



MR G DE CHALAIN
308 BOWMAN ST
PYRMONT NSW 2009

Our Ref: DA-216/2024
Contact: Nabil Alaeddine
Ph: 02 8711 7897
Date: 2 April 2026

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, Council has granted consent to your Development Application, described as follows:

APPLICANT: MR G DE CHALAIN
308 BOWMAN ST
PYRMONT NSW 2009

LAND: LOT 2 DP 591959, DP 90210 Cnr Lot 2, LOT 1 DP 657061, LOT 1B DP 401936, LOT 1 DP 620512

132 MACQUARIE STREET, LIVERPOOL NSW 2170, 129 GEORGE STREET, LIVERPOOL NSW 2170, 131 GEORGE STREET, LIVERPOOL NSW 2170, 146 MACQUARIE STREET, LIVERPOOL NSW 2170, 152 MACQUARIE STREET, LIVERPOOL NSW 2170, HANWELL SERVICEWAY FILE BASE FOR APPLICATIONS, HANWELL SERVICEWAY, LIVERPOOL NSW 2170

PROPOSED DEVELOPMENT: CONCEPT DEVELOPMENT APPLICATION FOR: AMALGAMATION OF LOTS AND BOUNDARY ADJUSTMENT TO INCLUDE A PORTION OF HANWELL SERVICEWAY AS PART OF THE DEVELOPMENT SITE; CONFIRMATION OF BUILDING ENVELOPE TO ENABLE THE CONSTRUCTION OF A BUILDING COMPRISING: THREE COMMERCIAL TOWERS OF 11, 17 AND 21 LEVELS ABOVE A FOUR (4) STOREY PODIUM; TWO AND A HALF (2.5) LEVELS OF BASEMENT CAR PARKING WITH 200 CAR PARKING SPACES; PEDESTRIAN THROUGH SITE LINK CONNECTING GEORGE STREET AND MACQUARIE MALL.

DETERMINATION: Approved by the Sydney Western City Planning Panel at its meeting of ## April 2026

CONSENT TO OPERATE FROM: 2 April 2026

CONSENT TO LAPSE ON: 2 April 2031



Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170
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Call Centre 1300 36 2170 Email lcc@liverpool.nsw.gov.au
Web www.liverpool.nsw.gov.au NRS 13 36 77 ABN 84 181 182 471

- ATTACHMENTS:**
1. **Conditions of Approval**
 2. **Sydney Water**
 3. **Endeavour Energy**
 4. **Transport for NSW**
 5. **Flysafes**
 6. **Heritage NSW**

Before commencing the development, please read the Development Consent carefully and make sure you understand all the conditions that have been imposed. Please contact Council if you have any questions.

DEFINITIONS

AEP	Annual Exceedance Probability
AHD	Australian Height Datum
Council	Liverpool City Council
DA	Development Application
DCP	Liverpool Development Control Plan 2008
DECC	Department of Environment and Climate Change and Water
SWC	Subdivision Works Certificate
1% AEP Flood	The 1 in 100 year flood
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
LRS	Land Registry Services
NCC	National Construction Code (formerly Building Code of Australia)
OC	Occupation Certificate
PCA	Principal Certifying Authority
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
TfNSW	Transport for NSW
TBA	To Be Advised

CONDITIONS

The following conditions have been imposed on the development to ensure all relevant planning requirements are met.



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ATTACHMENT 1 – CONDITIONS OF APPROVAL

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

A. THE DEVELOPMENT

Approved Plans/Documents

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

(a) Concept Architectural Plans & Subdivision Plan

Plan Name	Drawing No.	Revision	Date	Prepared By
Basement Envelope Plan	A601	A	20.8.2025	NDZ Architects
Basement Envelope Plan	A602	A	20.8.2025	NDZ Architects
Basement Envelope Plan	A603	A	20.8.2025	NDZ Architects
Street Level Envelope Plan	A604	A	20.8.2025	NDZ Architects
Podium Envelope Plan	A605	A	20.8.2025	NDZ Architects
Podium Envelope Plan	A606	A	20.8.2025	NDZ Architects
Podium Envelope Plan	A607	A	20.8.2025	NDZ Architects
Podium-Tower Interface Envelope Plan	A608	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A609	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A610	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A611	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A612	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A613	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A614	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A615	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A616	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A617	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A618	A	20.8.2025	NDZ Architects
Lower Tower Envelope Plan	A619	A	20.8.2025	NDZ Architects
Mid Tower Envelope Plan	A620	A	20.8.2025	NDZ Architects
Mid Tower Envelope Plan	A621	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A622	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A623	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A624	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A625	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A626	A	20.8.2025	NDZ Architects



Upper Tower Envelope Plan	A627	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A628	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A629	A	20.8.2025	NDZ Architects
Upper Tower Envelope Plan	A630	A	20.8.2025	NDZ Architects
Top Tower Envelope Plan	A631	A	20.8.2025	NDZ Architects
Roof Plan	A632	A	20.8.2025	NDZ Architects
Section	A701	D	20.8.2025	NDZ Architects
Pedestrian Link Section	A702	D	20.8.2025	NDZ Architects
Macquarie Street Elevation	A801	D	20.8.2025	NDZ Architects
Elizabeth Street Elevation	A802	D	20.8.2025	NDZ Architects
George Street Elevation	A803	D	20.8.2025	NDZ Architects
Serviceway Elevation	A804	D	20.8.2025	NDZ Architects
North West Axonometry	A901	C	12.02.2026	NDZ Architects
South East Axonometry	A902	C	12.02.2026	NDZ Architects
Plan of Proposed Subdivision	24-0926G L01 [00] - Plan		08/11/2024	Colliers International Engineering & Design NSW

(b) Supporting Documentation

Report Name	Date	Reference	Prepared By
Statement of Heritage Impact	27.09.2023	J6445	Weir Phillips Heritage
Preliminary Site Investigation	07/12/2023	Liverpool-MA_Rev1	Canopy Enterprises
Detailed Site Investigation	27/03/2025	Liverpool-MA-DSI_Rev0	Canopy Enterprises
Remedial Action Plan	14/08/2025	Liverpool-MA-RAP_Rev3	Canopy Enterprises
Interim Site Audit Advice	14/08/2025	125017L01V01	Environmental Earth Sciences

Environmental Planning and Assessment Act 1979

- In accordance with section 4.22(4) of the EP&A Act, all development under the Concept Proposal must be subject to future development application(s). This consent does not permit the carrying out of any works.

Land Uses

- This consent does not approve any residential land uses on the subject site.



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B. CONDITIONS TO BE SATISFIED PRIOR TO THE SUBMISSION OF FUTURE DEVELOPMENT APPLICATIONS

Pre-Development Application Meeting

4. Prior to the submission of a development application which seeks approval for any detailed design of a building under this Concept Approval, a Pre-Development Application meeting is to be convened with representatives of Liverpool City Council. Advice of the subject Pre-Development application meeting is to accompany the development application when lodged.

Execution of Deed of Agreement

5. Prior to the submission of a development application which seeks approval for any detailed design of a building under this Concept Approval, the applicant must enter into a Deed of Agreement with Council for the proposed land swap and purchase of Council-owned closed road areas, consistent with the terms agreed in principle between the parties

Evidence of the executed Deed of Agreement must be submitted to Council prior to determination of any subsequent development application which seeks approval for any detailed design of a building under this Concept Approval.

C. CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS

Action of Deed of Agreement

6. Prior to the commencement of works for the future development application for the commencement of construction works, all land transfers, dedications and acquisitions required under the executed Deed of Agreement between the applicant and Council must be completed and registered with NSW Land Registry Services.

Written evidence of registration and satisfaction of the requirements of the Deed of Agreement must be submitted to Council.

Building Envelopes

7. Built form proposed in any future detailed DA, subject to this Concept Approval, is not permitted to extend beyond the building envelopes approved under DA-216/2024, stated in Condition 1.

Updated Survey Plan



8. A survey plan must be prepared by a registered surveyor and dated within 5 years of the lodgement of any future detailed DA, subject to this Concept Approval.
9. The survey plan must state the separate site areas of the portion of the site in “Area 7” (Lot 1 in DP 620512 & Lot 1B in DP 401936, and any area forming part of the land swap) and “Area 8” (all other lots). Area 7 and Area 8 are defined in Clause 4.4(2) of the Liverpool Local Environmental Plan 2008.

Maximum GFA

10. Any future development applications submitted are not to exceed a maximum Floor Space Ratio (FSR) of 2.5:1 in Area 7 and 10:1 in Area 8, as defined in Clause 4.4(2) of the Liverpool Local Environmental Plan 2008. The FSR is to be calculated based on the site areas in the updated survey plan per Conditions 6 and 7.

Maximum Height

11. The maximum height of any future detailed DA subject to this Concept Approval shall not exceed 125.9 metres AHD.

Vehicular Access

12. Any future detailed DA subject to this Concept Approval must only provide vehicular access from Hanwell Serviceway. No vehicular access is permitted off George Street or Elizabeth Street.

Heritage NSW Conditions

13. The following Heritage NSW requested information must be submitted with any detailed DA subject to this Concept Approval (per Attachment 6):

- (a) A Visual Impact Assessment must be prepared to consider potential impacts to significant views to, from and in conjunction with St Lukes Anglican Church (SHR 00086)

Reason: To ensure key views to and from the heritage item are not impacted by the proposed development.

- (b) A sympathetic material schedule, colour palette and signage strategy must be prepared to demonstrate consideration of the setting and views of the St Lukes Anglican Church (SHR 00086).

Reason: To minimise future impacts to the heritage item arising from the proposed development.

Heritage

14. Any future development application is required to be accompanied with detailed materials, finishes and colour schedule, including physical samples of key elements of the external fabric.



The selected materials and colours finishes shall incorporate a palette of materials and finishes that have a tactility, tone and hue that is complementary to the heritage item adjoining. The same board shall include clear notations or be accompanied by a reference plan to indicate how the proposed tactile materials and colour finishes relate to the various elements and fabric of the building.

Aboriginal Heritage

15. Any future detailed DA subject to this Concept Approval must be submitted with an Aboriginal Due Diligence Heritage Assessment prepared by a suitably qualified consultant.

Traffic Impact Assessment

16. Any future detailed DA subject to this Concept Approval must provide a traffic impact assessment (TIA) that addresses the traffic generation, parking demand and provision, and access arrangements and demonstrate that they comply with the DCP and AS2890.1 and AS2890.2. The traffic generation rate applied in the TIA for the Concept Approval needs to be explained in detail.

Wind Study

17. Any future detailed DA subject to this Concept Approval must provide a wind report prepared by a suitably qualified consultant. Wind tunnel testing and mitigation measures are to be provided as part of the wind study, with consideration of wind impacts on public areas, in particular for the through-site-links, and any above ground outdoor spaces.

Landscape Plan

18. A detailed landscape plan prepared by a suitably qualified AILA Registered Landscape Architect must be submitted with any future detailed DA subject to this Concept Approval and include details of public domain works on all frontages, including Hanwell Serviceway and Macquarie Mall, and through-site-link designs.
19. The minimum clearance height in the through-site-link is 5m.

Façade Engineer

20. Any future detailed DA subject to this Concept Approval must provide a report prepared by a suitably qualified façade engineer and detail how the detailed façade design will ensure the building will be a high level of environmental performance.

Stormwater Management

21. Any future detailed DA subject to this Concept Approval must provide stormwater plans prepared by a suitably qualified engineer.

Economic Impact

22. Any future detailed DA subject to this Concept Approval must provide a detailed Economic Impact Assessment report prepared by a suitably qualified consultant.



Urban Design

23. Any future detailed DA subject to this Concept Approval must be accompanied by an urban design report including precedent studies for the tower façade and the through-site-link designs.
24. Any awning forming part of any future detailed DA subject to this Concept Approval must not be glass unless otherwise agreed to by the Liverpool Design Excellence Panel.

Substation

25. Electrical substations located outside the building envelope are to be designed in accordance with Endeavour Energy Document No MCI 0006 (Current Version).

Sydney Water

26. Future detailed DAs subject to this Concept Approval shall comply with the advice provided by Sydney Water dated 17 June 2024. A copy of the advice is attached to this decision notice (Attachment 2).

Endeavour Energy

27. Future detailed DAs subject to this Concept Approval shall comply with the advice provided by Endeavour Energy dated 26 May 2024. A copy of the advice is attached to this decision notice (Attachment 3).

Transport for NSW

28. Future detailed DAs subject to this Concept Approval shall comply with the advice provided by Transport for NSW dated 11 August 2025. A copy of the advice is attached to this decision notice (Attachment 4).

Flysafes

29. Future detailed DAs subject to this Concept Approval shall comply with the advice provided by Flysafe dated 14 October 2025. A copy of the advice is attached to this decision notice (Attachment 5).

Future changes to the Hospital Flight Path may require amendments to any subsequent development application for construction, including potential modifications to the approved building height. The future application for the construction of the buildings will be referred to the South Western Sydney Local Health District.

H. ADVISORY

- a) Section 4.53 of the EP&A Act provides that unless otherwise stated by a condition of this consent, this consent will lapse if development is not physically commenced within five years of the date of this notice.
- b) Section 8.2 of the EP&A Act provides that an applicant may request, within six (6) months of the date of the determination of the Development Application, that Council



review its determination (this does not relate to designated development or Crown development).

An application under Section 8.2 of the EP&A Act cannot be reviewed/determined after 6 months of the date of determination. Therefore, the submission of a Section 8.2 Application must allow sufficient time for Council to complete its review within the prescribed timeframe, including the statutory requirement for public notification.

- c) Section 8.7 of the EP&A Act provides that an applicant who is dissatisfied with the determination of a Development Application, may appeal to the Land and Environment Court within six (6) months of the date of determination, or as otherwise prescribed by the EP&A Act.
- d) The Commonwealth Disability Discrimination Act 1992 may apply to this proposal. Approval of this application does not imply or infer compliance with this Act. Applicants and owners are required to satisfy themselves as to compliance and make their own enquiries to the Human Rights and Equal Opportunity Commission. Attention is also drawn to the provisions of Australian Standard 1428 – Design for Access and Mobility.
- e) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regard to the operation of the building.
- f) “BEFORE YOU DIG AUSTRALIA”

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 Before You Dig Australia at www.byda.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 Before You Dig Australia 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 Before You Dig Australia service in advance of any construction or planning activities.

- g) 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 and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- h) 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 has been made by Council. 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.

- i) 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.
- j) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- k) The erection of dividing fences under this consent does not affect the provisions of the Dividing Fences Act 1991. Under this Act, all relevant parties must agree prior to the erection of any approved dividing fence/s under this consent.

Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of or payment for the erection of dividing fences.

If there is a neighbour dispute about the boundary fence, the Community Justice Centre (CJC) can provide mediation. See the CJC website for more information – cjc.justice.nsw.gov.au

If you have any further enquiries, please contact Nabil Alaeddine on 02 8711 7897.



Nabil Alaeddine
Acting Manager
DEVELOPMENT ASSESSMENT



ATTACHMENT 2 – Sydney Water Requirements



17 June 2024

Our reference: 215739

Nabil Alaeddine
Liverpool City Council
alaeddinen@liverpool.nsw.gov.au

RE: Development Application DA-216/2024 at 132-152 Macquarie Street, Liverpool.

Thank you for notifying Sydney Water of DA-216/2024 at 132-152 Macquarie Street, Liverpool, which proposes amalgamation of lots and boundary adjustment and confirmation of the building envelope. The proposed building comprises of three commercial towers of 11, 17 and 21 levels above a four (4) storey podium, two and a half (2.5) levels of basement car parking with 200 car parking spaces, and a pedestrian link connecting George Street and Macquarie Mall. This will result in 35,170m² GFA of commercial and office space, and 2,540m² GFA of retail shops/café and restaurants. Sydney Water has reviewed the application based on the information supplied and provide the following comments to assist in understanding the servicing needs of the proposed development.

Water and wastewater Servicing

- Our preliminary assessment indicates that water and wastewater servicing should be available for the proposed development. However, Sydney Water requires the proponent to provide Sydney Water with an up to date demand projection including maximum hour demand for water and wastewater. This information is required to be supplied at the Section 73 stage.
- Amplifications, adjustments, deviations and/or minor extensions may be required.
- Detailed requirements will be provided at the S73 application stage.

Sydney Water assets

- Sydney Water notes that the site is traversed by a DN150 wastewater main, maintenance hole(s) and property connection points. The developer should be noted that the DN150 wastewater main should be avoided being built over.
- Adjustments, deviations, or protection may be required. If applicable, requirements will be provided once the development is referred to the Section 73 application process.

Growth information

Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require **anticipated ultimate and annual growth data (Please complete the jobs section only)** for this development as outlined in the enclosed Growth Data Form.

Sydney Water Corporation ABN 49 776 225 038
1 Smith Street, Parramatta, NSW 2150 | PO Box 399, Parramatta, NSW 2124
Telephone 13 20 92 Media (24/7) 8849 5151 sydneywater.com.au



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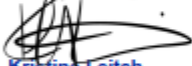
Next steps

- Should Liverpool City Council decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent. Further details of the conditions can be found in **Attachment 1**.
 - Section 73 Compliance Certificate
 - Building Plan Approval
- As mentioned above, the proponent is required to provide Sydney Water with an up to date demand projection including maximum hour demand for water and wastewater at the Section 73 application stage.
- The proponent should also complete and return the enclosed Growth Data Form to urbangrowth@sydneywater.com.au. We request the Growth Data Form to be updated promptly with Sydney Water in case of changes or every six months.
- Council is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides more information on Infrastructure Contributions.

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](#)

Council can read further advice on requirements for this proposal in Attachments 1 and 2. Should Liverpool City Council require further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au

Yours sincerely,



Kristine Leitch

Commercial Growth Manager
City Growth and Development
Water and Environment Services
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Enclosed:

- Sydney Water Development Application Information Sheet (for proponent)
- Sydney Water Growth Data Form

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Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's [Technical guidelines – Building over and adjacent to pipe assets](#).

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Attachment 2 – Sydney Water Requirements for Commercial and Industrial Developments (for proponent's information)

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](mailto:businesscustomers@sydneywater.com.au) 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 15meters 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.

Sydney Water Corporation ABN 49 776 225 038
1 Smith Street, Parramatta, NSW 2150 | PO Box 399, Parramatta, NSW 2124
Telephone 13 20 92 Media (24/7) 8849 5151 sydneywater.com.au



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ATTACHMENT 3 - 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-216/2024	CNR-69310	Nabil Alaeddine	24/05/2024	14/06/2024	26/05/2024

Address	Land Title
132-156 Macquarie Street, 34-48 Elizabeth Street & 127-135 George Street LIVERPOOL NSW 2170	Lot 2 DP 90210, Lot 1 DP 657061, Lot 2 DP 591959, Lot 1B DP 401936, Lot 1 DP 620512

Scope of Development Application or Planning Proposal

Concept Development Application for: Amalgamation of lots and boundary adjustment to include a portion of Hanwell Serviceway as part of the development site; Confirmation of building envelope to enable the construction of a building comprising: three commercial towers of 11, 17 and 21 levels above a four (4) storey podium; Two and a half (2.5) levels of basement car parking with 200 car parking spaces; Pedestrian through site link connecting George Street and Macquarie Mall.

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

Within or adjacent to the site 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				
☒ Low voltage	☒	☐	☐	☐
☐ High voltage	☐	☐	☐	☐
☐ Transmission voltage	☐	☐	☐	☐
☐ Pole / tower	☐	☐	☐	☐
Underground Cables				
☒ Low voltage	☒	☐	☒	☐
☒ High voltage	☒	☐	☐	☐
☐ Transmission voltage	☐	☐	☐	☐
☒ Streetlight / pillar	☒	☐	☒	☐
Substation				
☐ Pole mounted	☐	☐	☐	☐
☒ Padmount	☐	☐	☒	☐
☐ Indoor	☐	☐	☐	☐
☐ Zone	☐	☐	☐	☐
☐ Transmission	☐	☐	☐	☐
Other: Underground earth cables.	☒	☐	☐	☐

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 11 247 565 825

T 133 718

Level 40-42, 8 Parramatta Square,

10 Darcy Street Parramatta NSW 2150

PO Box 871, 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
☐	☐	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
☒	☐	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
☒	☐	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
☐	☐	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
☒	☐	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
☐	☐	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
☒	☐	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
☐	☐	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
☐	☐	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.
☐	☐	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
☐	☒	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
☐	☒	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
☒	☐	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
☐	☐	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
☐	☐	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
☐	☒	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
☐	☒	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
☐	☐	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
☐	☐	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
☒	☐	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.
☐	☐	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
☒	☐	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
☒	☐	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
☒	☐	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
☒	☐	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).
☐	☒	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.
☐	☒	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.
☐	☒	28	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
☒	☐	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.
☐	☐	30	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
☐	☐	31	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
☐	☐	32	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
☐	☒	33	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
☐	☒	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.
☐	☐	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
☐	☐	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.
☐	☒	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
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 respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past and present.



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

- The Statement of Environmental Effects does not appear to address padmount substation no. 8448 or the other electricity distribution infrastructure located on the site.
- Electricity distribution infrastructure on the site which is not held under easement are regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW) and may be managed as if an easement is in place.

Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure', Table 1 'Minimum easement widths' provided the minimum required easement for various types of electricity distribution infrastructure.

Padmount substations also require restrictions / clearances for fire rating and swimming pool or spa shown in Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Figure A4.3 'Padmount easements and clearances'

- All encroachments, activities and / or works (including subdivision and even if not part of the Development Application) whether temporary or permanent within or affecting an easement, restriction, right of access 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) 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.
- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.

- From the Architectural Plans it appears padmount substation no. 8448 is proposed to be removed / become a redundant network asset.
- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- An extension or augmentation of the existing electricity distribution network will be required. Whilst there are distribution substations in the area (including padmount substation no. 8448 located on the site) which are likely to have some spare capacity, it is not unlimited and will not be sufficient to provide for the additional load from the proposed development.

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 below copy of the Floor Plan Layout, Lower Ground Level / Upper Basement shows 'Possible Substation Location' which appears to be provision for an indoor substation. Due to the location of the site and the significant Concept Development proposed, an additional room for a hub switching station to maintain reliability of supply in accordance with Endeavour Energy Standards & Policy may also be required in the building design. The hub switching station will allow for both planned or unplanned switching events eg. to provide to back-up feeders in case of failure.
- Any required distribution substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling not located within a public road / reserve) with an appropriate form of property tenure as detailed in the attached copy of Endeavour Energy's 'Land Interest Guidelines For Network Connection'.

Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc. If the substation does not comply with Endeavour Energy's standards, the applicant must request a dispensation.



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For further information please also refer to the attached copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

- The Site Plan from Endeavour Energy's G/Net Master Facility Model shows there are low voltage overhead 'awning' power lines (the conductors are in troughs / ducts fixed to the awnings / shop fronts) to the Macquarie Street road verge / roadway. Please refer to the attached copy of Endeavour Energy's Standard Conditions for Development Applications and Planning Proposals, Section 29.2 'Awning' Overhead Power Lines.
- 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.

DRAFT



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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. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Services 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).	CWAdmin@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	
(PS)	Padmount substation
(I)	Indoor substation
(G)	Ground substation
(K)	Kiosk substation
(COT)	Cottage substation
(PM)	Pole mounted substation
(HC)	High voltage customer substation
(MU)	Metering unit
(SS)	Switch station
(ISS)	Indoor switch station
(AT)	Voltage regulator
(CCP)	Customer connection point
(LP)	Low voltage pillar
(SLC)	Streetlight column
(LSC)	Life support customer
(T)	Tower
(P)	Pole
(PST)	Pole with streetlight
(COP)	Customer owned / private pole
(CP)	Cable pit
(LBS)	Load break switch
(AR)	Recloser
(PR)	Proposed removed
(E)	Easement
(SSS)	Subject site



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ATTACHMENT 4 –Transport for NSW Requirements

Transport for NSW

11 August 2025

TfNSW Reference: SYD25/00888/01
Council's Reference: DA-216/2025 (CNR-69310)



Mr. Jason Breton
Chief Executive Officer
Liverpool Council
52 Scott Street
Liverpool, NSW 2170

Attention: Nabil Alaeddine

PROPOSED COMMERCIAL PREMISE 132-152 MACQUARIE STREET AND 127-138 GEORGE STREET, LIVERPOOL

Dear Mr Breton,

Reference is made to Council's referral dated 23 July 2025, regarding abovementioned Development Application (DA) which was referred to Transport for NSW (TfNSW) for comment under clause 2.122 of the *State Environmental Planning Policy (Transport and Infrastructure)*. TfNSW advises as follows:

- The development as proposed will generate 160 AM and 119 PM movements onto the surrounding local roads which will be unlikely to impact classified road network.
- The commercial nature of the development and position within the Liverpool CBD will provide considerable access to public and active transport. The area is high in pedestrian activities and is located within proximity to public transport hubs (such as Liverpool Interchange that has access to Heavy Rail and rapid bus services such as the T80).

As such, TfNSW provides the following advisory comment for Council's consideration in determining the DA:

- The Applicant should be conditioned to prepare Travel Demand Management (TDM) strategy to reduce the traffic generated by the site and to support sustainable transport for future development users. TDM should be developed in consultation and satisfaction of Council.

If you have any further questions regarding the above matter, James Douglas, Land Use Planner, would be pleased to take your call on (02) 9983 3987 or via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

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

Brendan Pegg
Senior Manager Land Use Assessment Central and Western
Transport Planning, Planning, Integration and Passenger Division



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ATTACHMENT 5 – Flysafe Requirements



Australian Government

Department of Infrastructure, Transport,
Regional Development, Communications, Sport and the Arts

File reference: EC25-003106

TO	CC	FROM
Nabil Alaeddine Liverpool City Council alaeddineN@liverpool.nsw.gov.au On behalf of Nick Zappia Algorry Zappia nick@algorryzappia.com.au	Alan Collins Bankstown Airport Alan.collins@acria.co Civil Aviation Safety Authority airspace.protection@casa.gov.au Airservices Australia airport.developments@airservicesaustralia.com ifp@airservicesaustralia.com City of Liverpool lcc@liverpool.nsw.gov.au South West ACT and NSW Airports southwestactandnswairports@infrastructure.gov.au	Flysafe Airspace Protection flysafe@infrastructure.gov.au

DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996

Proposed Activity: Construction of a building
Location: 132 Macquarie Street, Liverpool NSW
Coordinates: E 308132.736; N 6244712.776 (MGA94)
Proponent: Algorry Zappia

I refer to the application from Algorry Zappia (the Proponent), received by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (the Department) on 8 October 2025 from Bankstown Airport Limited (BAL). This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a building at 132 Macquarie Street, Liverpool NSW (the site) into airspace which, under the Regulations, is prescribed airspace for Bankstown Airport.

Under regulation 6(1), 'prescribed airspace' includes 'the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface for the airport'.

The Conical Surface of the OLS above this site is at a height of 121.9 metres above the Australian Height Datum (AHD) and hence prescribed airspace above the site commences at 121.9 metres AHD. At a maximum height of 125.9 metres AHD, the building will penetrate the OLS by 4 metres AHD.



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Accordingly, the construction of the building constitutes a 'controlled activity' under Section 182 of the *Airports Act 1996* (the Act). Section 183 of the Act specifies that controlled activities cannot be carried out without approval. Details of the penetration of prescribed airspace are provided in Table 1.

Table 1: Height and location of the proposed activity that will intrude into prescribed airspace for Bankstown Airport.

Activity	Coordinates (MGA 94)	Maximum height (AHD)	Penetration of prescribed airspace
Building	E 308132.736; N 6244712.776	125.9 metres	4 metres

Regulation 14 provides that a proposal to carry out a controlled activity must be approved unless carrying out the controlled activity would interfere with the safety, efficiency or regularity of existing or future air transport operations into or out of the airport concerned. Regulation 14(1)(b) provides that an approval may be granted subject to conditions.

Under the Regulations, the Secretary of the Department is empowered to make decisions in relation to the approval of controlled activities, and impose conditions on the approval. I am the Secretary's Delegate for the purposes of the Regulations.

Decision

As you may be aware, the Secretary is required under regulation 15(1AB) of the Regulations to make a decision about the proposal within 28 days of receiving the application. Due to delays in our processes a decision was not made within this timeframe. Therefore, under regulation 15(2) this proposal was taken to have been refused. However, the Department has now considered the application in full and I have re-made the decision.

In accordance with regulation 14, **I approve** the controlled activity for the intrusion of a building at 132 Macquarie Street, Liverpool NSW into prescribed airspace for Bankstown Airport to a **maximum height of 125.9 metres AHD**.

In making my decision, I have taken into consideration the opinions of the Proponent, the Civil Aviation Safety Authority, Airservices Australia (advice number NSW-MA-920 P2) and BAL.

In accordance with regulation 14(1)(b), I impose the following conditions on my approval:

1. The building **must not exceed** a maximum height of **125.9 metres AHD, including all** lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.
2. Separate approval **must be sought** under the Regulations for any equipment (e.g. cranes, concrete pumps) required to construct the building. Construction cranes or concrete pumps may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (e.g. cranes, concrete pumps) be obtained prior to any commitment to construct.
3. The Proponent **must advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting NSW-MA-920 P2.

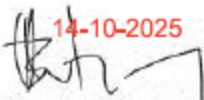


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4. On completion of construction of the building, the Proponent **must provide** BAL with a written report from a certified surveyor on the finished height of the building
5. A separate assessment and approval under the Regulations will be required for any further addition to the height of the building (including the installation of antennas) as it will increase the penetration of the OLS.

Breaches of approval conditions are subject to significant penalties under Sections 185 and 187 of the Act.

Yours sincerely


14-10-2025
Brendon Montgomery
A/g Director
Airspace Protection & Airport Safeguarding
Domestic Aviation & Reform
14 October 2025

DRY



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ATTACHMENT 6 – Heritage NSW Requirements

Department of Climate Change, Energy, the Environment and
Water



HMS Application ID: 11251

Nabil Alaeddine
Planner
LOCKED BAG 7064
LIVERPOOL, 1871 NSW

Letter uploaded to the NSW Planning Portal

Address: 132 Macquarie Street, Liverpool

Proposal: Concept Development Application for: Amalgamation of lots and boundary adjustment to include a portion of Hanwell Serviceway as part of the development site; Confirmation of building envelope to enable the construction of a building comprising: three commercial towers of 11, 17 and 21 levels above a four (4) storey podium; Two and a half (2.5) levels of basement car parking with 200 car parking spaces; Pedestrian through site link connecting George Street and Macquarie Mall.

Development Application no: DA-216/2024, CNR-69310, A-104743

Received: 23 July 2025

Subject: Development Application Referral - Heritage NSW comment

Dear Mr Alaeddine

I refer to your submission received by Heritage NSW referring the above-named development application (DA) for comment.

The proposed development involves:

- Concept Development Application for: Amalgamation of lots and boundary adjustment to include a portion of Hanwell Serviceway as part of the development site; Confirmation of building envelope to enable the construction of a building comprising: three commercial towers of 11, 17 and 21 levels above a four (4) storey podium; Two and a half (2.5) levels of basement car parking with 200 car parking spaces; Pedestrian through site link connecting George Street and Macquarie Mall.

The following key documents provided in the application were subject to review:

- Architectural Plans, prepared by NDZ Architects
- Landscape plans, prepared by Geoscapes
- Statement of Heritage Impact, prepared by Weir Phillips Heritage and Planning

heritagemailbox@environment.nsw.gov.au
Locked Bag 5020, Parramatta 2124
NSW Planning Portal reference: CNR-69310

www.environment.nsw.gov.au/topics/heritage

Page: 1 of 3



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Aboriginal cultural heritage

The following comments are provided in relation to the proposal:

- Heritage NSW advises that it is the responsibility of the proponent to ensure that they comply with Part 6 of the *National Parks and Wildlife Act 1974*.
- If Aboriginal objects are present, or likely to be present, and the proposed activity will harm those objects, an Aboriginal Cultural Heritage assessment must be undertaken. This assessment should inform appropriate management and mitigation measures, which may include the requirement for an Aboriginal Heritage Impact Permit.
- Heritage NSW recommends that the Aboriginal Cultural Heritage assessment is guided by the following documents:
 - *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* <https://www.environment.nsw.gov.au/publications/guide-investigating-assessing-and-reporting-aboriginal-cultural-heritage-new-south-wales>
 - consultation with the Aboriginal community undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* <https://www.environment.nsw.gov.au/publications/aboriginal-cultural-heritage-consultation-requirements-proponents>
 - satisfy the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* <https://www.environment.nsw.gov.au/publications/code-practice-archaeological-investigation-aboriginal-objects-nsw>

Environmental heritage

The following comments are provided under delegation from the Heritage Council of NSW in relation to the proposal:

- The proposed development is located in the vicinity of the State Listed St Lukes Anglican Church (SHR 00086).

St Lukes Anglican Church has been identified as having the following Historic, Aesthetic, Associated, Rarity, Representative, Social and potential Technical heritage values as identified in the SHR Statement of Significance:

Evidence of Governor Macquarie's initiatives in opening up settlement in NSW. One of the three oldest surviving Anglican churches in Australia. A fine example of Francis Greenway's public architecture in NSW. Widely regarded with St James, Sydney and St Matthew's, Windsor as a 'foundation' colonial church.

The clock in tower is rare in Australia, being one of 3 Thwaites (UK) clocks in Australia, sent (gifted) by King George III (one in Parramatta at the Former Female Factory, one in Hobart). (Brown, 2002)

St Luke's Anglican Church Group as part of Macquarie's original survey of Liverpool demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. It also demonstrates the history of the Anglican Church from the early establishment of the Colony from which period it has been a centre for local worship. The group is associated with many key Colonial figures, including the Architect Francis Greenway and is representative of his early colonial architectural style. Located within the heart of Liverpool the group is a historic, aesthetically pleasing landmark in an otherwise modernised city centre. It is one of only three surviving early Anglican churches in the country.



There is the potential to gain more information on the site from further architectural, archaeological and documentary research (LEP)

- The proposed development is physically separated from St Lukes Anglican Church by both the landscape curtilage surrounding the item and a broad pedestrian thoroughfare.
- It is noted that while Liverpool Town Centre is undergoing a period of change, there is a potential for impact to the setting of the Heritage listed item arising from the proposed development. This visual impact is likely to be most acute when viewing the Church, and its Tower, from the Northumberland Street entry (west). This key view of the Church is currently uninterrupted by modern development. Heritage NSW is concerned about the visual impacts arising from the proposed high-rise towers, the extent of glazing to the podium, material palette, colour scheme and any potential signage likely to be proposed as part of the development. This key view has not been considered in the Statement of Heritage Impact, refer to page 18 and figure 35 of that report. The potential impacts should be demonstrated through Visual Impact Assessment, consideration of material palettes and Signage Strategy.

Recommendations

It is recommended that the following conditions are included on the Development Application:

1. A Visual Impact Assessment must be prepared to consider potential impacts to significant views to, from and in conjunction with St Lukes Anglican Church (SHR 00086).

Reason: To ensure key view to and from the heritage item are not impacted by the proposed development

2. Amended plans including a sympathetic material schedule, colour palette and signage strategy must be prepared to demonstrate consideration of the setting and views of the St Lukes Anglican Church (SHR 00086).

Reason: To minimise future impacts to the heritage item arising from the proposed development.

If you have any questions about this correspondence, please contact Louise Doherty, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

Tempe Beaven

Tempe Beaven
Heritage Referrals Practice Lead
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
Environmental heritage comments made as delegate of the Heritage Council of NSW
6 August 2025

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Page: 3 of 3



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