

Attachment B – Tables of Compliance

Biodiversity and Conservation Act 2016

Fisheries Management Act 1994

Water Management Act 2000

Rural Fires Act 1997

National Parks and Wildlife Act 1974

State Environmental Planning Policies

- SEPP (Planning Systems) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Transport and Infrastructure) 2021

Liverpool Local Environmental Plan 2008

Liverpool Development Control Plans 2008

ENVIRONMENTAL ASSESSMENT

Statutory Framework

A. Biodiversity and Conservation Act 2016

The site is subjected to the provisions under the *Biodiversity and Conservation Act 2016* (BC Act) in which outlines that if a proposal is likely to affect threatened species, consideration must be given to the measure to assess and address that impacts should the land not be biodiversity certified or below the required clearing threshold of land. The site is identified as containing Biodiversity Values including Coastal Wetland area, in which fronts the Georges River.

Works are currently not proposed within this area under this Application; however, it is noted within Stage 8 and 9 which is south for approval under the Concept Application, this will be addressed including within the dedication of land within the Riparian Corridor through the VPA.

Whilst the site is generally vacant in areas, trees are still required to be removal to facilitate the delivery of residential land which therefore exceeds the clearing threshold. A Biodiversity Development Assessment Report has been submitted outlining the threshold triggers and further assesses the developments impacts.

This was referred to Councils Biodiversity Officer who in part supported the application, noting the proposal includes the revegetation of the Riparian Corridor and dedication of land to Council which fronts the Georges River foreshore. However, has required additional information in the BDAR assessment to address the proposed fencing and mitigation measures for the koala population in the area that are likely to utilise the site once vegetation restoration occurs.

B. Environmental Planning and Assessment Act 1979

The proposed development is considered integrated development pursuant to Section 4.46 and 4.47 of the EP&A Act.

a. Fisheries Management Act 1994

The proposal development is considered integrated Development pursuant to the provisions under Part 7 Protection of Aquatic Habitats and Part 7a Threatened Species Conservation noting the works near the Georges River.

The application was referred to Department of Primary Industries and Reginal Development (Department of Fisheries) who assessed the Concept Application and Stage 1 works which consists of subdivision into Seven (7) Stages and found the application supportable subject to the imposition of conditions of consent.

b. Water Management Act 2000

The proposal development is considered integrated Development pursuant to the provisions under Part 3 Approvals being a Controlled Activity Approval noting the works near the Georges River.

The application was referred to Department of Planning and Environment – Water to assess the proposal and found the development was suitable subject to the imposition of conditions of consent. Any future works which may impact the Georges River are required to have consultation with DPE-Water and Council.

c. Rural Fires Act 1997

The subject site is identified as bushfire-prone land, and the proposed development constitutes integrated development pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act). As such, in accordance with Section 100B of the Rural Fires Act 1997, the development application was required to be referred to the NSW Rural Fire Service (RFS) for General Terms of Approval (GTA).

The application was referred to the RFS; in which RFS assessed the application and issued associated GTAs

d. National Parks and Wildlife Act 1974

The applicant submitted an Aboriginal Cultural Heritage Assessment Report which was assessed by Councils Heritage Officer who in turn recommended referral to Heritage NSW pursuant to Clause Part 6 of the *National Parks and Wildlife Act 1974*.

Heritage NSW requested Additional Information in which it was responded to by the applicant which found the proposal to be suitable in terms of satisfying the provisions under the NPW Act, and therefore GTA were issued by Heritage NSW in relation to the proposal.

C. State Environmental Planning Policy (Planning Systems) 2021 ('Planning Systems SEPP')

Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Clause 2 of Schedule 6 of the Planning Systems SEPP as the proposal is development with an estimated development cost of more than \$30 million. Accordingly, the Sydney Western City Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

D. State Environmental Planning Policy No. (Resilience and Hazards) 2021

i. Chapter 2 Coastal Management

The site is mapped as containing a Coastal Wetland on the banks of the Georges River. No works are proposed within the identified area under the Stage 1 works approval; however, Concept Designs have been submitted for approval in terms of Stage 8 and Stage 9, in which the application intends to deliver upgraded works along the river front, which is intended to be delivered under the VPA and through these concept stages of the development which will require a future development application. It has been identified that the development in these future stages would not impact or impede the associated vegetation within the wetland. The proposal was referred to the Department of Fisheries, which supported the proposal in the form of General Terms of Approvals.

ii. Chapter 4 Remediation of Land

Clause 4.6 Contamination and remediation to be considered in determining development application

The proposal has been assessed under the relevant provisions of SEPP (Resilience and Hazards) 2021, specifically Chapter 4 – Remediation of Land, as the proposal involves the development of land to accommodate a change of use.

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

- *to provide for a statewide planning approach to the remediation of contaminated land.*

- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

Clause 4.6(1) prescribes the contamination and remediation matters that must be considered by Council before determining the development application. Specifically, Council must consider:

- whether the land is contaminated; and
- if the land is contaminated, the Council must be satisfied that the land is suitable in its contaminated state (or will be suitable after remediation); and
- if the land requires remediation to be made suitable, Council is satisfied that the land will be remediated before it is used.

Pursuant to Clause 4.6(1) the following shall be addressed:

Clause 4.6 - Contamination and remediation to be considered in determining development application	Comment
(1) A consent authority must not consent to the carrying out of any development on land unless:	
(a) it has considered whether the land is contaminated, and	A Preliminary Site Investigation Report (PSI), a Detailed Site Investigation Report (DSI), and a Remedial Action Plan (RAP) were submitted with the application, and ground contaminants were identified on a portion of the site. Council considered the proposed methods of removal as specified in the RAP, which required the contents to be removed from the site. The application was referred to the Council's Environmental Health officer, who has supported the proposal subject to conditions of consent.
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and	The DSI and RAP indicate that the site requires remediation and therefore can be made suitable for the proposed residential use and development of land for public use. In this regard, this will satisfy the requirements of making the land suitable for residential purposes.
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	The site requires remediation, which is supported by appropriate conditions of consent.

Based on the above assessment the application has satisfied to address the SEPP, and the consent authority is satisfied the site is suitable for the proposed use.

E. State Environmental Planning Policy (Biodiversity and Conservation) 2021

(i) Chapter 2 – Vegetation in non-rural areas

The proposal intends to remove existing trees, plants and shrubs located across the two parcels of Land. A Biodiversity Development Assessment Report (BDAR), Vegetation Management Plan and Stream and Riparian Management Plan has been submitted to outline the removal and replacement of trees on the site due to the proposed works.

Council is satisfied the proposed development will facilitate the revegetation of trees within the subdivision layout, in particular within the proposed Public Parks area and Riparian Corridor which has been supported by Council's Landscaping and Biodiversity Officers.

(ii) Chapter 4 – Koala habitat protection 2021

As noted in the body of the report and the biodiversity assessment, the site contains recognised ecological values, including riparian corridors and coastal wetlands adjoining the Georges River. In addition to these values, Chapter 4 of the Biodiversity Conservation Act 2016 emphasises the conservation and management of natural areas and the protection of habitat for koalas.

Liverpool City Council does not currently have an adopted Koala Management Plan, and therefore, the provisions of Part 4.3 (Koala Plans of Management) do not apply in this instance. Nevertheless, Council's Biodiversity Officer has reviewed the applicant's Biodiversity Development Assessment Report (BDAR), Ecological Assessment Report, and Vegetation Management Plan (VMP), which address the riparian corridor and surrounding flora and fauna. Furthermore, the proposed development includes significant vegetation restoration, which will increase koala habitat, as it currently does not exist due to the site being largely cleared of large vegetation. The vegetation restoration and management will ensure specific endemic species are restored within the riparian corridor.

In this regard, the Koala habitat assessment discussion included in the BDAR is heavily reliant upon fencing, currently excluding the species. An assessment of impacts on the quality and area of core koala habitat that is not reliant upon the fencing should be provided. Mitigation measures should also be further addressed, recognising that there are likely to be more koalas utilising the site once the fence is removed and revegetation work progresses to align with Chapter 4 of the Biodiversity & Conservation SEPP.

Consistent with the earlier findings under the BC Act and Chapter 2 of the SEPP (Biodiversity and Conservation) 2021, Council's officer determined the proposal to be suitable, noting that the revegetation of the riparian corridor and dedication of land to Council will enhance ecological connectivity and provide long-term biodiversity outcomes, with additional matters to address the koala habitat related to the proposed fencing to ensure for the protection of koalas.

(iii) Chapter 6 – Water Catchments

The subject land is located within the Georges River Catchment and as such Chapter 6 applies within the Biodiversity SEPP. The Biodiversity SEPP aims to protect the environment of the Georges River system by ensuring the impacts of future land uses and development in general are considered in a regional context.

The relevant parts of the SEPP are:

Chapter 6	
Part 6.1 Preliminary	
Provisions	Comment
6.1 Land to which this chapter applies	
This Chapter applies to land in the following catchments— (d) the Hawkesbury-Nepean Catchment	The subject site is identified as being within the Georges River Catchment.
Part 6.2 Development in regulated catchments	

6.6 Water quality and quantity (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following— (a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway, (b) whether the development will have an adverse impact on water flow in a natural waterbody, (c) whether the development will increase the amount of stormwater run-off from a site, (d) whether the development will incorporate on-site stormwater retention, infiltration or reuse, (e) the impact of the development on the level and quality of the water table, (f) the cumulative environmental impact of the development on the regulated catchment, (g) whether the development makes adequate provision to protect the quality and quantity of ground water.	In response to a request for additional information, the applicant submitted further analysis to demonstrate compliance with requirements relating to water quality and quantity. This supplementary assessment was referred to the Council's Engineer for review. Following the evaluation, Council's Engineer confirmed that the information provided is satisfactory, noting that the proposed measures will maintain water quality, enhance on-site water catchment performance, and mitigate potential adverse environmental impacts. The Engineer further advised that the proposed design appropriately manages stormwater flows and site run-off, ensuring that impacts on water quality and hydrological balance are minimised throughout the development process. It is noted that Stages 8 and 9, identified under the Concept Approval, will be subject to separate assessment and determination under future development applications.
6.7 Aquatic ecology (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following— (a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation, (b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require— a controlled activity approval under the <i>Water Management Act 2000</i>, or (ii) a permit under the <i>Fisheries Management Act 1994</i>, (c) whether the development will minimise or avoid— (i) the erosion of land abutting a natural waterbody, or (ii) the sedimentation of a natural waterbody, (d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area, (e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology, (f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.	Subject to conditions of consent the impact on terrestrial, aquatic, or migratory animals or vegetation will be minimised. The development has been referred to the Department of Fisheries and Department of Planning and Environment – Water, who have supported the development and provided appropriate General Terms of Approval (GTA's) under the Concept Development. Erosion and Sediment Controls have been considered and are suitably addressed by the applicant. Development is not identified as being in proximity to wetlands or a littoral rainforest area. The potential impacts of the development on the Georges River Catchment have been assessed and are considered acceptable given the site's locality and proposed management measures.

	The application was referred to the Department of Planning and Environment – Water, which has granted its GTA subject to conditions of approval. The development has demonstrated that the quality of water entering the adjoining natural waterbody will be maintained at a level as close as practicable to neutral or beneficial, with impacts on water quality appropriately minimised through the implementation of stormwater management and environmental protection measures.
6.8 Flooding (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems. (2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not— (a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or (b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.	The subject property is flood-affected, in which the lots impacted by Flooding are subject to the Concept approval, with Stage 8 and Stage 9 to be separate applications to be submitted in the future to Council for assessment and determination.
6.9 Recreation and public access	The development is not considered to impact public access to recreational land. Stage 8 and Stage 9 will allow for the delivery of the riparian corridor in which will be dedicated to the Council for public access to the foreshore, and the delivery of the open space area for the community.
6.10 Total catchment management	The development is not anticipated to impact on total catchment management.

The submitted documentation has been assessed and confirms that the proposed development meets the stormwater management and water quality design requirements of Liverpool City Council. The application has been reviewed by Council's Land Development Engineering and Flooding teams, both of whom have indicated their support for the proposal.

In this regard, it is considered that the development satisfies the relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The consent authority can be assured that the potential impacts on water quality, water quantity, and aquatic ecology have been appropriately addressed and are reasonable within the framework of the SEPP.

F. State Environmental Planning Policy (Transport and Infrastructure) 2021

(i) Clause 2.119 – Development with frontage to classified road

The subject application fronts Heathcote Road, which is a classified road, and as such the provisions of Clause 2.119 of the SEPP apply to the development. Clause 2.119(2) provides the following:

Clause	Comment
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(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—	
(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and	Complies Vehicular access to the land is provided from Pleasure Point Road, with no access permitted from Heathcote Road.
(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of— (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and	Complies The proposed development would not impact the safety, efficiency, and ongoing operation of the classified road.
(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.	See discussion of Clause 2.120 below.

(ii) Clause 2.120 – Impact of road noise or vibration on non-road development

The subject application includes development for the purposes of residential accommodation adjacent to the road corridor for a road with an annual average daily traffic volume of more than 20,000 vehicles and is likely to be adversely affected by road noise or vibration, and as such the provisions of Clause 2.120 apply to the subject development.

Clause 2.120(3) provides requirements for the maximum noise level in a bedroom or other space within residential accommodation. An acoustic report has been provided which addresses noise impacts from the classified road on the development, and conditions of consent can be imposed requiring construction to adhere to the requirements of the report

The application was referred to TfNSW in which on 8 May 2025 provided a response and is addressed further within the report.

(iii) Clause 2.122 – Traffic-generating development

The application involves a total of 364 residential lots, as such, Clause 2.122 of the SEPP applies to the application. The applicable provisions under this clause are Subsection 4(b) (i)-(iii), which are discussed below.

(4) Before determining a development application for development to which this section applies, the consent authority must—

(b) take into consideration—

- (i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and*

The application has been referred to Transport for NSW (TfNSW) and they have advised they are supportive subject to imposition of conditions.

- (ii) *the accessibility of the site concerned, including—*
 - (A) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*

The site is fairly accessible, being located close Heathcote Road and Holsworthy Train Station. The development includes the provision of a bus network through the site, connecting to Voyager Point to the Northwest. The proposed use would principally generate individual car trips, with some small- to medium-sized trucks providing occasional services.

- (iii) *any potential traffic safety, road congestion or parking implications of the development.*

The proposed development was referred to Council's Traffic Engineers who support the proposed development subject to the imposition of conditions of consent.

G. Liverpool Local Environmental Plan 2008

The site is zoned R2 Low Density Residential, C3 Environmental Management and RE1 Public Recreation pursuant to the Liverpool Local Environmental Plan 2008.

The Liverpool Local Environment Plan 2008 Land Use Table for the application zones is replicated below:

Zone R2 Low Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.*
- *To provide a suitable low scale residential character commensurate with a low dwelling density.*
- *To ensure that a high level of residential amenity is achieved and maintained.*

2 Permitted without consent

Home-based childcare; Home occupations

3 Permitted with consent

*Attached dwellings; Bed and breakfast accommodation; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; **Dwelling houses**; Educational establishments; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Oyster aquaculture; Places of public worship;*

*Pond-based aquaculture; **Recreation areas**; Respite day care centres; **Roads**; Secondary dwellings; Semi-detached dwellings; Tank-based aquaculture*

4 Prohibited

Any development not specified in item 2 or 3

C3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- To provide for a limited range of development that does not have an adverse effect on those values.*
- To enable the recreational enjoyment or scientific study of the natural environment.*

2 Permitted without consent

Environmental protection works; Home-based childcare; Home occupations

3 Permitted with consent

*Building identification signs; Cellar door premises; Dwelling houses; Environmental facilities; Flood mitigation works; Home businesses; Home industries; Information and education facilities; Kiosks; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; **Roads**; Roadside stalls; Tank-based aquaculture*

4 Prohibited

Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Senior's housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.*
- To provide a range of recreational settings and activities and compatible land uses.*
- To protect and enhance the natural environment for recreational purposes.*
- To provide sufficient and equitable distribution of public open space to meet the needs of residents.*
- To ensure the suitable preservation and maintenance of environmentally significant or environmentally sensitive land.*

2 Permitted without consent

Environmental protection works, home occupations

3 Permitted with consent

*Aquaculture; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Entertainment facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Kiosks; **Marinas**; **Mooring pens**; Places of public worship; **Recreation areas**; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; **Roads**; **Water recreation structures***

4 Prohibited

Any development not specified in item 2 or 3

Comment:

The proposed development facilities the provisions of additional residential land within Pleasure Point; redeveloping a vacant greenfield site into a new suburb with the provisions of facilities such as parks, open space and recreational areas to create a vibrant new community. This demonstrates the proposal is in line with the objectives of each of the zones, and the Liverpool LEP overarching aims to encourage a range of housing and recreation services to meet the needs of future residents of Liverpool.

Compliance with the relevant provisions of the Liverpool LEP 2008 is outlined in Table 2 below.

Compliance with Liverpool LEP 2008

Control	Requirement	Proposal	Comply
Minimum Subdivision Lot (CI 4.1)	400sqm, 600sqm and 40HA.	The proposal development has included a variety of lot sizes that comply with the minimum requirements of 400sqm and 600sqm. The existing C3 Land does not comply with the required 40ha lot size; however, it is intended to be dedicated to Council in the terms of open space under the VPA and form part of the consent.	Complies
Relevant Acquisition Authority (CI 5.1)	To identify the applicable acquisition authority for certain lands.	Part of the site is identified for acquisition and will be required to be dedicated to the Council as per the letter of offer to enter into a VPA under consent.	Complies
Development on land intended to be acquired for public purposes. (CI 5.1a)	To limit development on certain land intended to be acquired for public purposes.	The land identified on the Land Reservation Map is RE1- Local Open Space, is set to be acquired by the Council.	Complies
Heritage Conservation (CI 5.10)	To identify object of a heritage or Aboriginal nature.	An ACHAR has been prepared and submitted to Council. The ACHAR was referred to Heritage NSW, who subsequently provided GTA and associated conditions of consent.	Complies
Subdivision of, or dwelling on land in certain rural, residential or conservation zones (CI 5.16)	To minimise the potential of land use conflict between existing and propose development on land including C3.	Built form is not proposed under the application. Development Applications will be required to be submitted for dwelling houses.	Complies
Flood Planning (CI.5.21)	To allow development on land which is compatible with flood function and behaviour and to minimise risks.	The site is identified as containing flood-prone land. Council's Flood Engineers are satisfied that Stages 1-7 are suitable in terms of flood affectation. Stages 8 and 9, approved under the Concept Approval, will be required to submit separate development applications and address flood constraints.	Complies

Special Flood Considerations (CI.5.22)	To enable the safe occupation and evacuation of people and ensure development is compatible.	Council's Flood Engineers have supported Stages 1-7 with appropriate conditions of consent. Additional Staging will require separate approval.	Complies
Public Utility Infrastructure (CI 6.5)	To ensure adequate services is available in terms of electricity, water, and wastewater	Sydney Water and Endeavour Energy have provided their concurrence in support of the proposal. Appropriate conditions of consent will be imposed to ensure the development can meet the servicing requirements.	Complies
Acid Sulfate Soils (CI 7.7)	The objective of this clause is to ensure that development does not disturb, expose, or drain acid sulfate soils and cause environmental damage.	The site is located within an area mapped as Class 5 Acid Sulfate Soils (ASS) and is in proximity to land identified as Class 1–4 under the Acid Sulphate Soils Planning Maps. In accordance with Council's requirements, a Geotechnical Report has been submitted to assess the potential presence and impacts of ASS within the development footprint. The report confirms that while the broader locality contains mapped ASS land, the proposed development will not result in disturbance or adverse impacts to areas identified as containing acid sulfate soils. On this basis, the proposal is considered to appropriately address the relevant planning provisions relating to ASS, ensuring that the subdivision works can proceed without risk to soil or water quality.	Complies
Earthworks (CI 7.31)	Council to consider matters such as cut and fill, general excavation, and drainage for the site.	The proposed development includes earthworks to establish suitably level allotments, with cut and fill operations required across portions of the subdivision. These matters have been addressed in the applicant's documentation and reviewed by Council's Engineering Section, who are satisfied with the proposed approach. Appropriate conditions of consent will be imposed to ensure compliance and effective management of earthworks during construction.	Complies

H. Liverpool Development Control Plan

The Liverpool Development Control Plan 2008 supports the Liverpool Local Environmental Plan 2008 by setting additional development controls for development located in the Liverpool LGA.

Compliance with the relevant provisions of the Liverpool Development Control Plan 2008 is outlined in Table below:

Compliance with Liverpool Development Control Plan 2008

Liverpool Development Control Plan 2008			
Clause	Required	Provided	Complies
Part 1 General Controls for all Development			
2. Tree Preservation			
	Consideration shall be given to the potential impact of development on existing vegetation.	Existing vegetation on site will be cleared; however, revegetation will occur within the Riparian Corridor and C3 Land.	Yes
3. Landscaping and Incorporation of Existing Trees			
	Incorporate existing trees where appropriate.	The proposal includes the removal of a number of trees to facilitate the construction of the subdivision. This is considered acceptable.	No
4. Bushland and Habitat Preservation			
	Consideration shall be given to the potential impact of the development on surrounding bushland and animal habitat.	The development site is identified as containing native flora or fauna, and there is a potential for threatened ecological communities. A BDAR report was submitted and supported by Council's Biodiversity Team.	Yes
5. Bushfire Risk			
	Any development on or adjacent to bushfire prone land to comply with RFS requirements.	The site is identified as bushfire prone land. RFS have provided GTA in support of the subdivision.	Yes
6. Water Cycle Management			
	Consideration shall be given to the impacts associated with stormwater.	This aspect has been reviewed by Council's Development Engineering Section, who have raised no objections, subject to conditions.	Yes
7. Development Near a Watercourse			
	If any works are proposed near a water course, the Water Management Act 2000 may apply, and you may be required to seek controlled activity approval from the NSW Office of Water.	The development site is within close proximity to a water course, being the Georges River. GTA's have been received from DPE-Water in relation to works near the Riverbank.	Yes
8. Erosion and Sediment Control			
	Erosion and sediment control plan to be submitted.	Erosion and sediment control plan submitted and considered satisfactory. Standard conditions of consent recommended to be incorporated in the draft conditions of consent.	Yes
9. Flooding Risk			
	Consideration shall be given to the potential of flood affectation on the development, and the potential for the development to affect flood behaviour and impact to surrounding properties.	The site is identified as a Flood Prone Land and within the Flood Planning Area. Council's flood engineer has raised concerns for the proposal and requested additional information which has been responded to. The engineers	No

		are now satisfied and have imposed conditions of consent.	
10. Contaminated Land Risk			
	The potential for site contamination shall be considered having regard to previous land uses and the requirements of SEPP.	Contamination and remediation matters have been addressed with the relevant documentation; therefore, the proposal is supported.	Yes
11. Salinity Risk			
	Salinity Management response required for affected properties.	Standard conditions recommended to be incorporated in the draft conditions of consent.	Yes
12. Acid Sulfate Soils Risk			
	This section applies to any development that is located in an area identified as having an acid sulfate soil potential within the Liverpool LEP 2008.	The subject site is affected by acid sulfate soils Class 5. Conditions of consent have been imposed.	Yes
14. Demolition of Existing Developments			
Demolition	All demolition work must comply with the Australian Standard AS2601 - 1991, The Demolition of Structures A Waste Management Plan (WMP) is to be submitted with the Development Application. The WMP must include realistic estimates of the volume or area of all types of waste material to be generated from the demolition and excavation activities. Details of how each of those materials will be re-used, recycled or disposed of is to be provided, including the locations to which the materials will be taken.	Demolition works are not proposed. Standard Conditions apply.	N/A
17. Heritage and Archaeological Sites			
	This section applies to development affecting a heritage item, land in a heritage conservation area or an archaeological site as identified in the Liverpool Local Environmental Plan 2008, as well as land in the vicinity of a heritage item.	The site is identified as potentially having a local aboriginal heritage item. An ACHA has been submitted and referred to Heritage NSW who provided GTA's in support of the application.	Yes
20. Car Parking and Access			
Off-Street - Car Parking Provision other than Liverpool City Centre	Off streetcar parking provision and service and loading provision shall be provided in accordance with Table 11. <u>Service and Loading</u> - Service facilities for a van	The design of the subdivision affords off-street parking for the newly created residential lots.	Yes
23. Reflectivity			
	New buildings and facades must not result in glare that causes	Any future built forms will be required to address reflectivity.	Yes

	discomfort or threatens safety of pedestrians or drivers.		
25. Waste Disposal & re-use Facilities			
Residential development	Provision must be made for on-site waste storage and collection by private contractor.	Detailed requirements will be submitted at detailed DA stage.	Yes
Waste Management Plan	A Waste Management Plan (WMP) shall be submitted with a Development Application for any relevant activities generating waste. The WMP is provided in three sections: Liverpool Development Control Plan 2008 Waste Disposal and Re-use Facilities Part 1 115 - Demolition. - Construction; and - On-going waste management.	Detailed requirements will be submitted at detailed DA stage	Yes
26. Outdoor Advertising and Signage			
		The application does not propose the erection of any signage.	N/A
29. Safety and Security			
	Address 'Safer-by-Design' principles in the design of public and private domain, and in all developments including the NSW Police 'Safer by Design' Crime Prevention Through Environmental Design (CPTED) principles	Detailed requirements will be submitted at detailed DA stage	Yes

Part 2.13 Land Subdivision in Pleasure Point		
Control	Requirement	Comment
2.1 Street Network	1. Subdivision plans are required to comply with the fixed streets identified in Figure 2. 2. Provide a grid-like street network pattern to facilitate walking and cycling and enable direct local vehicle trips within the neighbourhood. Cul-de-sacs will only be supported other than where alternative street patterns are not achievable. 3. Design safe pedestrian crossing points. 4. All intersections are to be designed in accordance with the RTA Austroads standards. 5. Street sections are to comply with Figures 3, 4 and 6. The internal link road shall have a minimum travel-way width of 7m to accommodate a bus route. 7. Local streets shall front open space and avoid back fences to open space and other public areas. 8. All streets are to be legibly signposted with streets names and property numbers 9. 1.5m footpaths are to be provided on both sides of all streets.	Complies The proposed development is consistent with the intended Road Network, particularly joining up with Lilli Pili Drive to the Northwest. The subdivision pattern has been designed in a grid-like street network which allows for a cycle pathway to existing from Pleasure Point Road and to interconnect with the existing subdivision to the Northwest. A number of local streets will face proposed open space and riparian corridors with footpaths to be provided on one side of the street.

	10. All Development Applications for subdivision are to detail the proposed kerb type. 11. Barrier kerbs are to be used: - On any street frontage to open space. - At all intersections (between the potential driveway location on one frontage to the potential driveway location on the alternative street frontage). Driveways are not to be located within 6m of the tangent point of any intersection. 12. Roll kerbs may be used in other locations to the above.	
2.2 Pedestrian and Cyclist Paths	1. Pedestrian and cycle paths shall be provided in conjunction with the subdivision of land, creation of streets and development of open space in accordance with Figure 6. 2. Shared pedestrian/cycle links, cycle ways, public streets and lanes shall be clearly and frequently signposted to indicate their shared status. 3. Designated cycle lanes on streets shall be clearly indicated by line-markings on the road surface and/or by signs beside the road. 4. Shared pedestrian and cycle paths shall be a minimum 2.5m wide. 5. Designated pedestrian-only paths shall be a minimum of 1.5m wide and located in accordance with Figures 3 - 4.	Complies The proposal includes pedestrian and cycle paths throughout the subdivision. Plans have been provided which demonstrate the shared links.
2.3 Streetscape and Street Trees	1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style. 2. Street furniture is to be located so as not to impede mobility, generally in accordance with AS 1428:1 - 4. 3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with the DA.	Complies Landscape plans have been submitted and demonstrate the intended streetscape of the subdivision pattern in which the incorporation of
2.4 Open Space	1. Land identified for open space under Liverpool LEP 2008 shall be dedicated to Council in conjunction with the subdivision of adjoining residential land. 2. Direct vehicle and pedestrian connection shall be provided between the land identified as RE1 along the Foreshore and with future residential subdivision of the adjoining land via a public road. 3. The street network should be designed to avoid removal of large stands of existing trees. 4. The street network should be designed to preserve mature trees	Complies The Development includes the provision of open space dedication to Council under the VPA. The design and dedication of the open space would occur under the VPA.

	within the verge of the road reservation. 5. Public roads should be located between private allotments and open space areas. 6. Open Space is to be designed in accordance with Planning for Bushfire Protection 2006 to minimise potential impacts of bushfire on life and property. 7. To create visually interesting streetscapes through the use of native plantings and street plantings.	
2.6 Bushfire Protection	1. A 25 metre setback applies to the rear boundary of all lots adjacent to DP 239468 (see Figure 8) a. Within the 25 metre rear setback area: i. Any above ground structures are to be limited to a 15 square metre footprint and constructed of non-combustible material. ii. Landscaping is to include fire resistant species. iii. Fixed water systems are to be installed. b. For properties directly adjoining DP 239468 the rear fence shall be: i. 1.8m high ii. Consist of see through construction e.g. cyclone wire 2. A fire trail parallel to Pleasure Point Road shall be provided as part of any development of lots 4 - 7 DP 239468. The trail shall link to Pleasure Point Road through lots 4 - 7 and meet the requirements of section 4.3.3 of Planning for Bushfire Protection 2006. 3. This track is to be located as shown on Figure 9. Gates must be provided in side boundary fences to allow passage of fire trucks and equipment along the trail in the event of fire. 4. Any area west of the bushfire trail is to be treated as a fuel reduced zone.	Complies The subdivision as been referred to RFS who have supported the subdivision subject to the recommendations in the GTA's. Dwelling Houses will still need to comply with Planning for Bushfire Requirements.
2.7 Creek Corridors	1. Provide for the protection of the creek environment, including water quality, soil stability and creek bed habitat. 2. Bush fire asset protection zones are to be incorporated into boundary road design and outside the conservation areas and creek zones. 3. Avoid the removal of existing trees in the following zones: - RE1 - Recreation - Public - W1 – Natural	Complies The proposed Concept DA identifies upgrade works along the banks of the Georges River as well as revegetation of the riparian corridor. This is set to be delivered under the VPA as well as within Stage 8 and Stage 9 Development Applications which are subject to separate approvals. GTA's have been granted from DPE-Water and Department of Fisheries.

	Waterways - C3 – Environmental Management 4. Service utilities can only be provided within Creek Corridors if no other practical or feasible opportunity exists to cross the corridor at designated crossing points, such as streets and pedestrian crossings.	
2.8 Stormwater Quantity and Quality Management	1. Part of the site drains to a gully west of Pleasure Point Road and is zoned E3 Environmental Management. It is not intended that this be transferred to public ownership but rather kept in private ownership in conjunction with residential purposes in the adjoining R2 zone. Development for residential development in the R2 zone shall ensure that the peak discharge of stormwater does not exceed the pre-development flows and that water quality is not degraded. 2. A Stream and Riparian Management Plan (SRMP) is to be prepared as part of the Water Cycle Management Plan and submitted with the subdivision Development Application for the full extent of each creek corridor within the subdivision being developed. These SRMPs are to be prepared in consultation with Council and Department of Water and Energy and require the approval of Council. 3. The SRMPs are to include the following: - Plans showing, in detail, the existing creek channels, creek vegetation (including remnant native vegetation), geomorphic features and aquatic habitats (reed beds, snags etc). - Detailed plans of any channel modification and stabilisation works. - A longitudinal stream survey section (if stream works are proposed) of the existing and proposed creek channel bed in sufficient detail to identify changes in bed level and hydraulic features (i.e. pools and riffles). - Details on the staging and sequencing of any works within the creek zone. - Recommendations on how to address the modified drainage system and reaches. - A vegetation management plan is to be incorporated into the SRMP for the establishment of creek corridors. It must use natural and assisted regeneration and planting of locally native vegetation (trees, shrubs and groundcover species).	Complies The proposed stormwater network has been considered suitable for the subdivision and supported by Councils Engineers. The riparian corridor is intended to be reinstated and revegetated under Stages 8 and Stage 9 and delivered within the VPA. A Vegetation Management Plan has been submitted and supported by Councils Officers with appropriate conditions of consent. A future DA will demonstrate any works which are adjacent to Georges River and within the Riparian corridor in association with the GTA provided by DPE-Water and Department of Fisheries.

	4. The proposed Internal Link Road crossing of the creek must be designed to facilitate the movement of aquatic and terrestrial species and are to incorporate features that allow for light penetration beneath the structure. 5. The design of any structures crossing the creek in the E3 zone are to ensure the following: - 1% AEP flood conveyance. - Flora and fauna connectivity. - Scour protection. 6. Provide offline water quality control bio-retention systems to trap pollutants and fine sediment. 7. Provide structural water quality management devices, including, gross pollutant and sediment traps and litter management devices. 8. Where any construction adjacent to a creek, natural watercourse, drainage depression, or an enclosed drainage system is proposed, the DA should be consistent with the SRMP and is to be accompanied by a full hydrologic and hydraulic assessment. The assessment is to include: - External and internal catchment hydrology for rainfall events including the 1.5-, 5-, 20- and 100-year ARI design event. - An estimation of the capacity of the existing drainage system. - Predicted extents of flood inundation, depths, and velocities of predicted flood flows to allow effective hazard categorisation. 9. Where drainage routes pass through a property, adequate provision must be made for the passage of stormwater runoff with adequate freeboard to building floor levels. In the event of Council being requested to approve the location of a piece of infrastructure on its land, it will require: - Documentation that such an activity will not prejudice the use of the land for the purpose for which it exists. - Possible preparation or amendment to the Plan of Management for the land, and if this action is necessary a fee may be required.	
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