT, 1979**

Liverpool Contribution Plan 2018 – Established Areas

Note to the applicant: When remitting payment as specified in the Conditions of Consent to the approval, this Form must be submitted with your payment.

These figures have been calculated to the current quarter at the time of determination and will be adjusted at the time of payment in accordance with the conditions of consent.

Application no: DA-398/2023

Property: St Christophers Catholic Primary School
Part Lot 1 DP 1241116 - 195 Heathcote Road, Holsworthy
Lot 11 DP 1103006 - Lot 11 Heathcote Road, Holsworthy

Proposal: Demolition of the existing parish office and presbytery and construction of a centre-based childcare facility for 76 children with associated business identification and landscaping.

Liverpool Contributions Plan 2018 Established Areas		
<u>Facilities</u>	<u>Amount (\$)</u>	<u>Job no.</u>
Transport - Bikeways - works	\$5,268	GL.10000001865.10208
Transport - Traffic management - works	\$35,121	GL.10000001865.10214
Transport - Bus shelters - works	\$1,756	GL.10000001865.10216
Drainage - works	\$28,097	GL.10000001866.10210
<u>Total</u>	<u>\$70,243</u>	

RECORD OF PAYMENT

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

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

**LIVERPOOL CITY COUNCIL
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ATTACHMENT 3 – Sydney Water Requirements



22 September 2023

Our Ref: 209570

Eunice Pedrosa
Council Assessing Officer
Liverpool City Council
pedrosae@liverpool.nsw.gov.au

RE: Development Application DA-398/2023 at 195 Heathcote Road, Holsworthy

Thank you for notifying Sydney Water of DA-398/2023 at 195 Heathcote Road, Holsworthy, which proposes demolition of existing parish office and presbytery, construction of new centre-based childcare facility for 76 children, including parish centre and associated landscaping. 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 and Wastewater Servicing

- Potable water and wastewater servicing should be available.
- Amplifications, adjustments, and/or minor extensions may be required.

Critical Assets

- It is important to note that a significant asset in the form of a DN400 VC sewer main traverses the site.
- Therefore, Sydney Water requires the following:
 - Upon approval from Council, that the proponent submits a Building Plan Approval and Section 73 application to Sydney Water.
 - Sewer main, ZOI and clearances must be shown on design plan /sections in relation to the building work, see SW BOA guidelines [Technical guidelines – building over and adjacent to pipe assets SW269 \(sydneywater.com.au\)](https://www.sydneywater.com.au/technical-guidelines-building-over-and-adjacent-to-pipe-assets-sw269).
 - Service protection report and SEA report to be submitted. SEA to be assessed by engineering.
 - Pre- CCTV required prior to work start and Post CCTV required after the work.
 - The proponent should consider the time this may take and contact Sydney Water as soon as feasible to prevent any unnecessary delays.

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

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Further advice and requirements for this proposal are in Attachments 1 & 2. Should Liverpool City Council require any further information, please contact the Growth Planning Team via urbangrowth@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "KL", 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

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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.

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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.

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Attachment 2

Requirements for Business Customers for Commercial and Industrial Property Developments.

Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>

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Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <https://www.sydneywater.com.au/your-business/managing-your-water-use/water-efficiency-tips.html>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Contingency Plan Recommendations

Under Sydney Water's [customer contract](#) Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15 meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at:

<https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial-trade-wastewater.html> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.

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Attachment 4 – 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-398/2023	CNR-59428	Eunice Pedrosa	29/08/2023	19/09/2023	30/08/2023

Address	Land Title
195 HEATHCOTE ROAD HOLSWORTHY 2173	Lot 1 DP 1241116, Lot 11 DP 1103006

Scope of Development Application or Planning Proposal

Demolition of existing parish office and presbytery, construction of new centre-based childcare facility including parish centre and associated landscaping.

Endeavour Energy's G/Net master facility model indicates:

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> High voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Pole / tower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Cables				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> High voltage	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Streetlight / pillar	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substation				
<input type="checkbox"/> Pole mounted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Padmount	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: Underground earth cables.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

** Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

***Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.



Endeavour Energy
ABN 11 247 165 823
T 133 716
Level 40-42, 8 Parramatta Square,
10 Darcy Street Parramatta NSW 2150
PO Box 811, Seven Hills NSW 1730
endeavourenergy.com.au

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

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input checked="" type="checkbox"/>	<input 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 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 type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input 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	Look up and Live	Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
<input type="checkbox"/>	<input type="checkbox"/>	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	23	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.

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Condition	Advice	Clause No.	Issue	Detail
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25	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"/>	26	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"/>	27	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"/>	28	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"/>	29	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
<input type="checkbox"/>	<input type="checkbox"/>	30	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 checked="" type="checkbox"/>	31	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	32	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 checked="" type="checkbox"/>	33	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"/>	34	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"/>	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	37	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Decision			Approve (with conditions)	

Environmental Services Team

P 133 718 or (02) 9853 6666
E Property.Development@endeavourenergy.com.au

Level 40-42, 8 Parramatta Square, 10 Darcy Street
Parramatta NSW 2150.

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

endeavourenergy.com.au | [in](#) [f](#) [v](#) [t](#)



**Endeavour
Energy**

**POWER
together**



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

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Reason(s) for Conditions or Objection (If applicable)

- There appears to be no existing electricity distribution infrastructure in the 'development area'.
- All encroachments and / or activities (works) within or affecting an easement, restriction or protected works (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.

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.
- To ensure an adequate connection, the applicant may 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 or augmentation of the existing electricity distribution network may be required. Whilst there are distribution substations in the area which are likely to have some spare capacity sufficient to provide for any additional load from the proposed development, it is not unlimited.

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. However the extent of any works required will not be determined until the final load assessment is completed.

- The low voltage service conductor and customer connection point must comply with the 'Service and Installation Rules of NSW'.
- Whilst there may be no restrictions in legislation that stop sensitive uses such as schools, pre-schools, day / child care centres being placed next to electricity infrastructure, prudent avoidance measures should however be implemented.

As a guide, with the observance of the separation distances identified in Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Table 1 'Minimum easement widths', electric and magnetic fields (EMF) should not exceed the recommended magnetic field public exposure limits.

Nonetheless the applicant may wish to commission an independent review to provide an overall assessment and the consideration and adoption of prudent avoidance principles.

- 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.

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Endeavour Energy's G/Net master facility model.

The advice provided regarding the extent of the electricity infrastructure on or near the site is based on a desk top review of Endeavour Energy's G/Net master facility model. This is a computer based geographic information system which holds the data on and is used to map the electricity network. 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. It only shows the Endeavour Energy electricity 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.

Easement (or other form of property tenure).

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

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 and will be generally indicated as 'Condition'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution and in regard to any other underground utilities.

Not all of the matters may be directly or immediately relevant or significant to the Development Application or Planning Proposal. 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. Even if a matter is not indicated a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

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 for 'Advice', the outcome of the assessment will also be 'Advice'.

Objection

Endeavour Energy may object to a Development Application if the conditions may substantially impact the proposed development or regarded as a significant risk to the electricity distribution network. Although Council may be able to appropriately condition these matters, Endeavour Energy's recommendation is to address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.

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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/>.



To resolve any objection or to seek further advice the following are the main contacts and 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. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Team are able to provide general advice, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s.

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
Easements 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.

Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. 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.

Details of the 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>.

Duty of Care

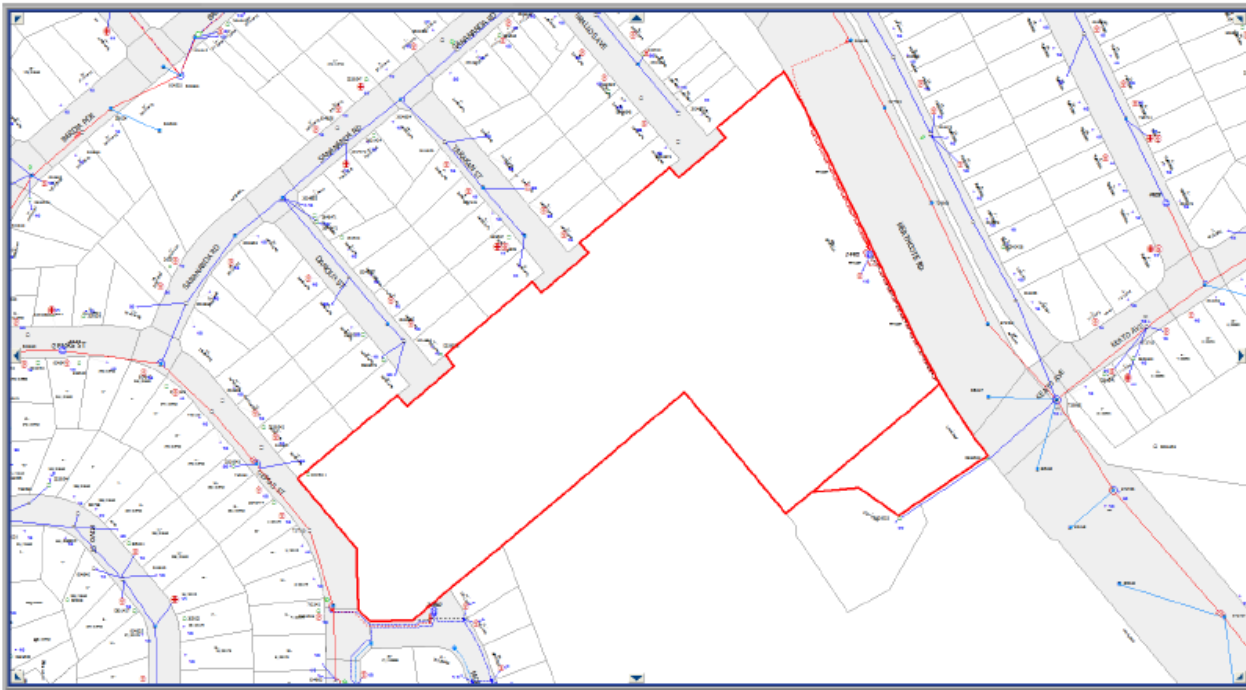
All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance.
- 4) DO NOT attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

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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).

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

<DATE>



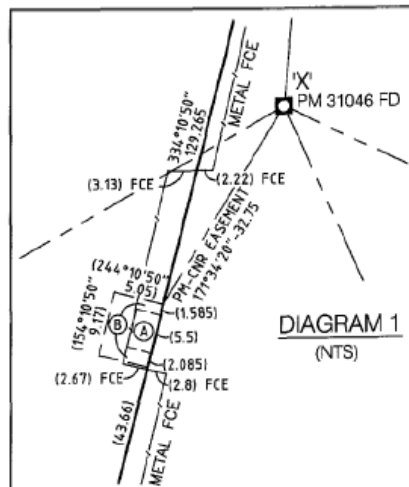
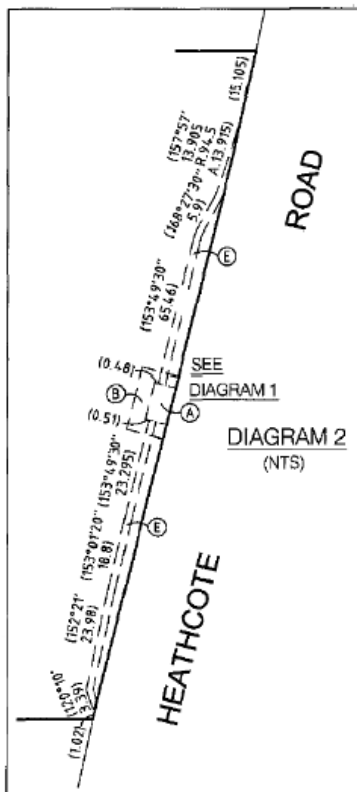
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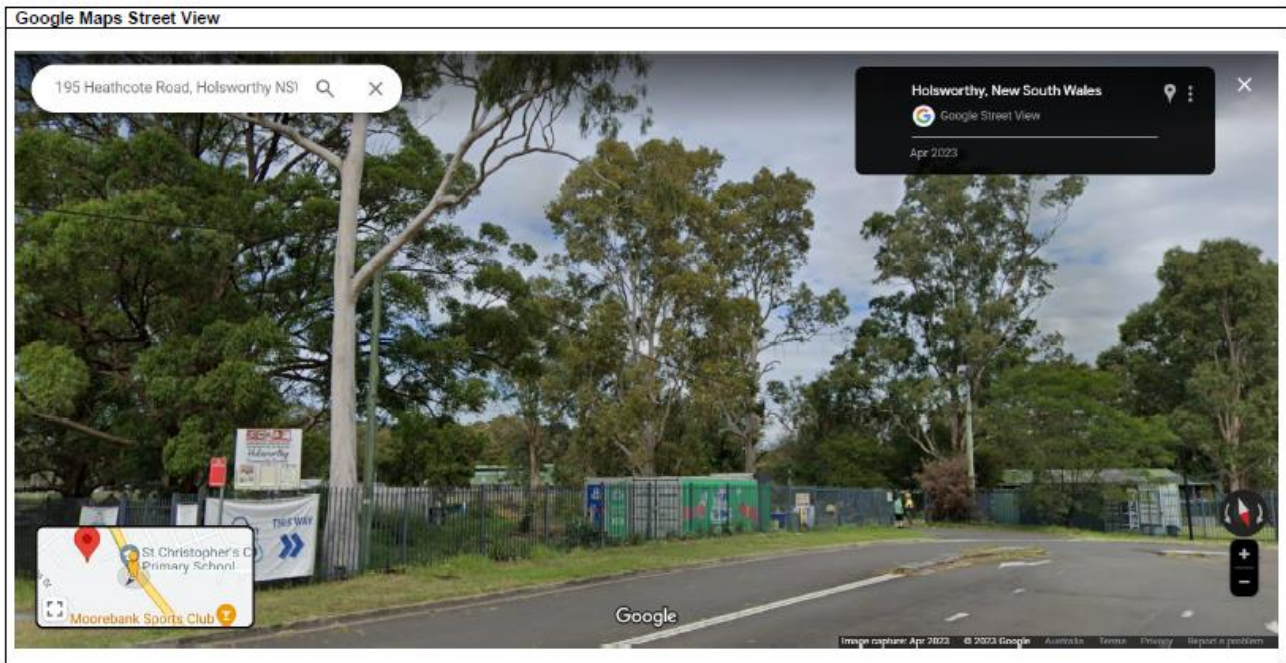
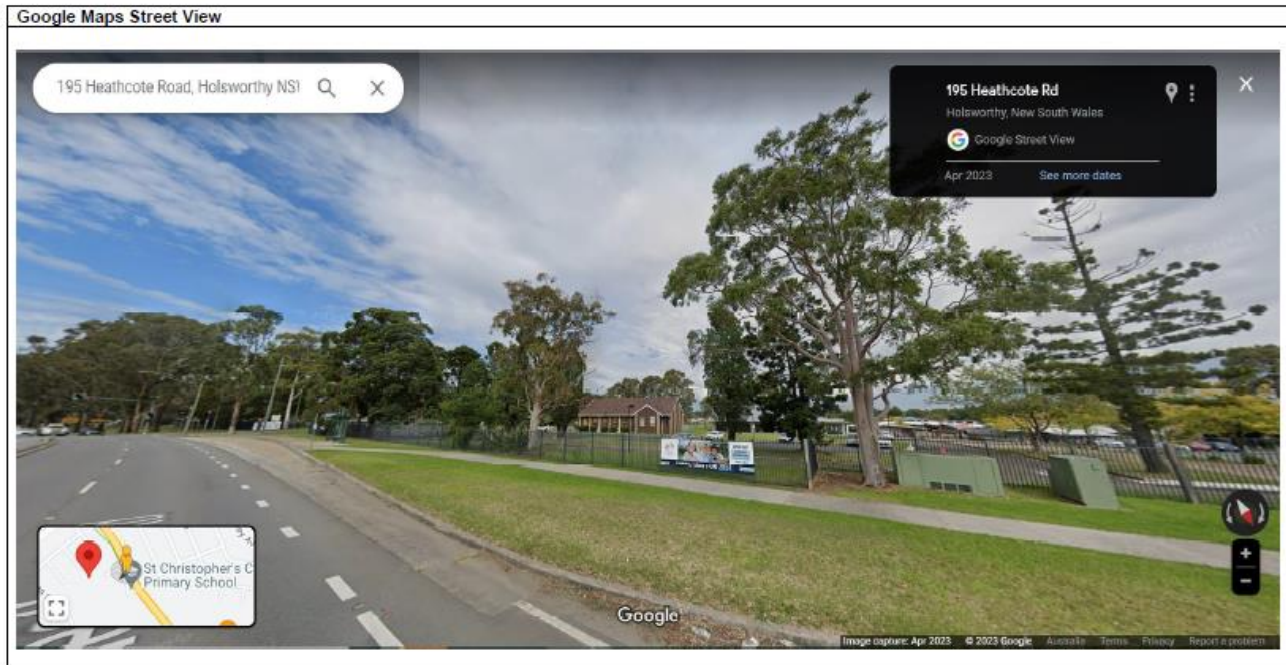
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Extract of DP 1125801



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